

**Memorandum on the future of
Devaswams in Travancore**

MEMORANDUM
ON THE
FUTURE OF DEVASWOMS
IN
TRAVANCORE.

**KERALA LEGISLATURE
LIBRARY**

Section:

*Title: Memorandum on the failure
of decessions in Travancore.*

Stock No. 51738

(1020)

831

57738

Analysis of Contents

Introductory — Geographical — Population — Early History — Relations with European powers — Intearity of the State — The Ayyappa Seva Sangham — Other Indigenous Hindu organisations — All-India Hindu Organisations — Consensus of Hindu opinion — Anxiety about the future — Devaswoms VIS-A-VIS the State Legislature — Devaswoms in jeopardy — Travancore a Hindu State — Maharaja the Spiritual Head — Statistics of places of public worship — Origin of Devaswoms — State in relation to Devaswoms — Early History of Devaswoms — Incorporation of Devaswoms — What the assumption meant — Special Officer's Report — Devaswom Separation Committee Report — Government only a trustee — Trusteeship to be reiterated — Devaswoms in Cochin — Basis of State contribution — Income from Devaswom properties — Result of merger of revenues — Estimate of dues to Devaswoms — Present Contribution — Basis for Future Contribution — Temple Sites — Effects of Government Control — Christians in Travancore — British Government's support to Christians — Growth of Christianity — Churches — Role of Devaswoms — What Churches have done — Revival of Hinduism — Popular Control of Devaswoms — Claims of Harijans — Cultural value of temples — What Devaswoms can do — Our religious heritage — Legislature and the Devaswoms — Equality of opportunity — Summary — Conclusion.

MEMORANDUM
ON THE
FUTURE OF DEVASWOMS
IN
TRAVANCORE

INTRODUCTORY

Changes of a fundamental character, fraught with far-reaching consequences affecting the Travancore State, are to take place in the near future. The form of government, the constitution of the State and its present territorial boundaries are to undergo modifications. Hinduism is the established religion of the Travancore/State, ~~and~~ in spite of various vicissitudes, the obligation of the Government to maintain the Devaswoms or Hindu religious institutions has been recognised and repeatedly affirmed. The Hindu population of Travancore are naturally anxious that the future of the Devaswoms should be guaranteed and that, at this juncture, action should be taken not only to establish, beyond doubt or cavil, for all time to come, the claim of the Devaswoms to a defined and specific charge on the revenues of the State, but also to devolve their administration on popular representatives of Hindus. It is of the utmost importance that adequate and expanding sources of revenue should be made available and guaranteed by the Constitution Act for the upkeep of the Devaswoms as well as for the development of Hindu religion in its wider social and cultural aspects. The Devaswoms do not ask for anything more than their rightful share; but, in assessing that share, the losses sustained in the past as well as the needs of the future should

Ruling Family
and of the
vast majority
of the population
there.

be borne in mind, besides the fact that the State revenues have, for decades, received considerable income from the Devaswom properties. This Memorandum seeks to set out the case of the Devaswoms for just treatment and the demand of the Hindus for the implementation of such policy.

GEOGRAPHICAL

2. Travancore occupies the south-west portion of the Indian peninsula. The Western Ghats form a continuous mountain chain of varying altitude from north to south, isolating the State from the Province of Madras on the east and conferring a distinctiveness on its culture and history. On the west, it is bounded by the Arabian Sea and the Indian Ocean for a length of about 175 miles. Cape Comorin, the land's end of India, where three oceans meet, is situated within the State. The State has an area of 7,621 square miles. It is one of the most picturesque parts of India. In the words of Lord Curzon,

"Here nature has spent upon the land her richest bounties; the sun fails not by day, the rain falls in due season, and an eternal summer gilds the scene. Where the land is capable of cultivation, there is no denser population; where it is occupied by jungle or backwater or lagoon, there is no more fairy landscape."

There are fourteen rivers, running over an aggregate length of about 700 miles. In the western natural division, which forms the littoral deltaic area, there are about a dozen lagoons which cover an area of 160 square miles. Connected together by a series of artificial canals, these backwaters provide navigable waterways from the northern end of the country right up to Trivandrum, the capital. The rivers, backwaters and canals form a network of waterways trellising the land and facilitating cheap and accessible transport and in places also irrigation and drainage. One-third of the State is reserved forest where valuable trees grow and a variety of game, such as the elephant, the tiger and the bison, abounds. The country, except the southernmost portion, gets the full benefit

of both the south-west and the north-east monsoons. The High Range, occupying the north-eastern part of the State, is the home of tea cultivation; further south and west is the cardamom tract; and lower down, rubber is the main product. The plains are studded with rice-fields and coconut groves; and a wide variety of edible roots and tubers, spices like pepper and ginger, pulses and other crops are grown. A network of roads has facilitated communication; and irrigation works, big and small, have been constructed to remove the deficiency of rain or prevent the vagaries of monsoons.

Village life as in the rest of India is practically unknown; each house is a detached unit with separate premises of its own and nestles within its own garden of coconuts, fruit trees like jack and mango, areca, plantains etc. The matriarchal system flourished; but it is now confined to the royal family. Women enjoyed, from the earliest times, liberty and property rights; fastidious cleanliness is observed in regard to personal habits; and dress is simple, white being the prevailing fashion. Travancore is rich in natural resources in the vegetable, animal and mineral kingdoms. What nature so lavishly endowed has been to a considerable extent developed by the intelligence of man guided through centuries by the wisdom of a stable government, which always successfully resisted foreign aggression and strove to the utmost to develop the arts of peace.

POPULATION

3. The population of Travancore, according to Census of 1941, was 6,070,018, an increase of 19.1 per cent. over that of 1931. It will not be rash to estimate that, during the eight years that have since elapsed, an increase of more than one million has taken place. In the State as a whole, the density of population is 792 per square mile. But if the density is calculated on the area available for cultivation or on the area actually occupied, the density is 1,463 in the former case and 1,513 in the latter case. The population is not homogeneous. Hindus number 3,671,497 (nearly three-fifths); there are 434,150 Muslims (nearly one-fourteenth);

and the Christians are 1,968,790 (nearly one-third). There are a few Jains, Sikhs, Parsees, Budhists and Jews.

According to the Census Report, 47.1 per cent. of the population is literate, the percentage for males being 58.1 and for females 36.0, almost the highest in India. This is not surprising. The duty of the State to impart public instruction was recognised so long ago as 1817 when the ruling Maharani issued a rescript resolving—

“that the State should defray the entire cost of the education of its people in order that there might be no backwardness in the spread of enlightenment among them, that by diffusion of education they might become better subjects and public servants and that the reputation of the State might be advanced thereby.”

EARLY HISTORY

4. Travancore has no reason to blush for its history. It is one of the oldest of Indian States. Travancore is perhaps the only State in India which has never been subject to foreign rule. From the very earliest times, it has had cultural and trade contacts with the nations of the west. The Ruling House of Travancore traces its descent, direct and unbroken, from the old Chera Kings of Southern India, referred to in the edicts of Asoka of the third century B. C. Inscriptions referring to Travancore Rulers have been found from the ninth century of the Christian Era. Writing in 1294, Marco Polo describes the Ruler of Travancore as an independent sovereign. Ravi Varma Kulasekhara, who ruled over the country at the beginning of the fourteenth century, conquered the Pandya and Chola Kingdoms and crowned himself Emperor of South India at Conjeevaram near Madras in 1312. From about this period, numerous inscriptions regarding Travancore Rulers are found scattered all over the Tinnevely District. According to Abdur Razaack, who visited South India in 1442, the Kingdom of Travancore extended as far as Kayalpattanam near Trichendur on the east coast of India. In 1503, Alfonso D' Albo-

querque, the Portuguese Viceroy, who visited Quilon, has placed on record that Ceylon was paying tribute to Travancore. In 1510, Ludovico Varthema found the King of Quilon extremely powerful and having an army of 20,000 horsemen and many archers. St. Francis Xavier, in one of his letters dated 1544, describes the ruler of the country as "the Great King of Travancore" and speaks of him as having authority over all South India.

RELATIONS WITH EUROPEAN POWERS

5. The Hindu tradition was not broken and the dynasty which rules over the State maintained its comparative independence even after the advent of the successive European powers, the Portuguese, the Dutch and the English. Neither the Portuguese nor the Dutch who succeeded them were able to exercise any influence in Travancore as they did in other parts of South India. In 1741, the Dutch, who had ambitions of establishing an eastern empire were given a crushing defeat in a naval engagement at Colachel (a few miles south of Trivandrum) by Travancore forces. In 1644, the English East India Company was granted Vizhingam, ten miles from Trivandrum, for the erection of a factory for the purpose of trade. This was the earliest English settlement in the State and was followed a few years later by another at Valiathura, on the coast of Trivandrum itself. In 1684, the Company obtained from the Queen of Attingal a plot of land at Anjengo, appointed a Commercial Resident and built a fort there in 1695. This area still remains as an enclave belonging to the Government of India. The earliest extant treaty between Travancore and the English East India Company was on the 25th April 1723. Under this treaty, the King of Travancore ordered the erection of a fort at Colachel in South Travancore for the Company. Article 6 of the treaty laid down that "the Government will be in league and united in good friendship with the Honourable Company". Maharaja Martanda Varma, the maker of modern Travancore and by far the greatest Ruler of the State, who ascended the *masnad*

in 1729, was a staunch friend of the Company. In the treaty of Mangalore, entered into between the East India Company and Tippoo Sultan in 1784, it was specifically laid down, in Article 1, that—

“peace and friendship shall similarly take place between the said Company and Nabob Tippoo Sultan Bahadur and their allies, particularly including therein the Rajas of Tanjore and Travancore, who are friends and allies to the English and the Carnatic Payen Ghaut”.

The peace plenipotentiaries, Staunton and Hudlestone, assured that Raja on behalf of the Company:—

“Your interests and welfare will always be considered and protected as their own and the Company did not on this occasion forget your fidelity and the steady friendship and attachment you have uniformly shown them in every situation and under every change of fortune”.

The Raja of Travancore was always referred to as a staunch ally of the Company. The next treaty was on the 17th November 1795 and finally ratified on the 20th July 1797. The last treaty was in 1805, which was signed by the Raja under pressure. It raised the subsidy from Rs. 3,81,456 to Rs. 7,83,111 and gave the Company power even to interfere in the internal affairs of the State. On the 11th September 1821, Sir Thomas Munro, after deciding in favour of Travancore a boundary dispute between Travancore and the adjoining British Indian tract of Dindigal, wrote as follows to the Regent:—

“In communicating this Resolution to the Rani, we inform Her Highness that we have deemed it proper to make any doubts which remained on the question yield to the wish of showing our consideration for so ancient an ally of the British Government.”

INTEGRITY OF THE STATE

6. The above brief historical resume is intended to show how, through the centuries, Travancore has always remained an independent Hindu State. It has been in alliance with but not subordinate to any foreign power.

“Travancore, before its first alliance with us, had long been an independent little Kingdom, secured, by its remote situation and the sea and mountains by which it was surrounded, from every enemy”.

So wrote Sir Thomas Munro, Governor of Madras, in January 1817, to the Marquess of Hastings, Governor-General of India.

In this ancient Hindu State, the Hindu religious institutions have a special claim for consideration. Their past history and the treatment their properties have received entitle them to a sympathetic and generous consideration of their case by the arbiters of India's destiny. It is not only in regard to these Devaswoms that this State stands in a unique position. There are several grounds which Travancore can urge in support of a plea for a treatment different from that accorded to the five hundred and odd States in north India. Reference has already been made to the salient features in its early history and to the unbroken continuity of the ruling dynasty. In point of density of population, in literacy and in the progress of education, it occupies a foremost place. The association of the people in the government of the country was first made in 1888, earlier than in any other Indian State; and it was here that adult suffrage was first granted and a constituent assembly elected on that basis has been first set up to frame a constitution for responsible popular government. Local self-government was introduced in urban areas in 1878; and two statutes aimed at reviving village organisations have for decades been in operation. Education was declared, as already mentioned, to be the duty of Government so long ago as in 1817; and English education was started in the same year. Today, there is a University with a number of professional and other colleges, a Research Department, a Publications Department

etc. Primary education has long been free and is now compulsory. The Temple Entry Proclamation has thrown open the temples to all Hindus. Prohibition has been introduced and is being gradually extended. Social legislation has reformed the laws of marriage, inheritance and succession among most of the communities; women have all along enjoyed freedom and property rights; and the welfare of Harijans has for years been the special care of the State. The administration has been organised on the Indian model. The judiciary is organised and independent; and a body of case law has grown up during the last many decades. In regard to general laws, the British Indian laws have not always been slavishly followed: Capital punishment has, for instance, been abolished. The economic advancement of the people and the country has not been lost sight of. Industrialisation has been proceeding rapidly during the last two decades and more; and liberal labour legislation has been specially promoted. A progressive government has been gradually perfecting a complicated system of administration under a line of enlightened Maharajas advised by a succession of talented Dewans; there has grown up a qualified and efficient public service; and public opinion finds expression in an unusually large number newspapers and journals, supplying the demands of a literate intelligent people. Allowances have to be made for the numerous special characteristics and circumstances of Travancore. Bearing upon this are the long-established constitutional form of the government, the highly organised efficiency of her judicial and executive services which have stood the test of generations and the culture of her educated and intellectually advanced peoples.

The Hindus have contributed substantially to this progress and now desire that they should be enabled to take fuller advantage of the resources belonging to their Devaswoms and to develop the potentialities of those institutions for securing by an organised endeavour their moral elevation and material advancement.

THE AYYAPPA SEVA SANGHAM

7. The *Ayyappa Seva Sangham*, Trivandrum, which sponsors this Memorandum, is an Association (not for profit) registered in accordance with the provisions of the Travancore Companies Act under a license granted by the Government of Travancore. Under Clause 4 of its Articles of Association, membership is open to every one who is over eighteen years of age and is a Hindu by birth or by religion. Among the objects of the Association, enumerated in paragraph 3 of its Memorandum, are the following :—

- (i) To promote the knowledge of religion and morals among Hindus and thereby disseminate correct ideas about the fundamental truths of *Sanatana Dharma*.
- (ii) To devise schemes to do away with the differences that separate the various castes and sections of the Hindu community, to check the fissiparous tendencies among the Hindus, to develop a spirit of unity and solidarity among the Hindus and to adopt the necessary measures to achieve these objects.
- (iii) To protect temples and other Hindu religious institutions in the State, to preserve them from neglect and decay and to ensure their proper management and administration.
- (iv) To devote special attention to checking the conversion of Hindus to other religions.
- (v) To provide the necessary facilities to those who voluntarily desire to embrace the Hindu faith or re-enter the Hindu religion.
- (vi) To carry on propaganda for the dissemination of knowledge about Hinduism by means of books, pamphlets, periodicals, libraries, religious discourses, etc.

