

SHRI JAGANNATH TEMPLE ACT, 1954

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ORISSA ACT No. 11 OF 1955

SHRI JAGANNATH TEMPLE ACT, (1954) 1955

[Received the assent of the President on the 15th October 1955,
first published in the Orissa Gazette, dated the 4th November 1955]

AN ACT TO PROVIDE FOR BETTER ADMINISTRATION AND
GOVERNANCE OF SHRI JAGANNATH TEMPLE
AT PURI AND ITS ENDOWMENTS

WHEREAS the ancient Temple of Lord Jagannath of Puri has ever since its inception been an institution of unique national importance, in which millions of Hindu devotees from regions far and wide have reposed their faith and belief and have regarded it as the epitome of their tradition and culture ;

AND WHEREAS long prior to and after the British conquest the superintendence, control and management of the affairs of the Temple have been the direct concern of successive Rulers, Governments and their officers and of the public exchequer ;

AND WHEREAS by Regulation IV of 1809 passed by the Governor-General in Council on 28th April 1809 and thereafter by other laws and regulations and in pursuance of arrangements entered into with the Raja of Khurda, later designated the Raja of Puri, the said Raja came to be entrusted hereditarily with the management of the affairs of the Temple and its properties as Superintendent subject to the control and supervision of the ruling power ;

AND WHEREAS in view of grave and serious irregularities thereafter Government had to intervene on various occasions in the past ;

AND WHEREAS the administration under the Superintendent has further deteriorated and a situation has arisen rendering it expedient to reorganise the scheme of management of the affairs of the

Temple and its properties and provide better administration and governance therefor in supersession of all previous laws, regulations and arrangements, having regard to the ancient customs and usages and the unique and traditional nitis and rituals contained in the Record-of-Rights prepared under the Puri Shri Jagannath Temple (Administration) Act, 1952, in the manner hereinafter appearing ;

Orissa Act
XIV of
1952.

It is hereby enacted by the Legislature of the State of Orissa in the Sixth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title
and com-
mencement.

*1. (1) This Act may be called Shri Jagannath Temple Act, 1955.

(2) Sections 1, 2 and 3 shall come into force at once and the rest of the provisions of this Act shall come into force on such date as the State Government may, by notification, appoint in this behalf.

Repeals

2. (1) The provisions of the Orissa Hindu Religious Endowments Act, 1951 shall cease to apply to the said Temple except with respect to actions taken, things done and contributions levied and the same shall be deemed to have been validly taken, done and levied as if this Act had not been passed :

Orissa Act II
of 1952.

Provided that the State Government shall, after having due regard to the financial position of the Temple, have power to exempt it from the payment of the whole or any part of the contributions so levied and due, immediately before the date of commencement of this Act, anything in any law or contract, or judgment, decree or order of any court to the contrary notwithstanding.

(2) All laws, regulations and other enactments passed for the purpose of providing for the management of the affairs of the Temple and its properties and all deeds executed in favour of and all arrangements entered into for the said purpose with the Raja

* For Statement of Objects and Reasons see *Orissa Gazette* extraordinary, dated the 31st August 1954 and for S. C. Report see *Orissa Gazette* extraordinary, dated the 29th March 1955.

of Khurda or the Raja of Puri, as the case may be, prior to the commencement of this Act, in so far as such enactments, deeds or arrangements are inconsistent with the provisions of this Act, shall cease to have any effect.

Delegation
of powers
to the
Committee.

3. The Puri Shri Jagannath Temple (Administration) Act, 1952, shall be deemed to be a part of this Act and all or any of the powers and the functions of the State Government under the said Act shall be exercisable by the Committee under this Act from such date or dates as the State Government may by notification direct.

Orissa Act
XIV of
1952.

Definitions

4. (1) In this Act, unless there is anything repugnant in the subject or context—

(a) "Committee" means the Shri Jagannath Temple Managing Committee constituted under this Act ;

(b) "Prescribed" means prescribed by rules made under this Act ;

(c) "Raja of Puri" means the person on whom rests for the time being the obligation of discharging the duties of a Sevak in respect of the Gajapati Maharaj Seva as recorded in the Record-of-Rights ;

(d) "Record-of-Rights" means the Record-of-Rights prepared under the Puri Shri Jagannath Temple (Administration) Act, 1952 ;

(e) "Temple Fund" shall mean the Shri Jagannath Temple Fund constituted under section 28 ;

Orissa Act
XIV of
1952.

