THE PANDHARPUR TEMPLES ACT, 1973

[*Text as on03rd May 2024*]

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4. Amended by Mah. 23 of 2018[3] (23-1-2018)
5. Amended by Mah. 25 of 2019 (23-7-2019)
6. Amended by Mah. 25 of 2023

1 Maharashtra Ordinance No. V of 1975 was repealed by Mah. 30 of 1975, s. 3.

2 Maharashtra Ordinance No. XXIV of 2017 was repealed by Mah. 2018. s. 10.

3 Maharashtra Ordinance No. III of 2018 was repealed by Mah. XXIII of 2018 s. 6.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

MAHARASHTRA ACT No. IX OF 1974[1]

[THEPANDHARPURTEMPLESACT,1973.]

[This Act received the assent of President on the 15th March 1974; assent was first published

An Act to provide for the abolition of all the hereditary rights, privileges of ministrants and priestly classes functioning in the Temples of Vitthal and Rukmini at Pandharpur; for the acquisition of such rights and privileges and for the vesting thereof in a Committee established for the purpose; for payment of amounts for such acquisitions for providing for better administration and governance of these Temples, their endowments and the amalgamation of the trusts and for matters connected with the purposes aforesaid.

WHEREAS, complaints were received by the Government of Maharashtra regarding the mismanagement of the *Vitthal* Temple, the *Rukmini* Temple, the *Pariwar Devatas* and the *Vitthal Rukmini Devasthan* Committee, all of Pandharpur, and registered as public trusts under the [2]Bombay Public Trusts Act (Bom. XXIX of 1950).

AND WHEREAS, by Government Notification in the Law and Judiciary Department No. 27518/P., dated 21st October 1968 the Government of Maharashtra appointed a Commission of Inquiry under the Commissions of Inquiry Act, 1952 (60 of 1952), consisting of Shri. B. D. Nadkarni, District Judge (Retired), to enquire into and report to the State Government on the alleged mismanagement of the said public trusts and other matters specified in that notification;

AND WHEREAS, the said Commission submitted its report to Government on 2nd February 1970;

AND WHEREAS, after considering the recommendations and suggestions of the said Commission, and in particular, the views expressed in the Legislature of the State on the aforesaid report, the Government of Maharashtra is of opinion that steps should be taken forthwith –

(*i*) to abolish all the hereditary rights and privileges of *Badves*, *Utpats*, any committee or any persons managing the affairs of the Temples and the property thereof, or any endowment or registered trusts in relation thereto, and to require them to hand over the possession of such property to the Committee to be established for that purpose and also for the purpose of better management, administration and governance of such Temples, property or endowment or registered trusts;

(*ii*) to abolish all the hereditary rights and privileges of the *Badves*, *Utpats*, *Sevadharis*, *Kolis* and other of performing *nitya* or daily or *naimittik* or occassional, pujas in the Temples and of appropriating the income accruing from offerings, *Dakshinas*, donations or gifts made to the idols or deities in the Temples or made f ent of the Temples or any property

thereof with a view to its utilization for purposes of the Temples, of the idols or deities therein or any property thereof; and to provide for the acquisition and vesting of such rights and privileges in the Committee aforesaid and for the payment of amounts for the acquisition of such rights and privileges;

(*iii*) to provide for better administration and governance of these Temples, their endowments and the amalgamation of the trusts; and

(*iv*) to provide for matters connected with the purposes aforesaid;

It is hereby enacted in the Twenty-fourth Year of the Republic of India as follows :–

1 For Statement of Objects and Reasons of the L. C. Bill No. 2 of 1973, *see Maharashtra Government Gazette*, 1973, Extraordinary, Part V, dated 22nd February 1973, pages 29-30; for Report of the Joint Committee, *see Maharashtra Government Gazette*, 1973, Part V, dated the 16th August 1973, pages 247-286.

2 The short title of the Act has been amended as "the Maharashtra Public Trust Act" (XXIX of 1950) by Mah. 24 of 2012, ss. 2 and 3 Schedule, entry 43 w.e.t.1.5.1960.

CHAPTER I

PRELIMINARY

1. Short title and commencement.— (*1*) This Act may be called the Pandharpur Temples Act, 1973.

(*2*) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint 1[and different dates2 may be appointed for different provisions of this Act].

2. Definitions.— In this Act, unless the context requires otherwise,—

3[(*a*) "appointed day",—

(*i*) in relation to the provisions of sub-section (*2*) of section 1, sections 21 to 31, 33, 34, 38 and 39, means the 3rd July 1975 [being the date on which those provisions were brought into force under a notification issued under sub-section (*2*) of section 1]; and

(*ii*) in relation to any other provision of this Act, means the day on which that provision comes into force under a notification issued under sub-section (*2*) of section 1;]

(*b*) "authorised officer" means an officer not below the rank of a Deputy Charity Commissioner or an officer who in the opinion of the State Government is of equivalent rank authorised by the State Government for the purposes of this Act;

(*c*) "*Badves*", in relation to the Temple of God *Vitthal*, means all those persons who according to the decision of the High Court in *GangaramandOthers* vs. *BanajiShankarand Others* (1891 P. J. 182) are declared to be the chief priests, managers, guardians and overseers only of the idol, temple and property belonging thereto, and as such bound to keep order, and to bid the *Sevadharis* perform the duties which belong hereditarily to those priests; but are declared to be not the owners of the temple, idol or the property aforesaid; and whose hereditary rights in the management of the property of the idol *Vitthal* were determined by a scheme approved by the High Court in *Sakharam Bhimaji Benare and Others* vs. *Gangaram Babaji Badve and Others* in Appeal No. 141 of 1892; and *Gangaram Babaji Badve and Others* (original defendants) vs. *Sakharam Vaman* (with the consent of the Advocate General) *and Others* (original plaintiffs) in Appeal No. 168 of 1892 (1896 P. J. 644) as explained or modified by subsequent decisions, including the earlier decision of the High Court in *Gangaram Babaji Badve and Others* (original defendants) vs. *Vitthal Dingre and Others* (original plainiffs) (Appeal No. 130 of 1890) and *Govardhan Vitthal Dingre* (original plaintiffs) vs. *Gangaram Babaji Badve and Others* (original defendants) (Appeal No. 5 of 1891) (1894 P. J. 6); and who are accordingly exercising these hereditary rights and privileges including any other rights and privileges claimed under any order or decree of any court or otherwise in the Temple of God *Vitthal* : and includes a *Divaskari*.

Badva;

(*d*) "*Benari*" means a person who exercises the hereditary right and privilege of Chanting *Mantras* or hymns from the *Vedas* or otherwise at the relevant time of performing *nitya* or daily or *naimittik* or occasional services in the temple of God *Vitthal*, and of appropriating or receiving income from the exercise of such hereditary right and privilege, including the right of receiving *yajman* offerings of *puja* vessels, provided the same are put into his hands by the devotee, of officiating at the worship of *Ganapati*, *Varuna and Bhumi* and of receiving the money offerings and of officiating as *Joshi* and *Upadhyaya* at *munj* and marriage ceremonies performed in the Temple of God *Vitthal* and of receiving the customary fees, being the right and privilege recognised by the decision of the High Court in *Gangaram Babaji and Others* vs. *Narayan Annaji and Others* (1891 P. J. 148) and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise ;

(*e*) "by-laws" means by-laws made by the Committee under this Act;

1 These words were added by Mah. 30 of 1975, s. 2.

2 Sections 1(*2*), 21 to 31, 33, 34, 38 and 39 came into force on 3rd July 1975, *vide*., G. N., L. & J. D., No. 15176/P., dated 3rd July 1975.

3 Clause (*a*) was substituted for the original clause by Mah. 28 of 1979, s. 2.

(*f*) "Committee" means the Committee established under section 21 of this Act and includes the temporary Committee appointed under that section ;

[1][(*f-1*) "Council" or "Advisory Council" means the Advisory Council constituted under section 32A] ;

(*g*) "daily or *nitya* services" means the services rendered daily in the Temple of God *Vitthal*, described in Schedule A hereto and in the Temple of Goddess *Rukmini* in the same way as the services are performed in the Temple of God *Vitthal* with such variations as are appropriate in the case of a female deity;

(*h*) "*Dange*" means a person who exercise the hereditary right and privilege of remaining present in the Temple of God *Vitthal* from *kakadarti* till *shejarti*, of attending all daily *pujas* and at daily and special services (not being fair or similar other time), of keeping order during all such *pujas*, doing duty of a *chopdar* or macebearer on all such occasions by standing at the arched door (whether inside or outside of it) with a silver, golden or other metal or wooden stick in hand, of asking for *dakshina* from the devotees or pilgrims, of receiving what the latter may be pleased to give him, of receiving one-third share of the offerings made to the *Sevadharis* of inviting other *Sevadharis* when necessary, independently of the *Badve's* order, of taking at the time of morning *arti* and of evening *dhuparti* the *dhuparti* and stick in hand and in company with a *paricharak*–one of the *Sevadharis* – and of waving that *arti* in front of *Rukmini* and other minor Gods; on coming to the *Garud* temple, of distributing ashes among the devotees or pilgrims present, of asking for or receiving *dakshina* from them and distributing *angara* in northern part of the town, and of receiving *dakshina* also on that account, being hereditary right and privilege recognised by the decision of the Court of Joint First class Subordinate Judge A. P. at Sholapur in *Ramchandra Babaji* vs. *Gangaram Babaji*, *Krishna Babaji, Vishwanath Gopal and Others* (Appeal No. 37) and *Gangaram Babaji*, *Krishna Babaji, Vishwanath Gopal and Others* vs. *Ramchandra Babaji* in Appeal No. 44 of 1893 decided on 28th day of September 1894; and includes any other rights and privileges claimed under any order or decree of any court or otherwise ;