OTHER INDIGENOUS HINDU ORGANISATIONS

8. A number of more or less well-organised institutions, with different degrees of influence and varying success, have for years been working in the State for the promotion of the moral and material welfare of followers of the Hindu religion. Several of these too have been registered as Associations (not for profit) under the Travancore Companies Act; but most of them cater to the needs of particular sections of the Hindu community, though in most, if not all, cases one of the objects, expressed or implied, is the strengthening of the hold of the Hindu religion on its members. That the urge to make organised endeavours to develop within the Hindu fold permeated all strata of the society will be manifest from the following brief reference to the more important of these indigenous Associations. The *Devaswom League* has been working for several years urging the restoration of the control of Devaswoms to local councils like those which in the past owned and managed them. The *State Hindu Sabha* has been carrying on agitation with a view to liberalise the administration of Devaswoms and bring them under popular control. The *Sanatana Dharma Vidyasala Association* was formed, in 1910, to establish, for the use of the Hindus, educational institutions, to impart secular instruction and to provide moral and religious training in accordance with the Hindu *Sastras*. The object of the *Keraleeya Nadar Samajam* is the social, religious and material advancement of the Hindu Nadar community. The *Travancore Paradesa Viswabrahma Sabha* seeks to promote the social welfare of the members of the Viswabrahma (artisan) community. The *Malayala Brahmana Samajam* has as its primary object the promotion of the welfare of the Malayala Brahmin community. The *All-Travancore Varnava Samajam* is intended to advance the interests of the Varnava community, while the *Tamil Vannar Mahajana Sabha* is similarly designed for the Tamil section of that community. The development of the prosperity of the Vaniyar community is the declared object of the *All-Travancore Vanika Vaisya Sangham*. The

All-Travancore Pulaya Mahasabha, the *Kerala Mudali Samudayam*, the *Travancore Ganaka Mahasabha*, the *Bharatar Mahajana Sabha*, the *Viswakarma Seva Samiti*, the *Akhila Tiruvitamcore Vala Samudaya Seva Samiti*, the *Akhila Tiruvitamcore Vela Panikkar Mahasabha*, the *Travancore Araya Mahasabha* and the *Akhila Tiruvitamcore Viswakarma Mahasabha* — all these have, as their objective, firstly the promotion of the welfare of the community mentioned in its name and secondly the development of the Hindus and their religion. It may be added that all these eponymous associations work for sections of the Hindu community educationally, economically or socially backward. The *Tiruvithamcore Namputiri Yogakshema Maha Sabha* is organised for the uplift of the Namputiri Brahmins who belong to the highest caste in Kerala. The *Saraswath Congress* has been formed to promote the welfare of the Gowda Saraswath Brahmins. The *Haindava Mandiram*, established in 1943, runs a collegiate hostel for Hindus, spreads Hindu culture by special classes and seeks to enable the common man to enter into the spirit of *Sanatana Dharma*.

9. Special mention should be made of two Associations, wider in scope; viz., the *Kerala Hindu Mission* and the *Travancore Hindu Mahasabha*. The former works for promoting the welfare of Hindus as a whole, particularly the Harijans, and is interested in re-conversion to Hinduism. The latter has been organised to further the cultural, spiritual and general development of the Hindus. It deprecates separate electorates, communal representation and special privileges to majority communities as helping the disintegration of Hindus. The *Mahasabha* urges a full resettlement of all Devaswom lands, estates and properties originally held in trust and full reparation for the loss caused by merging the Devaswom revenue with the State revenue.

10. In the extent of organisation, the degree of influence and the comparative wealth of resources, there are two communal Associations, which have, by years of strenuous work in all parts of the State, established a hold on the people. One is the

Sri Narayana Dharma Paripalana Yogam registered as an Association in 1903; and the other the *Nayar Service Society* similarly registered in 1923. Membership in the former is confined to Ezhavas and in the latter to Nayars, the two strongest sections of Hindus. According to the Census of 1941, the Ezhavas numbered 1,038,494 and the Nayars 1,062,357. These organisations rightly claim to represent the respective communities and have both done considerable work in improving the social, political and economic condition of the two communities. Both of them have established branches in villages and function as federations of many hundreds of constituent units.

11. Except for the *Kerala Hindu Mission* and the *Travancore Hindu Mahasabha*, however, all the Associations are exclusive in regard to membership, lay greater emphasis on economic and educational advancement and have not placed the revival of the Hindu religion in the forefront of their programmes as the *Ayyappa Seva Sangham* has done. Temples in the State were thrown open to non-caste Hindus only in 1936. The *Sri Narayana Dharma Paripalana Yogam* was primarily formed to conduct the festivals in the temples built under the inspiration of and consecrated by its spiritual leader Sri-Narayana Guru; and the extension of its activities to the present scale is a later development. In the two or three decades preceding the Temple Entry Proclamation of 1936, Ezhavas began to build temples of their own. It is manifest therefore that that community had nothing to do with the temples now under the control of Government, much less their founding or maintenance in the more distant past. The endowments to the temples could obviously have been made only by the "higher" castes who had at the time access to those temples, and who alone had lands to grant.

ALL-INDIA HINDU ORGANISATIONS

12: Even in the most cursory description of the activities of Associations working for the betterment of the Hindu community,

it will be ingratitude not to refer to the great and noble work done by two agencies having their headquarters outside the State. The *Ramakrishna Mutt* seeks to create a band of *Sanyasin* teachers of Vedanta, to train a band of monks for self-realisation and for acquiring a capacity to serve the world in all possible ways. The *Ramakrishna Mission*, an allied society, has been formed to carry on missionary and philanthropic work without any consideration of caste, creed or colour. Under the auspices of these agencies founded by Swami Vivekananda, the prophet of the harmony of religions, there are half a dozen *asramams* in the State, the most important of which are at Trivandrum, the Capital of the State, and at Kaladi, the birthplace of Sri Sankaracharya. This work has been going on for quarter of a century. The Mission carries on social and religious work and conducts hospitals and schools, including Sanskrit schools, Harijan schools and Industrial schools. It is difficult to exaggerate the moral influence which the Mission has exercised on Hindus generally and the possibilities of selfless labour and organised endeavour which their *Sanyasins* have demonstrated.

The other is the *All India Arya (Hindu) Dharma Seva Sangh*, Calcutta, which established a branch in this State in November 1943. The *Sangh* believes that the Hindu *Dharma* is the common heritage of the Hindu nation, of the various sects into which it is now divided; and its objective is the attainment of Hindu solidarity and protection from aggression by other religions. The reasons for extending the activities of the *Sangh* to Travancore are stated in the following passage, which is quoted from one of its published reports :—

“South India has become a cradle of Christianity as a result of ceaseless and vigorous propaganda of foreign missionaries. Travancore, Cochin and Mysore States are, so to say, pillars of proselytising activities of the Christian missionaries. Almost every mile is marked with a church and there is a network of their schools, colleges, hospitals, nursing homes, orphanages and asylums for women. The pity is that such institutions

are recipients of, and thrive on, grants-in-aid from the State. Being deprived of their social and religious rights and looked down upon by high caste people, thousands of Harijans embraced Christianity. Twenty lakhs of people out of a total population of sixty lakhs in Travancore have renounced their ancestral faith and have become Christians. They constitute one-third of the entire population of Travancore State. Under the circumstances, the *Sangh* felt called upon to open its branch in South India to counteract the baneful influence of proselytising propaganda, carried on by Christian missionaries on the one hand and to propagate the ideals of Hindu *Dharma* and culture for the uplift of Harijans socially, morally, economically and politically on the other.

The Temple Entry Proclamation, by removing the greatest impediment of untouchability in the way of Hindu consolidation and progress, afforded the timely inspiration to that prince of discerning Hindu philanthropists, Seth Jugal Kishore Birla, to include Travancore within the sphere of the *Sangh's* activities. Work has been started on a planned basis in four centres; propaganda meetings, conventions and conferences are held; religious classes have been organised and examinations are conducted and certificates awarded; religious tracts have been published; ruined temples have been renovated; schools, general and technical, for the benefit of Harijans, have been opened; and a free boarding house for school-going Hindu pupils is being maintained at Trivandrum.

CONSENSUS OF HINDU OPINION

13. As already indicated, the *Ayyappa Seva Sangham* admits every Hindu as a member and it is this *Sangham* alone which, from that fact and on the basis of the ideals embodied in its memorandum, can speak with authority on behalf of the Hindus generally and urge the taking of steps to place the future administration of the Devaswoms on a satisfactory and permanent footing. But

it should be added that the *Sangham's* views in this matter are shared by all Hindus in the State and would be readily supported by all the Associations referred to above, as one of their avowed objects is, in every case, the development of the Hindu religion. The *Travancore Brahmana Mahasabha* recently held a conference and passed resolutions urging that, for the maintenance and development of Devaswoms and other Hindu religious institutions in the State, their control should be vested in a Board working under the Sovereign. The *Nayar Service Society* has for a long time been urging the transfer of Devaswom administration to popular control. The *Sri Narayana Dharma Paripalana Yogam* has quite recently appointed a committee to report on the steps to be taken to democratise the administration of the Devaswoms and to make recommendations as to how to fit them in the new political and constitutional set-up. Scores of meetings and conferences of Hindus are being held daily in various parts of the State urging the same points of view.

ANXIETY ABOUT THE FUTURE

14. Since August 1947, there has been a revolution in the status of Indian States, the position and future of Rulers of States, the integrity of States or even their separate existence. The future of Travancore is in the melting pot. While it would originally seem to have been the policy of the Indian Union Government to maintain as such States which can function as viable units and whereas the instruments of accession contemplated the transfer by such States of only specific matters like defence, the present policy seems to be to merge the States into neighbouring provinces or to create States Unions by amalgamating adjacent States. In the rapid process of integration, political or administrative convenience has led to the revision of ideas of viable units; and it is to be feared that a new bureaucracy directed from the centre is being inevitably forged. This policy of integration is but imperfectly understood in what is essentially an age of transition or experiment; Unions are expanded; Unions once formed are proposed

are recipients of, and thrive on, grants-in-aid from the State. Being deprived of their social and religious rights and looked down upon by high caste people, thousands of Harijans embraced Christianity. Twenty lakhs of people out of a total population of sixty lakhs in Travancore have renounced their ancestral faith and have become Christians. They constitute one-third of the entire population of Travancore State. Under the circumstances, the *Sangh* felt called upon to open its branch in South India to counteract the baneful influence of proselytising propaganda, carried on by Christian missionaries on the one hand and to propagate the ideals of Hindu *Dharma* and culture for the uplift of Harijans socially, morally, economically and politically on the other.

The Temple Entry Proclamation, by removing the greatest impediment of untouchability in the way of Hindu consolidation and progress, afforded the timely inspiration to that prince of discerning Hindu philanthropists, Seth Jugal Kishore Birla, to include Travancore within the sphere of the *Sangh's* activities. Work has been started on a planned basis in four centres; propaganda meetings, conventions and conferences are held; religious classes have been organised and examinations are conducted and certificates awarded; religious tracts have been published; ruined temples have been renovated; schools, general and technical, for the benefit of Harijans, have been opened; and a free boarding house for school-going Hindu pupils is being maintained at Trivandrum.

CONSENSUS OF HINDU OPINION

13. As already indicated, the *Ayyappa Seva Sangham* admits every Hindu as a member and it is this *Sangham* alone which, from that fact and on the basis of the ideals embodied in its memorandum, can speak with authority on behalf of the Hindus generally and urge the taking of steps to place the future administration of the Devaswoms on a satisfactory and permanent footing. But

it should be added that the *Sangham's* views in this matter are shared by all Hindus in the State and would be readily supported by all the Associations referred to above, as one of their avowed objects is, in every case, the development of the Hindu religion. The *Travancore Brahmana Mahasabha* recently held a conference and passed resolutions urging that, for the maintenance and development of Devaswoms and other Hindu religious institutions in the State, their control should be vested in a Board working under the Sovereign. The *Nayar Service Society* has for a long time been urging the transfer of Devaswom administration to popular control. The *Sri Narayana Dharma Paripalana Yogam* has quite recently appointed a committee to report on the steps to be taken to democratise the administration of the Devaswoms and to make recommendations as to how to fit them in the new political and constitutional set-up. Scores of meetings and conferences of Hindus are being held daily in various parts of the State urging the same points of view.

ANXIETY ABOUT THE FUTURE

14. Since August 1947, there has been a revolution in the status of Indian States, the position and future of Rulers of States, the integrity of States or even their separate existence. The future of Travancore is in the melting pot. While it would originally seem to have been the policy of the Indian Union Government to maintain as such States which can function as viable units and whereas the instruments of accession contemplated the transfer by such States of only specific matters like defence, the present policy seems to be to merge the States into neighbouring provinces or to create States Unions by amalgamating adjacent States. In the rapid process of integration, political or administrative convenience has led to the revision of ideas of viable units; and it is to be feared that a new bureaucracy directed from the centre is being inevitably forged. This policy of integration is but imperfectly understood in what is essentially an age of transition or experiment; Unions are expanded; Unions once formed are proposed

to be merged in Provinces; States in Bombay are being merged, while in the south they are amalgamated. The Adviser to the States Ministry, who recently visited Travancore and Cochin, foreshadowed the integration of these two States into one unit; and the Indian States Ministry has now ordered integration with the neighbouring State of Cochin. In this State, there is a body of opinion which fondly desires the State to remain as a distinct entity; and another asks for its merger in the neighbouring Province of Madras. There is yet another school which visualises a linguistic province of Kerala comprising not only the two States of Travancore and Cochin but the Malayalam-speaking areas such as the Malabar District and adjoining portions of neighbouring Districts. We are not in the present context concerned with the particular form in which the future of South-west India will eventually materialise; and it is foreign to our purpose to appraise the advantages and disadvantages of amalgamating two most densely peopled States possessing highly complicated and exceedingly developed legal and administrative systems. But we are vitally interested in and very much concerned with the future of Hindu temples, the Devaswoms and other religious institutions hitherto maintained by the Travancore State. We are anxious that adequate guarantees should be provided for the preservation and progress of these sacred institutions, and that their future administration should be placed in the hands of representatives of Travancore Hindus so that the Devaswoms may become a live force for the regeneration of Hinduism.

DEVASWOMS *vis-a-vis* THE STATE LEGISLATURE

15. There is a particular reason why we feel obliged to stress this matter at this juncture. In order to clarify our position, it becomes necessary to go back into the history of the legislature and the growth of the constitution in Travancore. In this State, the supreme legislative authority has all along been and is the reigning Sovereign. The Maharaja is an integral part of the Government, though, in the process of time, powers have

been devolved on legislatures and ministers who, however, exercise only delegated authority. In 1888, for the first time in the history of any Indian State, a Legislative Council was constituted in Travancore by Regulation II of 1063, promulgated by the Sovereign. The object was only the very modest one—

“that the Dewan should have the benefit of discussing and taking the opinion of respectable persons in matters of legislation which, as being one of the most important functions of the Government, should receive the most careful consideration before being submitted to the Sovereign to be passed into law”.

