

①

THE SOCIETIES REGISTRATION (EXTENSION TO ARUNACHAL PRADESH) ACT, 1978  
(ACT NO. 6 OF 1978) (As amended)

(Received the assent of the Lt. Governor on 5th December, 1970)

As amended by [Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 &

[Assented by Governor on 5<sup>th</sup> November 2008]& [Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act,  
2015 assented on 3<sup>rd</sup> March 2015]

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:-

Short title, extent and commencement.

1. (1) This Act may be called the Societies Registration (Extension to Arunachal Pradesh) Act, 1978.  
(2) It extends to the whole of the Union territory of Arunachal Pradesh.  
(3) It shall come into force at once.

Extension of Central Act, 1860 (21 of 1860).

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

Certain notifications to be inoperative.

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.

THE SCHEDULE

(See Section)

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 "<sup>1</sup>[State Government]" shall be substituted.

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

"Definitions-

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

<sup>2</sup>[(a) .....omitted];

(b) "Registrar" means the Registrar of Societies appointed by the <sup>1</sup>[State Government]."

- <sup>3</sup>[3. 2-A.(1) Upon such memorandum and certified copy being filed along with particulars of the address of the Society's office which shall be its registered address, by the Secretary of the Society on behalf of the persons subscribing to the memorandum, the Registrar shall certify under his hand that the Society is registered under this Act, and there shall be paid to the Registrar for every such registration a fee of ten thousand rupees or such smaller fee as the State Government may notify in respect of any class of Societies :

Provided that the State 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(s) to such person 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 sought to be registered uses any of the words, namely, 'Union', 'State', 'Land Mortgage', 'Land Development', 'Co-operative', 'Gandhi' 'Reserve Bank' or any 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 I and 20 ; or

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

<sup>1</sup>[ ] Substituted for 'Administrator' by the Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 wef 20<sup>th</sup> November 2008 (Act no 9 of 2008)

<sup>2</sup>[ ] omitted vide Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 (Act no 9 of 2008) wef 20<sup>th</sup> November 2008 (Act no 9 of 2008)

<sup>3</sup>[ ] Substituted by the Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 wef 20<sup>th</sup> November 2008 (Act no 9 of 2008)



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 a 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 provisions of sub-section (2), a certificate of registration issued under section 3 shall remain in force for a period of three years from the date of issue :

Provided that a certificate issued before the commencement of the Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 (hereinafter in the section referred to as the said Act), shall remain in force for a period of three 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 alongwith a copy of duly audited statement of account 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 <sup>1</sup>**[three 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 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 exist in respect thereof.

(3) There shall be paid to the Registrar with every application for renewal of the certificate of registration :

(a) a fee equal to the registration fee payable under section 3 or rupees four thousand, whichever is less, if such application is filed within the period specified in sub- section (2) :

Provided that the State Government may, by notification in the Official Gazette, increase from time to time, the fee payable under this clause subject to the condition that the fee so increased shall not exceed the registration fee payable under section 3 ;

(b) an additional fee of four hundred rupees or such higher fee not exceeding one-fifth of the fee payable under clause ( a ) as may be notified by the State Government, if such application is filed within one month of the date of expiration of the period specified in sub-section (2); and

(c) an additional fee at the rate of twenty rupees per month or part thereof or such higher additional fee per month not exceeding half of the additional fee payable under clause (b) as may be notified by the State Government, if such application is filed beyond one month of the expiration of the period specified in sub-section (2).

(4) Every application for renewal of the certificate shall be accompanied by a list of members of the managing body elected after the registration of the society or after the renewal of certificate of registration and also the certificate sought to be renewed unless dispensed with by the Registrar on the ground of its loss or destruction or any other sufficient cause.

(5) A society which fails to get its certificate of registration renewed in accordance with this section within one year from the expiration of the period for which the certificate was operative shall become an unregistered society :

Provided that the Registrar may, for sufficient cause, allow an application for renewal more than one year after the expiration of the period for which the certificate was operative on payment of a fee of four hundred rupees or such higher fee not exceeding ten times of the additional fee payable under clause (b) of sub-section (3) as may be notified by the State Government from time to time.

