

# **HRRS**

# **BARE ACT**

# **2012**

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*The Haryana Registration and Regulation  
of Societies Act, 2012  
with Rules, 2012 - as amended*

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**NOT FOR SALE**

FOR ACADEMIC & REFERENCE USE

**EDITION 2026**

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For authoritative reference, please consult the original gazette notification or the corresponding entries on the India Code portal of the Government of India. Original gazette PDFs of each amendment that informs this compilation are included as Annexures I-IV.

All amendments incorporated into the consolidated text in Part I and Part II are flagged inline using small gold tags such as **[Subs. by HRRS Amdt. Act, 2015]** so that the reader can trace each change back to its source amendment.

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# CA JATIN TAGRA

FELLOW OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA



Mr. Jatin Tagra, who took to the profession upon his admission to membership of the Institute of Chartered Accountants of India in the year 2011, has, over the intervening years, devoted himself to a practice that lies at the confluence of accountancy, regulatory law, and the jurisprudence of voluntary associations. He practises from Gurugram.

His work, conducted from the office at Ocus Quantum in Sector 51, is, in substantial measure, given over to the law and compliance of societies, trusts, and other not-for-profit institutions - a class of regulated persons whose affairs, though seldom occupying the front pages of legal commentary, present some of the more intricate questions in our statute book. Within that vertical, the practice attends to the entire continuum: from the genesis of registration; through the periodic incidents of compliance - annual filings, audit, the conduct of elections and constitution of electoral colleges; to the contentious end of the spectrum, where representation is required before the District Registrar of Societies, the State Registrar of Societies, and the Registrar General of Societies at Chandigarh.

It is, in particular, in the architecture of the Haryana Registration and Regulation of Societies Act, 2012 - that comparatively recent piece of State legislation which has reorganised the field once governed by the Central Act of 1860 - that Mr. Tagra's professional engagement has been most concentrated. His practice extends across the whole of that statute and the Rules made thereunder - from registration and re-registration; through the constitution of the General Body and the Collegium and the conduct of elections under Sections 30 to 32; the regime of annual filings under Section 39; the law of bye-laws and of amendment; to the penal and adjudicatory provisions of the Act, and the cognate questions arising on its interface with the Income-tax Act and other allied legislation.

Where the contest proceeds to the constitutional plane, Mr. Tagra assists Senior Counsel in writ proceedings before the Hon'ble Punjab & Haryana High Court on issues arising under the said Act and under related Haryana statutes.

In a separate but complementary line of work, Mr. Tagra stands empanelled as a Forensic Auditor, and is engaged in examinations of misappropriation, of governance failure, and of fraud risk in the not-for-profit space.

The taxation practice runs in parallel, with a particular interest in the exemption regime embodied in Sections 11, 12, 12A, 12AB and 80G of the Income-tax Act, 1961 - a regime which, since the amendments introduced by the Finance Act, 2020, has required of all charitable institutions a re-validation that is at once procedural in form and substantive in implication.

Mr. Tagra is, from time to time, invited as a Speaker at programmes of the Institute of Chartered Accountants of India and at other professional forums. The present volume - HRRS Bare Act 2012 (Edition 2026) - has been compiled by him with a view to placing the principal Act, the Rules made thereunder, and the subsequent amendments in a single annotated reference, for the use of his clients and the wider professional community.

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*\* Spelled 'Amalgamation' in the gazette source — preserved verbatim in the body banner.*

# **PART I**

## **THE HARYANA REGISTRATION AND REGULATION OF SOCIETIES ACT, 2012**

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*Haryana Act No. 1 of 2012 - As amended by the HRRS Amdt. Act, 2014 and 2015. Inline gold tags mark each amendment at the point of insertion.*

# CHAPTER I

## *Preliminary*

### **1. Short title, extent and commencement.**

- (1) This Act may be called the Haryana Registration and Regulation of Societies Act, 2012.
- (2) It shall extend to the State of Haryana.
- (3) It shall come into force on such date, as the Government may, by notification, in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

### **2. Definitions.**

In this Act, unless the context otherwise requires,

- (i) Act means the Haryana Registration and Regulation of Societies Act, 2012.;
- (ii) Bye-laws means the Bye-laws of a Society ;
- [Subs. for "three hundred" by HRRS Amdt. Act, 2015]** (iii) Collegium means an intermediate body consisting of elected representatives of members of a Society and required to be constituted in cases where the number of members exceeds five hundred;
- (iv) 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 District Registrar continuously for a period, as may be prescribed;
- (v) due date means and refers to the date on which the term of a Collegium or Governing Body of a Society expires and by which the elections of the successor body should be completed;
- (vi) District means a revenue district notified by the Revenue Department under the Registration Act, 1908 (XVI of 1908);
- (vii) District Registrar means an officer appointed under section 3 of the Act;
- (viii) document means and includes register of members, books of accounts, returns, annual returns, other statutory registers, summons, notice, requisition, order, other legal processes, whether issued or kept in pursuance of this or any other Act or otherwise;
- (ix) elected member means a member of a Society who is duly elected to the Collegium or as an office-bearer of the Governing Body;
- (x) 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;
- (xi) General Body means the body of all members of a Society;
- (xii) Governing Body means the Executive Committee, Managing Committee or any other committee constituted or elected by the members of the General Body or Collegium, as the case may be, and responsible for the management of day-to-day affairs of the Society;
- (xiii) Government means the Government of the State of Haryana;
- (xiv) major means a person of twenty one years of age or above;
- (xv) member means a person who fulfils the eligibility criteria for becoming a member of a Society, as specified in the Act and has been admitted as a member of the Society in accordance with its Bye-laws;
- (xvi) Memorandum means the Memorandum of Association of a Society as originally framed and as amended, from time to time, in accordance with the provisions of the Act;
- (xvii) 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 the business of the Society;

- (xviii) prescribed means prescribed under the rules;
- (xix) 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;
- (xx) Registrar means the Registrar of Societies appointed under section 3 of the Act;
- (xxi) Registrar General means the Registrar General appointed by the Government under section 3 of the Act;
- (xxii) Rules means the rules made under the Act;
- (xxiii) Society means a Society duly registered or deemed to be registered under the provisions of the Act and includes a State Aided Society;
- (xxiv) special resolution means a resolution passed in a meeting of the General Body or the Collegium, as the case may be, in which at least forty per cent of the members entitled to vote are present and the resolution is approved by three-fifth of the members so present and voting.
- (xxv) State means the State of Haryana;
- (xxvi) 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 institution is receiving aid.

## CHAPTER II

### *Officers of the Society*

#### **3. Registrar General, other officers and their powers.**

- (1) The Government may, by order, appoint a member of Indian Administrative Services as the Registrar General, who shall exercise such powers and perform such duties and functions, as are conferred upon him by or under the Act.
- (2) The Registrar General may, by order, appoint a Class-I officer of the Government as Registrar and other officers of the Government not below the rank of Class-II 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 Registrar General, may further appoint District Registrars not below the rank of Class-II in the Government, to exercise the powers and discharge such functions and duties, as assigned to them under the Act, in respect of the territorial jurisdiction of one or more districts. He may also appoint certain officers as Deputy District Registrars or Assistant District Registrars not below the rank of Class-II of the Government as per relevant service rules or terms of employment and empower them to exercise such duties and functions, as may be assigned to them, from time to time.
- (4) The officers appointed under this section shall exercise powers, discharge duties and perform functions under the overall administrative control and superintendence of the Government.

#### **4. Registrar General and other officers to be public servants.**

Every officer exercising or authorized to exercise powers under the Act or the rules made thereunder shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (No. 45 of 1860).

#### **5. Indemnity for acts done in good faith.**

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

## CHAPTER III

### *Aims and Objects of Society*

#### **6. Aims and objects.**

Any seven or more persons associated for any of the purposes mentioned hereunder, may, by subscribing their names to a Memorandum and filing the same with the District Registrar, form themselves into a Society. The aims and objects, for which a Society may be formed are,-

- (i) promotion of charity or any philanthropic activity;
- (ii) promotion of arts, education, science, literature, philosophy, religion, industries, skill development, fine arts, etc.;
- (iii) promotion of sports (excluding games of chance);
- (iv) promotion of folk arts;
- (v) promotion of artefacts and handicrafts;
- (vi) instruction and diffusion of any useful knowledge;
- (vii) diffusion of political education;
- (viii) establishment or maintenance of libraries or reading rooms for general public use, or of public museums and galleries of painting and other works of art;
- (ix) promotion of conservation and proper use of natural resources such as land, water, forests and wildlife, and optimal use of infrastructure facilities like roads, power, eco-friendly initiatives and such other resources and infrastructure facilities, as may be notified by the Government, from time to time;
- (x) formation of associations of flats or tenement or condominium or floor space owners pursuant to the requirements as laid down under the Haryana Apartment Ownership Act, 1983 (Act 10 of 1983) or a welfare organization formed for housing projects or a resident welfare organization for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area;
- (xi) the collection of natural history, mechanical and philosophical inventions, instruments or designs etc.; and
- (xii) implementation and promotion of any Government sponsored schemes in the State:

*Provided that no Society shall be registered under the Act unless it prohibits the payment of any dividend or distribution of any assets, income or profits to its members or their dependents or legal heirs except where a Society has been formed or established by the contributions of share holders or members in the nature of a housing Society or a welfare association of flats or tenement or floor space owners pursuant to the requirements laid down under the Haryana Apartment Ownership Act, 1983 (Act 10 of 1983) or a resident welfare association for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area.*

## CHAPTER IV

### *Registration of Society*

#### **7. Societies not to be registered with undesirable name.**

- (1) No Society shall be registered with a name which contravenes the provisions of the Emblems and Names (Prevention of the Improper use) Act, 1950 (Central Act 12 of 1950).
- (2) Except with the previous approval of the Government in writing, no Society shall be registered by a name which contains any of the following words, namely: -
  - (i) Co-operative or Land Development;
  - (ii) Reserve Bank;
  - (iii) 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; and
  - (iv) Municipal or Chartered or any word which suggests or is calculated to suggest connection with any municipality or other local authority.
- (3) No Society shall be registered in the State under a name which is identical with or too nearly resembles the name of any other Society or any body corporate which has been previously registered under the Act or incorporated under any other law for the time being in force, as the case may be, except where the Society in existence is in the course of being dissolved and signifies in writing its consent to registration of such name.

#### **8. Approval of name and application for registration.**

- (1) An application shall be filed in the prescribed proforma for getting approval of the name of the Society in accordance with the prescribed procedure.
- (2) After approval of the name, an application for registration of the Society shall be filed with the District Registrar, in whose jurisdiction the registered office of the Society is situated, alongwith the Memorandum and the Bye-laws prepared in accordance with the provisions of the Act and containing all such particulars, as may be prescribed.
- (3) The Memorandum shall be signed by at least seven members who shall be major and they shall add their address, description and occupation, if any, in the presence of at least two witnesses who shall also be major and who shall append their signatures and add their address, description and occupation, if any. The Bye-laws shall also be signed by the signatories to the Memorandum.

#### **9. Registration.**

- (1) After scrutiny of the documents presented before the District Registrar, if he is satisfied that the applicant has complied with all the provisions of the Act and the rules as to registration, 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 the form and manner, as prescribed.
- (2) If the District Registrar refuses to register a Society, he shall state the reasons therefor and communicate the same to the applicants.
- (3) Every Society registered by the District Registrar shall be assigned a distinct registration number.
- (4) Every existing Society shall apply in the prescribed proforma to the District Registrar for obtaining a new registration number within a period of one year or such further period, as may be notified by the Government. If the new number is not applied within one year then number shall be applied alongwith fee, as may be prescribed, within a period of six months and if the Society fails to move an application for new number

within such extended period, the registration may be cancelled.

### **10. Evidence of registration.**

- (1) A certificate of registration issued by the District Registrar shall be conclusive evidence that the Society therein mentioned is duly registered unless proved otherwise.
- (2) Every Society registered under the Act shall prominently display its name alongwith 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. The Societys name, registration number and its registered office shall be mentioned in all documents executed in its favour or on its behalf.

### **11. Registered office.**

- (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) Information about every change in the address of the Society shall be given by the Society to the office of the District Registrar within thirty days of its registration or the date of the change, as the case may be, who shall record the same 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 both the District Registrars.

### **12. Change in the name.**

- (1) A Society may change its name after getting the proposed new name approved from the District Registrar in the manner prescribed. After approval of name, the person authorised by the Society shall submit an application for change of name alongwith the prescribed fee and a copy of the special resolution to the District Registrar.
- (2) The District Registrar shall register the change in the name of the Society by entering the new name in the register in place of the former one and issue a fresh certificate of registration, comprising the old, as well as the changed name, with necessary alternations embodied therein. The change of name shall be valid only upon issue of such a certificate.

### **13. Change in name on the direction of Registrar.**

- (1) If a Society is registered under a name which, in the opinion of the Registrar, is identical with or too nearly resembles the name of any other Society or a body corporate which, having been previously registered or incorporated under the Act or any other law for the time being in force, or being deemed to have been registered under the Act continues to exist, he may, by order made in this behalf direct such Society to change its name and amend its Memorandum within such period as the Registrar may allow.
- (2) Where a change in name is directed by the Registrar, the Society which was registered first may be allowed to retain the name and those registered subsequently shall be required to change their names within such period, as may be specified by the Registrar.
- (3) A change of name shall not affect the rights and liabilities of the Society or any legal proceedings by or against it.

## CHAPTER V

### *Membership*

#### **14. Minimum number of members and types of members.**

A Society shall consist of a minimum seven members at the time of its registration and it may admit persons as founder-members, life-members, ordinary members, associate-members, tenure-members or honorary members, in accordance with the provisions contained in its Bye-laws. A donation shall not create a right in the donor to be admitted as a member of the Society.

#### **15. Different fees for different types of members.**

A Society may prescribe different fees for different types of membership in its Bye-laws, along with annual subscription fee and the member shall enjoy such type of membership, as long as, he is not in arrears of payment of any such fee or annual subscription for the period, as may be prescribed.

#### **16. Eligibility conditions for becoming a member.**

A person shall be eligible to become a member of Society, if he,

- (i) is 21 years of age on the date of admission;
- (ii) subscribes to the aims and objects of the Society;
- (iii) has deposited the membership fee as prescribed in the Bye-laws of the Society; and
- (iv) 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.

