

CIRCULAR No. 226

SUBJECT- Inquiry contemplated by Rule 7A of Bombay Public Trusts Rules---
Procedure.

Question has been raised whether the Deputy/Assistant Charity Commissioner, entertain the objection/objections raised in response to the Public Notice issued before making inquiry under the provisions of Rule No.7A of the Bombay Public Rules, 1951 in case the objection is raised before the said Authority after expiry of period contemplated by teh said rule.

Sub-rule (I) of Rule 7A of the Bombay Public Trusts Rules 1951 provides that the Deputy/Assistant Charity Commissioner shall subject to the provisions of the Rule give public notice of such inquiry as provided in sub-rule (3) by calling upon all persons concerned to submit their objections, if any. Sub-Rule (4) of the said Rule further provides, "No objection submitted under Sub-Rule (I) shall ordinarily be considered unless it is submitted within 30 days from the date of publication of the notice which is the last in points of time."

It is observed that some of the Regional Officers have been entertaining as a matter of course applications for adjournment of the case made by persons who desire to object the registration proceeding even though the objections are not received within the specific time contemplated by the rule. This procedure over looks the mandatory provisions of Sub-Rule (4).

It is, therefore, directed that provisions of Rule 7A(4) be scrupulously followed and the objection/s received after the expiry of the period contemplated by that Rule should not be entrained as a matter of course. Such objections, if not taken within the prescribed period, must not be entertained unless the delay is satisfactorily explained and the reasons for the delay are duly proved.

M.S.VAIDYA.
Charity Commissioner,
Bombay

Dated 10th November 1978
