

## **SHRI GURU THIPPERUDRA SWAMY MUZRAI INSTITUTION (MANAGEMENT) RULES, 1993**

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(MANAGEMENT) RULES, 1993

### **1. Title, application and commencement :-**

(1) These rules may be called Shri Guru Thipperudra Swamy Muzrai Institution (Management) Rules, 1993.

(2) They shall apply to Shri Guru Thipperudra Swamy Shrine including old mutt, Horamath, Eakanthaswamy temple and Shri Easwaraswamy temple situated at Nayakanahatti, Challakere Taluk, Chitradurga District.

(3) They shall come into force at once.

### **2. Definitions :-**

In these rules, unless the context otherwise requires.

(a) "Act" means the Karnataka Religious and Charitable Institutions

Act, 1927 (Karnataka Act VII of 1927);

(b) "Assistant Commissioner" means the Assistant Commissioner of the Revenue Sub-Division of Chitradurga;

(c) "Chairman" means the Chairman of the Committee;

(d) "Committee" means the Committee of Management constituted under these rules;

(e) "Commissioner" means the Commissioner for Religious and Charitable Endowments in Karnataka, Bangalore;

(f) "Deputy Commissioner" means the Deputy Commissioner of Chitradurga District;

(g) "Executive Officer" means the Executive Officer of the temple;

(h) "Fund" means the fund constituted under Rule 11;

(i) "Institutions" means Shri Guru Thipperudraswamy Shrine including old mutt, Horamath, Eakanthaswamy temple and Shri Easwaraswamy Temple, Nayakanahatti, Challakere Taluk, Chitradurga District;

(j) "Member" means a member of the Committee;

(k) "Schedule" means the schedule appended to these rules;

(L) "Sub-Committee" means a sub-committee of Committee constituted by the Committee under Rule 8;

(m) "Vice-Chairman" means the Vice-Chairman of the Committee.

### **3. Constitution of the Committee :-**

(1) There shall be a committee called the Committee of Management for the management of the Institutions and it shall have such powers and perform such duties as are provided in these rules.

(2) The Committee shall consist of.

(i) The Assistant Commissioner, who shall be the Ex officio Chairman of the Committee;

(ii) <sup>1</sup>[The Tahsildar, Challakere Taluk shall be ex officio member of the Committee;]

(iii) <sup>2</sup>[ A Vice-Chairman who shall be nominated by the

Commissioner on the recommendation of the Deputy Commissioner of the Chitradurga District and he shall be resident of Nayakanahatti village. He shall preside over the meeting of the Committee in the absence of the Chairman.

(iv) 12 members nominated by the Commissioner on the recommendation of the Deputy Commissioner, Chitradurga District out of which six from Nayakanahatti village and remaining six from other Taluks of the Chitradurga District including Challakere Taluk.]

(v) Special invitees invited by the Chairman: provided that MLA of Challakere and Molakalmuru constituencies shall be permanent invitees;

(vi) All the members of the Committee other than the Chairman <sup>3</sup>[x x x x] shall be nominated from among the devotees of the Institution.

(3) In the event of a vacancy arising by death, resignation or otherwise, of any member, such vacancy shall be filled by appointment of any other person in the manner specified in clause (iv) by the Commissioner in consultation with the Deputy Commissioner.

(4) Any person appointed to fill vacancy arising by virtue of death, resignation or otherwise, under sub-rule (3) shall hold office only so long as the member in whose place he is appointed would have held office, if the vacancy has not occurred.

(5) <sup>4</sup> [The duration of the Committee shall be for a period of three years.]

1. Substituted for the words "The Tahsildar, Challakere Taluk" by GSR 81, dated 22-5-1995.

2. Clauses (iii) and (iv) substituted by GSR 209, dated 27-9-1993.

3. The words "and Vice-Chairman" deleted by GSR 81, dated 22-5-1995.

4. Sub-rule (5) substituted by GSR 81, dated 22-5-1995.

#### **4. Executive Officer :-**

The Executive Officer shall be appointed by the Commissioner by deputation of an official of Endowment Department not below the rank of Manager, whose headquarters shall be Nayakanahatti Village.

#### **5. Disqualifications :-**

A person shall be disqualified for being appointed as and for being

a member of the committee.