(f) "year" means financial year ;

(g) the words and expressions defined in the Puri Shri Jagannath Temple (Administration) Act, 1952 and used in this Act shall have the same meaning in this Act.

Orissa Act
XIV of 1952

(2) For the removal of doubts it is hereby declared that any reference to the word 'Temple' in either of the enactments aforesaid may, if the subject or context so permits, be construed as a reference also to the deity, if any, installed in such temple.

CHAPTER II

THE COMMITTEE

Incorporation.

5. Notwithstanding anything in any other law for the time being in force or custom, usage or contract, Sanad, deed or engagement, the administration and the governance of the Temple and its endowments shall vest in a Committee called the Shri Jagannath Temple Managing Committee constituted as such by the State Government and it shall have the rights and privileges in respect thereof as provided in section 33. It shall be a body corporate, having perpetual succession and a common seal, and may, by the said name sue and be sued.

Constitution of the Committee.

6. (1) The Committee constituted under section 5 shall consist of eleven members and shall be composed as follows :—

(a) the Raja of Puri who shall be the Chairman ;

(b) the Administrator appointed under section 19 *ex officio* Member ;

(c) the Commissioner of Endowments appointed under the Orissa Hindu Religious Endowments Act, 1951. *ex officio* Member ; Orissa Act I of 1952.

(d) one person to be nominated by the State Government from among the persons entitled to sit on the Muktimandap. Member ;

(e) three persons to be nominated by the State Government from among the Sevaks of the Temple recorded as such in the Record-of-Rights. Members ; and

(f) four other persons to be nominated by the State Government from among persons who do not belong to the classes covered by the clauses (d) and (e). Members.

(2) No person who does not profess the Hindu religion shall be eligible for membership.

(3) The appointment or nomination of the members shall be notified in the Gazette.

Appointment of a Chairman during the minority or disability of the Raja of Puri.

7. (1) If at any time the Raja of Puri happens to be a minor being below the age of twenty-one or in the opinion of the State Government suffers from any of the disabilities covered by sub-section (1) of section 10 other than clause (f) thereof the duties of the Chairman shall, during such minority or so

long as such disability lasts, be exercised by a person professing the Hindu religion whom the State Government may by order specially appoint in that behalf :

Provided that in making an order under this section the State Government may take into consideration the suitability of the next in line of succession to the Raja of Puri for appointment in conformity with the provisions of this Act :

Provided further that no such order as aforesaid shall be made by the State Government without prior consultation with the Advocate-General and unless the Raja of Puri has been given a reasonable opportunity of showing cause against the order proposed.

(2) Notwithstanding anything in any law, but subject to the provisions of this Act all orders made by the State Government under sub-section (1) shall after publication in the Gazette, be final and shall not be questioned in any Court of law.

Rights and privileges of the Raja of Puri in respect of the Gajapati Maharaj Seva not to be affected.

8. Nothing in section 7 shall be deemed to affect the rights and privileges of the Raja of Puri in respect of the Gajapati Maharaj Seva merely on the ground that the Raja has ceased to perform the duties of the Chairman for the time being ; nor shall anything therein contained preclude any person from establishing in a Court of competent jurisdiction his right to succeed to the said Seva as recorded in the Record-of-Rights :

Provided that no Court shall have power to stay the operation of any order passed in accordance with the provisions of the aforesaid section pending the final disposal of the proceedings in such Court or of any appeal or application arising therefrom or in relation thereto ; and no order of any Court in any such proceedings shall have the effect of rendering invalid or inoperative in law anything done or any action taken prior to the date of such order and in pursuance of orders of the State Government passed under that section.

Terms of office of members.

9. Every member of the Committee other than the Chairman, and the *ex officio* members shall hold office for a period of three years from the date of notification under sub-section (3) of section 6 and shall be eligible for re-nomination.

Power of
State
Government
to remove
the Chair-
man,
or members
of the
Committee.

10. (1) The State Government may suspend or remove any member of the Committee other than the Chairman and the *ex officio* members on the following grounds :—

(a) that he has been convicted by a Criminal Court of any offence which, in the opinion of the State Government involves moral turpitude ;

(b) that he is of unsound mind or is suffering from any physical or mental disease or defect or infirmity which in the opinion of the State Government renders him unfit to be a Member of the Committee ;

(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 or that some other sufficient cause exists for his removal ;

(e) that he has ceased to profess the Hindu religion ;

(f) that he has absented himself for 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 Temple in any legal proceeding.

