

Election of Chairman of the Board of Trustees

ANDHRA PRADESH

India

Election of Chairman of the Board of Trustees

Rule ELECTION-OF-CHAIRMAN-OF-THE-BOARD-OF-TRUSTEES of 1800

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Election of Chairman of the Board of TrusteesLast Updated 28th May, 2019In exercise of the powers conferred by sub-section (1) of Section 153 read with sub-section (1) of Section 20 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act,1987 (Act No. 30 of 1987) the Governor of Andhra Pradesh here by makes the following rules the same having been previously published as required by sub-section (1) of Section 153 of the said Act.

1.

Chairman of the Board of Trustees shall be elected at a special meeting convened for the purpose within a period of sixty days from the date of constitution of the Board of Trustees and the election shall be by a secret ballot.

2.

Special meeting shall be convened by the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner or the Assistant Commissioner, as the case may be, or any Officer authorised by him in this behalf in respect of a Charitable or Religious Institution or Endowment included in the list published under clause (a), (b) or (c) of Section 6 for which a Board of Trustees is constituted in accordance with the provisions of Section 15 and presided over by him. He shall not, however, vote. In the event of there being an equality of votes a second vote shall be taken. In the event of the second voting also resulting in an equality of votes, Officer shall cast lots and the person whose name is first drawn shall be declared to have been elected.

3. quorum for the special meeting shall be.

(a)SEVEN, in the case of a Board of Trustees consisting of NINE persons;(b)FIVE, in the case of Board of Trustees consisting of SEVEN persons:(c)THREE, in the case of Board of Trustees

consisting of FIVE persons;}

4.

The Special meeting referred to in Rule 1 shall be convened in the premises of the institution or endowment concerned or at such other place as may be fixed by the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner, or the Assistant Commissioner, as the case may be. Before convening the special meeting, the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner, or the Assistant Commissioner, as the case may be, shall issue notice by registered post with acknowledgement due or by service through a local messenger, specifying the date, time and place of such meeting, the interval between the date of despatch of the notice, and the date of the meeting being not less than ten days.

5.

Where the special meeting could not be convened either for want of quorum or for any other reason, the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner or the Assistant Commissioner, as the case may be, or any officer specially authorised in this behalf shall convene a meeting in accordance with Rules 1 to 4 for a second time.

6.

A copy of the minutes of the proceedings of the special meeting shall be sent to the Government, the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner or Assistant Commissioner, as the case may be, and the results of election shall be notified by exhibiting on the notice board or on the front door of the charitable or religious institution concerned and in the case of specific endowment attached to charitable or religious institutions, on the notice board or on the front door of the Charitable or religious institution to which it is attached.

7.

(1) A Chairman may resign from his office in writing which shall take effect from the date of its acceptance by the Board of Trustees. If the resignation tendered by the Chairman is not accepted by the Board of Trustees, the Government, the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner or the Assistant Commissioner, as the case may be, accept the same, after satisfying themselves that the resignation is tendered for genuine reasons and then the election of a new Chairman shall be conducted within a period of thirty days from the date of acceptance of the resignation in accordance with these rules. (2) Where a Chairman of the Board of Trustees dies, the election of a new Chairman shall be conducted with a period of thirty days from the date of death, in accordance with these rules; Provided that if no Chairman is elected as provided in sub-rule (1) or sub-rule (2), as the case may be, the Government in the case of a Board of Trustees constituted under clause (a) of sub-section (1) of Section 15, and the Commissioner, the Regional Joint Commissioner, the Deputy Commissioner or the Assistant Commissioner, as the case may be, in the

case of any other Board of Trustees shall nominate one of the members of the Trust Board as Chairman.