



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Societies Registration (Goa  
Amendment) Bill, 2023**

(Bill No. 37 of 2023)

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(To be introduced in the Legislative Assembly of the State of Goa)

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GOA LEGISLATURE SECRETARIAT,  
ASSEMBLY HALL, PORVORIM, GOA  
AUGUST, 2023

**The Societies Registration (Goa Amendment)  
Bill, 2023**

(Bill No. 37 of 2023)

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BILL

*further to amend the Societies Registration Act, 1860 (Act 21 of 1860), as in force in the State of Goa.*

5 BE it enacted by the Legislative Assembly of Goa in the Seventy-fourth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Societies Registration (Goa Amendment) Act, 2023.

(2) It shall come into force at once.

10 2. **Insertion of new section 20AA.**— After section 20A of the Societies Registration Act, 1860 (Act 21 of 1860), as in force in the State of Goa (hereinafter referred to as the “principal Act”), the following section shall be inserted, namely:—

15 “**20AA. Power of the Government to appoint Administrator.**— (1) If the Government, on receipt of a report from the Inspector General or otherwise, is satisfied that,-

(a) there is a need to secure proper management of the business of the society generally, or

20 (b) there is a need for preventing the affairs of the society from being conducted in a manner detrimental to the interest of the members, or

25 (c) there is apprehension that the affairs of the society are being so conducted to defeat the objects of the society or that the society or its governing body is guilty of mismanagement, or

(d) there is any serious lapse on the part of the governing body in conducting administration of the society or in maintaining proper records of the society, or in maintaining proper accounts of the society, or

(e) there are any violations of any of the byelaws of the society, or 5

(f) there is mismanagement in the election process of the governing body of the society,

(g) the Government may, by order published in the official Gazette, appoint any person other than the member of such society as a sole Administrator or constitute a Committee of Administrators not exceeding three Administrators with one amongst them as a Chairman of such committee, for such period, not exceeding six months, as may be specified in the order, to manage the affairs of the society within the framework of such society: 10  
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Provided that for reasons to be recorded in writing, the Government may, by like order, extend either prospectively or retrospectively, the said period by any further periods not exceeding six months at a time, so however the aggregate period shall not extend beyond four years. 20

(2) On the appointment of the Administrator or of the Committee of Administrators under sub-section (1) and during the period of such appointment the governing body of the society shall cease to exercise any powers and perform and discharge any functions or duties conferred or imposed on it by this Act, or its memorandum of association or the rules and regulations or any other law and subject to any directions which the Government may from time to time issue, all such powers shall be exercised and functions or duties shall be performed or discharged by the Administrator. 25  
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**3. Amendment of section 20E.—** In section 20E of the principal Act, for the expression “the Inspector-General or against any person appointed for inspection or investigation under section 20A”, the expression “the Inspector-General or any person appointed for inspection or investigation under section 20A or any person/s appointed as Administrator/s under section 20 AA” shall be substituted.

### **Statement of Objects and Reasons**

The Bill seeks to insert section 20AA in the Societies Registration Act, 1860 (Act 21 of 1860), as in force in the State of Goa (hereinafter referred to as the “principal Act”), so as to empower the Government to appoint the Administrator/s in certain eventualities to secure the proper management of the business of the society.

The Bill also seeks to amend section 20E of the said Act, so as to protect the persons so appointed as Administrators under said section for anything done in good faith or intended to be done under the said Act or Rules made thereunder.

This Bill seeks to achieve the above objects.

### **Financial Memorandum**

No financial implications are involved in this Bill.

### **Memorandum Regarding Delegated Legislation**

Clause 2 of the Bill empowers the Government to issue order for appointing an Administrator or a Committee of Administrators.

This delegation is of normal character.

Porvorim, Goa.  
02/08/2023.

**NILESH CABRAL**  
Hon. Minister for Law and Judiciary

Assembly Hall,  
Porvorim-Goa,  
02/08/2023.