#### **17. Identity Card.**

Every person admitted as a member shall be issued an identity card by the Society containing the photograph and particulars, as may be prescribed.

#### **18. Register of Members.**

- (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 member within fifteen days of the admission or removal or the cessation of any membership, as the case may be, in the prescribed manner.
- (2) A copy of the register of members maintained by the Society, if not filed at the time of registration, shall be filed with the District Registrar within sixty days from the date of registration.
- (3) The Society shall file an updated list of members, separately showing the inclusions and deletions, if any, every year within a period of sixty days of the close of the financial year in the office of the District Registrar in physical or electronic mode, as may be prescribed.
- (4) While filing the updated list of members, the authorised officer of the Society shall certify that such inclusions or deletions are as per the provisions of the Act, rules and the Bye-laws.

#### **19. Inspection.**

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 the business hours.

#### **20. Rights and obligations of members.**

- (1) Every member shall subscribe to and be bound by the Bye-laws as amended, from time to time and registered with the District Registrar.
- (2) Every person admitted as a member on the date of notification of elections, subject to his not being in arrears of membership fees or annual subscription, for a period as may be prescribed, shall have the right to exercise his vote in person.
- (3) Every member shall have the right to inspect the books of accounts, books containing the minutes of proceedings of meetings on any working day during business hours after giving reasonable notice.

## **21. Settlement of membership disputes.**

- (1) Where any member claims to have been admitted as a member but not included in the register of members or any member is aggrieved with his removal from the membership of the Society, such person may submit a petition to the District Registrar alongwith prescribed fee.
- (2) The District Registrar may require such person to support his petition with such documentary or other evidence, as may be considered appropriate.
- (3) Upon receipt of any such petition, the District Registrar shall consider the matter and settle the disputes in accordance with the Bye-laws after giving opportunity of hearing to all concerned.
- (4) Where the Bye-laws are observed to be silent or lack clarity for addressing the dispute or are inconsistent with the provisions of the Act and the rules made thereunder, the District Registrar shall decide the matter in accordance with the provisions contained in the Act or the rules made thereunder.
- (5) Where the Society has large number of members and it is considered expedient to verify, determine and establish the identity and genuineness of such members, the District Registrar may require all members of the Society to appear before him in person alongwith an acceptable proof of identity and address, as recorded in the register of members, within such time and in such manner, as may be prescribed.
- (6) Where action is taken in accordance with sub-section (5) above and certain members do not appear before him inspite of two opportunities granted, the District Registrar shall be competent to strike off the names of such members from the register.

## **22. Cessation of membership.**

A member admitted to a Society shall cease to be so in the following events,

- (i) upon submission and acceptance of his resignation; or
- (ii) if he ceases to fulfil the eligibility condition for being admitted as a member as mentioned under section 16; or
- (iii) upon his failure to pay membership fee or annual subscription fee continuously for a period, as may be prescribed; or
- (iv) upon the death of a member:

*Provided that in case of a Society registered for the purposes pursuant to the Haryana Apartment Ownership Act, 1983 (Act 10 of 1983), 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 shall be enrolled as a member subject to fulfillment of qualifications as laid down in the Bye-laws and the provisions of the Act.*

## **23. Firm barred from being member.**

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:

*Provided that there shall not be any bar for a partner as defined in section 4 of the Indian Partnership Act, 1932 (Central Act 9 of 1932) or a member or share holder of a body corporate to become a member in his individual capacity.*

## CHAPTER VI

### *Memorandum and Bye-Laws of Society*

#### **24. Memorandum.**

The Memorandum shall state,-

- (i) the name of the Society;
- (ii) the aims and objects of the Society;
- (iii) 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
- (iv) the place and the district in which the registered office of the Society is situated.

#### **25. Bye-laws.**

The Bye-laws shall generally conform to the model Bye-laws as prescribed and shall contain provisions in respect of the following matters,-

- (i) identity which includes name and address of the Society;
- (ii) aims and objects of the Society;
- (iii) provisions regulating the membership of the Society i.e. eligibility, admission, kinds of membership, membership fee, subscription fee, resignation, withdrawal and termination etc.;
- (iv) the composition of the General Body, its powers functions, periodicity of its meetings, quorum, period of notice for meetings, manner of voting, record of proceedings etc.;
- (v) principles of formation of electoral colleges, constitution of Collegium, manner and mode of election for a member of the Collegium, resignation, removal, the term of office of the member, powers, functions, procedure and periodicity of holding the meetings of the Collegium, quorum, period of notice for meetings, manner of voting, record of proceedings etc.;
- (vi) composition of Governing Body, the manner and mode of election or appointment, resignation or removal, the term of office of the office bearers, its powers, functions and duties, procedure and periodicity of holding the meetings, quorum, period of notice for meetings and manner of voting, record of proceedings etc.;
- (vii) procedure for amendment in the Bye-laws;
- (viii) procedure regarding amalgamation, division and dissolution;
- (ix) sources of finance including the types of funds to be raised, maintenance of accounts, inspection of accounts and its audit, appointment of auditor, liability of member for discharge of debts etc.;
- (x) provisions regarding the safe custody of the property or assets of the Society, particularly mentioning the manner of keeping or investing any money of the Society; and
- (xi) any other matter relating to the affairs of the Society, as may be required.

#### **26. Amendment of Memorandum and Bye-laws.**

- (1) A Society may, by a special resolution, amend the provisions of its Memorandum with respect to,
  - (i) change in the name of Society; or
  - (ii) change in the aims and objects of the Society, as permissible under the Act.
- (2) A Society may amend its Bye-laws by a special resolution.
- (3) Any special resolution passed under sub-section (1) or (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 the Act and the rules, register such change. Any such change shall have no effect until it has been so registered.

- (4) If the District Registrar refuses to register a change in the Memorandum or the Bye-laws 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 passed by the Society in that case shall have no effect. If the District Registrar fails to communicate the reasons within sixty days, the special resolution shall be deemed to have been registered by him.

## **27. Powers of the Registrar to direct amendment in Memorandum or Bye-laws.**

- (1) Notwithstanding anything contained in the Act or the rules made thereunder, if the Registrar, on a report from the District Registrar or otherwise, considers that an amendment of the Memorandum or Bye-laws is necessary or desirable to bring the same in conformity with the provisions of the Act or 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.
- (2) The Governing Body shall place such directions before the General Body or the Collegium, as the case may be, for its consideration and approval within forty five days of the receipt of such directions.
- (3) If the Society fails to make any such amendment within specified time, the Registrar, after giving the Society an opportunity to state its objections, if any, register such amendment to the Memorandum or the Bye-laws, as the case may be, and send a certified copy thereof to the Society. Such amendment to the Memorandum or Bye-laws, as the case may be, shall be final and binding on the Society and its members.

## **28. Supply of copy of Memorandum and Bye-laws.**

Every Society shall, on demand, deliver a copy of its Memorandum and the Bye-laws to a member at the time of admission.

## CHAPTER VII

### *General Body, Collegium and Governing Body*

#### **29. General Body.**

- (1) The total number of persons admitted as members of a Society in accordance with the provisions of the Act shall constitute its General Body.
- (2) Every Society shall prescribe 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 of 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 percent 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.

#### **30. Collegium.**

- [Subs. by HRRS Amdt. Act, 2015]** (1) A Society consisting of more than five hundred members, unless it is divided into two or more Societies or opts to re-determine and revise its membership in accordance with clause (ii) of sub-section (1) of section 32 and sub-section (2) of section 51, shall constitute a Collegium consisting of not less than twenty-one and not more than three hundred members in accordance with its Bye-laws. The status of a Collegium in this case shall be the same in all respects as that of the General Body of a Society comprising of not more than five hundred members.
- (2) The tenure of the Collegium shall not exceed three years and the members elected to the Collegium shall, in turn, elect the Governing Body.
  - (3) The Society shall file the list of the elected members of the Collegium with the District Registrar within a period of fifteen days of holding the elections for the Collegium in the manner, as prescribed.

#### **31. Meetings of General Body or Collegium.**

- (1) An annual general meeting of the General Body or the Collegium, as the case may be, may be held as and when required. However, at least one meeting of the General Body or the Collegium, as the case may be, shall be held in every financial year in which the annual accounts of the Society, duly audited, shall be placed before the members for adoption.
- (2) A clear notice of fourteen days of every meeting shall be given to the members of the General Body or the Collegium, as the case may be, before the date appointed for the meeting. A copy of such notice alongwith the business to be transacted during the general meeting shall also be endorsed to the District Registrar.
- (3) The notice shall specify the date, time, place and the object of the meeting and in case any agenda item requiring a special resolution is proposed to be considered in such meeting, the notice shall contain a copy each of such agenda.
- (4) The District Registrar may nominate an officer subordinate to him or an independent observer to be present at such general meeting.
- (5) In addition to the annual general meeting, an extra-ordinary meeting of the General Body or the Collegium, as the case may be, may be convened, at any time, after giving due notice to all the members.
- (6) The Governing Body shall convene an extra-ordinary meeting of the General Body or the Collegium, as the case may be, within forty-five days of receipt of a written requisition from at least one-tenth of the members of General Body or the Collegium, as the case may be, for convening such a meeting. The notice requisitioning

the general meeting shall contain the reasons for such meeting alongwith the proposed agenda.

- (7) A clear notice of fourteen days shall be given for the extra-ordinary meeting of the General Body or the Collegium, as the case may be, to all the members specifying therein the date, time, place and the business to be transacted at such meeting. A copy of the notice for an extra-ordinary general meeting shall also be endorsed to the District Registrar, who may nominate an officer subordinate to him or an independent observer to remain present during such meeting.
- (8) In case the Governing Body fails to convene a meeting of the General Body or the Collegium, as the case may be, upon such requisition under sub-section (6) above, the District Registrar may, direct the Governing Body to convene such meeting, within such period as directed.
- (9) The Governing Body shall furnish a copy of the proceedings of the meeting of the General Body or the Collegium, as the case may be, convened under sub-section (6) above, duly countersigned by the subordinate officer or observer, if deputed for such meeting, to the District Registrar within a period of thirty days. Wherever such subordinate officer or the observer validates the proceedings of the meeting, the District Registrar shall take the same on record.
- (10) No extra-ordinary general meeting shall be deemed to have been duly convened, if the members of the General Body or Collegium, as the case may be, have not been given the requisite notice.

### **32. Constitution of the General Body/ Collegium of existing Societies.**

**[Subs. by HRRS Amdt. Act, 2015]** (1) Where a Society, registered prior to the coming into force of the Act, consists of more than five hundred members, it shall convene a meeting of its members to consider and resolve through a special resolution at least six months before the due date for election of Governing Body,-

- (i) to continue with the present number of members; or
- (ii) re-determine the number of members of the General Body by prescription of a revised criteria, including membership fee and annual subscription or special additional charges:

*Provided that in case the number of members opting for any such revised criterion exceeds five hundred, the membership may be decided by draw of lots:*

*Provided further that if on redetermination of the membership, the number of members is restricted to five hundred or less, the same shall constitute General Body of the Society.* **[Ins. by HRRS Amdt. Act, 2014 & Subs.**

**by HRRS Amdt. Act, 2015]**

- (2) Where the term of Governing Body is expiring before the expiry of six months from the commencement of the Act, it shall be deemed to have been extended up to six months from the date of commencement of the Act and the Society shall take action according to clause (i) or (ii) above.

**[Subs. by HRRS Amdt. Act, 2014 and further by HRRS Amdt. Act, 2015]** (3) Where the membership of a Society exceeds five hundred, the Governing Body shall prepare a scheme of determination of the electoral colleges in accordance with the principles, as may be prescribed, for holding elections to the Collegium and place the same for consideration of its members as a special resolution with consequential amendment to its Bye-laws.

- (4) Where a Society resolves to approve a scheme under sub-section (2) above, the Governing Body shall submit the resolution to the District Registrar for his approval.
- (5) The District Registrar shall examine the scheme received under sub-section (3) above and,-
  - (i) approve the same and take it on record, if found to be in accordance with the principles as prescribed ; or
  - (ii) suggest such modification, as he may consider necessary, and the Society shall reconsider and revise the scheme accordingly.
- (6) Where an existing Society does not have a duly elected Governing Body in position and the affairs of the Society are being managed either through an adhoc body or through an Administrator appointed by the Government in this behalf,-
  - (i) such adhoc body or the Administrator shall take steps to hold the elections of the Governing Body, if its membership is within the specified numbers;

- (ii) prepare and submit a scheme for determination of the electoral colleges and constitution of a Collegium or determination of the number of members under sub-section (1) above, to the District Registrar, who shall examine the same and cause a meeting of the members of the Society convened and place the same for consideration of the proposed scheme, with or without any modifications.
- (7) Where the members of the Society resolve to approve the scheme prepared under clause (ii) of sub-section (6) above, with or without any modification, the District Registrar shall take the same on record and approve the same. Thereafter, the Bye-laws of the Society shall be deemed to be modified to that extent .
- (8) Where it is not found feasible by the adhoc body or the Administrator to convene a meeting of the members or the number of members attending such meeting does not represent the quorum, the adhoc body or the Administrator, as the case may be, shall submit a scheme prepared under clause (ii) of sub-section (6) above, to the District Registrar, who shall forward the same to the Registrar with his recommendations and the Registrar shall approve the scheme with or without any modifications.
- (9) The scheme, as approved by the Registrar, shall be notified to the general public through a public notice, at the expense of the Society.
- (10) The adhoc body or the Administrator, as the case may be, shall take steps for the constitution of the Collegium in the first instance, to be followed by the election of the Governing Body.
- (11) All proceedings under this section shall be conducted in a summary manner.

### **33. Governing Body.**

- (1) The members of the General Body or the Collegium, as the case may be, shall elect the Governing Body (by whatever name called), consisting of not less than three and not exceeding 21 members. The office-bearers shall comprise of the President, Secretary and Treasurer as a minimum, and other office-bearers, as prescribed under the Bye-laws.
- (2) 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 the manner, as prescribed.
- (3) The tenure of the Governing Body shall not exceed three years. The matters pertaining to re-election of any office-bearer shall be regulated in accordance with the Bye-laws.
- (4) 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, -
- (i) a copy of the register within a period of thirty days from the date of appointment or election of the office-bearers;
  - (ii) a notice of every change in the office-bearer within a period of thirty days, from the date of such change; and
  - (iii) the details of the office-bearers alongwith the annual return in the manner, as prescribed under the rules.
- (5) 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.

