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गुरुवार, मार्च २३, १९७८/चैत्र २, शके १९००

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill which was introduced in the Maharashtra Legislative Council on 23rd March 1978, is published under rule 111 of the Maharashtra Legislative Council Rules :—

L. C. BILL No. I OF 1978.

A BILL

further to amend the Bombay Public Trusts Act, 1950.

Bom.
XXIX
of
1950.

WHEREAS it is expedient further to amend the Bombay Public Trusts Act, 1950, for the purpose hereinafter appearing; It is hereby enacted in the Twentieth Year of the Republic of India as follows:—

1. This Act may be called the Bombay Public Trusts (Amendment) Act, 1978. Short title.

Bom.
XXIX
of
1950.

2. In section 4 of the Bombay Public Trusts Act, 1950, in clause (a), in the proviso, after the words "the Court of Small Causes, Bombay" the words "or who has held the office of a Deputy Charity Commissioner for not less than five years" shall be inserted.

Amendment
of section 4
of Bom.
XXIX of
1950.

STATEMENT OF OBJECTS AND REASONS.

The Charity Organisation functioning under the Bombay Public Trusts Act, 1950, is headed by the Charity Commissioner, who is given the assistance of one or more Joint Charity Commissioners and a number of Deputy Charity Commissioners and Assistant Charity Commissioners. The officer to be appointed as a Deputy Charity Commissioner must be a person who is or has been a Civil Judge (Senior Division) or Judge of Bombay Small Cause Court or an Advocate, Attorney or Pleader for not less than eight years or an Assistant Charity Commissioner for not less than five years. The minimum qualification for appointment of an officer as a Joint Charity Commissioner is that he is or has held a judicial office not lower in rank than that of an Assistant Judge or an Additional Chief Judge of the Bombay Small Cause Court or that he has been an Advocate, Attorney or Pleader for not less than ten years. As there may be some difficulties or delay in filling the post of the Joint Charity Commissioner by appointment of a Judge of the required rank and as it is also necessary to provide sufficient opportunities for promotion to the officers already serving in the Organisation who have gained required experience and skill in the Organisation and some of whom may be direct recruits and may get stagnated for want of further promotion, it is proposed to amend section 4 of the Act to make an enabling provision that a suitable Deputy Charity Commissioner with five years' standing as such Deputy Charity Commissioner shall also be eligible for appointment as a Joint Charity Commissioner.

2. The Bill is intended to achieve the object stated above.

Bombay, dated the 20th March 1978.

RAMRAO ADIK,
Minister for Law and Judiciary.

Bombay, dated the 23rd March 1978.

G. S. NANDE,
Secretary,
Maharashtra Legislative Council.