(*i*) "*Divaskari Badva or Utpat*" means the *Badva* or *Utpat* who purchases the right of *Badves* or *Utpats* of taking the next day's offerings made by devotees or pilgrims before God *Vitthal*, or as the case may be, before the Goddess *Rukmini*, and for that purpose, being in charge of the collections for that day, remains present near God *Vitthal* or Goddess *Rukmini* ;

(*j*) "*Dingre*" means a person who exercises the hereditary right and privilege of showing the mirror after the idol is dressed and after sweeping the floor from the throne to the bed chamber, of sprinkling water, of drawing figures in white and coloured powder thereon (including *rangoli* marks) and then of spreading *paulghadi* to idol is supposed to go to the *shejghar*

(or bed-chamber) for night's rest at the relevant time of performing the *nitya* or daily services in the temple of God *Vitthal*, and of appropriating and receiving income from the exercise of such hereditary right and privilege [including taking any offerings that may be placed on the cloth (*paulghadi*) by devotees or pilgrims and any articles which may be put into his hands by devotees], being a hereditary right and privilege recognised by the decision of the High Court in *Gangaram Babaji Badve and Others* vs. *Govardhan Vitthal Dingre and Othersand Govardhan Vitthal Dingre and Others* vs. *Gangaram Babaji Badveand Others* (1894 P. J. 6); and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise;

(*k*) "District Court" means the District Court at Sholapur ;

(*l*) "*Diwate*" means a person who exercises the hereditary right of being present with torch in hand in the Temple of God *Vitthal* from *Kakadarti* till *shejarti*; of attending (not in the inner anti-chamber of the deity) all daily *pujas* and daily special *upcharas*, of attending all kinds of *yajman pujas* wherein *abhishek* with *panchamrit* is made, of standing outside the arch-door with a stick in hand and in the case of *yajmanpujas* where the *mantrayasya kritya* is recited near the shrine of *Garud*, of asking along with other *Sevadharis dakshina* after the mantra is recited and not before; in the case of pujas wherein no such mantra is recited near the shrine of *Garud*, of

1 This clause was inserted by Mah. XXIII of 2018 s. 2.

asking for *dakshina* when the *yajman* comes out of the anti-chamber of the deity and *puja* is declared to be at end, when the *yajman* comes near the *Garud* shrine, of receiving any golden, silver or other metal or wooden stick if the same is actually given in his hand by any of the devotees or pilgrims, of asking and receiving *dakshina* from devotees or pilgrims generally without causing them obstruction or annoyance, of receiving a twelth share in the income of *Sevadhari*, after a *yajman* puja is over along with *Hardas*, of escorting the *yajman* to his lodging and receiving *dakshina* or presents from him, and in company with a *paricharak* of waving the morning *arti* and evening *dhuparti* in front of the minor idols, of distributing *angara* and receiving *dakshina* for so doing, and of attending with stick in hand all *palkhi* processions of the deity, being the hereditary right and privilege recognised by the decision of the Court of Joint Judge, A. P. at Sholapur in *Gopal Ramchandra Divte* vs. *Gangaram Babajiand Others* in Appeal No. 39 of 1893; and *Gangaram Babaji and Others* vs. *Gopal Ramchandra Divte* in Appeal No. 45 of 1893; decided on 28th September 1894 ; and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise.

(*m*) "endowment" means all property, moveable and immovable (including all jewellery and ornaments), belonging to or given or endowed in any name for the maintenance, support or benefit of the Temples, or any deity or idol therein, endowed for the performance of any service (including the service of offering to the deity) or charity connected therewith; or for the benefit, convenience or comfort of the devotees and pilgrims visiting the Temples and includes—

(*i*) the Temples and premises of the Temples and all the deities or idols therein and all the *Pariwar Devatas* connected therewith;

(*ii*) all lands, inams, cash allowances and other properties, moveable or immovable, encumbrances or charges created in favour of the deities or idols on properties, wherever situate;

(*iii*) all offerings in cash or kind, gifts or donations (including *bhets*), made or received on behalf of the Temples or any deity or idol therein ;

(*iv*) all income derived from any source whatsoever, and standing in any name, dedicated to the Temples or any deity or idol therein or to any places in the Temples, under the control of the Committee for any pious, religious or charitable purpose; and

(*v*) any property purchased out of the Temples Fund.

Explanation.— Any gift, inam or jagir granted to a *Badva*, *Sevadhari* or *Utpat* or to any other person for the performa the service of offering to the deity or

idol or charity in, or connected with the Temples shall not unless the contrary is proved be deemed to be a personal gift to the said *Badva*, *Sevadhari* or *Utpat* or such other person, but shall be deemed to be an endowment ;

(*n*) "Executive Officer" means the Executive Officer of the Temples appointed under section 33 of this Act ;

(*o*) "*Hardas*" means a person who exercises the hereditary right and privilege of being always present in the Temple of God *Vitthal* and of receiving "*aratis*" (chants at the wavings before the idol), at the relevant time of performing *nitya* or daily or *naimittik* or occasional services in the Temple of God *Vitthal* or performing kirtans on certain holy days, and of performing *kala* ceremony on *Ashad* and *KartikVadI*, and of appropriating and receiving income from the exercise of such hereditary right and privilege (including the right of receiving the sixth share of the offerings made to *Sevadharis* and the right of receiving musical instruments as are placed in his hand by the devotees and that the right to ask for alms is exercised after the puja is completed), being a hereditary right and privilege recognised by the decision of the High Court in *Gangaram Babaji and Others* vs. *Sakharam Kusaji and Others* (1891 P. J. 136) ; and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise ;

(*p*) "income" means the net amount received or collected before the appointed day by any person having interest during any year by exercising his hereditary right and privilege during such year after deducting the expenses incurred in exercising such hereditary right and privilege;

(*q*) "*Kolis*" means persons belonging to the *Koli* community who claim that they have hereditary right of worship of the four *lingas* namely, *Rameshwar* and *Vishveshwar* in the northern part of the temple, *Koteshwar* in the western part, and the *linga* on the head of the idol '*Vitthal'* and to receive income therefrom;

(*r*) "Kshetropadhye" means a person who attends on devotees or pilgrims called *Yajmans* who desire to have *darshan* of God *Vitthal* or Goddess *Rukmini* on payment of remuneration as may be agreed upon between him and the *Yajmans*;

(*s*) [1]["member" means a member of the Committee and includes the Chairman and Co-Chairman appointed under clause (*a*) of sub-section (*1*) of section 21;]

(*t*) "occasional or *naimittik* services" means services rendered occasionally in the Temples of God *Vitthal* and Goddess *Rukmini* specified in Schedule B hereto, and includes all such services which may from time to time be required to be rendered in any of the Temples according to such orders as the Committee may, with the approval of the Charity Commissioner, make in that behalf;

(*u*) "*pujari*" means a person who exercises the hereditary right of performing the actual act of worship (and the *Badves* cannot prevent the same from being performed) such as, bathing and dressing and undressing the idol, putting on and removing ornaments, flowers, garlands and sandal paste and waving the *arti* or offering *naivedya* to the idol at the relevant time of performing *nitya* or daily or *naimittik* or occasional services in the Temple of God *Vitthal*, and of appropriating or receiving income including *Ovalni* or waved offering whether deposited or given to the *pujari* (after *dakshina* is deposited) from the exercise of such hereditary right and privileges being a hereditary and privilege recognised by the decision of the High Court in *Gangaram BabajiBadveand Others* vs. *Banaji Shankar and Others* (Appeal No. 90 of 1886) 1891 P. J. 182; and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise;

(*v*) "*paricharak*" means a person who exercises the hereditary right of being present at the early light waving or *kakadarthi*, of taking the torch from the *Badve* and handing it over to the *pujari*; at the second light waving, of taking *ekarti* from the *pujari* holding a bell in his left hand and then along with *Hardas* and *Dange* going round waving the incense and the light round smaller deities, at the evening *dhuparti*, of bringing a ready filled incense burner and waving lamp which are afterwards carried and waved round the minor deities as in the morning of taking *ekarti* and ashes in cloth and going round the east of the town, p ws and showing them the lamp and of

receiving presents of bringing water for bathing the idol at the *panchamrit puja*, and the *yajman's panchamrit puja* (but not other *pujas* whether daily or *yajman's*), of providing incense and wicks for the *yajmanpujas* and of assisting the *pujari* by handing over the *arti* at the relevant time of performing *nitya* or daily or *naimittik* or occasional services in the Temple of God *Vitthal*; and of appropriating and receiving income from the exercise of such hereditary right and privilege including the right of taking all metal pots, *arti* vessels and bells given by devotees to them or for use of the idol provided that the same are put into his hands by the devotees–being a hereditary right and privilege recognised by the decision of the High Court in Appeal No. 1 of 1890, *Gopal Trimbak Paricharakand another* vs. *Gangaram Babaji Badveand Others* and in Appeal No. 5 of 1890, *Gangaram Babaji Badve* vs. *Gopal Trimbak Paricharak and another*; 1891 P. J. 138; and includes any other rights and privileges claimed or exercised under any order or decree of any court or otherwise;

