

CIRCULAR No.49

SUBJECT : Section 54, B.P.T. Act, 1950, Collection in Kind – whether constitute, Dharmada.

During his recent visit to Hubli, a merchant asked the Charity Commissioner without the words “..... any amount is charged.....or collected.....” used in section 54(1) include collections in kind.

2. The words used in Section 54(2) are, “Any person charging or collecting such sums”. The words used in Schedule XIII also are, “Statement of account of sums charged or collected as Dharmada”. This deliberate use of the word “sums” clearly indicates that collections made in kind do so not consistute Dharmada and are not governed by the provisions relating to Dharmada in the Act or the Rules.

3. If as a result of this interpretation a large scale evasion takes place of the law of Dharmada, a report should be sent to the Charity Commissioner so that the question of amending Section 54 may be taken up.

Dated : 12th March, 1953

D.R. PRADHAN
Charity Commissioner, Bombay