

THE Hindu Organ.

Estd. Sept. 11, 1889.]

[The Only Newspaper in Ceylon for the Hindus]

PUBLISHED EVERY TUESDAY AND FRIDAY

[PHONE No. 56.]

VOL. LXIII.

* JAFFNA FRIDAY NOVEMBER 23, 1951 *

NO 63

DRAFT HINDU TEMPORALITIES BILL

PROVISION FOR TEMPLES AND TRUSTS BOARD

PROPER ACCOUNTS; REGULAR AUDIT

[THE agitation for the introduction of legislation on Hindu Temporalities, the efforts of the Special Committee on this question and the general awakening of the Hindu Public in regard to this matter have borne fruit. The publication of the Draft Hindu Temporalities Bill as Sessional Paper No. XXVIII is the first step before the introduction of the Bill in Parliament.]

The provisions of the proposed Act are as follows:—

Section 1 provides the short title and date of operation of the Act.

Section 2 defines the scope of application of the Act. It is proposed that every Hindu temple or other place of religious resort to which the Hindu public or any section of the Hindu public have access, and every religious trust created for the advancement of the Hindu religion or for the performance or maintenance of Hindu religious rites or practices shall hereafter be governed by the Act. The Minister charged with the administration of the Act, however, is allowed discretion, as in the Buddhist Temporalities Ordinance, to exempt, by an order published in the Gazette, any specified Hindu temple or religious trust from the operation of the Act. This provision is mainly intended to give the Minister power to exempt temples and trusts having very small incomes from the operation of the whole of the Act or any specified provisions thereof.

Commissioner

Section 3 provides for the appointment of a Commissioner for Hindu temples and trusts and lays down the qualifications of such Commissioner.

Section 4 confers general power for the appointment of other officers as may be necessary for the administration of the Act.

Section 5 provides that the Commissioner appointed under the Act shall be a corporation sole with powers of suing and being sued.

Minister's Control

Section 6 provides that the Commissioner shall exercise

the powers and duties conferred or imposed on him under the Act, subject to the directions and control of the Minister.

Temples Board

Section 7 provides for the establishment a Hindu Temples and Trusts Board with the Commissioner as its Chairman. The Board will consist of 8 other members appointed by the Minister who will hold office for a period of 5 years.

This section defines the disqualifications for membership of the Board. As in the view of the Special Committee which consulted public opinion it would be desirable to disqualify members of both Houses of Parliament from becoming members of the Board so as to ensure that the functions of the Board are performed without a political bias, provision is included in this section that a Senator or a Member of Parliament shall not be eligible to be a member of the Board so long as he is a Member of the Senate or the House of Representatives.

Section 8 sets out the circumstances in which a member of the Board will be deemed to have vacated his office.

Functions & Powers

Section 9 describes the functions and powers of the Board. The Board is charged with the function of advising the Commissioner on all matters that may be referred to it by the Commissioner or in respect of matters on which the Board may wish to tender advice, or with such other functions and duties as may be conferred on it by the Act.

Section 10 provides that the Board shall meet at least once

in every 3 months and as frequently as is necessary for the discharge of its powers and duties. It also fixes the quorum of the Board. The Minister will have power to make regulations for the procedure to be followed at the meetings of the Board.

Dissolution

Section 11 explains the grounds on which the Board becomes liable to dissolution. The Minister has power to dissolve the Board if it is unable to fulfil its functions, and to appoint a new Board.

Section 12 provides for the appointment of a Secretary to the Board.

Register of Temples

Section 13 confers on the Commissioner the duty of maintaining a register of all Hindu temples and religious trusts falling within the provisions of the Act, together with such particulars of property, etc., as may be required for the proper administration of the Act. The public are given the right to inspect such register free of charge during the normal office hours.

Section 14 casts a duty on every person establishing a Hindu temple or place of religious resort, or executing an instrument whereby any property becomes subject to a religious trust to give notice to the Commissioner within 14 days, containing the prescribed particulars in relation to such temple, place or trust.