(*w*) "*Pariwar Devatas*" means all those gods and goddesses (including carvings on pillars, painting on walls and photographs or any, picture thereof) (either within or without the precincts of the Temples) which are held out or represented to constitute retinue of God *Vitthal*, or as the case may be, of the Goddess *Rukmini* and of which a separate list is on the record (the *Pariwar Devatas* of *Vitthal* being registered as a separate trust under the Public Trusts Act, and the *Pariwar Devatas* of *Rukmini* (including the deities of *Satyabhama* and *Rahi* or *Radhika*) being included in the Rukmini Trust which is also registered under that Act);

1 This clause was substituted by Mah. II of 2018 s. 2.

(*x*) "person having interest" means a person who claims to be entitled to payment of an amount under this Act for the abolition of his hereditary right and privilege under section 4; (*y*) "prescribed" means prescribed by rules made under this Act ;

(*z*) "Public Trusts Act" means the 1Bombay Public Trusts Act ;

(*za*) "registered trusts" means the trusts specified in Schedule C hereto and includes the trusts which may be amalgamated or added thereto under this Act ;

(*zb*) "*Sevadharis*" in relation to *sevas* or services performed in the Temple of; God *Vitthal* means the persons who are known as "*pujaris*", "*Benaris*", "*paricharaks*", "*Dingres*", "*Danges*", "*Diwates*" and "*Hardas*" ;

(*zc*) "Temples" means the Temple of God *Vitthal* (including the Garud Temple) and the Temple of the Goddess *Rukmini* at Pandharpur including *Pariwar Devatas*, and any additions thereto or alterations thereof which may be made from time to time after the appointed day ; (*zd*) "Temples Fund" means the Pandharpur Temples Fund constituted under section 43 ; (*ze*) "*Utpat*" means the person who, being in exclusive charge of the Temple of the Goddess *Rukmini* and the *Pariwar Devatas* thereof, exercises the hereditary right and privilege of performing *nitya* or daily or *naimittik* or occasional services in that Temple and of appropriating or receiving income from the exercise of such hereditary right and privilege and includes a *Divaskari Utpat*;

(*zf*) "year" means the financial year;

(*zg*) words and expressions used in this Act but not defined shall have the meaning respectively assigned to them in the Public Trusts Act.

3. Power of authorised officer to decide certain questions.— (*1*) If any question arises– (*a*) whether any person is —

(*i*) a *Badva*,

(*ii*) a *Sevadhari*,

(*iii*) a *Kshetropadhye*,

(*iv*) an *Utpat*,

(*v*) a *Koli*, or

(*vi*) a person having interest, or

(*b*) whether a person has any hereditary right or privilege to exercise in, or in relation to, any of the Temples, or

(*c*) whether a person has exercised any such right or privilege before the appointed day, or

(*d*) whether a person is a co-sharer of the person having interest, or

(*e*) which is incidental, or in relation, to any of the matters aforesaid, the authorised officer shall, after giving the party an opportunity of being heard and after holding an inquiry, decide the question.

(*2*) Any person aggrieved by the decision of the authorised officer may, within thirty days of such decision, file an appeal to the Charity Commissioner. The provisions of sections 4, 5, 12 and 14 of the Limitation Act, 1963 (36 of 1963) shall apply to the filing of such appeal.

(*3*) The decision of the authorised officer, subject to an appeal under sub-section (*2*) shall be final and conclusive, and shall not be questioned in any suit or proceeding in any court.

1 The short title of the Act has been amended as "the Maharashtra Public Trust Act" (XXIX of 1950) by Mah. 24 of 2012, ss. 2 and 3, Schedule, entry 43, w.e.t. 1.5.1960.

CHAPTER II

ABOLITION OF RIGHT AND PRIVILEGES OF BADVES,SEVADHARIS,UTPATS, ETC. AND PAYMENT OF AMOUNTS

4. Abolition of rights of Badves, etc., and their vesting in Committee, etc.— (*1*) With effect from the appointed day, notwithstanding anything contained in any law (including any rule, regulation and by-law for the time being in force in relation to any of the Temples), custom or usage, any order of any ruling authority for the time being, settlement, grant, sanad, or order any decree, order or scheme in relation to any of the Temples made by any court,—

(*a*) the hereditary rights and privileges of *Badves*, *Utpats* or any committee or of any person to manage the affairs of the endowment and the registered trusts (including the hereditary right of *Badves* to be the chief priest, managers, guardians and overseers of the idol, Temples and property thereof); and

(*b*) all the hereditary rights and privileges of *Badves, Utpats, Sevadharis, Kshetropadhyes, Kolis* and others to receive, demand and appropriate the income from the offerings made to any deity in the Temples including their respective *Parivar Devatas*, income from the *pujas* performed for or on behalf of *yajmans* (that is, the devotees or pilgrims), income from the right of applying *gandh* or giving *prasad* to *yajmans*, income from any share in the amount received from the *yajmans* by any committee or *Sevadharis*, income from *pujas*, *upchars* and the like or *dakshinas* demanded or income derived from any source in or in relation to the Temples or use thereof; and

(*c*) the hereditary right and privilege of *Badves, Utpats, Sevadharis, Kshetropadhyes, Kolis* and others to perform *nitya* or *daily* or *naimittik* or occasional *sevas* or services to the deities on behalf of *yajmans* or pilgrims in any of the Temples, which they were performing immediately before the appointed day (hereinafter collectively referred to as the hereditary rights and privileges), are hereby abolished; and thereupon all those hereditary rights and privileges, subject to the provisions of this Act, shall be deemed to be acquired and vested in the Committee.

(*2*) The committee or devasthan committee formed under rule V of the rules for the management of the property of the idol *Vitthal*, approved by the High Court in *Sakharam Bhimaji Benare and Others* vs. *Gangaram Babaji Badve and Others* in Appeal No. 141; and *Gangaram Babaji Badave and Others* (original defendants) vs. *Sakharam Vaman* (with the consent of the Advocate General) *and others* (original plaintiffs) in Appeal No. 168 (1896, P. J. 644), the Samastha Badve Mandal, the Samastha Badve Samaj, the Utpat Committee, if any, or any other body by whatever name called, functioning in relation to the endowment or registered trusts immediately before the appointed day shall cease to function; and all their powers, duties, rights and privileges, if any, in relation to the endowment and the registered trusts, shall vest in the Committee.

5. Consequences of abolition of rights and privileges, etc.— (*1*) On the abolition of the hereditary rights and privileges by section 4 and on the committees and bodies referred to in sub-section (*2*) of

section 4 ceasing to function from the appointed day, the following consequences shall ensue, that is to say–

(*a*) the endowment and the registered trusts, and the superintendence, direction and control thereof (including their administration, management and governance) shall stand transferred to, and vest in, the Committee; and the Committee shall be the trustee of such endowment and trusts; and accordingly, every person including any committee or body referred to in sub-section (*2*) of section 4 which immediately before the appointed day, has been functioning in relation to, or looking after, the superintendence, direction and control of, the endowment and registered trusts shall cease to do so and every person in possession of any property of such endowment or trusts shall hand over all such property to the Executive Officer on behalf of the Committee; and in particular, every person in possession of the jewellery and ornaments and other valuable movable property of which the superintendence, direction and control vests in the Committee shall hand over the same to the officer in charge of the Sub-Treasury at Pandharpur within forty-eight hours of the appointed day together with a full inventory thereof; and such officer shall verify the jewellery and ornaments according to the inventory and take all steps necessary for its safe custody until the Executive Officer makes arrangements for the safe custody thereof;

(*b*) *Badves, Sevadharis, Utpats, Kolis* and others shall cease to exercise or perform the hereditary rights and privileges, and shall not exercise or attempt to exercise any such hereditary right or privilege in or in relation to the endowment or registered trusts; and in no case, shall they demand, solic it or ask for or receive or accept any remuneration either in cash or in kind or in the *precincts* of the Temples by way of *dakshina* or in any form whatsoever for exercising or performing any such hereditary rights and privileges;

(*c*) the Committee shall ensure the continuance of the *nitya* or daily services in the Temples without any break or hindrance or without in any way curtailing the form, dignity, grandeur or manner of *seva* or service which was being performed in relation to any deity immediately before the appointed day; and the Committee shall take particular care to ensure that, as far as possible, *darshan* of the deities is available to the devotees; and for those purposes, the Committee may appoint such persons, on payment of such remuneration, and subject to such terms and conditions as the Committee may, in the interest of the better management of the Temples, determine;

The State Government shall place at the disposal of the Committee such sum as may be necessary for meeting the expenses of such services for a period not exceeding 90 days from the appointed day; and the State Government shall be re-imbursed with the sum so placed at the disposal of the Committee from the Temples Fund within such reasonable period as the State Government may from time to time determine, regard being had to the finances of the Committee;

(*d*) all suits and legal proceedings in relation to any of the hereditary rights and privileges or in relation to the committees and bodies referred to in sub-section (*2*) of section 4 pending in any court or tribunal or before any authority shall abate, and no court, tribunal or authority shall, [1][after the appointed day,] entertain any such suits or legal proceedings.

(*2*) If, in obtaining possession of the properties of the endowment and registered trusts vesting in the Committee under sub-section (*1*), the officer in charge of the Sub-Treasury at Pandharpur or the Executive Officer is resisted or obstructed by any person,—

(*a*) he may make an application to the Magistrate having jurisdiction, complaining of such resistance or obstruction; and such Magistrate shall, unless he is satisfied that the resistance or obstruction is occasioned by any person claiming in good faith to be in possession on his own account or by virtue of some right independent of that of the endowment or registered trusts, make an order that the officer in charge of the Sub-Treasury or the Executive Officer, as the case may be, be put into possession. Such order shall, subject to the result of any suit, which may be filed to establish the right to the possession of the property, be final; or

(*b*) he 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 (V of 1908) and shall dispose it of in accordance with the provisions made thereunder.

