Temples have been the centres of socio-economic and cultural activities of the society in India. They regulated the economic condition of the town, enriched the social life of the people and acted as custodian of culture. “The administration of the temple was on the pattern of political administration institution.”\(^1\) It has been rightly observed that, “The temple with the passage of time has become an institution and its activities touched the life of the people at many points thereby enriching and ennobling their lives.”\(^2\) The temple of the Jawalamukhi, in course of time, expanded and assumed such importance as it became necessary to maintain it in a very systematic way. The proper maintenance of the temple was certainly not an easy task. From time to time, new systems were introduced to improve the administration, to bring transparency and improvement in the daily ritualistic services and this, naturally, involved the establishment of an administrative machinery to look after the proper management of the temple. The chapter attempts to discern the broad pattern of administration under the rajas, influence of the Britishers and their impact, and the kind of administration that evolved under the bhojki priests (hereditary priests of the Jawalamukhi temple) and after the Himachal Pradesh government took over the temple in its hand.

I

The temple of the Jawalamukhi is an old and well-known temple and one of the major pilgrimage sites of India. “Religious and charitable institutions in the Indian sub-continent have been established, maintained and protected from early times by Hindu kings who regarded themselves to be specially charged with the divine duty.”\(^3\) The raj\(\text{s}\) had almost complete control over the internal affairs of the temples they supported. For centuries large tracts of land were granted to the temples. With the cooperation of the Brahmins, the raja was able to secure almost complete control over temple’s income and property. “In India the female deities were associated with the founding of the raj\(\text{s}\) kingdom. Many stories and legends portraying raj\(\text{s}\) successful conquest and rights of sovereignty over local people have been sought to be woven and many of the Raj\(\text{s}\) took part in the annual festival of the Temple.”\(^4\) The family gods and goddess of the ruling dynasty traditionally acted in the role of the guardian of the kingdom defending the raj\(\text{s}\) in their struggle against the enemies of the empire.\(^5\)

The rulers of Kangra- the Katochs, looked after the temple of the Jawalamukhi. Afterwards, the Sikhs started looking after the temple and then again the hill raj\(\text{s}\) undertook the task. The ruler had profound influence on the temple and had to interfere in its management, for the smooth running of the affairs of the temple.

\(^3\) Ibid.  
\(^4\) Ibid.  
\(^5\) Ibid., p. 27.
“Earlier the Katoch and later the Sikhs did interfere in the management of the temple.”

It was noticed for the first time by Moorcroft, who travelled to the Jawalamukhi in 1826, “whatever money is offered to the goddess (Jawalamukhi), is the raja’s (Katoch rulers), and the Brahmans are to be entitled only to the donation given to them, which they represent to be little enough, and wholly inadequate to the maintenance of several hundred persons.” He also pointed out, “Sansar Chand’s (the Katoch ruler at that time) revenue had diminished because of the loss of so many of his estates. So his patronage to Jawalamukhi declined to a great extent and so did his claims to the share of the actual receipt.” The same account has been mentioned in the gazetteer of 1883-84, which depicts that at one time it appeared that the Katoch rajas appeared to appropriate the whole or the greater part of the income of the temple of Jawalamukhi.

The temple did not remain unaffected by the invasions which Punjab Hill states had to face. “During Firoz Tuglak’s reign, in the fourteen century, there was a fine library in the temple of the Jawalamukhi consisting of 1,300 volumes. Firoz looted the library and ordered the translation of the books dealing with Philosophy and Astrology into the Persian language.” He even imposed his authority by collecting tax on pilgrimage to that (Jawalamukhi) place “Under his rule, a toll tax of one anna (defunct coin) tax was

8. Ibid., p. 72.
9. Gazetteer of the KD 1883-84, Indus publishing Co New Delhi, 1st Published 1883-84, rpt 1994, p. 256.
levied upon all pilgrims attending the shrine of Jawalamukhi."\(^{11}\) The change in the ruler or the dynasty was reflected in the relations with the temple.

The decline of the Katoch rulers after the conquest of Kangra by Ranjit Singh in 1909, led to their influence in the temple diminishing and the place being taken by the Sikhs. "The Sikh government always took a share of the offerings of the pilgrims and refunded them on the improvement of roads etc. and enacted certain rules that seemed a desirable way of adding to the comfort of the pilgrims and the visitors."\(^{12}\)

There were two chief religious orders, which have flourished in the Jawalamukhi, One is \textit{bhojki} priests, and the other is \textit{gosains}, the \textit{gosains}, at one time, had been an important trading community but later deteriorated owing to their internal discord. They were whole sellers and never became a retail dealer, as they considered it below their dignity. "Among themselves they were divided into numerous fraternities-the head of which were \textit{mahants}. The successor to the \textit{gaddi} (seat) was nominated by the existing \textit{mahant} from among his \textit{chelas} (disciples)."\(^{13}\) They were found principally, in the neighbourhood of Nadaun and the Jawalamukhi, but were also scattered throughout the district in small numbers. They possessed almost a monopoly of the trade, in opium which they bought from Kullu and carried down to the plains of the Punjab.\(^{14}\)

\(^{12}\) The letter forwarded by A. Brandenth, Commissioner, Jullundhur division, to Colonel Jenkins Deputy Commissioner Superintendent Jullundhar, letter No 2259, dated 22.Oct.1878.
\(^{13}\) District Gazetteer, Part 4, and Compiled and Published under the authority of Punjab Government. the civil and military gazetteer press, Lahore, 1904, p. 78.
\(^{14}\) Ibid.
The gosains were, generally, called “Dusnamee Gosains”. They were divided, as their name implied, into ten tribes. The prevalent tribe in these hills was ‘Geeree’, the name of the sect being adopted as a patronymic by all members, as Fateh Gir, Bahadhor Gir, Munee Gir, Mirch Gir etc. The founder of this caste was Shankracharya, whose ten pupils or disciples gave rise to the ten sects into which the brotherhood was distributed. By strict rules they should live a life of celibacy. The mahant recruited their ranks by adopting disciples, or chelas, (they were of low caste) from other pure tribes who might be willing to devote their offspring to become gosain. It was seen that this practice was seldom observed, and majority of the gosains had yielded to the temptations of marriage. Their own offspring were not eligible to succeed to the inheritance of the father. His heirs were his adopted disciples who could only inherit by becoming the chela of another gosains. The gosains were subdivided among themselves into small communities, each with a recognized head or mahant. He had the supreme control over all the property, personal and real, belonging to the ‘akhara’ (college) as the corporation was styled and the other members of the fraternity were dependent upon his bounty for the share they might receive of the common wealth of their guru. When a mahant felt that his end was near, he elected one of his disciples, by word of mouth, to succeed him. His election was never disputed. If he should be suddenly removed, without having nominated a successor, the fraternities met and, with the aid of other gosains, proceeded to select one of their members as the future mahant. On a given day, he was installed into his seat with great ceremony, to which all members of the caste were invited, and due notice was furnished to every member of the immediate sect or akhara, wherever he might be.
After the installation, he proceeded to a second ceremony which was the distribution of the deceased mahant’s effects, not by equal shares, but by mahant’s estimate of the relative worth and capacity of each of the disciples; and this distribution called ‘bhindara’ was seldom contested or impugned. A gosain, on death, was not burned like other Hindus, but was buried under the earth. Over his remains a cenotaph was raised, dedicated to Mahadeva (Shiva), and called a mutha. Every deceased gosains was to become one with the divinity of Mahadeva. Such cenotaph of Ilaichigir Gir is located on the outskirts of the Jawalamukhi town (see fig 3.1). There is a conflict among both the religious order regarding the authority on the temple of the Jawalamukhi.

Fig. 3.1. Cenotaph of Ilaichigir.

In view of the fact that written records are not available, one has to rely on oral history which includes folktales, folklore etc. There are various stories spread across the area in connection with the control of the Jawalamukhi temple which can be called oral history. Interviews with the local people, gosains (some of the families of gosains still live on the fringes of the town) and others reveal that once the temple was under the control of gosains. It is told by the people that there were 365 houses of gosains and 365 wells, one in each house, and, as it was told, that there prevailed a custom among them that the food would be cooked in one of the houses out of the 365 and the rest of the 364 would have food at one place.\textsuperscript{16} During fieldwork, it was found that the old building- a huge house in front of the PWD (Public works department) guest house, a huge house standing on its ruins was locked and a board placed there showed that once a gosain lived here (in that particular building) who has now shifted to RampurBushar (see fig 3.2).

\textbf{Fig. 3.2. Old huge building of Gosains}

\textsuperscript{16} Interview with Sadhus and families of the Gosains who lives in town of the Jawalamukhi.
The interviews also reveal that once the temple was under the control of the gosains.

The gosians who still live in the Jawalamukhi, now running small shops, have stories of their lost glory, stated that at one time the bhojkis who worked in the temple (it is mentioned by Moorcroft that they used to get wages and in other records they have been mentioned them as wage earners), pleaded with one of the gosains, the head (name not known) that as their families were growing and they did not have adequate means to survive and to run their families and, on giving this account, the gosain (probably the head at that time) purified one of the bhojki (who was representing the entire community of the bhojkis) by sprinkling Ganges water on him and gave the entire income of the Jawalamukhi temple on the condition to facilitate the pilgrims and never maltreat them. With the passage of time, the bhojkis became gluttonous and started extracting more and more money from the pilgrims. With time they increased their influence so much that the pilgrim who could not afford to or refused to satisfy their unwarranted demands could not have the darshan of the goddess (which is in the form of flame). The group of pilgrims went to gosains and made a complaint against the bhojkis and about their demeanor. This made, gosains furious, and they prayed to the goddess to leave the temple and shift to a devi taal (A place at some distance from the Jawalamukhi temple, its importance is given in Jalandhar Peeth Deepika and some grant was also made in its name Fig 3.3.)

The flame, immediately, erupted there and it is said that the flame left the main temple of the Jawalamukhi. This incident caused panic among the bhojkis as they lost large part of the
income and pilgrims stopped visiting the temple and started visiting devi taal.

Fig. 3.3. Devitaal

They, instantaneously, realized their blunder and fell at the feet of the gosains and furthermore pleaded for pardon. They were granted the pardon and the temple was restored to them and the gosains requested the goddess to take back her seat.\(^\text{17}\)

In reference to the oral history of Himachal Pradesh, in particular, to Kangra District, B.N Goswamy referred in prefatory note of his thesis "In my field work in the Kangra valley and some adjoining areas, I made an effort to record that rich sources: oral tradition. Popular memory in a country where there are few written records and information is conveyed from father to son in direct succession in vivid, and often amazingly accurate, legends and stories, frequently useless for the writing of political history, form 'facts' of social history. For they reveal sentiments and attitudes which in a flash, as it were, illuminate an entire

\(^{17}\) Interviews conducted with the Gosains, who live on the fringes of the town.
period." There are certain documented facts which justify B.N Goswamy's evaluation and show certain amount of accuracy in oral history regarding gosains dominance on the temple of Jawalamukhi. Lyall’s report on the endowments of temples, classifies the temples into three classes and the endowments of beragis whom he puts in the third class and stated that the third class consists of beragis, gosains and thakars, some of these have regular temples of small size, often attached to a ‘bauli’ or covered spring, or a dhramashala.\(^{19}\) The gosains had large numbers of free landholdings in their name in the Jawalamukhi. Mahants named Bahadur Gir and Lachman Gir, were entrusted with the duty to maintain a dharmshala (inn), water duct (bauli) and a tank for travellers, to maintain it, a rent free land holding was assigned for doing the same. After their death, the claimant was mahant MahaGir, Bahadur Gir’s disciple. However, it was found that money was not being used for the purpose for which it had been assigned but was being spent on himself hence the grant was reduced.\(^{20}\) Then, with the consent of the local people of the Jawalamukhi, a new mahant, mahant Labhgir was elected.\(^{21}\) This account shows that gosains had certain duty towards the temple of the Jawalamukhi. They might have had some rights and duties for the temple so, probably, they had control over the temple which they lost in the course of time. No documented text makes it known that any kind of rent free grant was made in the name of bhojkis priests before 1904.

