

ACT DETAILS

| | |
|-------------------------------------|--|
| Short Title | The Bombay Public Trusts Act, 1950 |
| Act Year | 1950 |
| Act Number | 24 |
| Department | Legal Department |
| Type | State - Gujarat |
| Long Title | An Act to regulate and to make better provision for the administration of public religious and charitable trusts in the State of Bombay. |
| Enactment Date | 14-08-1950 |
| Chapters(12) | I-XII |
| Sections(88) | 1-88 |
| Schedule (3) | A, AA, B |
| The Bombay Public Trusts Act | Click to access act in English |

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Landmark Judgements

| SR. NO. | CASE | PARTICULAR | LINK |
|---------|--|------------|---|
| 1 | Vinodchandra Sakarlal Kapadia etc. vs. State of Gujarat and Ors. | | AIR 2020 SUPREME COURT 5138 |

CHAPTER I

| CHAPTER TITLE | PARTICULAR |
|---------------------|---|
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| SECTION | PARTICULAR |
| 1 | Short title, extent, operation and application. |
| 2 | Definitions |
| 2A | {Deleted} |
| 2B | Construction of certain references in the Act in their application to that part of Gujarat to which the Act extends |

CHAPTER II

| CHAPTER TITLE | PARTICULAR |
|-----------------------|--|
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| SECTION | PARTICULAR |
| 3 | Charity Commissioner |
| 3A | Joint Charity Commissioners |
| 4 | Qualifications for appointment of Charity Commissioner |
| 5 | Deputy and Assistant Charity Commissioners |
| 6 | Subordinate Officers |
| 6A | Charity Commissioner and other officers to be servants of State Government |
| 6B | Cost of pay, pension, etc., of Charity Commissioner, etc., to be paid to Government out of the Public Trusts Administration Fund |
| 7 | Assessors |



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8 Delegations

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SECTION PARTICULAR

9 Charitable purposes
 10 Public trust not to be void on ground of uncertainty
 11 Public trust not void on ground that it is void for non-charitable or nonreligious purpose
 12 Public trust not void on ground of absence of obligation
 13 Public trust not void on failure of specific object of society, etc. ceasing to exist

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SECTION PARTICULAR

14 Regions and sub-regions
 15 Public Trusts Registration Offices
 16 Deputy or Assistant Charity Commissioner to be in charge of Public Trusts Registration Office
 17 Books, indices and registers
 18 Registration of public trusts
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 21 Entries in register
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22B Registration of trust property in the name of public trust, which has already been registered, etc
 22C Registration of particulars of immovable property of trusts already registered with certain officers and authorities
 23 Procedure where trust property is situated in several regions or sub- regions
 24 Stay of inquiry
 25 Inquiry regarding public trust not to be held by more than one Deputy or Assistant Charity Commissioner
 26 Court to forward copy of decision to Charity Commissioner
 27 [Repealed.]
 28 Public trusts previously registered under enactments specified in Schedule
 28A Copy of entries relating to immovable property to be sent to sub-registrar, revenue and local authorities.
 28B [Deleted.]
 29 Public trust created by will
 30 Notice of particulars of immovable property and scripts entered in register.
 31 Bar to hear or decide suits

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CHAPTER TITLE ACCOUNTS AND AUDIT

SECTION PARTICULAR

32 Maintenance of Accounts
 33 Balancing and auditing of accounts
 34 Auditor's duty to prepare balance sheet and to report irregularities, etc
 35 Investment of public trust money
 36 Alienation of immovable property of public trust



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CHAPTER VI

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SECTION PARTICULAR

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| 38 | Explanation on report of auditor |
| 39 | Report to Charity Commissioner |
| 40 | Decision of Charity Commissioner on report under section 39 |
| 41 | Order of surcharge |
| 41A | Power of Charity Commissioner to issue directions to trustees and other persons |

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| 47A | Power to Court to vest property in new trustee |
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| 69 | Duties, functions and powers of Charity Commissioner |
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CHAPTER XII

CHAPTER *MISCELLANEOUS*
TITLE

SECTION PARTICULAR

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79 Decision of property as public trust property

79A Recovery of costs and expenses incurred on legal proceedings by Charity Commissioner, etc

79B Costs of proceedings before Courts including High Court

79C Costs of proceedings before Charity Commissioner, etc

79CC Compensatory costs for frivolous or vexatious proceedings before Charity Commissioner, etc

79D Court fee to be paid as prescribed by Schedule B

80 Bar of jurisdiction

81 Indemnity from suits and proceedings

82 Trial of offences under this Act

83 Previous sanction of Charity Commissioner necessary for prosecution.

84 Rules

85 Repeal

86 Further repeals and savings consequent on commencement of Bom. XXIX of 1950, in other areas of State

87 Act not to apply to certain wakfs to which Act XXIX of 1954 applies or to Gurudwara governed by Hyderabad Act XXXVII of 1956

88 Provision for removal of difficulties



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