

**Uttar Pradesh Shri Badrinath And Shri Kedarnath Temples
Act, 1939**

16 of 1939

[04 December 1939]

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SCHEDULE 1 :- SCHEDULE I

SCHEDULE 2 :- SCHEDULE II

**Uttar Pradesh Shri Badrinath And Shri Kedarnath Temples
Act, 1939**

16 of 1939

[04 December 1939]

An Act to provide for the better administration and governance of the Shri Badrinath Temple and its endowments 1[and Sri Kedarnath Temple and their endowments.] Whereas it is expedient to provide for the better administration and Governance of the Shri Badrinath Temple and its endowments 7[and Shri Kedarnath Temple and their endowments]. It is hereby enacted as follows:

Statement of Objects and Reasons.--The extracts reproduced as under : "The Badrinath Temple which is one of the foremost sacred place of Hindu pilgrimage in India is situated in the Garhwal district on the heights of the Himalayas. Under the scheme of 1899 at present in force its management is in the hands of the Rawal, while the Tehri Durbar is invested with certain supervisory powers. The defective nature of the scheme has been the source of constant friction between the Rawal and the Tehri Durbar. As a result, supervisions of the temple has suffered, its income has been squandered and the convenience of the pilgrims has been neglected. The unsatisfactory condition of the temple which has existed for a long time was specially brought to the notice of Government by the Hindu Religious and Charitable Endowments Committee in 1928. Since then public agitation has been continually pressing for reform in its management. The Bill which is now introduced seeks to remove the chief defects of the present scheme. It restricts the Rawal to his priestly duties and places the secular of management of the temple in the hands of a small Committee which would be partly nominated. It preserves at the same time the traditional control of the Tehri Durbar; while adequate powers have been served, for Government to guard against mis-management by the Committee, [vide Gazette, 1939, Part VII-A, p. 17]. 1. Inserted by U.P. Act No. 8 of 1964. 2. Received the assent of the Governor on December 4, 1939 under section 75 of the Government of India Act, 1935, and was published in U. P. Gazette, Part VII-A, dated December 9, 1939. 3. For Statement of Objects and Reasons, Please see Gazette, 1939 (Part VII-A), p. 17. 4. Passed by the Governor in exercise of the powers assumed by him by the proclamation, dated November 3, 1939 ; published in Gazette, 1941, Pt. VII-A, p. 5, re-enacted and

continued by section 2, and Schedule of Act XIII of 1948. 5. This Act was passed by the Governor in exercise of the powers assumed by him by the Proclamation dated November 3, 1939 ; published in Gazette, 1942, Pt. VII-A, p. 27 Re-enacted and continued by section 2 and Schedule of U.P. Act XIII of 1948. 6. For publication please see Gazette, dated June 24, 1948, Pt. VII-A, pp. 7-8. 7. For publication please see Gazette, dated July 3, 1948, Pt. VII-A, pp. 51-52. 8. Received the assent of the Governor on October 22, 1963, and published in the U.P. Gazette, Extraordinary, dated October 23, 1963. 9. For S.O.R. see Gazette, Extraordinary, dated February 12, 1964. It was passed by the State Legislature and assented to by the Governor on March 13, 1964: It was published in the U.P. Gazette, Extraordinary, dated March 14, 1964 pp. 1-9.

1. Short Title And Commencement :-

(1) This Act may be called the United Provinces Shri Badrinath 1[and Kedarnath] Temples Act, 1939.

(2) It shall come into force on such date² as the 3[State Government] may by notification in the Gazette appoint in this behalf.

1. Inserted by U.P. Act No. VIII of 1964.

2. Came into force on April 15, 1940. See No. 172/XVI-(P.H.)- 11-C. E., dated February 27, 1940 in Gazette 1940 Pt. I, p. 133.

