



भारत सरकार / Government of India

# सरकारी राजपत्र OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन  
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND  
DAMAN AND DIU

## असाधारण EXTRAORDINARY

प्राधिकरण द्वारा प्रकाशित / PUBLISHED BY AUTHORITY

---

|       |                             |                          |          |
|-------|-----------------------------|--------------------------|----------|
| Daman | 10 <sup>th</sup> June, 2026 | 20 Jyaistha, 1948 (Saka) | No. : 37 |
|-------|-----------------------------|--------------------------|----------|

---

U.T. Administration of Dadra & Nagar Haveli and Daman & Diu  
Office of the Special Secretary (Revenue)  
Vidyut Bhawan, Secretariat, Daman

No. ADM/LAW/Soc.Reg./HRRSA/24/2019/1580

Dated: 10/06/2026

### The Dadra and Nagar Haveli and Daman and Diu Registration of Societies Regulation, 2026 (No.4 of 2026)

### NOTIFICATION

In exercise of the powers conferred under Sub Section (3) of Section 1 of the Dadra and Nagar Haveli and Daman and Diu Registration of Societies Regulation, 2026 (No.4 of 2026), the Administrator of U.T. Dadra & Nagar Haveli and Daman & Diu hereby appoints the 10<sup>th</sup> day of June, 2026 as the date on which the Dadra and Nagar Haveli and Daman and Diu Registration of Societies Regulation, 2026 (No.4 of 2026) shall come into force throughout the UT of Dadra and Nagar Haveli and Daman and Diu.

Sd/—  
(Vivek Kumar)  
Special Secretary (Revenue)  
DNH & DD

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—26

REGISTERED NO. DL—(N)04/0007/2003—26



सी.जी.-डी.एल.-अ.-18052026-272607  
CG-DL-E-18052026-272607

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

|         |                                                          |
|---------|----------------------------------------------------------|
| सं० 17] | नई दिल्ली, शुक्रवार, मई 15, 2026/वैशाख 25, 1948 (शक)     |
| No. 17] | NEW DELHI, FRIDAY, MAY 15, 2026/VAISAKHA 25, 1948 (Saka) |

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW AND JUSTICE**  
(Legislative Department)

*New Delhi, the 15th May, 2026/Vaisakha 25, 1948 (Saka)*

**THE DADRA AND NAGAR HAVELI AND DAMAN AND DIU  
REGISTRATION OF SOCIETIES REGULATION, 2026**

NO. 4 OF 2026

Promulgated by the President in the Seventy-seventh Year of the Republic of India.

*A Regulation to consolidate the laws relating to the registration and regulation of societies in the Union territory of Dadra and Nagar Haveli and Daman and Diu, for promoting art, fine arts, charity, craft, culture, education, literature, philosophy, political education, religion, sports, science and for any public or charitable purpose, and for matters connected therewith or incidental thereto.*

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

**CHAPTER I**

**PRELIMINARY**

1. (1) This Regulation may be called the Dadra and Nagar Haveli and Daman and Diu Registration of Societies Regulation, 2026.

(2) It extends to the whole of the Union territory of Dadra and Nagar Haveli and Daman and Diu.

Short title,  
extent and  
commencement.

(3) It shall come into force on such date, as the Administrator, may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Regulation.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(a) “Administrator” means the Administrator of the Union territory of Dadra and Nagar Haveli and Daman and Diu;

(b) “bye-laws” means the bye-laws of a society;

(c) “defunct society” means a society which is not carrying on any business or operation, or has not filed its annual or other returns with the Registrar continuously for such period, as may be notified;

(d) “district” means a revenue district notified by the Government under the Registration Act, 1908;

16 of 1908.

(e) “District Registrar” means an officer appointed under sub-section (3) of section 3;

(f) “document” means and includes the register of members, books of account, returns, annual returns, other statutory registers, summons, notice, requisition, order or other legal processes, whether issued or kept in pursuance of this Regulation or any other Regulation or any other law for the time being in force in the Union territory of Dadra and Nagar Haveli and Daman and Diu;

(g) “due date” means the date on which the term of a Governing Body of a society expires and by which the elections of the successor body shall be completed;

(h) “financial year” means the period commencing from the 1st day of the month of April of a year and ending with the 31st day of the month of March of the following year;

(i) “General Body” means the body of all members of a society as specified in section 15;

(j) “Governing Body” means the body of members elected by the General Body as specified in sub-section (1) of section 17;

(k) “Government” means the Union territory Administration of Dadra and Nagar Haveli and Daman and Diu, headed by the Administrator appointed under article 239 of the Constitution, by the President of India;

(l) “major” means a person who has completed the age of eighteen years;

(m) “member” means a person who fulfils the eligibility criteria for becoming a member of a society as specified in section 10 and has been admitted as a member of the society in accordance with its bye-laws;

(n) “Memorandum” means the memorandum of association of a society in accordance with the provisions of this Regulation;

(o) “notification” means a notification published in the Official Gazette and the expression “notified” shall be construed accordingly;

(p) “office-bearer” means and includes the President, Vice-President, Secretary, Joint Secretary, Manager, Treasurer or any other member of the Governing Body empowered under the bye-laws to give directions in regard to the conduct of business of the society;

(q) “Official Gazette” means the Official Gazette of the Union territory of Dadra and Nagar Haveli and Daman and Diu;

(r) “prescribed” means prescribed by rules made under this Regulation;

(s) "public notice" means a notice published in at least two newspapers largely circulating in the area, of which one shall be in vernacular, and copy of which is also displayed on the notice board of the office of the District Registrar;

(t) "Registrar" means the Registrar of Societies appointed under sub-section (2) of section 3;

(u) "Registrar General" means the Registrar General of Societies appointed by the Government under sub-section (1) of section 3;

(v) "rules" means the rules made under this Regulation;

(w) "society" means a society duly registered under the provisions of section 8;

(x) "special resolution" means a resolution passed in a meeting of the General Body, in which at least forty per cent. of the members entitled to vote are present and the resolution is approved by at least three-fifths of the members so present and voting; and

(y) "State-aided society" means a society, which is in receipt of any recurring grant or financial aid from the Government, or a local body, or any of its entities, to manage its facilities or institutions established in accordance with the objectives set out in its Memorandum or its bye-laws and shall include a society where any one or more of its institutions are receiving such aid.

## CHAPTER II

### OFFICERS OF SOCIETY

3. (1) The Government may, by order published in the Official Gazette, appoint an officer not below the rank of Secretary, as the Registrar General of Societies, who shall exercise such powers and perform such duties and functions, as are conferred upon him by or under this Regulation.

Registrar  
General, other  
officers and  
their powers.

(2) The Government may, by order, appoint—

(a) a Group 'A' officer of the Government not below the rank of Joint Secretary, as the Registrar of Societies; and

(b) other officers of the Government, not below the rank of Group 'B' officer, as Additional Registrar or Joint Registrar, to assist the Registrar in the discharge of his functions and empower them to exercise such powers and perform such duties and functions, as may be assigned to them, from time to time.

