

**Tamil Nadu Hindu Religious And Charitable Endowments  
(Amendment) Act, 2013**

**26 of 2013**

**[08 November 2013]**

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PREAMBLE

An Act 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-fourth Year of the Republic of India as follows:--

1. Received the Assent of the Governor of Tamil Nadu on November 8, 2013 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No. 328, pages 147-148, dated November 8, 2013.

**1. Short title and commencement :-**

- (1) This Act may be called the Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 2013.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

**2. Insertion of new section 25-A :-**

After section 25 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959) (hereinafter referred to as the principal Act), the following section shall be

inserted, namely:-

"25-A. Qualifications of trustees.--

A person shall be qualified for being appointed as, and for being, a trustee of any religious institution or endowment-

- (a) if he has faith in God;
- (b) if he possesses good conduct and reputation and commands respect in the locality in which the religious institution or endowment is situated;
- (c) if he has sufficient time and interest to attend to the affairs of the religious institution or endowment; and
- (d) if he possesses such other merit incidental thereto."

### **3. Amendment of section 26 :-**

In section 26 of the principal Act,-

(1) for the marginal heading, the following marginal heading shall be substituted, namely:-

"Disqualifications of trustees.";

(2) for sub-section (1), the following sub-sections shall be substituted, namely:-

"(1) A person shall be disqualified for being appointed as, and for being, a trustee of any religious institution or endowment,-

- (a) if he does not profess the Hindu Religion;
- (b) if he is not a citizen of India;
- (c) except in the case of a hereditary trustee, if he is less than twenty-five years of age;
- (d) if he is an undischarged insolvent;
- (e) if he is of unsound mind or is suffering from mental defect or infirmity which would render him unfit to perform the functions and discharge the duties of a trustee or is suffering from leprosy or any other loathsome disease;
- (f) if he has been removed or dismissed from service under the Central Government or any State Government or any local authority;
- (g) if he has been sentenced by a criminal court for an offence involving moral delinquency, such sentence not having been reversed or the offence pardoned;
- (h) if he has acted adverse to the interest of any religious institution or endowment;
- (i) if he is in arrears of any kind due by him to any religious institution or endowment.

(1-A) A person shall be disqualified for being appointed as, and for

being, a trustee of a religious institution or endowment,-

(a) if he is interested in a subsisting lease of any property of, or contract made with or any work being done for the religious institution or endowment;

(b) if he is employed as a paid legal practitioner on behalf of or against the religious institution or endowment.";

(3) in sub-section (2), in clause (a), for the expression "sub-section (1)", the expression "sub-section (1) or sub-section (1-A)" shall be substituted;

(4) in sub-section (3), for the expression "sub-section (1)", the expression "sub-section (1) or sub-section (1-A)" shall be substituted;

(5) in sub-section (4), for the expression "sub-section (1)", the expression "sub-section (1) or sub-section (1-A)" shall be substituted.

#### **4. Amendment of section 53 :-**

In section 53 of the principal Act, in sub-section (2),-

(1) in clause (e), for the expression "the institution", the expression "the religious institution or endowment" shall be substituted;

(2) for clauses (i) and (j), the following clauses shall be substituted, namely:-

"(i) is interested in a subsisting lease of any property of, or contract made with or any work being done for the religious institution or endowment;

(ii) is in arrears or default of any kind due by him to any religious institution or endowment;

(j) acts adversely to the interest of any religious institution or endowment.".