**NAMRATA ULMAN**  
Secretary to the Legislative  
Assembly of Goa

ANNEXURE

Name of The Bill: The Societies Registration (Goa Amendment) Act, 2023.

| Sr. No. | Existing Provision   | Amendment proposed in the Bill   | Justification for amendment  |
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| 1.      | <p><b>20A. Investiga-tion of affairs of society.—</b> (1) Where, on information received under section 4A or otherwise, or in circumstances referred to in section 12D, the Inspector-General is of the opinion that there is apprehension that the affairs of the society registered under this Act, are being so conducted as to defeat the objects of the society or that the society or its governing body, by whatever name called, or any officer thereof in actual effective control of the society is guilty of mismanaging its affairs or of any breach of fiduciary or other like oblige-tions, the Inspector-General may, either himself or by any person</p> | <p><b>Insertion of new section 20AA.—</b> After section 20A of the Societies Registration Act, 1860 (Act 21 of 1860), as in force in the State of Goa (hereinafter referred to as the “principal Act”), the following section shall be inserted, namely:—</p> <p><b>“20AA. Power of the Government to appoint Administrator.—</b>(1) If the Government, on receipt of a report from the Inspector General or otherwise, is satisfied that,-</p> <p>(a) there is a need to secure proper management of the business of the society generally, or</p> <p>(b) there is a need for preventing the affairs of the society from being conduc-ted in a manner</p> | <p>The Bill seeks to insert section 20AA in the Societies Registration Act, 1860 (Act 21 of 1860), as in force in the State of Goa (hereinafter referred to as the “principal Act”), so as to empower the Government to appoint the Administrator/s in certain eventualities to secure the proper management of the business of the society.</p> |

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|  | <p>appointed by him in that behalf, inspect or investigate into the affairs of the society or inspect any institution managed by the society.</p> | <p>detrimental to the interest of the members, or</p> <p>(c) there is apprehension that the affairs of the society are being so conducted to defeat the objects of the society or that the society or its governing body is guilty of mismanagement, or</p> <p>(d) there is any serious lapse on the part of the governing body in conducting administration of the society or in maintaining proper records of the society, or in maintaining proper accounts of the society, or</p> <p>(e) there are any violations of any of the byelaws of the society, or</p> <p>(f) there is mismanagement in the election process of the governing body of the society,</p> |  |
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|  |  | <p>(g) the Government may, by order published in the official Gazette, appoint any person other than the member of such society as a sole Administrator or constitute a Committee of Administrators not exceeding three Administrators with one amongst them as a Chairman of such committee, for such period, not exceeding six months, as may be specified in the order, to manage the affairs of the society within the frame-work of such society:<br/>Provided that for reasons to be recorded in writing, the Government may, by like order, extend either prospectively or retrospectively, the said period by any further periods not exceeding six months at a time, so however the aggregate period</p> |  |
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|           |   | <p>shall not extend beyond four years.</p> <p>(2) On the appointment of the Administrator or of the Committee of Administrators under subsection (1) and during the period of such appointment the governing body of the society shall cease to exercise any powers and perform and discharge any functions or duties conferred or imposed on it by this Act, or its memorandum of association or the rules and regulations or any other law and subject to any directions which the Government may from time to time issue, all such powers shall be exercised and functions or duties shall be performed or discharged by the Administrator.</p> |  |
| <p>2.</p> | <p><b>20E. Indemnity.—</b> No suit, prosecution or other legal proceedings shall lie in any court against the Government, the</p> | <p><b>3. Amendment of section 20E.—</b> In section 20E of the principal Act, for the expression “the Inspector-General or</p>  | <p>The Bill also seeks to amend section 20E of the said Act, so as to protect the persons so</p> |

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|  | <p>Inspector-General or against any person appointed for inspection or investigation under section 20A, for anything in good faith done or intended to be done under this Act or rules made there-under.”</p> | <p>against any person appointed for inspection or investigation under section 20A”, the expression <b>“the Inspector-General or any person appointed for inspection or investigation under section 20A or any person/s appointed as Administrator/s under section 20AA”</b> shall be substituted.</p> | <p>appointed as Administrators under said section for anything done in good faith or intended to be done under the said Act or Rules made thereunder.</p> |
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