

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 15th May 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 32 of 2012

A Bill further to amend the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 2012.

Short title and Commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu
Act 22 of
1959.

2. In section 6 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959,—

Amendment of section 6.

(1) in clause (15), after sub-clause (c), the following sub-clause shall be added, namely:—

“(d) in the case of a samadhi, brindhavan or any other institution established or maintained for a religious purpose, a person who is entitled to attend at or is in the habit of attending the performance of worship or service in such religious institution, or who is entitled to partake or is in the habit of partaking in the benefit of the distribution of gifts thereat;”;

(2) for clause (18), the following clause shall be substituted, namely:—

“(18) “religious institution” means a math, temple or specific endowment and includes,—

(i) a samadhi or brindhavan; or

(ii) any other institution established or maintained for a religious purpose.

Explanation.—For the purpose of this clause—

(1) “samadhi” means a place where the mortal remains of a guru, sadhu or saint is interred and used as a place of public religious worship;

(2) “brindhavan” means a place established or maintained in memory of a guru, sadhu or saint and used as a place of public religious worship, but does not include Samadhi.”.

STATEMENT OF OBJECTS AND REASONS.

As per clause (18) of section 6 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), religious institution means a math, temple or specific endowment. The places of samadhi and brindhavan are not covered under the provisions of the said Act. The places of samadhi and brindhavan established in Tamil Nadu in memory of famous guru, sadhu or saint are being worshipped as a place of public religious worship. These institutions have acquired the status of religious institution and owning vast properties besides attracting large number of worshippers. Barring a few, most of the samadhi and brindhavan are not covered under any law. Though, a few such samadhi and brindhavan are registered under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975), they are not effectively controlled under the said Tamil Nadu Act 27 of 1975. Therefore for effective supervision to bring those institutions under the control of Hindu Religious and Charitable Endowments Department, the Government have decided to include the places of samadhi and brindhavan and other institutions established or maintained for a religious purpose, where there is public religious worship, under the definition of the term "religious institution" in clause (18) of section 6 of the said Act and to bring out suitable amendment to clause (15) of section 6 of the said Act to define "person having interest" in such religious institution.

2. The Bill seeks to give effect to the above decision.

M.S.M. ANANDAN,
*Minister for Hindu Religious and
Charitable Endowments Department*

A.M.P. JAMALUDEEN,
Secretary.