Existing Temples

Section 15 deals with existing Hindu temples, places of religious resort and religious trusts and casts a duty on the trustees thereof to apply to the Commissioner for registration within 3 months from the date on which the Act comes into operation. A similar obligation is placed on the trustee of every temple, place of religious resort or religious trust established or created after the date on which the Act comes into operation. In the case of any religious trust created by last will, the duty of registering the trust is cast on the executor of the last will.

For the effective administration of the Act, it is essential for the Commissioner to maintain an up-to-date register containing all relevant particulars of the temples, places of religious resort and trusts which are governed by the Act. The responsibility for furnishing the Commissioner with all informa-

tion necessary for the purpose is placed on the trustees by means of the procedure laid down for the registration of such temples, places or trusts.

Registration of Temples

Section 16 sets out the procedure in regard to application for registration of a temple, place of religious resort or trust. The trustee is required to make his application in a prescribed form and to attach thereto a copy of the deed or instrument relating to the establishment of the temple or place of religious resort or religious trust sought to be registered, or in the absence of such deed or instrument, full particulars relating to the establishment of the temple

(Continued on page 4)

Varsity Students At Kataragama

The members of the University Hindu Students' Union made a two day pilgrimage to Kataragama last week end. The party included ten ladies and five members of the University Staff. The student pilgrims did the long trek from Kataragama to Sellakkathirgamam in less than two hours.

The party was entertained to dinner on Saturday at Matara by Mr. D. Seenivasagam and to lunch on Sunday at Hambantota by Mr. S. Sinnadurai. Mr. K. Arunasalam, the Society's President and Mr. S. Sivarajasingam, the Secretary, organised the pilgrimage.

'YOUTH SHOULD VISUALISE GOD AND SEEK HIS AID'

Gandhiji's Call To Youth Reminded

Mr. K. Kanagaratnam's Speech At Delhi Seminar

[Extracts from the speech delivered by the leader of the Ceylon Delegation at the Plenary Sessions of the Youth Seminar at New Delhi.]

As regards the importance of this Seminar, it is needless for me to stress first on its great value for the exchange of useful information which the delegates from various countries have brought. It would also promote international understanding and develop a sense of human solidarity and world citizenship. I like the way in which this Seminar has been organised on a regional basis for all the South East Asian countries. The grouping, particularly appeals to me as in point of culture, civilisation and affinity of races, the South East Asian countries have common problems affecting the Youth which can be solved by an inter-change of views by the elders who have come from these countries

Guide the Youth to Advantage

We have been living in political bondage for many centuries and a movement was already afoot with the leadership given by India to coordinate the political programme of work in all the South East

Asian countries and to utilise the newly won freedom for the economic development which alone can give peace and happiness to our people who have lived for ages in misery and poverty caused by the exploitation of the politically mighty countries of the West. It is in the sequence of things that the problems of youth should receive the next earnest attention of these countries, for it is the youth of today that become the leaders of tomorrow. As one who was greatly interested in the youth of my country for many years, it gives me very great pleasure to be associated with the deliberations of the Seminar. I see on the platform three great sons of India who share the major work of the Seminar, two as Directors and one as President and may I be permitted to call them the Trinity of the Seminar, for, I consider them the advance party of the great army of delegates summoned by them to assist in properly galvanising and realising the ener-

(Continued on page 2)



Hindu Organ

FRIDAY, NOVEMBER 23 '51,

Treasure These Thoughts

Good conduct is rewarded by joys, bad conduct is punished by sorrows.

THE INCOMPARABLE
SRI LA SRI NAVALAR

The Tamils of both South India and Sri Lanka remember the Great Navalar almost every hour. For what they read and know of Saivism or the Tamil Language is either from the original writings of this accomplished author or adaptations from his countless books and commentaries. That a renaissance of an ancient language could have been made possible by one scholar single-handed in an age where facilities for printing and publication were not developed is in itself sufficient to explain the hero-worship this Tamil Mahatma has awakened in the Tamil mass mind.

If the volume of his literary work is beyond the scope and ability of one single scholar, the value of his works is much more than many pandits put together can ever hope to achieve. Where the present day writer has a model to follow, the matchless Navalar created the model itself.