The Council had plenary powers and no restriction whatever was placed on its powers, except that bills affecting the public revenue of the State or imposing a charge on it can be introduced only with the previous sanction of the Dewan. In 1892, the Indian Councils Act was passed and Travancore was not slow to follow the example of British India. In 1898, the Travancore Council was reformed by Regulation V of 1073, passed by the old Council itself. A further restriction imposed on its powers was the requirement that the previous sanction of the Dewan was necessary for introducing measures affecting the religion or the religious rites and usages of any community. This Council was again remodelled by Regulation I of 1095, passed, in September 1919, direct by the Maharaja. In that Regulation, it was made abundantly clear that the creation of the legislature did not detract from the inherent powers of the Maharaja to make laws on any and all subjects; and this position was formally accepted by the legislature. This was soon after followed by an expansion of powers, once again voluntarily granted, by Regulation II of 1097. In the list of prohibited subjects were included “State Charities and Devaswoms”. In 1932, the Legislature was reconstituted and made bi-cameral. The prohibition in regard to Devaswoms

to be merged in Provinces; States in Bombay are being merged, while in the south they are amalgamated. The Adviser to the States Ministry, who recently visited Travancore and Cochin, foreshadowed the integration of these two States into one unit; and the Indian States Ministry has now ordered integration with the neighbouring State of Cochin. In this State, there is a body of opinion which fondly desires the State to remain as a distinct entity; and another asks for its merger in the neighbouring Province of Madras. There is yet another school which visualises a linguistic province of Kerala comprising not only the two States of Travancore and Cochin but the Malayalam-speaking areas such as the Malabar District and adjoining portions of neighbouring Districts. We are not in the present context concerned with the particular form in which the future of South-west India will eventually materialise; and it is foreign to our purpose to appraise the advantages and disadvantages of amalgamating two most densely peopled States possessing highly complicated and exceedingly developed legal and administrative systems. But we are vitally interested in and very much concerned with the future of Hindu temples, the Devaswoms and other religious institutions hitherto maintained by the Travancore State. We are anxious that adequate guarantees should be provided for the preservation and progress of these sacred institutions, and that their future administration should be placed in the hands of representatives of Travancore Hindus so that the Devaswoms may become a live force for the regeneration of Hinduism.

DEVASWOMS *vis-a-vis* THE STATE LEGISLATURE

15. There is a particular reason why we feel obliged to stress this matter at this juncture. In order to clarify our position; it becomes necessary to go back into the history of the legislature and the growth of the constitution in Travancore. In this State, the supreme legislative authority has all along been and is the reigning Sovereign. The Maharaja is an integral part of the Government, though, in the process of time, powers have

been devolved on legislatures and ministers who, however, exercise only delegated authority. In 1888, for the first time in the history of any Indian State, a Legislative Council was constituted in Travancore by Regulation II of 1063, promulgated by the Sovereign. The object was only the very modest one—

“that the Dewan should have the benefit of discussing and taking the opinion of respectable persons in matters of legislation which, as being one of the most important functions of the Government, should receive the most careful consideration before being submitted to the Sovereign to be passed into law”.

The Council had plenary powers and no restriction whatever was placed on its powers, except that bills affecting the public revenue of the State or imposing a charge on it can be introduced only with the previous sanction of the Dewan. In 1892, the Indian Councils Act was passed and Travancore was not slow to follow the example of British India. In 1898, the Travancore Council was reformed by Regulation V of 1073, passed by the old Council itself. A further restriction imposed on its powers was the requirement that the previous sanction of the Dewan was necessary for introducing measures affecting the religion or the religious rites and usages of any community. This Council was again remodelled by Regulation I of 1095, passed, in September 1919, direct by the Maharaja. In that Regulation, it was made abundantly clear that the creation of the legislature did not detract from the inherent powers of the Maharaja to make laws on any and all subjects; and this position was formally accepted by the legislature. This was soon after followed by an expansion of powers, once again voluntarily granted, by Regulation II of 1097. In the list of prohibited subjects were included “State Charities and Devaswoms”. In 1932, the Legislature was reconstituted and made bi-cameral. The prohibition in regard to Devaswoms

continued. In September 1947, the Maharaja issued a Proclamation to implement the policy of satisfying popular aspirations and it was therein laid down :—

"Now therefore, We are pleased to command that a representative body consisting of persons elected on the basis of adult franchise should be constituted and they should consider and submit to Us a draft for the revision or modification of the Constitution Act, with a view to the establishment of such responsible government. Matters relating to Our Palace and Our Royal Family and to the Devaswoms and Hindu religious endowments shall be excluded from the purview of the contemplated modifying legislation".

The prohibition has been reiterated in the Interim Constitution Act, 1123, passed on the 24th March 1948.

The provision excluding the Devaswoms and Hindu religious endowments from the purview of the Constituent Assembly and the fact that responsible government would be functioning in the State only under the aegis of His Highness the Maharaja had given the Hindus sufficient assurance as to the future. There was no room for anxiety so long as the Maharaja functioned as head of the State, and could be expected to respect and implement the reiterated obligation of the Government to maintain the Devaswoms efficiently for all time to come and had power to allot funds for their upkeep without the vote of the legislature. It is not known what exactly the future set-up will be, who will frame the constitution and what the position of the Ruler will be. In these altered circumstances, the Hindus desire that clear and specific provision should be embodied in the Constitution Act relating to the Travancore-Cochin Union for satisfying the legitimate claims of Devaswoms for all time to come without their existence being subjected to the whims of legislatures composed of persons holding all sorts of views on religion in general and Hinduism in particular.

DEVASWOMS IN JEOPARDY

16. The majority of the Devaswoms in this State have a legal and admitted claim on the general revenues, not to speak of the paramount duty of a Hindu State to preserve its religious institutions. In the future, it may be anticipated, rather it is to be feared, that the administration of the finances of the State will be carried on by a secular government where it may even be that followers of other religions will be able not merely to influence its decisions but may even predominate in numbers. Moreover, ideologies advocating a pattern of life where materialism plays a predominant part without the moderating influence of any religious faith may inspire secular governments of the future. Revolutionary economic doctrines which do not believe in property rights of individuals or institutions may come to dictate policies where religion is considered an irrelevant to the business of living. The Hindus therefore consider it of the utmost importance that adequate notice should be taken of the history of the State and the relation of Devaswoms to the State, and that the legal and moral obligation of the State should be fixed once for all, beyond all possibility of risk.

TRAVANCORE A HINDU STATE

17. The *Ayyappa Seva Sangham* wishes to impress the fact that Travancore is a Hindu State. Travancore has been ruled by an unbroken line of Hindu Kings from the earliest times. In the *Puranic* age, a Chera King is mentioned in the *Mahabharata* as having participated in the battle of Kurukshetra more than three thousand years before Christ and to have assisted in providing food for the combatants. The State had originally and for a long time only a Hindu population; and the other religionists came in only much later in historic times. Moreover, two centuries ago, Maharaja Martanda Varma, the founder of modern Travancore, dedicated the State, which he had expanded by conquest and consolidated, to Sri Padmanabha, his tutelary deity, by a formal act

of State performed in the most solemn manner in the presence of the temple dignitaries, the heir-apparent to the throne, the other members—male and female—of the family, the ministers and other prominent individuals. The following is a translation of the Deed of Gift dated the 21st January 1750 :—

“ We, Bala Martanda Varma, the senior member of Trippappur of Sri Pandarakaryam Cheywarkal, have this day transferred, by absolute gift and dedication, to endure as long as the sun and the moon shall last, all the lands and functions appertaining thereto, together with all rights and dignities and all other possessions that we have hitherto been enjoying as of right within the territories between the Tovala fort in the east and the Kavanar river in the west in favour of Perumal Sri Padmanabha Perumal. In token whereof we have this day executed this deed of absolute gift and dedication.”

Territories subsequently annexed were also similarly dedicated. The ceremony consisted in the Maharaja placing the State Sword, the symbol of authority, in front of the deity and receiving it back consecrated. The Maharaja thereafter assumed the title of *Sri Padmanabha Dasa*, servant of Sri Padmanabha; and since then this has invariably formed part of the title of the Rulers of Travancore who act as servants and agents of the deity. The dedication was a formal and solemn act and the character thereby stamped on the constitution of the State has never been lost sight of by Maharaja Martanda Varma's successors on the throne of Travancore who live “as ever in the great taskmaster's eye”; and they have incessantly striven to discharge with unswerving devotion the sacred trust handed down to them. It may incidentally be mentioned that Travancore was the first State to open its temples to all Hindus and thereby secure a consolidation of the Hindu society. Travancore is thus and has always been a Hindu State. It has contributed substantially to the heritage of Hindu culture, and rendered signal service to the cause of Hindu consolidation. No doubt, latterly, ideas of a secular

State have here, as elsewhere, got hold of the popular imagination; and it is often forgotten that, even in the most advanced countries of the west, vestiges of the theocratic State survive in the constitution. In the new set-up that will come into being with the growth of democratic institutions in this State, with a heterogenous population following various religions, the Hindus desire that the necessary safeguards should be provided in the constitution, not to perpetuate the Hindu State which may not be considered practical politics, but to guarantee the preservation and progress of Hindu religious institutions.

18. The Prime Ministers of Travancore were originally known as *Dalawas* and then as *Dewans*; and there is a succession list of them from 1729. Except for the fact that, for nearly three years, *i. e.* from the 3rd June 1811 to the 12th May 1814, Col. Munro, who was Resident, assumed charge as Dewan as well (as happened in Cochin too), the Dewans have all been Hindus. Owing to over-riding political considerations, only Hindus could by custom occupy this office and did so till 1925. The departure made twenty-four years ago from tradition was during the Regency administration; since then non-Hindus have been appointed as Dewans. A similar practice or convention has been followed also in regard to the Chief Justice of the High Court. The custom which has remained unbroken through more than two centuries is a historical fact, however it may be viewed today.

MAHARAJA THE SPIRITUAL HEAD

19. The Ruler of Travancore is the source of all authority, judicial, administrative and legislative. Even today, judgments of the High Court in certain classes of cases have to receive the formal approval of the Sovereign. Though administrative and legislative powers have been gradually delegated to the utmost extent, the Maharaja remains the fountain of authority. But the Maharaja stands for much more; he is also the spiritual and religious head of the State. By custom and

tradition, he exercised large and undefined powers in socio-religious matters such as adoption, ex-communication and appointment of temple functionaries. Such powers extend even to institutions outside the State as, for instance, in selecting and ordaining the *Tachudya Kaimal* (a non-Brahmin *sanyasi*) for the Koodalmanickam Devaswom at Irinjalaçuda in the Cochin State and the Raval at Badarinath. In 21 T. L. R. 211, it has been ruled that the Sovereign is the supreme authority in ecclesiastical matters and that the *Tantri's* power to declare a person an outcaste was not final. The Rulers of Malabar exercised from ancient times *melkoima* right over the religious institutions; and they were competent to remove managers of Devaswoms and make arrangements for proper superintendence, a power which has been embodied in an Act of 1903 under which the State can, on complaint and after enquiry, assume, if need be, the management of Hindu religious institutions. It is essential, in the present condition of the Hindu communities in Travancore, that there should be an undisputed spiritual head; and if a plebiscite is taken on this question, there would be a general consensus, rather unanimity, of opinion in favor of continuing the present system. A statutory body like the contemplated Devaswom Board cannot obviously exercise the same influence or command such implicit obedience as the Maharaja can in virtue of the hallowed traditions associated with his office and the tremendous emotional significance attached to Royalty in this State.

STATISTICS OF PLACES OF PUBLIC WORSHIP

20. Statistics are not available about the number of temples in the State at any time prior to 1816, when Lieutenants Ward and Conner conducted an exhaustive survey of Travancore and Cochin. According to them, there were in Travancore at the time 3,662 principal temples dedicated to superior divinities, 15,862 temples and groves dedicated to minor divinities and 871 public religious places. The Travancore Census Report for 1931 compares the figures

relating to public places and those for public worship in the statement reproduced below:—

	1816—20	1931
Public institutions for education.	264	4,940
Public offices of various descriptions	1,026	2,048
Principal temples dedicated to superior divinities	3,362	9,250
Temples and groves dedicated to several minor divinities	15,862	
Places of worship belonging to the inferior castes	2,434	
Churches	301	2,627
Mosques	254	756

The figures relating to educational institutions, which have increased nineteen times, and of public offices, which have doubled, indicate the general progress in the country. Muslim mosques have increased by 300 per cent. and churches by nearly 900 per cent. The striking decline in the number of Hindu religious institutions needs no comment.

ORIGIN OF DEVASWOMS

21. Parasurama, to whom mythology ascribes the reclamation of Kerala from the sea, was a pioneer who with his axe entered on virgin land, blazed the trail and introduced or extended cultivation. Instead of planting the flag, he built temples; and populations grew around them. Parasurama was the colonist *par excellence*; his mission was evidently to attain greater productivity as symbolised by his weapon—a different one from the communist sickle which seeks to reap where others perhaps have sown. A former Maharaja of Travancore, describing the origin of temples in Kerala, says that Aryan emigrants from beyond the Ghats brought their own priests who monopolised the lands; but in order to crystallise and retain their ownership, they demised large tracts of land and the revenues therefrom to certain temples built and consecrated

by them. Almost every temple of note, according to the Maharaja, had a synod of priestly wardens.

"They invited the leading layman or chief to membership of the synod and entrusted to him the stewardship of the whole temple domain subject to their superior authority. Thus arose these rich temples. Thus arose the Sovereignities of the Malabar coast. To say that the temples were endowed by the Sovereign would be to put the cart before the horse."

The vast accumulation of property under the control of these synods made the latter a powerful political factor in the country; and old records exist to show that these bodies exercised executive and judicial functions which made the sovereign power in the land a mere shadow.

STATE IN RELATION TO DEVASWOMS

22. Even before the assumption of Devaswoms in the time of Col. Munro, the State was incurring expenditure on Devaswoms. In the year immediately preceding the assumption, the expenditure so incurred was Rs. 2½ lakhs. The total revenue of the State was then in the neighbourhood of Rs. 20 lakhs; and from that amount, a tribute of Rs. 8 lakhs nearly had to be paid to the British Government. Some of these Devaswoms were founded by the Sovereign; some were situated in territories subjugated and they came therefore to be administered by the State; and some may have been assumed on account of mis-management. But it is to be presumed that all these had endowments from which the expenditure was met.

The Sri Padmanabhaswami temple, the family shrine of the Maharaja, is not included in the above. It owns separate landed properties; and the whole management and supervision of the temple vests in the Sovereign who appoints the necessary establishments and arranges for the due performance of service.

The Devaswom Proclamation of 1922 related only to the Devaswoms — 348 major and 1171 minor — assumed in 1811. Subsequent to that, a number of Devaswoms were brought under control; and in those cases, wrongly according to the High Court, the properties were not kept separate. The maintenance of separate accounts of income and expenditure obtains in the case of temples assumed under the Hindu Religious Endowments Act of 1903. Some of them, like the Turavur temple, came under Sirkar management even before the Act came into force. There are Devaswoms, outside the State, as at Perumanam, where large endowments have been made and are now being administered by the State for the performance of daily *poojas*.