(3) The Government may further appoint District Registrars not below the rank of Group 'B' officer in the Government, to exercise such powers and perform such duties and functions, as may be assigned to them under this Regulation, in respect of the territorial jurisdiction of one or more districts.

(4) The Government may also appoint certain officers not below the rank of Group 'B' officer of the Government as Deputy District Registrars or Assistant District Registrars as per relevant service rules or terms of employment and empower them to perform such duties and functions, as may be assigned to them, from time to time.

(5) The officers appointed under this section shall exercise the powers and perform the duties and functions as may be assigned to them under the overall administrative control and superintendence of the Government.

Registrar  
General and  
other officers to  
be public  
servants.

Protection of  
action taken in  
good faith.

Aims, objects  
and composition  
of society.

Application for  
registration of  
society and  
society not to  
be registered  
with identical  
names.

4. Every officer exercising or authorised to exercise powers under this Regulation or the rules made thereunder shall be deemed to be a public servant within the meaning of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 and clause (c) of section 2 of the Prevention of Corruption Act, 1988.

45 of 2023.  
49 of 1988.

5. No suit, prosecution or other legal proceedings shall lie against the Registrar General or any official subordinate to him or acting under his authority, in respect of anything done by him or purporting to have been done by him in good faith under this Regulation.

### CHAPTER III

#### AIMS AND OBJECTS OF SOCIETY

6. Any seven or more persons associated for—

- (a) any literary, scientific or charitable purpose; or
- (b) military orphan funds; or
- (c) the promotion of science, literature, or the fine arts for instruction, the diffusion of useful knowledge, the diffusion of political education; or
- (d) the foundation or maintenance of libraries or reading rooms for general use among the members or open to the public; or
- (e) public museums and galleries of paintings and other works of art, collections of natural history, mechanical and philosophical inventions, instruments, or designs; or
- (f) the promotion of conservation and sustainable use of natural resources such as, land, water, forests and wildlife; or
- (g) the formation of welfare associations of flats, tenements, condominiums or floor space owners,

may, by subscribing their names to a Memorandum of Association, and filing the same with the Registrar General, form themselves into a society under this Regulation.

### CHAPTER IV

#### REGISTRATION OF SOCIETY

7. (1) Every application for approval of the name of a society and for its registration shall be filed with the District Registrar, in whose jurisdiction the registered office of such society is situated, along with the Memorandum and the bye-laws prepared in accordance with the provisions of this Regulation and containing all such particulars, in such form, on payment of such fee and in such manner, as may be prescribed:

Provided that if the proposed name is identical with that by which any other existing society referred to in sub-section (3) of section 61 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 name.

(2) No society shall be registered with a name which contravenes the provisions of the Emblems and Names (Prevention of Improper Use) Act, 1950.

12 of 1950.

(3) Except with the previous approval of the Government in writing, no society shall be registered by a name which contains any of the following expressions, namely:—

- (a) “co-operative or land development”; or
- (b) “Reserve Bank”; or

(c) “Union” or “State” or “national” or “international” or “universal” or any word expressing or implying the sanction, approval or patronage of the Central Government or any State Government or Union territory Administration; or

(d) “Municipal” or “Panchayat” or “chartered”; or

(e) “Investigation Bureau” or any other word which suggests or is calculated to suggest connection with any municipality, statutory, investigating or intelligence agency or other local authority.

8. (1) The District Registrar shall, after scrutiny of the application filed under sub-section (1) of section 7 and the documents presented before him, if is satisfied that the applicant has complied with all the provisions of this Regulation and the rules made thereunder, he shall enter the particulars of the society registered in a register maintained by him in physical or electronic form and issue a certificate of registration in such form and manner, as may be prescribed.

Registration.

*Explanation.*—For the purposes of this sub-section, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of sub-section (1) of section 2 of the Information Technology Act, 2000.

21 of 2000.

(2) The District Registrar may, for reasons to be recorded in writing, refuse to register a society and shall communicate the same to the applicant.

(3) The District Registrar shall decide an application filed under sub-section (1) within such period as may be prescribed in this behalf.

(4) Every society registered under this section shall be assigned a distinct registration number.

(5) Every existing society shall apply to the District Registrar for obtaining a new registration number within a period of one year from the date of commencement of this Regulation or such further period, as the Government may, by notification specify, in such form and manner, as may be prescribed.

(6) Where an existing society has not applied for obtaining a new registration number under sub-section (5) within a period specified therein, then such existing society shall apply for obtaining new registration on payment of such fee, as may be prescribed, within a period of six months from the date of expiry of the period specified in the said sub-section, and if the society fails to apply for new registration number within such extended period, the registration of that existing society shall be treated as cancelled.

(7) A certificate of registration issued by the District Registrar shall be conclusive proof that the society mentioned in it is duly registered, unless proved otherwise.

(8) Every society registered under this Regulation shall prominently display its name along with registration number outside its registered office or any other place where it is carrying on its business or operations, and shall have a seal with its name engraved thereon.

(9) Every society registered under this Regulation shall be a legal entity, by the name in which it has been registered, having perpetual succession and a common seal, with the power, subject to the provisions of this Regulation, to acquire, hold and dispose of property, both movable and immovable, and to contract and to institute and defend suits and other legal proceedings and to do all other things necessary for the furtherance of the aims of the society for which it has been registered.

(10) In this section, “existing society” means a society referred to in sub-section (3) of section 61.

Change of name  
and address.

9. (1) Every society shall have a registered office situated at any place in the district in which it is registered, to which all communications and notices shall be addressed.

(2) Every society shall obtain approval from the District Registrar for change of its name or address within thirty days of such change, and the District Registrar shall record such change of name or address in the certificate of registration and the register of societies.

(3) Any change of the registered office of a society to a place outside the district in which it is registered, shall be intimated to the District Registrars of both the districts.

(4) The change of name by any society shall not affect its rights and liabilities or any legal proceedings, by or against it.

#### CHAPTER V

##### MEMBERSHIP OF SOCIETY

Eligibility  
conditions for  
becoming  
member.

10. (1) A person shall be eligible to become a member of a society, if he—

(a) is a major of age as on the date of admission;

(b) subscribes to the aims and objects of the society;

(c) has deposited the membership fee as specified in the bye-laws of the society; and

(d) is not an insolvent or of unsound mind or have not been convicted of an offence involving moral turpitude, punishable with imprisonment of one year or more.

(2) A partnership firm, whether registered or not, or a body corporate of whatever description, shall not be eligible to be a member of a society under sub-section (1).

(3) Nothing contained in sub-section (2) shall prevent a partner as defined in section 4 of the Indian Partnership Act, 1932 or, a member or shareholder of a body corporate, to become a member in his individual capacity.

9 of 1932.

Register of  
members.