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In the gazetteer of 1883-84, 1904, 1925-26 the gosains have been called the religious order. In the interviews conducted with the locals, it was said that once the temple was under the control of the gosains and when they plunged into opulence, the entire authority of the temple was taken over by the bhojkis. It is difficult to ascertain its veracity in the absence of written record but a number of interviews have revealed the same account. In the maufi (rent free) record it is stated that mahant LabhGir succeeded to the mahantship of mahant Bahadur Gir in 1789. His succession got him the rent free grants attached to the buildings and, through the same source, the mahant was taking the income from the rent of the shops. It is not clear from the record whether the shops were within the premises of the temple or elsewhere, and it is said that the mahant had nothing to do with the Jawalamukhi temple and even did not help in the repairs and he was merely the head of a large commercial institution. Probably, they had certain rights on the temple and, gradually, lost them. Now, the gosains are found at the fringes of the town and visit the temple to hoist the first flag on nauratras.

In the latter half of the nineteenth century, low caste chelas were systematically replaced by the Brahmins when some of the shrines started gaining prominence for socio political reasons. “The Brahmanical dominance was also legitimized by

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22. Interviews conducted with the family members of Gosains and Bhojki priests and other locals.; Mahender Gosains resident of Jawalamukhi and his other members of the family; Om Prakash Sud. Resident of Jawalamukhi; Bhojki Pujari Master Promod Sharma, Pujari; Madhusudan Pujari Ashwani etc; Newspaper “Jaagrat” Lahore, published from Lahore dated 21-02-1947. Available in Urdu translated by Dr. Zarin (guest faculty) in Hindi, Urdu Department, Panjab University, Chandigarh. self translated in English.
24. Interviews conducted with Gosains and others and same is seen and observed.
appropriating the subcontinent linkages, as against the aboriginal status, therefore primitive, of the untouchables. The Brahmanical genealogists and genealogical centres, as at Haridwar, imparted mythical descent to the high castes, tracing historical ancestry from prominent places in the subcontinent. The high castes formulated a corpus of oral tradition of migration to firm this up. The Brahmins, thus, reportedly emigrated from Bengal, Deccan and Prayaga; the Rajputs from Ujjain, Malwa, Marwar and, generally, from plain areas. Process of brahmanical appropriation, however, has its origin in the political developments of the mid-eighteenth century. In references to the bhojkis, they claimed their origin from Orissa and claimed their traces can be found in Bhavashiya Purana.

In 1752, when Punjab along with the hill states, was ceded to Ahmed Shah Durani, the Katoch rajas tried to benefit from the prevailing anarchy and recovered all their territories from the Mughal control with the exception of the Kangra fort. In order to declare their complete independence, they gave donations and new land grants were made to the temples and they attracted Brahmin claimants, who started dominating these shrines. When Sansar Chand (AD 1775-1823) ceded the fort of Kangra to Maharaja Ranjit Singh, he shifted his capital to Sujanpur, which is in the vicinity of Balakrupi and Deot Sidh. A nexus between the king and these local shrines started developing with Sansar

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28. Interview held with Bhojki priests.
29. Vogel, HPHS, p. 175.
30. Patta or grant deed issued by Sansar Chand in Takari, or local dialect and script, to the Swaroopa Gir shrine.
Chand proclaiming himself as *Sidh Sahaya*, or the benefactor/protector of the *sidh* centre. Sansar Chand issued a *patta* (see fig 3.4) which is in both Persian and Hindi and gave authority of the temple of the Jawalamukhi to the *bhojkis*, who claim themselves to be a hereditary priests of the temple. The patta was in the name of *pujari* Ganesh Lal and Banwari Lal. Probably, with this they gained prominence and authority of the temple and the *gosains* lost control over the temple.\(^{33}\)

![Fig 3.4. Patta of Sansar Chand.](image)

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33. Sansar Chand patta, which gave the authority of the temple to the Bhojki priests, in the possession of Pujari Krishna Sharma. Dated?
The other religious order found in the Jawalamukhi is bhojki priests; they are the actual caretakers of the temple. Denzil Ibbetson remarked in his book ‘Panjab Castes’ about bhojkis that pujari meant really nothing but an officiating priest at a temple or shrine, and in a majority of cases would be a Brahmin or faqir. Nevertheless, the pujaris of the shrines in the Kangra and Shimla hills had grown into a mixed collection on Nais, Brahmins, Rajput and Jogis, who all were intermarried. Colonel Jenkins of Kangra remarked about them, “The Bhojkis are perhaps a unique feature of this district. They are attached to the great temple of Kangra and Jawalamukhi and are supported by its income. They claim to be Sarswata Brahmans, but they are certainly low in the social scale as compared to other Brahmans. The other Brahman would not eat Kachhi roti with them; they appear to occupy much the same position as the Kangra puthras (son) of Benaras and the probability is that they are mere jogis who have obtained a reflected sanctity from the goddess whose service they have entered. The word is evidently connected with the Sanskrit root bhoj to feed, and is taken from the nature of their duties. They intermarry among themselves and with a class of jogis called Bodha Pandits. They are very quarrelsome, litigious and profligate, and may be well characterized as ‘Early rising, base informing, sad litigious, plague fellows.”

It was stated by Barnes and Lyall, “the religious endowments granted in perpetuity are assigned entirely to the support of temples and shrines in the district. There are many other grants

35. Kachhi roti means routine food that includes dal, rice, chapati, curd and any seasonal vegetable.
36. K D Gazeteer, Part 4, 1904, Compiled and Published under the authority of Punjab Government, the civil and military gazetteer press, Lahore, 1906, p. 36.
of a similar nature still time were in the possession of the grantees, which government will eventually release in perpetuity. At present I have been obliged to enter them under the heading of “Undecided Cases.” The famous shrines of Jawalamukhi, Kangra are entirely self supporting. The offerings are valuable heirloom to the attending priests, and under former Governments used to yield a handsome revenue to the state. I shall have occasion to mention these temples in another place, and merely notice them here to explain the small amount of land all alienated for religious purposes.\textsuperscript{37} Lrewit, the Commissioner and Superintendent of Jullundur Division,\textsuperscript{38} mentioned that the temples at Kangra and Jawalamukhi were in the charge of the rapacious Bhojkis, who plundered the pilgrims.\textsuperscript{39} Mr. Barnes remarked “he did not meet this class in any other part of Hindustan; they were peculiar to these hill states. It is stated that the Bhojkis are not Brahmins, though they are the hereditary priests of the celebrated temples of Kangra, Jawalamukhi, Naina Devi, and Baijnath. They all wore sacred thread and intermarried among themselves. They were constantly involved in litigation.”\textsuperscript{40}

So, from the above given account, it can be concluded that when the British occupied the hill states of Punjab, the temple was absolutely in the hands of the bhojki priests.

Prior, to the establishment of the British rule, the rajas, (the hill chiefs), exercised interference in the management of the temple. They appointed Lali bhojki (one of the priests of bhojki class) to take charge of the income and control the expenditure in

\textsuperscript{37} Barnes and Lyall, \textit{LRS}, 1878, para. 241, p. 33.
\textsuperscript{39} Gazetteer of the KD Part I Kangra 1883-84. Indus Publishing Co New Delhi, 1st Published 1883-84, rtp 1994, p. 67.
\textsuperscript{40} KD Gazetteer part-A 1904. Compiled and Published under the authority of the Punjab Government, the civil and military gazetteer press, Lahore. 1906, p. 36.
accordance with the ancient custom thus leaving the control of the temple in the hand of Lali bhojki. It was pointed out that initially it appeared, “Lali bhojki did perform his duties satisfactorily for some time, and subsequently certain complaints were made against him by the other priests. It was discovered that he had been misappropriating the surplus and he was consequently removed by the rajas who first allowed the collection of the receipt and then transferred the management of the temple collectively to the attendants (rest of the priestly class).”

The letter was written by Colonel C.V. Jenkins to Colonel W.G. Davies, the Commissioner Jullundhar Division, that the administration of the temple had gone to the attendants and they defrayed the normal expenditure and distributed the balance among themselves. They were not even bothered to execute necessary repairs to the building.

It was also noticed that no repairs had been executed for a long time and even one of the buildings collapsed in 1876, which caused great inconvenience to the visitors who used to find shelter in it. The bhandar (Kitchen) door also had come off. It was further mentioned that the monthly stipend of Rs. 2 to each temple attendant had been raised to Rs. 18 per month by the rajas (not known) but all that then accrued by way of offerings which was seldom more than Rs. 81 per annum per man and, as a consequence, they had neglected their respective duties. Thus temple had suffered and its respect as or religious institution had come down in the eyes of the people.

41. A letter forwarded by Colonel Jenkins, Deputy Commissioner, to Colonel W.G Davies, Commissioner Superintendent, Jullundhar Division, dated 10-06-1881.
42. Ibid.
43. Ibid.
The bhojkis had become quite powerful and raised the customary fees considerably. Earlier, no fee was charged for tonsure of children but they started taking an anna for every child whose head was shaven. The pilgrims who used to come from upper India (united Province then and Uttar Pradesh now) were not allowed to enter the premises of the temple until they paid a fee of 5½ anna per person. The entire offering was then grossly misappropriated by the priests and the pilgrims were shabbily treated. Gradually, they became powerful and whimsical.

The bhojki’s had such a strong monopoly over the temple that once they felt that the offerings which were made by the raja of Nabha, was unbecoming of his stature, they threw it away on a dirty and unclean spot. They gleefully forgot that they were responsible for the temple and by each passing day, the temple condition deteriorated. The ‘bhog parshad’ or a food which was distributed daily to the fakirs (beggars) then found its way into the homes of several bhojkis. It was also found that the animals were gifted by raja of Patiala to the temple but they were not looked after. The allowance of Rs 75 which bhojkis used to get was increased to Rs 550. (It’s not mentioned who gave allowance, either it was given by Patiala state or by the rajas of hill).

On seeing the sad state of affairs of the temple, Colonel Jenkins, who was then the Deputy Commissioner of Kangra, suggested the formation of a committee comprising of 3 or 4 neighboring rajas to oversee the affairs of the temple and they should be entrusted authority to collect the fee and control the expenditure according to the old custom. He recommended a

44. Ibid.
45. Ibid.
46. Ibid.
reasonable sum for the maintenance of the priests, the attendants
and the necessary repairs and renovation of the temple thereby
adding to the comfort of the worshippers and pilgrims.\(^{47}\) It can be
inferred that initially they were the attendants; with the decline of
hill *rajas* they assumed authority over the temple of the
Jawalamukhi.

Colonel Jenkins sent a letter of his suggestions to Colonel
Davies and in reply to his letter, Lrewtt Lake (Commissioner and
Superintendent, Jalandhar division) drew his attention to a report
of first September 1846 and in the reply of Henry Lawrence (First
Commissioner of Punjab), “In his opinion, that the government
could not interfere authoritatively in regulating the expenditure of
offerings and that the interference of our officers in their affairs
should be confined to the adjustment of such disputes as may
from time to time arise among the *bhojkis*; and as this principle
has since been more than once affirmed and it cannot support the
recommendations”\(^{48}\). The British confirmed the management of
the temple in the hands of the *bhojkis* as was the prevalent
practice. They also made it clear that they would only interfere in
mutual disputes of the *bhojkis*.

In 1905, an earthquake struck the Kangra valley and, in that
earthquake, the temple of *Varjeswari devi* (in Kangra) was
devastated very badly and led to the formation of the Kangra temple
restoration committee.\(^{49}\) In the Year 1908, a temple committee was
formed which managed the revenue of the temple in the terms of a

\(^{47}\) Ibid.

\(^{48}\) Letter forwarded by Colonel W.G. Davis Commissioner and Superintendent Julundhur division
to Colonel C.V. Jenkins deputy Commissioner Kangra, Dated 1st. July. 1881 letter No 1591.

