

The Societies Registration (Orissa Amendment) Act, 1969

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Act 8 of 1969

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The Societies Registration (Orissa Amendment) Act, 1969 Orissa Act No. 8 of 1969 Published vide Orissa Gazette, Extraordinary/15.4.1969 For Statement of Objects and Reasons, see Orissa Gazette Extraordinary No. 1564/ 15.12.1967; and for Report of the Select Committee see ibid, No. 689-A/24.6.1968. An Act to amend the Societies Registration Act, 1860 in its application to the State of Orissa Be it enacted by the Legislature of the State of Orissa in the Twentieth Year of the Republic of India, as follows :

1. Short title.

- This Act may be called the Societies Registration (Orissa Amendment) Act, 1969.

2. Insertion of new Sections 4-A, 4-B and 4-C, Act 21 of 1860.

- In the Societies Registration Act, 1860 (21 of 1860) (hereinafter referred to as the principal Act) after Section 4, the following new sections shall be inserted, namely : "4-A. Changes in the list mentioned in Section 4, and rules to be filed. - (1) Without prejudice to the provisions of Section 4 any change in personnel on the list filed under the said section occurring during the year to which such list relates shall be intimated to the Registrar of Societies within two months of such change. (2) A copy of every alteration made in the rules and regulations of the society, certified to be a correct copy by not less than three of the Governors, Directors or members of the governing body, as the case may be, shall be sent to the Registrar of Societies within two months of the making of such alteration.

4.

-B. Persons by whom lists, etc., are to be sent. - It shall be the duty-(a)of the Chairman or, as the case may be, the President, the Secretary or any other person authorised in that behalf by the rules and regulations of the Society or by a resolution of the governing body by the Society; or(b)of the Chairman or, as the case may be, the President of the governing body of the society where there is no such authorisation;to file the list mentioned in Section 4, or to send the intimation, or as the case may be, the copy mentioned in Section 4-A to the Registrar of Societies;

4.

-C. Offence. - (1) If any person who is required so to do under the preceding section fails without reasonable cause to comply with the provisions thereof, he shall, on conviction, be punishable with fine which may extend to one hundred rupees.(2)If any person wilfully makes Or causes to be made any false entry or alteration or any omission from, the list filed under Section 4 or any statement or copy of rules and regulations sent to the Registrar of Societies under Section 4-A, he shall, on conviction, be punishable with fine which may extend to five hundred rupees.

3. Amendment of Section 12, Act 21 of 1860.

- In Section 12 of the principal Act-(a)in the first paragraph after the words "any other society" the words "or whenever the governing body of any such society decides to change the name of the society" shall be inserted;(b)after the second paragraph the following proviso shall be inserted, namely : "Provided that no proposition for amalgamation shall be carried into effect unless it has been considered, agreed to and confirmed by all the concerned societies in the manner prescribed in this section".

4. Insertion of the new Sections 12-A, 12-B and 12-C, Act 21 of 1860.

- After Section 12 of the principal Act the following new sections shall be inserted, namely ;

12.

-A. Registration of change of name. - (1) Where a proposition for change of name has been agreed to and confirmed in the manner prescribed by Section 12, a copy of the proposition so agreed to and confirmed shall be forwarded to the Registrar of Societies for registering the change of name. 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 the name of such other society as likely to deceive the public or the members of either society, the Registrar shall refuse to register the change of name.(2)Save as provided in Sub-section (1), the Registrar shall, if he is satisfied that the provisions of this Act in respect of the change of name have been complied with, register the change of name and issue a certificate of registration altered to meet the circumstances of the case. On the issue of such certificate the change of name shall be complete.(3)The Registrar shall charge for any copy of a

certificate issued under Sub-section (2) a fee of rupee one and all fees so paid shall be accounted for to the State Government.

12.

-B. Effect of change of name. - The change in the name of a society shall not affect any rights of obligations 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 the new name.

12.

-C. Registration of change of name effected before commencement of the Societies Registration (Orissa Amendment) Act, 1969. - If any society registered under this Act has before the date of the coming into force of the Societies Registration (Orissa Amendment) Act, 1969 intimated to the Registrar the change of its name and if the Registrar has recorded such change, the Registrar may, notwithstanding anything contained in this Act, on an application made by the society in this behalf and on payment of fees as provided in Sub-section (3) of Section 12-A register the change of such name and issue a certificate to the society under Sub-section (2) of the said section. On issue of such certificate the change shall be deemed to be complete from the date on which such change was recorded by the Registrar.