

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

ANDHRA PRADESH

India

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Rule

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

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Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987Last Updated 22nd November, 2019In 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 acknowledgement due and also a copy of the order shall be affixed on the notice board of the institution concerned.(9)[(i) For the purpose of sub-section (5) of Section 17 of the Act, in every Board of Trustees, there shall be 50 percent reservation out of the Total number of nominated members (after excluding the ex-officio members) to the candidates belonging to Scheduled Castes, Scheduled Tribes and Backward Class communities.(ii)Further, 50% of total nominated members shall be women, including the women members nominated under 50% quota from Scheduled Castes, Scheduled Tribes and Backward Classes.]Appendix 1Form I(See Rule 4 (1))Notice No. Dated 19Name of the Institution: Sri

..... Village Mandal District
It is hereby informed that a Trust Board will be constituted to Sri
 Village
 Mandal Districtby the Government Commissioner Regional Joint Commissioner Deputy Commissioner Assistant Commissioner, Endowments Department under Section 15 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 2987) after *fifteen days from the date of this notice.Interested persons may send their applications for trusteeship in the prescribed proform a vide Form II of the rule under Section 17 (3) within twenty days from the date of this notice to.Appendix 2Competent AuthorityForm-II(See Rule 5 (1))Application Form for Trusteeship.Name of the Applicant :Father's Name :Address :Religion :Date of birth and age :Educational Qualification :Occupation :Financial means :Other relevant particulars if any which the applicant desires to bring to the notice of the appointing authority.I S/o Whose particulars are given above here by apply for appointment as trustee to SriI here by declare that I am qualified under Section 18 and not disqualified for appointment as trustee under Section 19 or any other provision in the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30 of 1987).I certify that the above particulars are correct to the best of my knowledge and belief. Attested by the Advocate Gazetted Officer.Signature of the Applicant.The..... Endowments Departmentis authorised to convene a special meeting of the election of Chairman, trust board as per rules framed under Section 20 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30 of 1987). He is also requested to obtain the affidavits from the newly appointed trustees duly attested as required under the rules framed under Section 19 (2) of the Act 30 of 1987.The Endowments Department is requested to record the minutes of the proceedings of the special meeting and submit a copy

of the same to this office for taking further action. Appendix 3 Competent Authority Form-III (see Rule 7) Proceedings of the Endowments Department Present: Sri Proceedings No Dated Sub: Endowments Department Religious Charitable District Mandal Village Sri Constitution of trust board Orders Issued. Ref:

1.

2.

In exercise of the powers vested in him under Section 15 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30 of 1987), the Endowments Department here by constitutes a Board of Trustees to Sri. Village Mandal District and appoints the following () persons as Trustees. The Trustees appointed here in shall hold office for a period of three years from the date of taking oath of office and secrecy. Where the oath of office and secrecy are administered on different dates, the period of three years shall be reckoned from the earlier of those dates. Sarvasri

1.

2.

The Endowments Department is authorised to administer the oath of office and secrecy to the persons herein appointed as trustees as per rules, after intimating the date, time and place to them. All the persons appointed, here in as trustees are requested to take oath of office and secrecy as required under sub-section (2) of Section 19 of the Act 30 of 1987 before they enter upon office. If any trustee who fails to take, within thirty days from the date on which he was appointed, the oath of office and secrecy laid down in sub-section (2) shall cease to hold office. The Endowments Department is authorised to convene a special meeting of the trustees on and time on and conducted the election of Chairman, trust board as per rules framed under Section 20 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30 of 1987). He is also requested to obtain the affidavits from the newly appointed trustees duly attested as required under the rules framed under Section 19(2) of the Act 30 of 1987. The Endowments Department is requested to record the minutes of the proceedings of the special meeting and submit a copy of the same to this office for taking further action. Competent Authority. [Added by Notification No. G.O. Ms. No. 394, dated 13.9.2019.]