### **34. Office-bearers, their powers, functions and duties.**

- (1) The Bye-laws shall contain provisions for its office-bearers, namely, the President, Vice-President, Secretary, Joint Secretary, Treasurer etc. and specify their powers, functions and duties, singly or jointly with other members of the Governing Body.
- (2) The office-bearers shall exercise their powers strictly in accordance with the provisions contained in the Bye-laws and any powers exercised in excess of the authorisation under the Bye-laws shall render such decisions non-est.

### **35. Disqualification of office bearer.**

A person shall be disqualified from continuing as an office-bearer as soon as he ceases to be a member of the Society.

**36. Meetings of Governing Body.**

- (1) Meetings of the Governing Body may be held as and when required. However, the Governing Body shall meet once every quarter and hold at least four meetings in a financial year.
- (2) A clear notice of three days of every such meeting shall be given by the Secretary of the Governing Body to the office bearers before the date appointed for the meeting. However, the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty percent of its members.

**37. Record of proceedings of meetings of General Body or Collegium and the Governing Body.**

- (1) The Society shall maintain record of the minutes of proceedings of every meeting of the General Body or Collegium, as the case may be, and every meeting of its Governing Body in the proceedings books separately maintained for this purpose. Such minutes shall be signed by the Chairman and the Secretary of the meeting.
- (2) In case the minutes of the meeting are not signed by the Chairman for any reasons, whatsoever, the Governing Body may authorize any of the office-bearer to sign such minutes.
- (3) The minutes of every meeting of the Governing Body or the General Body or Collegium, as the case may be, shall be placed for confirmation in the succeeding meeting of such body.
- (4) Any resolution passed by the Governing Body or the General Body or Collegium, as the case may be, during any of its meetings, which is not consistent with the provisions of the Act or the rules framed 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

**38. Notice to accompany copies of balance sheet and auditors report etc.**

Every Society shall supply a copy of the balance-sheet or a statement of accounts together with the auditor's report to every member of the General Body or the Collegium, as the case may be, alongwith the notice of the annual general meeting, unless these documents have been placed on the website of the Society.

# CHAPTER VIII

## *Elections*

### **39. Elections and settlement of disputes.**

- (1) Elections shall be first held for the constitution of the Collegium from within the electoral colleges determined therefor, wherever applicable, and thereafter for the Governing Body by the Collegium.
- (2) The process of elections of the Collegium of a Society shall be commenced, in so far as possible, three months prior to the due date so that the newly elected Governing Body is in place on or before the due date.
- (3) On the day the elections of a Society are notified, the Governing Body or the adhoc body or the Administrator, as the case may be, shall publish the list of members entitled to vote. Such list of members shall be made available to a member on demand, on payment of such fee, as may be prescribed by the Society in its Bye-laws.
- (4) Any person or group of persons, if aggrieved with the list of members published under sub-section (3) above on account of non-inclusion or wrongful inclusion of any member, may file a petition with the District Registrar stating the specific grounds of challenge within a period of fifteen days of publication of the list of members. The District Registrar may, where the number of members is very large and for reasons to be recorded, accept the petition within an extended period of seven days.
- (5) The District Registrar may, if he has reasons to suspect the bonafides of any such petition, require the petitioners to deposit such amount, as prescribed, as a surety against any abuse of sub-section (4) above. The amount deposited by the petitioners shall be refunded forthwith if the petition succeeds but shall be liable to be forfeited, if such petition is found to have been made without any merits.
- (6) Where a petition is filed before the District Registrar under sub-section (4) above, the District Registrar shall, after fulfillment of the condition specified under sub-section (5), immediately hold the election process in abeyance and proceed to conduct an inquiry by himself or by an officer appointed by him, in this behalf, for determining the list of eligible members.
- (7) The District Registrar may, for the purpose of his inquiry, refer to the annual return of members filed by the Governing Body in his office and consult any or all the relevant records of the Society. The District Registrar shall enjoy all the powers vested in him under Chapter XII of the Act for holding the inquiry. Any such inquiry shall be conducted in the open and completed in a summary manner.
- (8) Upon completion of the inquiry under sub-section (6) above, the District Registrar shall determine the list of members eligible to vote, make it public and set the process of election in motion. Where the initial list of members published under sub-section (3) above is found to be defective during the inquiry, the election of the Collegium or the Governing Body, as the case may be, shall be conducted by the District Registrar under his direct supervision and control after settling the dispute as per the provisions of the Act.
- (9) Where elections of the Governing Body are held by the members of the General Body, without requirement of a Collegium, any challenge to the list of members of the General Body shall be settled by the District Registrar in the same manner, as specified above.
- (10) Where the elections of the Governing Body are not held by the due date, for whatsoever reasons, the District Registrar may constitute an adhoc Committee or appoint an Administrator to manage the affairs of the Society, immediately upon the expiry of the due date, for the intervening period and for conducting the elections of the Governing Body.
- (11) A Society may approach the District Registrar for appointment of the returning officer and/or an observer for conducting the elections of the Collegium or the Governing Body, as the case may be, whereupon the District

Registrar shall order the appointment of the returning officer and/or an observer within seven working days of the receipt of such request from the Governing Body or the adhoc Committee or the Administrator, as the case may be.

- (12) The returning officer appointed by the District Registrar shall ensure a minimum notice of fifteen days to all the members, served individually where possible, or through a public notice, at the expense of the Society, for the information of the members.
- (13) The returning officer and/or the observer, wherever appointed, shall complete the process of elections, and submit a report thereof to the District Registrar, whereupon the duly elected Governing Body shall be placed in charge of the affairs of the Society and the appointment of any adhoc Committee or the Administrator shall cease to continue forthwith.
- (14) The District Registrar may fix the remuneration or honorarium for the person appointed as the Administrator, the returning officer, the observer or member of adhoc Committee in the manner and at the rates prescribed from time to time.

#### **40. Settlement of disputes arising from election of Collegium or Governing Body and its office-bearers.**

- (1) The Registrar, on a reference made to him by the District Registrar or by at least one-fourth of the members of the General Body or the Collegium, as the case may be, hear and decide in a summary manner any doubt or dispute in respect of the election or continuance in office of any elected member or office bearer to the Collegium or Governing Body, as the case may be, and may pass such orders in respect thereof, as he deems appropriate:

*Provided that the election of any or all the members of the Collegium or the office-bearers of the Governing Body shall be set aside where the Registrar is satisfied,*

- (i) that any corrupt practice has been committed by such office-bearer (s); or
- (ii) that the nomination of any candidate has been improperly rejected; or
- (iii) that the result of the election, in so far as it concerns such office-bearer, has been materially affected by the improper acceptance of any nomination or by the improper reception, refusal or rejection of any vote or the reception of any vote which is void or does not comply with the provisions of any Bye-law.

*Explanation I. — A person shall be deemed to have committed a corrupt practice who, directly or indirectly, by himself or through any other person-*

- (i) induces or attempts to induce, by fraud, intentional misrepresentation, coercion or threat of injury to any elector to give or to refrain from giving a vote in favour of any candidate, or any person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at the election;
- (ii) with a view to inducing any elector to give or to refrain from giving a vote in favour of any candidate, or to induce any person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at the election, offers or gives any money, or valuable consideration, or any place or employment, or holds out any promise of individual advantage or profit to any person;
- (iii) abets the doing of any of the acts specified in clauses (i) and (ii);
- (iv) induces or attempts to induce a candidate or elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure;
- (v) canvasses on grounds of caste, community, sect or religion;
- (vi) commits such other practice as the Government may prescribe to be a corrupt practice.

*Explanation II. — A promise of individual advantage or profit to a person includes a promise for the benefit of the person himself, or for anyone in whom he is interested.*

- (2) The Government may, prescribe the procedure for hearing and deciding of doubts or disputes in respect of such elections and make provision in respect of any other matter relating to such elections, for which insufficient provision exists in the Act or in the rules framed thereunder.

- (3) Where by an order made under sub-section (1), an election to the Collegium or the Governing Body is set aside or an office-bearer is held no longer entitled to continue in office or where the Registrar is satisfied that any election of office-bearer of a Society has not been held within the time and in accordance with the Bye-laws, he may cause a meeting of the General Body or Collegium, as the case may be, convened for electing such office-bearer or office-bearers, and such meeting shall be presided over and conducted by the District Registrar or by any officer authorized by the Registrar in this behalf, and the provisions of the Bye-laws relating to meetings and elections shall apply to such meeting and election with necessary modifications.
- (4) Where a meeting of the General Body or the Collegium, as the case may be, is convened on the orders of the Registrar under sub-section (3), no other meeting shall be called for the purpose of election by any other authority or by any person claiming to be an office-bearer of the Society.

## CHAPTER IX

### *Property and Funds of the Societies*

#### **41. Acquisition of moveable and immovable property.**

A Society registered under the Act may acquire moveable or immovable property, on free-hold or lease basis, from out of its funds or donations or grants or loans obtained from legal sources in accordance with its Bye-laws in its name.

#### **42. Property how vested.**

All property, movable and immovable, belonging to a Society, whether acquired before or after its registration, if not vested in the trustees, shall vest in the Society, and any such property may be referred to as the property of such Society in any legal proceedings:

*Provided that in case a Society is registered for the purposes of the Haryana Apartment Ownership Act, 1983 (Act 10 of 1983), 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.*

#### **43. Terms of gift.**

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 the money or such 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.

#### **44. Restrictions on the sale or transfer of immovable property.**

- (1) A Society registered under the Act shall be competent to sell, transfer or alienate any of its immovable properties subject to the following: -
  - (a) in case the immoveable property is acquired from the Government or any of its instrumentalities or a municipal body or gram panchayat or any other such authority, with the prior written permission of the Government;
  - (b) in case the immoveable property is acquired by means of a conditional gift or conditional donation from any source, in accordance with such conditions 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 Registrar;
  - (c) any other immoveable property acquired by the Society from out of its own resources or funds or borrowings, with the prior permission of the General Body or the Collegium, as the case may be, through a special resolution.
- (2) The Governing Body shall determine the reserve price of any such immoveable asset, 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 proceeds from the transfer or sale of any immoveable 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.
- (4) Where any office bearer of the Governing Body indulge in violation of the provisions contained in sub-sections (1), (2) and (3) above, the District Registrar shall be competent to take any or all of the following actions,-

- (i) 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 pocket at the rate of twenty four percent for the period it remained in his possession but such period shall in no case be more than thirty days;
  - (ii) where the immoveable asset 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 Societys account;
  - (iii) where the immoveable asset has been disposed of without the permission as required under sub-section (1) or without complying with the conditions applicable, recover the amount, alongwith any additional amount as assessed on the basis of Collector rates, from the concerned office bearer and deposit the same with the allotting authority;
- (5) Where the recovery of any amount is involved from any person in the course of enforcement of sub-section (4) above, and the persons concerned do not deposit the said amount within the period allowed, the District Registrar shall be competent to recover such amount as arrears of land revenue.
- (6) In addition to the action under sub-sections (4) and (5) above and depending upon the gravity of the violation, the District Registrar may also recommend to the Registrar for,
- (i) removal of any erring person from the office and debarring such person from holding any position in future or removal from membership of the Society ;
  - (ii) super-session of the Governing Body and appointment of an Administrator for managing the affairs of the Society; and
  - (iii) registration of an FIR.
- (7) The Registrar shall take appropriate action on the recommendations of the District Registrar within a period of fifteen working days of the receipt of information.
- (8) Nothing under this section shall absolve the office-bearer from criminal action.

#### **45. Investment of Funds.**

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,-

- (i) in immoveable properties; or
- (ii) in securities of the Government or in National Savings Certificates or other securities of the Government of India;
- (iii) in the Post Office Savings Banks Account; or
- (iv) in a special account opened by the Society for the purpose in a
  - (a) Scheduled Bank as authorized or notified by the Reserve Bank of India; or
  - (b) Cooperative Bank situated in the State, or in such other mode of investment, as may be prescribed.

#### **46. Application of funds.**

- (1) A Society shall have the powers to spend such sums out of its funds, as it thinks fit, for the purposes authorised under its Bye-laws or by the Act.
- (2) No payment shall be made out of the funds to the President, Vice-President, Secretary, Treasurer or any other office bearer by way of honorarium or remuneration :
- Provided that incurring of any expenditure on the Boarding/ Lodging and TA/DA of the office bearers while on tour in connection with the affairs of the Society, shall be permissible following the prudent financial norms.*
- (3) Notwithstanding the restrictions prescribed above, a Society may pay such remuneration, salary or honorarium to the persons in its full-time or part-time employment, as it may determine:
- Provided that no member shall be in the employment of the Society.*

# CHAPTER X

## *Accounts, Audit, Filing of Documents*

### **47. Books of Accounts.**

- (1) Every Society shall keep proper books of accounts i.e. cash book, ledger etc. as required by Income Tax laws or the books as per standards laid down by the Institute of Chartered Accountants, at its head office or as may be prescribed with respect to,-
  - (i) all sums of money received and expended by the Society; and
  - (ii) the assets and liabilities of the Society.
- (2) The books of accounts shall be open to inspection during the business hours by the Registrar General, Registrar, District Registrar or any officer authorised by them.

### **48. Audit.**

- (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 (Central Act 38 of 1949).
- (2) The auditor shall not be a member of the Governing Body or family member of any of the office bearer.

### **49. Verification of accounts.**

The accounts, returns and registers shall be verified and signed by at least two office-bearers, authorised by the Governing Body.

### **50. Annual and other returns.**

- (1) Every Society shall file the following returns, in the prescribed form, with the District Registrar within thirty days of holding the annual general meeting,-
  - (i) 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;
  - (ii) a list of the members of the Collegium duly certified by the President and the Secretary, alongwith the list of electoral colleges as on the 31st March of the year, separately showing the deletions and additions during the previous year;
  - (iii) a list of the office-bearers alongwith their names, addresses and occupations separately showing the deletions and additions during the previous year, if any;
  - (iv) an annual report on the working of the Society by the Governing Body duly certified by the President and Secretary;
  - (v) a copy each of the balance-sheet, receipt expenditure statement and the auditors report duly certified by the auditor; and
  - (vi) a copy of the special resolution, as and when passed.
- (2) Non-filing of annual returns as mentioned above shall be punishable with fine in the extended period and thereafter with penalty as may be prescribed.

