

ANNEXURE**Form A.**

(See rule 3.)

Application under section 41(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

1. Name, description, and place of residence of the applicant.
 2. If the applicant is not the trustee of the math or temple, or the Commissioner, what interest he has in the math or temple and whether he has obtained the consent of such trustee or Commissioner (a copy of the letter according such consent shall be appended hereto).
 3. Name, description, age and place of residence of —
 - (a) the inamdar or where only a part of the inam is affected, each of the holders of the several parts of the inam, and
 - (b) the alienee.
 4. Whether the inam has been recognized by the Government, if so, the date and number of the title deed issued by the Inam Commissioner should be given.
 5. A concise statement of the conditions and return of the grant.
 6. Reason for resuming the inam.
- Certified that the particulars furnished herein are true to the best of my knowledge and belief.

Signature of the applicant.

Form B.

[See rule 7(1)]

Notice under section 41(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

In the Court of _____ at _____ district.

No. _____ of 19 ____.

Subjects: Inam - Religious/Charitable _____
taluk, _____ village _____
T.D. No. _____ Resumption.

To

(Name, description and place of residence)

Whereas _____ has presented an application
to this Court praying for the resumption of _____
the whole of the inam/a portion of the inam described below on
account of _____.

Take notice that if you have and cause to show why the inam/
a portion of the inam should not be resumed, you should appear
in person or by a counsel, duly instructed with proofs in this
Court on _____ the day of _____
19_____, when the said application will be heard and disposed
of, failing which the said application will be heard and disposed
of *ex parte* and it will be presumed that you consent to the
resumption of the inam/a portion of the inam.

Given under my hand and the seal of the Court, this day of

_____ 19 ____.

SCHEDULE.**(Description of the inam)****Form B-1**

[See rule 7(2).]

Notice under section 41(2) (b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

In the Court of _____ at _____ district

No. _____ of 19 ____.

Subjects: Inam _____ taluk, _____

district _____ Resumption.

To

(Name, description and place of residence) _____

Whereas I have reason to believe that the whole of the Inam/
a portion of the inam described below should be resumed on
account of _____.

Take notice that if you have any cause to show why the inam/
a portion of the inam should not be resumed, you should appear
in person or by a counsel duly instructed with proof, in this
Court on the _____ day of _____ 19____
when the aforesaid matter will be heard and disposed of, failing
which the matter will be heard and disposed of *ex parte*, and it
will be presumed that you consent to the resumption of the inam/
a portion of the inam.

Given under my hand and the seal of the Court, this day of
_____ 19____.

Collector.

SCHEDULE.**(Description of the inam)****Form C**

[See rule 11 (1).]

Notice under section 41(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

Subjects: Inam - Religious/Charitable _____
taluk, _____ village _____
T.D. No. _____ Resumption.

Appeal from the _____ of the Court of _____
dated _____.

To _____
(Name, description and place of residence)

Take notice that an appeal from the order of _____
in this case has been presented by _____ and registered
in this Court and that the _____ day of
_____ 19 _____ has been fixed by this Court
for the hearing of this appeal. If no appearance is made by
yourself in person or by your counsel, the appeal will be heard
and decided in your absence.

Given under my hand and the seal of the Court, this day of
_____ 19 _____.

District Collector.

Form D

[See rule 12.]

Application for execution of the order of re-grant of the inam under section 41 (2) (f) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

1. Name, description, age and place of the applicant.
2. Number and date of the order for the execution of which the application is made.
3. Whether an appeal has been preferred to this District Collector or a suit has been filed in the Civil Court against the order. If so, with what result.
4. Name, description, age and place of residence of each of the persons against whom the order is sought to be executed.
5. Mode in which the assistance of the collector is required, whether by delivery of land or recovery of money allowance.

Certified that the particulars furnished herein are true to the best of my knowledge and belief.

19

Given under my hand and the seal of the Court, this day of

19

District Collector

Collector.

THE RELIGIOUS INSTITUTIONS CUSTODY OF JEWELS, VALUABLES AND DOCUMENTS AND DISPOSAL RULES.*

**(G.O. Ms. No. 4055, Revenue, dated 23rd February 1961
as amended by G.O. Ms. No. 1361, Revenue,
dated 5th April 1963 and G.O. Ms. No. 275 C.T. & R.E.,
dated 16th July 1997)**

1. Short title.—These Rules may be called the Religious Institutions Custody of Jewels, Valuables and Documents and Disposal Rules.

