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LAW DEPARTMENT

NOTIFICATION

The 21st February, 2013

No.2092-Legis-11/2012/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 14th February, 2013 is hereby published for general information.

ODISHA ACT 6 OF 2013

THE SOCIETIES REGISTRATION (ODISHA AMENDMENT) ACT, 2012

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 Sixty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Societies Registration (Odisha Amendment) Act, 2012.

Insertion
of a new
section.

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

“Prohibition
against
registration
of societies
with
undesirable
names.

3-A. No society shall be registered by a name which, in the opinion of the Registrar of Societies is undesirable, being a name identical with or, which in the opinion of the Registrar of Societies so nearly resembles the name by which any other existing society has been previously registered under this Act or any body corporate which has been incorporated or registered under any other law for the time being in force as to be likely to deceive the public or members of either society or any body corporate, or which, without the previous permission of the Government concerned, suggests or is calculated to suggest the patronage of that Government or connection with any body constituted by that Government or any local authority, or which may, subject to any rules made in that behalf, be deemed to be undesirable by the Registrar of Societies.”.

Amendment of
section 12A.

3. In the principal Act, in Section 12A, —

(a) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) Where a proposition for change of name has been agreed to and confirmed in the manner prescribed by section 12, a copy of the proposition so agreed to and confirmed shall be forwarded to the Registrar of Societies for registering the change of name”.

(1A) The Registrar of Societies may refuse to register the change of name, if he is of the opinion that the proposed change of name is undesirable for any of the reasons mentioned in section 3A.”.

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) If, through inadvertence or otherwise a society is registered by a name which is identical with or, which in the opinion of the Registrar of Societies so nearly resembles the name by which any other existing society has been previously registered under this Act or any body corporate which has been incorporated or registered under any other law for the time being in force or any body constituted by the Government or any local authority the Registrar of Societies may after hearing the party concerned direct the society to change the name and the society shall change its name within a period of three months from the date of issue of the direction in accordance with the provisions of this Act, or such longer period as the Registrar of Societies may think fit to allow.”.

Insertion of a
new section.

4. In the principal Act, after Section 12-C, the following section shall be inserted, namely:—

“Registrar’s
power to
cancel
registration in
certain
circum-
stances”.

12-D. (1) Notwithstanding anything contained in this Act, the Registrar may, by order in writing, cancel the registration of any society on any of the following grounds, namely:—

- (a) the registration of the society, or its name or change of name is contrary to the provisions of this Act or of any other law for the time being in force; or
- (b) its activities or, proposed activities have been, or are subversive of the objects of the society or opposed to public policy; or
- (c) the registration certificate has been obtained by misrepresentation of fact or fraud; or
- (d) the society fails to comply the direction issued under sub-section (4) of Section 12 A:

Provided that no order of cancellation of registration of any society shall be passed until the society has been given a reasonable opportunity of altering its name or objects or of showing cause against the action proposed to be taken in regard to it.”.

By Order of the Governor

S. K. MOHANTY

Principal Secretary to Government I/c.