(2) No member shall be removed under this section unless he has been given a reasonable opportunity of showing cause against his removal.

(3) The decision of the State Government under this section shall be final and shall not be liable to be questioned in any Court of law.

Dissolution
and super-
session
of the
Committee.

11. (1) If in the opinion of the State Government the Committee is not competent to perform, or makes default in performing the duties imposed on it under this Act, or exceeds or abuses its powers the State Government may, after due enquiry, by notification dissolve the Committee and reconstitute another Committee within a period of six months from the date of dissolution or supersede the Committee for such period not exceeding six months, as the State Government may deem fit.

(2) Before issuing a notification under subsection (1), the 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 explanations or objections, if any.

(3) Where a Committee is dissolved or superseded under this section the State Government shall appoint a person in the active service of the State Government and professing the Hindu religion to perform the functions and exercise the powers of the Committee until the constitution of another Committee or till the expiry of the period of supersession, as the case may be :

Provided that the period during which the Committee remains superseded shall not have the effect of extending the term of office of a member beyond the period of three years as specified in section 9.

(4) The State Government may fix a remuneration for such officer and the same shall be paid from the Temple Fund.

Casual
vacancies.

12. (1) Casual vacancies caused by death, resignation, removal or otherwise in the office of the members of the Committee shall be filled in the same manner as provided in section 6.

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

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

Meetings
of the
Committee.

13. (1) The Committee, shall maintain its office at such place or places at Puri as the Committee may determine for the transaction of its business.

(2) Every meeting of the Committee shall be presided over by the Chairman and in his absence by the member elected for the purpose from among the members present.

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

(4) Questions arising at a meeting of the Committee shall be decided by a majority of the votes of the members present thereat and the Chairman, or the person presiding, as the case may be, shall have no right to vote at the first instance but shall have and exercise his casting vote in the case of equality of votes.

(5) The Secretary of the Committee shall be responsible for due record and maintenance of the minutes of the proceedings duly countersigned by the Chairman or the person presiding as the case may be, and shall submit a copy of the said minutes to the State Government for their information.

(6) The State Government may call upon the Committee to submit report on any matter concerning the business of the Committee and management of the Temple and its affairs. Non-compliance in this behalf will be treated as a default in performance of duty within the meaning of section 11.

Allowances
to the
members
of the
Committee.

14. (1) It shall be within the power of the State Government by order to direct from time to time the payment from out of the Temple Fund to the Chairman or the person appointed under section 7 of such allowance, at such times and in such manner as the State Government may consider reasonable and proper.

(2) Save as otherwise provided in sub-section (1) and except the Administrator no other member of the Committee while acting as such, shall receive or be paid from out of the Temple Fund any salary or other remuneration except such travelling or daily allowances, if any, as may be prescribed.

Duties of
the Committee.

15. Subject to the provisions of this Act and the rules made thereunder, it shall be the duty of the Committee—

(1) to arrange for the proper performance of Seva Pujah and of the daily and periodical Nitis of the Temple in accordance with the Record-of-Rights ;

(2) to provide facilities for the proper performance of worship by the pilgrims ;

(3) to ensure the safe custody of the funds, valuable securities and jewelleryes and for the preservation and management of the properties vested in the Temple ;

(4) to ensure maintenance of order and discipline and proper hygienic conditions in the Temple and of proper standard of cleanliness and purity in the offerings made therein ;

(5) to ensure that funds of the specific and religious endowments are spent according to the wishes, so far as may be known, of the donors ;

(6) to make provision for the payment of suitable emoluments to its salaried staff ; and

(7) to do all such things as may be incidental and conducive to the efficient management of the affairs of Temple and its endowments and the convenience of the pilgrims.

Alienation
of Temple
properties.

16. (1) No movable property of a non-perishable nature of which the Committee is in possession and the value of which is more than one thousand rupees and no jewellery shall be sold, pledged or otherwise alienated without the previous approval of the State Government.

(2) Save as otherwise expressly provided in this Act no immovable property taken possession of by the Committee shall be leased out for more than five years or mortgaged, sold or otherwise alienated except with the previous sanction of the State Government.

Limitation
of borrowing
power.

17. The Committee shall have no power to borrow money from any person except with the previous sanction of the State Government.

