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REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 24th April, 2023

S.R.O. No.220/2023– In exercise of the powers conferred by Section 21 of the Societies Registration Act, 1860(21 of 1860), as amended in its application to the State of Odisha from time to time, the last such amendment made by the Societies Registration (Odisha Amendment) Act, 2021 (10 of 2021), the State Government do hereby make the following rules, namely:–

PART- I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Odisha Societies Registration Rules, 2023.

(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,--

(a) "Act" means the Societies Registration Act, 1860(21 of 1860) ;

(b) "Agency" includes an agency or company authorized by the State Government for efficient delivery of services to the public under the Act and the rules made thereunder through electronic mode in accordance with the provisions of the Information Technology Act, 2000 (21 of 2000) ;

(c)"Form" means Forms appended to these rules includes e-Form;

(d) "NEFT" means electronic transfer of money through network from one bank to another bank ;

(e) "Real Time Gross Settlement (RTGS)" means transfer of money taking place electronically from the branch of one Bank to that of another on a real time on gross basis settlement which is not subject to any waiting period ;

(f) "Registration" means registration of Society made through electronic process in accordance with the provisions of the Information Technology Act, 2000 (21 of 2000) ;

(g) "Scheduled Bank" shall mean and include the bank which is listed in the second schedule of the Reserve Bank of India Act, 1934;

(h) "section" means a section of the Act ;

(i) "Treasury Challan" shall have the same meaning as assigned to it in the Odisha Treasury Code, 1937 includes e-Challans.

(2) Words and Expression used in these rules but not defined shall have the same meaning as are respectively assigned to them in the Act.

PART —II

REGISTRAR OF SOCIETIES

3. Powers of the Registrar.—(1)The Registrar shall have the power to superintendent the implementation of all works relating to registration of Societies in the State and may issue guidelines or instructions, from time to time, not inconsistent with the provisions of the Act, for efficient and prompt delivery of services and redressal of grievance of the public in the matter of registration of societies.

(2) The Registrar shall have jurisdiction to register a Society where its registered office is to be situated in any part of the State but its area of operation and activities shall be extended to the whole of the State, or to more than one District.

4. Additional Registrar.—The Additional Registrar appointed in respect of a District or more than one districts, shall function under the direct control of the Registrar and shall have jurisdiction to register a Society where its registered office is to be situated in any part of that district or districts but its area or areas of operation and activities shall be extended to the local limits of that District or Districts.

PART- III

REGISTRATION OF SOCIETIES

5. Memorandum of Association.—(1) Any seven or more persons desirous to form Society for the purpose as specified in sub-section (1) of Section 1, shall submit the Memorandum of Association of Society containing particulars required under section 2, which shall bear their names, address, occupations, if any, and with date and signature of all such persons subscribing to form such society, which shall be duly attested by at least two witnesses other than the subscribers and also a copy of the rules and regulation certified to be correct copy signed by at least three signatories to the Memorandum of

Association as provided in Section 2 and accompanied with the fees for Registration as specified in the Schedule, to the Registrar in electronic mode.

(2) The Memorandum of Association and the regulations of the Society submitted under sub-rule (1) shall be printed or typed on thick papers and be divided into paragraphs, numbered consecutively.

6. Rules and Regulations of the Society.—The regulation of a Society, may provide for, -

(i) identity of the society which includes its name and address particulars ;

(ii) activities of the society ;

(iii) membership of the society i.e. eligibility, admission, withdrawal and termination, etc. ;

(iv) general body which contains the manner of meetings to be held or convened, quorum, functions and responsibilities etc. ;

(v) office bearers and their appointment, election, removal or recall along with their responsibilities etc. ;

(vi) manner of making, altering and rescinding the regulation and the Memorandum of Association;

(vii) finances which include types of funds to be raised, and its management, appointment of auditors, liability of members, discharge of debts etc. ;

(viii) matter which covers the internal matters of settlement of disputes, and dissolution of society etc; and

(ix) such other matters as may be thought expedient having regard to the nature and object of the society.

7. Registration process and certificate of registration.—(1) Upon receipt of the memorandum of association along with the certified copy of the rules and regulations of the society and the documents as submitted by the Registrar for reference to effect registration in pursuance of the provisions of the Act, shall be verified .

(2) The certificate of registration of the Society shall be issued in **Form 1** under the hand and seal of Registrar or Additional Registrar, as the case may be.

(3) The entire process for registration and issue of the certificate thereof shall also be done electronically.

8. Renewal of certificate of registration.—(1) if within one month before expiry of the period of five years from the date of issue of the certificate of registration, the persons authorized for the society in that behalf by the rules and regulations of the society, file an application for renewal of registration of the society with payment of fees as prescribed

under these rules, the certificate of renewal of registration of the society with payment of fees as prescribed under these rules, the certificate of renewal of registration shall be issued in **Form 2** under the hand and seal of Registrar or Additional Registrar, as the case may be with completion of the process also through electronic means .

(2) The certificate of renewal of registration shall also be issued where application for renewal is filed within six months after such expiry with payment of late fees as prescribed under these rules.

(3) In the event of failure on the part of society to get its certificate of registration renewed by the expiry of the timeline as above or if renewal of the certificate of registration is refused out of satisfaction of Registrar that the registration is liable to be cancelled for any of the grounds mentioned under section 12-D, the same shall automatically become an unregistered society .

