

L. A. BILL No. XXV OF 2025.

A BILL

further to amend the Maharashtra Public Trusts Act.

(As passed by the Legislative Assembly on the 20th March, 2025.)

XXIX of 5 WHEREAS it is expedient further to amend the Maharashtra Public
1950. Trusts Act, for the purposes hereinafter appearing ; it is hereby enacted in the
Seventy-sixth Year of the Republic of India as follows :-

1. This Act may be called the Maharashtra Public Trusts (Amendment) Short title.
Act, 2025.

(G.C.P.)HB 2982-1 (445-3-2025)

Amendment of section 41AA of XXIX of 1950. **2.** In section 41AA of the Maharashtra Public Trusts Act (hereinafter referred to as “the principal Act”), in sub-section (4), in clause (a), after sub-clause (iv), the following sub-clauses shall be added, namely:- XXIX of 1950.

“(v) has been given exemption from payment of annual contribution to the Public Trusts Administration Fund, by the State Government under section 58; 5

(vi) has been given any concession or exemption or relaxation in payment of electricity charges, water charges, municipal or local body taxes or any other monetary concession or exemption or relaxation by the State Government, the Central Government or their undertakings or any local authority ; ” . 10

Amendment of section 58 of XXIX of 1950. **3.** In section 58 of the principal Act, in sub-section (2), after the words “exclusively for the purpose of relief of distress caused by scarcity, drought, flood, fire or other natural calamity,” the following shall be inserted, namely:- 15

“or the public trusts which maintains a hospital (including any nursing home or maternity home), dispensary or any other centre for medical relief, referred to as the “medical centre” in section 41AA, and whose annual expenditure exceeds five lakhs of rupees, or such other limit as the State Government may, from time to time, by notification published in the *Official Gazette* specify, ” . 20

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Public Trusts Act (XXIX of 1950) is enacted to regulate and make provisions for the administration of public, religious and charitable trusts in the State of Maharashtra.

2. Section 41AA of the said Act empowers the Charity Commissioner and the State Government to issue directions to the State—aided public trusts whose annual expenditure exceeds rupees five lakhs, to reserve and earmark ten per cent. of the total number of operational beds free of cost for indigent patients, and to reserve and earmark ten per cent. of the total number of operational beds at concessional rates for patients from weaker sections of the society. The Hon'ble High Court of Bombay has, for the purposes of section 41AA, approved the 'Scheme for free and concessional medical treatment to indigent patients and weaker section patients', in Writ Petition (PIL) No. 3132/2004.

3. Many public trusts have received from the State Government or the Central Government or any local or competent authority, a grant of land or building either on ownership basis or on lease or leave and licence, at a nominal or concessional rate; or an exemption or permission to continue to hold any vacant land under the Urban Land (Ceiling and Regulation) Act, 1976; or a concession or exemption or relaxation from the Development Control Rules; or a loan or guarantee or grant-in-aid whether recurring or non-recurring or other financial assistance, by virtue of which they are the "State-aided public trusts".

4. Section 58 of the said Act mandates every public trust to pay to the Public Trust Administration Fund such annual contribution at a rate or rates not exceeding five per cent. of the gross annual income, as may be notified, from time to time, by the State Government by an order published in the *Official Gazette*. But, the State Government has, in exercise of the powers conferred by sub-section (2) of section 58, already exempted majority of public trusts which are for the purposes of medical relief, from payment of such an annual contribution. However, this aid in the form of exemption is not included in clause (a) of sub-section (4) of section 41AA.

5. The Government, therefore, considers it necessary to recognize and treat receipt of an exemption by the public trusts from payment of annual contribution to the Public Trusts Administration Fund, to be a State aid to them.

6. The Government, therefore, considers it expedient to amend clause (a) of sub-section (4) of section 41AA so as to include therein any exemption granted to the public trusts from payment of annual contribution, as mandated by section 58 of the Act.

It is also proposed to amend sub-section (2) of section 58 of the Maharashtra Public Trusts Act, suitably.

7. The Bill seeks to achieve the above objectives.

Mumbai,

DEVENDRA FADNAVIS,

Dated 19th March 2025.

Chief Minister.

*ANNEXURE TO THE L.A. BILL No. XXV OF 2025 -
THE MAHARASHTRA PUBLIC TRUSTS
(AMENDMENT) BILL, 2025.
(Extracts from the Maharashtra Public Trusts Act, 1950)
(Mah. XXIX of 1950)*

1. to 57. * * * *

58. (1) * * * *

Contribution by
public trusts to
Public Trusts
Administration
Fund.

(2) The State Government may exempt from payment of contribution public trusts which are exclusively for the purpose of the advancement and propagation of education, or exclusively for the purpose of water conservation, or exclusively for the purpose of development of forest, horticulture or agriculture, or exclusively for the purpose of welfare of the Schedule Castes, Schedule Tribes, Denotified Tribes, Nomadic Tribes or Women or exclusively for the purpose of medical relief or veterinary treatment of animals, or exclusively for the purpose of relief of distress caused by scarcity, drought, flood, fire or other natural calamity and may also exempt from the payment of contribution any donations forming part of the gross annual income and which are actually spent on the relief of distress caused by scarcity, drought, flood, fire or other natural calamity. If any question is raised whether a trust falls in any exempted class of trusts or whether any donations are donations which qualify for exemption from contribution under this subsection, the decision of the State Government on the question, obtained in the manner prescribed, shall be final.

(3) to (5) * * * *

59. to 88. * * * *

SCHEDULES * * * *

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XXV OF 2025.]

**[A Bill further to amend the
Maharashtra Public Trusts Act.]**

**[SHRI DEVENDRA FADNAVIS,
Chief Minister.]**

**[As passed by the Legislative Assembly
on the 20th March, 2025.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**

