

C I R C U L A R No. 92

Subject :- Requisition to the Collector for recovery of sums under section 77 of the Bombay Public Trusts Act, 1950.

The Collector of Ahmednagar enquires whether the requisition to be sent to the Collector under section 77 of the Bombay Public Trusts Act, 1950, read with rule 39 of the Bombay Public Trusts Rules, 1951, for the recovery of sums payable under the provisions of the said Act and the Rules, is to be sent by the party concerned directly or through the Charity Commissioner.

It appears from section 77 of the Bombay Public Trusts Act, 1950, read with rule 39 and Forms A and B of schedule XVIII of the Bombay Public Trusts Rules, 1951, that the requisition to the Collector is to be made by the Charity Commissioner or by the Deputy or Assistant Charity Commissioner who has passed the order and not by the party directly. The party concerned should, therefore, approach the Charity Commissioner or the Deputy or Assistant Charity Commissioner as the case may be for the issue of the necessary requisition to the Collector for the recovery of the sums (s) due.

Whenever the application is made to the Charity Commissioner for the issue of a requisition to the Collector, the Charity Commissioner sends to the party liable to pay the sum (s) due a notice in the Form shown below before issuing the requisition. The Deputy and Assistant Charity Commissioners may adopt this practice for their offices and use the specimen notice from with necessary modifications.

D. R. Pradhan
Charity Commissioner, Bombay

Dated :

(Specimen Notice Form)

By Regd. Post A. D.

No. of 1956
Office of the Charity Commissioner
Bank of India Building , 3rd floor,
Flora Fountain, Fort, Bombay 400 001.
Dated :

NOTICE

To,

Subject :- Application No. 40/54 under section 51 of the
Bombay Public Trusts Act, 1950.

WHEREAS by an order, dated 21st December 1954 the Assistant
Charity Commissioner in the Office of Charity Commissioner has dismissed the
above application with costs.

AND WHEREAS an amount of Rs. 34-12-0 as the costs of the above
application has been awarded to the opponents.

AND WHEREAS you are liable jointly and severally to pay the said
amount to the opponents.

AND WHEREAS the applicants have applied to the Charity
Commissioner for the recovery of costs from you,

YOU are hereby called upon to pay the said amount in this office within
ten days, failing which you will be liable to be treated as a defaulter and dealt
with under the provisions of the Bombay Public Trusts Act, 1950 and the rules
made thereunder.

Given under my hand and the seal of this office, this day of
1956.

Charity Commissioner, Bombay.