

Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987

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Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987

In exercise of the powers conferred by sub-section (3) of Section 17 read with Section 153 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30 of 1987), the Governor of Andhra Pradesh hereby makes the following rules, the same having been published as required by sub-section (1) of Section 153 of the said Act Rules under Section 17 (3) of the Act.

1. Short title :-

These rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987.

2. In these rules unless the context otherwise requires :-

"Act" means the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987:- "Form" means form appended to these rules. "Section" means a section of the Act.

3. . :-

The Assistant Commissioner in whose territorial jurisdiction the institution or endowment is situated shall, {fifteen} days before the expiry of the term of the Trust Board, report to the authority competent to appoint trustees, about the date of expiry of the term of the Trust Board.

4. . :-

(1) The authority competent to appoint trustees shall, forth with on a report received under Rule 3, cause publication of the notice in Form-I.

(2) The notice referred to in sub-rule (1) shall be affixed;

(i) on the notice board of the office or on the front door of the institution or endowment or in any conspicuous place where there is no institution;

(ii) on the notice board of the Sarpanch, Mandal Revenue Officer, Municipal Office, as the case may be; and

(iii) on the notice board of the office of the Commissioner, Regional Joint Commissioner, Deputy Commissioner, Assistant Commissioner, and Inspector as the case may be;

Provided that the competent authority may also order of cause publication of the notice in any daily news paper in the language of the locality at the cost of the Institution or endowment, if it is situated in big cities and is capable of meeting the cost of publication.

5. . :-

(1) The application for the appointment of the Trustee shall be submitted in Form-II.

(2) If no applications are received for the appointment of trustees, the competent authority shall ascertain the names of the persons qualified in terms of Section 18 and free from disqualifications in terms of Section 19 and obtain applications from them for being appointed as trustees.

6. . :-

(1) Before appointing trustees, the competent authority shall cause verification of the antecedents through the subordinate officers or he may himself verify the antecedents in case of those applications received in pursuance of the notification issued under sub-rule (1) of Rule 4.

(2) The officer who is verifying the antecedents of the applicants shall cause discreet enquiries and satisfy himself about the correctness and he shall submit his report to the competent

authority together with the applications.

7. . :-

The competent authority shall thereafter scrutinise the applications along with the report of the verifying officer and pass orders appointing the trustees.

8. . :-

While appointing trustees, the competent authority shall have due regard to the qualifications and disqualifications for trusteeship laid down under the provisions of the Act and also to consider other merits enumerated below in selecting the applicants:-

(a) One must be,-

(i) service minded, capable of devoting sufficient time to the affairs of the institution or endowment in a spirit of humility and selfless service without any thought of personal gain or aggrandisement;

(ii) having interest and faith in the institution or endowment to which he applies for trusteeship;

(iii) normally a resident of locality enjoying respect and esteem in that area;

(b) The appointment of trustees,-

(i) shall be made on rational basis,

(ii) shall not be made with persons having inter-se-relationship,

(iii) shall be from the person belonging to different walks of life;

(c) The order of appointment shall be in Form-II and it shall be communicated to the persons appointed as trustees either by special messenger or by registered post with acknowledgment due and also a copy of the order shall be affixed on the notice board of the institution concerned.