3. Substituted by the ALO 1950 for Provincial Government.

2. Act To Override Act Xx Of 1863, Etc. :-

This Act shall have effect notwithstanding anything to the contrary contained in the Religious Endowments Act, 1863, or in any scheme of management framed by the court before the passing of this Act or in any decree, custom or usage :

1[Provided that the Committee may with the previous sanction of the 3[State Government] on a claim preferred within one year of the commencement of this Act, give such recognition and effect to any decree, custom or usage relating to the Shri Badrinath Temple 2[or Shri Kedarnath Temple] and 3[their] endowments as it may deem fit, and may, at the same time provide that such decree, custom or usage shall have effect subject to such exceptions or modifications as it may direct. Any orders passed by the Committee under this proviso may with the previous sanction of the 4[State Government] at any time be varied, modified or rescinded].

1. Substituted for the following proviso by section 2 of U.P. Act IV

of 1941 :

"Provided that the Committee may, with the previous sanction of the Provincial Government; within one year of the commencement of this Act, recognize and give effect to, or at any time after the commencement of this Act cancel the recognition and effect of such decree, custom or usage relating to Shri Badrinath and its endowments as the Committee in their discretion may deem fit and in giving such recognition and effect the Committee may direct that the said decree, custom or usage shall have effect subject to such exceptions or modifications as they may think fit to make."

2. Inserted by section 2 of U.P. Act XXX of 1948.

3. Substituted by *ibid*, for the word "its".

4. Substituted by the ALO 1950 for "Provincial Government"

3. Definitions :-

1[In this Act unless there is anything repugnant in subject or context-

(a) Committee means the Shri Badrinath and Shri Kedarnath Temples Committee constituted under this Act;

(b) Endowment means all property, movable or immovable belonging to, or given or endowed for the maintenance or improvement or additions to or worship in the Temple or for the performance of any service or charity connected therewith and includes the idols installed therein, the premises of the Temple and gifts of property made to anyone within the precincts of the Temple;

(c) Temple fund means the Endowment and includes all sums received by or on behalf of, or for the time being held for the benefit of the Temple, and also includes all the endowments which have been or may hereafter be made of the Temple or any other deity thereof in the name of any person or for the convenience, comfort or benefit of the pilgrims thereto, as well as all offerings made to any of the deities comprised in the Temple;

(d) The Temple means the temple of Shri Badrinath and the Temple of Shri Kedarnath in district Chamoli and includes, in the case of the temple of Shri Badrinath, other temples within its premises comprising survey numbers 223, 224, 225, 226, 227, 228, 368, 369 and 370 of the survey of the year 1930-31 of village of Badrinath in Patti Talla Pain Khanda then district Garhwal, including Shri Lakshmiji Temple, the images of Garur, Hanumanji, Ghantakaran and all other minor images situated within the said

survey numbers and also all appurtenant and subordinate temples and shrines mentioned in Schedule I, and in the case of the temple of Shri Kedarnath the appurtenant and subordinate temples and shrines mentioned in Schedule II, and also includes, in the case of either, any additions which may be made thereto after the commencement of this Act ;

(e) prescribed means prescribed by rules made by the State Government under this Act; and

(f) scheme means a scheme of management settled by a court under the provisions of section 92 of the Code of Civil Procedure, 1908.]

1. Substituted by section 3 of U.P. Act No. VIII of 1964.

4. Vesting Of Property :-

1[The ownership of the temple fund shall vest in the deity of Shri Badrinath or Shri Kedarnath as the case may be, and the committee shall be entitled to its possession].

