

THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS (AMENDMENT) BILL, 2013

(As passed by the Assembly)

A

BILL

further to amend the Madras Hindu Religious and Charitable Endowments Act, 1951.

Preamble.—WHEREAS, it is expedient further to amend the Madras Hindu Religious and Charitable Endowments Act, 1951 for the purposes hereinafter appearing ;

BE it enacted in the Sixty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras Hindu Religious and Charitable Endowments (Amendment) Act, 2014.

(2) It shall be deemed to have come into force on the 10th day of November, 2012.

2. *Amendment of section 7.*—In the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951) (hereinafter referred to as the principal Act), in section 7,—

(a) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Board referred to in sub-section (1) shall consist of nine Hindu members of whom one shall be a woman, one shall be a person belonging to Scheduled Castes and one shall be a person belonging to Scheduled Tribes.

Explanation:—For the purpose of this section, “Scheduled Castes” and “Scheduled Tribes” shall have the same meaning as assigned to them in clauses (24) and (25), respectively, of article 366 of the Constitution of India.”;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) Of the nine members specified in sub-section (3), seven members including the woman member, the member belonging to the Scheduled Castes and the member belonging to the Scheduled Tribes, shall be nominated by the Hindus among the Council of Ministers and the other two members shall be elected by the Hindus among the Members of the Legislative Assembly of the State of Kerala as provided in section 7I.”.

3. *Amendment of section 7B.*—In section 7B of the principal Act, in clause (iv), for the words “fifty years”, the words “forty-five years” shall be substituted.

4. *Insertion of section 7M.*—After section 7L of the principal Act, the following section shall be inserted, namely:—

“7M. *Duties of the Board.*—The Board shall perform the following duties and functions, namely:—

(i) to ensure proper maintenance and upliftment of Hindu Religious Institutions ;

(ii) to establish and maintain proper facilities in the temples for the devotees ;

(iii) to allocate all the divisions under the Board to the members by rotation, who shall perform such functions as may be authorised by the Board including the function to supervise the working of the Area Committee.”.

5. *Omission of section 8D.*—Section 8D of the principal Act shall be omitted.

6. *Amendment of section 13.*—In section 13 of the principal Act,—

(a) in sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Every Area Committee shall consist of seven members appointed by the Government.”;

(b) in sub-section (2), for the words “three years”, the words “two years” shall be substituted.

7. *Amendment of section 39.*—In sub-section (3) of section 39 of the principal Act, for the words “five years” the words “two years” shall be substituted.

8. *Special provisions relating to the existing members of the Area Committee and non-hereditary trustees.*—Notwithstanding anything contained in the principal Act, the Chairman and the members of the Area Committee and the non-hereditary trustees in office as on 10th November, 2012, the date of commencement of the Madras Hindu Religious and Charitable Endowments (Amendment) Ordinance, 2012 (59 of 2012), shall cease to hold office as such Chairman and members of the Area Committee or the non-hereditary trustees, as the case may be, on the said date.

9. *Repeal and saving.*—(1) The Madras Hindu Religious and Charitable Endowments (Amendment) Ordinance, 2013 (43 of 2013) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.