According to the present classification, Incorporated Devaswoms are the institutions directly managed by the Sirkar; the expenditure was being met from the State finances, while their rents and other income were mixed [up with the general revenues of the State and were capable of being appropriated for other general purposes. Unincorporated Devaswoms are those Devaswoms which have a separate account each, the income and the expenditure being so recorded, and the expenditure met from the receipts. They are the Personal Deposit Account Devaswoms. In this category are the institutions the management of which has been taken up by the Government under the Hindu Religious Endowments Act of 1903. The Incorporated Devaswoms are, for administrative convenience, classified as major and minor. Detailed accounts are maintained for the former in regard to the various items of expenditure, while, in regard to the latter, fixed allotments are made and the expenditure is not audited but left to the manager's control. There are also several temples both in and outside the State to which grants-in-aid are given.

EARLY HISTORY OF DEVASWOMS

23. The more important Devaswoms were independent corporations which, like some Catholic churches in Europe during

the middle ages, exercised temporal as well as spiritual authority in their *sankethams* or domains. These ecclesiastical heads enjoyed the powers of political chiefs, including those of life and death over the people living in the *sankethams*. The general control was vested in a body of *uralers* or trustees and the executive authority was generally exercised by chiefs elected and consecrated by certain bodies of Vedic Nambutiries. The Rulers of Malabar exercised little or no authority over the temples and their *sankethams*. The management of the Sri Padmanabhaswami temple itself was vested in a council of nine persons, of whom the Maharaja of Travancore was one; and he had only half a vote. Owing to dissensions within the management or aggressiveness of neighbouring chiefs, the *uralers* associated the Rajas with the management of the temples; nevertheless, the religious corporations retained their authority in spiritual and temporal matters practically unimpaired for a long time. It was only about the middle of the eighteenth century that their temporal power was entirely broken up. Generally the temples were well endowed; besides, they could all get a more or less substantial recurring income from the daily offerings made by worshippers. Few of these Devaswoms were founded directly by the State; but it used to make contributions to many of them, including some outside the State. Temples came under the management of the State in a variety of ways. Some were secured by conquest; some came by escheat; some were surrendered by the local trustees. The most important event in the history of Devaswoms was the act by which Dewan-Resident Col. Munro assumed the management of 348 major and 1123 minor Devaswoms in the year 1811.

INCORPORATION OF DEVASWOMS

24. The beginning of the nineteenth century marked the perpetration of various inroads into the sovereignty of Travancore by the paramount power. The Maharaja was forced

to sign the treaty of 1805, and the Resident began to interfere in State affairs. Velu Tampi Dalawa, the Chief Minister, who was perhaps the first Indian patriot to raise the cry of "Quit India" against the British imperialist, was treated as a rebel and a traitor and obliged to commit suicide to avoid the ignominy of capture. His dead body was later, by the orders of the Madras Government, hanged on the gallows at Kannanmoola—a suburb of Trivandrum and now a centre of the London Missionary Society. The Maharaja died in November 1810, and Gouri Lakshmi Bayi ascended the *masnad* in the absence of a male heir. To Col. Munro she entrusted everything connected with the country. The successor to Velu Tampi was removed from office with the approval of the Government of Madras, to whom the Colonel proposed—

"that the office of the Dewan should be discontinued and that the Resident should superintend the administration of affairs if that measure should be agreeable to the wishes of Her Highness the Rani and the people".

Col. Munro accordingly assumed the Dewanship on the 3rd June 1811 with the approval of the Rani. The assumption of the management of Devaswoms was one of the earliest measures carried out by the Dewan-Resident. About the same time, Col. Munro assumed the Dewanship in Cochin as well, and there too he similarly assumed the management of Devaswoms. The subsidy to the British Government was in arrears; and Col. Munro was desirous of augmenting the financial resources of the State. The underlying purpose of the assumption of Devaswoms may well have been to get at the hoarded wealth of the temples and their considerable recurring income. About these Devaswoms, Mr. Shangunny Menon says, in his *History of Travancore*, as follows:—

"These Devaswoms became possessed of immense wealth and landed properties, to which latter numerous tenants were attached, who established themselves as ryots or subjects, so much so that the Devaswom managers and trustees enacted rules and laws for the management of the

Devaswom properties and began to enforce these laws, independent of the King, within the limits of their landed properties."

Lieutenants Ward and Conner say about this assumption as follows:—

"The assumption of pagoda lands appears to have been a most judicious measure as reducing the power of authorities that must have jarred with those of the State, but above all correcting their abuses".

WHAT THE ASSUMPTION MEANT

25. There has occasionally been some difference of opinion about the exact implications of the act of Col. Munro in regard to the Devaswoms. There is no formal Royal Proclamation of 1811 assuming the Devaswoms. The executive orders emphasise that the assumption was made to secure better management. Col. Munro appointed a committee to revise the *pathivus* or scales of expenditure and ordered a register of the properties—movable and immovable—of the assumed Devaswoms being prepared. The real object may have been, as already indicated, to curb the power of the numerous Hindu chiefs who owned extensive lands and wielded wide powers as managers of the Devaswoms. The difference of opinion is as to whether the assumption was only of the management or superintendence and as to whether the Government are only trustees.

SPECIAL OFFICER'S REPORT

26. In 1907, Government appointed Mr. M. K. Ramachandra Rao, a judge of the High Court of Travancore, to report on Devaswoms, State Charities etc.; and after an elaborate consideration of the question, he came to the conclusion that the State, by assuming the management of Devaswoms and their properties, did not acquire any independent proprietary rights thereto. He also referred to the instinct of the Hindu community, which is against

the spoliation of temples and temple properties, which would justify the view that what was assumed was only the management of the temples. He came to the definite conclusion that the relation of the Government to the Devaswoms must be deemed to be wholly that of a trustee and that therefore the treatment of Devaswom lands on the same footing as Sirkar lands, which adversely affected Devaswom revenue, its quantum and elasticity, must be considered wrong.

27. Government, in G. O. No. D: 4905, dated the 25th October 1912, passing orders on the above report, virtually accepted the above view and reiterated their intention to separate the Devaswom lands from the Sirkar lands. They recognised that their position in regard to Devaswom lands was fundamentally different from their position in regard to Sirkar lands. They expressly reserved to themselves the right to supplement the Devaswom revenue from the general revenue of the State to such an extent as may at any time be necessary to ensure the efficient maintenance of Devaswoms. It was also stated by Government that, independently of the Maharaja's undoubted right to maintain, out of the revenues of his State, the institutions of the Hindu religion, there is the circumstance that, in regard to the Devaswoms taken up during the time of Col. Munro, the Sirkar then by a solemn act undertook the obligation to maintain them in an efficient condition for all time to come. The Government affirmed that this obligation would always be borne in mind by them.

DEVASWOM SEPARATION COMMITTEE REPORT

28. Subsequently, in 1920, Government appointed a mixed committee, consisting of three Hindus and two Christians to report on the question of the separation of the Devaswoms from the Revenue Department, in order that Christians and other non-Hindus may be appointed to some posts in the Revenue Department. The first question on which the Committee was asked to report was the following:—

“What is the position of the Travancore Government in regard to Sirkar Devaswoms? Is it that of a trustee merely or one involving greater responsibility, seeing that the Devaswom land revenue was long ago merged in the general land revenue beyond any possibility of separation? Does not this complete merger render the State liable to maintain the Devaswoms concerned, out of the public exchequer, in an efficient condition for all time?”

29. The majority report was that the assumption of Devaswoms by Col. Munro was apparently carried out in exercise of the Government's position as *parens patriae* over all such public institutions. The assumption was an act of political necessity and was intended to secure the better management of temples. The majority reject the opinion that the assumption was an act of State and that the assumption was tantamount to confiscation. The Committee was unanimously of the opinion that the Devaswoms were not confiscated by Col. Munro, that the object of the assumption was the better management of the institutions, and that, by the merger of the Devaswom revenues with those of the State, the Government incurred an obligation to maintain them efficiently for all time to come. From the political and other considerations which weighed with Col. Munro in deciding on the assumption of Devaswoms and the merger of the revenue from Devaswom lands in the public revenue, the majority of the members were inclined to hold that the position of the State with reference to these Devaswom lands was more that of a Sovereign proprietor legally accountable to none than that of a trustee. It is reasonable to infer that the majority were deterred from accepting the trust theory, as they feared accounts would have to be rendered by Government and that civil suits might be filed for compelling the Government to render accounts of individual Devaswoms. But whatever the character of the act, the majority had no doubt that the Government were under an absolute obligation, that is to say, without reference to the income from the properties taken over by the State or the existence of any property for any particular Devaswom, to maintain the Devaswoms in an efficient condition for all time to come, from the general revenue of the State, keeping

steadily in view the long-continued practices and usages observed in them ever since their foundation.

30. The members of the Committee differed, however, in one respect, though this difference did not affect the general conclusion. While the majority held that the assumption was by virtue of the *melkoima* right of the Hindu Sovereign and that the State was therefore accountable to none though under an absolute obligation to maintain them efficiently always, one member was of opinion that the State was only in the position of a trustee. The dissenting member, Mr. P. K. Narayana Pillai, subsequently a Judge of the Travancore High Court, held the view that Government were only a trustee and that Col. Munro assumed the administration of the Devaswoms only for purposes of management, and in exercise of the *melkoima* right. He pointed out that Col. Munro's intention was to keep separate such properties, as it is seen that he called for an inventory of the movable and immovable properties and as Devaswom revenue was for some years separately recorded in the accounts. Further, the abstract accounts of 1818 show that lands were newly purchased for the assumed Devaswoms from the Devaswom funds; and even in the latest land revenue settlement, the distinction between Devaswom and Sirkar lands had been kept up.

GOVERNMENT ONLY A TRUSTEE

31. There have been a series of a decisions of the Travancore High Court which make the conclusion irresistible that the Devaswom lands assumed by Col. Munro were with Government only as trustees. The merger of Devaswom lands with Sirkar lands was, according to the High Court, initially a mistake. It was ruled by the High Court in 17 T. L. R. page 184, that —

“the Proclamation of 1040 relating to *Pandarapattam* lands does not cover lands held as *Devaswompattam* under the Sirkar and the tenants holding lands on *Devaswom-*

pattam under the Sirkar must be treated as other tenants."

This ruling followed an earlier one in 15 T. L. R. at page 185. The judges in that case have observed that—

"the assumption by Government of the management of Devaswoms is not a confiscation or usurpation and does not vest the properties attached to these institutions in the Sirkar."

In 32 T. L. R., page 54, it has been ruled that, in regard to the Kaviyoor temple, assumed much later, the Sirkar occupies only the position of manager, though its revenues were also included in the general land revenue.

32. Successive Dewans have categorically stated that the State is only a trustee. In 1874, Dewan Seshiah Sastri, in his Administration Report for 1048—49, said, "The interest of the Government in respect of these institutions is for the most part only that of a trustee." This was repeated by Sir P. Rajagopalachari who, reviewing the Final Revenue Settlement Report, made an attempt to separate Devaswom lands, an attempt which proved abortive. For, a large number of Devaswom lands had been recorded in the Settlement as Sirkar, partly because they had already been so treated in the revenue accounts and partly through mistake, error or misconception. Separation had then become impossible as identification was not possible.

33. Our information is that the Advocate-General, Madras, was consulted in the matter; and he agreed with the minority report. According to him, the State intervened for the purpose of preventing mismanagement and took charge of the trust properties avowedly for the purpose of carrying out the purpose of the endowments. He pointed out that, where the trustee wilfully mingles the trust property with his own, the beneficiary is entitled to a charge on the whole fund for the amount due to him. He proposed that, as the original Devaswom properties had become incapable of identification and separation, it was the function and duty of the State to set apart, for the upkeep

of Devaswoms, that proportion of the total land revenue which the Devaswom properties, according to the calculations at the time of assumption, bore to the aggregate land revenue at the time. It was urged that the adoption of such a course would have the advantage of putting the Devaswoms and their rights on an understandable and definable legal basis, the Sovereign frankly accepting the trusteeship and endeavouring as best he can under the present circumstances. It was not enough, according to the Madras Advocate-General, if the duty and obligation of the State to maintain the Devaswoms is accepted.

It was on the basis of the Madras Advocate-General's opinion that the Royal Proclamation was issued in 1922, which provided for an allotment being made in the State Budget every year for the Devaswoms, such allotment being not less than forty per cent. of the *ayacut* and *sanchayam* land revenue of the State. This Proclamation conceded the claim of the Devaswoms to a share of the State revenues, recognised the obligation of the State to maintain the Devaswoms efficiently for all time and affirmed the right of the State to supplement the grant to the Devaswom Fund if need be.

TRUSTEESHIP TO BE RE-ITERATED

34. The question whether Government is in the position of a trustee in regard to the Devaswoms which have been assumed from the time of Col. Munro is even now of more than academic interest, for, in the future, the right of the Devaswoms to a share in the State revenue may be forgotten and only the fact of the annual contribution and its amount noticed. Unless the trust theory, repeatedly admitted by Government though not acted upon for political and administrative reasons, accepted by high legal opinion and regularly emphasised and followed in a series of judicial decisions, is definitely and unambiguously proclaimed, the contribution to the Devaswom Fund may at some time in the future be cited as a relic

of "Hindu domination". The *Samgham* would suggest the matter being placed before the Federal Court for adjudication, if necessary.

DEVASWOMS IN COCHIN

35. The history of Devaswoms in Cochin is in some respects different; and the problem does not therefore arise in regard to that State in the form in which it confronts the Hindus in Travancore. The first time that the State assumed to any considerable extent the direct management of Devaswoms in Cochin was after the invasion and partial conquest of Cochin by the Zamorin in the middle of the eighteenth century, when many of the chiefs of Cochin transferred their allegiance to the Zamorin. After the final expulsion of the Zamorin in 1762, the chiefs were deprived of their administrative powers and their properties were confiscated wholly or in part. Most of the chiefs were also managers of Devaswoms and therefore those religious institutions too came under the direct management of the State. The corporations of major Devaswoms were also, like the chiefs, deprived of their sovereign powers and their managements were assumed by the State either as a punishment to the renegades or on the request of the managers themselves who felt obliged to surrender them in those troublous times. Several minor Devaswoms were subsequently taken over by the State on the ground of mismanagement. Thus by the time Cochin came under British supremacy, it had a large number of Devaswoms under its direct management. Col. Munro in 1812 assumed them as investigation had convinced him of their mismanagement; and with a view to secure their satisfactory management, he proposed the unification of the interests of the Sirkar and those of the Devaswoms by treating all Devaswom property as Sirkar property, merging all Devaswom receipts in the general revenues of the State and paying from the public treasury all Devaswom expenses according to a fixed scale. He appointed a committee to overhaul all Devaswom accounts, to prepare accurate registers of all Devaswom properties and to prescribe, in con-

sultation with the high priests and in accordance with existing usages, a *pathivu* or fixed scale of expenditure for the daily, monthly and yearly ceremonies of each temple and for the remuneration of all temple servants. The proposals were given effect to between 1814 and 1818. About twenty-five years after the incorporation of these Devaswoms, two well-endowed temples were surrendered to the Sirkar by the *uralers* owing to their incapacity to manage their affairs properly; but for unknown reasons, they were treated differently. Their properties and receipts were not amalgamated with those of the State but were kept separate and their expenditure was met from their respective receipts. Subsequently several other Devaswoms came under the management of the Sirkar and they too were treated similarly, in the same way as now when institutions are taken under management under the Hindu Religious Institutions Act.