# CHAPTER XI

## *Amalgamation and Division*

### **51. Amalgamation or division of Societies.**

- (1) Any two or more Societies, after passing special resolutions for amalgamating with each other, shall move an application alongwith copies of resolutions, in the prescribed form 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 the prescribed form alongwith copy of resolution, for obtaining approval of the Registrar and after getting the approval, shall stand divided. The resolution shall contain proposals for the division of the assets and liabilities of the Society among the new 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 prorata basis.*
- (3) No amalgamation or division of a Society under sub-section (1) or sub-section (2), as the case may be, shall have any effect until and unless the new Society or Societies is/ are duly registered.
- (4) 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.

## CHAPTER XII

### *Inquiry and Supersession of the Governing Body*

#### **52. Powers to call for information or explanation.**

- (1) The Registrar General, Registrar or District Registrar may, by written order, require any Society to furnish in writing such information or document or explanation as prescribed in the order within such time, not being less than two weeks from the date of receipt of such order.
- (2) On receipt of the order, it shall be the duty of the Society to furnish such information or documents or explanation.

#### **53. Powers to seize records etc.**

- (1) Where the Registrar General, Registrar or District Registrar is satisfied that,-
  - (i) the records, registers or the books of accounts are likely to be tampered with or destroyed and the funds and the property are likely to be misappropriated or misapplied; or
  - (ii) 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
  - (iii) the office bearer, where the elections of the Governing Body have not been held by the due date, are likely to misuse such documents, funds, records or are reluctant to hand over the records to an adhoc Committee or the Administrator appointed for managing the affairs of the Society as an interim measure, 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.

#### **54. Power to inquire.**

- (1) Where on the information received or gathered under section 52 or on the application of a majority of the office bearers or on the application of not less than one-third of the members of the General Body or Collegium, as the case may be, or, if so moved by the District Collector or the State Government, the Registrar General, Registrar or District registrar is of opinion that there is apprehension that the affairs of a Society are being so conducted as to defeat the aims and objects of the Society or its Governing Body is guilty of mismanaging its affairs or of any breach of fiduciary or other like obligations or to defraud its creditors, he may, either himself or by any person authorized by him in that behalf, hold an inquiry into the affairs of the Society.
- (2) An application or reference to the Registrar General, 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 District Registrar may require the applicants to furnish such security as he thinks fit as the cost of the proposed inquiry, before the inquiry is ordered.
- (4) All expenses incidental or preliminary to the inquiry shall, where such inquiry is held,
  - (a) on 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 the District Registrars, own motion, 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 officer to produce any of the document, as he may direct.
- (6) It shall be the duty of all office bearers or officers, who were or are holding office, to furnish the Inquiry Officer with all the information or document in their possession.
- (7) A person holding an inquiry may summon and examine any person on oath who, he has reason to believe, has knowledge of any affairs of the Society and may summon any person to produce any books of accounts or documents belonging to him or in his custody, if the person holding the inquiry has reason to believe that such books of accounts 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 by a person other than the District Registrar then he shall send the report to the District Registrar and the District Registrar shall make a report to the Registrar alongwith his recommendations. If the inquiry is held by the District Registrar himself, he shall forward the report to the Registrar alongwith his recommendations.
- (10) The inquiry report shall be communicated to the Society and the applicants, if any.

### **55. Action on Inquiry report.**

The Registrar shall consider the inquiry report alongwith the recommendations of the District Registrar, if any, and take any of the following steps,

- (i) where no irregularities, whatsoever, of procedural or material nature, are found to have been committed by the Governing Body, he shall order closure of the inquiry alongwith information thereof to the Society and complainants, if any; or
- (ii) 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:

*Provided that where a Society fails to carry out the directions, the Registrar shall forward the matter to the Registrar General alongwith his recommendations for appropriate action against the Society; or*

- (iii) where the irregularities or violations committed by the Society are found to be of a serious or material nature (e.g. relating to memberships, financial mis-management or financial irregularities or fraud or subversion of the objects of the Society), the Registrar shall forward the matter to the Registrar General alongwith his recommendations for appropriate action against the Society; or
- (iv) pass any other appropriate order to meet the ends of justice.

### **56. Supersession of Governing Body and appointment of Administrator.**

- (1) On receipt of report or recommendations of the Registrar, if the Registrar General is of the opinion that a case is made out for supersession of the Governing Body, he shall issue a show cause notice of the action proposed to be taken in this regard and consider the response of the Society, and grant an opportunity of hearing, if so requested.
- (2) The Registrar General, after considering the reply, shall pass an order and may appoint an Administrator to manage the affairs of the Society with such directions as deemed appropriate. The orders passed by the Registrar General in this behalf shall be final and absolute.
- (3) The Administrator shall be a Class-I officer or of equivalent rank in the Service of the Government or any statutory authority or such person who may have retired from a Class I or equivalent position from the State or the Central Government or a statutory authority.

- (4) 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 the prescribed rates and direct such expenditure to be defrayed out of the funds of the Society.
- (5) The Administrator may be appointed under sub-section (3) above 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.
- (6) On the appointment of the Administrator, the Governing Body shall cease to exercise any powers and perform and discharge any functions or duties conferred or imposed on it under the Act or the Bye-laws. The Administrator 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.
- (7) The Administrator shall, before the expiry of his term, take necessary action to hold the election of the Collegium or the Governing Body, if so required.
- (8) If the Administrator is, for reasons beyond his control, not able to hold the election of the Collegium 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 or Collegium, as the case may be, 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 or, if satisfied that public interest so necessitates, for the dissolution of the Society.
- (9) 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 the Act. The members of the committee shall have such qualifications, as may be prescribed and shall hold office during the pleasure of the Registrar General.
- (10) Where an order of dissolution is passed, further action shall be taken in accordance with the relevant provisions of the Act.

## CHAPTER XIII

### *Suspension, Cancellation and Dissolution*

#### **57. Removal of defunct Society and cancellation of their registration.**

- (1) The District Registrar, in case he has reasonable cause to believe that a Society is defunct and is not carrying on business or operations, shall issue a show cause notice to such Society, at its registered office enquiring as to whether it is carrying on its business or operations and directing them to file such documents or returns, within a period of ninety days, from the date of issue of notice.
- (2) Where the defunct Society responds to such notice within specified period and submits the requisite documents or informs alongwith 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 and pass a special resolution for its dissolution after settling all its liabilities and thereafter apply for dissolution of the Society, whereupon it shall be incumbent upon such Society to carry out such directions, within specified period.
- (4) Where the District Registrar does not receive any reply within specified period, 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, its member, creditor or claimant within the specified period, the District Registrar shall order suspension of registration of such Society and after passing of such order, the Society shall not be competent to carry on any business.
- (6) An order under sub-section (5) suspending the registration of the Society shall be notified through a public notice for the information of general public.
- (7) The Society, member, creditor or claimant aggrieved with the suspension, may, within a period of three months from the date of order of suspension, submit a representation to the District Registrar.
- (8) The District Registrar, on being satisfied 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, may revoke the suspension.
- (9) The Society whose registration is restored 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 whose registration is suspended on 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 and cancel its registration.

#### **58. Cancellation of Registration of a Society with no assets and liabilities.**

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.

#### **59. Cancellation of registration upon inquiry.**

- (1) The Registrar may, if he is satisfied,
- (i) that the Society has contravened any of the provisions of the Act or the rules made thereunder; or
  - (ii) that the Society is insolvent, or must necessarily become so; or
  - (iii) that the business of any such Society is conducted fraudulently or not in accordance with its Bye-laws or the aims and objects specified in its Memorandum; or
  - (iv) that it is carrying on any unlawful activity or allowing unlawful activity to be carried on in the premises under its control, order an inquiry to be conducted by the District Registrar or any other officer authorized by him.
- (2) On receipt of inquiry report, the Registrar may, give a show cause notice to the Society specifying briefly the grounds of the proposed cancellation. A public notice inviting objections shall also be published after giving an opportunity to the Society and after issuing public notice inviting objections why the registration of the Society be not cancelled. After considering the objections filed by Society and public, the Registrar may cancel the registration.

*Explanation.* — For purposes of this section, an activity shall be deemed to be unlawful if such activity is an offence punishable under any provision of law, for the time being in force.

## **60. Effect of cancellation.**

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 the Act:

*Provided that the liability of office bearer shall continue and may be enforced as if the registration of Society has not been cancelled.*

## **61. Dissolution on directions by Registrar.**

- (1) Where the registration of a Society is cancelled, the District Registrar shall,-
- (i) direct the Society to complete the process of its dissolution i.e. 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;
  - (ii) assess the credentials of a Society to whom any such assets are proposed to be transferred by the Society under clause (i) above and may either approve such proposal or direct the Society to place such assets at the disposal of the District Collector;
  - (iii) constitute a committee of members of such Society to carry out the process of dissolution of the Society where there is no Governing Body or General Body to carry out the directions under (i) above;
  - (iv) be competent to complete the dissolution of the affairs of the Society of his own or by appointing any of his subordinates to do the needful where it is not found feasible to constitute a committee of members of such Society. He shall associate any two members from any other Society in existence for the purpose.
- (2) If on dissolution and after settlement of all the liabilities, a Society is left with any moveable 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, failing which, all such assets shall vest in the custody of the District Collector.
- (3) Where any assets are 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.

## **62. Dissolution by special resolution.**

- (1) A Society may resolve to dissolve itself by passing a special resolution in a meeting of the General Body or the Collegium, as the case may be, convened for the purpose.

- (2) On the passing of the special resolution under sub-section (1) above, 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 the Act.
- (3) If any dispute arises amongst the members of the Society, the Governing Body, or the special committee, as the case may be, 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 deemed to be a matter in dispute.*
- (4) If the Central Government or 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 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 the notice, which shall in no case 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 the Act, the District Registrar shall make an order confirming the dissolution and thereupon the Society shall stand dissolved. 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 Society.
- (8) If any objection is received from any claimant or creditor or member or any other interested person within the period as aforesaid, the 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 the Act.

### **63. Dissolution by Registrar.**

- (1) Where the registration of a Society is cancelled and it is found to be meriting dissolution under section 57 or where the Government decides to dissolve a Society under section 62, 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 relevant sections.
- (2) Upon dissolution of a Society under sub-section (1) above, 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 contained in the Act.

### **64. Disposal of assets.**

- (1) Where any surplus assets are left after the settlement of its claims and liabilities, 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 a Society is registered for the purposes of the Haryana Apartment Ownership Act, 1983 (Act 10 of 1983), 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 successor-in-interest shall step in the shoes of original member subject to fulfillment of qualifications as laid down in the Bye-laws of the Society and the provisions of the Act.*
- (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; or
  - (ii) use such assets, preferably for the purpose for which such assets were created, or for any other public purpose, as deemed appropriate.

**65. District Registrar to make up account after winding up of Society.**

- (1) As soon as the affairs of a Society are completely wound-up, the District Registrar or his nominee, if any, shall make up an account of the winding-up showing how the winding up has been conducted and the property of the Society has been disposed and call a General Body meeting for the purpose of placing before it the account and giving any explanation in respect thereof. On conclusion, the Society shall stand dissolved and name removed from the register.
- (2) The records of accounts shall be maintained for a period of three years from the date of dissolution. In case any matter pertaining to any such Society is pending before any court, such records shall be maintained till the final disposal by the competent court.

## CHAPTER XIV

### *Special Provisions in Respect of State-Aided Societies*

#### **66. Chapter to override other provisions of Act.**

The provisions of this Chapter shall be applicable to State Aided Society and shall have effect notwithstanding anything contrary contained in the Act or any other State law for the time being in force and any reference to the word Society in this Chapter shall mean a State Aided Society.

#### **67. Powers of the Government to issue directions.**

The Government shall have the powers to issue such directions to a State Aided Society, as may be considered expedient from time to time, with regard to the management of its affairs, membership, elections, financial management, audit and submission of documents on their working to the District Registrar or the Registrar.

#### **68. Supersession of Governing Body and appointment of Administrator.**

(1) If, in the opinion of the Government, the Governing Body of any Society,-

- (i) makes default or is negligent in the performance of duties imposed on it; or
- (ii) commits acts which are prejudicial to the interests of the Society, its members or public at large; or
- (iii) fails to resolve disputes with regard to the eligibility of members; or
- (iv) fails to hold elections of the Governing Body; or
- (v) is otherwise not functioning properly, it may, after giving a show cause notice, direct the supersession of the Governing Body and appoint an Administrator, alongwith or without constitution of committee of persons to assist him for a period not exceeding two years in the first instance:

*Provided that the period may be extended and continued at the request of Administrator but it shall not exceed five years in continuity.*

- (2) The Administrator shall, subject to the overall control of the Registrar General and such directions as may be received from him, have the powers to exercise all or any of the functions of the Governing Body of the Society and take action as may be required for proper management of the Society.
- (3) The Administrator so appointed shall, before the expiry of his term, make efforts to arrange for the constitution of the Collegium, if applicable and the Governing Body, as the case may be, in accordance with the Bye-laws, provisions of the Act and the rules made thereunder.
- (4) The Registrar General may fix the honorarium or remuneration payable to the Administrator or the member of the committee with the approval of the Government and direct such expenditure to be defrayed out of the funds of the Society.

#### **69. Dissolution.**

- (1) The Government may, after giving a show cause notice and for reasons to be recorded in writing, order dissolution of a Society with effect from such date, as may be specified in the order.
- (2) Where the Governing Body stands superseded under section 68 and the affairs are being managed by an Administrator appointed by the Government and the Administrator reports to the Government that it is not feasible to hold the elections of the Governing Body, for whatsoever reasons, it shall be competent for the Government, by an order and for reasons to be recorded in writing, to dissolve the Society with effect from such date as may be specified in the order.

#### **70. Effect of dissolution.**

- (1) If the Government orders dissolution, it shall, after settling the liabilities, if any, of the dissolved Society, take over its assets and properties, whether movable or immovable and transfer the same to any other Society having identical or similar objects, and where there is no such Society, the property shall vest in the custody of District Collector, until a Society having identical or similar objects is formed, where after the properties shall be transferred to such Society.
- (2) On the dissolution of a Society, the registration of the Society shall stand cancelled and it shall cease to exist as a body corporate.