11. (1) Every society shall maintain a register of its members at its registered office and shall enter therein the particulars of admission or removal of any member or the cessation of any membership, within fifteen days of such admission or removal or the cessation of membership, as the case may be, in such form and manner, as may be prescribed.

(2) Every society shall file a copy of the register of members maintained by it with the District Registrar, if not filed by it at the time of registration, within sixty days from the date of its registration.

(3) The society shall file an updated list of members, duly certified by the authorised officer of the society, separately showing the inclusions and deletions, if any, every year within a period of sixty days from the close of the financial year in the office of the Registrar, in such manner as may be prescribed.

(4) The register of members shall be kept open at the registered office of the society and remain accessible to any officer of the office of District Registrar, Registrar, Registrar General or any member of the society, during its business hours.

(5) Every person, who is a member of the society on the date of notification of elections, shall have the right to exercise his vote in person, subject to the condition that he is not being in arrears of membership fees or annual subscription for such period as may be prescribed.

Sec. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

7

(6) Every member shall, after giving reasonable notice, have the right to inspect the books of account and books containing the minutes of proceedings of meetings, on any working day during business hours.

12. A member, admitted to a society, shall cease to be so in the following events, namely:—

Cessation of membership.

(a) upon submission and acceptance of his resignation; or

(b) if he ceases to fulfil the eligibility condition for being admitted as a member as mentioned in section 10; or

(c) upon his failure to pay membership fee or annual subscription fee continuously for such period as may be prescribed; or

(d) upon the death of a member:

Provided that in case of a housing society or a resident welfare association registered as a society for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the nominee or the legal heir of such member shall be enrolled as a member subject to fulfilment of qualifications and eligibility conditions as laid down in the bye-laws and the provisions of this Regulation.

## CHAPTER VI

### MEMORANDUM AND BYE-LAWS OF SOCIETY

13. (1) The Memorandum shall state—

Memorandum.

(a) the name of the society;

(b) the aims and objects of the society;

(c) the names, addresses and occupations of the members of the first Governing Body to whom the management of its affairs is entrusted under the bye-laws; and

(d) the address of the registered office of the society.

(2) The Memorandum and bye-laws, certified to be a true copy by not less than three members, shall be filed with the Registrar at the time of registration of the society.

14. (1) A society may, by a special resolution of the Governing Body, amend the provisions of its Memorandum with respect to—

Amendment in Memorandum and bye-laws.

(a) change in name of society; or

(b) change in the aims and objects of the society, as may be permissible under this Regulation.

(2) A society may amend its bye-laws by a special resolution.

(3) Any special resolution passed under sub-section (1) or sub-section (2) shall be filed with the District Registrar within thirty days from the date of approval thereof and the District Registrar may, if he is satisfied that the same is in accordance with the provisions of this Regulation and the rules made thereunder, register the amendments so made and any such change shall have no effect until it has been so registered.

(4) If the District Registrar refuses to register the amendments made in the Memorandum or the bye-laws of a society under sub-section (3), he shall communicate the reasons therefor in writing within a period of sixty days of filing of the special resolution by the society, and the special resolution so passed by the society shall have no effect:

Provided that if the District Registrar fails to communicate the reasons within sixty days, the special resolution shall be deemed to have been registered by him.

(5) Notwithstanding anything contained in this Regulation or the rules made thereunder, if the Registrar considers that an amendment of the Memorandum or bye-laws is necessary or desirable to bring the same in conformity with the provisions of this Regulation or the rules made thereunder, he may, by an order in writing, direct the society to make such amendment within such time, as may be specified, in such order and the same shall be final and binding on the society and its members.

## CHAPTER VII

### GENERAL BODY AND GOVERNING BODY

General Body.

15. (1) The total number of persons admitted as members of a society in accordance with the provisions of this Regulation shall constitute its General Body.

(2) Every society shall specify in its bye-laws the composition of its General Body, its powers, functions and duties, the periodicity of and the quorum for the meetings, the manner of recording its proceedings and all other matters relating to the affairs of the General Body.

(3) The quorum for the meeting of the General Body shall not be less than forty per cent. of the total members entitled to vote and present in person, subject to a minimum of four members.

(4) Every member shall have one vote and shall cast his vote in person or digitally.

Meetings of  
General Body.

16. (1) An annual general meeting of the General Body, may be held as and when required:

Provided that at least one meeting of the General Body shall be held in every financial year in which the annual accounts of the society, duly audited, shall be placed before the members for approval.

(2) A clear notice of fourteen days of every meeting shall be given to the members of the General Body, before the date appointed for the meeting and a copy of such notice along with the business to be transacted during the general meeting shall also be endorsed to the Registrar.

Governing  
Body, its  
office-bearers,  
powers and  
functions.

17. (1) The members of the General Body shall elect the Governing Body (by whatever name called), consisting of not less than three and not exceeding twenty-one members.

(2) The office-bearers of the Governing Body shall comprise of the President, Secretary and Treasurer as a minimum, and other office-bearers shall be as specified in the bye-laws.

(3) The society shall file the list of the elected office-bearers with the District Registrar within a period of thirty days of holding of the elections for the Governing Body, in such manner as may be prescribed.

(4) The tenure of the Governing Body shall not exceed three years and the matters pertaining to re-election of any office-bearer shall be regulated in accordance with the bye-laws.

(5) Every society shall maintain a register showing the names, addresses and occupation of the persons appointed or elected as office-bearers and shall file with the District Registrar,—

(a) a copy of such register within a period of thirty days from the date of appointment or election of the office-bearers;

Sec. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

9

(b) a notice of every change in the office-bearer within a period of thirty days from the date of such change; and

(c) the details of the office-bearers along with the annual return.

(6) The constitution of the Governing Body, appointed or elected for the first time or thereafter, shall be valid only upon approval thereof by the District Registrar and its tenure shall commence from the date of its approval.

(7) The District Registrar shall communicate the approval for the constitution of Governing Body, appointed or elected for the first time or thereafter, within a period of thirty days from the date of receipt of such application for approval, failing which, it shall be deemed to be approved.

**18. (1)** The meetings of the Governing Body may be held as and when required:

Meetings of  
Governing  
Body.

Provided that the Governing Body shall meet once in every quarter and hold at least four meetings in a financial year.

(2) A clear notice of three days of every meeting of the Governing Body shall be given by the Secretary of the Governing Body to the office-bearers before the date appointed for the meeting:

Provided that the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty per cent. of its members.

**19. (1)** The society shall maintain record of the minutes of proceedings of every meeting of the General Body and Governing Body in the proceedings book separately maintained for this purpose and such minutes shall be signed by the President and Secretary of the society.

Record of  
proceedings.

(2) In case the minutes of the meeting are not signed by the President for any reasons, whatsoever, the Governing Body may authorise any of the office-bearer to sign such minutes.

(3) The minutes of every meeting of the Governing Body or the General Body, as the case may be, shall be placed for confirmation in its succeeding meeting of such body.