\(^{49}\) Kangra Restoration Committee, 1905. File No. 212; Basta No. 14; Head-67; Subhead-43.
decree passed by the district judge, Kangra on 10, December, 1908 and the result was satisfactory.\textsuperscript{50}

On seeing the work of the temple committee of the \textit{Varjeshwari} Devi in Kangra, a case related to the management of the temple Shri Jawalamukhi was also filed by Jeet Ram Darshni and Saraf Sood in the Court of Lala Sohan Lal Sahib (tehsildar), Tehsil Dehra, District Kangra, against Amba Dutta S/o Devki Nand, Chakrpani, another caste of \textit{bhojki}, resident of the Jawalamukhi Tehsil Dehra. The plaintiff demanded that management should be in accordance with the management committee of the \textit{Varjeshwari} Devi or as deemed by \textit{raja} of Nadaun (name not mentioned) or the arrangements should be made as per the procedure prevalent at \textit{Varjeswari} temple, Kangra. The management should be carried out as per the judgment given by the district Collector, Dharmasala dated 04.12.1908 in respect to the \textit{Varjeshwari} Devi in Kangra, which led to the constitution of ‘\textit{Sanatan Dharm Sabha}’ for the management of the \textit{Varjeswari} Devi temple. They made a point that for the management of the \textit{Varjeswari mata} temple, Kangra, as per the orders of the district judge, respectable personnel and sensible people, therefore, were deputed and similar arrangement should be made for the Jawalamukhi temple also so that the \textit{yatris} (pilgrims) were at ease. They further demanded that the nominated committee members should not be aged, other community could also participate in the committee, and the members should not have a criminal background. They should be administered under the Presidentship of the king of Nadaun, Magistrate Sahib and

\textsuperscript{50} Ibid.
Collector Sahib Bhadur, District Kangra, so that the functioning of the temple remained efficient. 51

The earthquake in Kangra which devasted the temple of the Varjeshvari and further, which led to having a management committee also prompted the locals of the Jawalamukhi to file a case against the existing committee and its caretaker i.e the bhojkis.

A case pertaining to the management of the temple of the Jawalamukhi was filed in respect of the expenditure list. They raised the following questions. 52

1. The list/statement should be called from priests, contractor, dharam granthies, and management committee and from sweet maker (halwai) regarding the preparation of bhog prasad five times and its distribution likewise.

2. How much grain was received and issued to the temple and to what extent it was taken away home by baridars. 53

3. They were also asked to submit the list of pakwan (cooked dressed food) prepared 5 times at 5 aartis and all details of its account and distribution.

4. Register of sadavarta (where grain was stored which was granted by maharaja Patiala and given to the needy) and register of expenditure register showing patta (right of

51. A copy of an application of Darshino and Saraf Sood in the Court of Sohan Lal Sahib, Tehsil Dehra, District Kangra, dated 29.08.1908. Record in Persian, translated by Dr Ayub Khan, Urdu Academy, Panchkula, in Hindi, translated in English by J.K Puri, Advocate in Punjab and Haryana High Court. It was in the possession of Arvind Sharma. Chief Judicial Magistrate, Bilaspur.

52. A copy of an application of Darshino and Saraf Sood in the Court of Lala Sohan Lal Sahib, Tehsil Dehra, District Kangra. Plaintiff Jeet and Darshino etc. in respect of the management of Temple The Jawalamukhi District Kangra, Versus Chkrapani etc. of the management committee Jawalamukhi and plaintiff, dated 18.11.1908. Record available in Persian, translated by Dr.Ayub Khan, Urdu Academy Panchkula. Translated in English by J.K Puri, Advocate in Punjab and Haryana High court. It was in the possession of Arvind Sharma, Chief Judicial Magistrate, Bilaspur.

53. It is derived from the word Bari or turn. The pujaris, the Bhojkis, act as baridars.
contract) of the contractor and the material given to the contractor be also called for. These details were to be called for from the beginning to date. (Beginning to date means certain judgment was made by Edvard Leak, Assistant Commissioner in 1846, regarding the income and expenditure of the temple of the Jawalamukhi. Dharmarthian and others had filed the law suit in the court of District Bahadur sahib regarding expenditure on temple income and offering and allocation of amount to them.54).

5. They referred to the documents showing the judgment of Edvard Leak, pertaining to the conditions of income/offering, expenditure/distribution etc, in respect of the temple of the Jawalamukhi and from the list of present income/expenditure distribution to be compared to reach a judicious opinion in this respect.

They further alleged that:-55

1. On what condition the temple management was given to the bhojkiyan? Was it on the application of the bhojkis or was it otherwise.

2. The management committee which had been detailed was completely mismanaged. They further alleged that the

54. law suit of Dharmathian regarding income, offering, of the temple of Jawalamukhi, pertaining to the file containing list of offering, income and expenditure, Tehsil Dehra. District Kangra, dated 7.9.1846. Record available in Persian, translated by Dr. Ayub Khan, Urdu Academy Panchkula. Translated in English by J.K Puri, Advocate in Punjab and Haryana High court. It was in the possession of Arvind Sharma. Chief Judicial Magistrate, Bilaspur.

property of the temple was in the deplorable condition and was under debt.

3. They (plaintiff) raised the question that Edvard Leak stated in his judgment that expenditure of the temple should be met from the income itself and after deducting the expenditure of the temple the rest of the income could be distributed amongst the *bhojkis*. However, they alleged that income was not being spent on the temple but on themselves. On every occasion they were asked to spend on the repair of the temple or to meet any other expenditure; it was denied by them on the plea that there was no balance available to meet such expenditure.

4. As per earlier system, the *bhog prasad* was distributed amongst poor people and *fakirs* which had, henceforth, been discontinued.

5. The *bhojkis* were illegally and unlawfully managing the income and expenditure as per their sweet will.

6. It was further enquired how they had been managing the Lion gifted by the *maharaja* of Patiala (which was mentioned in *maufi* (rent free) of 1873 also).

The defendant (The *bhojki* priests) stated in their defence.\(^{56}\)

The management committee under the *bhojki* priests submitted a reply in detail on 09.03.1909. It was argued by the appellant that the committee replied verbally and the statement

\(^{56}\) Copy of counter reply of the management committee, temple Jawalamukhi in the court of Civil Magistrate, Tehsil Dehra, District Kangra. Defendant Chetram, caste Brahmin and others caste Sood, resident of Jawalamukhi, Tehsil Dehra versus Aniba Dutt son of Devki Nand etc and other caste *bhojki*, resident of Jawalamukhi, dated 09.3.1909. Record available in Persian, translated by Dr. Ayub Khan, Urdu Academy Panchkula.
was not supported and proven with income and expenditure written document of the temple.

1. There was no doubt that income and alms given by the temple was not in accordance with Edvard Leak’s judgment. The Management Committee under the bhojkis, however, pleaded that a lot of changes had surfaced by that time as compared to the past when orders were passed on the subject regarding income, expenditure and quantity. The ratio that was fixed at that time did not hold good because, by that time, the cost index had gone very high and the income had not increased in proportion to it. Therefore, the definite budgeting in respect of income and expenditure as per the list, as ordered earlier, needed to be reviewed.

2. Answering in respect to the maintenance of the Lions, which were donated by maharaja Patiala. The bhojkis stated that the Lion had died 15 years back in the Jawalamukhi temple. Moreover, the expenses were borne by the maharaja himself. Approximately 15 years back, maharaja Koti donated a Bear to the temple and the expenses were borne by the maharaja himself. The Managing Committee was not responsible for breeding the animals and their young ones.

3. In reference to the complaint made regarding the bhog prasad taken by the pujaris a separate servant was assigned to take bhog prasad which was not mandatory as puja was being carried out by baridars themselves.

4. Under other point, it was submitted that there was no other employee of the temple except one dharmarthi who was paid Rs. 15/- The payment to dharmarthi was stopped on his death and, thus, it became the temple property.
5. They clarified that the *yatris* (pilgrims) were not levied any of the charges or asked to pay anything. No *yatris* had made any complaint also but, on the contrary, it was the city boys and girls who created problems and teased the *yatris*. Therefore, *mulazim* (employee) had been detailed to keep the city miscreants in check. During the *mundan* ceremony (Tonsure ceremony) the *yatris* donated an *anna* to the temple and paid 1 *anna* to the barber at their own sweet will. These customs were in vogue from good old days. *baridars* were paid Rs. 2 daily by *yatris* as they were *bhojki’s jajman*. It was further stated that irrespective of *yatris* donating Rs. 2 to their *jajman* *yatris* they used to donate an *anna*, or Rs. 1 in the temple. They were neither compelled nor put to any inconvenience for making any kind of donation. At the time of *havan*, only Rs. 1 and 4 *annas* were taken out and out of that 8 *annas* were given for offering sacrifices, 4 *annas* for path *dakshna* and 8 *anna* were meant for *dharmasala* and offerings etc. and nothing was separately taken. This was given by the *yatris* very happily. They spent a lot of money on *havan samagri* also. Generally, poor pilgrims did not go for *havan* and they offered 1 paisa *prasad* only.

6. According to other point of the complaint, 5 times, *bhog* of the same weight and kind was offered daily in the temple as our

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57. Jajman is a visitor whose generations have been visiting the same religious place and their name have been written in a pujari’s book. They stay at their pujari’s place and it’s the responsibility of the pujari to make arrangements for him. Pujari takes them to the temple and even does puja for him, in early days when there were no resting places it was the pujari who made their stay comfortable. In return the jajman helps the Pujari extending help in construction of room at the Pujari house and even help him in his financial need. It gives a jajman utter happiness when they look their ancestor’s name in the book of the pujaris. No two pujaris can have the same jajman and the privileged pujari is one who possess the name of the kings. The priest-jajman relationship moves from generations to generation and even in modern times this relationship exist.
moral duty regardless of it being a lesser income from the devotee. The bhog items were costing Rs. 5/- in good old days and nowadays, the same was costing more than Rs.12 per day. The bhog was distributed amongst available yatris, saints and fakirs and the remaining, left with the bhojkis.

7. They asserted that the prabandhaks had full right to slash dharmartha.

Further, in the court of Lala Sohan Lal Sahib, Tehsildar and collector II class, tehsil Dehra, District Kangra, on 09.03.1909, they requested that the defendant be asked to reply in writing about the issues raised.58

(1) They asked for similar arrangements to be made at Jawalamukhi as were made at Vrajeswari Devi at Kangra by constituting a committee.

(2) The expenditure on the temple was Rs.25/- (it is not mentioned whether it was annual or monthly) which should also include expenditure incurred on dharamarthies and the workers of the temple.

3) Mr. Edward Leak, Sahib Bhadur, has stated in his judgment that all expenditure of the temple should be met from the income of the temple itself. Therefore, it was prayed that according to the application which was heard on 26.02.1909, the defender be asked to submit a reply to all the points, thus raised.

They further requested to deliver the judgment, keeping in view, the documents, application and file etc. and wanted that a

management committee should be appointed for the Jawalamukhi temple, similar to the one of Varjeshwari Devi.

In reply to the questions raised by the other party regarding the maintenance of the temple and payment to the dharmartha, it was replied that the prabandhak (management) had the full right to cut dharmartha for the days when the Guru Grantha (religious book) was not recited and lamps were not kindled. There were two granths in the temple. One granth was kept open and the second granth was opened for recitation during the fair only. A granthi had been appointed by maharaja Patiala who exercised full right on him. The management was not responsible for him.\textsuperscript{59}

In reply to the question regarding the interference of the people other than the bhojkis in the temple administration, they replied that since time immemorial, the temple had been administered by the bhojkis themselves. For this, a committee was formed by a majority opinion popularly called “kasrat rai”. There was no other committee who had the sole power.\textsuperscript{60}

The document does not reveal in whose favour the case went. The temple remained in the hands of the bhojkis. Perhaps, after the case went in favour of the bhojkis, and it stands testified by the record dealing with maufi register that, a case regarding state versus mandir Devi Jawalamukhi, under the management of Chakarpani, son of Devraj Bhojki, in the year 1914 was filed.\textsuperscript{61} Chakarpani was one of the defendants in the case filed in 1909 against the bhojkis. In the above given account it was mentioned

\textsuperscript{59} Copy of counter reply of management committee. Temple of the Jawalamukhi in the court of civil magistrate. Tehsil Dehra. District Kangra.\textsuperscript{1909}.