### **71. Powers to divide or amalgamate State Aided Societies.**

- (1) Where, in the opinion of the Government, it is necessary and in larger public interest to divide a Society or amalgamate two or more Societies, it may, by order and from a date fixed therein, direct the division or amalgamation of such Societies, as the case may be.
- (2) The Government shall, before issuing an order either dividing a Society or amalgamating two or more Societies under sub-section (1) above, communicate to the Governing Body or bodies concerned the proposal to divide or to amalgamate the Societies, as the case may be, fix a reasonable time for the Governing Body or bodies for making a representation against the proposal and consider the representations, if any, received from the body or bodies.
- (3) Where there is no duly elected Governing Body in place in respect of any one or more of such Societies and the affairs of any such Society are being managed by an Administrator or through any adhoc arrangement and there is a situation of deadlock or stalemate with regard to the elections of the Governing Body, the Government may, on the recommendations of the Administrator, take a decision in such cases for reasons to be recorded in writing.
- (4) The order referred to in sub-section (1) shall contain the particulars of constitution, authorities, property, rights and interests, liabilities, duties and obligations of the Societies or Society concerned.
- (5) Where a Society is divided or where two or more Societies are amalgamated, the registration of the Society or Societies divided or amalgamated, as the case may be, shall stand cancelled and the concerned Society or Societies shall cease to exist as corporate bodies. The Registrar shall issue the necessary certificate of registration wherever a new Society is formed under sub-section (1) above.

## CHAPTER XV

### *Violations, Fines and Penalties*

#### **72. Penalties for non-compliance.**

If a Society fails to comply with any of the requirements of the Act or contravenes any of the provisions thereof, then the Society in default shall be punishable with fine, as may be prescribed, which may extend to two thousand rupees, and in case of a continuing default or contravention, with fine which may extend to one hundred rupees for every day during which the default or contravention continues.

#### **73. Penalty for falsifying any document.**

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, balancesheet, or other document, required to be maintained by a Society under the Act, he shall be punishable with penalty which may extend to five thousand rupees and may be removed from such position or membership of the Society forthwith.

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

If any office bearer knowingly or willingly makes a false return or furnishes false information or wilfully or without any reasonable reason, disobeys any summons, requisition, or other lawful order or direction issued under the provisions of the Act or withholds or fails to furnish any information lawfully required from him by the District Registrar, Registrar or Registrar General or person authorised in this behalf under the provisions of the Act, shall be punishable with fine which may extend to five thousand rupees, and in the case of a continuing default or contravention, with fine which may extend to one hundred rupees for every day during which the default or contravention continues.

#### **75. Power of District Registrar to condone delay in certain cases.**

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 the Act on payment of such late fees, as may be prescribed:

*Provided that the extended period so allowed shall not be more than the time permissible under the Act or the rules made thereunder for any such compliance.*

## CHAPTER XVI

### *Legal Proceedings*

#### **76. Society to be a Body Corporate.**

A Society registered under the Act shall be a Body Corporate by the name under which it is registered and a common seal. The Society shall be entitled to acquire, hold and dispose of property, to enter into contracts, to institute and defend suits and other legal proceedings and to do all other things necessary in furtherance of its aims and objects, for which, it has been established.

#### **77. Suits and proceedings by and against the Society.**

- (1) A Society may sue or be sued in the name of the President, the Secretary or any office-bearer authorised by the Governing Body in this behalf and may bring or defend any action or other legal proceedings touching or concerning any property or any rights or claims of the Society.
- (2) No suit or proceedings shall abate by reason of any vacancy or change in the holder of the office of the President, the Secretary or any office-bearer authorised under sub-section (1).

#### **78. Prosecution of members.**

Every member of a Society may, be sued or prosecuted by the Society, for any loss or damage caused to it or its property or for anything detrimental done by him against the interest of the Society.

#### **79. Appeals and review.**

- (1) An appeal against any orders passed by the District Registrar shall lie with the Registrar and the appeal against the orders passed by the Registrar shall lie with the Registrar General. The orders passed by the Registrar General in any such appeal shall be final and no further appeal shall be competent against his orders.
- (2) Where an order originates from the Registrar General, an appeal against such order shall lie before the Government.
- (3) Any appeal shall be filed within a period of sixty days of the date of issue of the impugned orders. The appellate authority may entertain an appeal beyond this period up to a maximum of another sixty days on sufficient grounds for condonation of delay being shown.
- (4) Every appeal shall be accompanied with the fee as prescribed.
- (5) The District Registrar, Registrar or the Registrar General may suo motu or on an application received in this behalf from any party that any order has been passed which is based on some erroneous facts or carries some patent error or suffers from some inadvertent mistakes, may review its order within ninety days of its passing with the prior permission of the next higher authority.

#### **80. Acts not to be invalidated by certain defects.**

Save as otherwise expressly provided in the Act, 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.

#### **81. Mode of service.**

- (1) 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 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.

- (2) The notice, order or requisition to the President or Secretary of the Society shall be sent by registered post or by any other mode, the service delivery of which can be tracked, at its registered office and once dispatched, it shall be deemed to have been served upon the Society.

## **82. Fees for various purposes to be fixed by the Government.**

- (1) The Government shall prescribe the fees payable for following purposes, namely:
- (i) application for approval of name;
  - (ii) application for registration of Society;
  - (iii) filing or recording or registering any document required by the Act or the rules made thereunder;
  - (iv) inspection of documents in the custody of the Registrar;
  - (v) making or granting copies of any entries or documents before or after registration;
  - (vi) filing of appeals; and
  - (vii) such other matters as appear to the Government necessary to give effect to the purposes of the Act including late fees.
- (2) All fees and penalties payable under the provisions of the Act, if not paid, shall be recoverable as arrears of land revenue. The amount so collected shall be credited to the consolidated fund of the State.

## **83. Applicability of provisions of Right to Information Act, 2005.**

- (1) All documents filed by a Society with the District Registrar under the Act shall be deemed to be public documents and can be accessed by any citizen under the provisions of the Right to Information Act, 2005. To that extent, every society registered under the Act shall be deemed to be a public office for the purposes of the said Act and shall be liable to supply the requisite information against the fee prescribed by the Society, if any, for that purpose.
- (2) Notwithstanding the above, information relating to all other proceedings and internal processes of the working of a Society is within its exclusive jurisdiction and accessible to the members of such Society and the offices of the District Registrar and Registrar.

## **84. E-governance and online transactions.**

The Government may, as soon as possible, introduce e-governance for effective and efficient administration of the provisions of the Act, and upon implementation of such a solution, all or part of the transactions, forms, payments, and other services under the Act, may be administered in the electronic/ online mode.

## **85. Exemptions.**

The Government may, by general or special order and keeping in view special circumstances and larger public interest exempt any Society or class of Society from any of the provisions of the Act:

*Provided that the exemption shall be granted only for a period of one year and which may be extended by another year only for the reasons to be recorded: Provided further that the exemption may be granted only for a particular provision and not from the whole of the Act and except for the provision from which exemption has been granted, all other provisions shall be applicable.*

## **86. Power to issue directions.**

The Government shall be competent to issue such directions to any Society, as may be necessary, for the proper enforcement of the provisions of the Act and the rules made thereunder.

## **87. Power to make rules.**

- (1) The Government may make rules for carrying out the purposes of the Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,-
- (i) draft Bye-laws;
  - (ii) conditions and procedure to be followed in making, amending and abrogating Bye-laws;
  - (iii) forms and documents required for the registration of Society;

- (iv) Forms and Registers required to be maintained;
- (v) Annual and other returns to be filed alongwith fee;
- (vi) manner and verification of various forms of accounts, returns and registers;
- (vii) qualifications of Administrator, members of the Committee to assist the Administrator, returning officers, observers, and of the persons authorised to hold inquiry;
- (viii) procedure to be followed for dissolution of a Society;
- (ix) inspection of documents kept by the Registrar and the grant of copies thereof;
- (x) custody of books, papers and documents in the Registrars office and the destruction of such books, papers and documents;
- (xi) any other matter for carrying into effect the provisions of the Act.

### **88. Act to override other laws.**

Save as otherwise expressly provided in the Act, the provisions of the Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force.

### **89. Bar of Jurisdiction.**

- (1) No Civil Court shall have jurisdiction to entertain or proceed with a suit, settle, decide or deal with any matter which, under the Act, is required to be settled, decided or dealt with by an authority under the Act.
- (2) No order of the Government, Registrar General, Registrar or District Registrar made under or in pursuance of the Act shall be called in question in any court.

### **90. Power to employ.**

A Society may employ officers and officials for day to day conduct of its management or operations:

*Provided that no member of the Society shall be in the employment of the Society.*

### **91. Power to remove difficulties.**

If any difficulty arises in giving effect to the provisions of the Act in the first three years from the date of commencement of the Act, the Government may, by order published in the Official Gazette, make such provision or give such directions not inconsistent with the provisions of the Act, as appears necessary or expedient for removing such difficulty.

### **92. Repeals and savings.**

- (1) The Societies Registration Act, 1860, in its application to the territorial jurisdiction of the State of Haryana is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Act (including any order, rule, regulation, instructions, certificate or Bye-laws) in the exercise of any power conferred by or under the repealed Act shall be deemed to have been done or taken in the exercise of the powers conferred by corresponding provisions of the Act.
- (3) Any Society registered at any place in the State of Haryana under the Societies Registration Act, 1860, shall be deemed to have been registered under the Act, and its principal office shall be deemed to be the registered office:

*Provided that*

- (i) the Memorandum and the Bye-laws of any such Society, to the extent these are repugnant to or inconsistent with any of the provisions of the Act and the rules made there under, shall be brought in conformity with the provisions of the Act within a period of two years from the commencement of the Act or within such further period as the Government may allow, and thereafter, to the extent of such repugnancy or inconsistency, be deemed to be void and of no effect;
- (ii) any officer elected or appointed to and holding office immediately before the commencement of the Act shall continue to hold such office until the expiry of his term of office or until such office is lawfully terminated;

(4) Nothing under the Act shall affect any right, privilege, obligation, liability or punishment under the repealed Act:

*Provided that any investigation or proceedings, including proceedings for dissolution, or the supersession of the Governing Body or appointment of an Administrator commenced before the coming into force of the Act, shall be continued and conducted in accordance with the provisions contained in this Act.*

# **PART II**

## **THE HARYANA REGISTRATION AND REGULATION OF SOCIETIES RULES, 2012**

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*Rules notified under HRRS Act, 2012, as amended by HRRS Amdt. Rules, 2018 and HRRS Amdt. Rules, 2024.*

## **Rule 1. Short title.**

These rules may be called the Haryana Registration and Regulation of Societies Rules, 2012.

## **Rule 2. Definitions.**

- (1) In these rules, unless the context otherwise requires —
  - (i) “Act” means the Haryana Registration and Regulation of Societies Act, 2012 (Act 1 of 2012);
  - (ii) “Appendix” means an Appendix annexed to these rules;
  - (iii) “Form” means a form appended to these rules.
- (2) The words and expressions used but not defined shall have the same meaning as assigned to them in the Act.

## **Rule 3. Approval of name of Society.**

- (1) An association of persons desirous of registering itself as a Society shall file an application in Form I with the District Registrar concerned for approval of the name of the Society under sub-section (1) of section 8 of the Act, proposing three names in order of priority, and it shall be accompanied by the fee set out in the Schedule of Fees as mentioned in Appendix-I.
- (2) The District Registrar shall process the application keeping in view the provisions contained in section 7 of the Act and approve the name following the priority stated in the application, and communicate the same in Form 1-A. In case the District Registrar does not find the proposed name fit for approval, he shall communicate the reasons for refusal of approval of the name and direct the applicant to propose alternate names.
- (3) The name approved by the District Registrar shall remain valid for a period of one hundred eighty days from the date of issue of letter of approval, and the applicant shall be required to register the Society under the said name within such period. In case the Society is not registered under the approved name within the stipulated period, the approval shall lapse.
- (4) The District Registrar shall not approve the same name for any other applicant during the validity period of the name approved earlier.

## **Rule 4. Application for registration of a Society.**

An application for the registration of a Society under sub-section (2) of section 8 of the Act shall be made to the District Registrar concerned in Form-II along with the documents specified therein, and shall be accompanied by the fee set out in the Schedule of Fees as given at Appendix-I.

## **Rule 5. Certificate of registration.**

The District Registrar shall issue a certificate of registration of the Society within seven working days in Form-III in terms of provisions contained in sub-section (1) of section 9 of the Act.

## **Rule 6. Registration number for a Society.**

Every Society registered by the District Registrar shall be allotted a unique number, which shall comprise the initials of the State, the District Code, the Year of Registration and the Registration Number, in Form-III.

## **Rule 7. Register of Societies.**

- (1) The District Registrar shall cause to be maintained an alphabetical index of the Societies registered by him in Form-IV.
- (2) The District Registrar shall thereafter assign a page or pages for each Society in the register of Societies in Form-V and maintain the same updated at all times in terms of the provisions contained in sub-section (1) of section 9 of the Act.

## **Rule 8. Registration number for an existing Society.** [Subs. by HRRS Amdt. Rules, 2018 and further by HRRS Amdt. Rules, 2024]

- (1) Every existing Society shall apply to the District Registrar for allotment of a new registration number in Form-VI within a period of two years from the date of coming into force of the Act without any fee or within

such further extended period as may be notified by the Government from time to time on payment of fee set out in the Schedule of fees contained in Appendix-I in terms of provisions contained in sub-section (4) of section 9 of the Act. The Society shall file application and submit the requisite documents alongwith a certificate from the office bearer duly authorized by the Governing Body to the effect that the Memorandum and the Bye-laws of the Society, as being presented before the District Registrar, conform to the provisions of the Act and the rules made thereunder.

- (2) After scrutiny of the application and the documents filed by the existing Society, the District Registrar shall allot a new registration number under rule 6 and issue a fresh certificate of registration in Form-VII.
- (3) All applications received for allotment of a new registration number may be examined and kept separately. The process of allotment of new registration numbers shall commence after expiry of the period of one year or the extended period, if any.

