

BEFORE THE ASSISTANT CHARITY COMMISSIONER-VII,
GREATER MUMBAI REGION, MUMBAI

(Presided over by: Shri. Ram A. Lipte)

Application No. ACC/VII/72/2025

Under Section 41(A) of the
Maharashtra Public Trusts Act, 1950

In the matter of:

"The Asiatic Society of Mumbai"

P.T.R. No. E-1020 (Mumbai)

1. Abhijit Mulye

Age: Adult, Occ: Business

5/15 Artist Village, Nr. Arenja Complex

Sector 8, CBD Belapur

Navi Mumbai 400614, Mumbai

2. Viajayanthi Chakravarthi

Age: Adult, Occ: Business

Y-27, Lane 1 Near ONGC Colony,

Section 9, CBD Belapur

Navi Mumbai 400614

:- Applicants

V E R S U S

The Asiatic Society of Mumbai

Through its Authorised Representative

Office at Town Hall,

Shahid Bhagat Singh Road,

Near Old Custom House,

Fort, Mumbai-400001

:- Respondents

Appearances: Adv. Neel Helekar and Adv. Gaurang
Jhaveri for applicants.

ADMINISTRATIVE DIRECTIONS

Present application is filed by applicant's
u/s 41A of the Maharashtra Public Trust Act, 1950 for
seeking directions in respect of membership and

upcoming election of managing committee. The prayer clause of this application is given as follows-

- i) To consider this application and issue necessary directions to conduct free and fair full elections
- ii) To direct the incumbent trustees to strictly follow the directions given to it vide order dt.06.07.2025 and 07.08.2025
- iii) To direct the respondent society to maintain the position as on the date of AGM pursuant to directions of order dt.06.08.2025, be maintained.
- iv) Direct the society to appoint a designated senior advocate or a senior member of bar from this office to guide the present committee and returning officer and staff for conducting a fair election and to record (videography) the scrutiny committee meeting.
- v) To ensure that no third party transactions be entertained in case of individual memberships as is stipulated in the rules and such list of voters added haphazardly after 03.10.2025 be scrutinized by the returning officer, before releasing the voters list.
- vi) Any other relief in interests of the trust.

By making above prayers the applicant submitted that the election of managing committee is scheduled on 8th November 2025. Therefore, considering the

urgency of the matter the applicant is prayed that kindly issue suitable directions at the earliest.

02. On the other hand, Prof. Vispi Balaporia appeared before this authority on behalf of respondent trust and submitted that there is no dispute about the finalisation and scrutiny of the membership list till the date of 3rd October 2025. Therefore, she prayed that kindly issue appropriate final directions in respect of fair and transparent election which is scheduled on 8th November, 2025.

03. This authority heard both the Ld. parties and perused the entire record and proceeding. On perusal of record, it is seen that the election of the managing committee is scheduled on 8th November 2025. Prior to that necessary direction should be issued for the fair and transparent election. At present both the parties are admitted that the list of membership which was finalised in annual general meeting dated 27th September 2025 and scrutinised on 3rd October 2025 is undisputed and finalised by all the members of the trust.

04. By making above submissions both the parties are prayed that kindly issue appropriate directions for the fair and transparent election.

05. This authority heard the applicant/s and respondent at length and also perused the entire record and proceeding. On perusal of entire record, it is seen that 'The Asiatic Society of Mumbai' is

the public charitable trust registered in this office by P.T.R. No. E-1020/Mumbai. For the smooth and effective administration of the trust the then Ld. Authority already approved the memorandum of association and rules and regulations to the said trust. As per arguments of the applicants in the said rules and regulations there are specific provisions enunciated about the election program and functioning of the trust. The applicants attached the necessary relevant record.

06. Applicants filed this application on 24.10.2025. Thereafter this authority issued notice to all the applicants and respondent. Both the parties submitted that issue appropriate directions in the interest of trust.

07. This authority perused the copy of rules and regulations attached along with the application. On perusal of said provisions it seems that the election officer should conduct the election as per prescribed procedure given in the rules and regulations of trust. The election officer should conduct the election program fairly and in transparent manner. In that regard this authority can issue appropriate directions if required. In that regard it is also pertinent to note here that in the case of Vanmala Manohar Kamdi and others Vs. Deputy Charity Commissioner, Nagpur and others Hon'ble High Court observed that, in the interest and for the welfare of

trust this authority can issue directions time to time.

08. Therefore, considering the urgency of the matter and in view of the above said provisions as well as ratio laid down by the Hon'ble High Court in above mentioned case law this authority felt that it is just and proper to issue necessary administrative directions to the legal and valid members as well as connected persons of election program. Hence, considering the entire facets of the inquiry this authority hereby issued following administrative directions to the trust.

ADMINISTRATIVE DIRECTIONS

- 1.The election officer/returning officer appointed for upcoming election of managing committee which is scheduled on 8th November, 2025 is hereby directed to consider the membership list which was finalised in annual general meeting dated 27.09.2025 and scrutinised on 03.10.2025 for the voting of election of managing committee.
- 2.The election officer / returning officer which has been appointed by the trust for conducting the election scheduled on 08th November, 2025 is directed to conduct the election scrupulously as per provisions

given in the rules and regulations /
constitution of the trust.

Place: Mumbai.

(Ram A. Lipte)

Date:- 31.10.2025

Assistant Charity Commissioner-VII,
Greater Mumbai Region, Mumbai.