

## ***CIRCULAR No. 160***

***SUBJECT-*** *Inspection of Public Trusts by Regional Officers and inspectors.*

The work of inspection of Public Trusts is being done at present by the Regional Officers only in accordance with the instructions contained in Circular No.109, dated 31st March 1959.

2. In order to see that more public trust are Inspected by the officers of the Charity Commissioner's Organisation, it has been decided to entrust the work of inspection of public trusts to Inspectors also. In modification of instructions issued tin Circular No.109, following instructions are issued for the purpose of inspection of the Public Trust and the institutions run by them by the Regional Officers and Inspectors in their Regions:-

(a) The Regional Officers should ordinarily take up the public trusts having an annual income of more than Rs.5,000.

(b) The Inspectors should ordinarily take up the Public Trusts having annual income of Rs.5,000 or less.

(c) The Inspectors shall follow the instruction contained in clauses (d),(e),(f),(g),(h),(k) and (i) of Charity Commissioner's circular No.109.

(d) On completion of the Inspection, the Inspector shall send a complete note of inspection as per enclosed questionnaire to the Regional Officer and a copy to the Charity Commissioner.

(e) The minimum number of trusts which should be inspected by the Inspector should be at least 4 to 5 trusts per month out of which 2 will be from the Head Quarters.

(f) The two trusts to be inspected from the district shall be from or near about places which the Inspectors happens to visit in the course of his local inquiries. No tour for the purpose of inspection of public trust only independently should, as far as possible be undertaken, save as expressly directed to do so.

Each Regional Officer should prepare a list of Public Trusts against whom there are complaints or the management's of which is found to be not satisfactory. The list should also be prepared in respect of trusts who, there

is suspicion or reasons to believe, have shown less income or more expenditure than necessary.

These trusts should be revised periodically and copies of the trust list should be sent to the Inspectors.

The copies of the above lists should be sent to the Inspector so far as the trusts in his district are concerned and the Inspectors should be asked to inspect the trusts from that list only, Provided the inspection in respect of trusts having income more than Rs.5,000 should not ordinarily be entrusted to Inspectors. The Inspector should be asked to study carefully the instructions contained in Circular No.109, and conduct themselves accordingly while, carrying on the inspection.

The Inspectors shall not inspect any trust of his own choice but will solicit orders of the Assistant Charity Commissioner as regards the trust to be inspected during a month well in advance or will inspect the trust from the lists supplied to them by the Regional Officer.

4. The inspectors shall also maintain a register of Public Trusts they inspect every month showing following information. Sufficient space should be provided for each trust entered in this register.

(1) Serial No.

(2) Name and address and registration No. of the Public trust, inspected, and its annual income.

(3) Date of inspection by the Inspector.

(4) Date of submission of report to the Deputy Charity Commissioner/Assistant Charity Commissioner.

(5) Name of the Inspector inspecting the trust.

(6) Remarks -- In Remarks Column, it should be mentioned whether compliance of orders or instructions issued to the trustees is made by them with details.

5. The Regional Officers shall also maintain a register of public trust inspected by them on the above lines.

6. The Inspectors shall send a monthly statement of public trusts they inspected with necessary details to their Regional Officers who will include this information in the Monthly Statement of disposal of Judicial Cases which is to be submitted to Charity Commissioner every month in the remarks Column as follows :-

No. of public trusts inspected :-

(1) By Regional Officers	..	..	
(2) By Inspectors	..	..	
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	Total ..	..	
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7. After the inspections is done the Inspector shall either on the spot or immediately after the inspection give or send a letter to the trustees drawing their attention to the illegalities, irregularities or omissions if any noticed during the inspection and requesting them to do the needful. This however will not relieve the Regional Officers from insisting on compliance. In proper cases the Regional Officers shall move Charity Commissioner for issue of directions under Section 41 A or the Bombay Public Trusts Act.

8. After a trust is inspected and a report is submitted to higher officials it shall be the duty of the Inspector to see that the orders passed either by the Regional Officer or the Charity Commissioner's office on such report are complied with by the trustees and if they do not do so within a reasonable time and shall submit proposals to the regional officers for further action in the matter as may be necessary.

9. Some trusts maintain visit Books. The inspecting officers should be careful while entering their observations in such Visit Books.

Dated, 26th July 1972.

M.D.KAMBLI,  
Charity Commissioner,  
Maharashtra State, Bombay.

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Note:- "If the inquiry is Suo-Motu, the Columns should be filled in accordingly with necessary remarks in the Remarks Colomn".