1. Substituted by section 4 of U.P. Act No. VIII of 1964.

5. The Committee :-

1[(1) The administration and the governance of the Temple and the Temple fund shall vest in a committee which shall be comprised as follows :

(a) 2[* * * *]

(b) two persons to be elected by the Hindu members of the Uttar Pradesh Legislative Assembly and one person to be elected by the Hindu members of the Uttar Pradesh Legislative Council;

(c) one person residing in the district of Garhwal to be elected by the Hindu members of the Zila Parishad of that district;

(d) one person residing in the district of Tehri Garhwal to be elected by the Hindu members of the Zila Parishad of that district;

(e) one person residing in the district of Chamoli to be elected by the Hindu members of the Zila Parishad of Chamoli and for so long as there is no Zila Parishad in Chamoli to be nominated by the Collector of that district;

(f) one person residing in the district of Uttar Kashi to be elected by the Hindu members of the Zila Parishad to Uttar Kashi and for so long as there is no Zila Parishad in Uttar Kashi to be nominated by the Collector of that district; and

(g) the President of the Committee and 3[seven members] to be nominated by the State Government.

(2) The State Government may appoint any member of the Committee as Vice-President thereof. The Vice President shall exercise such powers as may, with the previous approval of the State Government, be delegated to him by the President;

(3) The Constitution of the Committee shall be notified by the State Government in the official Gazette:

Provided that the State Government may notify the Constitution of the Committee at any time after the President and not less than eight members of the Committee have been elected or nominated, as the case may be, and the Committee so constituted shall be deemed to be a constituted Committee.

(4) No person who is subject to any disqualification referred to in sub-section (1) of section 10 shall be eligible for membership or for the office of the President or Vice-President of the Committee.

1. Substituted by s. 5 of U.P. Act No. VIII of 1964.

2. Clauses (a), Omitted by U.P. Act 14 of 1984, Section 2 (a).

3. Substituted by U.P. Act 14 of 1984, Vide Section 2 (b), for the words "Five members."

6. Appointment By The Government If No Election Or Nomination :-

If a member is not elected or nominated, as the case may be, within a date fixed by the 1[State Government] or any other date to which such elections or nominations may have been extended by it, the 1[State Government] shall appoint a person in the place so left vacant.

2[* * *]

1. Substituted by the ALO 1950 for "Provincial Government".

2. Omitted by section 6 of U.P. Act No. VIII of 1964.

7. Incorporation :-

The committee shall be called the Shri Badrinath 1[and Shri Kedarnath Temples] Committee. It shall be a body corporate and shall have perpetual succession and a common seal and may be the said name sue and be sued.

1. Substituted by s. 6 of U.P. Act XXX of 1948 for (Temple).

8. Terms Of Office Of President And Members :-

1[The President, the Vice-President or any other member of the Committee shall, subject to the provisions of sections 10 and 11,

hold office for a term ending with the expiration of three years from the date of notification under sub-section (3) of section 5 :

Provided that the State Government may by notification in the Gazette, extend² the term of the President, Vice-President and other members of the Committee, whether it has already expired or not, for a period not exceeding three months at a time and six months in the aggregate.]

1. Substituted by Section 7 of U.P. Act No. VIII of 1964.

2. Notification No. 1358 XXVIII-5-2.B. K.-74, dated June 30, 1976 published in U.P. Gazette, (Extra.,) dated 30th June, 1976 to which text is as under-In exercise of the powers under the proviso to Section 8 of the Uttar Pradesh Shri Badrinath and Kedarnath Temples Act, 1939 (U.P. Act No. XVI of 1939), the Governor is pleased to extend the term of the President, Vice-President and other members of Shri Badrinath and Kedarnath Temples committee, whose term expires on June 30, 1976, for a period of three months with effect from July 1, 1976.

9. Section 9 :-

1[* * *]

1. Section 9, Omitted by U. P. Act 14 of 1984, vide Section 3.

10. Power Of Government To Remove The President Or Members Of The Committee :-

(1) 1[The State Government may remove, or pending proceeding for removal, suspend, the President, the Vice-President or any other members of the Committee on his incurring any of the following disqualifications]:

(a) that he has been convicted 2[* * *] of any offence which, in the opinion of the 3[State Government], involves moral turpitude;

(b) that he is of unsound mind or a deaf mute or suffers from contagious leprosy ;

(c) that he has applied to be adjudged or been adjudged insolvent;

(d) that he has been guilty of corruption or misconduct in the administration of the Temple 4[* * *]

(e) that he has ceased to profess the Hindu religion and faith in the form of worship practised at the Temple ;

(f) that he has absented himself from more than three consecutive meetings of the Committee and is unable to explain such absence to the satisfaction of the Committee ;

(g) that being a legal practitioner he has acted or appeared on

behalf of any person against the Committee in any legal proceedings ;

(h) that he is a paid employee of the Temple ; or

5[(i) that he has in the opinion of the State Government, acted in the manner prejudicial to the interest of the Temple.]

