

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 13th May 2013 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 14 of 2013

A Bill further to amend the Tamil Nadu Societies Registration Act, 1975.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Societies Registration (Amendment) Act, 2013.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu
Act 27 of
1975.

2. In the Tamil Nadu Societies Registration Act, 1975,-

Amendment of
section 49.

(i) in section 49, for the marginal heading, the following marginal heading shall be substituted, namely:-

“Power to condone delay in certain cases.”;

(ii) section 49, as so amended, shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:-

“(2) The Government or the Registrar, upon an application in writing by any society, or, as the case may be, by any registered society, to condone the delay in complying with the time limit prescribed under sub-section (1) or (2) of section 4, clause (1) of section 13, sub-section (2) of section 15, sub-section (3) of section 16, section 27 or the further time limit allowed under sub-section (1), may, for such period and on payment of such fine as may be prescribed, condone the delay.”.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Societies Registration Act, 1975, provides for the registration of literary, scientific, religious, charitable and other societies in the State of Tamil Nadu. The said Act requires compulsory registration of certain societies and the registered societies have to file their annual returns with the District Registrar periodically within the time limit prescribed under the Tamil Nadu Societies Registration Rules, 1978.

2. As on 1st April 2012, there are 2,36,124 registered societies in the State. Most of the societies are formed for social objects and are not managed by professionals. Hence, in practice, many of the societies are not observing the time limit for filing their returns with the District Registrar periodically. The societies do not realize that they are violating the rules by filing the documents belatedly. Section 49 of the aforesaid Act empowers the Registrar to allow further time of not more than three months, where the society applies to the Registrar within the prescribed time limit. In other cases, where a society applies for condonation of delay belatedly, resort is being now made to section 54 of the said Act, which enables the Government to exempt from all or any provisions of that Act or from any rule made thereunder, any society or registered society. The belated presentation of documents for filing is increasing year by year. In order to prevent belated filing of documents by the societies, as a deterrent measure, it is proposed to impose fine therefor and also to empower the Inspector General of Registration and the District Registrar to impose the fine and condone the delay.

3. The Government have, therefore, decided to amend the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975) suitably for the said purpose.

4. The Bill seeks to give effect to the above decision.

B V RAMANAA,
*Minister for Commercial Taxes
and Registration.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

New sub-section (2) proposed to be inserted in Section 49 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975) by clause 2 of the Bill authorise the Government to make rules for the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

B V RAMANAA,
*Minister for Commercial Taxes
and Registration.*

A.M.P. JAMALUDEEN,
Secretary.