- (1) If he is not more than twenty-one years of age;
- (2) If he is a person who does not profess the Hindu Religion;
- (3) If he has been convicted by a Criminal Court for any offence involving moral turpitude;
- (4) If he is an undischarged insolvent;
- (5) If he is of unsound mind;
- (6) If he has been dismissed from Government service or service under any local authority;
- (7) If he has been removed from the membership of any local authority;
- (8) If in the opinion of the Deputy Commissioner, he has been indulging in acts against the interest of the Institution.

**6. Disability :-**

If any member.

- (1) absents himself from three consecutive meetings of the Committee without sufficient reasons in the opinion of the Committee; or
- (2) leaves India permanently; or
- (3) absconds and his whereabouts are not known for a period of one year; or
- (4) becomes subject to the disqualifications specified in Rule 5, the Committee shall declare his Office Vacant.

**7. Powers and functions of the Committee :-**

- (1) The Committee shall supervise and control all secular and religious matters relating to the Institution.
- (2) In particular and without prejudice to the generality of the power under sub-rule (1), the Committee shall.
  - (a) supervise the day-to-day administration and make arrangements for the day-to-day worship and other religious ceremonies pertaining to the Institutions;
  - (b) make proper and effective arrangements for the annual jatra

and other festivals;

(c) provide for the comforts and convenience of the pilgrims;

(d) supervise, manage, develop, renovate and repair the buildings belonging to the Institution;

(e) supervise and provide for the management of the funds and the moveable and immoveable properties belonging to the Institution;

(f) undertake educational, social, religious, spiritual and benevolent activities;

(g) collect, receive or accept funds, donations and gifts on behalf of the Institutions, with the <sup>1</sup> [subject to ratification of the Commissioner];

(h) fix or modify the sevatha fees with the prior approval of the Commissioner;

(i) appoint servants to the temple with the prior approval of the Commissioner;

(j) acquire immoveable properties with the prior approval of the Commissioner; and

(k) discharge such other duties as are incidental to the duties specified above.

1. Substituted for the words "approval of the Commissioner" by GSR 81, dated 22-5-1995.

#### **8. Sub-committee :-**

The Committee may with the prior approval of the <sup>1</sup> [Deputy Commissioner], appoint a sub-committee out of the members of the Committee for carrying out the functions mentioned in Rule 7. The Chairman of every Committee shall be from among the members of the Committee.

1. Substituted for the word "Commissioner" by GSR 81, dated 22-5-1995.

#### **9. Powers and duties of the Executive Officer :-**

(1) The Executive Officer, shall be incharge of the day-to-day administration of the Institution, receive all the money due to the Institution and make disbursements on behalf of the Institution.

(2) The Executive Officer shall be incharge of all moveable

properties and the records belonging to the Institution.

(3) Subject to the confirmation of the Committee, the Executive Officer may institute disciplinary proceedings and have power to remove servants of the Institution.

(4) The Executive Officer shall be responsible for the upkeep and maintenance of the Institution for the proper performance of daily service or periodic festivals in accordance with the usage and customs of the Institution.

(5) The Executive Officer shall maintain true and proper accounts supported by vouchers of all receipts and disbursements of the Institution fund.

(6) No person other than the Executive Officer shall be entitled to receive any money on behalf of the Institution or to make any disbursements out of the money belonging to it.

(7) The Executive Officer shall be responsible for preparation and submission of the budget and other periodical returns to Commissioner for Endowments, regularly.

(8) The Executive Officer shall be in charge of the Office of the Committee and shall issue notices and attend to all other duties relating to the convening of the meetings of the Committee and sub-committee in consultation with the Chairman.

(9) The Executive Officer shall maintain income and property, registers and an inventory of all moveables and immoveable properties of the Institution.

#### **10. Audit :-**

(1) <sup>1</sup> [Accounts of the temple will be audited by the State Accounts Department and the audit fee shall be paid from out of the temple funds at the rate to be determined by the Government. The auditor shall send his audit report to Deputy Commissioner and Commissioner.]

(2) The Deputy Commissioner shall send a copy of the Audit report to the Committee and it shall be the duty of the Committee to remedy any defects or irregularities pointed out by the auditor and report the same to the Deputy Commissioner within such time as may be specified by the Deputy Commissioner.