\textsuperscript{60} Ibid.

\textsuperscript{61} Copy of order in the court of (bandobast) Dehra. District Kangra. Case No 41. and date of institution 9-12-1910, date of decision. 13-7-1914. Village No 128 DG. state vs. Mandir Devi Jawalamukhi under the Management of Chakarpani son of Devraj Bhojki Resident of Dehra, district Kangra.
that the temple management was under Chakarpani. The other record dealing with the administration of the temple-lands by the *panchayats* in hill states, did not mention the Jawalamukhi temple like the other temples in Himachal Pradesh which were under the control of the *panchayats*. The Jawalamukhi temple probably remained independent. The other record which testifies that the temple was in the control of *bhojkis* is an appreciation letter given by *raja* Hari Kishan Kaul of Kashmir who visited the temple in 1933 (fig 3.5) and was in high spirits to observe that the temple committee was working in accordance with the suggestions he gave in 1923. He avowed that marble flooring was done and marble was well placed on the walls as suggested by him and the welfare of the pilgrims was taken care of. He was happy to see that the *bhojkis* were following the entire proposition made by him.\(^3\)

II

The temple continued to in the hands of the *bhojkis* (priests) and they evolved their own set of rules to run the administration.\(^4\) The temple administrative body was then called ‘Prabandh Karini Mandir Shri Jawalamukhi’, which included each and every male member of the *bhojki* priests. It was divided into two classes called the *mat panchyat* and *mat theka* (contract).

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62. This letter was forwarded by Deputy Commission of Kangra on 27-11-1945 to the Panchayat officer of Kulu. Administration of temple lands etc by Panchayat.

63. Letter written by Hari Kishan Kaul. Raja of Kashmir, dated 2-6-1933. It was in the possession of Arvind Sharma in Hindi, self translated in English.

64. Newspaper “Jaagrat” Lahore published from Lahore on every Sunday. Dated 21-02-1947, in Urdu, translated by Dr. Zarin (guest faculty) in Urdu department Punjab University Chandigarh, self translated in English.
Fig 3.5. Letter of Harkishan Kaul

All the members were either a part of *mat panchyat* or *mat theka*. The *mat theka* was further divided into bigger and smaller *thekas*. The *mat theka* was popularly called bigger *theka* which used to give instructions to the small ones. The small *theka* was, generally, given to the rest of the *baridar* who were not the
members of *mat panchayat* and *mat theka*.\(^{65}\) The administrative body consists of *mat panchayat*, *mat theka* and the small *theka*.

All the rights were conferred on *mat panchayat* and the *panchayat* was formed on election basis, and the election of the governing body took place in the month of June. In every two years, election took place on 21\(^{st}\) June, and by 22\(^{nd}\) June, a new body was elected and new *panchs* were elected.\(^{66}\) The *mat theka* was, generally, given by the *panchayat* to whomsoever they found suitable. The *mat panchayat* and *theka* would change as per the results of the election. The terms and conditions were applicable to everybody.\(^{67}\)

The duty of *mat panchayat* was to keep an eye on the *mat theka* and the mode of the worship. The arrangements regarding the worship were to be made by *mat theka* and it was further given to the *baridars*. It was mandatory for the *baridar*, whose turn it was, to make arrangements for daily worship. The *thekedar* was responsible and answerable to the *mat panchyata*.\(^{68}\)

The foremost responsibility of the *mat thekedar* was to give *theka* to smaller *thekedars*, who were paid by the *mat theka* according to their work. The *mat theka* had certain rights which included the rights to enquire about the character of the entire community. They had both administration and moral responsibility towards their community. The *mat theka* had rights for appointment also. They used to appoint the *granthi* (who read Granth sahib, a religious book of the Sikhs), *mashalchi* (who lightens the temple), other employees who were known as *bhangi*.

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\(^{65}\) Record deals with Prabandh Mandir Shri Jawalamukhi deals with the management of the temple. It was in the Possession of Pujari Sushil Kumar, available in Hindi, self-translated in English.

\(^{66}\) Ibid.

\(^{67}\) Ibid.

\(^{68}\) Ibid.
(who was kept for cleanliness of the utensils), tahlua (who assist the priest in the fifth aarti at shayya). 69

It was the joint responsibility of the mat panchayat and mat theka to create new sources of income, and no extravagance was allowed. If the given amount was not spent in the right manner or the way it was planned, the panchayat had the rights to suspend or cancel the theka. 70 It was the duty of the baridar and thekedar to submit budget and balance to the mat panchayat and, after submission they had to obtain a receipt. Nobody could go against the decision of the panch. The rules were set by the panchayat and, if it found that others were not following the set rules, the concerned person could be expelled from the biradari (people belonging to same community) and whosoever disobeyed the rules made by the pancha and create problems would be expelled. 71 On expulsion, they could not sit and eat with others nor could they have any matrimonial alliance with them. It was a kind of social and economic boycott which nobody among the baridars ever wanted to happen. 72 It was a mode of decentralization by which better administrative skills could be developed.

It was a difficult task for the pancha to come to a conclusion as to which place in the temple premises ought to be given for theka since, it was observed that visitors made offerings at different places in the temple. People donated at different jyotis (flames) and at different mandaps (platform) so it was a complex problem as to, which place was supposed to be given for theka.

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69. Ibid.
71. Prabandh Mandir Shri Jawalamukhi... opt., cit
72. Interviews conducted with the Priestly class.
Since the time of katoch rulers, there was a tradition of making offerings at the silver window which had been continuing and the majority of the pilgrims made offerings at this window. So, it was decided that the theka of the silver window must be given. The offerings made there would go to the panchayata. It was treated as a temple fund and was used for the repairs of the temple, maintenance and running of various institutes such as the Sanskrit school, a library, Ayurvedic dispensary, a dharamshala and a langar (free public mess) which were attached to the temple. There was also a custom to donate certain amount to the beggars from this fund.

There is a tradition of priest Jajman system in almost all the religious centres of India. Jawalamukhi is no exception and there has been a tradition of the pujari jajman system. The pujari asked his jajman to offer their donation, whether in kind or cash, and requested them to place it at the silver window. This practice was allowed to continue as it was. The thekedars could not compel or force their jajmans to give them half of the offerings while the rest was to be left in the aala (window) and, if that would happen and the thekedar was found guilty, he had to pay eleven times the offering. The other things offered in kind belonged to the thekedar. The offerings were made both in cash and kind, depending on the will of the pilgrim.

73. Ibid.
74. Newspaper “Jaagrut” Lahore, opt., cit.
75. Newspaper “Jaagrut” Lahore published from Lahore on every Sunday. Dated 7-02-1947, in Urdu, translated by Dr. Zarm (guest faculty) in Urdu department Punjab University Chandigarh, self-translated in English.
76. Prabandh Mandir Shri Jawalamukhi, opt., cit.
77. Ibid.
The offerings which were made in kind, generally, included prasad, chadi (stick), ghanta (bell), ghee (clarified butter), fruits, thal (plate) and other utensils such as kaddahi (deep pan), peekdan (in which waste of betel is thrown), gaggar (pitcher) and ornaments of gold and silver or anything which is made of ashtdhatu (8 metals). These would belong to the panchayat. The jewellery placed or donated in the silver window was to belong to the thekedar.

The thekedars were the limbs of the temple, and responsible for its smooth functioning. They assigned certain responsibilities to small thekedars who were bound to fulfill them. In case the small thekedar did not perform their duties accordingly, they could be dismissed and the small theka could be handed over to others. In this regard the mat theka had autonomy.

It is noticed that a large number of donations were coming from Patiala and if it amounted to Rs. 500, it would belong to the thekedar and if the donation was higher than Rs. 500, it would go in favour of the panchayat. In case the offering amounting to Rs. 500 was made by the general populace, it would be deposited in the panchayat fund. The money orders were also sent by the jajmans, important people or by the general public. If the money order was of Rs. 100, then it would go in favour of the thekedar and if it was above Rs. 1000, it would be deposited with the panchayat. Many times, the money order was sent by a jajman in the name of his purohit, In that case, it would go to the concerned purohit.

78. Ibid.
79. Ibid.
80. Ibid.
81. Ibid.
At times, such money-orders came in the name of the manager or in the name of the *mandir* (temple) or in the name of the goddess. Such money would then be taken by the *thekedar*. There were other times when the money-orders were sent by the *jajman* without mentioning the name of his *purohit*. Then it was the duty of the *purohit* to write at the earliest and ask to whom the money-order had been sent. If the reply came within ten days then the money would go to the concerned priest otherwise the amount would be deposited with the *panchayat*.\(^{82}\) The money which had been offered in the *kund* was to be taken by the *baridar*.\(^{83}\)

A large number of pilgrims visited the temple at the time of *navratras*, and they asked the priest to perform *havan* (sacrifice) to please the goddess or as thanks giving. Sometimes, while performing the *havan*, if the *kalash* of gold or silver was left near the fire altar then it would belong to the *panchayat* and in case the visitor was a rich man, *raja*, or any other influential man who left behind the *Kalash*, it would belong to the concerned *purohit*, who was either their family *prohit* or who had been asked to perform the *havan*. In case, a gift or donation was made that was entitled to the *panchayat* and was taken by the *thekedar*, then he had to face severe penalty and had to pay back eleven times its cost. It was the contractual obligation of the *thekedar* to put together day to day expenditure of the temple which included daily *puja*, *bhog* (food offered to the goddess five times a day) etc. The expenses were to be incurred by the *baridar*, whosoever’s turn it was. It was

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\(^{82}\) Ibid.

\(^{83}\) Newspaper *“Juograj”* Lahore., opt., cit.
his responsibility to arrange everything which was needed for daily puja and bhog.\textsuperscript{84}

It seems that the system of mat panchayata and mat theka continued into the late 1940’s or early 1950’s afterwards no mention have been found about mat panchayata and mat theka. During my field work, I came across certain documents which included some letters written to the pradhan (head) of the temple and a register containing rules and regulations formed in the committee to run the administration of the temple of Jawalamukhi.

These documents testify to the change which was brought about in the composition of the committee and how the system of contract almost came to an end but for a few instances. The custom of the bari continued as it was.

The temple committee retained the same name “Prabandh Karini Sabha Shri Jawalamukhi”. The selection of the committee remained on democratic lines, as it was, and the system of election continued. The document reveals that in a new system it was decided that to be a member of the sabha or to be a sabhasad (member of Pradhan Karini Sabha Shri Jawalamukhi) one should have the support of 1/5 of the pujari community. Only then one’s name would be considered for election and one would be acknowledged as sabhasad (member) of Prabandh Karini Sabha. The person should not be a gambler or an alcoholic and should have never been involved in any kind of embezzlement.

\textsuperscript{84} Prabandh Mandir Shri Jawalamukhi, opt., cit.
### Chapter-III

<table>
<thead>
<tr>
<th>MAT PANCHYAT</th>
<th>MAT THEKA</th>
<th>BARIDAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consisting of <em>Panchs.</em></td>
<td>Given to group of priests for 2 years whom <em>Mat Panchayat</em> found suitable.</td>
<td>Included both the members of Mat <em>Panchayat</em> and <em>Mat Theka</em>.</td>
</tr>
<tr>
<td>Elected after every 2 year.</td>
<td>They kept servants and paid them.</td>
<td>They were responsible for making arrangements of <em>puja</em>.</td>
</tr>
<tr>
<td>Administration conferred in their hand.</td>
<td>Generated new sources of income and were answerable to <em>mat panchayat</em>.</td>
<td>They took the offerings of the <em>kund</em>, both in kind and cash.</td>
</tr>
<tr>
<td>Responsible for entire management of income and expenditure.</td>
<td>They Appointed small <em>Thekeadar</em> and gave charge for various duties which were of less importance.</td>
<td></td>
</tr>
<tr>
<td>Responsible for various institutes.</td>
<td></td>
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</tr>
</tbody>
</table>
The election was open to all and the entire community could cast their vote in favour of the candidate of their choice by giving in writing. If the persons or a member of the community was far away, he could send his vote by post and the person who was uneducated would put his thumb on the paper where his name would occur.