The Devaswoms number 149 incorporated, 93 minor and 26 unincorporated, with 66 subordinate ones. They were first administered through the Revenue Department and later on by a separate Devaswom Superintendent. The several Devaswoms were administered as isolated units. Some of the incorporated Devaswoms were more than self-supporting, but the majority of them had no property of any kind and were maintained out of the surplus receipts of the former or from the general revenues of the State. The incorporated Devaswoms own landed property to the extent of 33,249 acres, of which 7,265 acres are in the Malabar District, 298 acres in Travancore and the rest within the State. In all the Revenue Settlements since Col. Munro's time, the Devaswom lands within the State, recorded as such in the accounts, were assessed nearly in the same manner as Sirkar (*Pandaravaka*) lands and the paddy assessment levied in money at the same commutation rate. The extent of the unincorporated Devaswom lands is 22,558 acres, of which 2,312 acres are in Malabar and 1,101 acres in Travancore. These lands and those of incorporated Devaswoms outside the State are held in *jenmom* and are subject to all the incidents and tenures of private *jenmom* lands,

The adoption of identical rules for the assessment of tax and the same commutation rate for fixing the price of paddy gradually led to the receipts from the incorporated Devaswoms being not enough to cover the expenditure, while the unincorporated Devaswoms being under no such handicap were not only self-supporting but were able to accumulate annual surpluses.

In 1907, the Cochin Government appointed a special officer to report on the question of making the Devaswom administration more efficient, with special reference to departmental organisation and departmental finance and procedure. The Proclamation dated the 11th February 1910 and an amending one dated the 5th September 1916, intended to give statutory effect to the orders of Government on the special officer's report, now govern the Devaswoms in Cochin. Under this, all Devaswoms under Sirkar management, incorporated and unincorporated, were amalgamated and constituted into a separate endowment, the several Devaswoms being thus made component and interdependent parts of a whole instead of being isolated units. This involved the complete restoration of the properties and moneys of such of the institutions as were annexed to the Sirkar over a century ago and the creation of a separate trust fund. The receipts and expenditure of the Devaswoms were entirely separated from the general revenues; but the Devaswoms were allowed to bank with the State Treasuries. The *pathivus* or customary scales of expenditure were revised and standardised; and the Revenue Department which collected the revenue due to incorporated Devaswoms was to be given a commission. The repairs to the temples were to be carried out from the Devaswom fund, the Public Works Department being given a commission for overhead charges.

It will thus be seen that, though the acts of Col. Munro were identical in both the States, the properties were always kept separate in Cochin and the revenue from the lands, though attenuated by assimilation to Sirkar revenue standards, is earmarked and is available. There is, no doubt, complaint that, owing to neglect or worse, all Devaswom lands have

not been recorded as such and that the Department has not obtained credit or reparation for charges debited to it. In Cochin therefore no question about the revenue to be credited to the Devaswoms now arises for consideration. The contention that what was assumed by Col. Munro was only the management of Devaswoms and that Government thereby only became trustees, has been accepted and acted upon in Cochin all the time. The act being the same, it cannot be that in Travancore a different result has followed or can be justified. The mistake made here in merging Devaswom lands with *Pandaravaka* lands and in systematically appropriating to the general revenue the income from these lands as well as the daily collections, cannot alter the position of the Devaswoms *vis-a-vis* the State.

BASIS OF STATE CONTRIBUTION

36. In Travancore, the right of the Devaswoms to be maintained out of the State revenue as well as the obligation of the State to maintain the Devaswoms in an efficient condition has been conceded. Its claim to a share of the land revenue has been admitted and was fixed in the first Devaswom Proclamation of 1922. Subsequently basic tax on land was introduced and the share of the Devaswoms would automatically have been reduced. This was avoided by a Proclamation fixing the minimum grant at Rs. 25 lakhs per annum but without reference to any proportion or any arrangement for periodical revision. With the grant of responsible government and the transfer of Devaswoms and charitable institutions to the direct control of the Maharaja, the grant had to be fixed at Rs. 50 lakhs a year, to cover also the expenditure incurred on other Devaswoms in and outside the State and on State Charities, as well as on the administrative staff of the Devaswom Department, these matters being entirely out of the jurisdiction of popular ministers.

One grave defect in these two latter Proclamations is not the inadequacy of the amount, but its inelasticity. Its elasticity could have been secured by fixing a proportion to the general revenues of the

State. If in existing circumstances it has been difficult to correlate the contribution with the land revenue, it may well happen that the impending vast and fundamental changes in land policy would make any such approximation absolutely impossible. The safest and best means will be to fix the contribution for Devaswom expenditure as a definite proportion of the general revenue of the State, subject to a minimum fixed on the basis of existing expenditure and immediate requirements. The Devaswoms whose properties have at various times been taken over by the Sirkar will then have their legitimate claim for a progressive income satisfied. They will be enabled to meet the needs arising from higher prices, wages, salaries, etc. It would be placing an unfair handicap on the Devaswoms to oblige them to live on an amount fixed today when in conditions fifty or a hundred years hence prices may be infinitely higher and money values considerably less. It will be shocking to learn that there are hundreds of employees in temples whose monthly salary is less than the daily wages today of an unskilled workman. The revision of their pay to a living wage is a pressing problem which will not brook postponement in the present economic background. It is unfortunate that, owing to the failure of the Department for the last quarter of a century to face this and other problems, some unspent balances have been annually accumulating into a small surplus fund.

INCOME FROM DEVASWOM PROPERTIES

37. It will be useful to examine the value of the income from the properties of the Devaswoms assumed by Col. Munro in order to assess the quantum of the dues to the Devaswom Fund. Up to 1810, *i. e.* till the year before Col. Munro's assumption orders, the State was contributing from the general revenues an annual sum of Rs. 2½ lakhs as Devaswom expenditure. This was spent partly on temples founded by the Maharajas as at Neyyattinkara and Quilon and dedicated to public use. Some of the temples may have passed over with their properties on the conquest of the territories of Nedumangad, Kottarakara, Ambalapuzha etc. Some had been

acquired under treaties or engagements as with the Rulers of Cochin, Alangad and Parur and Pantalam, which contain undertakings to maintain the temples. Some may have been taken over due to mismanagement or surrendered because of the inability of private owners to manage them. In all these cases, there were lands attached and the expenditure incurred on Devaswoms till the wholesale assumption by Col. Munro was presumably met from the income from the properties of the Devaswoms concerned. In the annual report of the State for 1873—74, it is said:—

“Out of the Devaswom *jenmi* lands alluded to in the beginning of this notice, those were assumed and brought under the direct management of the Sirkar in 987 M. E. (A. D. 1811) during the administration of Col. J. Munro. They consisted of 62,000 gardens and 5,48,000 *paras* of paddy lands, the former yielding a total of about Rs. 50,000 and the latter Rs. 3,50,000, total Rs. 4,00,000”.

(A *para* is a grain measure of eight hundred cubic inches; and when used with reference to seed-sowing capacity of land, one *para* of paddy or wet land is one-seventh of an acre.)

“The annual expenditure out of this is only Rs. 2,50,000 leaving a surplus of Rs. 1,50,000. There is of course other expenditure, purely Sirkar, on some of these and numerous others which had received direct support from Government.”

“The lands thus assumed now yield a revenue of Rs. 4,30,000, while the annual expenditure on the 378 pagodas concerned with them amounted to Rs. 3,82,000 in 1049’.

According to the accounts of 1821, the full tax of Devaswom paddy lands appears to have stood at 15,55,561 *paras* $3\frac{1}{2}$ *edangalies* of paddy and Rs. 17,287-18 Chs. 12 Cash. (An *edangali* is one-tenth of a *para*.) The interest on loans amounted to 1,04,514 *paras* $\frac{7}{8}$ *edangali* of paddy and Rs. 9,695-26 Chs. 15 Cash. It is not known what has happened to the principal on which the interest was being received; apparently it was recovered and has been credited

to the State revenues. The garden tax amounted to Rs. 43,299-3 Chs. 6 Cash. Mr. Ramachandra Rao estimated that, if Devaswom lands also had been allowed to share in the general increase of the tax on the figures of 1812, the revenue could, in 1907, be taken to be 18 lakhs of *paras* of paddy and Rs. 80,000 in cash. The Government have, in the Press Communique dated the 12th April 1922, issued simultaneously with the Devaswom Proclamation, admitted that the average annual income for the five years commencing with 1811 was 16,06,281 *paras* of paddy and Rs. 60,608 in cash. Even so early as 1873, the Dewan had told the Madras Government that it had become difficult to separate Devaswom lands from Sirkar lands. The attempt to do so made by Government, when reviewing the Final Settlement Report, had proved futile, though it contained an admission that the Devaswom lands were fundamentally different from Sirkar lands and were under the control of Government only as their manager.

The loss of revenue consequent on fixing the same commutation rate for paddy as in the case of Sirkar lands, the inclusion of extensive Devaswom *cherikals* as Reserve Forest or Sirkar land at the settlement, and the deprivation of the increase in revenue due to extension of cultivation have been factors preventing the accrual of their legitimate revenue to Devaswoms. But equally important was the application of the Pattom Proclamation of 1865 to Devaswom lands. By the above Proclamation, Government conferred permanent proprietary rights on the holders of Sirkar or *Pandaravakapattam* lands. The extension of the law to cover Devaswom lands has been condemned as wrong by the High Court. The effect of the application was that the Devaswoms which were *jenmis* in respect of these lands ceased to be such. The dues to Devaswoms were reduced because tax was levied at commutation rate when paddy tax was abolished. The tenure of the land was itself altered and Government naturally hesitated to disturb the rights already granted to holders of Devaswom lands. The Devaswoms also suffered loss due to the enfranchisement of service *inam* lands.

It was not on a full evaluation of the above facts that the minimum of Rs. 16 lakhs was guaranteed for Devaswoms by the Proclamation of 1922. A resettlement was in contemplation at that time and it was hoped that the injustice to the Devaswoms would be removed thereby, because a resettlement would have meant at least a doubling of the land revenue demand.

RESULT OF MERGER OF REVENUES

38. The merger of Devaswom land revenue with Sirkar land revenue created dissatisfaction among Hindus as well as non-Hindus. The former felt that, far from the general tax-payer having contributed to the maintenance of the Sirkar Devaswoms, surplus revenues that had accrued during the last one and a half centuries nearly had been appropriated for general purposes to the detriment of the Devaswoms. On the other hand, the non-Hindus were under a misapprehension that the general tax-payer was paying for the upkeep of Hindu temples. Government felt it undesirable that there should be an appearance of liability being thrown upon the general tax-payer when there was none, or that the liability should appear to be much larger than it really was. That was why, in 1912, Government ordered steps being taken to prepare an accurate list of the Devaswom lands. It was not possible, Government explained, during the currency of the settlement, to alter immediately the tenure or the assessment of the Devaswom lands. This, it was ordered, would be done at the time of the next settlement.

ESTIMATES OF DUES TO DEVASWOMS.

39. The necessity for any such separation, even if it were possible, may be taken to have vanished with the issue of the Proclamation of 1922; but it is desirable to emphasise that the Devaswom Fund which was given an annual contribution of 40 per cent. of the land revenue subject to the minimum of Rs. 16 lakhs really got only a fraction of its legitimate claim. The expenditure

in 1920 on all Devaswoms together may be taken as aggregating Rs. 23 lakhs. The Devaswoms have claims on the following heads of revenue. Devaswom land revenue would have amounted in 1921 to at least Rs. 9½ lakhs based on the proportion that subsisted between it and Sirkar land revenue in the years 1811-15. The expenditure from general revenues in 1810 on religious institutions was about Rs. 2½ lakhs. This expenditure was, apart from the existence of attached endowments, being incurred as a Hindu State in support of the State religion, a position accentuated and sanctified by the *Trippadidanam* or dedication ceremony. The surplus which accrued to the Government in the century and more that has elapsed since the assumption was between Rs. 1 lakh and Rs. 1½ lakhs a year. Three per cent. on this would entitle the Devaswoms to an annuity of at least Rs. 3 lakhs. The compensation payable for the loss sustained by the Devaswoms on account of the adoption of a commutation rate about one-fourth of the market price of paddy will be about Rs. 9,33,300. The rents which the Devaswoms could have secured had they been treated as a *jenmi*, would have entitled them to a further Rs. 28 lakhs. The above figures are mostly taken from the report of Mr. Ramachandra Rao and have, in other cases, been calculated with meticulous care by responsible officers. The total would be over Rs. 40 lakhs against the estimated expenditure of Rs. 23 lakhs in 1095 and against the Proclamation figure of Rs. 16 lakhs.

40. The above leaves out of account the lands of the 30 or more Devaswoms assumed between 1812 and 1903, some of which, like the Kaviyoor temple, possessed extensive paddy fields and garden lands. The Kaviyoor temple was assumed in 1900 and the revenue was then 9201 *paras* 1 *edangaly* of paddy and 23,334½ *fanams*. (One fanam is equivalent to one-seventh of a rupee.) The properties of the temples the management of which has been taken up after 1904 under the Hindu Religious Endowments Act are kept separate.

41. In fixing the percentage of the total revenues that may be made payable to the Devaswom Fund, the fact should be borne in

mind that the lower share was accepted by the public as there was the residuary power of the Hindu Maharaja to supplement the income. In the altered conditions of the future, the funds made available should be adequate and capable of normal expansion. There can be no objection to the quantum of the contribution being decided by the Federal Court. But in the event of that Court deciding that the Government are only trustees, accounts will have to be rendered and properties set apart—both equally impossible after a lapse of nearly 140 years.

42. In as much as the amount of annual contribution to the Devaswom Fund is fixed on the basis of the ascertained income from the trust properties, criticism about the actual amount is not justifiable or relevant. But as the future State will be anxious to augment the finances at its disposal, there will be a tendency to look askance at the figure, though a raid on the guaranteed contribution may be prevented by fixing the liability in the Constitution Act itself. The fear is not imaginary for, a few years ago, an Education Reforms Committee presided over by a European Officer of the Indian Educational Service, who subsequently became Director of Public Instruction in Travancore, formally recommended the diversion and utilisation of the surplus funds of the Devaswoms for the development of general education in the State. An expenditure of one-sixteenth (or less) of the State revenues on religious institutions may perhaps intrinsically appear high. It is necessary to clear misapprehension in the future and emphasise that the contribution to the Devaswom Fund is only an approximate and partial reimbursement of the legal and established claims of the Devaswoms.

PRESENT CONTRIBUTION

43 By the first Devaswom Proclamation dated the 12th April 1922, the contribution was fixed at forty per cent. of the *ayacut* and *sanchayam* land revenue. Government also undertook to defray besides the expenditure on the Department, *i. e.*, on the officers and

staff for the administration of the Devaswoms. It should be remembered that the fund was meant only for the Devaswoms the management of which had been assumed in Col. Munro's time; but the Schedule of Devaswoms included also the 30 or more Devaswoms assumed at various times and made expenditure on their account too a charge on the Devaswom Fund, though no account was taken of their properties in fixing the contribution. The figure was arrived at after calculating, with the help of defective and incomplete data, the dues of the Devaswoms from the lands and other assets merged with those of the Sirkar. As already stated, an estimate had been authoritatively prepared at the time fixing probable income at over Rs. 40 lakhs. And account was not taken in either case of the large number of Devaswoms assumed between 1812 and 1903, whose properties had been similarly merged.