1. Sub-rule (1) substituted by GSR 81, dated 22-5-1995.

## **11. Funds of the Institution :-**

(1) The following shall constitute the funds of the institutions, namely.

- (a) Tasdik and other Government grants if any;
- (b) All rents and income from lands and other properties of the Institution;
- (c) Interest received on investments;
- (d) Interest on endowments;
- (e) Dabbi or Golaka collections;
- (f) Sevartha fees;
- (g) Offerings and donations;
- (h) All proceeds from lands and other properties sold or compulsorily acquired; and
- (i) such other income as may accrue to the Institution from time to time.

(2) <sup>1</sup> [The funds of the Institution shall be deposited in a local nationalised Bank in the name of the temple and the account shall be operated by the Chairman and the Executive Officer jointly.]

1. Sub-rule (2) substituted by GSR 81, dated 22-5-1995.

## **12. Application of the fund of the Institution :-**

The fund of the Institution shall be applied subject to the provisions of the Act and these rules for.

- (a) the maintenance, management and administration of the Institution;
- (b) the expenses of daily or periodic religious and customary rites of institution;
- (c) the construction and maintenance of the Dharmashalas and rest houses for the use of the pilgrims;
- (d) the provisions of water supply and making of sanitary arrangements for the convenience of the pilgrims;
- (e) the undertaking of any authorised by the State Government in conformity with the objectives of the Institution;

(f) the acquisition of any immoveable property for the purpose of the Institution; and

(g) such other purposes as the committee may determine from time to time:

Provided that all items of expenditure both capital and revenue shall be incurred only with the previous sanction of the <sup>1</sup> [Commissioner.]

1. Substituted for the words "Deputy Commissioner" by GSR 81, dated 22-5-1995

### **13. Budget :-**

The Executive Officer shall prepare a budget estimate of the income and expenditure of the Institution before the last day of February of every year, for the subsequent year commencing from the 1st day of April and submit the same to the Chairman. The Chairman shall place the budget before the Committee for consideration and the Committee may approve the budget with such modifications as it deems fit. The budget as approved by the Committee shall be submitted to the Commissioner before the expiry of the previous accounting year. The Commissioner may approve the budget with such modifications as he may consider necessary. No appropriation of the amounts shown in the budget shall be done by the Committee except with the previous sanction of the Commissioner.

### **14. Jewels and costly Articles :-**

(1) Jewels and other costly articles of the Institution not required for daily use shall be kept in the safe custody of the Taluk Treasury at Challakere.

(2) No jewels or other properties belonging to the Institutions shall be pledged, exchanged, lent, converted or sold without the prior sanction of the <sup>1</sup>[Government]

(3) <sup>2</sup> [The Chairman and the Vice-Chairman along with the Executive Officer shall check and verify the jewels and other costly articles every year and submit report of such verification to the Commissioner.]

1. Substituted for the words "Deputy Commissioner and the Committee" by GSR 81, dated 22-5-1996.

2. Sub-rule (3) substituted by GSR 209, dated 27-9-1993.

### **15. Dabbi or Golaka :-**



<sup>1</sup> [The Dabbi or Golaka shall be kept of such places and the keys thereof shall be kept in the custody of such person as the Committee directs. Dabbi or Golaka shall be opened in presence of the Committee and its Chairman.]

1. Rule 15 substituted by GSR 81, dated 22-5-1995.

**16. Lease of immoveable properties :-**

All the lands, buildings and other immoveable properties of the Institution to be leased shall be made either by public auction or by calling of tenders by the Executive Officer and shall be subject to confirmation of the <sup>1</sup>[Government]. <sup>2</sup> [ x x x x x]

1. Substituted for the words "Committee and the Deputy Commissioner" by GSR 81, dated 22-5-1995.

2. Proviso to Rule 16 deleted by GSR 81, dated 22-5-1995.

**17. Savings :-**

(1) Provisions of these rules shall be applicable to the management of the Institution, notwithstanding anything inconsistent with any rule made by the State Government under the Act.

(2) Subject to the provisions of the sub-rule (1), the rules made under the Act in respect of Muzrai Institutions shall continue to be applicable to the Institution.