The provision was made that they could change their vote also. Whosoever would get the maximum votes would be elected as the Pradhan. The administrative body was elected for two years and the date of election was the same i.e. 21 June, and that its result was declared on 22nd June. No change was found in the election date. If the committee would not perform its duties up to expectations, then, immediately, a mid term election would take place and a new committee would be formed.

It seems that the provision of theka had almost come to an end as only two references have been found in this regard to it, one in the letter written to the pradhan. The theka was given to halwai (confectioner) (see fig 3.6) for the bhog for a year 22 June 1958 – 22nd June 1959. He had to provide all the items used in the bhog of the goddess at the rate of Rs. 42 per month on the implied condition that everything should be unadulterated.

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85. Unpublished document, a register related to the rules and regulation regarding the selection of the adykasha (head) in which Pujari Chrinjivi Lal Shastry would be member of committee. Others had cast their vote and the letter was written to the president managing committee Shri Jawalamukhi temple, by Chander Kishore Sharma, Statistical Branch Compilation section Northern railway Julludhar city. He cast his vote in Favour of Shri Brij Kishore, the election was be held on 21, June 1958. The record is in Hindi and in the possession of Pujari Himanshu Dutt, self translated in English.

86. opt.cit.

87. Document dated 22nd June, 1959. Regarding the theka given to Halwai for a Year for daily bhog. Record in the possession of Pujari Himanshu Dutt. Record is available in Hindi, self translated in English.
Fig 3.6. A letter to a Pradhan regarding Theka

The other instance was that the temple of Taradevi (other temple within the premises of the Jawalamukhi temple) was given on yearly contract. In the interviews conducted with the pujaris, they revealed that all temples except the main temple, used to be

88. A copy of Judgment regarding the claims of Baridars from the Commissioner, Shri Jawalamukhi, and Temple trust Kangra at Dharmshala. To the Assistant Commissioner, Shri Jawalamukhi Temple. p. 10.
given for contract but there is not enough evidence to support it. It is, therefore, difficult to ascertain how long the system of contract prevailed. Its appears that the normal practice was that when one committee completed its term of two years, it handed over everything to the newly elected committee and records were checked by the newly formed committee.  

A perusal of the details of a meeting held in 1963 under the Presidentship of pujari Piyare Lal shows that in every meeting there was an agenda to discuss and they, generally, formulated a new code of conduct and rules for the smooth running of the administration which were duly incorporated. Certain new rules were made regarding the income and the codes of conduct to be followed by the entire biradari were formulated in this meeting. The existing code of conduct forbade the members from indulging in gambling and alcoholism but now onwards, one found to have indulged in that had to pay a fine of Rs.100. The members of the committee had to follow these rules and they, themselves, had to abstain from these. Certain guidelines were made for the elected members of the committee; they were not permitted to use the services of the employees for personal use as they were employed for the temple work. A provision was made that members of the committee would get some allowance which would be given only after opening the golak (cash box). It was decided that the

89. Document deals with the checking of the previous Income and expenditure. By Pujari Chiranjivi Lal Shastri, Baladutta. Pujari Kanda Prasad, Pujari Naval Kishore the record is not dated. It was in the possession of the Pujari Himanshu Dutt. Record is available in Hindi, self translated.

90. Register of the year 1962, in which various rules regarding the temple administration is discussed which was undersigned by other members of the community. Record is available in Hindi, self translated.

91. Ibid.
pradhan would get Rs 10 per sitting, mantri Rs 8, and koshadyakas (treasurer) Rs 5.92

In the new system, the money collected was distributed among themselves (bhojkis). They made a provision for giving commission to pujaris. The meeting was held and took note of the decline in income during the previous navratras which had affected the maintenance of the temple. Keeping this in view, the committee decided to stop the commission to the pujaris till the income of the temple increased.93

With each passing year, the committee made amendments. In a meeting held in 1964, it was decided that the commission would be distributed equally to all the purohits. The baridar would get his share as usual. Correspondingly, the income which came from performing the havan would be distributed equally among all the purohits.94 The work was, generally, distributed to the purohits and the purohit would be paid according to his work. There would be a board, of five people whose responsibility it was to distribute the work according to the competence of the particular purohit. Every purohit would work according to his capability as directed by the board, formed to assign work. He would be paid his salary accordingly. There would be a board of five from the baridars who would be responsible for assigning work according to the capability. There is a reference to election for the board in April 1965 and Shri Naval Kishore’s name was unanimously proposed for the post of chairman which he accepted. In another meeting, it was discussed that the major income of the temple is during the

92. Ibid.
93. Ibid.
94. Register of maintenance of rule and amendment, the decision was taken under the chairmanship of Pujari Brij Kishore. Dated 31-3-64. Undersigned by the Entire community. Record was in the possession of Pujari Himanshu Dutt.
navratras, takes place twice a year. This income should be regulated. The income or endowment made by the pilgrims would be distributed after deducting the amount which was kept aside with the committee for the maintenance of the temple and for the salary which was to be paid to the employees.\textsuperscript{95} In case, if the pilgrim was the \textit{jajman} of any \textit{purohit}, and the \textit{jajman} made any donation in cash or any other in kind, it would go to the concerned \textit{purohit} only. The visitors who stayed in the \textit{dharmshala} and made any donation, the same would be distributed equally among all the \textit{purohits} (including the \textit{pradhan} and other members of the committee). If the name of any visitor who had been staying in \textit{dharmshala}, or the name of his forefathers existed in the \textit{bahi} of the \textit{purohits}, then it was decided that anything offered in cash or kind would belong to the concerned \textit{purohits} in whose \textit{bahi} his name existed.\textsuperscript{96}

Later, it was decided that Rs. 50 would be given to each \textit{baridar} on a monthly basis. Nevertheless, if the income was less, then the amount of Rs. 50 so decided to be given, could be reduced. If any \textit{purohits} to whom certain duties were imparted were found to be ignoring their duty and failed to appear on the decided day, they were deemed to be answerable to the \textit{sabha}, likely to be punished and liable to pay the fine.\textsuperscript{97}

In case, any \textit{purohit} would make his \textit{jajman} to have \textit{darshan} of the flames and made him donate to the temple, that \textit{purohit} would be given a commission of 25 percent of what the visitor had donated but the commission would be given only if it was Rs. 1 or above. If it was less than Rs. 1 then the \textit{purohits} had no claims on

\textsuperscript{95} Ibid., Dated 27-4-64, under the chairmanship of Pujari Shiv Lal.
\textsuperscript{96} Ibid., Dated 22nd-05-1965 under the chairmanship of Pujari Brij Kishore and was undersigned by other members.
\textsuperscript{97} Opt.,cit.
the commission. Each baridar would have equal right on the offering made by raja of Kangra. It was further decided that the donation made on the navgraha (nine planets) would be distributed among all the baridars. It was made amply clear that 50 percent would be given after calculation of the total income and it could be abridged. The utensils which were used during the sacrifice would be given to the purohits, as was done earlier.  

In a meeting in 1965, the name of the committee was changed to “Sahkari Purohit Board” and the chairman was authorized to select his four members. The most interesting part of the election was that women also participated in the election and cast their vote.  

The name was further changed when Himachal government took over the temple in 1988 and the board was called “Pujari Sabha”. One of the records reveals that by the mid eighties, the schedule of the election for the selection of the board was scaled down to one year but the date of the election remained the same.  

The above given account shows that the bhojkis were running the administration but if we scrutinize closely they were more concerned about their own income rather than the income of the temple. There is hardly any portion of the income set aside for the development or construction of the temple. In the interviews with the pujaris, they stated that they used to open the cash box

98. Dated 22nd-05-1965 under the chairmanship of Pujari Brij Kishore and was undersigned by other members.  
99. Ibid.  
100. Copy of Judgment regarding the claims of Baridars, In the court of Shri P.C Dogra IAS, Commissioner, Shri Jawalamukhi Mandir Temple Trust, Tehsil Dehra, District- Kangra. Date of Entry 27.7.1987 and the date of decision. 31-8-1998, p. 1.  
101. Record deals with the selection of the President for1984-1985. For one year and Pujari Veni Madhav was chosen as the President of the Pujari Sabha and it was undersigned by the members. Available in Hindi, self translated in English.
after every six months and distribute the collected amount among themselves and set aside some amount for the maintenance of the temple but in respect to how it was done the record is silent about it. It is found that with limited resources they were running the temple to the best of their capacity. They tried to execute their responsibilities in the best possible way and kept a check on moral conduct of their community so that degradation could be curbed. The pre-existing system sharpened the polarization among the pujaris. In the interviews conducted of the priestly class and the same found in the judgment of P.C Dogra, I.A.S, in 1987, it was found\textsuperscript{102} that the panchayat (it has not lost its influence completely) was influenced by the powerful priests and, with the passage of time, the panchayat remained in the hands of certain priests. The small and less influential priests slowly lost the opportunity to earn during the navratras - the most lucrative time to earn when people visited the temple from far off places to pay homage and make a large number of donations.

III

The Management of Shri Jawalamukhi Mandir, Jawalamukhi, Tehsil Dehra, district Kangra was taken over by government on 7\textsuperscript{th} March 1987 under the provisions of the Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowment Act, 1984.\textsuperscript{103} This created hiccups among the bhojki Priests. Till now they were the sole proprietors of the

\textsuperscript{102} A copy of Judgment regarding the claims of Baridars. In the court of Shri P.C Dogra IAS, Commissioner, Shri Jawalamukhi Mandir Temple Trust, Tehsil Dehra. District- Kangra. Date of Entry 27.7.1987 and the date of decision. 31-8-1998, p. 1.

\textsuperscript{103} The Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowment Act 1984, under clause (3) of Article 348 of the constitution of India, p. 90.
temple and enjoyed its income. They came forward with their rights and brought forth the vansavali (family chart), to pursue their claims on the temple. The case was filed in the court of Shri P.C. Dogra I.A.S., then Commissioner, of Kangra, Shri Jawalamukhi Mandir temple trust.104

A conflict had arisen over the trusteeship at the Jawalamukhi temple since the government had taken it over. The argument involved the family of bhojki priests and the Himachal Pradesh government. The priests of the Jawalamukhi laid claim to the donation made by the pilgrims. According to the priests, they were the privileged and requested to continue the system of the bari.105

The Pujari Sabha, Shri Jawalamukhi temple, had approached the court with their request that they should be allowed to get their share of offerings as per the old traditions. A section of pujari/baridar had, however, requested for equal share in the offerings and opposed the system of bari (turn) which had been in practice since long.106 Certain sections of the priestly class who were unhappy with the bari system, could not get much advantage under that system. As that system benefitted only a section of baridars who managed to fix their turn in navratra only. The temple trust was requested to look into this aspect but they had not been able to make any categorical recommendations. As such, the matter was referred to this court for adjudication.107

104. Copy of Judgment regarding the claims of Baridars, In the court of Shri P.C Dogra IAS. Commissioner, Shri Jawalamukhi Mandir Temple Trust, Tehsil Dehra. District- Kangra. Date of Entry 27.7.1987 and the date of decision 31-8-1998, p. 1.
106. Ibid., p. 1.
The Pujari Sabha had pleaded that their shares should be allowed to continue as per the traditions and they should be given their share as per the Bari system. The entire Pujari community was divided into two groups. One was headed by Shri Shashi Bhusan, member of the most influential pujari families for many generations, and the other group was headed by Brij Kishore. The Former Group was in favour of the bari system whereas eight applicants came and stated that they would like the offerings in cash to be divided equally amongst all the baridars.108

