

THE SOCIETIES REGISTRATION (UTTARAKHAND AMENDMENT) ACT, 2019

(Uttarakhand Act No. 04 of 2019)

An

Act

further to amend the Societies Registration Act, 1860 (Act no. 21 of 1860) in its application to the State of Uttarakhand.

IT IS HEREBY enacted by the Uttarakhand State Legislative Assembly in the Seventieth year of the Republic of India as follows:-

- Short title, extent and commencement**
- (1) This Act may be called The Societies Registration (Uttarakhand Amendment) Act, 2019.
 - (2) It extends to the whole of the State of Uttarakhand.
 - (3) It shall come into force at once.

Substitution of Section 1

- In Societies Registration Act, 1860, (which is hereinafter referred to as Principal Act) the Section 1 shall be Substituted as follows, namely:-

1. Societies formed by memorandum of association and registration:- Any seven or more persons associated for any literary, scientific or charitable purpose, or for any such purpose as is described in Section 20 of the Act, may, by digital signature of their name in online form of Memorandum of Association and rules filing the same online with the Registrar form themselves into a society under this Act.

Amendment of Section 3

- In Principal Act sub Section 1 of Section 3 shall be substituted as follows, namely-

3. Registration and fees (1)- Upon such memorandum and its digitally signed copy being filed alongwith particulars of the address of Society office which will be registered address, by the Secretary of the Society on behalf of the persons subscribing to the memorandum, the Registrar shall certify under his digital signature that the society is registered under this Act. For every such registration fees of five thousand five hundred and fifty rupees shall be paid to Registrar. For every such registration for Youth/Women Mangal Dal, Women Group/Community Group fees of fifty rupees shall be paid.

Provided further 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 offline notice or issue offline notices to such persons as he thinks fit inviting offline objections, if any against the proposed registration and consider all objections that may be received by him before registering the society.

The prescribed fee of registration shall be submitted online after the online approval of registration by the Registrar. After depositing the prescribed fees, the digitally signed Society Registration Certificate shall be downloaded by the applicant.

4. In Principal Act after Section 5 the following Section shall be inserted, namely-

Insertion of Section 5 A

"5 A. Restriction on transfer of property-

(1) Notwithstanding anything contained in any law, contract or other instrument, 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- For the purposes of this Section the word 'court' shall have the meaning assigned to it in Section 13.

Explanation-II- For the purposes of this Section the word 'transfer' means-

- (d) a mortgage, charge, sale, gift or exchange.
- (e) lease for term exceeding five years; or
- (f) irrevocable licence."

5. In Principal Act Section 19 shall be substituted as follows, namely-

Substitution of Section 19

19- Inspection of documents, Certified copies:-Any person may inspect all document files with the Registrar under this Act on payment of a fee of three

hundred rupees for each inspection; and any person may require a digitally signed copy or extract of any documents or any part of any documents, to be digitally certified by the Registrar on payment of rupees one hundred as ordinary fee and rupees two hundred as urgent fee for every A4 size page of such copy or extract and such digital signed copy shall be *prima facie* evidence of the matters therein contained in all legal proceedings whatever.

Provided further that the State Government may, by notification in the Official Gazette, increase from time to time the fee payable under this sub-Section.

By Order,

D.P. GAIROLA,
Principal Secretary.