Administra-
tion report.

18. (1) The Committee shall annually submit to the State Government a report on the Administration of the affairs of the Temple at such time as the State Government may prescribe and such report shall be forthwith published by the Committee in the prescribed manner.

(2) The report prepared and published under this section shall as soon as possible be laid before the Legislative Assembly.

CHAPTER III

THE ADMINISTRATOR AND ESTABLISHMENT

Appoint-
ment of
Administra-
tor.

19. (1) The State Government shall appoint an Administrator for the Temple, who unless sooner removed by them for sufficient cause shall hold office for a period of three years. An outgoing Administrator shall be eligible for reappointment.

(2) When a temporary vacancy occurs in the office of the Administrator the State Government may fill up the vacancy.

Qualifications and conditions of service.

20. (1) The Administrator shall ordinarily be selected from amongst persons in active service of the State Government who shall be a person professing Hindu religion and shall be a whole-time officer of the Temple. He shall not undertake any work unconnected with his office without the permission of the Committee.

(2) He shall be paid out of the Fund of the Temple such salary and allowances as the State Government may fix in this behalf.

(3) There shall be levied a contribution from the Temple Fund towards leave, allowances, pension and provident fund to the extent required by the rules for the time being in force in case the Administrator is a Government servant.

(4) The State Government may at their discretion at any time either on their own motion or on the basis of a resolution passed by the Committee suspend or remove the Administrator from his office.

Powers and duties of the Administrator.

21. (1) The Administrator shall be the Secretary of the Committee and its Chief Executive Officer and shall subject to the control of the Committee have powers to carry out its decision in accordance with the provisions of this Act.

(2) Notwithstanding anything in sub-section (1) or in section 5 the Administrator shall be responsible for the custody of all records and properties of the Temple, and shall arrange for proper collections of offerings made in the Temple and shall have power—

(a) to appoint all officers and employees of the Temple ;

(b) to lease out for a period not exceeding one year at a time the lands and buildings of the Temple which are ordinarily leased out ;

(c) to call for tenders for works or supplies and accept such tenders when the amount or value thereof does not exceed two thousand rupees ;

(d) to order for emergency repairs ;

(e) to decide disputes between Sevaks or classes of Sevaks ; and

(f) to require various Sevaks and other persons to do their legitimate duties in time in accordance with the Record-of-Rights :

Provided that the exercise of powers under clauses (a), (b) and (c) shall be subject to the directions if any of the Committee issued specially in that behalf.

(3) Any person aggrieved by the decision of the Administrator under clause (e) of sub-section (2) shall have a right of appeal within such time as may be prescribed to the Committee whose decision shall be final unless set aside by any judgement, order or decree of a competent Court.

(4) If in contravention of the order of the Administrator under clause (f) of sub-section (2) the persons mentioned therein neglect or wilfully absent from their duties or act in a manner derogatory to the discipline or dignity of the Temple the Administrator shall have power to stop the Khais or other emoluments for such period of the persons concerned and to impose a fine subject to such maximum as may be prescribed. He shall have further power to recommend to the Committee for suspension or dismissal of the defaulting person and substitution of others and any decision of the Administrator or the Committee as the case may be shall subject to the provisions of section 24 be final :

Provided that no penalty shall be imposed by the Administrator and no order of suspension or dismissal passed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

Extraordi-
nary powers
of the
Administra-
tor.

22. The Administrator may in cases of emergency, direct the execution of any work or the doing of any act, which is not provided for in the budget for the year and immediate execution or the doing of which is in his opinion necessary for the preservation of the properties of the Temple and its endowments or for the service or safety of the pilgrims resorting to the Temple or for the due performance of the Nitis therein ; and may direct that the

expenses of executing such work or doing the act shall be paid from the Funds of the Temple. The Administrator shall forthwith report to the Committee the action taken under this section and the reasons therefor.

Establish-
ment Sch-
dule.

23. (1) After the appointment of the first Administrator, he shall, as soon as may be, prepare and submit to the Committee a Schedule setting forth the duties, designations and grades of the officers and employees who may, in his opinion, constitute the establishment of the Temple and embody his proposals with regard to the salaries and allowances payable to them, and such Schedule shall come into force on approval by the Committee.

(2) No change shall be effected in such Schedule except with the sanction of the Committee.