(4) Immediately after expiry of validity of the certificate of registration or refusal for renewal of the registration, the Registrar shall publish the names of the societies in the official Gazette as well as electronically upload the same in the website for the purpose of record.

9.Amendment to Managing Body, Rules and Name of the Society.—(1)The acknowledgement to amendment in the list of managing body, rules and regulations and name of the society shall be given effect to in **Form 3** with completion of the process also through electronic means.

(2) The Registrar shall issue guidelines from time to time consistent with the provisions of the Act for issuance of such acknowledgement for amendment to the managing body, rules and regulations and name of the society.

(3) The Registrar shall also issue guidelines in consistency with the provisions of the Act providing for conviction and imposition of the fine against the person or persons committing offence of non-compliance to the provisions of the Act or for willfully making any omission or commission under section 4-A and Section4-D.

10. Payment of fees, late fee and fine.—The fees, late fees and fines as prescribed in the Table below shall be payable to Registrar or Additional Registrar, as the case may be, and shall then be deposited into the proper head of account of the State Government through Treasury Challan and may also be realized directly through any other electronic mode, namely, NEFT, RTGS, Net Banking, e-Challan etc. as may be prescribed or allowed from time to time, namely:—

Table

Sl. No.	Description of the Service Head	Amount in Rupees
(1)	*(2)*	*(3)*
1	For every registration of society under section 3	1000
2	For every application for renewal of certificate of registration before expiry of the valid period of five years under sub-section (1) of Section 3 -B	500
3	For every application for renewal of certificate of registration after expiry of the valid period of five years but not more than six months after such expiry under sub-section (2) of Section 3-B i. Within one month of expiry ii. Within two month of expiry iii. Within three month of expiry iv. Within four month of expiry v. Within five month of expiry vi. Within six month of expiry	 1000 1500 2000 2500 3000 3500
4	For every filing of any change in personnel on annual list of managing body of the society under sub-section (1) of Section 4- A	200
5	For every filing of proposal for alteration or amendment in the rules and regulations of the society under sub-section (2) of 4 –A	200
6	Fine for every person committing offence under sub-section (1) of Section 4- C	100
7	Fine for every person willfully committing offence under sub-section (2) Section 4 -C	500
Note: Proper and authenticated money receipts shall be issued for all cash payment. Against Payment made through electronic mode, the proper computer generated receipt shall be made available to the payer through the electronic agency.		

PART- IV
MISCELLANEOUS

11. Cancellation of registration of Societies.—(1) The Registrar or the Additional Registrar, as the case may be, may pass order in writing for cancellation of registration of any Society on any of the grounds as mentioned under section 12-D after giving reasonable opportunity of being heard to the society.

(2) The order so passed under sub-rule (1) shall be maintained in the Register of cancellation of registration serially year-wise. The certified copy of the order shall be given on payment of the fees prescribed under section 19.

(3) Immediately after cancellation of registration of a society, its name shall be added to the list of cancelled societies which shall also be electronically uploaded in the website for the purpose of record.

12. Dissolution of Societies.—(1) When a Society gets dissolved as per the provisions of Section 13, the resolution shall be passed and a copy of such resolution shall also be submitted to Registrar or Additional Registrar, as the case maybe.

(2) The resolution for dissolution of society shall contain a full report showing as to how the property of the society has been disposed of/ proposed to be disposed of.

(3) The list of the dissolved societies along with the respective resolutions passed thereof, shall be maintained in the Register of dissolution of Societies serially year-wise.

(4) The certified copy of the resolution shall be given on payment of the fees prescribed under section 19.

(5) Immediately after receipt of information regarding dissolution of a Society, its name shall be added to the list of dissolved Societies which shall also be electronically uploaded in the website for the purpose of record.

13. Certified Copy and Inspections of documents.—(1) The certified copy of certificate of registration of society, certificate of renewal of registration, acknowledgement of amendment of society and any of the connected documents in the custody of Registrar or Additional Registrar, as the case may be, shall be issued to any person in the manual form or electronically as per the provisions of the Odisha Records Manual under proper endorsement to be prescribed by the Registrar of Societies which shall be subject to payment of such fees as may be prescribed under these rules.

(2) The inspection of any of the documents in the custody of Registrar or Additional Registrar, as the case may be, shall be allowed, either physically or through electronic means, which shall be subject to payment of fees as prescribed under section 19.

FORM 1

(*See* rule 7(2))

Certificate of Registration of Societies

ACT XXI OF 1860

No._____ of_____

I hereby certify that (Name of Society_____), (Address of Society _____), contact e—mail & phone No. has this day been registered under the Societies Registration Act (XXI of 1860) which shall remain valid for five years till the date _____.

Given under my hand at_____ , this _____day of_____ year.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

FORM 2

(*See* rule 8(1))

Certificate of Renewal of Registration

ACT XXI OF 1860

No._____ of_____

I hereby certify that (Name of Society_____), (Address of Society _____),registered on (Date_____) vide No._____ of _____, is accorded (1st / 2nd /3rd/4th----------)renewal of its registration for a further period of five years w.e.f. Date_____.

Given under my hand at_____, this the _____day of_____.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

FORM 3

(*See* rule 9(1))

Acknowledgement of Amendment of Society

ACT XXI OF 1860

No._____ of_____

It is to acknowledge that amendment proposal of the society, namely , (Nameof Society_____) , (Address of Society_____) , is hereby given effect to on this the_____day of_____.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

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By Order of the Governor
SATYABRATA SAHU
Additional Chief Secretary to Government

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