

CIRCULAR NO. 147

SUBJECT :- Instruction to the Regional Officer numbering of Judicial Cases and other irregularities.

In the course of the surprise inspection of one Regional Office, it was found that many applications (Judicial) under various sections of the Bombay Public Trusts Act, 1950, were kept unnumbered and unregistered. The Charity Commissioner has issued a Circular on 30th March, 1970 based on the recommendations of the Work Study Team that every case should be numbered and registered in Register, immediately after its receipt. All Regional Officers are, therefore, instructed to see that all cases received in their offices are numbered and registered immediately. All such cases must find place in the monthly statement. Even cases received on the last date of the month should be taken on the balance sheet of that particulars month.

It was also noticed in the course of the inspection that some judicial cases were filed or allowed to be withdraw. This was done in many cases only to reduce the work. Attention of the Regional Officers is invited to the commentary on page 243 in the Book on the Bombay Public Trusts Act, 1950, by Mr. Shah in which it has been observed, on the basis of some decided cases, that the procedure of filing and allowing withdrawal of cases at the instance of private parties under the Bombay Public Trusts Act is not proper. It was further noticed that no thorough inquiries were made into complaints received from Public against Public Trusts. In order to show that the

number of pending inquiries in the Office was small, objectionable method was used to dispose of such cases.

It was further found that some useful instructions issued by the Charity Commissioner in some recent Circulars were not carried out. These Circulars were not brought to the notice of the members of the staff in the Regional and sub-regional offices. Similarly some registers required to be maintained were not maintained and some registers were not written up-to-date.

When the inspecting party paid a surprise visit to the Office, it was found that some members of the staff attended office late and the Regional Officer himself was late by 45 minutes.

The Government and the Charity Commissioner have taken a serious view of the above deficiencies and irregularities. The Regional Officer are requested to avoid such irregularities and objectionable practices. The root cause of many irregularities and objectionable practices, appears to be the want of sincerity and spirit of dedication with which one has to apply his mind to the work that he is called upon to do. This want of sincerity and absence of spirit of dedication is sometimes reflected in perfunctory nature of the work. It is noticed that the complaints received by some Regional Officers for inquiry and report are sent to the Inspector for inquiry. Reports received from the Inspectors are submitted to the Charity Commissioner by some Regional Officers without applying their mind to the points involved and without seeing whether the inquiry has been made on right lines and whether proper efforts are made to collect evidence. All the Regional Officers are requested to see that

the irregularities, deficiencies and objectionable methods referred to above are not allowed to creep in the working of their offices.

M.D. KAMBLI,
Charity Commissioner,

Dated: 8th December, 1971. Maharashtra State, Bombay.