

**Tamil Nadu Hindu Religious And Charitable Endowments  
(Second Amendment) Act, 2012**

**51 of 2012**

**[16 November 2012]**

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**Tamil Nadu Hindu Religious And Charitable Endowments  
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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-third Year of the Republic of India as follows:-

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

(1) This Act may be called the Tamil Nadu Hindu Religious and Charitable Endowments (Second Amendment) Act, 2012.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

**2. Amendment of section 6 :-**

In section 6 of the Tamil Nadu Hindu Religious and Charitable

Endowments Act, 1959(Tamil Nadu Act 22 of 1959) (hereinafter referred to as the principal Act),--

(1) after clause (8), the following clause shall be inserted, namely:-  
"(8-A) "District Committee" means the Committee constituted by the Government under section 7-A;"

(2) after clause (18), the following clause shall be inserted, namely:-

"(18-A) "Scheduled Castes" and "Scheduled Tribes" shall have the same meaning assigned to them, respectively, in clauses (24) and (25) of Article 366 of the Constitution;"

### **3. Insertion of new section 7-A :-**

After section 7 of the principal Act, the following section shall be inserted, namely:-

7-A. Constitution of District Committee.--

(1) In respect of all religious institutions, other than those falling under clause (iii) of section 46, situated within the territorial jurisdiction of a revenue district, the Government shall constitute a committee called the District Committee consisting of not less than three and not more than five non-official members, as may be nominated by the Government. The members of the District Committee shall be scholars, philanthropists or religious minded persons, and qualified for appointment as trustees under this Act.

(2) The term of office of the members of the District Committee shall be three years and other matters relating to the said Committee shall be such as may be prescribed.

(3) The Government may, after giving a show cause notice, remove all or any of the members of the District Committee in the public interest.

(4) The District Committee shall prepare, in such manner as may be prescribed, panel of names of persons who are qualified for appointment as trustees under this Act (including women and

members of Scheduled Castes and Scheduled Tribes) and suitable for appointment as non-hereditary trustees or trustees, as the case may be, and shall send it to-

(i) the Joint Commissioner or the Deputy Commissioner, in respect of religious institutions falling under clause (i) of section 46;

(ii) the Commissioner, in respect of religious institutions falling under clause (ii) of section 46; and

(iii) the Assistant Commissioner, in respect of religious institution which is not included in the list published under section 46 and is not a religious institution notified or deemed to have been notified under Chapter VI of this Act.

(5) Notwithstanding anything contained in this section, the District Committee shall have no jurisdiction to send any panel of names of persons under this section in respect of any religious institution for which a scheme has been settled or deemed to have been settled under this Act by the High Court or any Court subordinate to the High Court."

#### **4. Amendment of section 47 :-**

In section 47 of the principal Act, in sub-section (1),-

(1) for the first proviso to clause (a), the following proviso shall be substituted, namely:-

"Provided that the Board of Trustees constituted under items (i) and (ii) of this clause shall, subject to the provision of clause (c), consist of three persons appointed by the Joint Commissioner or the Deputy Commissioner or the Commissioner, as the case may be, from among the panel of names of persons sent by the District Committee concerned under sub-section (4) of section 7-A:";

(2) the Explanation shall be omitted.

## **5. Amendment of section 49 :-**

In section 49 of the principal Act for the first proviso to sub-section (1), the following proviso shall be substituted, namely:-

"Provided that the Board of Trustees constituted under this sub-section shall consist of three persons appointed by the Assistant Commissioner from among the panel of names of persons sent by the District Committee concerned under sub-section (4) of section 7-A, of whom one shall be a member of the Scheduled Castes or Scheduled Tribes and another one shall be a women:".

## **6. Amendment of section 92 :-**

In section 92 of the principal Act, in sub-section (4), after clause (iii), the following clause shall be added, namely:-

"(iv) expenses of the District Committees.".

## **7. Amendment of section 116 :-**

In section 116 of the principal Act, in sub-section (2), in clause (xxi), after sub-clause (a), the following sub-clause shall be inserted, namely:-

"(b) the District Committee;