44. The second Devaswom Proclamation, issued on the 9th July 1946, was rendered necessary by the introduction of basic land tax. That fiscal measure made it impracticable to fix the basis of contribution as a percentage of the land revenue. The minimum contribution was fixed at Rs. 25 lakhs, at a time when the actual expenditure was really much higher.

45. The third Devaswom Proclamation, issued on the 23rd March 1948, was necessitated by the grant of responsible government; and it fixed the contribution at Rs. 50 lakhs. But a number of additional burdens was simultaneously imposed, *viz.*, expenditure on all Devaswoms in or outside the State, expenditure on religious ceremonies conducted under command, etc. It was also laid down that the expenditure on the Devaswom Department, the officers and staff, should be charged to the Fund. By the Interim Constitution Act, 1123, passed on the 24th March 1948, provision was made for the grant of Rs. 1 lakh, for the maintenance of the Sri Padmanabhaswami temple. In effect, the total contribution to the Devaswoms in and outside the State amounts to Rs. 51 lakhs payable

from the general revenues. The actual expenditure on Devaswoms and State Charities in the years 1111 to 1117 averaged about ten per cent. of the total revenue and the percentage fell only with the abnormal rise in revenue due to war conditions. This Rs. 51 lakhs can be regarded only as modest and reasonable in the light of the facts urged in this Memorandum. The liability of the Government to pay the pensions of Devaswom officers already retired has not been made clear; and the method of reimbursing the Devaswom Fund in respect of future pension payments, at least in respect of the service already rendered by the officers, has not been decided; in fact, the question of pension payments does not seem to have been adverted to.

BASIS FOR FUTURE CONTRIBUTION

46. The suggestion made is that the contribution to the Devaswom Fund should be a determined proportion of the general revenues, in order to provide for all future contingencies. The Devaswoms owned lands only and the basis fixed in the Proclamation of 1922 was a percentage of the land revenue. Some explanation is necessary to justify the proposed change of basis as well as the modification of the present fixed allotment. The introduction of basic land tax reduced the land revenue receipts proper of the State; but it made up for the loss by the imposition of agricultural income tax. There will be no future settlement of land. It was stated by Government in 1922 that a re-settlement would double the land revenue demand and automatically the contribution to the Devaswom Fund as well. The policies in regard to land, land tax etc. may undergo radical changes in the near future. Land may be nationalised and public ownership made the rule. It is essential that the Devaswoms should be enabled to meet the increase in the general cost of supplies and services, which they would have been able to do if there were periodical resettlements when the taxes are revised with reference to prevailing prices of staple products like coconut and paddy. The general

revenues of the State are no doubt derived from a variety of sources other than land; but as it has become impossible to identify and separate the Devaswom lands, and as it is not the fault of Devaswoms that such revolutionary changes in land taxation policies occur, the Devaswoms, whose lands have been and are with the Sirkar as trustees, have to be given an equitable treatment. In fixing the percentage, the fact should not be lost sight of that some of the revenues would later on become central sources and not go to the Cochin-Travancore Union's exchequer. There might be difficulty in fixing the proportion with reference to the general revenues of the Union of Cochin and Travancore; but it will not be impossible to evolve a formula to arrive at basis for calculating it from the total revenue of the Union. Besides, the contribution enures to the benefit of about three-fifths of the population of Travancore.

TEMPLE SITES

47. The Proclamation of 1922 was a landmark in the history of Devaswoms in the State. Administrative and political considerations supervened, and Government were reluctant to admit their position as trustees. The genesis of the Proclamation lay in the desire to entrust the administration of Devaswoms to a separate department, so that appointments in the Land Revenue Department might be thrown open to non-Hindus and non-caste Hindus. If the position of trusteeship were accepted, it would follow that accounts should be rendered; and the tenure of the Devaswom lands would also have been radically altered. The most important provision in the Proclamation is that contained in Section 6 which runs as follows:—

“All immovable properties belonging to the Devaswoms mentioned in the Schedule and now shown in the revenue accounts as “*Devaswamvaka*” shall hereafter for all intents and purposes be deemed to be “*Pandaravaka*” and dealt with as such’.

The Government abandoned their intention, solemnly declared in 1912, to separate the Devaswom lands at the next settlement. The real concern of the Government in regard to this matter will be evident from the following extract from the Press Communique dated the 12th April 1922, which was issued simultaneously with the Proclamation :—

“In regard to the orders of Government issued in 1912 that the next Settlement should be so regulated as to enable the Devaswoms to secure the full revenue from their lands, the Devaswom Separation Committee have pointed out that this pronouncement of Government has created an amount of fear and discontent which it would be wise to allay and have expressed the emphatic opinion that the policy therein enunciated should be abandoned and that adequate measures should be taken to safeguard the privileges which the holders of Devaswom lands, in common with the holders of *Pandaravaka* lands, have, as a matter of fact, enjoyed for over a century, and that fixity of tenure should be guaranteed to them as in the case of *Pandaravaka* lands. Government concur in this view and resolve to declare all Devaswom lands as *Pandaravaka* lands and to place the holders of the former in the same position as that of the latter. This decision involves a substantial loss of revenue to the Devaswoms; but in view of the lasting benefit which this measure would confer on a large section of His Highness's subjects, Government feel that this sacrifice of revenue must be faced by them and also that the Devaswoms should not suffer on this account.”

The result has, among other things, been that even the sites of temples have become *poramboke* lands. Provision had to be made later on, in the Interim Constitution Act, 1123, for the retrocession, as it were, of the sites and adjuncts of the temples. It is essential that the sites of temples etc. should be classed as Devaswom *thanathu* and declared free of tax. Devaswoms should also be exempted from any law that

may hereafter be passed limiting the area of land that may be held by individuals or corporations.

EFFECTS OF GOVERNMENT CONTROL

48. The administration of the Devaswoms by Government, whether as trustee or otherwise, has been neither an unmixed evil nor an unmixed blessing. It would, however, appear that, on the whole, it has not been without some distinct advantages. What is now required is to place the future of Devaswoms on a secure footing freed for all time from financial cares and from inroads by an aggressive secular democracy. The most obvious disadvantage, which has arisen from Government control, has been that the Devaswoms have, by the executive order of 1812, permanently lost the extensive landed properties they certainly owned and failed to secure the benefits of the incremental value those lands would have earned during the last one and a half centuries.

With the growth of popular institutions influencing the policy of Government, there arose an opinion among non-Hindus that the Devaswoms were getting an undue or undeserved share of Government revenues. Hindu public opinion has never been vocal enough to establish, much less perpetually insist on, the legitimacy of the claim that the Devaswoms were really getting much less than their dues and that the act of Col. Munro had really enriched the coffers of the State to the detriment of the Devaswoms.

With the extinction of the Devaswom lands as such and the merger of their revenue in the general revenues of the State, the distinction that the Devaswom lands were only a *jenmi's* possession was lost sight of. The law enfranchising Sirkar *pattom* lands was therefore automatically applied to Devaswom lands. What was really rent in the case of the Devaswoms was treated as tax and the growth and elasticity of income has been taken away. Besides, the rent is not paid in kind but only at the commutation rate for the

paddy. Rice is required for daily services in the temples; and the Devaswoms are now obliged to purchase the paddy at market rates. The control price of paddy is Rs. 2½ per *para* and the Devaswoms would have got more than Rs. 40 lakhs for the 16 lakhs and odd *paras* of paddy admitted by the Government as the yield of the original Devaswom lands. The commutation rate is less than quarter of a rupee per *para*; and taxation in kind has been abolished in respect of Devaswom lands. In respect of *jenmom* lands, the commutation rate is fixed annually under a statute and is not much less than the market rate.

Though, owing to the number of such institutions and the peculiarities in their day-to-day management, the administration by a Government department can never be all that is desirable, there is no gainsaying the fact that the landed properties have not been wasted or formed the subject of fraud, misappropriation and litigation by the managers. But, at the same time, an indirect result has followed in that the public have ceased to take any vital interest in the condition of Devaswoms because of the acknowledged responsibility of Government to maintain them efficiently and because of the general ignorance of the people about their financial condition. Offerings daily made to pagodas are not always utilised for the purposes for which they were intended by the donors. There is evidence also of the gradual decline in the value of such offerings credited to Government. Popular indifference has led to numerous temples being left in a state of disrepair. The Department, though latterly it has not starved for want of funds, has not had the imagination and the courage to embark on a policy of wholesale renovation of temples. Decaying, dilapidated or ruined temples are met with everywhere; and one seldom finds new temples being built or endowed. In the past, voluntary contributions have helped to rebuild temples; but such piety has not been tapped by the Department. The Department has not been able to develop the temples as centres of Hindu culture or

enlist local enthusiasm or co-operation in their management or improvement to any appreciable extent.

CHRISTIANS IN TRAVANCORE

49. Among the non-Hindus in the State, special mention has to be made of the Christians. It was in Kerala that Christianity gained its first footing in India. Tradition ascribes it to Apostle St. Thomas who is believed to have landed at Cranganore in 52 A. D., converted several Brahmins and others and founded seven churches on this coast. The belief in this tradition is implicit and universal among the Christians of Malabar; but modern historians are inclined to reject the evidence on which the tradition rests; nevertheless, in view of the extensive trade relations between Malabar and the Mediterranean countries, there is nothing inherently improbable in the apostolic origin of Christianity in Kerala. There is indisputable evidence, however, to prove that Christianity had made its way into Malabar not later than the fifth century A. D. That the Christian community enjoyed a position of some importance at an early period is clear from the copper-plate grants given to them by Kings Vira Raghava Chakravarti and Stanu Ravi Gupta and still preserved at Kottayam. They belong to the thirteenth or fourteenth century. Centuries before the advent of the Portuguese, Christians here had risen to importance socially, politically and economically. If information regarding the Malabar church in the early centuries is meagre, its history during the middle ages till the arrival of the Portuguese is almost blank. By a strange coincidence, the Portuguese landed in that part of India where Christianity had already been established. The Portuguese were zealous in the propagation of the Christian faith and at first they welcomed the Syrians as brother Christians; but, later on, the Portuguese worked for the extension of the sway of the Pope, while

the Syrians owed allegiance to the Eastern Church. The arrival of the Dutch—a Protestant power—in the second half of the seventeenth century led to complications. The coming of the East India Company and the establishment of British supremacy gave a real fillip to the work of the various Christian missions and inaugurated an era of Christian expansion and progress.

BRITISH GOVERNMENT'S SUPPORT TO CHRISTIANS

50. The Royal Family of Travancore and the Government have all along been tolerant of other religions; more, they have actively helped the Christian missions at all times. Without such protection and patronage, the Christian community could not have attained such growth and progress. The influence of British Residents was freely sought by the community and generously exercised by the representatives of the paramount power in favour of securing grants and concessions to Christians, their churches and missions. Permission was freely given by the Rajas to build churches; the tax on church premises was remitted as a rule; and the Hindu Rajas even made recurring grants for lighting the churches, which grants survive to this day. Some Residents, like Col. Munro (1810—1819), were more imbued with the proselytizing spirit than others. He strove to advance the influence and reputation of Christian missionaries by recommending to the Madras Government their appointment as judges and by actually appointing a missionary as a civil judge in the Nagercoil Court in South Travancore and by directing that the second judge of every District Court in the State should be a Christian. Col. Munro induced the Rani to grant 2,000 acres of productive land to the Kottayam Seminary, taking advantage of his dual position as Resident and Dewan. When it was discovered that as Dewan he had caused payments being made to the British Government of an amount in excess of the arrears of subsidy actually due, he suggested the refunded amount being used for the benefit of a section of the Syrian Christians. In 1816, the Travancore Government gave the Syrians a

donation of Rs. 8,000 to enable them to prosecute the study of the holy scriptures. In the same year, another donation of Rs. 20,000 and the Isle of Munro in the Kallada river were given, at the instance of the Resident, to the C. M. S. Mission. Coming to recent times, instances might be quoted of grants, to colleges and other Christian-owned institutions, not admissible under the rules, and the provision of buildings at Government cost for Christian schools.

51. The pressure exerted by the paramount power to favour Christians cannot be denied. It will be interesting to recall in this connection the speech of Lord Willingdon, Governor of Madras, at the State Banquet at Trivandrum on the 26th October 1920, wherein, forgetting, for the moment, the restraint proper in a guest, he made the following observation:—

“Your Highness, there is one other matter which has, since the beginning of my tour, impressed itself much on my mind, that in your State and the State of Cochin, there are a very large number of your citizens who are of the same religious denomination as I and my wife belong to. They are, I believe, among the most loyal and devoted subjects of your State. They are treated by your Government with the utmost sympathy and consideration; and I am perfectly sure that you will always give them the same opportunity you give to all other denominations to show their loyalty and good service to Your Highness and your Government”.

The treaty of 1805 may have justified the giving of advice; but the issue of a directive in this detail of internal administration lacked a sense of proportion and was eminently unsuited to the occasion; further the criticism of Cochin could certainly have been avoided. Christians at the time were occupying responsible positions in the service of this State and formed the majority of the officers in some departments;

and there existed even a statutory provision that there should always be a Christian Judge in the High Court. The reference in the post-prandial utterance of the Governor was to the fact that, as the administration of the Devaswoms formed an integral part of the work of the Land Revenue Department, a few appointments in that Department were at the time confined, by inexorable tradition and for administrative convenience, to caste Hindus. The disability thus applied not to Christians alone. The alleged disability was insignificant in its incidence, and the grievance was more artificial and imaginary than real.

GROWTH OF CHRISTIANITY

52. The subjoined table gives figures, for the period from 1816 to 1941, of the total population of the State, the Hindus and the Christians, their percentages to the total, and their respective increases, which will demonstrate that there has been a phenomenal growth in the proportion of Christians to the total population of the State. Such speedy and rapid increase could not wholly be accounted for by the normal growth of population, but should be to a great extent due to conversions from Hinduism. The growth and the flourishing condition of the Christians, as well as their educational and economic advancement, abundantly prove the tolerance and active sympathy of the Government.

The three main religions in the State are Hinduism, Christianity and Islam. According to the Census of 1931, out of every 1,000 of the population, 615 were Hindus, 315 were Christians and 69 were Muslims. In 1931, out of the total Christian population of 62,96,763 in the whole of India, 38,20,625 or about 60 per cent. resided in Southern India, of which more than one-fourth was found in Travancore. In 1941, the Hindus formed 60.5 per cent., Christians 32.3 per cent., and Muslims 7.0 per cent. of the total population in this State.