### **Rule 9. Change of Registered Office.**

(a) Within the same district —

- (1) The information pertaining to change of registered office of a Society shall be filed with the District Registrar in Form-VIII along with a certified copy of the resolution of the Governing Body, certificate of registration in original, and the fee mentioned in Appendix-I, within a period of thirty days of the date of such change.
- (2) The District Registrar shall take on record the change of address, make the necessary endorsement on the original certificate of registration as well as in the register of Societies, and return the original certificate to the Society.

(b) Outside the district —

- (1) In case of change of registered office from one district to another district, the application pertaining to change of registered office shall be filed in Form VIII-A with the Registrar of the District in which the Society is registered along with a certified copy of the resolution of the Governing Body, certificate of registration in original, and the fee mentioned in Appendix-I.
- (2) The District Registrar shall in the first instance examine the application and verify that the Society has filed all the documents and returns due from it as on the day. Upon his satisfaction, he shall record his “No Objection” in Form VIII-B to the application and endorse the Society’s original file containing all the documents, with due pagination, to his counterpart for recording the shifting of the registered office of the applicant Society and issue of a new registration certificate. The District Registrar shall also record such event in the register of Societies maintained in his office and shall retain one set of the vital documents in his office. A copy of the endorsement to the District Registrar of the new district shall also be sent to the applicant Society for its information.
- (3) The District Registrar of the district to which the registered office of the Society has been resolved to be shifted shall, on receipt of the document file of the Society from his counterpart, take on record the said documents and issue a fresh certificate of registration to the Society within a period of thirty days from the date of receipt of documents while retaining the year of its registration intact, as per the format in Form VIII-C.

### **Rule 10. Change in name.**

(a) By the Society of its own —

- (1) The General Body shall pass a special resolution authorising any office-bearer or member of the Governing Body of the Society to make an application to the District Registrar for approval of an alternate name as per the procedure prescribed for approval of name under rule 3.
- (2) Upon approval of the new name, the applicant shall file an application in Form-IX for change of name along with the fee as set out in the Schedule of Fees in Appendix-I, and the District Registrar shall allow and register the same in terms of provisions contained in sub-section (1) of section 12 of the Act, and shall issue a fresh certificate of registration in Form IX-A.

(b) By the order of Registrar —

- (1) Where the Registrar issues directions to a Society for change of its name in terms of sub-section (1) of section 13 of the Act, the Governing Body shall place such directions before the General Body or Collegium, as the case may be, for implementation of such directions and passing a special resolution for change of name of the Society as directed by the Registrar.
- (2) The General Body or Collegium shall pass a special resolution authorising any office-bearer or member of the Governing Body to make an application in Form-IX to the District Registrar for approval of an alternate name as per the procedure laid down under rule 3.
- (3) Upon approval of the alternate name, the authorised representative shall file an application for change of name, which shall be allowed by the District Registrar, who shall issue a fresh certificate of registration in Form IX-B.

### **Rule 11. Admission of members and issue of Identity Cards.**

- (1) Every Society shall prescribe in its bye-laws the manner of application for admitting members to the Society and the competent authority to decide such applications as per Form-X. The payment of membership fee shall be made by the applicant from his bank account through a Bank Instrument (Demand Draft / Pay Order / Cheque), and in no case shall be accepted in cash.
- (2) Every Society shall issue an identity card to every person admitted as a member containing the particulars given in Form-XI in terms of section 17 of the Act. The Society may decide about the validity or renewal of such identity card at such intervals as deemed appropriate.

### **Rule 12. Register of members.**

The register of members in terms of sub-section (1) of section 18 shall be maintained by the Society in Form-XII. In case the total number of members is more than 300, it shall prescribe in its bye-laws the constitution of electoral colleges and shall, in addition, maintain a register of the electoral colleges and the members elected by each of such electoral colleges in Form-XIII, and a register of collegium in Form-XIV.

### **Rule 13. Filing of list of members.**

Every Society shall file an updated list of members with the District Registrar, separately showing inclusions and deletions, if any, during the preceding financial year, in Form-XV within sixty days of the close of the financial year in compliance of the provisions contained in sub-section (3) of section 18 of the Act, in physical or electronic mode.

### **Rule 14. Settlement of membership disputes.**

Where the District Registrar decides to verify the credentials and genuineness of members in exercise of powers conferred under sub-section (5) of section 21 of the Act, he shall follow the process as under: —

- (i) in case the number of members is less than one thousand, cause individual notices to be sent to such members by registered post at the address contained in the register of members maintained by the Society in the first instance, calling upon them to appear before him along with supporting identity documents as per the schedule (date and time) as may be indicated in such notice;
- (ii) where the number of members whose credentials are to be verified exceeds one thousand, cause the issue of a public notice addressed to the members indicating his decision to verify the genuineness of the members with a view to informing them to appear before him at such time and place as to be indicated in the individual notices;
- (iii) take a decision on accepting the genuineness or otherwise of the members appearing before him;
- (iv) after completing the process under sub-clause (i) above and with a view to informing the left-out members, he shall cause another public notice to be issued, which shall be a second opportunity, calling upon all the left-out members to appear before him as per the schedule indicated therein;
- (v) where a member is not able to present himself in person on the date so fixed by the District Registrar, for whatsoever reasons, his name shall be included in a list of defunct members with no voting rights for a period of one year. The membership in such case may be revived and activated as soon as he appears in

person before the District Registrar within such period of one year. In case the member does not appear in person before the District Registrar in spite of two opportunities granted to him, his name shall be struck off the register of members;

(vi) the proceedings under this rule shall be conducted at the expense of the Society.

### **Rule 15. Contents of the Memorandum of Association and Bye-laws.**

The contents of the Memorandum and the Bye-laws shall be prepared in accordance with the provisions contained in sections 24 and 25 of the Act. The Society shall generally follow the model Memorandum and the Bye-laws set out in Appendix-I, II and III of these rules.

Provided that a Society may include or exclude any or all such provisions in its bye-laws as required, keeping in view the nature and scope of its activities and operations, and which may or may not find a mention in the model bye-laws, subject to the condition that such additions or omissions are not inconsistent with the provisions of the Act and these rules.

### **Rule 16. Quorum for the meetings.**

Sub-section (3) of section 29 of the Act provides for the quorum for meetings of the General Body / Collegium to be not less than forty per cent. of the total members of the Society. In case the minimum stipulated quorum is not present in the meeting of the General Body / Collegium so convened, the meeting shall be adjourned to another date, of which a proper notice shall be issued.

### **Rule 17. Procedure for amendment.**

(1) Any amendment in the Memorandum and the Bye-laws resolved by the Society shall be filed in the office of the District Registrar in terms of sub-section (3) of section 26 in Form-XVI along with the fee mentioned in Appendix-I and a certified copy of the special resolution.

(2) The District Registrar shall register such amendment in terms of sub-section (3) of section 26 and communicate the same to the Society in Form XVI-A.

(3) In case the District Registrar refuses to register the said amendment, he shall communicate the reasons for such rejection to the Society within the time specified therefor.

### **Rule 18. Determination of electoral colleges.**

(1) Where a Society has more than one thousand members and it is required to constitute electoral colleges in accordance with sub-section (3) of section 32 of the Act, it shall decide on the number of electoral colleges, not exceeding three hundred, to be created so as to include maximum participation of members. The number of electoral colleges should be at least five times the number of members (including the office-bearers) of the Governing Body. Guidelines and illustrations given in Appendix-2 may be referred for guidance purposes in this behalf.

(2) The constitution of an electoral college may be determined by a Society following any one or a mix of the following criteria —

(a) on the basis of straight numbers, i.e. Membership Nos. 1 to 30 constituting one college, Membership Nos. 31 to 60 constituting another college and so on and so forth; or

(b) on the basis of geographical spread of the members, i.e. members residing in Wards 1 & 2 of a Municipal Town, or villages “X”, “Y” and “Z” constituting one electoral college, and so on and so forth; or

(c) on the basis of professional or qualification criteria, i.e. an electoral college consisting of Advocates, another consisting of Professionals (Doctors, CAs, Engineers, Architects, etc.), another of Post-graduates, another of graduates, another of persons belonging to the teaching profession, another of social workers, and so on and so forth; or

(d) on the basis of sizes / categories of dwelling units in the case of Societies formed in pursuance to the Haryana Apartment Ownership Act (Illustration 4 in Appendix-2 may be referred).

### **Rule 19. Filing the copy of Register of Governing Body.**

- (1) Every Society shall maintain a register showing the names, addresses and occupations of the persons appointed / elected as the office-bearers / members of the Governing Body in Form No. XVII, and shall file a list of elected office-bearers / members of the Governing Body with the District Registrar within a period of thirty days from the date of appointment or election of office-bearers, as required under clause (i) of sub-section (4) of section 33 of the Act.
- (2) Every change in the members of the Governing Body shall be filed with the District Registrar in Form XVII-A within thirty days from the date of such change, as required under clause (ii) of sub-section (4) of section 33.
- (3) Every Society shall file an annual return of updated list of office-bearers / members of the Governing Body with the District Registrar, separately showing inclusions and deletions, if any, during the preceding financial year in Form XVII-B, within sixty days of the close of the financial year, in compliance with the provision contained in clause (iii) of sub-section (4) of section 33 of the Act.

### **Rule 20. Remuneration or the Honorarium.**

Remuneration or the honorarium to be paid to the Administrator / Returning Officer / Observer / the Adhoc Committee, and the members of the Committee constituted to assist the Administrator —

A. In case of appointment of the Administrator / Returning Officer / Observer / Adhoc Committee by the District Registrar under sub-sections (10) and (11) of section 39 of the Act

- (1) Wherever the person appointed as the Administrator / Returning Officer / Observer is in active service of the Government or a statutory body, he shall not draw any remuneration but may be paid honorarium for such additional responsibilities. However, where a retired person is appointed as the Administrator, he may be paid remuneration for his services.
- (2) The remuneration or honorarium under sub-rule (1) above may be decided and determined to be paid either on lump-sum basis or on monthly basis linked with the deliverables, as considered appropriate and justified.
- (3) The remuneration or the honorarium, as the case may be, shall be determined by a Committee comprising of the following: —
  - (i) Deputy Commissioner of the concerned district as Chairman;
  - (ii) Sub-Divisional Magistrate as Member;
  - (iii) District Registrar as the Member-Secretary.
- (4) While determining the remuneration or the honorarium, the Committee shall take into account the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay. However, such remuneration for an Administrator should generally not exceed the last pay drawn by him minus the pension in the case of a retired person, and the honorarium should not exceed 20% of the gross pay of a serving person.
- (5) Similarly, the Committee headed by the Deputy Commissioner may also determine the remuneration / honorarium for the members of an Adhoc Committee, wherever appointed, keeping in view the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay.

B. In case of appointment of the Administrator / Returning Officer / Observer / Committee to assist the Administrator by the Registrar General under sub-section (3) of section 56 of the Act and sub-section (4) of section 68 of the Act

- (1) Wherever the person appointed as the Administrator / Returning Officer / Observer is in active service of the Government or a statutory body, he shall not draw any remuneration but may be paid honorarium for such additional responsibilities. However, where a retired person is appointed as the Administrator, he may be paid remuneration for his services.
- (2) The remuneration or honorarium under sub-rule (1) above may be decided and determined to be paid either on lump-sum basis or on monthly basis linked with the deliverables, as considered appropriate and justified.
- (3) The remuneration or the honorarium, as the case may be, shall be determined by a Committee comprising of the following: —

- (i) Registrar General of Societies as the Chairman;
  - (ii) Registrar of Societies as the Member-Secretary;
  - (iii) Sr. Accounts Officer in the Office of the Director, Industries & Commerce.
- (4) While determining the remuneration or the honorarium, the Committee shall take into account the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay. However, such remuneration for an Administrator should generally not exceed the last pay drawn by him minus the pension in the case of a retired person, and the honorarium should not exceed 20% of the gross pay of a serving person.
- (5) Similarly, the Committee headed by the Registrar General may also determine the remuneration / honorarium for the members of the Committee appointed to assist the Administrator, wherever appointed, keeping in view the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay.

### **Rule 21. Books of Accounts.**

Every Society shall keep and maintain the following books of accounts, namely: —

- (i) cash book showing daily receipt and expenditure, and the balance at the end of each day;
- (ii) receipt book, containing forms in duplicate / counterfoils, one of each set to be issued with details for money received by the Society and the other to serve as counterfoil;
- (iii) vouchers' file, containing all vouchers for contingent and other expenditure incurred by the Society, numbered serially and filed chronologically;
- (iv) ledger showing consolidated and separate account of all items of receipt and expenditure;
- (v) any other books / registers / sub-ledgers as deemed appropriate by the Governing Body.

### **Rule 22. Writing of Accounts.**

- (1) Every entry in the books of account required to be kept in terms of section 47 of the Act shall be made as and when any transaction takes place.
- (2) On receipt of any money, in cash or by cheque or any other instrument, a receipt recording the purpose of such receipt (e.g. membership fee or annual subscription or donation, etc.) shall be prepared by the Society immediately and delivered to the payer.
- (3) Any voucher, duly signed by the payee in token of any payment or expenditure incurred, shall be obtained by the Society at the time any payment is made to him, and such voucher shall be immediately filed in the file maintained for the purpose.

### **Rule 23. Verification of accounts, returns and registers.**

The accounts, returns and registers of the Society specified in the Act and these rules shall be verified by any two office-bearers / members of the Governing Body of the Society, and in each such account, return and register, the following declaration shall be endorsed by such office-bearers / member of the Governing Body in token of the verification, namely: —

“We declare that the particulars furnished above are true and correct to the best of our knowledge and belief.”

### **Rule 24. Adoption of Annual Accounts and filing of documents.**

- (1) Every Society shall hold its Annual General Meeting within a period of six months of the close of the financial year for approval and adoption of its duly audited annual accounts.
- (2) The annual return of the list of members of the Society as specified under sub-section (3) of section 18 and clause (i) of sub-section (1) of section 50 shall be filed in Form-XV within a period of sixty days of the close of the financial year, or thirty days after holding the Annual General Meeting, whichever is earlier, along with the fee as mentioned in Appendix-I.
- (3) The annual return of the list of members of the Collegium as specified under clause (ii) of sub-section (1) of section 50 shall be filed in Form-XIV within a period of thirty days of holding the Annual General Meeting of

the Society.

