

# Stewards Association In India

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## Are our Assembly Bank Accounts actually in the name of our Assemblies ?

One may wonder why Stewards Association in India is asking such an obvious question when most of us, especially those in the Assembly leadership, would definitely answer that question in the affirmative. But, are we right in our assumptions? Do we know what exactly is conveyed by the question asked above? This article is meant to provide a little more insight into the law of the land which would in turn facilitate the smooth functioning of our Local Assemblies and our charitable Institutions.

Firstly, let me elaborate the 'obvious' question placed before you in the beginning. To answer that question, let me put forward another question - " Do your Assemblies possess a 'PAN' number in the Assembly name?" Now, the majority of answers may be 'No'. But you would say that "for opening our Bank Account, we have given the PAN numbers of our Elders / other responsible Brethren". If this is the case, then unfortunately, your said Bank account cannot be designated as an 'Assembly Bank Account', instead it could be called as a Joint Account of the Elders / responsible Brethren. This sadly, is your Assembly's legal position. In such a case, whatever money the Assembly remits in this account will be treated as the income of those individuals whose 'PAN' numbers are given in the Bank and they are legally duty bound to add this income while filing their personal Income Tax Returns. To put it in plain words, these Elders/ responsible Brethren will have to pay income tax for any money remitted in the said Assembly Account.

In this regard, the following stipulations are to be adhered with respect to the legal requirements of the Assemblies in India as we are duty bound to adhere to the financial laws.

- 1) Every Assembly whose annual income exceeds 1 Lakh Rupees and would like to remit the money in the Bank would have to have a Bank account in the Assembly name.
- 2) In order to open an Account in the Bank, the Assembly needs a 'PAN' number in its name. In order to get a 'PAN' number in the Assembly's name, the Assembly has to draft a 'Trust Deed' in its name and get it registered with the Registrar of Trusts and Societies of the concerned State Government. Based on this registered 'Trust Deed' of the Assembly you can apply for a 'PAN' for the Assembly and the same will be issued by the concerned authorities.

In this connection, if any Assembly is in need of a model 'Trust Deed' format, you can get the same by sending an email request to our mail id - [stewards.assn@gmail.com](mailto:stewards.assn@gmail.com) and we will send you a soft copy of the said model 'Trust Deed' for the Assemblies.

- 3) After getting the 'PAN' for the Assembly you may open a genuine Assembly Bank Account by providing a copy of the said Registered Deed and the Assembly PAN.
- 4) Even after doing all this, the Income Tax law will demand the Assembly to pay the

necessary Tax if it exceeds the taxable limit. However, as the Assembly would then be a Registered Religious Charitable Trust, it can be exempted from paying Income Tax by applying for a 12A exemption under the IT Rules. After the receipt of the said 12 A Exemption, the Assembly's income will be exempted from Tax liability.

We, at Stewards Association in India, urge all our Assemblies situated all over India to undertake all the above said formalities and thus ensure the legal standing of our Local Assemblies. This would also go on to help our Assemblies to have a Registered Entity Document in place and will also ensure a sense of security as well as an identity for the Assembly in the eyes of the Law Enforcement Agencies / General Public.

With Warm Greetings in Christ Jesus,

**Raju M. Koshy**  
**General Secretary.**