(4) Any resolution passed by the Governing Body or the General Body, as the case may be, during any of its meetings, which is not consistent with the provisions of this Regulation, or the rules made thereunder, or the bye-laws, shall be invalid.

(5) No act or proceedings of a society or any of its office-bearer shall be deemed to be invalid merely on the ground of any vacancy or defect in the organisation of the society.

**20.** Every society shall supply a copy of the balance-sheet or a statement of accounts together with the report of the auditor to every member of the General Body along with the notice of the annual general meeting and the same shall also be uploaded on the website of the society.

Supply of  
balance-sheet or  
statement of  
accounts.

## CHAPTER VIII

### PROPERTY AND FUNDS OF SOCIETIES

**21.** Every society registered under this Regulation may acquire movable or immovable property, on free-hold or on lease basis, from and out of its funds, or donations, grants or loans, in accordance with its bye-laws.

Acquisition of  
movable and  
immovable  
property.

**22.** All properties, movable and immovable, belonging to a society, whether acquired before or after its registration, shall vest in the society, and any such property may be referred to as the property of such society in any legal proceeding:

Property how  
vested.

Provided that in case a housing society or a resident welfare association registered as a society for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the property may vest in the members or their successor-in-interest who have contributed for acquisition of such property:

Provided further that where a society accepts a gift or donation of money or property of any other kind from any person or institution for a specific purpose, it shall use such money or property gifted or donated or any part thereof only for the purpose for which it has been so gifted or donated and for no other purpose.

Restrictions on  
sale or transfer  
of immovable  
property.

**23.** (1) Every society registered under this Regulation shall be competent to sell, transfer or alienate any of its immovable properties subject to the following, namely:—

(a) in case the immovable property is acquired from the Government, or any of its instrumentalities or a municipal body or gram panchayat or any other authority, with the prior written permission of the Government;

(b) in case the immovable property is acquired by means of a conditional gift or conditional donation from any source, in accordance with such conditions and subject to the prior permission of donor or his authorised representative and in case the donor is not alive and has left no such authorised representative, with the prior permission of the District Registrar;

(c) in case the immovable property is acquired by the society from and out of its own resources or funds or borrowings, with the prior permission of the General Body, by a special resolution.

(2) The Governing Body shall determine the reserve price of any immovable property referred to in sub-section (1), which shall not be less than the applicable Collector rates, before its disposal, so as to ensure that it is not sold or transferred at an undervalued consideration.

(3) The expression “Collector rates,” referred to in sub-section (2), commonly known as circle rate or ready reckoner rates, means the minimum price value set by the Government to determine the stamp duty and registration charges in specified areas, based on factors such as location, market trends and infrastructure.

(4) The proceeds from the transfer or sale of any immovable property of the society, wherever conducted in accordance with the provisions contained in this section, shall be immediately deposited in the account of the society, but not later than three working days from the date of receipt of transfer or sale proceeds, as the case may be.

(5) Where any office-bearer of the Governing Body indulge in violation of the provisions contained in sub-section (1) or sub-section (2) or sub-section (4), the District Registrar shall be competent to take any or all of the following actions, namely:—

(a) where the amount of consideration is not deposited in the account of the society within three working days, direct such office-bearer to pay interest out of his own funds at the rate of twenty-four per cent. for the period it remained in his possession, but such period shall in no case be more than thirty days;

(b) where the immovable property has been sold or transferred at an undervalued price, recover the difference assessed on the basis of Collector rates from the erring office-bearer and deposit the same in the account of the society;

(c) where the immovable property has been disposed of without the permission as required under sub-section (1), or without complying with the conditions applicable, recover the amount along with any additional amount as assessed on the basis of Collector rates, from the concerned office-bearer and deposit the same with the allotting authority.

(6) Where the recovery of any amount is due from any erring office-bearer under sub-section (5) in the course of enforcement, and such erring office-bearer fails to deposit the said amount within the period specified in the said sub-section, the District Registrar shall be competent to recover such amount as arrears of land revenue.

(7) Nothing in this section shall absolve the office-bearer from criminal action.

24. Every society, to such extent and under such conditions, as may be permitted under its bye-laws, from time to time, invest or deposit any portion of its funds not immediately required—

Investment of funds.

(a) in immovable properties; or

(b) in securities of the Government or in National Savings Certificates or other securities of the Government of India; or

(c) in the post office savings bank account; or

(d) in a special account opened by the society for the purpose in—

(i) a Scheduled Bank as authorised or notified by the Reserve Bank of India; or

(ii) a co-operative bank situated in the Union territory; or

(iii) such other mode of investment, as may be prescribed.

## CHAPTER IX

### ACCOUNTS, AUDIT AND FILING OF DOCUMENTS

25. (1) Every society shall keep proper books of account such as cash book, ledger, and the like as required by the Income-tax laws or the books as per the standards laid down by the Institute of Chartered Accountants of India, at its head office or such other places as may be determined by the Registrar General, with respect to—

Maintenance of books of account.

(a) all sums of money received and expended by the society; and

(b) the assets and liabilities of the society.

(2) The books of account, returns and registers shall be verified and signed by at least two office-bearers, as may be authorised by the Governing Body.

(3) The books of account shall be open to inspection during the business hours by the Registrar General or Registrar or District Registrar, or any officer authorised by him.

26. (1) Every society shall get its annual accounts audited from an auditor who is a member of the Institute of Chartered Accountants of India, constituted under the Chartered Accountants Act, 1949 or the auditor of the Union territory, Co-operative Department.

Audit.

(2) The auditor referred to in sub-section (1) shall not be a member of the Governing Body or family member of any of the office-bearer.

Annual returns  
and other  
returns.

27. (1) Every society shall file the following returns, in such form and manner as may be prescribed, with the District Registrar within thirty days of holding the annual general meeting, namely:—

(a) a list of the members duly certified by the President and the Secretary, as on the 31st March of the year, separately showing the deletions and additions during the previous year;

(b) a list of the office-bearers along with their names, addresses and occupations separately showing the deletions and additions, if any;

(c) an annual report on the working of the society by the Governing Body duly certified by the President and the Secretary;

(d) a copy each of the balance-sheet, receipt, expenditure statement and the report of the auditor duly certified by him; and

(e) a copy of the special resolution, as and when passed.

(2) Any society which is required to submit any statement or returns specified in sub-section (1) within the time specified therein, fails to do so, the District Registrar or Registrar may depute an officer to prepare the necessary statement or return:

Provided that in such cases, it shall be competent for the Registrar to determine, with reference to the time involved in the work and the emoluments of the officer deputed to do it, the charges which the society concerned should pay to the Registrar General or Registrar and to direct its recovery from the society.

## CHAPTER X

### AMALGAMATION AND DIVISION

Amalgamation  
or division of  
societies.