2. Maintenance of register, etc.—The trustee of every religious institution shall maintain a register in such form as shall be specified by the Commissioner. It shall contain lists of the jewels, the gold vessels, the silver vessels and other valuables. The lists shall give a correct description and full particulars of the jewels and other valuables and also the gems, if any, in the jewels. The estimated value of jewels and the weight of the jewels and valuables other than the vahanams, shall be stated in the respective lists. Where new jewels or valuables are purchased or otherwise acquired entries shall be made in the said register then and there. When any jewel

* Original rules published in Part V of the *Fort St. George Gazette*, dated 25th October, 1961. (Page 1073).

or valuable is sold, lost, exchanged or altered, an entry shall be made about it in the register and any new jewel or valuable that is substituted shall be entered as a fresh item.

3. Arrangements for the safe custody of jewels and valuables.—The trustee shall be responsible for making proper arrangements for the safe custody of the jewels and valuables. He shall provide iron safe, boxes or other receptacles with locking arrangements. Wherever necessary strong rooms shall be maintained for keeping the iron safe, boxes or other receptacles. The mandapams, halls or rooms, in which gold or silver vahanams or palanquins are kept shall have suitable locking arrangements, and the vahanams shall be covered by dust proof sheets when not in use.

4. Custody of jewels and valuables where there is no executive officer.—Where the institution has no executive officer, the jewels and valuables shall be kept in the custody of the trustee if the number of the trustee is one, and in the joint custody of the Chairman of the Board of Trustees and such other trustee as may be decided upon by all the trustees if the number of trustee exceeds one.

Notwithstanding anything contained in the Custody of Jewels, Valuables and Documents and Disposal Rules, 1961 and the Installation, Safeguarding and Accounting of Hundials Rules, 1975, in the case of religious institutions for which there is no hereditary trustee and the functions of the Board of Trustees as the case may be, performed by the executive officer or by a fit person appointed by the Government under clause (b) of sub-section (2) of the section 11 of the Tamil Nadu Hindu Religious and Charitable Endowment (Amendment and Special Provisions) Act, 1976 (President's Act 1976) and in respect of such religious institution, hundials, jewels and valuables are required to be in joint custody immediately before the date of the commencement of the said President's Act, the Government or the Commissioner may, by a special order, direct that the key of one lock of each of the receptacles in which the jewels are kept and when there is a strong room, one key of such strong room and key of cash hundial shall

be entrusted by the executive officer or the fit person, as the case may be, to such person as may be authorised in this behalf.

(Added by G. O. Ms. No. 886, C. T. & R. E., dated 28th June 1976).

5. Custody of jewels and valuables where there is an executive officer.—Where the institution has an executive officer, the jewels and valuables shall be in the joint custody of the executive officer and the trustee or if the number of trustee exceeds one, the Chairman of the Board of Trustees.

6. Custody of double-lock system.—Where jewels and valuables are in joint custody, each of the safe receptacles in which they are kept and where there is a strong room, such strong room also, shall have at least two locks of different pattern and the key of one of the locks shall be in the custody of one person having a joint custody and that of the other lock shall be in the custody of the other person.

7. Taking out jewel or valuable out of the receptacle or strong room.—Whenever any jewel or valuable in joint custody has to be taken out of the receptacle or the strong room, it shall be done in the presence of the persons having joint custody or their duly authorised agents.

8. Procedure to be followed when jewels and valuables are to be entrusted to an office-holder for use during festival.—Jewels and valuables which are not used daily but are used only during festivals on any special occasion may, when they are required for use, be entrusted to an office-holder after obtaining his written acknowledgement in a register specially kept for the purpose. A written undertaking shall also be taken from the office-holder that he will indemnify the institution against loss or damage of the jewel or valuable. The acknowledgement and the written undertaking shall be in the forms contained in the annexure to these rules. The particulars regarding the jewels and valuable taken out and their serial number in the register maintained under rule 2 and the duration of the period for which the custody is entrusted to the office-holder, shall also be entered in the said register. If the jewel

or valuable so entrusted is required for more than one day, the trustee shall provide facilities to the office-holder to keep the jewel or valuable in safety. As soon as the festival or special occasion or the period for which the jewel or valuable is taken whichever is earlier is over, the office-holder shall return the jewel or valuable to the person or persons entitled to possession thereof. Simultaneously with return, a record as to such return shall be made in the register maintained under rule 2.

9. Entrusting jewels and valuable to an archaka or other office-holder.—Notwithstanding the provisions contained in rules 4 to 6, jewels and valuables required for use everyday may on the responsibility of the trustee, be entrusted to an archaka or other office-holder for custody. Such archaka or other office-holder shall be provided with necessary safe receptacles, with locking arrangements for keeping the jewels and valuables. The trustee shall in such case obtain a written acknowledgement in the register referred to in rule 7 from the archaka or other office-holder in token of receipt of the jewels and valuables and a written muchilika or bond undertaking to be responsible for their safety, to indemnify the institution for loss or damage arising from his neglect or misconduct and to produce them for check whenever called upon to do so. The trustee shall make periodical verification of the jewels and valuables entrusted under this rule. But, the Executive Officer, if any, or the Chairman of the Board of Trustees in consultation with trustees, may provide additional safeguards, that may be required for ensuring such safe custody in the interests of administration subject to such conditions as the Commissioner may, by general or special order, direct so that responsibility could be shared by other office-holders or archakas entering the garbagraham when the jewels are in actual use.

