

THE CHARITABLE ENDOWMENTS (KARNATAKA AMENDMENT) ACT, 1973.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.
2. Insertion of new section 12A.

* * * *

STATEMENT OF OBJECTS AND REASONS

Act 19 of 1973.- Considerable time, labour and procedural delay is involved at the Government level in accepting endowments under the Charitable Endowments Act, 1890 even where the value of such endowments is very small. As there is no provision in the Act which empowers delegation of the powers of the State Government to any officer subordinate to it, it was considered necessary to make provision for such delegation. This necessitates amendment of the Central Act which is an existing law in the concurrent field. Therefore the Government of India were consulted in the matter and as suggested by them, provision is made for delegating the powers of Government only in respect of endowments not exceeding rupees ten thousand in value, and delegation of power under sections 4 and 5 is restricted only to a Head of the Department of Government. It is accordingly proposed to insert new section 12A in the Principal Act.

Hence this Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A as No. 238 dated 8-3-1973.)

* * * *

¹[KARNATAKA]¹ ACT No. 19 OF 1973.

(First published in the ¹[Karnataka Gazette]¹ on the Twenty-third day of August 1973)

THE CHARITABLE ENDOWMENTS (¹[KARNATAKA]¹ AMENDMENT) ACT, 1973.

(Received the assent of the President on the Eighteenth day of August 1973)

An Act to amend the Charitable Endowments Act, 1890.

WHEREAS it is expedient to amend the Charitable Endowments Act, 1890 (Central Act 6 of 1890) as in force in the ¹[State of Karnataka]¹;

BE it enacted by the ¹[Karnataka]¹ State Legislature in the Twenty-fourth year of the Republic of India as follows :-

1. Short title and commencement.- (1) This Act may be called the Charitable Endowments (¹[Karnataka]¹ Amendment) Act, 1973.

(2) It shall come into force at once.

2. Insertion of new section 12A.- After section 12 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), as in force in the ¹[State of Karnataka]¹, the following section shall be inserted, namely:-

"12A. Delegation of powers.- Where the appropriate Government is the State Government, it may by notification in the official Gazette, direct that any power exercisable by it under this Act (except the power to make rules under section 13) or rules made thereunder shall, in respect of any endowment which does not exceed rupees ten thousand in value, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the State Government as may be specified in the notification :

Provided that the powers under sections 4 and 5 shall not be delegated to any officer other than the Head of a Department of Government."

* * * *

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 01.11.1973.