- (4) The annual return of the list of office-bearers and members of the Governing Body, as specified under clause (iii) of sub-section (1) of section 50, shall be filed in Form-XVII within a period of thirty days of holding the Annual General Meeting of the Society.
- (5) An annual report on the working of the Society by the Governing Body duly certified by the President and Secretary.
- (6) A copy each of the balance sheet, receipt expenditure statement and the auditor's report duly certified by the auditor; and
- (7) A copy of the special resolution, as and when passed.
- (8) In case a Society fails to file any document or return within the period specified in the Act, it may file such documents within a further period on payment of fine as mentioned in Schedule B of Appendix-I.

### **Rule 25. Amalgamation and Division of a Society.**

(1) Where one or more Societies resolve to amalgamate themselves into one Society in accordance with the provisions contained in sub-section (1) of section 51, or a Society resolves to divide itself into two or more societies in accordance with the provisions contained in sub-section (2) of section 51 of the Act, the said Societies or Society shall prepare a Scheme of Amalgamation or Division, as the case may be. Such a scheme of amalgamation or division shall, inter alia, contain the following, namely: —

- (i) name and address of the Society, its Governing Body and objects;
- (ii) the financial position, i.e. assets & liabilities of the Society as at the close of the financial year immediately preceding, supported by the audited annual accounts for the last three financial years;
- (iii) the grounds, objects and rationale in support of the proposal;
- (iv) details of the proposal of amalgamation or division, as the case may be;
- (v) details of pending litigation for and against the respective Societies, if any;
- (vi) consent of the secured creditors, if any;
- (vii) a copy of resolution of the Governing Body supporting the move;
- (viii) a copy of the special resolution of the General Body / Collegium, as the case may be;
- (ix) area of operation of the amalgamated Society / sub-divided Societies along with their relationship with the parent / apex Society, if any;
- (x) settlement of all pending claims / liabilities and a certificate from the Governing Body to that effect.

- (2) An application in Form-XVIII in triplicate shall be filed by the authorised office-bearer / member of the Governing Body to the Registrar.
- (3) The Registrar shall, thereafter, pass appropriate orders on the proposal for amalgamation or division of the Society, as the case may be, and convey the same to the applicant Society with a copy to the District Registrar.
- (4) The applicant Society shall file a copy of the orders of the Registrar along with the following documents with the District Registrar for registration, namely —
  - (i) a certified copy of Memorandum and Bye-laws of the amalgamated Society or the divided Societies;
  - (ii) list of members and office-bearers of such Society;
  - (iii) prescribed fee as mentioned in Appendix-I.
- (5) The District Registrar shall cancel the registration of the amalgamating Societies and shall issue a certificate of registration of the new Society. Similarly, in case of division, he shall register the new Societies created by way of division.
- (6) In case the amalgamating Societies are registered with different District Registrars, the newly amalgamated Society shall be registered by the District Registrar where the Society resolves to maintain its registered office.

### **Rule 26. Inspection and grant of copies thereof.**

Any person can inspect any document kept by the Registrar after payment of fee as mentioned in Appendix-I, and obtain copies thereof after depositing the fee as mentioned in Appendix-I.

**Rule 27. Qualifications of a Returning Officer and / or Observer.**

Where an Adhoc Committee or Administrator is appointed by the District Registrar in exercise of powers under sub-section (10) of section 39, and it is considered expedient by the District Registrar on a request from the Society (i.e. the Administrator or the Adhoc Committee) to appoint an observer to oversee the proceedings of the meeting of General Body or Collegium, and / or a Returning Officer for conducting the elections of the Collegium or the Governing Body, he may appoint a Returning Officer or Observer, who shall be an officer gazetted or equivalent, serving or retired, of the State or Central Government / any statutory authority, to discharge such duties.

**Rule 28. Amount of Remuneration.**

The maximum remuneration or honorarium for a Returning Officer may be fixed by the Committee constituted in accordance with rule 20(A)(3) of these rules, while it may be fixed at an all-inclusive amount not exceeding Rs. 1,000/- in case of an Observer. These expenses shall be borne by the Society concerned.

**Rule 29. Qualifications of the members of a Committee to assist the Administrator.**

(1) Where an Administrator is appointed by the Registrar General in exercise of powers under sub-section (2) of section 56, or the Government in exercise of powers under sub-section (1) of section 68 of the Act, and there is need for appointment of a Committee to assist the Administrator, the concerned authority may appoint such Committee, if considered expedient or on the request of the Administrator, as the case may be, to assist the Administrator in managing the affairs of the Society.

(2) The Committee appointed under sub-rule (1) above may comprise of such number of members as is minimally required, but not exceeding five in all.

(3) The members of the Committee may preferably be drawn from the area in which the Society carries out its operations and should be persons of eminence with established credentials in public life. The Committee may also include subject experts in Legal and Accounts matters (such as a practising Advocate and / or a practising Chartered Accountant or a person having retired with experience in accounting and administrative matters). The Registrar General may generally avoid appointing any such person as a member of the Committee who may have direct interest in the affairs of the Society.

**Rule 30. Interpretation and Clarification.**

In the event of a need for an interpretation of any of the provisions under these rules, or lack of clarity or ambiguity in any provision contained in these rules, or any situation not having been specifically addressed under these rules, the Government shall be competent to issue the requisite interpretation, clarification, or address any unforeseen situation by way of a Government Order.

**Rule 31. Schedule of fees.**

The fees payable for various purposes defined under the Act and the Rules made thereunder are prescribed in the Schedule of Fees in Appendix-I.

**Rule 32. Fixation of transfer fee. [Ins. by HRRS Amdt. Rules, 2018]**

The Society shall not charge transfer fee not more than ten thousand rupees in case of sale of apartment and such society shall also modify the bye-laws accordingly and get the modified bye-laws approved from the District Registrar.

**Rule 33. Fixation of maintenance charges. [Ins. by HRRS Amdt. Rules, 2018]**

The society shall fix the charges on the basis of size of apartment for maintenance of common area and facilities, as such, existing society shall also modify the bye-laws accordingly and get the modified bye-laws approved from the District Registrar.

## PART III

### SCHEDULES & STATUTORY FORMS

#### Appendix-I

##### A. Schedule of Fees

[Rule 3(1), rule 4, rule 8(1), rule 9(a)(1), rule 10(a)(2), rule 15, rule 17(1), rule 24(8), rule 25(4)(iii)]

Schedule of fees payable for different purposes as prescribed under section 82 of the Haryana Registration and Regulation of Societies Act, 2012.

Sr. No.	Purpose	Fee (INR)
1	For approval of name of the Society	Rs. 100/-
2	For registration of Society, including registration on amalgamation and division of societies	Rs. 2,500/-
3	For filing annual return, balance sheet etc.	Rs. 500/-
4	For inspection of documents in the custody of the Registrar / District Registrar	Rs. 200/-
5	For making or granting copies of any entries or documents before or after registration	Rs. 5/- per page
6	For filing of appeals, petitions etc.	Rs. 1,000/-
7	For filing a petition under sub-section (1) of Section 21 of the Act	Rs. 500/-
8	For alterations or amendments in the Memorandum of Association, Byelaws and name of the Society	Rs. 500/-
9	For filing membership return of the Society along with additions / deletions, if any	Rs. 200/-
10	For change of registered office of the Society	Rs. 500/-
11	For filing or recording or registering any other document	Rs. 100/-

##### B. Schedule of Fines & Penalties

Schedule of fines and penalties payable for different purposes as prescribed under section 50 of the Haryana Registration and Regulation of Societies Act, 2012.

Sr.	Document	Due Date	Fee Payable
(a)	List of Members	60 days of the close of the FY or 30 days of the AGM, whichever is earlier	Rs. 200/-
(b)		If filed within next 60 days	Rs. 200 + Rs. 100 = Rs. 300/-
(c)		If filed within the next 120 days	Rs. 300/- + Rs. 10/- for delay per day per document
(d)		If filed within next 120 days	Amount due under Sr. No. (c) + Rs. 20/- for delay per day per document
(e)	Non-filing of returns / documents	—	Penalty as per Chapter XV of the Act

Notes: 1. The prescribed fee shall be payable through a Treasury Receipt made to the Head of Account. 2. All fees and charges may be required to be paid online after implementation of e-Governance solutions.

## Appendix-II

### General Guidelines and Illustrations for determination of the number of electoral colleges and its relationship with the constitution of the Governing Bodies

[Rule 12(a)(2); Reference: rule 18]

#### General Guidelines

1. An existing Society, with more than 1,000 members, shall be required to carve out electoral colleges in accordance with the provisions contained in section 32 of the Act read with rule 18, unless it opts to exercise other options available under sub-section (1) of section 30 and sub-section (1) of section 32 of the Act. Carving out of electoral colleges may involve two major challenges — i.e. determination of the electoral colleges and the allocation of members to an electoral college. The Governing Body of such Society is expected to define the criteria for creation of the electoral colleges. It is for the Governing Body of the Society to determine the same and also introduce a process of settling any objections from the members. However, once finalised, the constitution of an electoral college should remain intact for all times to come, and the inter-se allocation of members should not change unless there is outgo and fresh induction of members in respect of an electoral college. Once finalised, these shall become a part and parcel of the bye-laws of a Society.

2. Where a Society, registered after the coming into force of this Act, decides to keep its membership at more than 1,000, it shall prescribe the mode and manner of creation of its electoral colleges and the method and process of allocation of members to an electoral college in its bye-laws.

#### Illustrations

##### Illustration 1 - Large Society (21,000 members)

Illustration 1: Suppose a Society has 21,000 members and it decides to constitute a Collegium consisting of 300 members which shall entail creation of 300 electoral colleges. Normally, each of the electoral colleges should comprise of an average number of  $21,000 / 300 = 70$  members. However, the Society may carve out 70 electoral colleges in a manner that the number of members of an electoral college is within +/- 10% of the average number.

##### Illustration 2 - Medium Society (10,000 members)

Illustration 2: Suppose a Society has 10,000 members and it decides to constitute a Collegium consisting of 250 members which shall entail creation of 250 electoral colleges. Normally, each of the electoral colleges should comprise of an average number of  $10,000 / 250 = 40$  members. However, the Society may carve out 40 electoral colleges in a manner that the number of members of an electoral college is within +/- 10% of the average number.

##### Illustration 3 - Small Society (1,000 members)

Illustration 3: Suppose a Society has 1,000 members and it is required to constitute a Collegium. The Bye-laws of the Society also provide for a Governing Body of 21 members (including the office-bearers). In such a case, the strength of the Collegium must not be less than 5 times the strength of the Governing Body, i.e. 105. In case the Governing Body consists of 11 members (including the office-bearers), the Collegium must comprise of no less than 55 electoral colleges, i.e. five times the strength of the Governing Body.

##### Illustration 4 - Group Housing Society (worked example)

There is a Group Housing Society comprising of about 900 members. The complex has common infrastructure facilities even though it may have, say, four different categories of dwelling units depending on the size of such dwelling units. Such a Society shall have the following options —

(a) The Society shall have four distinct groups of members, say, “A”, “B”, “C” and “D” categories, linked with the sizes of dwelling units. Further, “A” category may have 120 DUs, “B” category may have 240 DUs, “C” category may have 360 DUs, and “D” category have the balance 180 DUs. The Society may decide to constitute a Collegium consisting of 300 members, i.e. an electoral college of 3 members each, ensuring proportionate representation to each group. In case the Society decides to create a Collegium of 180 members, the proportionate representation shall be based on 5 members. In order to ensure that each of the Groups is also represented on the Governing Body, the Society may decide to earmark the number of positions of the Governing Body to include representatives of each Group on the Governing Body; or

(b) To divide itself into more than one society under sub-section (2) of section 51 of the Act, each based on the size of dwelling units. In such a case, there may be one parent Society for the housing complex as a whole to look after the management of common indivisible infrastructure facilities and services, and the individual societies of each group may be responsible for management of the common services for each group. There shall have to be a relationship defined between the parent Society and the individual societies in such a case in order to meet the corresponding responsibilities for the common services and obligations. The elected / nominated representatives from the different Societies shall constitute the Governing Body of the parent Society in such case.

## **Annexure-1 - Model Memorandum of Association**

The following is the model text for the Memorandum of Association of a Society proposed to be registered under the Act. Subscribers may adapt the indicative objectives in accordance with the actual aims and objects of the proposed Society.

### **Indicative Objectives:**

- (i) Promotion of national unity and international peace and amity;
- (ii) Promotion of communal and social harmony and brotherhood;
- (iii) To work for the cause of enforcement of prohibition and initiate people's movement against smoking, alcoholism and drug abuse;
- (iv) To create awareness and address social evils such as female foeticide, dowry, extravagant expenditure on social functions, empowerment of women in decision-making, etc.;
- (v) Promotion and progress of agriculture and animal husbandry;
- (vi) To take up programmes for accelerating the pace of rural development with application of science and technology, especially in water conservation, sanitation, low-cost housing, agriculture and animal husbandry, and engineering sources;
- (vii) To take up programmes for ensuring protection of environment and for regeneration of natural resources degraded due to past neglects;
- (viii) Promotion and extension of appropriate technology, including systems having renewable sources of energy;
- (ix) Promotion of cottage and small-scale industries by taking up action research work;
- (x) Programmes in which science and technology may have a major role in improving life, working conditions and opportunities for gainful employment of women;
- (xi) To engage in delivery of citizen services in a transparent manner with use of Information and Communication Technology;
- (xii) To undertake impact evaluation of economic and social projects;
- (xiii) To undertake programmes which ensure raising of income levels and expanding employment opportunities of the weaker sections of society, particularly those below the poverty line, and women, through participation in planning, implementation and maintenance;
- (xiv) To organize disadvantaged sections of society and take steps for increasing their level of awareness regarding programme content, facilities, legal provisions, and bargaining power through co-operative and group action;
- (xv) To take up all formal and non-formal educational programmes as per directives in the National Policy of Education, 1986;
- (xvi) To work for promotion of sports and health-care activities;
- (xvii) To raise or acquire funds or property from Central / State Government, non-government agencies, charitable trusts by way of donations or grants or contribution, or by taking loans from public and private financial institutions. The funds, properties, assets and all other resources, present and future, of the Society shall be utilized for any or all the purposes or objects of the Society as stated above and for similar activities in furtherance of the ideals of truth and non-violence.