(*3*) No suit, prosecution or other legal proceeding shall lie against the Sub-Treasury Officer, or the Executive Officer or any person acting under his instruction or authorised by him for anything done or purported to be done in good faith under sub-section (*2*) :

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.

(*4*) If any person being a person referred to in clause (*b*) of sub-section (*1*) exercises or attempts or causes to exercise any of the hereditary rights and privileges, or if any person fails to hand over any property, in contravention of the provisions of sub-section (*1*), then without prejudice to the provisions of sub-section (*2*), he shall, on conviction, be punished with fine which may extend to two thousand rupees.

6. Payment of amounts for abolition of rights and privileges.— (*1*) Subject to the provisions of this section, the persons specified in column I of Schedule D shall be paid the amounts specified against them in column 2 thereof.

1 These words were substituted for the words "on the commencement of this Act," by Mah. 28 of 1979, s. 3.

(*2*) Nothing in this section shall entitle any person to any amount on the ground only that his hereditary right merely to manage the affairs of the endowment and registered trusts without any right of appropriating any income referred to in clause (*b*) of sub-section (*1*) of section 4, has been abolished under this Act.

7. Manner of claiming amount, right, interest, etc.— (*1*) Within a period of ninety days from the appointed day, every person having interest may apply in writing to the authorised officer, stating the nature of his right and privilege, the grounds of his claim, the extent of his share in the amount, the document, if any, evidencing such share and the names of persons who are co-sharers.

(*2*) On receipt of an application under sub-section (*1*), the authorised officer shall hold an inquiry, and if he is satisfied, whether in pursuance of any decision under section 3 or otherwise that the applicant has established his claim to any rights and privileges which have been abolished under section 4, he shall make an order in which he shall specify the amount payable to the applicant. Where there are co-sharers claiming the amount, the authorised officer shall apportion the amount between the co-sharers. If a dispute arises as to the apportionment of the amount or any part thereof, or as to the persons to whom the amount or any part thereof is payable, the authorised officer may refer the dispute to the decision of the District Court.

(*3*) The provisions of the Public Trusts Act shall apply in relation to inquiries under this section as they apply to inquiries under that Act.

8. Amount to be given to abolition rights of any other person.— (*1*) If any person is aggrieved by the provisions of this Act which provide for abolition or acquisition of any of his hereditary rights and privileges, and if payment of amount for such abolition and acquisition has not been provided for in the foregoing provisions, such person may apply to the authorised officer for such payment.

(*2*) The application under sub-section (*1*) shall be made to the authorised officer within the prescribed period and in the prescribed form. The authorised officer shall, after holding an inquiry in the manner laid down for the holding of an inquiry under the Public Trusts Act, make an order determining the amount in the manner and according to the method provided for in sub-section (*3*).

(*3*) In determining the amount, the authorised officer shall be guided by the provisions of the scheme made by any Court for the administration of any temple, and the decisions of the High Court and other courts recorded before the appointed day in relation to the hereditary rights and privileges of persons having any interest in the income from the endowment and registered trusts; but in no case shall the amount determined exceed two and half times the average annual income which the authorised officer is of opinion such aggrieved person was r g the 12 years commencing from the

calendar year 1958 and ending on the 31st day of December 1969, increased by a sum equal to fifteen per cent of the average annual income in consideration of the compulsory nature of the acquisition.

9. Reference to District Court.— (*1*) Any person having interest who is aggrieved by the order made under section 7 or section 8 may, by written application to the authorised officer, require that the matter be referred by the authorised officer for the determination of the District Court, whether his objection be to the amount, or the apportionment of the amount among the persons having interest.

(*2*) The application shall state the grounds on which objection to the order is taken; and every such application shall be made within 90 days from the date of receipt of such order.

(*3*) Any order made by the authorised officer under section 7 or 8 on an application under this section shall be subject to revision by the High Court, as if the authorised officer were a Court subordinate to the High Court within the meaning of section 115 of the Code of Civil Procedure, 1908 (V of 1908).

10. Authorised officer's statement to District Court.— (*1*) In making the reference the authorised officer shall state for the information of the District Court, in writing under his hand,—

(*a*) the nature of the hereditary right or privilege claimed by the person having interest;

(*b*) the names of the persons having interest in such right or privilege and the share of each such person in the amount paid under section 6 or section 8;

(*c*) his reasons for arriving at the aggregate income, if any, arising out of such right or privilege;

(*d*) the documentary evidence, if any, adduced by the applicant;

(*e*) if the objection be to the amount, the grounds therefor.

(*2*) To the said statement shall be attached a schedule giving the particulars of the notices served upon, and of the statements in writing made or delivered by, the parties interested, respectively.

11. Service of notice.— The District Court shall thereupon cause a notice specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served in the manner prescribed on the following persons, namely:—

(*a*) the applicant;

(*b*) all persons having interest in the objections, except such (if any) of them as have consented without protest to receive payment of the amount specified in the order of the authorised officer; and

(*c*) if the objection is in regard to the amount specified in the order, the authorised officer.

12. Restriction on scope of proceedings.— The scope of the inquiry in every such proceeding shall be restricted to a consideration of the interests of the persons affected by the objection.

13. Proceedings to be in open Court.— Every such proceeding shall take place in open Court, and all persons entitled to practise in any Civil Court in the State shall be entitled to appear, plead and act, as the case may be, in such proceeding.

14. Matter to be considered by District Court in determining amount.— In determining the payment of amount the District Court shall take into consideration the provisions of sub-section (*3*) of section 8, but shall not take into consideration any income alleged to be derived by any person having interest in respect of which such person has not kept any account before the appointed day, unless the District Court, on evidence adduced before it, is satisfied about the amount of income lawfully derived by him from his hereditary right and privilege abolished and acquired under section 4.

15. Form of orders.— (*1*) Every order made by the District Court shall be in writing signed by the Judge, and shall specify the amount ordered to be given together with the grounds of giving the said amount.

(*2*) Every such order shall be deemed to be a decree, and the statement of the grounds of every such order, a judgment within the meaning of section 2, clause (*2*), and section 2, clause (*9*), respectively, of the Code of Civil Procedure, 1908 (V of 1908).

16. Costs of proceedings.— Every such order shall also state the amount of costs incurred in the proceedings under this Chapter, and by what persons and in what proportions they are to be paid.

17. Appeal.— An appeal shall lie to the High Court against any decision of the District Court under this Act as if such decision was a decree from which an appeal ordinarily lies.

18. Payment of amount or deposit of same in Court.— (*1*) On making order under section 7 or 8, the authorised officer shall out of the monies provided by the State Government in this behalf tender payment of the amount ordered by him to the persons entitled thereto according to the order and shall pay it to them unless prevented by someone or more of the contingencies mentioned in sub-section (*2*).

(*2*) If they shall not consent to receive it, or if there be any dispute as to the eligibility of any person to receive the amount or as to the apportionment of it, the authorised officer shall deposit the amount in the District Court :

Provided that, any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount :

Provided further that, no person who has received the amount otherwise than under protest shall be entitled to make any application under section 9 :

Provided also that, nothing herein contained shall affect the liability of any person, who may receive the whole or any part of any amount under this Act to pay the same to the person lawfully entitled thereto.

(*3*) Notwithstanding anything contained in sub-section (*1*) there shall be paid out of the Temples Fund to the State Government such portion of the total amount paid or deposited by the authorised officer under this section as the State Government may determine in this behalf and such portion shall be paid by the Committee during such period and on payment of interest at such rate as the State Government may specify in that behalf.

19. Investment of money deposited in other cases.— When any money shall have been deposited in the District Court under this Act, the District Court may, on the application of any party interested or claiming an interest in such money, order the same to be invested in such Government or other approved securities as it may think proper, and may direct the interest or other proceeds of any such investment to be accumulated and paid in such manner as it may consider will give the parties interested therein the same benefit therefrom as they might have had if they themselves had invested the same.

20. Payment of interest.— When the amount is not paid or deposited as provided in section 18, the authorised officer shall pay the amount ordered by him with interest thereon at the rate of four per centum per annum from the date of expiry of thirty days from the date of the order until it shall have been so paid or deposited.

CHAPTER III

THE COMMITTEE [1][AND THE ADVISORY COUNCIL]

21. Establishment of Committee.— (*1*) Subject to the provisions of sub-section (*2*) the State Government may, by notification in the *Official Gazette*, establish a Committee consisting of the following [2][fifteen members], that is to say—

(*a*) [3][fourteen members], [4][including the Chairman and Co-Chairman], to be appointed by the State Government from amongst persons ordinarily residing in the State who are devotees of God *Vitthal* and Goddess *Rukmini* and who, prior to their appointment, make a declaration accordingly in the

form determined by the State Government ;

[5][Provided that, the Co-Chairman shall perform such of the functions and discharge such of the duties of the Chairman as may be prescribed.]

(*b*) the President of the Pandharpur Municipal Council — *ex-officio*, if he is a devotee of God *Vitthal* and Goddess *Rukmini* and makes a declaration as aforesaid ; and is not disqualified under any of the provisions of this Act ; and if he is disqualified or does not make such declaration within the period specified by the State Government, then a member of such Council appointed by the State Government who is not so disqualified and who makes such declaration:

Provided that, the disqualification under the proviso to sub-section (*1*) of section 23 shall not apply in relation to President.