10. Procedure to be followed if possession of jewel or valuable is vested in one or more office-holders under any scheme or any decree of Court.—Where the right of possession of any jewel or valuable is vested under any scheme or any decree

or order of Court or any custom or usage, in one or more office-holder or servants,—

(a) the trustee and if the number of trustee exceeds one, the Chairman of the Board of Trustees and the Executive Officer, if any, shall have the right to the custody of the key of one of the locks of each of the safe receptacles in which the jewels or valuables are kept and of the key of one of the locks of the door of the strong room, if any ;

(b) the provisions of rules 7 to 9 shall be applicable ; and

(c) the Commissioner shall have power to order the taking of such security as he may deem fit from any office-holder or servant who may be entrusted with any jewel or valuable or issue such direction as he may deem fit according as the circumstances of the institution may require.

11. Trustee shall not repair, alter, etc., any jewel or valuable.—A trustee shall not repair, alter, replace, sell, gift away, pledge or destroy any jewels, vahanams, or other valuables in the temple, without the prior permission of the Commissioner.

12. Commissioner to issue instructions for the preservation of articles.—The Commissioner shall issue such instructions to the trustee as may be necessary for the preservation or otherwise of the articles mentioned in the previous rule and the trustee shall be bound to carry out such instructions.

13. Trustee shall not melt any jewel or valuable.—A trustee shall not, without obtaining the previous sanction of the competent authority, melt, any jewels or valuables in the temple including kanikkai articles in gold and silver and the competent authority may issue such instructions as may be necessary for the melting and the trustee shall be bound to carry them out.

14. Trustee shall not make any new jewel or vahanam.—A trustee shall not, without obtaining the previous sanction of the competent authority, make any new jewel or vahanam for the use of the temple.

15. Custody of documents.—Documents relating to the title of a religious institution to properties and securities such as

Government promissory notes, stock certificates, debentures, post office cash certificates, National Saving Certificates and fixed deposit receipts of banks obtained by the institution and mortgage deeds, bonds and promissory note in favour of the institution, shall be —

(a) where the institution has more than one trustee and no Executive Officer, in the custody of the Chairman of the Board of Trustees ;

(b) where the institution has more than one trustee and an Executive Officer, in the joint custody under double lock of the Chairman of the Board of Trustees and the Executive Officer ;

(c) where the institution has only one trustee and an Executive Officer, in the joint custody under double lock of the trustee and the Executive Officer, and

(d) where the institution has only one trustee and no Executive Officer, in the custody of the trustee.

16. Documents in joint custody taken out for reference.—When any document referred to in rule 15 which is in joint custody, is required for reference, encashment or other purpose, it shall be taken out in the presence of the persons having such custody, or their authorized agents and a record thereof shall be made in a register (containing details of documents) kept for the purpose. When the document is restored to joint custody, an entry thereof shall be made in the register.

17. Responsibility of the persons having joint custody.—The persons having joint custody shall be responsible for taking timely action for the recovery of any moneys or properties recoverable under the securities and if there is default in taking timely action owing to their neglect or other cause, they shall be responsible for the loss, if any, to the institution.

18. Rules 16 and 17 to apply to documents in the safe custody of the Chairman.—The provisions in rules 16 and 17 will apply *mutatis mutandis* in respect of documents in the sole custody of the Chairman of the Board of Trustees.

19. Custody of documents other than those referred to in rule 15.—Documents other than those referred to in rule 15 shall

be in the custody of such officer as the trustee or the Chairman of the Board of Trustees, as the case may be, may choose and if the institution has an Executive Officer in the custody of such Executive Officer.

20. Rules 15 to 19 shall be subject to any scheme settled.— The provisions of rules 15 to 19 shall be subject to the provisions of any scheme settled or deemed to be settled under the said Act.

21. (1) All the jewels and valuables of religious institutions shall be appraised by a team of officers consisting of a Verification Officer in the cadre of Deputy Commissioner, a Gold-cum-Gem specialist and a Technical Assistant and they shall have the responsibility of appraisal work in all the temples in their respective jurisdiction.