As a social worker Sri Navalar occupies a unique position. He killed many birds with one stone. Religious awakening, literary revival and social progress were all achieved by his inimitable writings. The first seed for the Hindu Temporalities Bill which the Government is at present introducing in the Parliament was sown by the farsighted Navalar. To him mismanagement of temples was a more heinous crime than even the *Panchamahapathakas*.

Now that the national languages have been made State Languages, our minds speed back across several decades in humble homage to that great *litterateur* who had made it possible for future generations to be able to use the Tamil language in such scholarly manner as to command universal recognition. However the transition from the Eng-

In Parliament

No - Confidence Motion Defeated

Attacks and Counter Attacks

Not even the lady member for Kandy could attract the usual attentiveness of the House of Representatives when motions of Private Members were taken up this week. Ayurveda was a fit subject for a spate of oratory but it was the beaten track and Mrs. Tamara Ilankatilleke's motion that immediate steps be taken to establish Ayurvedic hospitals in important towns in the country could not gather support. 29 voted for the motion; 45 against.

Mayoral Polls

A Bill seeking to amend the law in relation to Local Authorities making provision regarding the election of Mayors, Deputy Mayors, Chairmen and Vice Chairmen of local bodies was presented in the House of Representatives.

No Confidence Motion

The opposition now reinforced by the inclusion of a powerful debater tried to use the No-Confidence Motion to make a mass assault on the Government. But the Speaker had limited the scope of the 'No-Confidence Motion' to the three specific charges mentioned in the motion.

The opening round was fired by Dr. N. M. Perera and the whole debate took the form of a regular wordy warfare. In the end the Government emerged triumphant by a majority of 16-40 vs. 56.

Senators Elected Without Contest

Messrs. Peri Sundaram, P. Nagalingam, W. A. B. Soysa, Mudaliyar S. T. F. Rodrigo and Sir Razik Fareed were elected to the five vacancies in the Senate without any contest.

Mr. P. Nagalingam a Proctor is a Leftist who has been an active member of the Nava L. S. S. P. He unsuccessfully contested the Kankasanturai seat in 1947.

lish language to the Tamil tongue would be easier of accomplishment if the incomparable Navalar were living today. For in his learned presence, only he who knows and understands the finer beauties of the Tamil language will dare write and the colloquialist will beat a hasty retreat. Sri-la-Sri Navalar! 'Thou should'st be living at this hour.'

'YOUTH SHOULD VISUALISE GOD AND SEEK HIS AID'

(Continued from page 1)

gy of the youth in constructive work so that they may give their hitherto neglected countries a well-trained and well-disciplined service which will promote the physical, moral and economic betterment of the common man and woman who need their services.

The Old Order

May I here strike a personal note in the hope that it will be of some guidance in our deliberations. I was born and brought up in the set up of an earlier generation when reverence and obedience to elders by the youth were the basic factors of life. The old society provided for a closer participation of parents and teachers in the upbringing of the youth and his life was free from the various influences that confront his kind in the present set up of society. Those were days when both the parents and the teachers exercised a wholesome influence on the life of the youth.

New Setup

The present generation is the creation of a mixed civilisation of both the West and the East due to closer world contacts aided by the advance of science and general knowledge and there is no denying the fact that there has been a certain amount of cultural tension due to the changing of economic, social and moral standards against which the present generation is growing up. There is therefore nothing surprising in the snapping of the link that closely knitted together the elders and the youth of the older generation. It is reasonable that the present day youth should be brought up on the basis of the present day conditions of society and that the old methods which do not fit into the general pattern of present day life, must be changed but that does not mean that we should reject as barbarous or outmoded every device employed by our ancestors to keep the youth on the right track. Every age makes its own mistakes but it also makes its own contributions to the sum-total of human progress and it is for each generation to profit by the mistakes of the past in building its plan for the future. If we examine the structure of our society as it has developed in the past, we should be reminded of the part played by the parents in the moulding of the youth. Any provision in the field of youth campaign in the future will therefore have to give due weightage to the abiding contribution of the parents as guardians of the young.

