



## The Societies Registration (Extension to Arunachal Pradesh) Act, 1978

Act 6 of 1978

**Keyword(s):**  
**Society, Registration**

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# THE SOCIETIES REGISTRATION (EXTENSION TO ARUNACHAL PRADESH) ACT, 1978

(Act No. 6 of 1978)

(Received the assent of the Lt. Governor on 5th December, 1978)

AN

ACT

*to provide for the extension of the Societies Registration Act, 1860 to the Union Territory of Arunachal Pradesh.*

Be it enacted by the Legislative Assembly of Arunachal Pradesh in the Twenty-ninth year of the Republic of India as follows :—

1. (1) This Act may be called the Societies Registration (Extension to Arunachal Pradesh) Act, 1978. Short title, extent and commencement.

(2) It extends to the whole of the Union territory of Arunachal Pradesh.

(3) It shall come into force at once.

2. The Societies Registration Act, 1860, as in force in the territories to which it generally extends, is hereby extended to the Union Territory of Arunachal Pradesh, subject to the modifications mentioned in the Schedule. Extension of Central Act 1860 (21 of 1860).

3. On the commencement of this Act, the notifications Nos. 5459P, 5463P and 5467P, dated the 13th October, 1914, in so far as they relate to the Societies Registration Act, 1860, shall cease to be operative in the Union Territory of Arunachal Pradesh. Certain notifications to be inoperative.

## THE SCHEDULE

(See Section 2)

Modifications to the Societies Registration Act, 1860.

1. Throughout the Act,—

(1) for the words "Registrar of Joint-Stock Companies" wherever they occur, the word "Registrar"

shall be substituted ;

(2) for the words "State Government" wherever they occur the word "Administrator" shall be substituted.

2. After section 1, the following section shall be inserted, namely :—

"Definitions- 1A. In this Act, unless the context otherwise requires :—

(a) "Administrator" means the Administrator of the Union territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution ;

(b) "Registrar" means the Registrar of Societies appointed by the Administrator."

3. After section 4, the following section shall be inserted, namely :—

"4A. (1) Together with the list mentioned in section 4, there shall be sent to the Registrar a statement showing changes during the year to which the list relates in the personnel of the Governors, council, directors, committee or other governing body to whom the management of the affairs of the societies is entrusted and also a copy of the rules of the society corrected up-to-date and certified to be a correct copy by not less than three members of the governing body.

Change in  
Managing  
Body and  
rules to  
be filed.

(2) A copy of every alteration made in the rules of the society, certified to be a correct copy by not less than three members of the governing body, shall be sent to the Registrar within fifteen days of the making of such alterations."

4. After section 12, the following sections shall be inserted, namely :—

"12A. A society registered under this Act may, with the consent of not less than two-thirds of the total number of its members, by a resolution, at a general meeting convened for the purpose and subject to the provisions of section 12B change its name."

Change of  
name.

"12B. (1) Notice in writing of every change of name; signed by the Secretary and by seven members of the society, shall be sent to the Registrar.

Notice of  
change of  
name.

(2) If the proposed name is identical with that by which any other existing society has been registered or, in the

opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public. the Registrar shall refuse to register the change of name.

(3) Save as provided in sub-section (2), the Registrar shall, if he is satisfied that the provisions of this Act in respect of change of name shall have been complied with, register the change of name and the change of name shall have effect from the date of such registration."

"12C The change in the name of a society registered under this Act shall not affect any right or obligation of the society or render defective any legal proceeding by or against the society, and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its changed name." Effect of change of name.

5. In Section 13,—

(a) after the words "as the governing body", the words "or special committee formed to replace the governing body in respect of all matters affecting the winding up of the affairs of the society" shall be inserted ;

(b) after the words "the said governing body", the words "should it have not been replaced by the afore-said special committee in respect of all matters affecting the winding up of the society, or the said special committee" shall be inserted ;

(c) in the second proviso, for the words "Government of the State of registration", the word "Administrator" shall be substituted ;

(d) after the second proviso, the following further proviso shall be inserted. namely :—

" Provided further that any matter decided by three-fifths of those present either in person or by proxy at any meeting of the members of the society or of the governing body thereof or of any special committee appointed at a general meeting for the purpose of winding up of the affairs of a society shall not be deemed to be a matter of dispute within the meaning of this section."

6. In section 19, for the words "two annas", the words "fifteen paise" shall be substituted.

7. After section 20, the following sections shall be inserted, namely :—

“21. (1) If the President, Secretary or any other person authorised in this behalf by a resolution of the governing body of the society fails to comply with the provisions of section 4A, he shall, on conviction be punishable with fine which may extend to five hundred rupees and in case of a continuing breach, shall also be punishable with fine not exceeding fifty rupees for each day, during the period the breach continues after the first conviction for such offence. Penalties

(2) If any person wilfully makes or causes to be made any false entry in, or any omission from the list required by section 4, or in or from any statement or copy of rules or of alterations in rules sent to the Registrar under section 4A, he shall, on conviction, be punishable with fine which may extend to two thousand rupees.

22.(1) No court inferior to that of a Judicial Magistrate of the first class shall try any offence punishable under this Act. Procedure

*Explanation :* Judicial Magistrate of the first class for the purposes of this Act means the Deputy Commissioner, Additional Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner who has been empowered under the Assam Frontier (Administration of Justice) Regulation, 1945 (1 of 1945), to administer justice in the territory of Arunachal Pradesh.

(2) No court shall take cognizance of an offence punishable under this Act except upon complaint made by the Registrar or any other person, authorised in writing by him, in this behalf.”