(*2*) Until the Committee is duly established under sub-section (*1*), the State Government may, by notification in the *Official Gazette*, appoint a temporary Committee for the purposes of this Act consisting of two or more persons appointed by the State Government in this behalf; and one of them may be appointed as the Chairman thereof. Upon the establishment of the Committee under sub-section (*1*) the members constituting the temporary Committee shall vacate their office, and the temporary Committee shall cease to exercise any powers or duties under this Act and shall hand over all the property vested in it, and the management of the endowment and registered trusts to the Committee duly established under sub-section (*1*).

1 These words were added by Mah. XXIII of 2018 s. 4.

2 These words were substituted for the words "twelve members" by Mah. XXIII of 2018 s.3(*a*).

3 These words were substituted for the words "eleven members" by Mah. XXIII of 2018 s.3(*b*). 4 These words were substituted for the words "including the Chairman" by Mah. II of 2018 s.3(*a*). 5 This proviso was added by Mah. II of 2018 s. 3(*b*).

(*3*) The Committee shall be a body corporate by the name "Shri. Vitthal-Rukmini Temples Committee", and shall have perpetual succession and a common seal and shall have power to acquire, hold and dispose of property, and to enter into contracts, and may by the said name sue, or be sued, through its Executive Officer.

22. Disqualification of members.— A person shall be disqualified from being appointed as or for continuing as a member—

(*a*) if he is of unsound mind and stands so declared by a competent court ;

(*b*) if he is an undischarged insolvent ;

(*c*) if he is a minor;

(*d*) if he holds any office of profit under the Committee ;

(*e*) if he has directly or indirectly by himself or by his partner any share or interest in any work done by order of the Committee, or in any contract with, by or on behalf of, the Committee ;

(*f*) if he is acting as a legal practitioner for or against the Committee ;

(*g*) if he is convicted of any offence involving moral turpitude ;

(*h*) if he does not profess the Hindu religion.

23. Appointment of members by Government.— (*1*) In making appointments, the State Government shall ensure that—

(*a*) two members of the State Legislature (of whom one shall be a member of the Maharashtra Legislative Assembly and the other of the Maharashtra Legislative Council) are appointed ; and

(*b*) at least one woman, and at least members of whom one shall be a person belonging to a Scheduled Caste and one to the Scheduled Tribes, are appointed from among persons ordinarily residing in the State :

Provided that, for a period of 15 years from the appointed day, no person, who is entitled to claim the amount under section 6 or section 8, shall be appointed on the Committee.

(*2*) A person appointed under clause (*a*) of sub-section (*1*) shall cease to be member of the Committee if he ceases to be a member of the Maharashtra Legislative Assembly or the Maharashtra Legislative Council.

(*3*) A person ceasing to be a member shall, unless disqualified under section 22, be eligible for reappointment.

24. Term of office of members appointed by State Government.— The members appointed by the State Government shall hold office for a period of five years commencing from the date on which the notification under sub-section (*1*) of section 21 is published in the *Official Gazette* :.

Provided that, the term of office of such out-going members shall be deemed to extend to, and expire with, the date on which the notification establishing the new Committee is published in the *OfficialGazette* :

[1][Provided further that, the term of the first Co-Chairman appointed after the commencement of the Pandharpur Temples (Amendment) Act, 2017 (Mah. II of 2018), shall be co-terminus with the term of the members of the Committee appointed *vide* Government Notification, Law and Judiciary Department, No. PTA. 2014/C.R.07/ D.16, dated the 3rd July 2017.]

[2]**[25. Resignation of members, Co-Chairman and Chairman.—** (*1*) Any member appointed by the State Government may resign his office by writing under his hand addressed to the Chairman.

(*2*) The Co-Chairman and the Chairman may resign his office by giving similar notice to the State Government.

1 This proviso was added by Mah. II of 2018 s. 4.

2 This section was substituted by Mah. II of 2018 s. 5.

(*3*) The notice shall be delivered in the prescribed manner.

(*4*) The office of the member shall become vacant from the date of acceptance of the resignation by the Chairman and the office of the Co-Chairman or, as the case may be, the Chairman shall become vacant from the date of acceptance of the resignation by the State Government.]

26. Removal of members for misconduct, etc.— (*1*) The State Government may, subject to the provisions of this section, on the recommendation of the Committee supported by not less than two-thirds of the number of members present and voting, remove any member if he has been guilty of misconduct in the discharge of his duties (including being found guilty of breach of trust, negligence, mis-application or misappropriation of funds or for having caused loss, damage or wastage of any property of the endowment or registered trusts or of the Temple Fund), or of any disgraceful conduct, or acting in any manner detrimental to the interests of the endowment, the registered trusts or devotees or pilgrims who visit Pandharpur for *darshan* of any of the deities in the Temples, or has become incapable of performing his duties as a member. :

Provided that, no such member shall be removed from office, unless he has been given a reasonable opportunity to furnish his explanation, and the Charity Commissioner is also heard.

(*2*) At the time of removing such member from the Committee, it shall be lawful for the State Government to determine the loss caused by the acts or omissions of such member removed, and direct the recovery thereof from him as arrears of land revenue.

(*3*) On receipt of such recommendation, it shall be lawful for the State Government on just and sufficient cause to suspend such member from the Committee till the final decision in the matter.

(*4*) On removal or suspension of a member, the State Government may direct such member to hand over immediate possession of any books, account and any property

forming part of the endowment or registered trusts or of the Temples Fund held by him.

(*5*) Any order made or direction given by the State Government under this section shall be final and shall not be called in question in any Civil Court.

27.Disqualification of member during term of office.— (*1*) If any member during the term of his office—

(*a*) becomes disqualified under section 22, or

(*b*) is absent, without the permission of the Committee, from three consecutive meetings thereof,

the office of such member shall become vacant.

(*2*) If any question is raised, whether a vacancy has occurred under this section, the State Government shall decide the question; and its decision thereon shall be final. Until the State Government decides that the vacancy has occurred, a member shall not be disabled from continuing to be a member :

Provided that, no decision shall be given against any member without giving him a reasonable opportunity of being heard.

28.Casual vacancies how to be filled.— If in the event of a vacancy occurring on account of death, resignation, disqualification or removal of a member or through a member becoming incapable of acting previous to the expiration of his term of office or otherwise, the Executive Officer shall forthwith communicate the occurrence to the State Government ; and the vacancy shall be filled as soon as conveniently may be by the appointment of a person thereto, who shall hold office so long only as the member in whose place he is appointed would have held it, if the vacancy had not occurrred :

Provided that, if the vacancy occurs within six months preceding the date on which the term of office of the member expires, the vacancy shall not be filled.

29.Remuneration of members.— (*1*) There shall be paid to each member such honorarium, and a travelling allowance and daily allowance for attending the meetings of the Committee or for

transacting any business connected with duties as [1][the Chairman, the Co-Chairman or member] to the place where such meetings are held or business is transacted and for the return journey from such place at such rates, as may be prescribed.

(*2*) A member of the State Legislature while holding the office of a member of the Committee who is eligible for any allowance or honorarium under sub-section (*1*) shall not be disqualified for continuing as a member of the State Legislature.

30.Office and meetings of Committee.— (*1*) The office of the Committee shall be at Pandharpur.

(*2*) For the transaction of its business, the Committee shall meet at Pandharpur at such intervals as may be prescribed.

(*3*) The Committee shall make by-laws consistent with this Act with respect to the conduct and adjournment of such meetings and generally with respect to the transaction of business thereat including all matters connected with the holding of such meetings or special meetings of the Committee.

(*4*) The quorum for a meeting of the Committee shall be six.

[2][(*5*) Every meeting of the Committee shall be presided over by the Chairman, and in his absence, by the Co-Chairman and in the absence of both the Chairman and the Co-Chairman, by a member chosen by the members present to preside for the occasion.]

(*6*) All questions arising at a meeting of the Committee shall be decided by a majority of the votes of the members present and voting; and in case of equality of votes, the Chairman or the person presiding shall have and exercise a casting vote.

31.Defect or vacancy not to invalidate acts.— No act or proceedings of the Committee or of any person acting as [3][the Chairman, the Co-Chairman or] a member of the Committee shall be deemed to be invalid by reason only of the existence of a vacancy amongst its members or a defect in the constitution thereof or on the ground that [4][the Chairman, the Co-Chairman or] any member of the Committee was not entitled to vote or to continue in office by reason of any disqualification or by reason of any irregularity or illegality in his appointment.

32.Powers and duties of Committee.— (*1*) The Committee shall have power—

(*a*) to carry out the duties entrusted to it under this section ;

(*b*) to collect daily offerings, *dakshina*, *bhogs*, donations, subscriptions and the like in the Temples, to the complete exclusion of any other person and to ensure the safe custody thereof and of the Temples Fund, valuable securities, if any, and jewellery and ornaments; and to dispose of offerings which the Committee deems fit ;

(*c*) to accept endowments for the Temples;

(*d*) to undertake any scheme or plan for the purpose of augmenting the revenues of the endowment and registered trusts, and execute them ;

(*e*) to inquire into and take steps to recover and take possession of the properties of the endowment and registered trusts with a view to securing their proper management and administration;

(*f*) to dispose of any property of the endowment or of registered trusts, and to borrow money with the previous sanction of the Charity Commissioner, subject to such terms and conditions as may be agreed to in this sanction ;

(*g*) to form sub-committees from amongst members or outsiders to advise itself on matters pertaining to the administration and management of the endowment and registered trusts, and to

1 These words were substituted for the words “a Chairman or member” by Mah. II of 2018 s. 6. 2 This sub-section was substituted by Mah. II of 2018 s. 7.

