

THE HINDU RELIGIOUS ENDOWMENTS ACT

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ABSTRACT

The non-Brahmin movement and the Justice party in colonial Andhra were very important socio-religious moments in colonial South India. The minority Brahmin caste domination of politics, education and administration brought dissatisfaction among non-Brahmin agrarian groups. This led to formation of the Justice party. The ministry of Justice party formed in Madras presidency followed by their victory in 1920 general elections under diarchy. The Justice ministry brought few legislations intended to reduce domination of Brahmins and increase domination of non-Brahmin groups. One of such acts is the Hindu Religious Endowments act. The act was intended to change the pattern of temple administration in Madras Presidency.

INTRODUCTION

The South Indian Liberal Federation, Otherwise known as Justice Party, Was founded in 1917 in Madras by few non-Brahmin intellectuals like P. Tyagaraya Chetty, T.M.Nair and others. In colonial South India the domination of the Brahmins was complete in religion, education, administration and politics. In Tamil speaking region this was very severe. Under these circumstances the non-Brahmin western educated persons found little opportunities in jobs and administration and they found that more than sixty percent positions in the administration and education were occupied by the Brahmins¹. Even the main positions in the Congress party were occupied by the Brahmins. For example, out of fifteen members of Congress committee of Madras presidency fourteen were Brahmins².

METHODOLOGY

The methodology adopted is historical which includes Primary and Secondary sources. The material gathered from old sources like NNPRs, MLCPs and so on from Tamilnadu archives, Madras. The material collected from AP Archives, Hyderabad is also very much helpful. The primary sources were also collected from different old libraries like Goutamai library, Rajahmundry, Saraswathi library, Vetapalem in Prakasam district and so on were also very much helped in the preparation of this paper. The primary sources thus collected were compared, contrasted, and corroborated to arrive at reasonably objective conclusions.

The non-Brahmin intellectuals decided to take part in politics and administration to safeguard the interests of the non-Brahmin communities. The result is the formation of the Justice Party. The Justice Party utilised the opportunities came on the eve of introduction of Montagu-Chelmsford reforms. Two provisions of this act are very important and gave good opportunity to the Justice leaders to dominate politics of the Madras presidency from 1919. They are: Introduction of Diarchy in the provinces and provision of reservation for non-Brahmins in Madras Legislative Assembly. In Madras Legislative Assembly 28 out of 63 elected seats were reserved for non-Brahmins. Thus non-Brahmin intelligentsia secured what they wanted³. In the first elections to the Madras legislative assembly under diarchy, the Justice party secured required majority of seats and formed the government. From the beginning the Justice ministry wanted to reduce the influence of the Brahmins. In this direction they have brought legislations like reservation for non-Brahmin groups in jobs and administration, Hindu Religious endowments act to reduce the influence of Brahmins and increase the control of the non-Brahmins, and so on. This paper deals with Hindu Religious Endowments act.

THE HINDU RELIGIOUS ENDOWMENTS ACT: The far-reaching social legislation which the Justice Party enacted during its regime was the Hindu Religious Endowments Act. The Justice Party pleaded to fight against the domination of the Brahmins in temples also ⁴. Before 1920, the Justice leaders had vigorously opposed legislative interference in temple affairs lest the Mylapore clique will benefit ⁵. The non-Brahmin leaders fought against the misuse of temple funds by the committee members, mostly Brahmins.

In the first non- Brahmin conference at Coimbatore, the leaders accused the Brahmins of misusing Funds of the temples and mathas. Speaking in the conference Dr T.M.Nair pointed out that the Mahant of Tirupati diverted huge sums of money to construct Sanskrit schools. He criticised that the funds of the Tirupati mutt were mostly utilised for starting Brahmin institutions and this way lot of corruption is going on in temples ⁶. The earlier attempts initiated in this direction, initiated by members like Govindaraghava Ayer, Seshagiri Ayer, Jagannada Ayer and others in the last decade of the 19th century were rejected by the government ⁷.

Now the subject of religious endowments was in the hands of the Justice Minister. The Indian National Congress also had been urging the government for long time past to reconstitute the managing committees of the temples in order to check the prevalent mismanagement and corruption ⁸. The chief minister, in charge of endowments department, introduced the Hindu Religious Endowments Bill on 18th December, 1922.⁹ The Justice Party faced serious opposition from the orthodox elements and Brahmin press. For example, reacting to the bill 'Navasakti' remarked that are we to contemplate the spending of money; which our forefathers, kings and devotees set apart for promotion of righteousness, knowledge and religion; on roads, drainages and slavish type of education¹⁰.

