

CIRCULAR NO. 110

SUBJECT :- *Societies registered under the Societies Registration Act, 1850-
Registration of-under the Bombay Public Trusts Act, 1950.*

Societies formed either for a religious or charitable purpose or for both and registered under the Societies Registration Act, 1860, are liable to be registered under the Bombay Public Trusts Act, 1950 also. It is as much for the Regional Officers to see that such Societies are so registered. However, the following figures will show that out of 3,592 societies, 2,147 societies are still not registered under the Bombay Public Trusts Act, 1950.

	Societies Registered under the Societies Registration Act	Out of the column No.1, Societies registered under the Bombay Public Trusts Act, 1950	Societies that to be registered under the Bombay Public Trusts Act, 1950
(1)	(2)	(3)	(4)
Greater Bombay ... Region	1,461	444	1,017
Ahmedabad ...	369	225	144
Kolhapur ...	328	158	170
Poona ...	738	270	468
Baroda ...	696	348	348

No serious step appear to have been taken for requiring the trustees to have the societies registered under the Bombay Public Trusts Act, 1950.

Merely handing them a form or writing a letter without the follow-up action has little meaning. Since these societies have not been registered as public trusts, their accounts statements are not being filed, and our organization is not in a position to know how their affairs are carried on; there is no supervision over these societies on our part. Moreover the effect of their non-registration is that the organization has not recovered the contribution which they are liable to pay. A little application and supervision on the part of the Regional Officers would have saved this situation. It is absolutely necessary that such of these societies which come under section 2 (13) of the Bombay Public Trusts Act, 1950, should be got registered under the said Act without any further loss of time. The Regional Officer should take very early steps in this direction. Wherever the trustees, after two notices, fail to get the societies so registered, the Regional Officers should start *suo motu* inquiry for registration and proposal should be put up for the prosecution of such trustees. The notice to the trustees may be sent in the form of a letter annexed hereto. The date to be fixed in the letter should be within a month from the date of the letter.

Progress reports should be sent by the Regional officers every months commencing from 1st August, 1959.

SUMANT C.BHAT,
Charity Commissioner, Bombay.

Dated :- 26th June, 1959.

No. of 196

OFFICE OF THE DEPUTY/A.C.C.

REGION

To,

Sir,

Under section 2(13) of the Bombay Public Trusts Act, 1950, societies formed either for a religious or charitable purpose or for both and registered under the Societies Registration Act, 1860, are public trusts and all public trusts are required to be registered under the Bombay Public Trusts Act, 1950. It is the duty of every trustee to apply for the registration of the trust within 90 days from the date of Bombay Public Trusts Act, 1950, came into force, i.e. from 22nd January, 1952 or from the date your society was registered. Under section 2(18) of the Bombay Public Trusts Act, 1950, trustees includes a manager, i.e. those who manage the society are, in the eye of law trustees, if the society has no trustees as such.

The aims and objects of your society show, that it falls within the definition of a public trust. You should, therefore, apply for the registration of the society under section 18 of the Bombay Public Trusts Act, 1950, on or before . If you contend otherwise, please show cause on why your society should not be registered as a public trust under the Bombay Public Trusts Act, 1950. You will please realize, that your society is registered since long: still however you have failed to apply for its registration under the Bombay Public Trusts Act, 1950, till now. Please treat this as a final intimation. It may please be noted that failure to comply with this provision of law renders the trustees, the managers, Or the members of the managing committee liable to be

prosecuted under section 66 read with Section 18 of the Bombay Public Trusts Act, 1950, without any further notice.

Yours faithfully,

Deputy/Assistant Charity Commissioner,
Region.