3 These words were substituted for the words “the Chairman or” by Mah. II of 2018 s. 8. 4 These words were substituted for the words “the Chairman or” by Mah. II of 2018 s. 8.

provide for their composition, procedure and conduct of meetings and for matters connected therewith including provision for payment of allowances to members of such sub-committees;

(*h*) to approach the Charity Commissioner for the purposes of amalgamating the registered trusts for framing a common scheme for the same or for modifying any amalgamated scheme for the purpose of adding new trusts;

(*i*) to select officers and employees of the Committee ;

(*j*) to accept as trustee (either managing or custodian or both), other trusts endowments or any institutions which are connected with the Temples of Pandharpur;

(*k*) to acquire or purchase lands or buildings required for the purpose of development and carrying out schemes to create peaceful and pious atmosphere in or near *Vitthal* and *Rukmini* Temples;

(*l*) such other power as may be provided by this Act and rules and by-laws made thereunder.

(*2*) Subject to the provisions of this Act and the rules made thereunder, it shall be the duty of the Committee—

(*a*) to arrange for the proper performance of *nitya* or daily and *naimittik* or occasional services in the Temples and for proper conduct of ceremonies, functions and festivals therein generally, or on special occasions and to fix fees for the performance of *naimittik* or occasional pujas;

(*b*) to provide facilities for speedy and peaceful *darshan* of God *Vitthal* and of the Goddess *Rukmini* and all *Pariwar Devatas* , and for the performance of *pujas* or

worship by devotees or pilgrims visiting the Temples (including provision for making available materials for performing *pujas* and *prasad*) on such reasonable terms as the Committee may from time to time determine in this behalf;

(*c*) to ensure the preservation, development and management of the properties vested in the Committee in the interest of the Temples and of the devotees and pilgrims visiting the same ;

(*d*) to ensure maintenance of order and discipline and proper hygienic conditions in the Temples, and of proper standard of cleanliness and purity of the offerings made therein;

(*e*) to ensure that the funds of the endowment and registered trusts, if any, are spent according to wishes, as far as may be known, of the donors;

(*f*) to make provision for payment of suitable emoluments to its salaried staff;

(*g*) to establish an institution to be called *TukaramMaharaj Sant Peeth* for imparting knowledge of, and giving instructions in, the practice and propagation of the spirit, tenets and philosophy of the teachings of all saints who have preached humanitarianism and social equality; and especially for carrying on research in, and the study of, and the publication and propagation of, the writings of the saints of the *Warkari Sampradaya* and *BhagwatDharma* ;

(*h*) save as expressly provided by this Act to comply with provisions of the Public Trusts Act; and

(*i*) to do such things as may be incidental and conducive to efficient administration, management and governance of the endowment and registered trusts, and convenience and spiritual benefit of the devotees and pilgrims visiting the Temple.

[1]**[32A. Advisory Council.—** (*1*) The State Government may, by an order, constitute the Advisory Council to advise the Committee.

(*2*) The Advisory Council shall consist of the following, namely :—

(*i*) Chairman of the Committee, *ex officio*—Chairman.

1 Section 32A was inserted by Mah. XXIII of 2018 s. 5.

(*ii*) Collector, Solapur District, *ex officio*—Member.

(*iii*) Not more than seven other members to be nominated by the State Government.

(*3*) The Executive Officer of the Committee shall act as the Secretary of the Advisory Council.

(*4*) The functions and duties of the Advisory Council shall be such as may be specified by the Government, by general or special order. The Advisory Council shall observe such procedure in regard to transaction of business in meetings (including *quorum*) thereof, as it may, from time to time, decide.]

[1][(*5*) The term of office of nominated Members of the Advisory Council shall be co-terminus with the term of the members, appointed by the State Government, on Shri Vitthal-Rukmini Temples Committee.]

CHAPTER IV

THE EXECUTIVE OFFICER AND ESTABLISHMENT

33.Appointment of Executive Officer.—[2][(*1*) The State Government shall appoint an Executive Officer for the purposes of this Act, who, unless—

(*a*) otherwise determined at the time of appointment, or

(*b*) removed from his office by the State Government, shall hold office for a period of 3 years].

(*2*) When a temporary vacancy occurs in the office of the Executive Officer, the State Government may fill up the vacancy.

[3][(*3*) The outgoing Executive Officer shall be eligible for re-appointment.]

34.Qualifications and conditions of service of Executive Officer.— (*1*) The Executive Officer may be selected from amongst persons in the active service of the State Government or from amongst persons who have retired from such service (such person not being below the rank of an Assistant or Deputy Collector or an officer who in the opinion of the State Government is of equivalent rank) and who is a person professing the Hindu religion and who is a devotee of God *Vitthal* and Goddess *Rukmini* and makes a declaration accordingly in the

form determined by the State Government for the purpose.

[4][If he is a person in the active service of the State Government, he may be appointed to the post of Executive Officer either in addition to his own duties or as a whole time officer of the Committee. If he is a whole time officer of the Committee, he shall not undertake any work unconnected with his office without the permission of the Committee.]

(*2*) The State Government may, at any time either *suo motu* or on the basis of a resolution passed by the Committee, suspend or remove the Executive Officer from his office.

35.Powers and duties of Executive Officer.— (*1*) The Executive Officer shall be the Secretary of the Committee and its principal officer ; and shall, subject to the superintendence, direction and control of the Committee, have powers to carry out its decisions and orders in accordance with the provisions of this Act.

(*2*) Notwithstanding anything contained in sub-section (*1*) of this section or in clause (*c*) of sub-section (*1*) of section 5, the Executive Officer shall be responsible for the custody of all records and properties of the endowment and registered trusts, and shall arrange for the proper collection of offerings, *dakshina*, *bhogs* or *bhets* and the like made in the Temples and shall have power—

(*a*) to appoint all officers and the employees selected by the Committee ;

1 Sub-section (*5*) was added by Mah. 25 of 2023. s. 2.

2 Sub-section (*1*) was substituted by Mah. 28 of 1979, s. 4 (*a*).

3 Sub-section (*3*) was added by Mah. 28 of 1979, s. 4(*b*).

4 This portion was substituted for the portion beginning with the words "and shall be a whole time officer" and ending with the words "permission of the Committee", Mah. 28 of 1979, s. 5.

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

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

(*d*) to order emergency repairs ;

(*e*) to decide disputes between employees of the Committee :

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 Executive Officer 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 decree or order of a competent Court.

36.Extraordinary powers of Executive Officer.— The Executive Officer 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 endowment and the registered trusts, or for the services or safety of the devotees and pilgrims visiting the Temples, or for the due performance of *pujas* and other rituals therein; and may direct, that the expenses of executing such work or doing the act shall be paid from the Temples Fund. The Executive Officer shall forthwith report to the Committee the action taken under this section and reasons therefor. A copy of such report along with the remarks, if any, of the Committee shall be forwarded to the Charity Commissioner.

37.Establishment Schedule.— (*1*) [1][After the appointed day, the Executive Officer shall,] as soon as may be, prepare and submit to the Committee a Schedule setting forth the duties, designations and grades of officers and employees who may, in his opinion, constitute the establishment of the Committee and embody his proposals with regard to the salaries and allowances payable to them. Such list may contain also names of persons who may perform the services in rotation or for specific periods, generally or on any special occasion and of persons wh case any person for any reason is not

able to perform these services in the Temples. Such Schedule and list shall come into force on approval of the Committee.

(*2*) No change shall be made in such Schedule and list except with the sanction of the Committee.

38.Pay and conditions of service of Executive Officer and other Officers and servants.— (*1*) The Executive Officer shall draw his pay and allowances from the Consolidated Fund of the State and shall be the servant of the State Government, and his conditions of service shall be such as may be determined by the State Government.

(*2*) The other officers, servants and other persons appointed under this Act shall be the officers and servants of the Committee and their conditions of service including pay and allowances shall be such as may be determined by the Committee with the approval of the Charity Commissioner and their pay and allowances shall be paid from the Temples Fund.

(*3*) There shall be paid every year out of the Temples Fund to the State Government such amount as the State Government may determine on account of pay, pension, leave and other allowances of the Executive Officer.

39.Executive Officer to exercise powers and perform duties of District Magistrate for purpose of maintaining law and order within precincts of Temples.— During such period or periods as the State Government may, by order in the *Official Gazette*, specify, and in such other manner as it deems fit, the Executive Officer shall, for the purpose of maintaining law and order within the precincts of the Temples and a distance within a radius of 1.6 kilometres therefrom, exercise all the powers and perform all the duties respectively conferred and imposed by the [2][Code of Criminal Procedure Code, 1973 (2 of 1974)], on the District Magistrate.

1 These words were substituted for the words "After the appointment of the first Executive Officer, he shall," by Mah. 28 of 1979, s. 6.

2 These words and figures were substituted for the words and figures "Code of Criminal Procedure, 1898", by Mah. 28 of 1979, s. 7.

CHAPTER V

BUDGET AND AUDIT

40.Budget.— (*1*) The Executive Officer shall, every year, prepare in the prescribed manner and form a budget estimate of the receipts and expenditure of the endowment and registered trusts for the following year, and place it before the Committee which approve it without modifications or with such modifications as it deems fit. After the approval of the Committee, the budget shall, notwithstanding anything contained in the Public Trusts Act, be submitted to the Charity Commissioner for sanction before such date as may be fixed by the Charity Commissioner in that behalf.