Religious Background

Religion was the foundation

of the old set up and it should also be the foundation of the new set up. If I have a special message to offer to the Seminar, it is this message of a religious background for the future welfare of the youth and his contribution to the general welfare and happiness of the vast masses living not in the towns but in the villages of our respective countries. In the words of Mahatma 'in his call to youth' to which I have referred earlier they should visualise God and seek His aid in keeping them away from temptations for, youngmen claiming to be the fathers of tomorrow, should be the salt of the nation but if the salt loses its flavour, wherewith shall it be salted. In the words of the President of the Seminar the youth has the urge and the enthusiasm to build the world anew and let us wisely try to recapture his loyalty for a fuller, richer and worthier ideal of which society is in urgent need today.

The New Building of Jaffna Hindu College Tamil School

The parents' teachers association of this institution which met on 22-6-49 decided that the above school building should be remodelled. Following this decision parents, teachers, old boys and well wishers have so far contributed Rs. 7296/76 towards the new building fund.

The Board of Directors of Jaffna Hindu College and branch schools purchased a land about 9 lachams of Varagu Culture at Kasturiar Road to erect the new building. On Friday the 17th of August 1951 Mr. T. Muttuswamy-pillai Crown Advocate and Manager of the J. H. C. & B. schools laid the foundation stone. From that day onwards the construction of the building is progressing rapidly. The estimated expense for this is about Rs. 30,000.

To complete the above building we appeal to the parents, old boys and well wishers to contribute liberally.

(An appeal issued by Messrs A. Arulambalam and M. Kanapathippillai, Joint Secretaries of the Jaffna Hindu College Tamil School Parents' Teachers' Association.)

Hindu Board of Education

Progress Report

The Hindu Board of Education was founded on the 9th-December, 1923 by the leading Hindus of Ceylon under its control the education of 24,000 students by 800 teachers in 120 institutions consisting (a) The Jaffna Saiva Training College, (b) Seven English Schools, (c) 107 Tamil Schools, (d) One Orphanage for Girls, (e) One Orphanage for Boys, and (f) Four Industrial Centres.

Educational Reforms

The long expected reforms have been promulgated. We are glad that equipment grants have been slightly increased. This enables the Tamil Schools to have the necessary furniture and equipment year after year, but in schools which are not tiled, the problem of finding ways and means of thatching roofs along with supply the other equipments is yet a problem.

Though the new educational reforms classify schools into Primary, Junior Secondary, and Senior Secondary Schools and colleges without any reference to the medium of instruction in them, yet the treatment given to the schools which were known as Tamil and Sinhalese schools is nothing but step-motherly. The quota of students per teacher in English Schools is 20 while in Tamil or Sinhalese schools it is 30. The Department in an endeavour to abolish all distinctions between Swabhasa and English schools as anachronisms in the new set up, has progressed only to the extent of removing the differences in nomenclature, while every other difference is perpetuated. It is poor consolation to Swabhasa Schools to be told that they can enjoy equality with other schools only in regard to their designations, while they are deprived of superior staffs and lower quotas of pupils to which English schools are entitled. There is no justification for the department to deprive any school of its inalienable right to develop.

The Board received by way of subscriptions; donations, etc during 1947 Rs. 37,600; in 1948 Rs. 41,550; and in 1949 Rs. 24,300. The Board paid by way of salaries in 1947 Rs. 13,600; in 1948 Rs. 13,800; and in 1949 Rs. 6,400.

The Board spent on equipments, improvements, and additions to buildings and purchase of additional lands for existing schools in 1947 Rs. 49,700; in 1948 Rs. 25,800 in 1949 Rs. 24,000. From the middle of 1950, we are supplying the necessary furniture for our schools from our own workshop. This has been possible by the co-operation of the Local Divisional Forest Office which readily supplies us with the necessary timber.

The Hindu Homes for Boys and Girls are continuing to cost a net loss of Rs. 5000 per year.

By the end of 1949 the Board had spent on its differ-

(Continued on page 3)

Letter to the Editor

Blind Leading The Blind

Sir,
Today many who speak write, or do both about Siva religion, quote swami Vivekananda or Gandhi and attack certain Siva Customs, practices, even doctrines, holding out the opinions of the Swami or Mahatma Gandhi as the standard. Is this fair?