(2) No member shall be removed under this section unless he has been given⁶[an opportunity of submitting an explanation in respect of the grounds alleged against him.]

1. Substituted by s. 8 of U.P. Act No. VIII of 1964.

2. Omitted by *ibid*.

3. Substituted by the ALO 1950 for "Provincial Government".

4. Omitted by Section 8 of U.P. Act No. VIII of 1964.

5. Inserted by Section 8 of U.P. Act No. VIII of 1964.

6. *ibid*.

11. Dissolution And Super Session Of Committee :-

(1) If in the opinion of the 1[State Government] the Committee is not competent to perform, or persistently makes default in performing the duties imposed on it under this Act, or exceeds or abuses its powers, the 1[State Government] may, after due enquiry, by notification dissolve or supersede the Committee and direct the constitution of another Committee, in accordance with the provisions of this Act.

(2) Before issuing a notification under sub-section (1) the 1[State Government] shall communicate to the Committee the grounds on which they propose to do so, fix a reasonable time for the Committee to show cause against the proposal, and consider its explanation or objections, if any.

2[(2-A) Without prejudice to the power of the State Government under sub-section (1) the State Government may, on being satisfied that it is necessary in the interest of the Temple and its efficient management, by a notification dissolve, the Committee and direct the reconstitution of another Committee in accordance with the provisions of this Act 3[* * *].

(3) Where a Committee is dissolved or superseded under this section the State Government shall appoint a person to perform the functions and exercise the powers of the Committee until the constitution of another Committee.

4[Provided that so far as may be, the other Committee shall be constituted within a period of six months from the date of such dissolution or supersession :

Provided further that consequent upon the dissolution of the Committee by the State Government on June 3, 1986, the other Committee may be constituted by 5[December 31, 1991].

(4) The 1[State Government] may fix a remuneration for such officer, and the same shall be paid from 6[the temple fund.]

1. Substituted by ALO 1950 for "Provincial Government".

2. Inserted by Section 9 of the U.P. Act No. VIII of 1964.

3. Omitted by U.P. Act 11 of 1989, vide Section 2 (a).

4. Inserted by U.P. Act 11 of 1989, vide Section 2 (b).

5. Substituted by U. P. Act 24 of 1991, vide Section 2, (w.e.f. 11th July, 1991), for "June 30, 1991".

6. Substituted by Section 9 of U.P. Act No. VIII of 1964.

12. Filling Of Vacancies :-

(1) Casual vacancies in the office of the President, 1[the Vice-President] and members of the Committee shall be filled in the same way as provided in section 5.

(2) The term of the President 1[the Vice-President] or a member appointed as the case may be, to fill a casual vacancy shall expire on the day on which the term of the President 1[the Vice-President] or member in whose vacancy the appointment has been made would have expired.

(3) Nothing done by the Committee shall be invalid by reason of there being a casual vacancy.

(4) If no member is elected or nominated within three months of the occurrence of a 2[casual] vacancy, the 3[State Government] shall appoint a person to fill the vacancy.

1. Inserted by Section 10 ibid.

2. Inserted by Section 10 of U.P. Act No. VIII of 1964.

3. Substituted by the ALO 1950 for "provincial government".

13. Officer And Meetings Of The Committee :-

(1) The Committee shall maintain its office at such places as the 1[State Government] may fix for the transaction of its business.