(*2*) Before sanctioning the budget, the Charity Commissioner shall satisfy himself that adequate provision has been made in the budget for the maintenance of the prescribed working balance in the Temples Fund and for meeting all the liabilities of the endowment and registered trusts. If the budget as submitted to the Charity Commissioner fails to make these provisions, the Charity Commissioner may modify any part of the budget so as to ensure that such provisions are made. The decision of the Charity Commissioner 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.
Modifications, if any, made by the Charity Commissioner shall be binding on the Committee.

41.Revised or supplementary budget.— 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 Charity Commissioner, and the provisions of section 40 shall apply to such supplementary budget.

42.Audit.— The Charity Commissioner with the approval of the State Government shall every year appoint an auditor to audit the accounts stered trusts in the prescribed manner,

and fix his remuneration which shall be paid to such auditor from the Temples Fund. The auditor shall submit his report to the Committee, and send a copy of it to the Charity Commissioner who may issue such directions thereon as he may deem fit, and the Committee shall carry out such directions.

CHAPTER VI

GENERAL

43. Temples Fund.— There shall be constituted a fund which shall be called "The Pandharpur Temples Fund" which shall be vested in, and be managed and administered by, the Committee; and shall consist of—

(*a*) the offerings in cash, or sale proceeds by auction or otherwise of the offerings in kind, received or collected before the deities in the Temples ;

(*b*) the income derived from the moveable and immoveable properties of the endowment and registered trusts ;

(*c*) all receipts, collections or donations received or collected by the Committee or any member thereof for or on behalf of the endowment and registered trusts ;

(*d*) any contributions made by the State Government either by way of grant or by way of loan;

(*e*) all fines and penalties imposed by or under this Act ;

(*f*) all recoveries made under this Act ;

(*g*) any gift, donation or contribution made by any person, including local authorities or any institutions to the endowment or any registered trust ;

(*h*) sale proceeds of moveable or immoveable properties vested in the Committee ;

(*i*) moneys borrowed by the Committee, if any ;

(*j*) any receipts received by the Committee under any scheme or plan undertaken by it ;

(*k*) any other receipts or moneys received by the Committee or any member thereof for or on behalf of the endowment or registered trusts.

44.Utilisation of Temples Fund. — (*1*) The Temples Fund shall be utilised for the following purposes, namely :—

(*a*) maintenance of the Temples including repairs thereof ;

(*b*) expenses for performance of the *nitya* or daily or *naimittik* or occasional *sevas* or services in the Temples ;

(*c*) providing facilities to devotees or worshippers for *darshan* of the deities in the Temples and for *pujas* performed therein ;

(*d*) carrying out religious functions and festivals in relation to the Temples generally, or on special occasions;

(*e*) payment of rent, cesses, taxes, contributions, charges, premia, administration expenses including salaries and allowances payable to the officers including the officer appointed under section 53 and servants of the Committee appointed under this Act and for payment of honorarium and allowances to members of the Committee or any sub-committee constituted under this Act ;

(*f*) repayment of the portion of the total amount determined by the State Government under sub-section (*3*) of section 18 and repayment of Government or other loans, if any ;

(*g*) payment of amount under sub-section (*3*) of section 38 ;

(*h*) establishing an institution to be called *Tukaram Maharaj Sant Peeth* for imparting knowledge of, and giving instructions in, the practice and propagation of the spirit, tenets and philosophy of the teachings of all s manitarianism and social equality; and

especially for carrying on research in, and the study of, and the publication and propagation of, the writings of the saints of the *Warkari Sampradaya* and *Bhagwat Dharma*.

(*2*) The Committees may utilise the Temples Fund for all or any of the following matters :—

(*a*) management and administration of the endowment and registered trusts including their development ;

(*b*) training of persons to perform *pujas* and other religious ceremonies in the Temples ;

(*c*) medical relief, water supply and other sanitary arrangements for the worshippers and pilgrims or devotees visiting the Temples and providing them with other amenities (including food, milk, clothing) and construction of buildings for their accommodation on reasonable terms ;

(*d*) providing at reasonable rates materials for *pujas* and *prasad* to the devotees or pilgrims visiting the Temples ;

(*e*) establishing a library of religious books and writings on principles of various religions and cults; and

(*f*) with the sanction of the Charity Commissioner, for the establishment and maintenance of, or the making of any grant or contribution to any hospital, school, orphanage or similar other institution either within or without the limits of Pandharpur.

45. Powers of State Government to give directions, call for report, documents, etc.— (*1*) The State Government may give to the Committee general directions as to the matters of policy to be followed by the Committee in respect of their powers and duties or in the matter of administration of the endowment and the registered trusts or any matter ancillary or incidental thereto ; and in particular, for any action to be taken for the purpose of maintaining discipline and order during the *waris* and festivals in, or connected with, the Temples.

(*2*) The State Government or any officer authorized by the State Government may call for all such information, accounts or report as may, in its or his opinion, be reasonably necessary to satisfy itself or himself that the endowment and registered trusts are being properly maintained and administered and the Temples Fund is being duly appropriated to the purposes for which it is constituted, and the Committee shall, on such requisition, furnish forthwith such information, accounts or report to the State Government, or as the case may be, such officer.

46. Inspection by Government.— The State Government may depute any person to inspect any movable or immovable property, records, correspondence, plans, accounts and other document relating to the endowment and registered trusts; and the Committee and its officers and servants shall be bound to afford all facilities to such person for such inspection.

47. Power of State Government to call for record, etc.— If, on receiving the report of the Charity Commissioner, the State Government is of opinion that it is necessary or expedient so to do, it may call for and examine the record of the Executive Officer or of the Committee in respect of any proceeding with a view to satisfy itself as to the legality of such proceeding, or the correctness, legality or propriety of any decision or order made thereunder; and if, in any case, it appears to the State Government, that any such decision or order should be modified, annulled or reversed or remitted for reconsideration, it may pass orders accordingly.

The State Government may stay the execution of any such decision or order pending the exercise of its power under this section in respect thereof :

Provided that, the State Government shall not pass any order under this section unless the parties concerned are given an opportunity to render an explanation.

48. Public officers to furnish copies or extracts from certain documents.— All public officers having custody of any record, register, report or other documents relating to the endowment and registered trusts or any movable or immovable property thereof shall furnish such copies of, or extracts from, the same as may be required by the Executi

49. Administration report.— (*1*) The Committee shall annually prepare and submit to the State Government through the Charity Commissioner a report on the administration of the affairs of the endowment and registered trusts within six months from the close of each year.

(*2*) [1][Such report], together with the amounts of the endowment and registered trusts and the report of the auditor and the directions issued by the Charity Commissioner thereon, shall be [2][* * *] laid on the table of each House of the State Legislature as soon as may be possible.

50. Officers, etc. to be public servants.— The officers, servants and employees of the Committee and members thereof shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

51. Bar to suit or proceeding.— 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 any member thereof or the Executive Officer or any other officer or employee of the Committee for anything in good faith done or purported to be done by any of them under the provisions of this Act.

52. Overriding effect of Act.— This Act shall have effect notwithstanding anything to the contrary contained in any law for the time being in force or in any scheme of management of the Temples framed before the appointed day or in any decree or order of any Court or any practice, custom, usage, prevailing in relation to the endowment or registered trust.

53. Dissolution and supersession of Committee.— (*1*) If, on receiving a report of the Charity Commissioner, the State Government is of opinion that 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 in the *Official Gazette*, dissolve the Committee and re-establish 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 sub-section (*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.

1 These words were substituted for the words "A gist of such report," by Mah. XXV of 2019. by s. 2(*i*). 2 The words "published in the *Official Gazette,* and then" were deleted by Mah. XXV of 2019 s. 2(*ii*).

(*3*) Where a committee is dissolved or superseded under this section, the State Government shall appoint a person from amongst persons in the active service of the State Government of from persons who have retired from such service (such person not being below the rank of a collector) and professing the Hindu religion and who is a devotee of God *Vitthal* and Goddess *Rukmini* and make a declaration accordingly in the

form determined by the State Government for the purpose to exercise the powers and to perform the functions of the committee until the re-establishment of another Committee, or till the re-establishment 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 five years as specified in section 24.

(*4*) The State Government may fix remuneration and other conditions of service for such officer and the same shall be paid from the Temples Fund.

54. Power to make rules.— (*1*) The State Government may, by notification in the *Official Gazette* and subject to the condition of previous publications, make rules for carrying into effect the purposes of this Act.

(*2*) Every rule made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made and notify such decision in the *Official Gazette*, the rule shall, from the date of such notification, have effect only in such modified form or be of no effect, as the case may be ; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

55. Power of Committee to make by-laws.— (*1*) The Committee may, notwithstanding anything contained in any law, order, custom, usage, or any decree, order or scheme made by any Court, with the previous approval of the Charity Commissioner make by-laws not inconsistent with this Act or any rules thereunder for all or any of the following matters, namely :—

(*a*) prescribing qualifications of persons for the purposes of performing *nitya* or daily or *naimittik* or occasional *pujas* or *upchars* in the Temples, their recruitment and conditions of service,

(*b*) manner of taking *darshan* of deities and timings thereof, generally or on any specified occasion,

(*c*) the various types of *pujas* to be performed in the Temples, persons who may perform the *pujas* either by themselves or through *pujaris* employed by the Committee and the issue of permits in that behalf, the charges to be paid for performing different types of *pujas*,

(*d*) prohibition against demand of *dakshina* in the Temples from the devotees or pilgrims, and begging therein,

(*e*) restriction on residence in the Temples,

(*f*) removal of persons from the Temples who poster devotees or pilgrims by soliciting *dakshina* and prevent them from having peaceful *darshan* of the deities and use of necessary force with the assistance of the police, if necessary, for that purpose,

(*g*) for any matters which may enable devotees and pilgrims to have peaceful *darshan* of the deities in the Temples, proper arrangements, therefore generally, and on specified occasions, maintenance of order in the Temples and for all other matters for the better administration of the affairs of the endowment and registered trusts and provision for operating the Temples Fund and guidance of the officer and servants of the Committee and for the purposes of carrying out the purposes and objects of this Act.