(3) Subject to such exceptions as the Committee may by general or special order direct, the officers and employees of the Temple already in service of the Temple on the date of the commencement of this Act shall continue as such and the conditions of their services shall be regulated in the prescribed manner.

(4) The creation of any new appointment carrying a salary of not less than two hundred rupees per mensem shall be subject to the previous sanction of the State Government.

Appeal by
Sevakas.

24. (1) Any person aggrieved by the decisions of the Administrator under sub-section (4) of section 21 may appeal to the Committee within fifteen days from the date of the order communicating the decision and the Committee after giving an opportunity for hearing the person concerned may alter, reverse or modify the same.

(2) No decision of the Committee under the said sub-section shall debar the person aggrieved from establishing his right, if any, in a Court of competent jurisdiction but no Court shall have power to stay the operation of the decision of the Committee pending the final disposal of the proceedings before such Court or of any appeal or application arising therefrom or in relation thereto.

CHAPTER IV

BUDGETS, ACCOUNTS AND AUDIT

Budget

25. (1) The Administrator shall, every year prepare in the prescribed manner and form a budget estimate of the receipts and expenditure of the Temple and its endowments for the following year and place it before the Committee which may approve it without modification or with such modification as it deems fit. After the approval of the Committee the budget shall be submitted to the State Government for sanction before such date as may be fixed by the State Government in that behalf.

(2) Before sanctioning the budget the State Government shall satisfy themselves that adequate provision has been made in the budget for the maintenance of the prescribed working balance and for meeting all the liabilities of the Temple and its endowments. If the budget as submitted to the State Government fails to make these provisions, the State Government may modify any part of the budget so as to ensure that such provisions are made. The decision of the State Government sanctioning the Budget subject to the modifications, if any, shall be communicated to the Committee at least fifteen days in advance of the commencement of the year to which the Budget relates and in the absence of such communication before the end of the preceding financial year the budget shall be deemed to have been sanctioned in pursuance of this section.

Revised or supplementary budget.

26. If in the course of any year the Committee finds it necessary to modify the figures shown in the budget with regard to its receipts or expenditure, it may submit a supplementary or revised budget to the State Government :

Provided that no alteration shall be made without the consent of the State Government in the working balance.

Audit

27. (1) The State Government shall every year appoint an auditor to audit the accounts of the Temple and its endowments, in the prescribed manner and fix his remuneration which shall be paid to such auditor from the funds thereof. The auditor shall submit his report to the Committee and send

a copy of it to the State Government, which may issue such directions thereon as they may deem fit, and the Committee shall carry out such directions.

(2) The report of the Auditor and the directions issued by the State Government thereon shall be published in the prescribed manner.

CHAPTER V

GENERAL

Temple
Fund.

28. (1) There shall be constituted a Fund to be called "Shri Jagannath Temple Fund" which shall be vested in and be administered by the Committee and shall consist of—

(a) the income derived from the movable and immovable properties of the Temple ;

(b) any contributions by the State Government either by way of grant or by way of loan ;

(c) all fines and penalties imposed under this Act ;

(d) all recoveries under this Act ;

(e) any other gifts or contributions made by the public, Local authorities or institutions.

(2) The said Fund may be utilised for any of the purposes permitted under the Act and for all or any of the following purposes :—

(a) maintenance (including repairs and reconstruction), management and administration of the Temple and its properties ;

(b) training of Sevakas to perform the religious worship and ceremonies in the Temple ;

(c) medical relief, water-supply and other sanitary arrangements for the worshippers and the pilgrims and construction of buildings for their accommodation ;

(d) culture and propagation of the tenets and philosophy associated with the Temple of Shri Jagannath ;

(e) any other work or undertaking for the purposes of the Temple authorised by the State Government, so long as such authorisation subsists ;
and

(f) with the previous sanction of the State Government, for the establishment and maintenance of or the making any grant or contribution to any leper asylum, poor home, orphanage or similar other institutions.

Bar to suits
or proceed-
ings.

29. Save as otherwise expressly provided in this Act no suit or proceeding shall lie in any Court against the State Government or against the Committee or the Administrator for anything done or purported to be done by any of them under the provisions of this Act.

Power of
the State
Government.

30. (1) Subject to the provisions of this Act the general superintendence of the Temple and its endowments shall vest in the State Government which may pass any orders that may be deemed necessary for the proper maintenance or administration of the Temple or its endowments or in the interest of the general public worshipping in the Temple.