At the time when this case went to the court of P.C. Dogra, there were 93 baridars who came to the temple for daily puja. Each baridar was to get 50% of the offerings in cash made on a particular day. The offerings varied from day to day. Sometimes, the offering was only about Rs. 750/- and at other times like navratas, it could be any amount above Rs. 3000/-. This meant that the baridar whose turn came on a normal day would be getting 50% of Rs. 750/- after deducting expenditure as first charge. He may then get only Rs. 50/- whereas a person whose turn came in navratras, may get about Rs. 15,000/- to Rs. 20,000/- for his turn. It was argued that this way unequal distribution of money and clear discrimination was done among the baridars.109 According to Shri Brij Kishore and others, some of those baridars never get their turn during navratras and, as such they, are deprived of the greater benefit.110

Mr. Dogra, himself, examined the list of baridars who got their bari in navratra during the last three years. It showed that there were a few families of baridars who had got their turn during

108. Ibid.
109. Ibid., p. 3.
110. Ibid.
nauvratras in the last three years and a large number of families of Baridars had not got their turn. Not only this, there were certain families of baridars whose baris were repeated in nauratras. This being the position, it clearly showed that Bari system, if introduced, would be beneficial to a small number of families and those who did not get their baris in nauratras would be affected badly. The group advocating equal share, therefore, pleaded that in the interest of equality and justice, the distribution of cash offerings should be made to the baridars equally after deducting the expenditure on the maintenance of the temple.111

The other group, led by Shri Shashi Bhusan and others, had on the other hand, stated that this tradition had been going on for the last many years and the turn comes as per the rotation. They further stated that during nauratras, 50% of the share which went to the baridars was given to the Pujari Sabha to be distributed equally amongst the remaining baridars and, as such, this discrimination, as alleged by the other group, was not there.112

At the meeting held with the temple trust, these pujaris agreed that pro-rate expenditure of Rs. 650/- per day be deducted from the cash offerings on a particular day and the remaining be distributed 50:50 amongst the pujaris and the temple trust. This suggestion, however, was not accepted by the temple trust and they failed to make any specific recommendations.113

Mr. P.C. Dogra heard both the parties and the temple trust. He had also conducted individual meetings with all the three interested parties and discussed the issue in detail. After going through the representations submitted by the baridar, the

111. Ibid., p. 4.
112. Ibid.
113. Ibid.
following emerged out for determination\(^{114}\)-It was found that two issues emerge which have to be dealt with:

2. Secondly, what should be the mode of the payment to the *baridars*.

So far as issue no. 1 was concerned, the Himachal Pradesh Public Religious Institution and Charitable Endowment Act, 1984, supersedes the provisions of any act or laws specified in schedule no II of the Act which might be applicable to any specific religious institution or charitable endowment. Section 35 gives the exemption as under\(^{115}\):-

a. Any right, title, interest, obligation or liability already acquired, accrued or incurred before the said date,

b. Any legal proceeding for a remedy in respect of such right, title, interest, obligation or liability instituted before the said date; or

c. Anything duly done or suffered before the said date.

From the perusal of this provision, it is clear that any law, order or circular relating to religious and charitable endowment in force in any part of the territory to which this act for the time being extends shall cease to apply. The right, title, interest, obligation or liabilities already acquired are not to be affected. As such the *baridars* are only entitled to their shares of offerings as determined by law and the other conventions cannot be made applicable. All these *baridars* just constitute an electoral college for the management of the temple and each of them enjoyed equal

\(^{114}\) Ibid.

\(^{115}\) Ibid., p. 5. 6.
rights. The *baridars* were to maintain proper accounts every year and they were to maintain the temple as well as to develop it in a proper way. They had got a temple management committee elected from amongst the *baridars* but this committee has not maintained the records properly.\textsuperscript{116}

For the last so many years whatever valuables in the form of gold, silver, coins, etc. were received, had not been accounted for by any committee and the *baridars* had taken away these articles. Generally, the quantum of offerings is more during the navratras and only a few *baridars*, who could manoeuvere their turn during navratras, got substantially benefited.\textsuperscript{117}

The fact remains that the *Pujari Sabha* has not maintained the accounts properly. Furthermore, *langar*, Sanskrit college and *Ayurvedic* Dispensary were not being maintained properly. This makes certain that these institutes have been attached with the temple since long and it was the duty of the *Pujari Sabha* to maintain them properly.\textsuperscript{118}

The judgment noted that the *Pujari Sabha* had forgotten their basic duties which had been prescribed for them, traditionally. Even there were complaints about the indulgence of *baridars* in bad habits and only a few knew the rituals. As such, section 35 of the act does not apply to them because they have failed to obey the rules framed by themselves.

The other question was of the mode of payment also. The *Pujari Sabha* has demanded as under:\textsuperscript{119}

1. As per the resolutions passed by the temple, trust the *baridars* agree to deduct Rs. 650/- per day from the total cash offerings

\textsuperscript{116} Ibid., p. 6.7.
\textsuperscript{117} Ibid., p. 8
\textsuperscript{118} Ibid.
\textsuperscript{119} Ibid.
and also agree to increase/decrease the expenditure at a later stage.

2. After deducting the expenditure, 50 percent of the share should be given to the baridars by cheque on the same day.

3. baridar should be allowed to take chunis and flags from the temples which were to be given to the pilgrims who stayed in their houses.

4. The goats offered in the temple should go to the baridars.

5. A baridars Welfare Fund should be created and one percent deduction made from the share of each baridar for this purpose. For maintaining this welfare fund, a sub committee under the Chairmanship of the Chairman, temple committee, alongwith the Pardhan Pujari Sabha, as a noted member, be constituted.

6. Nariyal (coconut) and ghee should also be given to the baridars.

These demands from the Pujari Sabha had been passed at the meeting held by them on 27/7/87, 13/3/1988 and 10/4/1988. However, the other group headed by Sri Brij Kishore and eight others opposed the distribution of offering as per bari and stated that in the overall interest of the baridar, the offering should be distributed equally amongst all the baridars.¹²⁰

It was found that sometimes the offering, on a particular day, was less than Rs. 1000/- and the baridars, on that day, would not get anything and were deprived of any income. In the normal course, encountered he would get his next turn after about three months and again the same situation may be there. Because of this some of the baridars could be getting a negligible amount which would not be sufficient for their subsistence.¹²¹

¹²⁰ Ibid., p. 6.
¹²¹ Ibid., p. 8.
During the period 7.3.87 – 31.3.88 adhoc payment to all the *baridars* was made by the temple trust equally and it was observed that each *baridar* had got about Rs. 9000/- annually. The perusal of the *bari* system which was in practice was highly discriminatory; there was no uniformity in the distribution of income. During the year 1985-86, the families of Shri Durga Parshad and Vinay Kumar got about Rs. 5.00 lacs (including gold and silver) and one Shri Ramesh *baridar* could get only about Rs. 2,000/-.122

There were many weaknesses in the system and it did not work efficiently. The *baridars* take the pilgrims to their houses also and this practice sometimes leads to an allegation against the *pujaris*. The main allegation levelled against them is that they ask the pilgrims to give the entire offerings to the *pujari* only and then it is for him to decide as to how benefitted such money is to be offered at the temple. It was felt that as the system was highly partial and benefitted a section of *pujaris* not the entire community. It should be done away with, and the money earmarked for the *pujaris* should be distributed equally among them.

As discussed above, some of the *baridars* get their *baris* on a specific day when offering is more. This type of discrimination in a temple is not proper. The *pujaris* get their share only because they perform *puja archana*. In the opinion of P.C. Dogra, equal distribution of 50% of offering to all *baridars* should be made but it should be limited only to cash offerings. Gold, Silver, *chunis*, *nariyals* (Coconut) Ghee and other things offered in kind cannot be given to them because these are offered to the deity out of

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122. Ibid.
reverence. If these are given to baridars, the sentiments of the devotee would be hurt. In the past, the pujaris used to have a right over all the offerings—cash, jewellary, clothing made by the pilgrims at the feet of the goddess.\footnote{123}{Ibid., p.11.}

Eventually, the decision was taken that 50 percent offerings of cash made at the main temple, after deducting other expenditures, be distributed equally among all the baridars.

There was one major problem in it, that the number of baridars kept increasing and decreasing as the new rights accrued and the old ones diminished on the demise of some of the baridars. In order to cater to this exigency, the number of baridars, as reviewed by the Pujari Sabha, was to be taken into consideration for this purpose as on first January and first July of every year. The accounting year for the temple was devised to be the calendar year and the accounts were to be finalized on 31st December. The total of the offerings in cash received during the calendar year would be calculated out of which charges for puja archana and maintenance would be deducted. 50 percent would be distributed equally amongst the number of baridars as existing on that date. In case any baridar expires during this period, his share of money will be given to the legal heirs. Bari accrues after the marriage of the adult son and other exigencies will be taken into account on first April and first October of the year.\footnote{124}{Ibid.}

Therefore, the share of the pujaris was to be released after deducting the advances made to them. In future, quarterly accounts were to be prepared and payments were to be made to all the pujaris quarterly. In case the pujari did not perform puja-archana, he would not get any share. The puja is to be done by

\footnotesize{123. Ibid., p.11.}
\footnotesize{124. Ibid.}
observing all the religious rituals and after taking into account the prevalent practice. Any default may deprive the pujari/baridar of his share or even deletion from the baridar list for which, however, due notice would be given.\textsuperscript{125}

This order was to be operative for 15 years from the date of announcement. The distribution of offerings of main temple in respect of share of baridars was to take place quarterly. The above given provision was continued, but there was a wave of dissatisfaction prevalent among the pujaris hence they called a meeting of the Pujari Sabha (named their committee as pujari Sabha) on 27-7-90 and passed a resolution in which they demanded that the provision made as regards the mode of payment to them was not acceptable to their community and 64 of the baridars duly signed it. They put up the proposal of continuation of the baridari system.\textsuperscript{126}

They put forward their case in the court of Mr. Sudupth Rai, who, himself, examined and found that a particular baridar, remained absent on his bari since he knew what amount he would be getting as per the provision. His absence, thus, gave way to corruption and affected the income of the temple as well as of the baridars. Their presence could keep a check on corruption. It was a kind of boycott by the baridars. Moreover, the baridars had a complaint that since bari system had been stopped, they were facing economic adversity for the reason that it was the only source of income on which they had been sustaining themselves and their families.\textsuperscript{127}

\textsuperscript{125} Ibid.
\textsuperscript{126} Ibid.
\textsuperscript{127} In the court of Shri Sudupth Rai, I.A.S. Jawalamukhi Trust Teshil Dehra, District Kangra date of case 29-9-90 and date of issuances of order 16-3-91.
Keeping the above grievances in mind, besides the problem of corruption, Mr. Rai ordered a certain amendment in the judgment of Shri P.C. Dogra which was passed on 3-August-1988. He ordered to carry on with the baridar system since it would not affect the expenditure of puja-archana. It would be activated for six months from 24-09-1990 to 17-3-1991. Later on, on 16-03-1991 the order were passed that 20 percent of the income would be spent on Puja–archana, 40 percent of total percent income would go to the baridars and the remaining 40 percent would go to the temple trust. The rest of everything would remain the same as given in the judgment of P.C Dogra.\textsuperscript{128}

The earlier decision created pangs among the priestly class, in interviews conducted with them it was revealed that they started encouraging their children to study and opt out for other professions. Their children started taking technical education. Even they were getting their daughters married out of Himachal Pradesh in other Brahmin castes. It was found that some of their children were taking technical education.

With this settlement, the monopoly of the priestly class came to an end. It was realized that the temple could be run properly and with greater transparency which was, conspicuously, absent during the times of the bhojki priests, despite their claim that they put their best effort in running the administration of the temple.

