
REPORT OF THE SUBJECT COMMITTEE
ON
THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS (AMENDMENT) BILL, 2017
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

©
Kerala Legislature Secretariat
2017

KERALA NIYAMASABHA PRINTING PRESS.

REPORT OF THE SUBJECT COMMITTEE
ON
THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS (AMENDMENT) BILL, 2017
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

CONTENTS

	<i>Page</i>
1. Composition	v
2. Report	vii
3. Minutes of Dissent	ix
4. Bill as reported by the Subject Committee	1

SUBJECT COMMITTEE II
(LAND REVENUE AND DEVASWOM)

(2016-2018)

Composition

Chairman :

Shri E. Chandrasekharan,
Minister for Revenue and Housing.

Ex-officio Member :

Shri Kadakampally Surendran,
Minister for Co-Operation, Tourism and Devaswom

Members :

Shri P. B. Abdul Razak

Shri Adoor Prakash

Shri C. K. Hareendran

Shri E. P. Jayarajan

Shri Kovoov Kunjumon

Shri K. D. Prasenan

Shri Purushan Kadalundy

Shri K. Rajan

Shri M. Ummer

Legislature Secretariat :

Shri V. K. Babu Prakash, Secretary

Smt. Suma Kumari. G., Additional Secretary

Shri Syamkumar S. P.; Under Secretary.

THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS (AMENDMENT) BILL, 2017

(Report of the Subject Committee)

Subject Committee II (Land Revenue and Devaswom) to which "The Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 2017" (Bill No.53) was referred, considered the Bill clause by clause and now submits its Report with the Bill as reported by the Committee annexed thereto.

2. The Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 2017 was published as a Gazette Extraordinary dated April 21, 2017. The Bill was introduced in the Assembly on April 25, 2017 and was referred to the Subject Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on May 11, 2017. The Committee recommends to adopt the Bill without any modification.

4. The Minutes of dissent is appended.

Thiruvananthapuram,
May 11, 2017.

E. CHANDRASEKHARAN,
Chairman,
Subject Committee II.

വിയോജനക്കുറിപ്പ്

സംസ്ഥാന രൂപീകരണത്തിന് മുൻപ് മുൻ മദ്രാസ് ഗവൺമെന്റ് പാസ്സാക്കിയ നിയമത്തിന്, സ്വകാര്യ താൽപ്പര്യസംരക്ഷണരീതമം കാര്യമാത്രപ്രസക്തമല്ലാത്ത ഒരു ഭേദഗതി കൊണ്ടുവരുന്നതിന് പകരം ഒരു സമഗ്രമായ നിയമനിർമ്മാണമാണ് നടത്തേണ്ടിയിരുന്നത്. ഇപ്പോൾ കൊണ്ടുവന്നിരിക്കുന്ന ഈ ഭേദഗതി സർക്കാരിന്റെ സ്വകാര്യ താൽപ്പര്യം സംരക്ഷിക്കുന്നതിനുവേണ്ടി മാത്രമുള്ള ഒരു നിയമനിർമ്മാണ നടപടിയാണ്. ഭേദഗതി ബില്ലിലെ മൂന്നാം വകുപ്പ് നിലവിലുള്ള അംഗങ്ങളെ മാറ്റുക എന്ന താല്ക്കാലിക ഉദ്ദേശ്യത്തോടെയുള്ളതുമാത്രമാണ്. ഇത്തരത്തിൽ വ്യക്തിതാൽപ്പര്യ സംരക്ഷണത്തിന് നിയമനിർമ്മാണം എന്ന കീഴ്വഴക്കം സൃഷ്ടിക്കുന്നത് തികച്ചും വ്യവസ്ഥിതിയോടുള്ള വെല്ലുവിളിയും നിയമനിർമ്മാണസഭയുടെ വിലപ്പെട്ട സമയം പാഴാക്കലുമാണ്. ആയതിനാൽ ഈ ബില്ലിനോട് ഞങ്ങൾ വിയോജിച്ച് രേഖപ്പെടുത്തുന്നു.

അടൂർ പ്രകാശ്, എം. എൽ. എ. (ഒപ്പ്)

എം. ഉമ്മർ, എം. എൽ. എ. (ഒപ്പ്)

THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS (AMENDMENT) BILL, 2017

(As reported by the Subject Committee)

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 (Madras Act XIX of 1951) for the purposes hereinafter appearing;

BE it enacted in the Sixty-eighth 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, 2017.

(2) It shall be deemed to have come into force on the 3rd day of February, 2017.

2. *Amendment of section 13.*—In section 13 of the Madras Hindu Religious and Charitable Endowments Act, 1951 (XIX of 1951) (hereinafter referred to as the principal Act), for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Every Area Committee shall consist of seven members appointed by the Government, namely:—

(a) one member from Scheduled Castes or Scheduled Tribe Communities ;

(b) one woman member ;

(c) one philosopher of Hindu Religion or performer of temple art or a person who has authored works on Hindu literature; and

(d) four other members”.

3. *Special provision relating to the existing members of the Area Committee and non-hereditary trustees.*—Notwithstanding anything contained in the principal Act, the existing Chairman and members of the Area Committee and the non-hereditary trustees 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 and from the date of commencement of the Madras Hindu Religious and Charitable Endowments (Amendment) Act, 2017.

4. *Repeal and saving.*—(1) The Madras Hindu Religious and Charitable Endowments (Amendment) Ordinance, 2017 (3 of 2017) 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.

Secretariat of the Kerala Legislature,
Thiruvananthapuram,
May 11, 2017.

V. K. Babu Prakash,
Secretary.