

THE SOCIETIES REGISTRATION (NAGALAND FIRST AMENDMENT) ACT, 1969

NAGALAND ACT NO. 14 OF 1969.

(Received the Assent of the Governor on 17th October, 1969 and published in the Nagaland Gazette, Extraordinary dated 24th September, 1969)

An

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to amend the Societies Registration Act, 1860 in its application to Nagaland

Preamble.

Whereas it is expedient to amend the Societies Registration Act, 1860, (Act XXI of 1860) hereinafter called the Principal Act, in its application to the State of Nagaland in the manner here in after appearing;

It is hereby enacted in the twentieth year of the Republic of India as follows :—

1.Short title, extent and commencement.

(i)This Act may be called the (Societies Registration Nagaland first Amendment) Act, 1969.

(ii) It shall extend to the whole State of Nagaland. Provided that the Principal Act shall apply to the District of Tuensang in the State of Nagaland subject to such modification, if any, as the State Government by notification in the Official Gazette, specify.

(iii) It shall come into force at once.

2.

(1)The word “Registrar. of Joint Stock companies” appearing in Section 1 of the Principal Act shall be substituted by the word “Registrar of Societies” appointed by the State Government.

(ii)The words “Registrar of Joint Stock Companies” wherever they appear in the Principal Act shall be *substituted* by the words “Registrar of Societies.”

3.Insertion of new Section 4A in Act XXI of 1860.

After Section 4 of Principal Act, the following new Section shall be *inserted* namely : —“4A

(1) Together with the list mentioned in Section 4, there

shall be sent to the Registrar of Societies a statement showing changes during the year to which the list relates in the personnel of the Government, Council, Directors, (‘ommittee 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 of the members Of the governing body.

(II). 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 of the societies within thirty days of the making of such alteration.”

4. Insertion of new sections Act XXI of 1860.

After Section 12 of the Societies Act 1860 (Act XXI of 1860) the following shall be *inserted* namely

Change of name.

“12A. Any society registered under this Act may, with the consent of not less than two third of the total number of its members by a resolution at a general meeting convened for the purpose and subject to the provision of Section 1 2B, change its name.

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 changing its name, shall be sent to the Registrar.

(2) If the proposal 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 provision of this Act in respect of change of name have been complied with, register the change of name and the change of name shall have effect from the date of such registration.

Effect of change.

12C. The change in the name of a society registered under thi Act shall not effect any rights or obligations of the society o render defective any legal proceeding which might have beei continued or commenced by or against it by its formal flame may he continued or he commenced by or against it by its new name”

5. Amendment of Section 13 of Act XXI of 1860, 1. In Section 13 of the Principal Act.

(a) after the words “as the governing body” the words “or special committee formed to replace the governing body in respect of all matters effecting the winding up of the society, or the said official committee” shall he inserted.

(2) After Section 13 of the Act, the following proviso shall he inserted as the first proviso namely.

“Provided that any matter decided by three fifth of those present either in person or by prony 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 fur the purpose of winding up of the affairs of a society shall not he deemed to be a matter of dispute within the meaning of this section.”

6. Amendment of Section 14 of Act XXI of 1860.

In Section 14 of the principal Act after the words “Some other society” the words whether registered under this Act or not, shall be inserted.

7. Amendment of Section 19 of the Act XXI of 1860.

In Section 19 of the Principal Act for the words “two annas” in between the words payment of “fifteen paise” shall be substituted

8. Insertion of new Sections 12 and 22 in Act XXI of 1960.

After Section 20 of the Principal Act, the following new Section shall be Inserted, namely —
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 *‘Visions of section 4, 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 first conviction for such offence.*

(2) If any person willfully makes or causes to be made any false entry in, any omission from, the list required by section 4, or in or from any statement of copy of rules or alteration in rules sent to the Registrar of Societies 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 Magistrate of the First class shall try an offence punishable under this Act.

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