

Societies Registration (Uttar Pradesh Amendment) Act, 1979

UTTAR PRADESH

India

Societies Registration (Uttar Pradesh Amendment) Act, 1979

Act 26 of 1979

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Societies Registration (Uttar Pradesh Amendment) Act, 1979 (U.P. Act No. 26 of 1979) Last Updated 28 May, 2019 For Statement of Objects and Reasons, please see Uttar Pradesh Gazette, (Extraordinary), dated December 12, 1978. (Passed in Hindi by the Uttar Pradesh Legislative Assembly on May 5, 1979 and by the Uttar Pradesh Legislative Council on May 22, 1979). [Received the assent of the President on July 9, 1979, under Article 201 of the Constitution of India and was published in Part 1(a) of the Legislative Supplement of the Uttar Pradesh Gazette Extraordinary, dated July 16, 1979.] An Act further to amend the Societies Registration Act, 1860 in its application to Uttar Pradesh It is hereby enacted in the Thirtieth Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Societies Registration (Uttar Pradesh Amendment) Act, 1979.

2. Amendment Section 3.

- In section 3 of the Societies Registration Act, 1860 as amended in its application to Uttar Pradesh (hereinafter referred to as the principal Act), in subsection (2), after clause (d), for the Explanation, the following proviso shall be substituted, and be deemed always to have been substituted, namely : "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. Insertion of Section 3B.

- After section 3-A of the principal Act, the following section shall be inserted, namely :-"3B. 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."

4. Insertion of section 5A.

- After section 5 of the principal Act, the following section shall be inserted, namely :-"5A. Restriction on transfer of property. - (1) Notwithstanding anything contained in any law, contract or other instrument to the contrary, it shall not be lawful for the governing body of a society registered under this Act or any of its members to transfer, without the previous approval of the court, any immovable property belonging to any such society.(2)Every transfer made in contravention of sub-section (1) shall be void.Explanation I. - The word 'court' shall have the meaning assigned to it in section 13.Explanation II. - The expression 'transfer' shall for the purposes of this section mean-(a)a mortgage, charge, sale, gift, or exchange ;(b)lease for a term exceeding five years ; or(c)irrevocable licence."

5. Amendment of section 12A.

- In section 12-A of the principal Act, after the words "two-thirds of the total number of its members", the words "and with the previous approval of the Registrar in writing" shall be inserted.

6. Amendment of section 12D.

- In section 12-D of the principal Act, in sub-section (1), in clause (a) for the word "was" the word "is" shall be substituted.

7. Substitution of section 21.

- For section 21 of the principal Act, the following section shall be substituted, namely:"21. In this Act, the word 'Registrar' means a person appointed as such by the State Government, and includes an Additional Registrar, a Joint Registrar, Deputy Registrar, or Assistant Registrar, on whom all or any of the powers of the Registrar under this Act are conferred by general or special order of the State Government."