The Bill fought to empower the government to constitute new committees for the purpose of managing temples and their funds. The members of these committees were to be partly nominated by the government and partly elected by the enfranchised local population. The Bill authorised the new committees to utilise the surplus temple funds for social welfare programmes in the localities¹¹.

After heated discussion the Bill was referred to the select committee to study it and give its report. Most of the Justice members and some liberals like P.Sivarao, D.Seshagiri Panthulu and others supported this bill ¹². After its emergence from the select committee the Bill looked completely different. Its new character showed that the Justice leaders were not simply interested in reforming temple management, but in imposing a large degree of central control on the temples. The new bill virtually annulled the power of the courts in temple affairs, imposed a tax on temple incomes, gave a broader definition of the powers of the local committees and created a central endowment board to work as the provincial endowment agency to look after the overall working of the system ¹³. Ironically the master P.Tyagaraya Chetty, a conservative within the party could not endorse the Act. He became silent spectator¹⁴.

Not only the Mylaporeans but also many non-Brahmin leaders opposed the Bill. The Krishna Patrika wrote that the Justice Ministry is trying to extend its politics of intrigue and corruption into the abode of Gods. If the bill is passed the temples will become like non-Brahmin clubs ¹⁵. Here the problem is not Brahmin or non-Brahmin. Many local magnets had interests in the temple affairs, financial and prestigious. Many land lords, and other influential people feared that their local interests in the temple affairs would suffer through this legislation¹⁶.

Zamindars feared that government would now make some of the temples on their estates, which they had for long considered as their personal property, into public places ¹⁷. Many representations were given to the Governor to stop this bill. The bill was passed with absolute majority and sent to the Governor for his assent ¹⁸. The cry of religion in danger was raised and fully exploited by the Brahmin pundits, who pillaged the temple funds for centuries. The non-Brahmins should not be caught in the

trap of religion. Do not believe those mischievous pundits whose luxury life will be affected by this bill¹⁹.

The chief minister was shrewd enough to appoint a liberal Tamil Brahmin N.Gopalaswamy Ayengar to assist him in the bill through. My uncle M.T.Subramanyan Mudaliyar was so much interested in the bill that he did not give any respite to the younger members of the council till it was passed²⁰, recollected Mr P.T.Rajan, one of the Justicites, in his speech on the occasion of the Golden Jubilee celebrations of the Justice Party in 1967. Although the bill dealt only with the administration of the temples and not with the religious tenets or practices, it was made to appear that Hindu religion was in danger²¹.

E.F.Irschick says that the passage of the Hindu Religious Endowments Act reflected the secular credentials of Justice Leaders. Many of the leaders of the Justice Party were religiously orthodox, yet the discussions surrounding passage of the bill illustrated the secularising tendency which the Justice Party represented²².

The Governor hesitated to give his assent to the bill. He referred the bill to the viceroy for his consideration. The viceroy felt satisfied and had seen no religious partialism. The Governor had elaborate discussion with the viceroy and decided the bill to return to the legislative council raising objections to a few provisions of the bill with a request for reconsideration²³. In the light of the suggestions given by the Governor the bill was amended and was introduced in the next council and passed into law as Act I of 1925²⁴. It is the best Act enacted by the Justice ministry and a great step in building a democratic society. It is an excellent piece of social and religious legislation which the Justice Party enacted. The cutting goes through very gross root of an organised system of corruption, maintenance of secrecy in the name of God and constructing class interests in the name of religion.

Though Washbrook criticised this bill, in his natural style, as a root of patronage in the hands of the Justice leaders, undoubtedly the act was a democratic step, considering the socio, religious and, political conditions in 1920's, on the part of the Justice leaders. Till then there was no accountability and responsibility on the part of the members of temple committees with regard to the temple administration and financial issues. After all the money reaching the temples was public money and any institution which runs on public funds, including the temples and charitable trusts should be accountable to the public and the government.

But there were some intended defects in the Act. For example, the ministers were empowered to exempt certain temples from the provisions of the act leading to nepotism and favouritism. This power was misused by, as Washbrook says, the ministers. The ministers used this power to exempt those temples controlled by favourable landlords, zamindars and business people from the Act.

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