(2) At the meeting of the Committee 2[the President or in his absence the Vice-President and in the absence of both one of the remaining members to be elected as chairman at the meeting] shall preside.

(3) No business shall be transacted at any meeting unless at least [five] members are present.

[(4) Every decision of the Committee shall, except as expressly

provided by this Act, be by a majority of votes, and in case of equality of votes, the person presiding at the meeting shall have a second or casting vote.]

1. Substituted by the ALO 1950 for "provincial government".
2. Substituted by Section 11 of U.P. Act No. VIII of 1964.

14. Rawal, Naib Rawal And Secretary :-

The Committee shall appoint a Rawal and a Naib-Rawal for the Temple 1[and the State Government] shall, after consultation with the President of the Committee, appoint a person possessing the prescribed qualifications as Mukhya Karyadhikari, who will be the chief executive officer of the committee :

Provided that pending the appointment of a Mukhya Karyadhikari as aforesaid the State Government may after like consultation appoint any person at Antarim Mukhya Karyadhikari who shall exercise and discharge all the powers, functions and duties of Mukhya Karyadhikari.

1. Substituted by Section 12 of U.P. Act No. VIII of 1964.

15. Officers And Servants Of The Committee, Their Appointment And Punishment Etc. :-

(1) 1[* * *]

(2) On the occurrence of a vacancy in the office of Rawal, the Committee shall²[except when for reasons to be recorded in writing it decides otherwise] appoint the Naib-Rawal as the Rawal.

(3) The Rawal and Naib-Rawal shall perform such functions and shall have such powers as may be prescribed by the Committee.

(4) The Committee may, with the approval of the ³[State Government] from time to time, determine the number, designation, and grade of its officers and servants and the scale of salaries and other remuneration for them and for the Rawal and the Naib Rawal

⁴[* * *]

⁵[(5) The President of the Committee, shall, except as expressly provided by this Act or the rules made thereunder and subject to the by-laws made under this Act have the power to appoint and transfer officers and servants of the Committee other than the Rawal and Naib-Rawal and may fine, reduce, suspend, remove or dismiss them for breach of discipline, for carelessness, unfitness, neglect of duty, or misconduct, or for other sufficient cause :

Provided that in the case of servants whose pay is more than Rs.

100 per mensem, the powers mentioned in this sub-section shall be exercised by the Mukhya Karyadhikari. The orders of the President punishing any officer or servant under this sub-section shall be appealable to the Committee, and the orders of the Mukhya Karyadhikari punishing any servant under this sub-section shall be appealable to the President, within thirty days of the communication of the order to the person punished.

6[(6) The Committee shall have the power to remove or otherwise punish the Rawal or Naib-Rawal]:

Provided that the President may, in exceptional circumstances, for reasons to be recorded, suspend the Rawal or the Naib-Rawal and report the action taken to the Committee at its next ensuing meeting and the Committee may thereupon take such action as it may deem fit:

Provided further that the Rawal or the Naib-Rawal may appeal to the State Government within thirty days, or such further time as the State Government may, for sufficient cause, allow, of a resolution, of the Committee removing him, and the State Government may pass such orders thereon as it may deem fit and such orders shall be final.]

1. Omitted by Section 13 of U.P. Act No. VIII of 1964.
2. Inserted by section 13 of the U.P. Act VIII of 1964.
3. Substituted by ALO 1950 for "Provincial Government".
4. Omitted *ibid*.
5. Substituted *ibid*.
6. Substituted by section 13 of U.P. Act VIII of 1964.

15A. Temple Functionaries To Be Public Servants :-

1[The President, the Vice-President and other members, the Mukhya Karyadhikari, the Antarim Mukhya Karyadhikari, and the Rawal, the Naib-Rawal and other officers and servants of the Committee shall, while acting or purporting to act in pursuance of the provisions of this Act or any rule, bye-law or order made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

1. Inserted by section 14, *ibid*.

16. Liability Of Members :-

Every member of the Committee shall be liable for the loss, waste or misapplication of 1[the Temple fund], or such loss waste or misapplication is a direct consequence of his wilful act or omission while a member, and a suit for compensation may be instituted against him either by the Committee or by the Government.