Census of	Total Population	Percentage of increase	HINDUS				CHRISTIANS		
			Population	Percentage of increase	Percentage to total population	Population	Percentage of increase	Percentage to total population	
1816—20	9,06,587		7,50,571		82.7	1,12,158		12.37	
1836	12,80,668	41.2	10,43,728	39.0	81.49	1,76,133	57.0	13.75	
1854	12,62,647	1.4	10,07,036	3.5	79.75	1,92,858	9.4	15.27	
1875	23,11,379	83.0	17,00,317	68.9	73.64	4,68,518	142.9	20.29	
1881	24,01,138	3.9	17,55,610	3.3	73.12	4,98,542	6.6	20.76	
1891	25,57,736	6.5	18,71,864	6.6	73.18	5,26,911	5.7	20.60	
1901	29,52,157	15.4	20,35,615	8.7	68.95	6,97,387	32.4	23.62	
1911	34,28,975	16.2	22,82,617	12.1	67.0	9,03,868	29.6	26.4	
1921	40,06,062	16.8	25,49,664	11.7	64.0	11,72,934	29.8	29.3	
1931	50,95,973	27.2	31,37,795	23.0	61.6	16,04,475	36.8	31.5	
1941	60,70,018	19.1	35,42,390	17.0	60.5	19,58,456	22.4	32.3	

Note. The first regular Census was taken in 1875 and the earlier figures are not equally reliable.

CHURCHES

53. The facilities granted by the Government of Travancore for the spread of Christianity are reflected in the rapid growth in the number of churches in the State. By a Royal Proclamation passed half a century ago, all applications for the erection of places of public worship and for the conversion of existing buildings into such places have to be previously sanctioned by Government. This Proclamation applies not only to Christians but to all others such as Hindus and Muslims. The Proclamation contemplates enquiries to be conducted by the Taluk Tahsildar and the Division Peishkar, and stipulates that the reports should be furnished within prescribed periods of time. In a country where communal discord is not absent, it is necessary to prevent the reckless location of new places of public worship and their establishment on objectionable sites, as they would involve music, processions etc. and may lead to misunderstandings, communal bitterness and riots. The Proclamation lays down that the Government have to assign reasons in the event of an application being refused; and it will be interesting to find that, if, for any reason, no orders are passed by Government and communicated within ninety days to the applicant, he can, without let or hindrance, establish the place of public worship. The object of the enquiry is mainly to find out whether the applicant has full proprietary right over the site and is in possession of it and whether there are any valid objections from neighbours. On public health grounds, cemeteries cannot be attached to every church or mosque and cremation grounds too cannot be established anywhere. The cry of religion in danger has latterly been raised in regard to the Proclamation and the rules under Section 182 of the Travancore Penal Code. As a matter of fact, it is only applications for churches that happen to come up. The number of applications made during the last fifty years for establishing Hindu temples or Muslim mosques would seem to be exceedingly few. It is also worth mentioning that, owing to schisms among the Christians, objections to the erection of new churches have been raised generally not by the Hindus or by

the Muslims but by other sects of Christians. Statistics are not available of the number of applications under the Proclamation for the erection of churches during the last half a century and of the number of cases where the applications were rejected and permission was refused. But the Christians have latterly been carrying on a sustained agitation; and a proposal is before the present Legislative Assembly to virtually repeal this Proclamation and the Rules; and at the last meeting of the Congress Parliamentary Party, it was only by the casting vote of the President that it was not made a party question. The Congress party has a strength of 103 in a House of 120 members, it should be added.

54. The following statement gives information about the growth in the number of churches during the past few decades and is copied (except in regard to 1931) from C. M. Agur's *Church History of Travancore*.

<i>Year</i>	<i>Number of Churches.</i>
1816	301
1836	405
1854	487
1875	840
1891	1,116
1901	1,126
1931	2,627

ROLE OF DEVASWOMS

55. The Devaswom Department has not succeeded in utilising its opportunities for assisting the development of the Hindu religion or securing the improvement of the social and economic condition of its followers. The defect can be remedied only by the creation of a popular body representative of Travancore Hindus and vesting in it control of the Department. That Board should be charged with the task of laying down policies, planning development, and

exercising co-ordination. The local people should be made to take a more active interest in the management of temples. The church in Christian countries is the centre of social life; and the Christian churches have in India promoted education and in other ways helped the moral and material advancement of the community. The village temple can and should revert to its old position as a cultural centre.

WHAT CHURCHES HAVE DONE

56. At first sight, it might appear that exaggerated importance is being attached to the influence of Christian missions and churches in this country. One might leave out of account the organisation which an aggressive and proselytizing religion provides and which it is freely using for even political purposes and for propaganda against particular policies of Government as, for example, in matters educational. One might also leave out the adventitious aid that the Christian churches were in an abundant measure getting for the benefit of individuals and for the benefit of the community, because they followed the religion of the paramount power's representatives. An examination of the statistics of the educational institutions conducted by Christian organisations and individuals in all parts of the State should serve to open the eyes of Hindus to the opportunities they have lost in the past by the lack of an organised Hindu Religious Mission. The subjoined statement gives figures of the schools conducted by the more important Christian Missions.

the Muslims but by other sects of Christians. Statistics are not available of the number of applications under the Proclamation for the erection of churches during the last half a century and of the number of cases where the applications were rejected and permission was refused. But the Christians have latterly been carrying on a sustained agitation; and a proposal is before the present Legislative Assembly to virtually repeal this Proclamation and the Rules; and at the last meeting of the Congress Parliamentary Party, it was only by the casting vote of the President that it was not made a party question. The Congress party has a strength of 103 in a House of 120 members, it should be added.

54. The following statement gives information about the growth in the number of churches during the past few decades and is copied (except in regard to 1931) from C. M. Agur's *Church History of Travancore*.

<i>Year</i>	<i>Number of Churches.</i>
1816	301
1836	405
1854	487
1875	840
1891	1,116
1901	1,126
1931	2,627

ROLE OF DEVASWOMS

55. The Devaswom Department has not succeeded in utilising its opportunities for assisting the development of the Hindu religion or securing the improvement of the social and economic condition of its followers. The defect can be remedied only by the creation of a popular body representative of Travancore Hindus and vesting in it control of the Department. That Board should be charged with the task of laying down policies, planning development, and

exercising co-ordination. The local people should be made to take a more active interest in the management of temples. The church in Christian countries is the centre of social life; and the Christian churches have in India promoted education and in other ways helped the moral and material advancement of the community. The village temple can and should revert to its old position as a cultural centre.

WHAT CHURCHES HAVE DONE

56. At first sight, it might appear that exaggerated importance is being attached to the influence of Christian missions and churches in this country. One might leave out of account the organisation which an aggressive and proselytizing religion provides and which it is freely using for even political purposes and for propaganda against particular policies of Government as, for example, in matters educational. One might also leave out the adventitious aid that the Christian churches were in an abundant measure getting for the benefit of individuals and for the benefit of the community, because they followed the religion of the paramount power's representatives. An examination of the statistics of the educational institutions conducted by Christian organisations and individuals in all parts of the State should serve to open the eyes of Hindus to the opportunities they have lost in the past by the lack of an organised Hindu Religious Mission. The subjoined statement gives figures of the schools conducted by the more important Christian Missions.

MISSION	Primary Schools	High & Middle Schools for	
		BOYS	GIRLS
Bible Faith Mission	4		
Mar Thoma	124	14	4
Salvation Army	21	2	
Roman Catholic	420	86	55
C. M. S. including Zenana Mission	135	19	2
L. M. S.	68	2	2
Luther Mission	30	3	
Jacobite	29	25	3
M. S. C.	59	7	2
Latin	17	4	
M. D.	12		

57. Private schools share considerably in the work of education in the State. In the last school year, 1947-48, there were 4,156 schools in the State, of which 2,306 were conducted by the Government and 1,850 were private schools, mostly in receipt of grant-in-aid from the Sirkar. It has been estimated that 1,161 of the latter were conducted by Christian missions or churches; and another 250 schools were conducted by Christian managers out of 332 private Schools conducted by individual managers. Out of the total of 11,68,940 pupils under instruction, 4,26,552 were attending private schools; and of these it has been estimated that 3,38,908 approximately were attending Christian schools. One of the conditions of departmental recognition of a school is that it should be open to all communities. In Christian schools, there is provision for the teaching of the Bible; and under the Education Code, this should be arranged only outside the regular school hours and non-Christians should not be compelled to attend the Bible classes. Roman Catholics, however, attach even greater importance to the imparting of religious instruction. Boys and girls from non-Christian communities freely attend the Christian schools.

Till very recently, all the four private colleges in the State were run by Christian organisations. The Nayar Service Society,

the Sri Narayana Dharma Paripalana Yogam of the Ezhavas and the Sanatana Dharma Vidyasala opened colleges only last year; and today the promoters of the first two institutions are making frantic efforts to arouse communal enthusiasm for providing the elementary requirements of a college. The Devaswom Fund is not apparently in a position to help even with a loan the Mahatma Gandhi Hindu College or the Sri Narayana College or the Sanatana Dharma College, while Christian colleges are being extended or established with the aid of contributions from churches and with munificent help from foreign countries.

It will be interesting to mention that the Nayar Service Society was conducting 6 primary schools and 29 middle and high schools for boys, and that the Sri Narayana Dharma Paripalana Yogam was conducting no primary school and 5 middle and high schools for boys.

The influence which their vast network of schools and colleges has been exerting on the social, educational and economic advancement of the Christian community is tremendous. If the funds legitimately due to the Devaswoms can be released also for expenditure on cultural and educational work at least now, the Hindu community may be able to make some headway.

REVIVAL OF HINDUISM

58. The references that have been made to the Christian community in the course of this Memorandum are not made in any attitude of self-pity or on account of an inferiority complex. The progress that has been attained by that community with the background of churches and missions has been noticed to point out the ground that has been lost by the Hindu community in the onward march, to underline the stagnation that the Hindus have suffered and to indicate the possibility of revival of the Hindu religion and the advancement of its followers if a portion at least of the income from the endowments made to temples by past generations can be made available. For centuries, Hinduism has perhaps been surviving owing to the inherent vitality of its fundamental principles;

but there is no reason why in the modern world a creative and even aggressive programme of activities should not be followed, and why religion and the help which religious institutions can give should not be harnessed to secure the all-round development of the Hindu community.

POPULAR CONTROL OF DEVASWOMS

59. Democratic ideas are rapidly gaining ground and popular control of Devaswoms will sooner or later have to be provided for. One great disadvantage that has followed from the administration of Devaswoms by Government has been the decay of local interest in the day-to-day management of the institutions. Formerly temples were managed by the village community and it should be the aim in this as in other spheres to decentralise the administration. In regard to temples where opportunities for misappropriation are greater than elsewhere, local supervision is of the utmost importance. It is only by associating the people with the management of local temples that the community can be cured of its present indifference to religious institutions and that religion can be made to enter more into men's daily lives. It should not be difficult to devise a system by which local councils can be elected for temples and where elections from them can be made to a Central Board.

CLAIMS OF HARIJANS

60. The Census of 1941 returned nearly four lakhs of persons as belonging to what are known in this State as depressed classes or backward classes and elsewhere as scheduled castes. There is no use disguising the fact that the rigour of the caste system was greatest in Kerala, where not only contact with one belonging to a "lower" caste but even one's approach to within graded distances polluted the "higher" caste. It was perhaps in the fitness of things that it was in Travancore that temples were first thrown open to all Hindus and ideas of such pollution have been totally banished.

Even before Harijan work became part of the programme of the Indian National Congress, Travancore interested itself in the uplift—educational and economic—of these unfortunate people. The admission of Harijan pupils to all schools was insisted on; special schools were started where necessary; fee concessions were granted and free supply of books was made to pupils belonging to such communities; special encouragement was given, by the relaxation of the rules regarding age and qualification, to their recruitment to Government service; lands at the disposal of Government were liberally granted to them free of cost and assessment; colonies were established for them; a special department was created to look after their welfare; and increased allotments are made in the State budget for Harijan uplift work. The circumstances that in the past induced them to become Christians have ceased to exist; and enlightened Hindu opinion has bestowed increasing attention on ameliorating the condition of the backward communities. The Temple Entry Proclamation has been the starting point of a more vigorous campaign for improving the lot of Harijans. But it is hardly enough if the Harijans are allowed access to temples. The funds belonging to Devaswoms could be utilised also for Harijan work; and Hindu opinion would welcome such a step. Reference has been made to this question for a particular reason. The temples have been thrown open to all Hindus; but a handful of appointments in the Devaswom administration staff, hitherto paid out of the general revenues, has been retained by "caste" Hindus. Educated public opinion views this with disfavour and one of the demands of the *Ayyappa Seva Sangham* is that this meaningless disability should be removed. The present state of affairs has, it cannot be gainsaid, created an impression that even the demand for democratisation of control is an attempt to secure power or retain it for caste Hindus. The idea of the sponsors of this Memorandum is that popular control should be as broad-based as possible, that the uplift of the backward communities among the Hindus should be a charge on the Devaswom Fund and that non-caste Hindus and Harijans should be actively associated with the administration of the Devaswoms.

CULTURAL VALUE OF TEMPLES

61. In Travancore, art and culture owed a lot in the early days to the temples. They to a certain extent created Hindu culture. Arts like music, dancing and *Kathakali* were tremendously encouraged by their association with religion. There are scores of allied arts like *Chakkiyar Koothu*, *Ottanthullal*, *Patakam*, and *Villadichanpattu* which have flourished in connection with temples and temple festivals. Religious education formed an integral function of many Devaswoms; and even in the smallest village temple, honorary workers read and expounded the *puranas* in the evenings. They helped to create a religious atmosphere and imparted moral instruction. Adult education does not consist in literacy alone. The provision of opportunities for utilising leisure is an important matter; and lack of facilities therefor is often the cause of unrest in individuals. The *Utsavams* provide holidays and amusement, besides being fairs and annual marts. It is possible to make greater use of them as occasions for holding agricultural and industrial exhibitions, literary and art competitions, religious conferences etc. than is being attempted on a small scale in a few places even now. Temples, viewed in a new light, can not only encourage and revive the old arts but provide recreation and add to the fulness of life. *Kalaries* and institutions for physical training were attached to temples and they should be revived. The Devaswom Fund can be utilised also for secular education if the proposed Board can act with courage and imagination; and the lost ground can be recovered by an all-out effort.

62. The arts of Kerala owe a lot to its royal patrons and the present is a period of transition when the public have not become paying and wise patrons. The fine arts have originated and flourished to a considerable extent because of their alliance with religious institutions; and it will be a serious blow not only to the arts generally, but to such things as architecture, sculpture, carving in wood and stone, iconography and mural paintings if the Devaswoms are not enabled to expand very considerably the feeble and half-hearted efforts now sponsored by the Department to foster or develop

some of them. The highest form of art always draws its inspiration from religion; and Hindu art should not be allowed to languish from lack of encouragement to its exponents. Owing to lack of energy and enterprise, the Devaswom Department failed in the past to spend the available allotment, though hundreds of temples are in different stages of dilapidation.