\textbf{IV}

The management of Shri Jawalamukhi Mandir, Jawalamukhi, Tehsil Dehra, and District-Kangra was taken over

\textsuperscript{128} Ibid., p. 1.
on 7th, March, 1987 under the provisions of the Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowments Act, 1984.\textsuperscript{129} Shri Jawalamukhi temple has been included in Schedule I as provided under section 1 (3) and Section 29 of the Act. A trust of the temple was constituted vide notification No. 78-9/9/1987 dated 3rd, March, 1987. Now it is called Shri Jawalamukhi Mandir Temple Trust.\textsuperscript{130}

The endowment act provided for better administration of Hindu Public Religious Institutions and Endowments and for the protection and preservation of properties pertaining to such institutions and endowments. According to this act, the general superintendence of the temple and its endowments shall vest in the state government which may pass any orders regarding the temple or its endowments or in the interest of the general public that worships at the temple. By the general superintendence vested in it,\textsuperscript{131} the state government was in the same position as the Earlier Kotoch rajas and then the Sikhs.

The temple officer, who had then taken charge, had been appointed as member-Secretary of the trust. The entire Management of the temple was then being looked after by the temple trust. The temple trust is the governing board of the temple.\textsuperscript{132} The composition of its members has changed since it has been formed. Earlier there were 9 members in all but later on

\begin{flushleft}
\textsuperscript{130} The copy of Judgment regarding the claims of Baridars from the Commissioner, Shri Jawalamukhi and Temple Trust Kangra at Dharmshala. Commissioner. Shri Jawalamukhi Temple, tehsil Dehra. Endst No. 5235 PER dated 3rd August 1988 p. 2.
\textsuperscript{131} Ibid., p. 1.
\end{flushleft}
it was decided that the temple trust should be put under the Secretary of language and cultural department.

The following committee was made responsible to look after the administration of the temple:

**Table 3.1. The Shri Jawalamukhi temple committee in 1987**\(^{133}\)

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>SPECIFICATION OF THE MEMBERS</th>
<th>STATUS IN THE COMMITTEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>SDM Dehra</td>
<td>President</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Brij Kishore</td>
<td>Vice-President</td>
</tr>
<tr>
<td>3.</td>
<td>Tehsildar, Dehra</td>
<td>Secretary</td>
</tr>
<tr>
<td>4.</td>
<td>Shri Beni Madhav</td>
<td>Member (\textit{Pujari})</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Shashi Bhushan</td>
<td>Member (\textit{Pujari})</td>
</tr>
<tr>
<td>6.</td>
<td>Shri Jagdish Ram Sharma</td>
<td>Member</td>
</tr>
<tr>
<td>7.</td>
<td>Shri Sushil Chand Rattan</td>
<td>Member</td>
</tr>
<tr>
<td>8.</td>
<td>Shri Mela Ram Saver</td>
<td>Member</td>
</tr>
<tr>
<td>9.</td>
<td>District Language officer</td>
<td>Member</td>
</tr>
<tr>
<td></td>
<td>Dharmashala</td>
<td></td>
</tr>
</tbody>
</table>

The Commissioner would head the committee comprising SDM, Dehra, temple officer (tehsildar), local Municipal Chairman and representation of the \textit{pujaris} (\textit{bhojkis}) and other members whose number will change from time to time.

The most important change since the enactment of the new law was deemed as a further step towards strengthening the influence and the power of the state government. The members were to be elected for 5 years, and extension was possible. The ex-officio members possess their membership and status in the committee as long as they are holding their respective office. Since

\(^{133}\)The Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowment ACT. 1984, under clause (3) of Article 348 of the constitution of India, p. 90.
the government has taken over, and till 2000, the members are elected thrice and the composition is listed below:

The members of the elected body in 1994, were 10 in number and they are listed below:

**The member in the year 1994**:  

**Members of trust, Mandir Shri Jawalamukhi**

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shri Manoj Kumar</td>
<td>SDM (Sub divisional magistrate Dehra)</td>
</tr>
<tr>
<td>Shri Nandieswar Prasad</td>
<td>Member (Pujari)</td>
</tr>
<tr>
<td>Shri Jyoti Swarup</td>
<td>Member (Pujari)</td>
</tr>
<tr>
<td>Dr. R.K Kund</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Manohar Sud</td>
<td>Member</td>
</tr>
<tr>
<td>Shri P.L Jain</td>
<td>Member (irrigation department)</td>
</tr>
<tr>
<td>Shri Sukhdev Sharma</td>
<td>Member (Language officer Dharmshala)</td>
</tr>
<tr>
<td>Shri D.P Gupta</td>
<td>Member (tehsildar)</td>
</tr>
<tr>
<td>Shri Mata Parshad</td>
<td>Member</td>
</tr>
<tr>
<td>Shri R.D Lagwal</td>
<td>Member (temple officer)</td>
</tr>
</tbody>
</table>

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134. Ibid.
The government shall appoint Commissioner for the whole or different parts of the state of Himachal Pradesh to exercise the powers and functions conferred upon or entrusted to him by or under this act. A Commissioner and other officers, who may be directed to exercise any or all the powers or to perform the functions of the Commissioner, shall be appointed out of the person professing the Hindu religion.

**Members of trust, Mandir Shri Jawalamukhi**

The member in the year 1997:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shri P. R Agnihotri</td>
<td>SDM Dehra</td>
</tr>
<tr>
<td>Shri Sukhdev Sharma</td>
<td>(Language officer Dharmsala)</td>
</tr>
<tr>
<td>Shri Sushil Sharma</td>
<td>Member (Pujari)</td>
</tr>
<tr>
<td>Shri Maheshwar Dutt</td>
<td>Member (Pujari)</td>
</tr>
<tr>
<td>Shri Chirnavi Lal</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Rajnikant Sharma</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Somdatt Chowdhery</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Ratan Chand</td>
<td>Member</td>
</tr>
<tr>
<td>Chodhery</td>
<td></td>
</tr>
<tr>
<td>Shri C.P Mahajan</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Mohinder Manhas</td>
<td>Member</td>
</tr>
<tr>
<td>Shri R.C Bula</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Amithab Gautham</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Sushil rattan</td>
<td>Member</td>
</tr>
<tr>
<td>Shri Jai Nand Sharma</td>
<td>Mandir adihikari</td>
</tr>
</tbody>
</table>

The Commissioner shall exercise the powers conferred on him and perform functions entrusted to him by or under this Act and the rules framed there under.136

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The duties of the committee can be summarized as follows:\textsuperscript{137}:

1) Preparation and maintenance of register by religious instructions, maintained in such a manner as may be prescribed showing:

(a) Particulars of the scheme of administration and of the scale of expenditure.

(b) The money, jewels, gold, silver, precious, stones, vessels and utensils and other movables belonging to the institution with their weight, details of the constituent element and estimated value there of.

(c) Particulars of immovable properties and other endowments of the institution and title deeds and other documents.

(d) Particulars of details of constituent elements of and colored photographs of the idols and other images in or connected with the institution, whether intended for worship or for being carried in processions.

(e) The name of the officials to which any salary, emoluments or perquisites are attached and the nature, time and conditions of service in each case.

(f) Particulars of ancient or historical records with their contents in brief.

(g) Such other particulars as may be required by the Commissioner.

2) The register shall be prepared signed and verified by the trustee of the institution concerned or by his authorized agent and submitted by him to the Commissioner.


\textsuperscript{137} Ibid., Dated 5-12-1997.
Provided that each trustee or his agent specially authorized by him, in that behalf be required to swear an affidavit that list of properties, movable and immovable, owned by the institution as shown in the register is complete.

(3) The Commissioner may, after an enquiry, send necessary recommendations and direct the trustee to carry out such alterations, omissions or additions in the register as the commissioner may deem fit.

(4) The trustee shall carry out the directions of the Commissioner and submit the register to the Commissioner for approval within a period of three months from the date of the order, failing which, the register shall be deemed to have been pilfered accordingly.

(5) A copy of the register, as approved by the Commissioner, shall be made available to the trustee.

(6) Annual verification of the register (1) the trustee’s authorized agent shall scrutinize the entries in the register every year, or at such interval of times as may be prescribed and submit to the commissioner for his approval or verified statement.

The Commissioner may, thereupon, after such inquiry as he may consider necessary, direct the alteration, omissions, or additions, if any, to be made in the register. A copy of the order made under sub-section shall be made available to the trustee. The trustee shall carry out the alterations, omissions, or additions ordered by the Commissioner in the copy of the register kept by him, within three months from the date of the order, failing which the copy of register shall be deemed to have been modified accordingly.

The Trustee is bound to obey orders made and directions given by the Commissioner under the Act. The trustee shall
administer its affairs and apply its funds and properties in accordance with the terms of the trust, the custom or usage of the institution and lawful directions which a competent authority may give. A trustee shall not be entitled to spend funds of the Hindu public religious institution and charitable endowment for meeting any costs, charges and expenses incurred by him in any appeal or application or other proceedings for or incidental to his removal from office or the taking of any disciplinary action against him.\textsuperscript{138}

The Act provided that the trustee may reimburse himself in respect of such costs, charges or expenses, if he is specially permitted to do so by the Commissioner. The committee should be responsible for the administration and the management of the endowment and also responsible for the control and proper conduct of the religious rituals.\textsuperscript{139}

The trustee of every Hindu Public religious institution or Charitable endowment shall furnish to the Commissioner such accounts, returns, reports or their information relating to the administration of the institution in his charge, its funds, property or income or money connected therewith, the appropriation thereof, as the Commissioner may require and, in such form as he may direct.\textsuperscript{140}

The Commissioner, or any officer or other person deputed in that behalf by the Commissioner or the Government, may inspect all movable or immovable properties belonging to, and all records, correspondence, plans, accounts and other documents relating to any Hindu public religious institution and charitable endowment and it shall be the duty of the trustee of such institution and

\textsuperscript{138} The Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowment Act, 1984, under clause (3) of Article 348 of the constitution of India, chapter two, p.90.

\textsuperscript{139} Ibid., p. 92

\textsuperscript{140} Ibid.
endowment and all officers and servants working under him, his agent and any person having concern in the administration thereof to afford all such assistance and facilities as may be necessary or reasonably required in regard to such inspection, and also to produce any such movable property or document for inspection if so required.  

For the purpose of inspection, the inspecting authority should be acquainted with the local practice, custom, or usage; have power to enter at any reasonable hour the premises of any public religious institution or any place of worship. There is a procedure of the alienation of immovable properties of public religious institution, notwithstanding anything contained in any law, for the time being in force, no transfer by exchange sale, or mortgage as in any other manner whatever, and no lease of immovable properties of public religious institution, notwithstanding anything contained in any law for the time being in force, no transfer by exchange sale, mortgage as in any other manner, whatever, and no lease of any immovable property belonging to given endowment for the purpose of temple shall be made unless it is sanctioned by the Commissioner as being necessary or beneficial to the institution. Any transfer made in contravention of this sub-section shall be void and inoperative. In accordance with such sanction, the Commissioner may declare it to be subject to such conditions and directions as he may deem necessary regarding the utilization of the amount raised by the transaction, the investment thereof and in the case of a mortgage regarding discharge of the same within a reasonable period. The trustee may, within three months from the date of receipt of a copy of the

141. Ibid.
order or any interested person may within three months from the
date of the publication of the order proper file, an appeal to the
Financial Commissioner who may modify the order or set it
aside.  

All rights remain conferred on the Commissioner, whenever
it comes to the notice of the Commissioner that any property has
been alienated into contravention of section (12) he shall refer the
matter to the Financial Commissioner. Upon receipt of a reference
made under sub section (1) the financial Commissioner shall hold
a summary enquiry into the prescribed manner and on being
satisfied that any such property has been so absented shall
deliver possession of the same to the trustee of the institution.

The Commissioner may make any application for taking up
appropriate proceedings under the said Act to the competent
authority competent thereunder and, therefore, it shall be lawful
for such authority to take action in accordance with the provision
in the act. The Commissioner has power to act for the protection
of Hindu public religious institutions, where the Commissioner
has the reason to believe that any property belonging to a Hindu
public religious and charitable endowment is in danger of being
coxed, damaged or improperly alienated or a person threatens, or
intends to review or dispose of the property, the Commissioner
may order grant of a temporary injunction or make such other
orders for the purpose of staying and preventing the wastage,
damage, alienation, sale, removal and dispossession of such
property. On such terms are directed the keeping of accounts,
giving of security, production of the property or otherwise.