1. Substituted by section 15, of the U.P. Act VIII of 1964.

17. Alienation Of Movable And Immovable Property :-

No jewellery or other valuable property of a non-perishable nature 1[forming part of the Temple fund] shall be transferred without the previous sanction of the Committee and if the value of the property is more than rupees one thousand, the previous approval of the 2[State Government] shall also be necessary.

1[(2) No land or other immovable property held on mortgage, lease or otherwise by the Committee on behalf of the Temple] shall be leased for more than five years or mortgaged, sold or otherwise alienated except with the previous sanction of the Committee and the 3[State Government].

1. Substituted by section 16 of the U.P. Act VIII of 1964.
2. Substituted by the ALO 1950 for "Provincial Government."

18. Limitation Of Borrowing Power :-

The Committee shall have no power to borrow money 1[or land] 2[* * *] except with the previous sanction of the 3[State Government].

1. Inserted by section 17, *ibid*.
2. Deleted, *ibid*.
3. Substituted by the ALO 1950 for "Provincial Government."

19. Audit :-

The 1[State Government] shall every year appoint an auditor to audit the accounts of the Temple and its endowments, and fix his remuneration which shall be paid to such auditor from 2[the Temple fund]. The auditor shall submit his report to the Committee and send a copy of it to the 1[State Government] which may issue such directions thereon as it may deem fit, and the Committee shall carry out such directions.

1. Substituted by the ALO 1950 for "Provincial Government."
2. Substituted by section 18 of U.P. Act No. VIII of 1964.

20. Administration Report :-

The Committee shall annually submit to the 1[State Government] a report on the administration of the affairs of the Temple at such time as the 1[State Government] may prescribe.

1. Substituted by the ALO 1950 for "Provincial Government."

21. Power Of Government To Call For Information And Accounts :-

The 1[State Government] shall have power to call for such information and accounts as may in their opinion be necessary for reasonably satisfying themselves 2[that the Temple and the Temple fund are properly managed, maintained and administered] and the Committee shall, on such requisition, furnish forthwith such information and accounts to the 1[State Government]. The 1[State Government] may issue such directions to the Committee, as they may deem fit and the Committee shall carry them out.

1. Substituted by the ALO 1950 for "Provincial Government."
2. Substituted by section 19 of U.P. Act No. VIII of 1964.

22. Inspection :-

(1) The 1[State Government] may depute an officer to inspect any movable or immovable property, records, correspondence, plans, accounts, and other documents, relating to the Temple. The Committee and its employees shall be bound to afford facilities to such officer for inspection.

(2) The 1[State Government] may fix remuneration for such officer and the same shall be paid from 2[the Temple fund].

1. Substituted by the ALO 1950 for "Provincial Government."
2. Substituted by section 20, of U.P. Act VIII of 1964.

23. Duties Of The Committee :-

Subject to the provisions of this Act or of any rules made thereunder, it shall be the duty of the Committee-

- (1) to arrange for the proper performance of worship at the Temple ;
- (2) to provide facilities for the proper performance of worship by the pilgrims ;
- (3) to make arrangements for the safe custody of the funds, valuable security and jewellery and for the preservation of 1[the Temple fund];
- (4) to ensure that the funds of the endowment are spent according to the wishes, so far as may be known, of the donors ;
- (5) to undertake for the benefit of the worshippers and pilgrims-
 - (a) the construction of buildings for their accommodation ;
 - (b) the construction of sanitary works; and
 - (c) the improvement of means of communication ;

- (6) to make suitable arrangements for the imparting of religious instruction and general education;
 - (7) to make provision for medical relief of worshippers and pilgrims ;
 - (8) to make provision for the payment of suitable emoluments to its salaried staff;
 - (9) to do all such things as may be incidental and conducive to the efficient 2[management, maintenance and administration of the Temple and Temple fund] and the convenience of the pilgrims.
1. Substituted by Section 21 of U.P. Act No. VIII of 1964.
 2. Substituted ibid.

