

CIRCULAR NO. 16

SUBJECT.— Costs incurred on Assessors and parties

Costs incurred on assessors in inquiries under the Bombay Public Trusts Act may be get from the Public Trusts Administration Fund. There will be no objection in having the same set of assessors for more than one inquiries fixed on the same date. In doing so, however, the provisions of Section 65 (1) which require that in any inquiry relating to a public trust which is for the benefit of the members belonging to a particular religious denomination, the assessors chosen shall, as far as may be practicable, belong to the same religious denomination, should be borne in mind. Form of Summons to assessors (Form No. 5) is enclosed herewith for use.

Regarding the costs of summoning parties as distinguished from costs of summoning witnesses in respect of which provision is made under rule 9 (2), the Inquiry Officers should see that as a rule the costs of summoning parties should come out from the trust or the parties concerned and not from the Public Trusts Administration Fund.

As a matter of rule, any inquiry required to be held with the aid of assessors should be finished in one hearing. In case the inquiry cannot be completed in one hearing, it should be made from day-to-day till completion. If inquiries are made Part-heard and allowed to drag on it may not be possible to secure the presence of the same assessors for the inquiry.

D. R. PRADHAN,

Charity Commissioner, Bombay.

Dated : 4th June, 1952.