The standard scriptures of the Sivaites are the Vedhas and Siva Agamas, honoured and accepted as God given and not of any man. Even the inspired writings of the four Siva-Samya Kuravars and Santhana Kuravars in Tamil are in comparison with the eternal Vedhas and Siva Agamas only secondary derived, fragmentary, and recent but these Samyakuravars and Santhan-Kuravars, by their conduct in life and by their expressions, songs, only re-established what those Divine Shastras laid down. They worshipped in Siva Temples in fact adored the bodily presence of the Divinity in them worshipped the holy ashes and Panchad-

sharam.

They advocated the Siva practices of adorning holy ashes, getting Theedchai, temple worship and the rest, wherever they went and attacked Buddhism and Jainism. In fact they saw to the defeat and disappearance of Buddhism and Jainism and their later followers like Sivagana Munivar very successfully exposed the untenability of Monism or Ekanmavadam. All of these were Siva Sithanthis.

Now Swami Vivekananda of the Ramakrishna Mission was a Monist or Ekanmavadin. He was not a Sivite To him and to his creed Sivagamas are not the religious authorities. It is meaningless if not mischievous to quote the learned Swami to a Sivaite specially to unwary children. Mahatma Gandhi was born of a mixed marriage. His father was a Vaisnavite and his mother a Jain. He took his oath to abstain from wine, women and flesh in the presence of a Jain Sannyasi. He never wore holy ashes or followed any Siva religious practice. It is a distinct disservice to the cause of Siva religious to quote him to the unlettered Siva children.

C. NAGAIAH.

Hindu Board Of Education

(Continued from page 2)

schools Rs. 311800 over and above what was received as grant and what was spent by local Committees.

The Hindus having realised that it is their duty to advance Hindu Culture and Education and to see that every Hindu child received a Hindu Education in a Hindu Atmosphere in a Hindu School, have contributed whatever they could to the Board and other Hindu Institutions.

The Hindu Board of Education, started twenty-seven years ago, is the largest Hindu Educational organisation in Ceylon. It appeals to every Hindu to rally round it and help it by a kind thought, by a kind action. May Ishwara bless those who have helped the Board in the past and would help in the future.

FOR SALE

"Austin 12, 1947 Model in very good condition and regularly serviced. Offers over Rs. 7,000/-. Can be inspected by appointment. De Silva, Residency, Vavuniya." (M. 138, 20 & 23).

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 1345

In the matter of the intestate estate of the late Sinnathan-gam wife of Murugesar Ponnampalam of Tellippalai west Deceased

Murugesar Ponnampalam of Tellippalai west Petitioner.

Vs.

1. Ponnampalam Balasubramaniam, Base Ordnance Office Singapore
2. Himapathy Devy daughter of Ponnampalam of Tellippalai west
- Minor 3. Ponnampalam Thiruchittampalam of do appearing by his Guardian-ad-litem
4. Nannithamby Nagalingam of Mallakam Respondents.

This matter coming on for disposal before V. S. Jayawickrama Esquire, District Judge, Jaffna on the 23rd day of July 1951 in the presence of Mr. M. Sithambaranathan Proctor on the part of the petitioner and the affidavit and petition of the petitioner having been read,

it is ordered that the said 4th respondent be appointed Guardian-at-litem over the minor the abovenamed 3rd respondent and that Letters of Administration to the estate of the deceased be granted to the petitioner as widower, unless the said respondents or any other person interested shall appear before this court on or before 21st day of September 1951 and show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the minor the said 3rd respondent should be produced in this court on the said date

This 23rd day of July 1951

V. S. Jayawickrama, (Sgd. District Judge.

Drawn by M. S. Sithambaranathan (Sgd) Proctor for Petitioner. 21-9-51,

Time to show cause is extended till 26-11-51. V. S. J. (Intd.) D. J.

(O, 108, 20 & 23)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 1356

In the matter of the intestate estate of the late Mohamed Cassim Mohamed Aboobucker of Vannarponnai West, Jaffna Deceased,

Meera Meiyadeen Abdul Azeez of Vannarponnai West, Jaffna. Petitioner.

Vs.