(2) Subject to the other provisions of this Act the State Government may call for and examine the records of the Administrator or of the Committee in respect of any proceedings with a view to satisfy themselves as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order made therein; and if in any case it appears to the State Government that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly :

Provided that the State Government may stay the execution of any such decision or order, pending the exercise of their power under sub-section (2) in respect thereof.

Regulations

31. The Committee may, subject to the approval of the State Government, make regulations not inconsistent with the provisions of this Act and the rules made thereunder to provide for the manner in which the duties imposed on it under this Act and its functions thereunder shall be discharged and in particular to provide for—

(a) conditions of service of office bearers and employees of the Temple ;

(b) procedure for transfer of Seva Pujah, Chuli or Panti in the Temple ;

(c) observance of Nitis and other usages in the Temple in the absence of specific mention in the Record-of-Rights ;

(d) any other matters for which regulations are required to be made for the purposes of this Act.

Power of the
State
Government
to make
rules.

32. (1) The State Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, they shall have power to make rules with reference to—

(a) all matters expressly required or allowed by this Act to be prescribed ;

(b) the manner of exercise of control by the Committee over the actions of the Administrator ;

(c) the grant of travelling or daily allowances to the members of the Committee ;

(d) the performance of duties by the Committee under section 15 and the mode and extent of expenditure under section 28 ;

(e) the publication of the Administration report under section 18 ;

(f) the custody of records and properties including custody of key of the Ratna Bhandar ;

(g) the grant of leave and leave allowances to and payment of contributions towards the pension, if any, of the Administrator ;

(h) the preparation of the budget estimates for the Temple ;

(i) the preparation and sanction of estimates and acceptance of tenders in respect of public works and for supplies ;

(j) the custody and investment of the Temple Fund by the Committee ;

(k) the audit of the accounts of the Temple and the particulars to be mentioned in the audit report and the manner of publication thereof and of the directions issued under section 27 ;

(l) the recovery of amounts payable to auditors appointed by the State Government ; and

(m) any other matter that may be required for the efficient administration of the Temple and its endowments.

Committee
to be in
possession
of the
Temple and
its proper-
ties.

33. (1) The Committee shall be entitled to take and be in possession of all movable and immovable properties including the Ratna Bhandar and funds and jewellerys, records, documents and other assets belonging to Temple.

(2) If in obtaining such possession, the Committee or any person authorised in this behalf by the Committee is resisted or obstructed by any one—

(a) it may make a requisition in the prescribed form to the Collector of the district in which any such property is situated to deliver its possession to the Committee; on receipt of the requisition the Collector shall hold a summary enquiry into the facts of the case and if satisfied that the resistance or obstruction was without any just cause, shall comply with the said requisition; and in exercising the powers under this section the Collector shall be guided by rules made under this Act; or

(b) it may make an application to the District Judge who shall treat the same as an application for delivery of possession under the Code of Civil Procedure, 1908 and shall dispose of it in accordance with the provisions made thereunder. v of 1908

(3) No suit, prosecution or other legal proceeding shall lie against the Committee or any person acting under its instruction or authorised by it for anything done in good faith under sub-section (2).

(4) Every person authorised by the Committee or acting under its instructions in pursuance of this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code : XLV of
1860.

Provided that nothing contained in this section shall bar the institution of a suit by any person aggrieved by an order (made thereunder) from establishing his title to the said property.

Public
Officers
to furnish
copies of
or extracts
from certain
documents.

34. All public officers having custody of any record, register, report or other documents relating to the Temple or any movable or immovable property thereof shall furnish such copies of or extracts from the same as may be required by the Administrator.

Acts of
Committee
and Admini-
strator not
to be invali-
dated.

35. (1) No act or proceeding of the Committee or of any person acting as a member of the Committee shall be deemed to be invalid by reason only of a defect in the establishment or constitution of the Committee or on the ground that any member of the Committee was not entitled to hold or continue in such office by reason of any disqualification or by reason of any irregularity or illegality in his appointment or by reason of such act having been done or proceeding taken during the period of any vacancy in the office of member of the Committee.

(2) No act or proceeding of the Administrator shall be deemed to be invalid by reason only of a defect or irregularity in his appointment or on the ground that he was not entitled to hold or continue in office by reason of any disqualification.

Power to
remove
difficulties

36. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order do anything not inconsistent with this Act or the rules made thereunder which appears to them necessary for the purpose of removing the difficulty.