(2) The Verification Officer shall submit a report in detail about the jewels and valuables appraised and it shall specify —

- (a) whether the institution is listed or non-listed ;
- (b) the person who was in management ;
- (c) the person or persons with whom the jewels and valuables are entrusted for custody and the security furnished by them ;
- (d) the names of officers who had undertaken the appraisal work ;
- (e) the value of the jewels and valuables missing, if any, and the person or persons responsible for the loss ;
- (f) the fineness of each jewel and valuable appraised and its value ; and
- (g) abstract of weights and value of gold, silver and gems appraised.

(3) Once in a year, after the first appraisal is made, annual supplementary verification of gold, silver articles, etc., received by religious institutions by means of kanikkai shall be made and a report shall be sent to the Commissioner.

(4) Once in five years, with reference to the first appraisalment or revised appraisalment and annual supplementary appraisalment, a consolidation, giving effect to additions and deletions, revised appraisalment of jewels and valuables in respect of all religious institutions shall be made and a report specifying the particulars referred to in sub-rule (2) shall be sent to the Commissioner.

(5) In respect of the reports of appraisalment of jewels and valuables relating to the temples having Executive Officers in the cadre of Joint Commissioner, Deputy Commissioner and Assistant Commissioner, the Government shall be the approving authority.

(6) In the case of other temples, the Commissioner shall be the approving authority.

ANNEXURE.

I. Form of acknowledgement prescribed under rule 8 issued under section 116 (2) (xii) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959).

1. Name of the institution :
Village :
Taluk / District :
2. Date and time of issue :
3. Purpose of issue, *i.e.*, daily use for adorning the deities or the name of festival or special occasion, etc :
4. Duration of the period for which the jewels and valuables are entrusted :
5. Description of jewels and valuables —
 - (a) Serial number of the jewels and valuables in the register :
 - (b) Full description of jewels and valuables in the register :
 - (c) Number of items :
 - (d) Weight as shown in the register :
 - (e) Value as shown in the register :
6. Name of the officer to whom the jewels and valuables are issued :
7. Time and date of acknowledgement of the recipient :

I have taken custody of the jewels and valuables described in column 5 for daily use, festival or special occasion for days from to after verifying and satisfying myself that they tally with the particulars in column 5.

Date and time : *Signature.*

Place : *Designation.*

Witnesses :

(a) Issuing Officer :

(b) Any other servant of the institution :

8. Date and time of return of the jewels and valuables to the institution :

9. I have checked the jewels and valuables and satisfied myself that they tally with the particulars in column 5 and received them in good condition :

10. Remarks.

Date and time : *Signature of the person receiving back the jewels and valuables*

Place : *Designation.*

II. Form of undertaking of the office-holders receiving the jewels and valuables of the institution.

I hereby undertake to be responsible for the safety of the jewels, etc., entrusted to my custody as per my acknowledgement, dated and for adorning the deities as per custom and usage and undertake to return them intact on the expiry of my turn of duty or service in the festival or special occasions and undertake to indemnify Arulmighu / Sri.....temple,
.....Village.....,
Taluk,.....District, for the loss of whole

or in part of the jewels and valuables entrusted to my custody or damages caused to them arising out of my carelessness, negligence, misconduct or any other cause as estimated by the trustee or the executive authority of the institution from my personal property and also to produce all or any of them for check at any time under orders of the authorities of the institution failing which I hereby agree to take them as missing and make good the loss accordingly.

Date and time :

Signature

Place :

Designation of the Office-holder

Witnesses —

1. Name of the Issuing Officer and time :

2. Name of any other servant of the institution :

(iii) on the notice board or front door of the temple included in the list of the temple to which the specific endowment included in the list is attached ;

(iv) in the District Gazette ; and

(v) in the Tamil Nadu Government Gazette.

3. Notice of the inclusion or omission of any religious institution in the list shall be sent to the trustee or trustees of the religious institution concerned.

4. Any modification of the list shall be communicated to the trustee or trustees and shall also be published in the manner laid

THE MANNER OF PUBLICATION OF THE LIST OF RELIGIOUS INSTITUTIONS (OTHER THAN MATHS OR SPECIFIC ENDOWMENTS ATTACHED THERETO) RULES.*

(G. O. Ms. No. 4524, Revenue, dated 5th November 1960 as amended by G. O. Ms. No. 275, C.T. & R.E., dated 16th July 1997)

1. These rules may be called the Manner of Publication of the List of Religious Institutions (other than Maths or Specific Endowments attached thereto) Rules.

2. The list of religious institutions prepared by the Commissioner under section 46 shall be published—

(i) on the notice board of the office of the Commissioner ;

(ii) on the notice boards of the offices of the Joint and Deputy and Assistant Commissioners concerned having jurisdiction over the area in which the temple included in the list is situate or the temple to which the specific endowment included in the list is attached is situate ;

* Original rules published in Part V of the *Fort St. George Gazette*, dated 23rd November, 1960. (Page 521).