1. Saffiya Ummah wife of Meera Meiyadeen Abdul Azeez
2. Kamila daughter of Mohamed Cassim Mohamed Aboobucker
3. Sultan Nachchia widow of Mohamed Cassim Mohamed Aboobucker all of Vannarponnai West, Jaffna Respondents.

This matter coming on for disposal before V. S. Jayawickrama Esquire, District Judge, Jaffna on the 30th day of August 1951 in the presence of Messrs Aboobucker and Sultan proctors on the part of the petitioner and the affidavit and petition of the petitioner dated the 30th day of August 1951 having been read.

It is ordered that the abovenamed 3rd Respondent be appointed guardian-ad-litem over the minors the abovenamed 2nd Respondent for the purpose of watching the interest of this Testamentary proceedings and that Letters of Administration to the estate of the abovenamed deceased be issued to the Petitioner as the son in law of the deceased unless the Respondents or others interested shall on or before the 25th day of November 1951 show sufficient cause to the satisfaction of this Court to the contrary.

The minor the abovenamed 2nd Respondent should appear before this Court on the said date.

The 30th day of August 1951 Sgd: V. S. Jayawickrama District Judge.

Drawn by, Sgd; Aboobucker & Sultan Proctors for Petitioner.

(O. 109 23 & 27).

Our Astrological Feature

WEEKLY FORECASTS

"SRI PATY"

FROM 25-11-51 TO 1-12-51

ARIES Aswini, Barani, Kartikai 1st part [Medha Rasi]

This is likely to be a troublesome week. Expenditure will be on the rise and there will be official troubles also. Health must be given particular care. Wednesday Thursday and Friday the worst days of the lot.

TAURUS Kartikai 2, 3, 4, Rohini, Mirugasirisha 1, 2 [Idapa Rasi]

Except for the last day this week will be favourable for new business transactions. Gains through landed properties also shown. But family clashes likely. Spend the last day of the week with care.

GEMINI Mirugasirisha 3, 4, Thiruvathirai, Punarpusam 1, 2, 3 [Mithuna Rasi]

You will see the downfall of your enemies this week. Friends of the opposite sex will help you a good deal; some good news from overseas and mental harmony promised.

CANCER Punarpoosa 4, Poosa, Ayilya [Kataka Rasi]

Health troubles shown. But a favourable week for business transaction. New ventures will bring in the desired results. Some important changes shown before week end.

LEO Maha, Poora, Uttira 1, [Singha Rasi]

Family feud may reach a crisis. Don't be in a hurry to make any rash decisions. Beware of scandal mongers and secret enemies.

VIRGO Uttira 2, 3, 4, Atta, Chittirai 1, 2 [Kanni Rasi]

A week of much activity and changes. Friends should help you a good deal. You will triumph over your competitors and gain fame and success.

LIBRA Chittirai 3, 4, Swati, Visaka 1, 2, 3, [Thula Rasi]

Don't enter into any new schemes this week. Some good news promised before week end but you will have to wait for sometime to gain something substantial from it. Health must be given particular care week.

SCORPION Visaka 4, Anusha, Kettai [Vrischika Rasi]

Except for minor health worries this is likely to be a good week. Financial gains and professional success promised. Go ahead with new plans but keep your temper under control when dealing with senior officers.

SAGITTARIUS Moolam, Pooradam, Uttiradam 1. [Thanu Rasi]

You will have to work hard for your success this week. Don't rely much on new friends. Some threat of underhand competition in your business deals shown week end.

CAPRICORNUS Uttiradam 2, 3, 4, Thiruvonam, Avittam 1, 2. [Makara Rasi]

Older relatives may cause you some annoyance this week. Avoid rash dealings and postpone important deals for some time. Some unexpected travels indicated before end of week.

AQUARIUS Avittam 3, 4, Satayam, Pooraddati 1, 2, 3 [Kumbha Rasi]

A stormy week in personal relationship. The first 2 days may dry the last drop of patience in you. Health also must be given particular care. Some improvements promised after Wednesday.

PISCES Pooraddati 4, Uttiraddati, Revati. [Meena Rasi]

Domestic affairs need careful handling this week. Monday, Tuesday and Wednesday morning must be spent with care. Rest of the week favourable for new deals. But go slow in new undertakings.