<sup>1</sup>[ ] Substituted for "one year" by "three years" by the Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2015 wef 16<sup>th</sup> March 2015 (Act no 2 of 2015)



(6) Where a certificate of registration is renewed in accordance with sub-section (2) or sub-section (5) such renewal shall operate from the date of expiration of the period from which the certificate was operative.

3-B Reference to the State Government -If any question arises whether any society is entitled to get itself registered in accordance with section 3 or to get its certificate of registration renewed in accordance with section 3-A, the matter shall be referred to the State Government, and the decision of the State Government, thereon shall be final. ]

5. After section 4, the following section shall be inserted, namely:-

<sup>1</sup>[Change in Managing Body and Rules to be filed.

"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, rules to be directors, committee or other governing body to whom the management of the affairs of the society 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.

(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].

6. After section 12, the following sections shall be inserted namely -

<sup>1</sup>[Change of name.

"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.]"

<sup>1</sup>[Notice of 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.

(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 such registration."

<sup>1</sup>[Effect of change of Name

"12C The change in the name of a society registered under this Act shall not effect 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.]"

5. In Section 13 :-

<sup>1</sup>[(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 aforesaid 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 "<sup>1</sup>[State Government]" 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 "<sup>2</sup>[two annas]", the words "<sup>2</sup>[fifteen paise]" shall be substituted].

(4) in serial 6, of the Schedule to the State Act No. 6 of 1978 in section 19 of the Central Act No. 1 of 1860 for the words "<sup>2</sup>[one rupee]" and "<sup>2</sup>[fifteen paise]" respectively the words "[ten rupees]" and "[five rupees]" shall be substituted].

<sup>1</sup> [ Inserted in main Act by Societies Registration (Extension to Arunachal Pradesh) Act, 1978 wef 5<sup>th</sup> Dec 1978 (Act no 6 of 1978)

<sup>2</sup> [ ] substituted by Societies Registration (Extension to Arunachal Pradesh) Act, 2008 wef 5<sup>th</sup> Nov 2008 (Act no 9 of 2008)



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

<sup>1</sup>[Penalties .

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 <sup>2</sup>[**Five Thousand Rupees**] and in case of a continuing breach, shall also be punishable with fine not exceeding <sup>2</sup>[**Five Hundred Rupees**] for each day, during the period the breach continues after the first conviction for such offence.

(2) If any person wilfully makes or causes to be made any false entry in, or any commission 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 <sup>2</sup>[**twenty thousand rupees**].

<sup>1</sup>[Procedure.

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

*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.]"

<sup>2</sup>[23. Power to make rules : ( 1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purpose of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly of Arunachal Pradesh, while it is in session, for a total period often days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the sessions immediately following the session or the successive sessions aforesaid, the Legislative Assembly agrees in making any modification in any such rule or the Assembly agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under rule].

.....

<sup>1</sup>[ ]Inserted in main Act by Societies Registration (Extension to Arunachal Pradesh) Act, 1978 wef 5<sup>th</sup> Dec 1978 (Act no 6 of 1978)

<sup>2</sup>[ ]substituted by Societies Registration (Extension to Arunachal Pradesh) Act, 2008 wef 5<sup>th</sup> Nov 2008 (Act no 9 of 2008)

Note : Published in the Arunachal Pradesh Gazette, Extraordinary,  
1.Societies Registration (Extension to Arunachal Pradesh) Act, 2008 Vol. II, No. 24 Dated December 8, 1978  
2.Societies Registration (Extension to Arunachal Pradesh) Act, 2008 no 103 Vol XV Dated 20<sup>th</sup> Nov 2008  
3.Societies Registration (Extension to Arunachal Pradesh) Act, 2015 69,Vol XXI Dated 16<sup>th</sup> March 2015