

The Societies Registration Act, 1860 (Act XXI Of 1860)

Preamble

Whereas it is expedient that provision should be made for improving the legal condition of societies established for the promotion of literature, science, or the fine arts, or for the diffusion of useful knowledge [the diffusion of political education] or for charitable purposes; it is enacted as follows :-

1. Societies formed by Memorandum of Association and Registration - Any seven or more persons associated for any literary, scientific, or charitable purpose, or for any such purpose as is described in Section 20 of this Act, may, by subscribing their names to a memorandum of association, and filling the same with the (Registrar) form themselves into a society under this Act.

2. Memorandum of Association :- The memorandum of association shall contain the following things (that is to say) -

the name of the society,

the objects of the society;

the names, addresses, and occupations of the governors, council, directors, committee or other governing body to whom, by the rules of the society, the management of its affairs is entrusted.

A copy of the rules and regulations of the society, certified to be a correct copy by not less than three of the members of the governing body, shall be filed with the memorandum of association.

3. Registration and fees :- Upon such memorandum and certified copy being filed, the Registrar shall certify under his hand that the society is registered under this Act. there shall be paid to the Registrar for every such registration a fee of One Thousand rupees, or such smaller fee as the State Government may, from time to time, direct; and all fees so paid shall be accounted for to the State Government.

(Provided that the Government may, by notification in the official Gazette, increase from time to time the fee payable under this sub-section).

Provided further that the Registrar may, in his discretion, issue public notice or issue notices to such persons as he thinks fit inviting objections, if any, against the proposed registration and consider all objections that may be received by him before registering the society.

(2) Notwithstanding anything in sub-section (1) the Registrar shall refuse to register a society, if after giving it an opportunity of showing cause against such refusal, he is satisfied that -

(a) The name of the society is identical with that of any other society previously registered under this Act.

(b) The name of the society to be registered uses any of the words, namely 'Union' 'State' 'Land Mortgage', 'Land Development', 'Cooperative', 'Gandhi, Reserve Bank' or any other words expressing or implying the sanction approval or patronage of the Central or any State Government or any word which suggests or is calculated to suggest any connection with any local authority or any corporation or body constituted by or under any law for the time being in force, or is such as is otherwise likely to deceive the public or the members of any other society previously registered under this Act;

(c) Any one or more of the objects of the society sought to be registered is not an object mentioned in Sections 1 and 20, or

(d) Its objects are contrary to any other law for the time being in force :

(Provided that the State Government may in exceptional circumstances, for reasons to be recorded permit any society to use the word 'Union' or the word 'Gandhi' in its name, and thereupon, the use of that word in the name of the society shall not be ground for refusal to register or to renew the certificate of registration of such society.)

(3-A. Renewal of certificate of registration :- (1) Subject to the

provision of sub-section (2), a certificate of registration issued under Section 3 shall remain in force for a period of five years from the date of issue.

Provided that a certificate issued before the commencement of the societies Registration (Uttarachal State) Act, 2000 (hereinafter in this section referred to as the said Act), shall remain in force for a period of five years from the date of such commencement on payment of the difference of the fees specified under sub-section (3) and the fees already paid).

(2) A society registered under section 3, whether before or after the commencement of the said Act, shall on application made to the Registrar within one month of the expiration of the period referred to in sub-section (1) and on payment of the fee specified in sub-section (3), be entitled to have its certificate of registration renewed for (five years at a time).

Provided that in the case of a society registered before the commencement of the said Act, the Registrar shall refuse to renew the certificate of a registration if after giving it an opportunity of showing cause against such refusal, he is satisfied that any of the grounds mentioned in sub-section (2) of Section 3 exists in respect thereof.