OPTICAL NOTICE

It's safe to get your Prescription for Spectacle dispensed by a

QUALIFIED OPTICIAN.....

A large stock of Frames and Lenses have arrived from England and America. Glasses can be supplied in a day or two (or even within a few hours)

Contact :-

V. T. FERNANDO

QUALIFIED OPTICIAN,

11, Main Street—Jaffna

M. 142 22-2-52

Draft Hindu Temporalities Bill

(Continued from page 1)

or place of religious resort or to the creation, nature and objects of the trust, and an inventory of all property belonging to the temple or place of religious resort or subject to the trust.

Section 17 makes it obligatory on the Commissioner to register the temple or place of religious resort or religious trust after holding such inquiries as he may deem necessary for verifying the particulars contained in the application for registration.

Section 18 makes provision for every trustee to notify to the Commissioner of the occurrence of any event affecting the accuracy of the particulars contained in his original application for registration. The Commissioner is also given power to amend the particulars already registered, on his own motion or at the request of any interested person, after notice to the trustee and after satisfying himself that any of such registered particulars is inaccurate or has become inaccurate by reason of the occurrence of any event.

Legal Action

Section 19 sets out the procedure to be adopted by the Commissioner in dealing with temples, places of religious resort or trusts which are within the meaning of the Act but which have not been registered on the initiative of the trustees. In such cases the Commissioner may call upon the person who, in the opinion of the Commissioner, is the trustee of such temple, place or trust to make application for registration thereof. If any person who is so called upon to apply for registration fails to do so, the Commissioner has power to institute action in a competent court to obtain a decree declaring that the premises in question constitute a Hindu temple, place of religious resort within the meaning of the Act or that the property concerned is subject to a religious trust, and specifying the person who is the trustee of such temple, place or property. When a decree is entered in any such action, it will become the duty of the person declared by Court to be the trustee to make application, within one month of the determination of the action, for registration in accordance with the provisions of section 16 of the Act.

Section 20 provides certain restrictions as to the institution of legal actions affecting Hindu temples, places of religious resort and religious trusts. An action in respect of any matter affecting such a temple, place or trust by any person claiming to be responsible for its management or administration will not be entertained by any court unless the temple, place or trust has been registered under Act.

Section 21 provides for the

rectification of the register of Hindu temples and trusts in accordance with the orders or judgments of Courts.

Proper Accounts

Sections 22 and 23 provide that every trustee should keep proper accounts and have them regularly audited.

Section 24 provides an opportunity for a trustee to offer an explanation regarding any matter contained in the auditor's report.

Section 25 prescribes the action which the Commissioner is required to take after due consideration of the auditor's report, the accounts and the trustee's explanation. In any case where the Commissioner is satisfied that a trustee has misappropriated or squandered any sum of money in his capacity as trustee, or has by wilful negligence caused loss to the temple or trust of which he was trustee, the Commissioner may, after giving the trustee an opportunity to be heard, order such trustee to pay to the credit of the trust an amount equal to the sum misappropriated or squandered by him or to the loss caused to the trust. If a trustee fails to comply with such an order it will be open to the Commissioner to institute an action against such trustee in a court of competent jurisdiction to obtain a decree.

Section 26 gives power to the Commissioner, if circumstances require, to cause a special audit of the accounts of a trustee to be made.

Sections 27 to 34 deal with the powers and duties of the Commissioner. Special mention may be made of the power of the Commissioner under section 27 to make order removing a trustee from office on certain specified grounds, such order being subject to appeal to the District Court by the aggrieved party and of the power to settle a scheme of management for any temple or trust or amend or modify any existing scheme.

The Commissioner may exercise these powers either on his own motion or upon application made to him by any five or more persons interested in the temple or trust.

Vesting of Property

Section 29 confers power on the Commissioner to vest in a trustee any property which, after due inquiry by him, is considered to belong to a religious trust registered under this Act. This power can be exercised only with the consent of the person who is in his opinion the owner of the property and of the person having the actual possession of the property, but where such consent is not given, the

Commissioner may institute action in a court of competent jurisdiction to obtain a decree declaring the property to be subject to a religious trust, vesting the property in the person registered as the trustee of that trust and ordering possession of the property to be delivered to such trustee.

