

ASSAM NON-TRADING COMPANIES ACT, 1960*

(Assam Act No. XXXII of 1960)

[Received the assent of the Governor on the 12th December, 1960]

An Act to provide the law for incorporation, regulation and winding up of non-trading companies and certain other associations with objects confined to the State of Assam

Preamble. Whereas it is expedient to provide the law for incorporation, regulation and winding up of non-trading companies and certain other associations with objects confined to the State of Assam, in the manner hereinafter appearing ;

It is hereby enacted in the Eleventh Year of the Republic of India as follows :

1. Short title, extent and commencement. (1) This Act may be called the Assam Non-Trading Companies Act, 1960.

(2) It extends to the whole of the State of Assam.

(3) It shall come into force at once.

(4) It shall apply to a company as defined in S. 2 of this Act.

COMMENTS

Section 1. This Act concerns with the provisions of law for incorporation, regulation and winding up of non-trading companies and certain other associations with objects confined to the State of Assam.

2. Definition. In this Act "a company" means a company formed and registered under this Act or an existing company formed and registered under any of the previous company laws specified in Cl. (ii) of sub-S. (1) of S. 3 of the Companies Act, 1956 (Act I of 1956) ; and

(i) which is confined in the scope of its objects to the State of Assam ; and

(ii) which is a non-trading corporation within the meaning of Entries 43 and 44 in List I of the Seventh Schedule to the Constitution of India.

3. Application of the Companies Act, 1956 to non-trading companies with objects confined to the State of Assam. The provisions of the Companies Act, 1956 (Act I of 1956) shall, so far as may be, apply to incorporation, regulation and winding up of companies to which this Act applies.

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Provided that—

- (i) the powers conferred on the Central Government by those provisions shall be exercisable and may be exercised by the State Government ;
- (ii) the State Government may, by notification in the official Gazette, adopt, so far as may be, the rules framed by the Supreme Court under S. 643 of the Companies Act, 1956 (Act I of 1956) ;
- (iii) the State Government shall be competent by notification in the official Gazette, to delegate all or any of such powers to any subordinate officer or authority specified in the notification ;
- (iv) the State Government shall have power, by a like notification, to relax, omit, add to or vary any provision of the aforesaid Act, hereby made applicable to companies to which this Act applies ; and
- (v) the powers, duties and functions of the Registrar under the said provisions shall be exercised, discharged and performed by such person as may be appointed by the State Government by name or by virtue of office, to the Registrar in relation to companies to which this Act applies.

4. Repeal and savings. (1) The enactments specified in the Schedule to this Act with regard to their operation in respect of incorporation, regulation and winding up of non-trading companies with objects confined to the State of Assam are hereby repealed.

(2) Notwithstanding the repeal under sub-S (1), the provisions of the enactments repealed shall, with regard to non-trading companies with objects confined to the State of Assam, apply in respect of such matters as provided in Ss. 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657 and 652 of the Companies Act, 1956 (Act I of 1956).

SCHEDULE

Enatments repealed

[See Section 4 (1)]

Year (1)	No. (2)	Subject or short title (3)
1913	VII	The Inian Companies Act, 1913.
1942	LIV	The Registration of Transferred Companies Ordinance.
1951	LII	The Indian Companies (Amendment) Act, 1951.
1952	LI	The Indian Companies (Amendment) Act, 1952.

Application in the State of Meghalaya :

This Act has been adapted for its application in the State of Meghalaya *vide* the Meghalaya Adaptation of Laws Order (No. 1) 1974.