(*2*) The by-laws may provide that any person who contravenes any by-law or any provision thereof, shall, on conviction, be punished with fine which may extend to fifty rupees.

56. Application of Public Trusts Act.— Save as expressly provided by or under this Act, the provisions of the Public Trusts Act shall apply in relation to the management and administration of the Temples, the properties of the endowment and registered trusts, Temples Fund and all matters ancillary or connected therewith.

57. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion requires, by order do anything which appears to it to be necessary for the purpose of removing the difficulty.

SCHEDULE A

[*See* section 2 (*g*)]

Description of daily or nitya services in the temple of God Vitthal

All those who have to render services in the morning have to be present clad in silken clothes which are considered to be holy, after having their bath in the temple of God *Vitthal*.

At about 4-00 a.m. the door of the *Chowkhambi* Hall in which the bed-chamber is situated is opened with a key. Standing with folded hands, the person opening the door begs of the deity to awake and arise. After entering the bed-chamber, he removes the remnants of the *naivedya* offered the previous night, closes the door of that chamber, enters the sanctum and offers butter and sugarcandy to the idol of *Vitthal*.

Kakad-arati

2. Then starts the ritual of *kakad-arati*. A thick wick, soaked in ghee or clarified butter (called '*kakada'*), is waved before the idol of God *Vitthal* and all those present sing songs in praise of the God. When this is over a *naivedya* of butter and sugarcandy is offered to the idol, the *kakada* or the lighted wick is waved again but without accompaniment of songs, and the *kakada* is brought out, and circulated among all the persons present who signify with their hands in token of having partaken of the grace carried by the lighted wick.

Padya-puja

3. After the *kakad-arati* is over, the ritual of *padya-puja* starts. After waving lighted incense sticks or *agarbattis*, a light *naivedya* is offered to the idol of God *Vitthal* after which the idol is unrobed after removal of the garlands of flowers. Then starts the *maha-puja*. It is a *shodashopchar puja*.

Maha-puja

4. Amidst recitation of Vedic hymns *purushsukta*, the deity is bathed with the water followed by a bath with five nectars milk, curds, honey, ghee and sugar followed by plain and scented water. Twice a week on Wednesday and Sunday, the idol of God *Vitthal* is anointed with oil and rubbed with sugar and water to remove the film of oil. After the bath is over, the idol is wiped clean by the person incharge of *pujas* with a piece of cloth, and is dressed for the morning. Scent is applied and mirror is shown holding it in front of the idol. This is followed by *naivedya* or the offering of eatables, and then a lighted "*ekarti*" or a thin lighted wick waved before the idol. After the light is shown it is taken outside and waved before several other *Devatas* called *Pariwar Devatas*. During the *ekarti*, the devotional songs are sung. This ritual ends a little after sunrise ; and from 7-00 a.m. to 11-00 a.m. after the "*arti*", the idol of *Vitthal* is open to the public for having *darshan*.

Maha-naivedya

5. At mid-day, the *maha-naivedya* or the offering of food, consisting of puris, rice, dal, vegetables and five types of sweets, prepared in the special kitchen of the God, is made to the deity. Except the offering of maha-naivedya, there is no ritual; but at the time of this *maha-naivedya* itself, several persons bring food prepared at their houses, place it for a few seconds before the idol of God *Vitthal* and take it home.

Afternoon change of dress

6. At about 3 or 4 p.m. the idol is given a change of dress. It is adorned with ornaments only on special occasions ; otherwise, only the minimum daily ornaments are placed on the idol. The God is dressed, it is suggested, to receive the devotees in the afternoon. After dressing the idol, a *naivedya* of *laddus* or sweet-balls is offered to the idol, presumably as afternoon repast.

Dhuparti

7. Between 4 p.m. and evening the idol of *Vitthal* is open for darshan to devotees. In the evening at about sunset, the ritual of *dhuparti* takes place. An incense burner with incense is lighted and amidst sound of bells and cymbals songs are sung. Flowers are offered after washing the feet of the idol. At the *dhuparti* time also, a light *naivedya* is offered.

Shejarti

8. Between 10 and 11 p.m. the *shejarti* ritual takes place and this attracts a large crowd. Water is sprinkled on the floor between the throne of the idol and the bed-chamber, it is swept and a cloth called *paulghadi* is spread on it. The door of the bed-chamber is opened, the bed is arranged, a lamp is lighted and a bowl of hot milk and a spittoon are placed at God's feet. The feet of the idol are washed. Hymns are chanted and after *ekarti* hymns, and after *ekarti* or a thin lighted wick is waved, the idol is undressed. After offering of flowers, etc., the God is supposed to enter the ante-chamber, and all leave the place.

Upachars on Ekadashis

9. The routine of *nityapuja* and *upachars* stated above varies on *Ekadashis* which occur twice a month, being the 11th day of the bright half and 11th day of the dark half of the lunar month. The *naivedya* offered on these days is of articles considered to be permissible to be taken on *Ekadashi*, and as God *Vitthal* is not supposed to sleep on the night of the *Ekadashi*, no *shejarti* and consequently, no *kakadarti* on the following morning takes place, since the God does not require to be awakened.

Note.— (*1*) Of the 24 *Ekadashis* in a year, four are important when *waris* or groups of pilgrims who regularly visit, come to Pandharpur. They are *Ashadhi*, *Kartiki*. *Maghi* and *Chaitri Ekadashis*. The first two attract a large number of pilgrims in lacs. If it is a leap year which is generally the every third year in which there is an extra month called *Adhikmas*, the *Ekadashi* of that month also attracts a large number of pilgrims as *Adhikmas* is regarded as a holy month.

(*2*) There are other festivals observed besides the *Ekadashi* and they are *Ram navami*, *Narsinha Jayanti*, *Gokul Ashtami* or *Janmashtami* and *Mahashivratri*. Though *Vitthal* is considered to be the form of Vishnu and therefore, the temple a *Vaishnav* temple to *Bhagwat Sampradaya*, the *Mahashivratri* which is a day consecrated to *Shiva* is also important and is observed, a fact distinguishing *Bhaktimarg* which the temple of the God *Vitthal* propagates. After the waris or fairs are over, a *prakshal puja* is held.

Temple of Goddess Rukmini and other Devatas

In the temple of the Goddess *Rukmini*, the consort of God *Vitthal* the same *nitya* rituals take place soon after their performances in the temle of God *Vitthal* pre sumably to provide an opportunity to the devotees to attend and witness rituals in both the Temples. While there is no substantial difference in the *nitya upachars* in both the Temples on special occasions, those appropriate for the female deity are in vogue in the temple of Goddess *Rukmini*. There are also female *Pariwar Devatas* of *Rukmini*, *Satyabhama* and *Rahi* or *Radhika* and the *Pariwar Devatas* of God *Vitthal* where *nityapujas* are performed.

SCHEDULE B

[*See* section 2 (*t*)]

Special services or *pujas* performed by or on behalf of devotees in the Temples of God *Vitthal* and Goddess *Rukmini*, such as—

1. *Maha puja,*
2. *Padya puja,*
3. *Tulshi archan puja,*
4. *Kapur arti,*
5. *Alankar puja,*
6. *Savastra puja,*
7. *Avastra puja,*
8. *Keshar Archan.*

In the Temple of Goddess *Rukmini* on special occasions, such as *navratra*, *kumkumarchanpuja* is performed instead of the *tulshi archan puja* in the Temples of God *Vitthal* and *Khan*, cocoanut, etc., are presented as *Ooti* which rituals are appropriate for the female deity.

SCHEDULE C

REGISTERED TRUSTS

[*See* section 2 (*za*)]

1. Shri. Vithoba Temple, Pandharpur, P. T. R. No. A-379 (Sholapur).

2. Shri. Rukmini Temple, Pandharpur (along with all its *Pariwar Devatas*), P. T. R. No. A-365 (Sholapur).

3. The *Pariwar Devatas* of Vithoba, Pandharpur (all the *Pariwar Devatas* registered under a separate trust), P. T. R. No. A-378 (Sholapur).

4. Shri. Vitthal Rukmini Deosthan Committee, P. T. R. No. A-324 (Sholapur) along with P. T. R. Nos. A-161, A-162 and A-163 (Sholapur) amalgamated with the Deosthan Committee by an order of the Court.

5. Shri. Garud Deosthan, P. T. R. No. A-334 (Sholapur).

6. *Samasta Koli Samajachi Mahadev Devasthane* and *Pundlik Devasthan*, Pandhar pur P. T. R. No. A-382 (Sholapur) in so far as this trust relates to the four *Shivlingas* referred to in clause (*q*) of section 2 of this Act.

SCHEDULE D

[*See* section 6 (*l*)]

	(1) Persons	(2) Amounts
		Rs.
1.	*Badves*	2,34,888.00
2.	Sevadharis—	
	(*a*) Pujaris	33,638.00
	(*b*) Benaris	10,925.00
	(*c*) Paricharaks	6,038.00
	(*d*) Hardas	6,038.00
	(*e*) Dingres	2,588.00
	(*f*) Danges	2,013.00
	(*g*) Diwates	2,013.00
3.	*Utpats*	69,000.00
4.	*Kolis*	1,438.00
	Total . .	3,68,579.00