24. Bar To Suit Or Proceedings :-

No suit or proceeding shall lie in any court against the 1[State Government] for anything done or purported to be done by it under the provisions of this Act.

1. Substituted by ALO 1950 for "Provincial Government".

25. Power Of The Committee To Make By-Laws :-

- (1) The Committee may make bye-laws not inconsistent with this Act or the rules made thereunder or any other law for-
 - (a) the division of duties among the President, the members and the1[Mukhya Karyadhikari] of the Committee;
 - (b) the manner in which their decisions may be ascertained otherwise than at the meetings;
 - (c) the procedure and conduct of business at meetings of the Committee ;
 - (d) the delegation of powers of the Committee to individual members or to a subcommittee or sub-committees ;
 - (e) the books and accounts to be kept at the office of the Committee ;
 - (f) the custody and investment of 1[the Temple fund];
 - (g) the details to be included in or excluded from the budget of the Committee ;
 - (h) the time and place of its meetings;
 - (i) the manner in which notice of its meetings shall be given ;
 - (j) the preservation of order and the conduct proceedings at meeting and the powers which the President may exercise for the purposes of enforcing its decision;
 - (k) the manner in which the proceedings of its meetings shall be recorded and published.

- (l) the persons by whom receipts may be granted for moneys paid to the committee ;
 - (m) the maintenance of order inside the Temple and regulating the entry of persons therein ; and
 - (n) the performance of duties provided in section 23.
- (2) No bye-laws or cancellation or alteration of a bye-law made by the Committee shall have effect until the same shall have been 2[published in the prescribed manner] and thereafter confirmed by the 3[State Government].
- (3) All bye-laws after they have been confirmed by the 3[State Government] shall be published in the official Gazette, and shall thereafter have the force of law.
1. Substituted by Section 22 of U.P. Act No. VIII of 1964.
 2. Substituted by U.P. Act No. VIII of 1964.
 3. Substituted by ALO 1950 for "Provincial Government".

25A. Section 25A :-

1[The date of the commencement of this Act shall in its application to Shri Kedarnath Temple be deemed to be the date of the commencement of Shri Badrinath Temple (Amendment) Act, 1948.]

1. Inserted by Section 8 of U.P. Act XXX of 1948.

26. Power Of Government To Make Rules :-

- (1) The 1[State Government] may make 2[rules] consistent with this Act to carry out its purposes.
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for-
 - (a) all matters expressly required or allowed by this Act to be provided for by rules ;
 - (b) election of members, the tribunal to decide election disputes and the procedure to be followed by it;
 - (c) budgets, returns, accounts, reports, and any other information to be submitted by the Committee ;
 - (d) the qualifications for officers and servants of the Committee, the establishment of a provident fund for them and generally the conditions of their service ;
 - (e) the grant of leave and travelling allowances to the officers and servants of the Committee, including the Rawal, the Naib Rawal and the 3[Mukhya Karyadhikari];
 - (f) the payment of remuneration or travelling allowances to 4[the President, Vice-President and other members] of the Committee when travelling on business connected with the affairs of the

Committee ; Provided that the remuneration or travelling allowance shall in no case exceed that allowed to the members of the 5[State] Legislature ;

(g) the co-operation by the Committee of not more than two members subject to the restriction that the co-opted members shall not have a right of vote at any meeting of the committee ; and

(h) giving effect to the agreement, if any, arrived at under the provisions of 6[* *] section 9 between His Highness the Maharaja of Tehri and the 1[State Government.]

(3) The Government may by notification delegate to any authority subordinate to it any one or more of the powers conferred by this Act.