63. Kerala has never been a priest-ridden country. Religion has in fact only a small hold on the daily lives of Nayers and Ezhavas, the two major Hindu communities. So far as they are concerned, obligatory religious ceremonies connected with births, marriages and deaths are not many or are even non-existent. The temples are gradually falling into disrepute because there is no trained body of priests and no institutions for training them. The *santhikars* (those who perform *pujas* in the temples) do not command respect by their learning or character. There is no reason why there should not arise a cultured priestly class who can bring the solaces of religion to all and familiarise the people with the fundamental truths of Hinduism. Sri Sankaracharya established monasteries outside Travancore as far away as Badarinath and they are still flourishing. There are *mutts*, which are centres of learning, at Tiruvattar, Munchira, Tiruvarpu and elsewhere in Travancore. A reversion to ecclesiastical rule is far from the aim; the objective is to provide institutions for the thorough and profound study of Hindu scriptures and the training of Hindu missionaries. Even the reprints of classical Malayalam works, such as the *Puranas*, which provide a liberal education, are now becoming rare. The *Sangham* has in mind the cheap and attractive publications of the Bible with which the British and Foreign Bible Society, London, is flooding the world. The publication of Hindu religious literature can well be one of the objects for which the Devaswom Fund can be spent. The Tirumala-Tirupati Devasthanam in the Province of Madras proposes, in exercise of the statutory powers vested in it, to start a mission to propagate the Hindu religion, to carry on general religious propaganda, to arrange for the promotion of fine arts and sculpture,

and to establish a museum where collections of ancient cultural pieces will be kept. There are a variety of ways in which Hinduism can be revived and made a living force.

64. Kerala, including therein the District of Malabar and the existing States of Cochin and Travancore, is one of the three or four places where communism has succeeded in securing a hold. Nationalism has rapidly given way to irreligion; and revolutionary ideologies find fruitful soil in minds not imbued with religion. Thoughtful observers view with apprehension the spread of materialism, of which Fascism and Communism are sinister manifestations, and attribute the growth of materialism and the undermining of moral values to loss of faith in the fundamentals of religion. Non-denominational schools are now for the Hindus alone: It is certainly the duty of the Hindu Devaswoms to provide the teaching of religion to immature minds.

WHAT DEVASWOMS CAN DO

65. The educational set-up in a secular State cannot but be secular. Such a democratic State can only sponsor a scheme of common education for all without distinction or discrimination in favor of or against any one group or section or community. The attainment of its aim of the ideal of human progress and prosperity can be helped by the provision of facilities for moral training. The present system of education has, at any rate latterly, created, in the minds of young men, a lack of discipline, disrespect for constituted authority, absence of a feeling of reverence, an obsession to emphasise rights losing sight of the concurrent duties and responsibilities, and a loss of faith, of devotion to a purpose or an ideal. These defects may be due to the impact of outside forces, but can hardly be remedied in secular schools. Religious and moral instruction can alone supply the correctives. Devaswoms can, in the case of Hindu youths, supply the deficiencies by popularising religion. The work is of national importance and can be financed by Devaswoms if the function

of temples can be given a new orientation. The growth of the disruptive forces so much in evidence today may be traced to economic causes; and a social and economic revolution, carried on in the ways of truth and non-violence, can be properly guided if religion can initiate, direct and stimulate human relations, if religion can be used as a radar to direct man's progress through the moral fog now enveloping him.

OUR RELIGIOUS HERITAGE

66. Travancore has, in the person of Sri Sankaracharya, given to Hinduism one of its greatest saints and philosophers and to the world a unique demonstration of what one man can do. Sri Narayana Guru has created an awakening in an entire community and bequeathed to the Ezhavas ideas of solidarity and organisation for social, economic and political purposes. The present Hindu Maharaja of Travancore, as the Spiritual Head of the State, inaugurated the greatest reform in Hindu practices by the enactment of the Temple Entry Proclamation and gave a bold lead in removing a great blot on Hinduism and emancipating a whole section of the Hindu community. These traditions have to be maintained and may be added to.

Many of the temples in the State are of more than local importance. Most of them enshrine also the glorious history of the State and are living monuments of indigenous art. Several of them attract devotees from Malabar and the rest of South India, while not a few have an all-India appeal. Among the last should be mentioned Kanyakumari, Varkala (Janardan), Anantasayanam (Trivandrum), Aranmula and Tiruvattar; Vaikam, Ambalapuzha, Haripad and Suchindram are the common heritage of Kerala. Even more important is the Sasta shrine at Sabarimala where, in the middle of January, tens of thousands of pilgrims gather after weeks of rigid austere life, trudging miles across wild uninhabited hills. These Devaswoms deserve to be maintained properly and their appeal to the common man strengthened.

LEGISLATURE AND THE DEVASWOMS.

67. The suggestion has been made that the Devaswoms should continue as at present outside the purview of the legislature for very valid reasons. They have always been excluded from the jurisdiction of the Travancore Legislature. In the first place, it cannot be prophesied what future legislatures will think of religion and the institutions for its propagation. Secondly, due to the course of history, the Devaswoms in the State are a distinct entity over which the people of Cochin have no claim for jurisdiction. The composition of the legislatures of the future will be certainly different from what it is now. Though there is adult suffrage in Travancore, 40 seats out of 120 are reserved, 9 for Muslims, 11 for two Christian sects, and the remaining 20 for backward Hindu communities. The Congress party did not break from tradition and the candidates for the existing Legislative Assembly were selected on a communal basis, so that the various communities might, as far as possible, return members proportionate to their population. Even if the reservation in regard to backward communities or scheduled castes may be retained, it is unreasonable to imagine that the communal ratio could or would always hereafter be maintained. Economic considerations would in the not distant future decide party affiliations; and it is not desirable that matters relating to one religion and its institutions should alone be subject to the vote of the legislature. There are at least 50 non-Hindus in a house of 120 today and there is nothing to prevent their getting a majority later on. The *Sangham* is not interested in perpetuating a Hindu majority in the legislature; but the Hindus do not want the future of their religion and their religious institutions to be decided by non-Hindus. The *Sangham* is aware that the Madras Hindu Religious Endowments Bill proposes to vest in the Provincial Government control over the Hindu Religious Endowments. But their history is radically different; besides, as, according to the Census of 1931, there were, in the Province of Madras, only 38 Christians and 71 Muslims against 883 Hindus in every 1,000 of the population, there is no fear, so far as human imagination can pierce, of the Hindus being in a minority in the Madras legislature. The

contingency even in the Cochin State is remote, as there, according to the Census of 1931, there were, per mille of the population, 646 Hindus and only 278 Christians and 73 Muslims. The above facts have been urged to show the special conditions in Travancore, so far as the proportion between the followers of the three major religions is concerned.

EQUALITY OF OPPORTUNITIES

68. There is one aspect of this representation which the *Sangham* wishes to stress. References have been made in this Memorandum to the non-Hindu communities, or, more correctly, to the Christian community. The Christians have been living here from the fifth century of the Christian era, if not from earlier times; and the community is composed almost entirely of descendants of converts from the Hindu religion. The Hindus and the Christians have been living in this country peacefully and in amity for at least 1,400 years; and there have never been any communal riots worth the name. The Memorandum has referred to the progress made by the Christian community only to point out the impetus given thereto by their churches, missions and other organisations, and to urge that the funds legitimately due to the Devaswoms should be released to the Hindus in order that they can be utilised with similar advantage to the community. During the last century and a half nearly, the income from the endowments made by our ancestors has not accrued to our benefit with the result that much ground has been lost. We are keen that advantage should be taken of this opportunity to render unto Devaswoms what is due to them, and to enable the Devaswoms to function for the religious, social and economic betterment of the Hindus in an organised manner.

SUMMARY

69. An attempt has been made in this Memorandum to present a brief history of the Devaswoms in Travancore, to examine

the implications of the assumption by Dewan-Resident Col. Munro of their management nearly one and a half centuries ago, to establish the claim Devaswoms have for a charge on the general revenues of the State, and to urge the paramount necessity of devising a scheme for their future administration and control at the present juncture when radical constitutional changes are envisaged and may soon be brought about. This is not intended to be a lawyer's statement of the claims of Devaswoms in Travancore. It is only an appeal on behalf of all Hindus in Travancore by a representative body, that, at the present turning point in the affairs of the State, the authorities, by whose hands the destinies of India are being shaped, should realise the peculiar and chequered history of Hindu religious institutions in Travancore and that advantage should be taken of the present opportunity to set right the wrong done to Devaswoms and to place the Hindus of the State in a position where, with the help of the financial and other resources really belonging to them but hitherto not made available in full measure, they would be able to promote their moral and material welfare. We believe we have a strong case and are prepared, if need be, to argue it before a duly constituted tribunal such as the Federal Court of India. But we hope the succinct narrative of the past we have presented will show that we have a justiciable claim.

No one is more interested than we are in the future prosperity of the State and its people as a whole and of the areas with which it may be integrated; but we are anxious that the legacy of our rights should be transferred unimpaired to our control and that we may be enabled thereby to contribute in a greater measure to that prosperity as well as to our own betterment.

The *Sangham* is anxious that the Government's position as trustee should be admitted but would not press for settlement of accounts or separation of properties (even if that were possible) provided the Proclamations in force are acted up to and arrangements are made to make the future resources of Devaswoms sufficiently progressive. It will be useful to recapitulate our suggestions in regard to the future.

- (i) It should be reaffirmed that what was taken over by the Government at the time of Col. Munro and thereafter was only the management or superintendence of the Devaswoms and that Government are only the trustee for the Devaswoms assumed.
- (ii) The trust properties having been wilfully or by negligence merged with the trustee's properties and separation and identification having become impossible, the duty and obligation of the State to maintain the Devaswoms efficiently for all time and the rights of the Devaswoms to a legitimate share of the State revenues should be reiterated and emphasised.
- (iii) The duty of the Travancore Government in this Hindu State to maintain the Devaswoms and promote the Hindu religion and to supplement the Devaswom Fund if need be from the general revenues should be recognised.
- (iv) The annual contribution of Rs. 16 lakhs to the Devaswom Fund originally made in the Devaswom Proclamation of 1922 was fixed on the basis of the estimated probable requirements of Devaswom expenditure and bore no relation to the income from the Devaswom properties which were merged with Sirkar lands and did not take into account the loss of income the Devaswoms had suffered in a variety of ways by the treatment of Devaswoms lands as Sirkar lands. The introduction of basic land tax and the fundamental changes in land tax policy that have taken place and may hereafter happen have made it impossible to fix the basis of the contribution as a percentage of the land revenue. The two subsequent Proclamations have fixed the quantum of the contribution, with the result, however, that there is no scope for elasticity and expansion with the growing needs of Devaswoms. The ratio should be fixed with reference to the general revenues of the State subject to the minimum of Rs. 51 lakhs now fixed for all Devaswoms including the Sri Padmanabhaswami temple. It is emphasised that this amount does not represent the total of the legitimate

- dues of the Devaswoms, but is accepted in view of the insuperable difficulties of arriving at the present yield from properties assumed at various times in the past.
- (v) In view of the impending changes in the constitution and the imminent territorial adjustments, the administration of the Devaswoms should be vested in a Central Board composed of representatives of Travancore Hindus, elected or otherwise.
 - (vi) Provision should be made for associating local popular element in the day-to-day management of Devaswoms, and co-ordinating their functions with the Central Board.
 - (vii) The tax on temple compounds and the premises of other Hindu religious institutions should be remitted.
 - (viii) The establishment of places of public worship or the opening of cemeteries and cremation grounds should be done only with the concurrence of the Devaswom Board.
 - (ix) The above rights of Devaswoms should be embodied in the new Constitution Act. The contribution to Devaswoms from the general revenues and the obligation of the State to supplement that contribution, if and when necessary should also be embodied in the Constitution Act.
 - (x) By the Interim Constitution Act, an allotment of Rs. 1 lakh has been made for the Sri Padmanabhaswami temple at Trivandrum, the shrine of the tutelary deity of the Royal Family. In the event of His Highness giving up its control, the management should be vested in the Devaswom Board, along with the allotment and also the properties, movable and immovable, now belonging to that institution.
 - (xi) The new legislature or the new Government should not interfere with the administration of Devaswoms.
 - (xii) The administration of the institutions which have, subsequent to 1903, been taken over by Government and whose properties are kept separate should be transferred to the Devaswom Board.
 - (xiii) The assets of the Devaswom Fund and all other properties of the Devaswoms now under the control of Government should be transferred to the Devaswom Board.

- (xiv) Definite directions should be embodied in the new Constitution Act about the objects for which the fund can be utilised ; and these objects should include the adoption of all measures calculated to increase the moral and material welfare of all Hindus within the present Travancore State boundaries.

CONCLUSION

70. The *Ayyappa Seva Sangham* prays that God may grant to the statesmen, in whose hands lies the destiny of India and to whom is given the power to order the future of Travancore, the wisdom to recognise the special position of Devaswoms in this State, the sympathy to admit the claims of Devaswoms to a definite and specific share of the general revenues, and the imagination to establish, simultaneously with the formation of the Travancore-Cochin Union, an organisation for the administration of the Devaswoms and for the rehabilitation of Hindu religion in the State as a dynamic force for promoting the moral and material welfare of nearly four million people.

- dues of the Devaswoms, but is accepted in view of the insuperable difficulties of arriving at the present yield from properties assumed at various times in the past.
- (v) In view of the impending changes in the constitution and the imminent territorial adjustments, the administration of the Devaswoms should be vested in a Central Board composed of representatives of Travancore Hindus, elected or otherwise.
 - (vi) Provision should be made for associating local popular element in the day-to-day management of Devaswoms, and co-ordinating their functions with the Central Board.
 - (vii) The tax on temple compounds and the premises of other Hindu religious institutions should be remitted.
 - (viii) The establishment of places of public worship or the opening of cemeteries and cremation grounds should be done only with the concurrence of the Devaswom Board.
 - (ix) The above rights of Devaswoms should be embodied in the new Constitution Act. The contribution to Devaswoms from the general revenues and the obligation of the State to supplement that contribution, if and when necessary should also be embodied in the Constitution Act.
 - (x) By the Interim Constitution Act, an allotment of Rs. 1 lakh has been made for the Sri Padmanabhaswami temple at Trivandrum, the shrine of the tutelary deity of the Royal Family. In the event of His Highness giving up its control, the management should be vested in the Devaswom Board, along with the allotment and also the properties, movable and immovable, now belonging to that institution.
 - (xi) The new legislature or the new Government should not interfere with the administration of Devaswoms.
 - (xii) The administration of the institutions which have, subsequent to 1903, been taken over by Government and whose properties are kept separate should be transferred to the Devaswom Board.
 - (xiii) The assets of the Devaswom Fund and all other properties of the Devaswoms now under the control of Government should be transferred to the Devaswom Board.

- (xiv) Definite directions should be embodied in the new Constitution Act about the objects for which the fund can be utilised; and these objects should include the adoption of all measures calculated to increase the moral and material welfare of all Hindus within the present Travancore State boundaries.

CONCLUSION

70. The *Ayyappa Seva Sangham* prays that God may grant to the statesmen, in whose hands lies the destiny of India and to whom is given the power to order the future of Travancore, the wisdom to recognise the special position of Devaswoms in this State, the sympathy to admit the claims of Devaswoms to a definite and specific share of the general revenues, and the imagination to establish, simultaneously with the formation of the Travancore-Cochin Union, an organisation for the administration of the Devaswoms and for the rehabilitation of Hindu religion in the State as a dynamic force for promoting the moral and material welfare of nearly four million people.