Section 31 prescribes the procedure to be followed by the Commissioner in appointing new trustees.

Section 32 enables the Commissioner to hold an inquiry before exercising the power of determining any dispute regarding the appointment of any trustee or of removing any trustee from office, conferred by section 27 of the Act.

Section 33 provides for the appointment of the Commissioner, with his prior consent, as trustee of any religious trust to be created by deed or by instrument.

Section 34 requires the Commissioner to issue a letter of authorization to every trustee within thirty days of the registration of the temple, place of religious resort or trust.

Special mention may be made of section 37 which makes it obligatory on a trustee to maintain two separate funds for depreciation and repairs respectively. The Special Committee which reported on this subject has emphasised the need to set apart adequate funds from the annual income of each temple to enable proper repairs and improvements to be carried out as and when required. Legal provision has therefore been made for this purpose in this section.

Religious Fund

Sections 46 to 52 deal with the establishment and admini-

stration of a Hindu Religious and Educational Fund

This Fund is established for the purposes of the advancement of the Hindu religion, for the training and education of Hindu priests and for the establishment and maintenance of Hindu religious and educational institutions. The Fund will be made up of donations by testamentary disposition and otherwise and of monies payable to the Fund from time to time by virtue of any order made by the Hindu Temples and Trusts Board. The Commissioner will be responsible for the management and administration of the Fund, subject to regulations that may be made, providing for the manner in which, and the conditions subject to which, the powers, duties and functions of the Commissioner in relation to this Fund shall be exercised and performed. The cost of administration of the Fund will be a charge on the Fund.

Provision is made in section 50 for a declaration by the Board under certain circumstances that the purposes for which the Fund is established shall be deemed to be the object of any trust and in section 51 for the Board to direct that any part of the income of a Hindu temple, place of religious resort or religious trust may under certain circumstances be paid into the Fund. Any act of the Board under the aforesaid two sections may be reconsidered by the District Court on an appeal by the aggrieved trustee or by any 5 or more persons interested in the temple or trust affected by the act of the Board.

Section 53 gives the Minister power to make regulations which will be necessary for the purposes of carrying out or giving effect to the principles and provisions of the Act. Every regulation

so made will require the approval of the Senate and the House of Representatives.

Section 54 provides for the making of rules by the Supreme Court for regulating the institution and maintenance of actions and appeals under the Act.

Section 55 explains the effect of an order made under the Act for the removal of a trustee from his office.

Section 56 casts a duty on every person who is appointed executor of any will to furnish to the Commissioner within one month from the date of his accepting the office of executor a copy of such will if there is any bequest under the will to a temple or trust.

Offences and Penalties

Section 57 deals with offences under the Act and the penalties for such offences.

Section 58 provides that the provisions of the Act will prevail over any provisions contained in any scheme of management relating to any temple, place of religious resort or religious trust effected before the date on which the Act comes into operation.

Section 59 safeguards the rights of third persons in respect of property registered, or vested in trustees, under the provisions of the Act.

Section 60 provides that on the Act coming into operation Chapter 10 of the Trusts Ordinance will become inoperative in so far as it applies to any Hindu temple, place of religious resort or religious trust within the meaning of the Act.

Section 61 gives the interpretation of certain terms used in the Act.

MANOHARA THEATRE

(MODEL OF MODERN MAGNIFICENCE)

(Newly Built Theatre at K. K. S.—Navalar Roads Junction)

MANIMEKALAI

STARRING

K. B. SUNDARAMBAL, KRISHNAN & MATHURAM

DAILY AT 6-15 & 9-30 p. m.

Matinees on Saturday & Sunday 2-30 p. m.

(M. 276)

Printed and Published by S. P. KANDIAH, F. I. S. A. (Lond) residing at 245, Navalar Road, Jaffna, for and on behalf of the Proprietors the Saiva Paripalana Sabha, Jaffna, at their Press, the Saiva Prakasa Press, Vannarponnai, Jaffna on Tuesday, November 20, 1951.

EDITOR-IN-CHIEF: T. MUTTUSAMPILLAI.