142. Ibid.
143. Ibid.
144. Ibid.
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The Commissioner shall, in all such cases, except where it appears that the object of granting injunction would be defeated by impediment, before granting an injunction give notice of the facts to the trustee or a person concerned. After hearing the trustee or a person concerned and holding such inquiry as he may think fit, the Commissioner may confirm, discharge, vary or set aside the order of injunction or pass an appropriate order.145

In case of disobedience or breach of any injunction of any of its terms or any order passed under this section, the Commissioner may apply to the Financial Commissioner, who may, after hearing the Commissioner and the party affected, order the property of the person, guilty of such disobedience or trust of breach, to be attached and may also order the said person to be detained in civil prison for a term not exceeding one year. No attachment under this sub section shall remain in force for more that two years at the end of which time, if the disobedience or breach continues, the property attached may be sold, and out of the proceeds the Financial Commissioner may award such compensation as he thinks fit, and shall pay the balance, if any to the person entitled thereto, and thereupon the temporary injunction granted or any order passed by the Commissioner under this section, if in force, shall stand vacated and the case may be cancelled.146

A trustee or a person, against whom the order of injunction or any other order under this section is passed may within a month from the date of communication of such order, appeal to the Financial Commissioner alongside such order. The trustee is authorized to incur expenditure for seeking the health, safety of

145. Ibid., p. 96.
146. Ibid.
convenience of pilgrims and worshippers. It is the duty of the trustee to look after the establishment and maintenance of the educational institution.\textsuperscript{147}

- For the training of the \textit{vidyaarthi} (students)
- For propagation of Hindu religion and faith according to the tenants of the religious institutions.
- For the establishment and maintenance of the educational institution.
- For securing the health, safety and convenience of disciples, pilgrims and worshippers visiting the institution or endowment.

There are two types of trustees in a temple, one is non-hereditary trustee and the other is hereditary trustee (Pujari). It is mentioned in the act that such institution will appoint non-hereditary trustee where there is no such hereditary \textit{pujari} and he would hold office for five years. In making such appointments, they shall have due regard to the claims of a person belonging to the religious denotation for whose benefit the said institution and charitable endowment is mainly maintained. In the Jawalamukhi temple there are hereditary priests called \textit{bhojkis}. If a hereditary trustee or \textit{pujari}, who is removed or dismissed by the Commissioner under sub section (1) may, within two months from the date of receipt of the order, prefer an appeal to the Financial Commissioner. A hereditary trustee or a \textit{pujari} so suspended, removed or dismissed may be allowed such maintenance as may be fixed by the Commissioner, considering the financial condition of the Institution.\textsuperscript{148}

\textsuperscript{147} Ibid., p.97.
\textsuperscript{148} Ibid., p. 99.
The trustee/pujari can be disqualified on the ground:

(a) If he is unable to discharge duty or becomes insolvent.

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

(c) If he is interested either directly or indirectly in a subsisting lease of any property if, or contract made with, or any work being done for, the institution or endowment or is in arrears of any dues payable to such institution or endowment.

(d) If he is appearing as a legal practitioner on behalf or against the institution or endowment.

(e) If he has been sentenced by a criminal court for an offence involving moral turpitude and such sentence has not been reversed.

(f) If he has acted adversely to the interest of the institution and endowment.

(g) If he is an addict to intoxicating liquor, a drug

(h) In case of a Hindu Public Religious Institution, if he ceases to profess Hindu religion or persuasion or to belong to the religious denomination to which the Hindu public religious institution and charitable endowment pertains.

The trustee of a Hindu public religious institution and charitable endowment shall, before the end of December each year, submit, to such authority in such a form and manner as may be prescribed by the government, a budget showing the probable receipts and disbursements of the Hindu institution.

Provision has also been made for any offence that is made. If any trustee officer, servant, agent, pujari or any other person
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concerned with the administration of the Hindu public religious institution and charitable endowment:149

(a) Refuses, or willfully fails to comply with the provision of this act or the order and directions issued there under or obstructs any proceeds taken under this act.

(b) Refuses, or willfully fails to furnish any reports, statements accounts or other information called under the act.

He shall be punished with fine which may extend to one thousand or in case of default, with imprisonment for a term which may extend to one month.

Penalty was for the wrongful withholding of property belonging to the religious institution and charitable endowment, if he wrongfully obtains possession of, retains any property, document or books of accounts of such religious institution and endowment or willfully withholds or fails to furnish or deliver to the Commissioner or any other person authorized by him.

Wrongfully removes, destroys mutilates property, document of books of accounts of such religious institution shall be punished with imprisonment for a term extending up to one year or with fine or with both.

Under this act, the government officials have been protected, no officer or servant of the government shall be liable, in any civil or criminal proceedings in respect of any act done or purposing to be done under this act under the rules made thereunder, if the act has been done in good faith and, in the course of execution of the duties, imposed or in discharge of the functions assigned by or under his act.150

149. Ibid.
150. Ibid., p. 101.
No suit or the legal proceedings shall be taken against the government for any change caused or likely to be caused or any injury suffered or likely to be suffered by virtue of any provisions of this act or by anything done in good faith or intended to be done in pursuance of this act or the rules made thereunder. The rights were conferred in the hands of the government. The government may, from time to time, give general or specific directions in writing to the Commissioner for the effective implementation of the provisions of this act and, while so doing, may alter or modify any order or decision of the financial Commissioner made under this act. Review such order or decision and more such order it thinks fit.\textsuperscript{151}

The state government may sue motto act on an application moved by any person considering himself aggrieved from any order or a decision of the Financial Commissioner made under this act. Provided that before any order is made under this section the state government shall accord to any person, likely to be affected adversely by such order, an opportunity of being heard.

The government may, if it is of the opinion that it is expedient or necessary in public interest, can give in notification in the official Gazetteer. The Government may delegate any of its powers and functions under this and except the powers exercisable by it.\textsuperscript{152}

The government may also direct that any power exercisable and duty or function to be performed by any officer appointed under this act may be performed by any other officer subject to such conditions, as it may impose.\textsuperscript{153}

\textsuperscript{151} Ibid., p. 103.
\textsuperscript{152} Ibid., p. 104.
\textsuperscript{153} Ibid., p. 104.
Subject to such directions or instructions as the government may, from time to time issue, the Commissioner may, with the prior approval of the government, delegate any of its functions to any other officer of the government or any person working under law and may, in the like manner, withdraw any of the functions so delegated. The Commissioner may fix any term and conditions subject to which the functions so delegated shall be performed.\(^{154}\)

If any difficulty arises in giving effect to the provision of this act, the government may, by an order published in the official gazette, make such provisions not inconsistent with the purpose of this act as appear necessary to it or expedient for removing the difficulty. No such order shall be made after the expiry of a period of two years from commencement of this act.\(^{155}\)

It is made clear in the act that no civil court shall have jurisdiction to entertain or adjudicate upon any dispute or matter which is to be decided by an officer, an authority under this act, and in respect of which the decision of such officer or authority has been made final and conclusive. The government may, subject to the condition of previous publication, make rules for the purpose of carrying into effect the provision of this act.

Without prejudice to the generality of the foregoing powers such rules may provide for \(^{156}\)

(a) Conditions of service of officers and staff to be appointed under section 3.

(b) The form and manner in which the request is to be maintained under section 6.

(c) The scrutiny of the entries in the register under the section.

\(^{154}\) Ibid.
\(^{155}\) Ibid.
\(^{156}\) Ibid.
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(d) The manner in which the order made by Commissioner under Section 12, sanctioning the alienation of properties, shall be published.

(e) The manner in which enquiry is to be conducted under Section 14(2).

(f) The authority to which and the manner in which appeal is to be preferred under section 19.

(g) The form and manner in which the budget is to be prepared under section 22.

(h) The form of statements, returns, and other forms required to be maintained by or under this act and manner in which these are to be maintained.

(i) The returns, accounts or other information to be submitted by the trustee or other persons, concerned with the administration of a Hindu PRI.

(j) The preservation, maintenance, management and improvements of properties and buildings of religious instructions.

(k) The preservation of idols and images in temple.

(l) Any other matter which is to be prescribed under this act.

The institute is to maintain Budget of religious institutions and charitable endowments, and would submit their budget by the end of December, showing the probable receipts and disbursements of the institute during the following financial year157.

(1) Every such budget shall make adequate provision for –

(a) The scale of expenditure in force for the time being and customary expenditure:

157. Ibid.
(b) The due discharge of liabilities binding on the institution and endowment:

(c) Expenditure on religious, educational and charitable purposes not inconsistent with the objects of the institution:

(d) For the encouragement and the spread of religious instructions according to the tenents of the religious institution:

(e) Expenditure on the repairs and renovation of the buildings and preservation and the protection of the assets:

(f) The amount of expenditure that may be incurred by a trustee under section 17.

(2) The Commissioner may receive the budget, make such alterations, omissions or additions therein as he may deem fit.

(3) Not withstanding anything contained in any other law in force for the time being or in custom, usage or practice to the contrary. The provisions made for remuneration of any office holder or for any other item of expenditure in respect of any religious institutions and endowment may be increased, or decreased or modified by the Commissioner and if such increase, decrease or modification is necessary in view of the financial condition and the in the interest of the religious institution and the endowment. ¹⁵⁸

(1) The trustee of every Hindu public religious institution and charitable endowment to keep regular accounts of receipts and distributions. Such accounts shall be kept for each calendar

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¹⁵⁸ Ibid.
year separately in such form and shall contain particulars as may be specified by the Commissioner.

(2) Wherever the Commissioner has reason to believe that,

(a) The trustee is not keeping regular accounts of all the receipts and disbursements as required under section (1); or

(b) The expenditure in relation to Hindu religious institution and charitable endowment is not being incurred in accordance with the budget approved under section 22; or

(c) It has become necessary to ascertain the fiscal position of the Hindu public religious institution and charitable endowment;

The Commissioner may direct the trustee-

(i) To furnish the true and audited accounts of the Jawalamukhi temple in relation to such period as may be specified by the Commissioner or;

(ii) Where the accounts are not annually audited to get the accounts in relation to such persons as may be specified by the Commissioner, audited by a person who is a charted accountant within the meaning of the charted accountants Act 1949 (38 of 1949) Or by such other person as may be authorized in this behalf by the Government.

(3) Every auditor conducting the audit under sub-section (2) shall have access to the accounts and to all books, vouchers, documents or records in possession of or under the control of the temple authority. The temple administrative body shall provide to such auditor all facilities for assesses.
Conditions of service of officers and staff appointed are prescribed under section 3.

The Assistant Commissioner or Assistant Commissioners shall be appointed to assist Commissioner from amongst officers of the Himachal Pradesh Administrative Service. The ministerial staff will be taken from the offices of the Deputy Commissioners and the audit staff will be taken from the Finance Department (Local Audit Department) of Himachal Pradesh Government on such terms and conditions as the State government may determine.

Whatever was earlier managed by the bhojkis, the same was transferred to the temple trust, and the trust decided to run them properly. The langar is now being run by the temple trust and it is to be was decided that all the offerings were received for langar would be used for langar itself. In case of any saving, then it will go to the trust fund. If there will be any shortage, the expenditure will be made from the 50 percent share of the temple and the offerings made in kind. The pathsala (school) is running and its strength has been increased and the temple is also running the college for girls, a library and an ayurvedic dispensary. 159

Taking over the charge of the temple administration by the state Government has not only streamlined the management of the temple but has also relieved the pilgrims of the pressure of the pujaris. The Endowment Act is trying to regulate the administration and to eliminate the discrepancies which existed earlier. All said and done, things seem to have been properly restored and have given a wider facet to the temple.

159. The copy of Judgment regarding the claims of Baridars, In the court s of Shri P.C Dogra IAS, Commissioner Shri Jawalamukhi Mandir Temple trust, tehsil Dehra. District- Kangra. Date of Entry 27.7.1987 and the date of decision. 31-8-1998. p. 10.