28. (1) Any two or more societies, after passing special resolutions for amalgamating with each other, shall move an application along with copy of the said resolutions, in such form and manner as may be prescribed, for obtaining approval of the Registrar and after getting the approval, shall amalgamate together as one society.

(2) Any society, after passing special resolution for division of a society, shall move an application, in such form and manner as may be prescribed, along with copy of such resolution, for obtaining approval of the Registrar and after getting the approval, shall stand divided.

(3) The special resolution for division referred to in sub-section (2) shall contain proposals for the division of the assets and liabilities of the society among the newly divided societies, relationship of the parent society with the divided societies, if any, and may specify the areas of operation of and the members who may constitute each of the new societies:

Provided that before division, the society shall settle all the claims and liabilities or divide the assets and liabilities amongst the societies on *pro rata* basis.

(4) No amalgamation or division of a society under sub-section (1) or sub-section (2), as the case may be, shall have effect until and unless the new society is or societies are duly registered.

(5) Upon the registration of the new amalgamated society or the divided societies, as the case may be, the assets and liabilities of the original registered society or societies shall, subject to the provisions of this section, be transferred to and become the assets and liabilities of the new society or societies in the manner specified in the special resolution referred to in sub-section (1) or sub-section (2), as the case may be.

## CHAPTER XI

## INQUIRY AND SUPERSESSION OF GOVERNING BODY

**29.** (1) The Registrar General or Registrar or District Registrar, may, by written order, require any society to furnish in writing, such information or document or explanation as specified in that order, within such time, not being less than two weeks from the date of receipt of such order.

Power to call for information or explanation.

(2) On receipt of the order, it shall be the duty of the society to furnish such information or documents or explanation, as may be specified in that order.

**30.** (1) Where the Registrar General or Registrar or District Registrar is satisfied that—

Powers to seize records, etc.

(a) the records, registers or the books of account of a society are likely to be tampered with or destroyed, and the funds and the property are likely to be misappropriated or misapplied; or

(b) the Governing Body is reconstituted at a general meeting and the outgoing members of the Governing Body refused to hand-over charge of the records and property of the society to those entitled to receive such charge; or

(c) the office-bearers, where the elections of the Governing Body have not been held by the due date, are likely to misuse such documents, funds or records, or are reluctant to hand over the records to an *ad hoc* committee or the administrator appointed for managing the affairs of the society as an interim measure under the provisions of section 33,

he may issue an order directing a person duly authorised by him in writing to seize and take possession of such document, funds, records and property, whereupon the office-bearer responsible for custody of such documents, record, funds and property shall give delivery thereof to the person so authorised.

(2) In order to secure compliance of the order under sub-section (1), the District Registrar may take or cause to be taken such steps and use or cause to be used such minimum force, including police force, as may be considered necessary.

**31.** (1) Where on the information received or gathered under section 29, or on the application of a majority of the office-bearers of a society, or on the application of not less than one-third of the members of the General Body, as the case may be, or if so moved by the Government or the District Collector, the Registrar General or Registrar or District Registrar is of the opinion that there is apprehension that—

Power to inquire.

(a) the affairs of such society are being so conducted as to defeat the aims and objects of the society; or

(b) its Governing Body is guilty of mismanaging its affairs or of any breach of fiduciary or other like obligations or to defraud its creditors,

the Registrar General or Registrar or District Registrar, as the case may be, may, in writing, order an inquiry to be conducted either himself or by any person authorised by him in that behalf, into the affairs of that society.

(2) An application or reference made by the Government or District Collector to the Registrar General or Registrar or District Registrar under sub-section (1) shall be supported by such evidence, as he may require for the purpose of showing that the applicant has good reason for applying for an inquiry.

(3) The Registrar General or Registrar or District Registrar may, before the inquiry is ordered by him, require the applicants to furnish such security as he thinks fit as the cost of the proposed inquiry.

(4) All expenses incidental or preliminary to the inquiry shall, where such inquiry is held,—

(a) on an application, be defrayed by the applicants thereof or out of the assets of the society or by the members of the society, in such proportion as the District Registrar may, by order in writing direct; and

(b) on a reference from the District Collector or the Government or on own motion of the District Registrar, be defrayed out of the assets of the society and shall be recoverable as arrears of land revenue.

(5) A person holding an inquiry shall have, at all reasonable times, free access to all the documents and shall have power to call upon any office-bearer or member to produce any of the document, as he may direct.

(6) It shall be the duty of all office-bearers or members, who were or are holding office in the society, to furnish the person holding the inquiry with all the information or document in their possession.

(7) A person holding an inquiry may—

(a) summon and examine any person on oath who, he has reason to believe, has knowledge of any affairs of the society; and

(b) summon any person to produce any books of account or documents belonging to him or in his custody, if the person holding the inquiry has reason to believe that such books of account or documents contain any entries relating to transactions of the society.

(8) A person holding an inquiry may, if in his opinion it is necessary for the purpose of inquiry, seize any or all the documents:

Provided that any person from whose custody such documents are seized shall be entitled to a receipt thereof and make copies thereof.

(9) If the inquiry is held under this section by—

(a) the District Registrar, he shall forward the report to the Registrar along with his recommendations; or

(b) a person other than the District Registrar, he shall send the report to the District Registrar and the District Registrar shall make a report to the Registrar along with his recommendations; or

(c) the Registrar himself, he shall forward the report to the Registrar General along with his recommendations.

(10) The inquiry report shall be communicated to the society and the applicants, if any.

Action on  
inquiry report.

**32.** The Registrar shall consider the inquiry report along with the recommendations of the District Registrar, if any, and take any of the following steps, namely:—

(a) where no irregularities of procedural or material nature are found to have been committed by the Governing Body, he shall order closure of the inquiry along with information thereof to the society and applicants, if any; or

(b) where the irregularities or violations committed by the society are found to be of procedural nature, which are rectifiable, he shall direct the society to take recourse to such corrective measures within such time, as he may direct and the society shall submit a compliance report thereof to the Registrar; or

(c) where the irregularities or violations committed by the society are found to be of a serious or material nature, he shall pass any other appropriate order to meet the ends of justice.

33. (1) Where, based on inspection, inquiry or audit under this Regulation, the District Registrar or Registrar submits a report or recommendation indicating that the Governing Body or a society is not functioning in accordance with the provisions of this Regulation or is acting against the interest of its members, the Registrar shall forward such report or recommendation to the Registrar General.

Supersession of  
Governing Body  
and  
appointment of  
administrator.

(2) If upon receipt of report, the Registrar General is of the opinion that a *prima facie* case is made out for supersession of the Governing Body, he shall issue a show cause notice indicating the proposed action, consider the response of the society, and if so requested, provide an opportunity of hearing, before passing appropriate order.

(3) The Registrar General, after considering the reply of the society, shall pass an order and may appoint an officer as administrator to manage the affairs of the society with such directions as deemed appropriate and the orders passed by the Registrar General in this behalf shall be final.

