

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

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-CHARITABLE-AND-HINDU-RELIGIOUS-INSTITUT of 1987

- Published on 1 January 1987
- Commenced on 1 January 1987
- [This is the version of this document from 1 January 1987.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Meeting of Board of Trustees Rules, 1987Last Updated 28th May, 2019In exercise of the powers conferred by sub-section (1) of Section 153 read with Section 21 of the 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 previously published as required by sub-section(1) of Section 153 of the said Act.

1. Short title.

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

2.

The Trustees shall meet ordinarily once in a month and more often if need be for the transaction of the business of the charitable or religious institution or endowment. In the case of an institution or endowment having an Executive Officer, the meeting shall be convened by the Executive Officer in consultation with the Chairman of the Board of Trustees. In the case of an institution or endowment which has no Executive Officer the meeting shall be convened by the Chairman of the Board of Trustees.

3.

The meetings shall be held either in the premises of the Charitable or Religious institution or endowment concerned or of the office thereof. Where the institution is a specific endowment having no office, the meeting shall be held at a place fixed by the Commissioner, the Regional Joint Commissioner, Deputy Commissioner or Assistant Commissioner, as the case may be; in the case of an institution or endowment to which an Executive Officer in the cadre of Deputy Commissioner is appointed, provided that the meeting may be held in any place other than the place mentioned in Rule 2 with the previous sanction of the Commissioner.

4.

(i) Notice of the meeting specifying therein, the date and the time and place together with a copy of the Agenda shall be caused to be sent by the Chairman or the Executive Officer, as the case may be, to the trustees at least three days prior to the date of the meeting, by giving or tendering to every one of the trustees personally, and where it is not possible, by sending by ordinary post with a certificate of posting to the usual place of residence of the trustees. The agenda shall be prepared either by the Executive Officer or Chairman, as the case may be, and where the Executive Officer prepares the agenda, he shall include therein the subject suggested by the Chairman. It shall, however, be open to the Chairman or the Executive Officer to hold a meeting without issuing a notice thereof when the trustees agree to waive that requirement. (ii) In case of emergency, the Chairman or the Executive Officer, as the case may be, may convene a meeting on giving shorter notice than that required under sub-rule (i). (iii) The Chairman or the Executive Officer, as the case may be, shall on requisition in writing by not less than two trustees, convene a meeting of the Trustees, on the day, if any specified in the requisition, provided the requisition reaches him before five clear days of the date specified therein, or on any other day within five days from the date of receipt of the requisition.

5.

All papers relating to the agenda shall be made available to the trustees for inspection at the place of the meeting and the time, or before the commencement of the meeting.

6.

(i) The quorum for meeting of the trustees shall be Five where the total number of trustees is NINE; (ii) In other cases, the quorum for the meeting where the number of trustees is SEVEN shall be FOUR and where the number of trustees is FIVE the quorum shall be THREE.}

7.

Every meeting of the trustees shall be presided over by the Chairman and where the office of the Chairman is vacant or the Chairman is otherwise absent, by a trustee chosen by the members

present at the meeting.

8.

The questions which may come before any meeting shall be decided by a majority of votes and when the voters are equally divided, the Chairman or the trustee presiding over the meeting, as the case may be, shall have and exercise a second and casting vote.

9.

The Executive Officer, if any, of the Charitable or Religious Institutions or Endowment shall always be present at the meeting, produce such accounts, registers or records, cash or other movable properties, as are called for by the trustees or are relevant to the subjects in the agenda. The Executive Officer shall not be entitled to vote.

10.

The minutes of the proceedings at each meeting shall be recorded in a book to be kept for that purpose and shall be signed by the Chairman or the Trustee, as the case may be, who presided over such meeting, and also by all the other trustees present at the meeting. The minutes book shall be kept in the office of the institution or endowment and shall be under the custody of the Chairman or in the custody of the Executive Officer, as the case may be.

11.

The minutes shall be recorded in Telugu or in English or in the language of the locality, as may be decided upon by the trustees.

12.

Within a week from the date of the meeting a copy of the proceedings of such meeting shall be sent to the Commissioner, Regional Joint Commissioner, Deputy Commissioner or Assistant Commissioner in respect of the Institutions under their respective jurisdictions.

13.

The Chairman or the Trustee presiding over the meeting, as the case may be, shall maintain order and decorum and the subjects on the agenda shall be taken for consideration in the order in which they appear in the agenda unless it is decided at the meeting that they should be taken up otherwise.

14.

All matters relating to the administration of the institutions or endowments shall be decided at the meetings of the trustees. The Chairman or the Executive Officer, as the case may be, shall give effect to the decisions taken at such meetings, subject to the provisions laid down under Section 41.

15.

(i) The Chairman or the Executive Officer, as the case may be, may in case of emergency, ascertain the opinion of the trustees by circulation of the records among the trustees and, in case of unanimity of opinion, carry out the decision. If there is difference of opinion among the trustees during such circulation, the matter shall be considered at an emergency meeting convened for that purpose. (ii) Where an unanimous decision is taken in circulation, it shall be placed before the next meeting of the Trustees for confirmation. (iii) No resolution of the trust board shall be reconsidered by it.