(4) The powers to make rules under this section shall be subject to the condition of previous publication.

1. Substituted by ALO 1950 for "Provincial Government".

2. [For rules, see Notification No. 961 XVI (P.H.)-H-C. E., dated Aug. 22, 1940, in Gaz. 1940, Pt. I-A, pp. 522-525.

3. Substituted by Section 23 of U.P. Act VIII of 1964.

4. Substituted *ibid*.

5. Inserted by Section 8 of U.P. Act XXX of 1948.

6. Omitted by Section 23 of U.P. Act VIII of 1964.

27. Section 27 :-

1[* * *]

1. Omitted by Section 24 of U.P. Act No. VIII of 1964.

SCHEDULE 1

SCHEDULE I

(1) Shri Shankaracharya Temple at Badrinath.

(2) Shri Adi Kedareshwar Temple at Badrinath.

(3) Shri Ballabhacharaya Temple at Badrinath.

(4) Taptakund, the tank and the spring at Badrinath.

(5) Brahmakapal, the Shila and the compound (Parikrama) at Badrinath.

(6) Matamurti Temple at Badrinath.

(7) Yogbadri Temple at Pandukeshwar.

(8) Bhavishya Badri Temple at Subhain.

(9) Nirishinha Temple at Joshimath.

- (10) Basudeo Temple at Joshimath.
- (11) Shri Durga Temple at Joshimath.
- (12) Rajeshwari Temple at Joshimath.
- (13) Mahadeo Temple at Joyteshwar.
- (14) Bhaktabatsal Temple at Jyoteshwar.
- (15) Narayan Temple at Vishnuprayag.
- (16) Sitadebi Temple at Chain.
- (17) Bridhabadri Temple at Ahimath.
- (18) Dhyanbadri Temple at Urgam.
- (19) Shri Nrisingh Temple at Paki.
- (20) Shri Nrisingh Temple at Darmi.
- (21) Shri Lakshminarayan Temple at Nandprayag.
- (22) Shri Lakshminarayan Temple at Kulsari.
- (23) Shri Laskhminarayan Temple at Dwarahat, Almora.
- (24) Shri Lakshminarayan Temple at Gudari, Almora.
- (25) Shri Lakshminarayan Temple at Bayala, Almora.
- (26) Panch Shilas within the Badrinath Puri.
- (27) Panch Dharas within the Badrinath Puri.
- (28) Dharamshila within the Parikarama of Shri Badrinath Temple.
- (29) Basudharan and Dharamshila at the bottom of the fall at Basudhara.

1. The Schedule Inserted by Section 3 of U.P. Act IV of 1948 was renumbered as Schedule I, by Section 9 of U.P. Act XXX of 1948.

SCHEDULE 2

SCHEDULE II

[See clause (a) of section 3]

- (1) Udak Kund at Kedarnath.
- (2) Minor temples within the precincts of Shri Kedarnath temple;

- (3) The temple of Shri Vishwanath Ji at Guptakshi.
- (4) Minor temples within the precincts of temples of Shri Vishwanath Ji at Guptakshi.
- (5) The temple of Shri Usha at Ukhimath.
- (6) The temple of Shri Barahi at Ukhimath.
- (7) The temple of Shri Madmasheshwar at Madmasheshwar.
- (8) The temple of Shri Maha Kali at Kalimath.
- (9) The temple of Shri Mahalaxmi at Kalimath.
- (10) The temple of Shri Maha Saraswati at Kalimath.
- (11) The temple of Shri Gauri Mayi at Gaurikund.
- (12) The Temple of Shri Narain at Trijuginarain.
- (13) Minor temples within the precincts of the temple of Shri Narain at Trijuginarain.
- (14) The temple of Shri Tunganath at Tunganath.
- (15) The temple of Shri Trunganath at Makktu.
- (16) The temple of Shri Kalshila at Kalshila].

1. Inserted by Section 9 of U.P. Act XXX of 1948.