Sixteenth Kerala Legislative Assembly
Bill No. 4

THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (AMENDMENT) BILL, 2026

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further to amend the Madras Hindu Religious and Charitable Endowments Act, 1951.

Preamble.—WHEREAS, it is expedient further to amend the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951) for the purposes hereinafter appearing;

BE it enacted in the Seventy - seventh Year of the Republic of India as follows:—

1. *Short title and commencement*.—(1) This Act may be called the Madras Hindu Religious and Charitable Endowments (Amendment) Act, 2026.

(2) It shall come into force on such date as the Government may by notification in the official gazette appoint.

2. *Amendment of section 70*.—In section 70 of the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951) (hereinafter referred to as the principal Act),—

(1) in sub-section (1), for the words “fasli year”, the words “financial year” shall be substituted;

(2) in clause (c) of sub-section (2), for the words “fasli year”, the words “financial year” shall be substituted.

3. *Amendment of section 71*.—In section 71 of the principal Act, in sub-sections (2) and (4) for the words “fasli year”, wherever they occur, the words “financial year” shall be substituted.

4. Amendment of section 76.—In section 76 of the principal Act, in sub-section (2) for the words "fasli year", the words "financial year" shall be substituted.

5. Amendment of section 79.—In section 79 of the principal Act, for the words "faslis" and "fasli" wherever they occur the words "financial years" and "financial year" shall respectively be substituted.

STATEMENT OF OBJECTS AND REASONS

The accounting, audit, periodical returns, reports, form and content of the audit report etc. relating to the administration of religious institutions and endowments within the purview of the Madras Hindu Religious and Charitable Endowments Act, 1951 have been maintained on the basis of fasli year. Whereas, Malabar Devaswom Board has been functioning mainly on the budget grant by the Government of Kerala and all the records have been maintained on the basis of the financial year. Since all financial accounts relating to the Government, including those pertaining to the Income Tax Department, Budgets, assessments and the amounts allocated to temples, are prepared on the basis of the financial year, the preparation of temple financial accounts based on the calendar year causes difficulties for the administrators. Therefore, in order to harmonize the same and resolve the issue, it is proposed to amend the said Act suitably.

Hence, the Government have decided to bring suitable amendments in sections 70, 71, 76 and 79 of the said Act.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

K. MURALEEDHARAN

EXTRACT FROM THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS ACT, 1951 (MADRAS ACT XIX OF 1951)

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70. *Budgets of religious institutions*.—(1) The trustee of every religious institution shall, before the end of March in each year, submit, in such form as may be fixed by the Commissioner, a budget showing the probable receipts and disbursements of the institution during the following fasli year—

(a) to the Area Committee if the institution is subject to the jurisdiction of such a Committee; and

(b) to the Commissioner, in other cases.

(2) ** **

** ** ** **

(c) the repair and renovation of the buildings connected with the institution, the provision made under this clause not being less than ten per centum of its income in the case of an institution assessed to contribution under section 76 for the previous fasli year on an income not exceeding three thousand rupees, and not being less than twenty - five per centum of its income, or ten per centum of its income up to three thousand rupees and the whole of the excess of its income over that amount, whichever is less, in the case of any other institution:

Provided that any institution the income of which does not exceed or does not sufficiently exceed the expenditure referred to in clauses (a) and (b) may be exempted by the Commissioner, in whole or in part, as the case may be, from the requirement of this clause;

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71. *Accounts and Audit*.— (1) The trustee of every religious institution shall keep regular accounts of all receipts and disbursements.

(2) The accounts of every religious institution, the annual income of which as calculated for the purposes of section 76 for the fasli year immediately preceding is not less than sixty thousand rupees, shall be subject to concurrent audit, that is to say, the audit shall take place as and when expenditure is incurred.

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(4) The audit shall be made—

(a) in the case of a religious institution the annual income of which calculated as aforesaid for the fasli year immediately preceding is not less than one thousand rupees, by auditors appointed in the prescribed manner, who shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code;

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76. *Religious institutions to pay an annual contribution to the Government.*— (1) ** **

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(2) Every religious institution, the annual income of which, for the fasli year immediately preceding as calculated for the purposes of the levy of contribution under sub-section (1), is not less than one thousand rupees, shall pay to the Government annually, for meeting the cost of auditing its accounts, such further sum not exceeding one and a half per centum of its income as the Commissioner may determine.

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79. *Contribution not to be levied for more than three faslis immediately preceding the fasli in which a notice of assessment is issued*.-—(1) It shall not be competent for the Commissioner to levy any contribution for more than three faslis immediately preceding the fasli in which a notice of assessment is issued under section 78.

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