(4) The officer referred to in sub-section (3) shall be a Group 'B' officer or of equivalent rank in the service of the Government or any statutory authority, or such person who may have retired from a Group 'B' or equivalent position from the Government or the Central Government or a statutory authority.

(5) Where a retired person is appointed as the administrator, the Registrar General may also fix the honorarium or remuneration to be paid to the administrator during the course of his appointment at such rates as may be prescribed and direct such expenditure to be defrayed out of the funds of the society.

(6) The administrator appointed under sub-section (3) may hold office for a period which shall not exceed one year in the first instance, but whose term may be extended for such further period, as considered necessary, subject to the same not exceeding three years in total.

(7) On the appointment of the administrator under sub-section (3), the Governing Body shall cease to exercise any powers and perform and discharge any functions or duties conferred or imposed on it under this Regulation or the bye-laws.

(8) The administrator so appointed shall exercise all the powers of the Governing Body and perform all such functions or duties during the course of his appointment as provided in the bye-laws, subject to any directions from the Registrar General.

(9) The administrator shall, before the expiry of his term, take necessary action to hold the election of the Governing Body, if so required.

(10) If the administrator is, for reasons beyond his control, not able to hold the election of the Governing Body or fails to convene a meeting of the General Body, as the case may be, or in spite of such meeting having been convened, the General Body, fails to elect the Governing Body, the administrator shall forthwith send a report to the Registrar General who may pass such orders, as may be considered expedient, either extending the term of appointment of the administrator for a further period as may be specified in the order or, if satisfied that public interest so necessitates, for the dissolution of the society.

(11) The Registrar General may, if he thinks appropriate, appoint a committee to advise and assist the administrator so appointed for exercise of the powers and discharge of the duties and functions conferred or imposed on him under this Regulation.

(12) The members of the committee shall have such qualifications, as may be prescribed, and shall hold office during the pleasure of the Registrar General.

(13) Where an order of dissolution is passed under sub-section (10) by the Registrar General, further action shall be taken in accordance with the relevant provisions of this Regulation.

## CHAPTER XII

## SUSPENSION, CANCELLATION AND DISSOLUTION

Removal of  
defunct society  
and cancellation  
of their  
registration.

34. (1) Where the District Registrar has reasonable cause to believe that a society is defunct and is not carrying on business or operations, he shall issue a show cause notice to such society at its registered office to show cause as to whether it is carrying on its business or operations and directing it to file such documents or returns, within a period of ninety days from the date of issue of such notice.

(2) Where the defunct society responds to such notice within the specified period and submits the requisite documents or informs along with evidence that it is carrying on business or operations, the District Registrar shall, after due verification of records, pass an appropriate order.

(3) If the District Registrar receives a reply from the defunct society to the effect that it is not carrying on any business or operations, he may direct the society to convene a meeting of its General Body, pass a special resolution for its dissolution after settling all its liabilities and shall apply for dissolution of the society within a period of thirty days from the date of such resolution.

(4) Where the District Registrar does not receive any reply within a period of ninety days referred to in sub-section (1), he shall cause a public notice to be issued stating that on the expiration of such period as may be specified in such notice, the registration of such defunct society shall be suspended.

(5) If no response is received from the defunct society, or from its members, creditors or claimants, within the period specified in the public notice issued under sub-section (4), the District Registrar shall order suspension of registration of such society and after passing of such order, the society shall not carry on any business.

(6) The District Registrar shall cause to be notified an order passed, suspending the registration of a society under sub-section (5), through a public notice for the information of general public.

(7) The society or any of its member, creditor or claimant, aggrieved by an order of suspension passed under sub-section (5), may, within a period of three months from the date of the order of suspension, submit a representation to the District Registrar.

(8) The District Registrar may, on being satisfied and for reasons to be recorded in writing, that the society, at the time of its suspension, was carrying on business or operations, or otherwise, and it is just and equitable that the name of the society be restored to the register, revoke the suspension.

(9) The society whose registration is restored under sub-section (8) shall be deemed to have continued in existence, as if its registration had not been suspended.

(10) No claims, whatsoever, shall be valid and entertained against a society on the expiry of a period of three months from the date of suspension of its registration.

(11) If no representation against the suspension order is received within a period of three months from the date of suspension of registration, the District Registrar may, unless contrary is shown, strike off the name of the society from the register of societies and cancel its registration.

Cancellation of  
registration of  
society with no  
assets and  
liabilities.

35. A society, which has no assets or liabilities to its account and is not desirous of carrying on with its business or operations, may, after passing a special resolution, apply for cancellation of its registration to the District Registrar and the District Registrar shall, after giving a public notice of not less than ninety days inviting objections, strike out its name from the register of societies after considering objections, if any.

36. (1) The Registrar may, if he is satisfied that—

- (a) the business of any such society is conducted, fraudulently; or
- (b) the society is declared insolvent; or

(c) the society is carrying on any unlawful activity or allowing unlawful activity to be carried on in the premises under its control,

Cancellation of registration upon inquiry.

order an inquiry to be conducted by the District Registrar or any other officer authorised by him in accordance with the procedure contained in sections 31 to 33 and submit a report thereof within the period specified in such order.

*Explanation.*—For the purposes of this sub-section, an activity shall be treated as unlawful, if such activity is an offence punishable under the provisions of any law for the time being in force.

(2) On receipt of the report referred to in sub-section (1) from the District Registrar, the Registrar shall issue a public notice inviting objections, if any, as to why the registration of the society should not be cancelled.

(3) After considering the objections filed by the society and public, and after giving a reasonable opportunity of being heard to the society, the Registrar may cancel the registration.

37. When the registration of a society is cancelled, the society shall forthwith cease to carry on its business, except in so far as it may be required for the beneficial winding-up of its affairs, for which purpose it shall pass a special resolution and dissolve itself in the manner as provided in this Regulation:

Effect of cancellation of registration.

Provided that the liability of office-bearers shall continue and may be enforced as if the registration of society has not been cancelled.

38. (1) Where the registration of a society is cancelled, the District Registrar shall—

Procedure on cancellation of registration.

(a) direct the society to complete the process of its dissolution, that is, pass a special resolution, collect all its receivables and settle all its liabilities, provide the details of any of its assets left over after settlement of the liabilities, and submit a proposal for transfer of its left over assets to any other society in existence with identical aims and objects;

(b) assess the credentials of a society to whom any such assets are proposed to be transferred by the society referred to in clause (a) and may, either approve such proposal, or direct the society to place such assets at the disposal of the District Collector;

(c) constitute a committee of members of such society to carry out the process of its dissolution, where it has no Governing Body or General Body to carry out his directions under clauses (a) and (b);

(d) be competent to complete the dissolution of the affairs of the society on his own or appoint any of his subordinates to do the needful or associate any two members from any other society in existence for the purpose.

