

BOMBAY DEVADASIS PROTECTION RULES, 1959

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1. Short title and extension :-

(1) These rules may be called the Bombay Devadasis Protection Rules, 1959.

(2) They extend to the whole of the ¹ [State of Gujarat].

1. Substituted by Gujarat A.O. 1960.

2. Definitions :-

in these rules-

(a) "Act" means the Bombay Devadasis Protection Act, 1934 ;

(b) "Form" means a form appended to these rules:

(c) "Section" means a section of the Act.

3. Notice of inquiry :-

Where a Collector has reason to believe that any land is assigned as emoluments for the performance by a Devadasis of any services as such he shall appoint a day for holding an inquiry under section 6 and shall serve on the holder of the land a notice in Form A calling upon her to appear on the appointed day in person or by duly authorised agent.

4. Notice of inquiry how to be served :-

The notice under Rule 3 shall be served either by tendering or

delivering a copy thereof to the holder concerned or the agent of such holder, if any, or by fixing a copy thereof to some conspicuous places on the land concerned or some conspicuous part of the temple in which the service is performed.

5. Manner of recording evidence :-

On the appointed day or on such other day to which the inquiry may from time to time be adjourned by him, the holder shall appear in person or by her duly authorised agent before the Collector and the Collector shall hold an inquiry according to the procedure laid down in any law for the time being in force relating to land revenue in the following matters, namely:-

(1) Whether the land is assigned for emoluments for the performance by a Devadasi of any services as such:

(2) what is the amount of rent payable in respect of the land on its release from the performance of such services:

(3) if these holder has objected to the release of the land from the performance of such services, whether the holder was a Devadasi on or before the 15th October, 1934, in any of the areas comprised in the pre-Re-organisation State of Bombay excluding the transferred territories and elsewhere, on or before the 19th December, 1957: and

(4) such other matters as he thinks relevant for the purposes of section 6.

6. Issue of order after inquiry by Collector :-

(1) Subject to the provisions of the sub-rule (3), after such inquiry the Collector shall, if he is satisfied that the land is assigned as emoluments for the performance by a Devadasi of any services as such, by order in writing, direct that the land shall be released from such liability, shall determine the rent due in respect of such land and shall direct that such rent shall be paid by the holder of the land for the benefit of the deity, idol, object of worship, temple or religious institution or to the State Government, as the case may be, or

(2) If the holder objects to the release of the land from the performance by her of services as such or gives notice to the Collector in Form B and if the Collector Is satisfied that the holder was a Devadasi on or before the 15th October 1934 in any of the

areas comprised in the pre-Reorganisation State of Bombay, excluding the transferred territories, and elsewhere, on or before the 19th December 1957, the Collector shall direct that the land be not released from the performance of such services and the rent be not payable under sub-rule (1) during the life- time of the said holder.

(3) Notwithstanding anything contained in sub-rule (1), the Collector may, from time to time, if circumstances so require, revise the amount of rent determined under sub-rule (1).

7. Determination of rent :-

In determining the amount of rent payable under Rule 6 the Collector shall take into consideration the rent ordinarily paid by tenants of lands of similar description in the locality.

8. Repeal :-

The Bombay Devadasis Protection Rules, 1936, as in force in the pre-Reorganisation State of Bombay, excluding the transferred territories, are hereby repealed:

Provided that anything done or action taken (including any order made) under the rule so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.