

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 760, CUTTACK, FRIDAY, MAY 21, 2021 / BAISAKHA 31, 1943

REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 21st May, 2021

S.R.O.No.139/2021— In exercise of powers conferred by sub-section (2) of Section 1 of the Societies Registration (Odisha Amendment) Act, 2021 (Odisha Act. 10 of 2021), the State Government do hereby appoint the 21st day of May, 2021 as the date on which the said Act. shall come into force.

[No.15566—RDM-Reg-REGN-0083-2019/R&DM.]

By Order of the Governor

BISHNUPADA SETHI

Principal Secretary to Government

ODISHA ACT 10 OF 2021
THE SOCIETIES REGISTRATION (ODISHA AMENDMENT) ACT, 2021
TABLE OF CONTENTS

PREAMBLE :

SECTIONS :

1. Short title and commencement.
2. Amendment of Section 3.
3. Insertion of new Sections 3 B and 3 C.
4. Insertion of new Section 4 D.
5. Insertion of Section 11 A.
6. Amendment of Section 12 D.
7. Insertion of new section 21.

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No. 743, CUTTACK, THURSDAY, MAY 13, 2021/BAISAKHA 23, 1943

LAW DEPARTMENT

NOTIFICATION

The 13th May, 2021

No.5206—I-Legis-22/2020/L.— The following Act. of the Odisha Legislative Assembly having been assented to by the Governor on the 3rd May, 2021 is hereby published for general information.

ODISHA ACT 10 OF 2021

THE SOCIETIES REGISTRATION (ODISHA AMENDMENT) ACT, 2021

AN

ACT

FURTHER TO AMEND THE SOCIETIES REGISTRATION ACT, 1860
IN ITS APPLICATION TO THE STATE OF ODISHA.

BE it enacted by the Legislature of the State of Odisha in the Seventy- two
Year of the Republic of India as follows: —

Short title and
commencement

1. (1) This Act may be called the Societies Registration (Odisha Amendment) Act, 2021.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of
Section 3.

2. In the Societies Registration Act, 1860 (hereinafter referred to as the principal Act), for section 3, the following section shall be substituted, namely:—

21 of 1860.

“3.(1) Upon such memorandum and certified copy being filed and on payment of such fee as may be notified by the Government from time to time, the Registrar of Societies shall certify under his hand

that the society is registered under this Act.

(2) A certificate of Registration issued under sub-section (1) shall remain valid for a period of five years from the date of issue:

Provided that a society registered under this Act, before the commencement of the Societies Registration (Odisha Amendment) Act, 2021, shall remain in force for a period of five years from the date of such commencement."

Provided further that nothing in this sub-section shall apply to a society in which Government is a member or contributor upon its registration under sub-section(1)."

3. In the principal Act, after Section 3A, the following sections shall be inserted, namely:—

Insertion of
new Sections
3B and 3C.

"Renewal of
certificate of
Registration.

3B. (1) A Society registered under section 3 whether before or after the commencement of the Societies Registration (Odisha Amendment) Act, 2021, shall, on application made to the Registrar of Societies, within one month before expiry of the period referred to in sub-section (2) of section 3 and on payment of such fees as may be prescribed in the rules, be entitled for renewal of its registration for a further period of five years.

(2) The application for renewal made after the expiry of the period referred to in sub-section (1) but not more than six months after such expiry, shall be allowed by the Registrar of Societies on payment of such late fees, as may be prescribed in the rules.

(3) A society which fails to get its certificate of registration renewed in accordance with this section within six months from the expiration of the period for which the certificate was operative shall become an unregistered society.

(4) The Registrar of Societies may refuse to renew the certificate of registration if he is satisfied that any of the grounds mentioned in section 12-D exists in respect thereof after giving opportunity of being heard before such refusal.

3C. The Registrar of Societies shall publish in the official Gazette the names of the societies whose validity of certificate of registration has expired."

Publication on
expiry of
registration.

Insertion of new
Section 4D.

4. In the principal Act, after section 4C, the following section shall be inserted, namely:—

"Audit Report.

4D. (1) Every Society shall have its accounts audited once in every financial year by a duly qualified auditor and have balance sheet prepared by him.

(2) The President, Secretary or any other person authorized in this behalf by a resolution passed by the Governing body of the Society, shall submit the audit report certified by the auditor together with the balance sheet within such time and in such manner, as may be prescribed in the rules:

Provided that the above provisions shall not be applicable for such societies whose average annual income in last 3 years is less than 1 lakh.

(3) Any society registered under this Act shall not distribute among its governing body members or general members in cash or kind, any profit or surplus that may have accrued from its activities."

Insertion of
Section 11A.

5. In the principal Act, after Section 11, the following section shall be inserted, namely:—

"Resolution of
dispute.

11A. In the event of any dispute arising among the members of the society in respect of any matter relating to affairs of the society including election, continuance of an office bearer in the society, any member of the society may file a petition in the Court of Senior Civil Judge having jurisdiction over the place at which the office of the society is situated and the said Court shall, after making necessary inquiry, pass such order as it may deem fit."

Amendment of
Section 12-D.

6. In the principal Act, in Section 12-D, —

(i) after clause (d), the following clause shall be inserted, namely:—

"(e) the society fails to submit the audit report required under sub-section (2) of section 4D;" and

(ii) for the proviso, the following proviso shall be substituted, namely:—

"provided that no order of cancellation of registration shall be

passed without giving the concerned society a reasonable opportunity of being heard."

Insertion of new
section.

7. In the principal Act, after section 20, the following section shall be inserted, namely: —

Power to make
rules.

21. The State Government may, by notification in the official Gazette, make such rules as may be necessary to carry out the purposes of this Act."

By Order of the Governor
RADHA KRISHNA PATTANAIK
Principal Secretary to Government