(2) If on dissolution and after settlement of all the claims and liabilities, a society is left with any movable or immovable assets, the District Registrar shall, in the first instance, make efforts to transfer all such assets to any other society in existence with identical aims and objects in operation against a proper receipt and submit a report thereof to the Registrar General, failing which, all such assets shall vest in the custody of the District Collector.

(3) Where any asset is placed at the disposal of the District Collector, he may, either direct the transfer thereof to a society in operation with identical aims and objects or use such assets preferably for the same purpose or for any other public purpose.

Dissolution by  
special  
resolution.

**39. (1)** A society may resolve to dissolve itself by passing a special resolution in a meeting of its General Body convened for the purpose.

(2) On passing of the special resolution under sub-section (1), the Governing Body shall take all necessary steps for settlement of all claims and liabilities, as it may consider appropriate in accordance with its bye-laws and if there are no bye-laws, in accordance with the provisions of this Regulation.

(3) If any dispute arises amongst the members of the society, the Governing Body, or the special committee, regarding the winding-up of the affairs of the society, it shall be referred to the District Registrar for such directions, as he may consider appropriate:

Provided that the special resolution for dissolution of the society shall not be a matter in dispute.

(4) If the Central Government or the Government or any of its instrumentalities is a member of or a contributory to or otherwise interested in any society, such society shall not be dissolved without the consent of the Central Government or the Government, as the case may be.

(5) After all necessary steps have been completed, the Governing Body shall send a report to the District Registrar, mentioning about the surplus assets, if any.

(6) The District Registrar shall thereupon cause a public notice issued at the expense of the society inviting objections from any person interested in the affairs of such society within the period specified in such notice, which shall not be less than three months.

(7) If no objection is received from any claimant, creditor or member of the society within three months from the date of issue of such public notice, and after the surplus assets, if any, have been disposed of as provided in this Regulation, the District Registrar shall make an order confirming the dissolution and thereupon the society shall stand dissolved and the District Registrar shall record the order of dissolution in the register maintained in his office and strike off the name of the society from the register of societies.

(8) If any objection is received from any claimant, or creditor, or member, or any other interested person, within a period mentioned in sub-section (7), the District Registrar shall not make an order confirming the dissolution of the society unless he is satisfied that the relevant claim or liability have been duly settled and the surplus assets, if any, have been disposed of as provided in this Regulation.

Dissolution by  
Registrar.

**40. (1)** Where the Government decides to dissolve a society under sub-section (10) of section 33 or where the registration of a society is cancelled and it is found to be fit for dissolution under section 39, the Registrar General or the Registrar, as the case may be, shall order dissolution of such society in accordance with the procedure specified under the said sections.

(2) Upon passing an order for dissolution of a society under sub-section (1), the Registrar General or the Registrar or the District Registrar, as the case may be, shall take action for winding-up the affairs of the dissolved society in accordance with the provisions of this Regulation.

Disposal of  
assets.

**41. (1)** Notwithstanding anything contained in section 38, after the settlement of claims and liabilities of society, where any surplus assets are left, such assets shall not be paid to or distributed amongst the members of the society, but shall be taken over and vest in the custody of Government:

Provided that in case of a housing society or where a resident welfare association is registered as a society, the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the successor-in-interest shall step in the shoes of original member, subject to fulfilment of qualifications as laid down in the bye-laws of the society and the provisions of this Regulation.

(2) The Government shall place such assets at the disposal of the District Collector, who may,—

(i) in the first instance identify any other society in operation with identical aims and objects and transfer such assets to such society;

(ii) use such assets, preferably for the purpose for which such assets were created; or

(iii) for any other public purpose, as deemed appropriate.

(3) The records of accounts shall be maintained for a period of three years from the date of dissolution and in case any matter pertaining to any such society is pending before any court, such records shall be maintained till the final disposal of such matter by the competent court.

### CHAPTER XIII

#### OFFENCES AND PENALTIES

42. If a society fails to comply with any of the requirements of this Regulation, or contravenes any of the provisions thereof, then such society in default shall be liable for penalty which may extend up to two thousand rupees, as may be prescribed, and in case of a continuing default or contravention, with penalty which may extend to one hundred rupees for every day during which the default or contravention continues.

Penalty for non-compliance or contravention.

43. If an office-bearer or any employee of the society, knowingly or willingly makes or causes to be made any false entry in, or any omission from any register, account, balance-sheet, or other document, required to be maintained by a society under this Regulation, he shall be liable for penalty of a sum which may extend to five thousand rupees and may be removed from such membership or position of the society.

Penalty for falsifying any document.

44. If any office-bearer,—

(a) knowingly or willingly makes a false return or furnishes false information; or

(b) wilfully or without any reasonable reason, disobeys any summons, requisition or other lawful order or direction issued under the provisions of this Regulation; or

(c) with holds or fails to furnish any information lawfully required from him by the District Registrar, Registrar or Registrar General or a person authorised in this behalf under the provisions of this Regulation,

Penalty for furnishing false information or disobeying summons, requisition or other order or direction.

such office-bearer shall be liable for penalty of a sum which may extend to five thousand rupees and in the case of a continuing default or contravention, with a penalty which may extend to two hundred rupees for every day during which the default or contravention continues.

45. The penalties under this Chapter shall be imposed by the Registrar or any officer authorised in this behalf by the Registrar General or Registrar, after giving a reasonable opportunity of being heard, and such sum of penalties shall be credited to the Consolidated Fund of India.

Crediting of penalties imposed under this Regulation.

## CHAPTER XIV

## MISCELLANEOUS

Registrar to  
recover cost  
from officers of  
society.

**46.** Where any society fails to rectify the defects as directed by the Registrar and where no appeal has been made to the Registrar General under sub-section (1) of section 48 or where such appeal has been made and the Registrar General has not annulled, reversed or modified the order, the Registrar may take steps to have the defects rectified and may recover the cost, which were incurred for rectification of such defects, from the officers of the society who, in his opinion, have failed to rectify the defects.

Power of District  
Registrar to  
condone delay in  
certain cases.

**47.** The District Registrar may, upon an application in writing by any society and on sufficient cause being shown, allow further time to such society to comply with any of the provisions of this Regulation on payment of such late fees, as may be prescribed.

Appeal against  
penalties and  
review.

**48.** (1) Any person or society, aggrieved—

(a) by an order imposing penalty under section 42 or section 43 or section 44; or

(b) by any other order passed under this Regulation,

shall have the following recourse, namely:—

(i) the society concerned may make an appeal, against such order to the Registrar General within a period of sixty days from the date of the imposition of such penalty; and

(ii) the Registrar General may, in deciding the appeal, by order, annul, reverse, modify or confirm the order appealed against.

(2) Any society or person aggrieved by an order of the Registrar General, may file a second appeal before the Government within a period of sixty days from the date of issuance of such order.

(3) Any society or person who fails to file the aforesaid second appeal within the period referred to in sub-section (2), and if the society or person has shown sufficient cause for not preferring such appeal within such period, that appeal may be entertained even after the expiry of the said period, but not later than another sixty days.

