

All-caste Archakas policy: What has happened so far and what should happen from now



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The Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 was enacted in order to take care of the administration of all temples under the HR&CE department. Section 55 of the Act stipulated that temple archakas be appointed on the basis of succession. The DMK government led by M.Karunanidhi in 1970 amended section 55(2) of the Act. One Seshammal challenged in the Supreme Court this amendment that prevented succession of archakas in temples. However, in 1972 the SC upheld the amendment with a rider that the archakas' appointment should be made in compliance with the Agama rules.

M. G. Ramachandran, who came to power in 1977, set up a committee led by justice Maharasan to identify the temples functioning under the agama code. But in Tamil Nadu non-Brahmins had not been appointed as archakas till 2006. In Kerala an Ezhava was posted as a temple archaka in 2002. Consequently, Adityan, a Malayalee Namboodri, challenged the appointment of a non-Brahmin as an archaka made by the Travancore Devaswom

Board. However, the Kerala High Court dismissed the case, citing the Article 14 of the Indian Constitution.

Then, in 2006, the Tamil Nadu government issued a G.O. (No.118) which said, “Anyone of the Hindu faith, who has got proper qualification and training, can be appointed as archakas in Hindu temples.” The government, led by Karunanidhi, got the Governor’s assent on 29.08.2006 for the Tamil Nadu Act No.15 of 2006.

Subsequent move

In the same year, training schools for the government-appointed archakas were opened on the recommendation of the A. K. Rajan committee and 207 trained archakas passed out of the schools.

Meanwhile, the Adhi Sivachariars Association of the Madurai Sri Meenakshi Amman Temple got an interim stay from the court on the appointment of archakas from all-castes. The trained archakas in 2008 got the mandatory ‘dheeksha’ and were issued proper certificates. But they were told that they would be posted depending on the outcome of the case sub judice.

The SC delivered the final verdict in the case in December, 2015, granting stay neither on the appointment of all-caste archakas nor on the 2006 G.O. The apex court in the same breath directed that those affected by the law approach the judiciary individually.

Appointments in large temples

During the two consecutive AIADMK terms in power during 2011-2021, Marimuthu, a trained archaka, was appointed in 2018 at a small temple of Lord Iyappa under the control of the Madurai Lord Azhakar Temple management and Thyagarajan, also a trained archaka, for the Lord Vinayaka temple at the Madurai Nagamalai Pudukottai in 2020. However, these are not large temples.

Besides, during the AIADMK rule in 2020, new rules were brought into effect on the appointment of not only archakas but also all employees in temples under the control of the HR&CE. The rules stipulated that archakas must be in the 18-35 age group and must have trained in the government schools set up for them.

After the DMK came back to power after a decade-long gap in 2021, within 100 days of the party's takeover of governance, 28 persons trained in the archaka schools were issued appointment orders on August 14, 2021. They were posted in large temples such as Mylapore Sri Kapaleeswarar Temple, Chennai, Sri Meenakshi Amman Temple, Madurai, Samayapuram temple, Tiruchi and so on. Of them four belong to the SCs.

Now, litigation resumed as new cases were filed against these appointments and also the new rules clamped on temple appointments in 2020. The Madras High Court, which upheld the new rules, set up a five-member committee to identify the temples functioning according to the agama rules.

Favourable features

However, it is feared that segregation of temples on the basis of agama rules will lead to caste-oriented appointments in temples.

The latest HC verdict has not contravened the earlier SC verdicts delivered in 1972 and 2015. In fact, the HC cannot overrule an SC judgment.

Despite a few unfavourable features in the HC verdict in the case, there are several favourable features. The HC has annulled neither the appointment of 28 persons in temples nor the new rules brought in by the Edappadi Palaniswamy government on the temple appointments. No court has passed judgments against the archaka training schools launched by the Karunanidhi government.

After the Supreme Court in 2015 vacated the stay on appointment of archakas from all-castes in the case filed by the Madurai Adhi Sivachariyars in 2006, possibilities of all qualified persons from all castes becoming temple archakas had opened up. But the then AIADMK government had not shown much interest in the matter. The government, though, formulated new rules on temple appointments in 2020. Indeed it was thanks to these AIADMK government-introduced rules of 2020 that DMK Chief Minister M. K. Stalin gave away on August 14 appointment orders to 28 students trained in the archaka schools.

The Tamil Nadu government has given new lease of life to six archaka training schools dysfunctional for 12 years and launched three more schools.

All these nine schools are now functioning as residential institutions. The government has announced a stipend of Rs.3,000 a month to every student training in these nine archaka schools where 197 more students have enrolled.

So, the much needed legal sanction has been obtained for the all-caste archaka training schools and the appointment of archakas from all-castes.

What is to be done now onwards

- These all-caste archaka training schools must be sustained
- Temple archaka vacancies must be filled with students trained in the schools
- The archaka training schools must seamlessly be functioning and the practice of appointing the trained students as temple archakas must on no account be stopped.

If the government is complacent over the matter, stopping with posting of the 28 all-caste archakas, it will be a thorn in the flesh for Periyar, the champion of social justice.

Translated by V.Mariappan.