(4) The decision of the Government shall be final and binding on the parties.

(5) Every appeal referred to in this section shall be in such form and accompanied by such fee, as may be prescribed.

(6) Notwithstanding anything contained in this section, an order passed by the Registrar or the Registrar General may be reviewed by such prescribed authority, on an application filed by the aggrieved party within a period of ninety days from the date of issuance of such order.

Legal  
representation  
and authority.

**49.** (1) The committee or any office-bearer of the society authorised in this behalf by its bye-laws, may bring or defend any action or other legal proceedings touching or concerning any property or any right or claim of the society and may sue or be sued in its name.

(2) No suit or other legal proceedings shall abate due to any vacancy or change in the position of the President, the Secretary or any office-bearer authorised under sub-section (1).

Enforcement of  
judgment.

**50.** A judgment, which shall be delivered against any office-bearer of the society, shall not be enforced against such office-bearer or his property, either movable or immovable, but shall be enforced against the property of the society.

Sec. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

21

**51.** No act or proceedings of a society or any of its office-bearer shall be deemed to have been invalid merely by reason of any vacancy or defect in the organisation of the society.

Acts or proceedings not to be invalidated by certain defects.

**52.** Any notice, order or requisition meant for a society, or for the Governing Body thereof, to be issued by the District Registrar, Registrar or the Registrar General or any other person or body, shall be served on the President or Secretary of the society, and the service on the President or Secretary of the society shall be effectual as if the same had been served on every member of the society.

Mode of service.

**53.** All documents filed by a society with the District Registrar under this Regulation shall be deemed to be public documents within the meaning of section 74 of the Bharatiya Sakshya Adhiniyam, 2023.

Public documents.

47 of 2023.

**54.** The Government may, as soon as possible, introduce measures for the effective governance and efficient administration of the provisions of this Regulation, and upon implementation of such measures, all or part of the transactions, forms, payments, and other services under this Regulation, may be administered in electronic or online mode.

E-governance.

**55.** The Government shall be competent to issue such directions to any society, as it may deem appropriate, for the proper enforcement of the provisions of this Regulation and the rules made thereunder.

Power of Government to issue directions.

**56. (1)** The Administrator may, by notification, make rules not inconsistent with the provisions of this Regulation, for carrying out the purposes of this Regulation.

Power to make rules and laying.

(2) Every rule made under this Regulation shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**57.** Save as otherwise expressly provided in this Regulation, the provisions of this Regulation shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force in the Union territory of Dadra and Nagar Haveli and Daman and Diu.

Act to override other laws.

**58. (1)** If any difficulty arises in giving effect to the provisions of this Regulation, the Administrator may, by general or special order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Regulation as appear to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiration of two years from the date of commencement of this Regulation.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**59.** No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the District Registrar, Registrar or the Registrar General, or any other authority empowered under this Regulation is required to determine.

Bar of jurisdiction of civil courts.

Settlement of disputes, distribution of surplus, fees and recovery of dues.

**60.** (1) Any dispute relating to membership, including admission, termination or rights of members, shall be decided by the District Registrar or Registrar or such authority as may be specified under the rules and the decision of the Registrar in this regard shall be binding, subject to appeal as provided under section 48.

(2) The utilisation or distribution of any surplus, dividend or profit among the members shall be subject to the conditions and limits, as may be prescribed, ensuring transparency and equitable benefit-sharing.

(3) The fees payable for registration, filing of documents, inspections, certifications or any other service rendered under this Regulation shall be such as may be prescribed.

(4) Any amount due to the Government, the District Registrar or the society under this Regulation, including penalties or prescribed fees, shall be recoverable as arrears of land revenue in such manner as may be prescribed.

Repeal and savings.

**61.** (1) The Societies Registration Act, 1860, in its application to the Union territory of Dadra and Nagar Haveli and Daman and Diu, the Societies Registration (Goa, Daman and Diu First Amendment) Act, 1979, as extended to the erstwhile Union territory of Dadra and Nagar Haveli and the Union territory of Daman and Diu and the Societies Registration (Goa Second Amendment) Act, 1998, as extended to the erstwhile Union territory of Dadra and Nagar Haveli (herein referred to as the repealed enactments), are hereby repealed.

21 of 1860.

Goa, Daman and Diu Act 6 of 1979.

Goa Act 1 of 1999.

(2) Notwithstanding such repeal, anything done or any action taken under the repealed enactments, or under any order, rule, regulation or bye-laws made, or any instructions or certificate issued, in the exercise of any power conferred by or under the repealed enactments, shall be deemed to have been done or taken in the exercise of the powers conferred by the corresponding provisions of this Regulation.

(3) Any society registered at any place in the Union territory of Dadra and Nagar Haveli and Daman and Diu under the Societies Registration Act, 1860, the Societies Registration (Goa, Daman and Diu First Amendment) Act, 1979, as extended to the erstwhile Union territory of Dadra and Nagar Haveli and the Union territory of Daman and Diu and the Societies Registration (Goa Second Amendment) Act, 1998, as extended to the erstwhile Union territory of Dadra and Nagar Haveli, shall be deemed to have been registered under this Regulation, and its principal office shall be deemed to be the registered office for the purposes of this Regulation.

21 of 1860.

Goa, Daman and Diu Act 6 of 1979.

Goa Act 1 of 1999.

(4)(a) The Memorandum and the bye-laws of a society referred to in sub-section (3), to the extent they are repugnant to or inconsistent with any of the provisions of this Regulation and the rules made thereunder, shall be amended and brought in conformity with the provisions of this Regulation within a period of two years from the date of commencement of this Regulation or within such further period as the Government may, by notification, allow, and thereafter, to the extent of such repugnancy or inconsistency, be deemed to be void and shall be of no effect; and

(b) any officer elected or appointed to and holding office of a society immediately before the commencement of this Regulation shall continue to hold such office until the expiry of his term of office or until such office is lawfully terminated.

(5) Nothing under this Regulation shall affect any right, privilege, obligation, liability or punishment under the repealed enactments.

Sec. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

23

(6) Any investigation or proceedings, including proceedings for dissolution, or the supersession of the Governing Body or appointment of an administrator or constitution of a committee, commenced before the coming into force of this Regulation, shall be continued and conducted under the corresponding provisions of this Regulation.

10 of 1897.

(7) Without prejudice to the provisions of sub-sections (2) to (4), the provisions of section 6 of the General Clauses Act, 1897 shall apply with regard to the effect of repeal.

\_\_\_\_\_  
DROUPADI MURMU,  
*President.*

\_\_\_\_\_  
DR. RAJIV MANI,  
*Secretary to the Govt. of India.*

\_\_\_\_\_  
UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002  
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

GORAKSH  
NATH  
YADAVA

MGIPMRND—154 GI—15.05.2026

\*\*\*