5. The names of the founder members of the Society to whom the rules and bye-laws of the management of affairs are entrusted are as under: —

## **Annexure-2 - Explanatory Notes for Bye-laws of a Multi-purpose Society**

This Annexure sets out explanatory notes on the contents of the bye-laws of a Society. The bye-laws of a Society shall provide for matters specified in section 25 of the Act, including the matters indicatively set out below. These notes are intended to guide the drafting of bye-laws so that all matters required by the Act and the rules are addressed.

**Name and Registered Office.** The name shall not be identical with or deceptively similar to that of an existing registered Society and shall not violate the Emblems and Names (Prevention of Improper Use) Act, 1950. The registered office shall be situated within the State of Haryana.

**Aims and Objects.** Bye-laws shall enumerate the aims and objects of the Society, which shall be lawful and not in conflict with public order or morality. Any subsequent change requires a Special Resolution and approval of the District Registrar.

**Membership.** Bye-laws shall prescribe the categories of members (Founder, Life, Ordinary, Honorary), eligibility, admission procedure, rights and obligations, fees and subscription, and the grounds for cessation under section 22 of the Act.

**General Body and Collegium.** Bye-laws shall specify the constitution, powers and functions of the General Body and, where applicable under section 32, the Collegium and electoral colleges in accordance with rule 18 and Appendix-II.

**Governing Body.** Bye-laws shall specify the composition, mode of election, term, powers, duties, meetings, quorum, and removal of office-bearers and members of the Governing Body in accordance with sections 33-38.

**Elections.** Bye-laws shall set out the manner of conduct of elections, the appointment of a Returning Officer, the role of the District Registrar and Observers, and the procedure for resolution of election disputes.

**Accounts, Audit and Filings.** Bye-laws shall require maintenance of proper books of account, annual audit by a Chartered Accountant, and timely filing of returns under sections 47-50 of the Act.

**Property, Funds and Common Seal.** Bye-laws shall provide for sources of income, manner of holding property, custody of the common seal, and operation of bank accounts.

**Amalgamation, Division and Dissolution.** Bye-laws shall set out the procedure for amalgamation under section 51, division of the Society, and dissolution under Chapter XIII, including the manner of disposal of surplus assets.

**Amendment of Bye-laws.** Any amendment shall be effected only by a Special Resolution of the General Body and shall be effective only on approval and registration by the District Registrar.

## **Annexure-3 - Model Bye-laws for a (Multi-purpose) Society without a Collegium**

Indicative model bye-laws applicable to a Society with a membership ceiling of 250 (and in any event not requiring constitution of a Collegium under section 32). The clauses below are reproduced and adapted from the consolidated source and follow the Chapter scheme of the Act.

1. Name of the Society: \_\_\_\_\_
2. The registered office of the Society shall be at: \_\_\_\_\_
3. The Society shall carry out its major activities in the \_\_\_\_\_ District within the territory of the State of Haryana.

### **4. Membership**

- (1) The Society shall have a maximum of 250 members including the founder members / original subscribers.
- (2) Eligibility — In order to be admitted as a member, a person —
  - (i) must be 21 years of age on the date of admission;
  - (ii) should subscribe to the aims and objects of the Society;
  - (iii) must have deposited the admission fee and annual subscription, and not be in arrears as on the date of the AGM;
  - (iv) must not be an insolvent or of unsound mind;
  - (v) must not have been convicted of an offence involving moral turpitude with imprisonment of one year or more.
- (3) Kinds / Types / Categories of Members — Founder Members, Life Members, Ordinary Members, and Honorary Members, as detailed in the bye-laws. The Society may admit honorary members of distinguished talent and merit without payment of any fee; honorary members shall be entitled to attend meetings and contribute to deliberations but shall have no right to vote.
- (4) Membership Fee & Annual Subscription — indicative rates:  
Annual subscription is due on 1st April and may be paid latest by 30th June. Membership of a defaulting member shall stand suspended after 30th June and such member shall not be entitled to vote in any election held after 1st July of that year. Suspension may be revoked on clearance of dues with 18% interest, but the member shall not be eligible to vote during the remainder of that financial year.
- (5) Admission Procedure (other than subscribers) — application in the prescribed form to the Secretary, recommended by a regular member; the Secretary places it before the Governing Body, whose decision is final and need not assign reasons. On approval, name is entered in the register of members and an Identity Card is issued.
- (6) Identity Card for every member — every person admitted as a member shall be issued an identity card containing photograph, particulars and category, duly signed by the member and the General Secretary.
- (7) Rights & Obligations of Members — every member shall be bound by the rules and regulations of the Society; every member, except an Honorary Member, has the right to vote unless in arrears beyond three months past the due date; every member has the right to inspect books of accounts and minutes on seven days' notice; every member shall inform the Society of any change in address.
- (8) Cessation of Membership — on attracting section 22 of the Act, acting contrary to aims and objects, financial misappropriation, indictment by the District Registrar / Registrar / Registrar General, or, in the case of an Honorary Member, by resolution of the Governing Body.

### **5. General Body**

- (1) Every person admitted as a member shall be a member of the General Body of the Society and shall be entitled to cast his vote for the election of the Governing Body, unless he is in arrears of any dues, including annual subscription.
- (2) Every member shall cast his vote in person; no proxy voting shall be allowed.

### **6. Meetings of the General Body**

- (i) At least one meeting of the General Body (the AGM) shall be held in a year within six months of the close of the financial year for adoption of audited annual accounts.
- (ii) Extra-ordinary General Body meetings may be convened by the Governing Body or within 45 days of receipt of a written requisition from at least 1/10th of members.

- (iii) A clear notice of at least 14 days, with agenda, shall be given; a copy shall be endorsed to the District Registrar.
- (iv) A meeting at shorter notice is permissible if agreed to by a majority of more than 50% of total members.
- (v) Quorum: 40% of total members entitled to vote, minimum four. For adjourned meetings, quorum is 10% with minimum three. Any Special Resolution in an adjourned meeting requires at least 25% of the total members.
- (vi) Proceedings of every meeting shall be recorded in a minutes-book and signed by the Chairman and the Secretary.

## **7. Powers, Functions & Duties of the General Body**

- (i) To guide the Society in determining and fulfilling its aims and objects;
- (ii) To decide policy matters such as change of name, amendments in the MOA and bye-laws, approval of annual accounts, disposal of immovable assets, etc.;
- (iii) To elect the members of the Governing Body;
- (iv) To remove any member from the Governing Body, and to ratify the continuation of a person appointed against a casual vacancy.

## **8. Governing Body**

- (1) Composition — 11 office-bearers and members: President, Vice-President, General Secretary / Secretary, Joint Secretary, Treasurer, and six Executive Members (which may include co-option of any Honorary Member by the Governing Body).
- (2) Election — term of three years from the date of approval of the election by the District Registrar; the Governing Body shall declare the schedule of elections, appoint a Returning Officer, and notify the list of eligible voters at least 45 days prior to the general meeting for elections. The District Registrar may appoint an Observer. The Returning Officer's decision on objections is final. Office-bearers shall not be entitled to remuneration.
- (3) Filling of casual vacancy — the Governing Body may fill a vacancy on adhoc basis from among General Body members till the next AGM; the appointment ceases unless ratified in the AGM by a majority for the balance term.
- (4) Meetings of the Governing Body — at least one meeting every quarter (minimum four in a financial year); clear notice of three days; shorter notice permissible with consent of at least 50% of members; quorum of 40% (minimum five), with minimum three members for adjourned meetings; minutes recorded and signed.
- (5) Powers, Functions & Duties — the Governing Body is responsible for achieving the aims and objects, may raise funds and acquire property in the name of the Society, has full charge of immovable and movable assets, may invest funds, borrow or mortgage property in the interest of the Society, constitute standing or adhoc committees, engage regular or part-time employees, and outsource certain functions.
- (6) Powers, Functions & Duties of individual members — President, Vice-President, General Secretary / Secretary, Joint Secretary, Treasurer (as elaborately defined in the bye-laws); the Treasurer is the overall custodian of books of accounts, financial statements, receipt books, expense vouchers, bank pass-books, cheque-books and cash.
- (7) Cessation of members of the Governing Body — on resignation, ceasing to be a member, or removal by resolution of the General Body.
- (8) Exclusions from Employment of a Society — no member, dependant, family member or close relative of office-bearers and members of the Governing Body shall be in employment of the Society during its term; declarations of conflict of interest are required.

## **9. Amendments and Changes**

Any amendment in the Memorandum of Association and bye-laws, change of name, amalgamation or division of the Society shall be effected only with the approval of the General Body by way of a special resolution, and the intimation with attested documents shall be filed in the office of the District Registrar within the prescribed time.

## **10. Management of Assets and Funds**

Sources of income include membership fee, annual subscription, rent, interest, consultation fees, donations, gifts, grants, etc. The Society may raise interest-free short-term loans from members or scheduled banks; loans from banks on interest will be taken only for capital assets and not for recurring revenue expenditure. The Governing Body shall prepare an annual budget. Bank accounts shall be jointly operated. All assets and funds belong to and vest in the Society. All receipts and payments shall be made through Bank Instruments (DD / Pay Order / Cheques / Bank Transfers / RTGS).

**11. Accounts of the Society**

The Treasurer is responsible for keeping proper books of accounts as required under Income-Tax laws and ICAI standards at the registered office. Books shall be open to inspection during business hours by the Registrar General, Registrar, District Registrar or any officer authorised by them, and by any member. Annual accounts shall be signed by any two authorised office-bearers. The Governing Body shall appoint a Chartered Accountant (not a member of the Governing Body) for audit and filing of income-tax returns at the determined remuneration.

**12. Common Seal**

The Society shall have a common seal kept in safe custody of the General Secretary / Secretary, to be affixed as authorised by the Governing Body.

**13. Amalgamation**

The Society may amalgamate with another Society established with identical aims and objects, or allow another Society to amalgamate with itself, by a Special Resolution in accordance with section 51 of the Act and rule 25.

**14. Dissolution of the Society**

- (i) The Society may resolve to dissolve itself in accordance with the Act and rules where operations become difficult, the Society becomes insolvent, or for other pressing reasons;
- (ii) On dissolution, no assets shall devolve on or be distributed amongst members;
- (iii) Assets shall first liquidate liabilities; leftover properties shall be considered for transfer to another Society with identical aims and objects, or to the District Collector for use in general public interest.

Signatures of subscribers certifying the above as the true copy of the Bye-laws of the Society:

## **Annexure-4 - Model Bye-laws for a (Multi-purpose) Society with a Collegium**

This Annexure follows the same broad structure as Annexure-3, with adaptations for a Society that has more than 1,000 members and is consequently required to constitute a Collegium under section 32 of the Act read with rule 18. The key variations are: —

### **Key variations from Annexure-3:**

- (i) Maximum membership: 3,000 (or such other higher number as the Society may decide), with founder, life, ordinary and honorary categories as in Annexure-3.
- (ii) General Body to be divided into electoral colleges, the number of which shall not exceed 300 and shall be at least five times the number of members of the Governing Body, in accordance with rule 18 and the illustrations in Appendix-2.
- (iii) Collegium acts as the General Body for all intents and purposes; the size of the Governing Body cannot exceed 1/5th of the size of the Collegium.
- (iv) Elections of representatives of the electoral colleges to the Collegium, and of the Governing Body by the Collegium, are conducted under a Returning Officer notified by the Society; the District Registrar may appoint an Observer.
- (v) All other provisions on membership procedure, rights and obligations, meetings, quorum, accounts, amalgamation, dissolution, etc., mirror Annexure-3, suitably adapted for the Collegium structure.

*Societies opting for this structure shall draft full bye-laws on the lines of Annexure-3 with the above adaptations, ensuring conformity with the Act and these rules.*

## **Annexure-5 - Model Bye-laws for an Association of Owners of Dwelling Units**

This Annexure provides a model for Societies formed by owners of dwelling units (e.g. group housing societies) in pursuance of the Haryana Apartment Ownership Act, on the framework of Annexures 3 and 4. Distinct features generally include: —

### **Distinct features (variations from Annexures 3 and 4):**

- (i) Membership is linked to ownership of a dwelling unit in the complex; transfer or sale of a dwelling unit ordinarily implies cessation of membership and admission of the new owner.
- (ii) Where the complex has more than one category of dwelling units, the Society may carve out distinct groups of members linked with the sizes / categories of dwelling units (illustrated in Appendix-2, Illustration 4), and may decide either to constitute proportional electoral colleges within a single Society or to divide itself into more than one Society under section 51(2) of the Act.
- (iii) Governing Body composition should ensure representation of each group / category of dwelling units.
- (iv) Sources of income include maintenance charges, common-area service charges, sinking-fund contributions, rent from common facilities, interest, etc., in addition to membership fees and annual subscription.
- (v) Management of common indivisible infrastructure facilities and services for the complex, and management of group-specific services, may be allocated between the parent Society and individual category-based Societies (where division has taken place).
- (vi) All other provisions on meetings, quorum, accounts, audit, amalgamation, dissolution and statutory compliances generally mirror Annexures 3 and 4.

*Societies of this nature shall draft full bye-laws on the basis of the above framework, with such additional clauses as are necessary for the proper management of the complex, subject to the provisions of the Act and these rules.*

# STATUTORY FORMS

*Prescribed under the Haryana Registration and Regulation of Societies Rules, 2012, as amended.*

Form	Description	Rule
FORM I	Application Form for Approval of Name	See sub-rule (1) of rule 3
FORM I-A	Approval of Name	See sub-rule (2) of rule 3
FORM II	Application for Registration of Society	See rule 4
FORM III	Certificate of Registration to be issued under section 9(1) of the Haryana Registration an	See rule 5 and rule 6
FORM IV	Index of Register of Societies maintained by the District Registrar under section 9(1)	See sub-rule (1) of rule 7
FORM V	Register of Societies maintained by District Registrar under section 9(1)	See sub-rule (2) of rule 7
FORM VI	Application for allotment of new registration number by an existing Society under section	See sub-rule (1) of rule 8
FORM VII	Revised Certificate of Registration issued under section 9(4) upon allotment of a new regi	See sub-rule (2) of rule 8
FORM VIII	Notice of Change of the Registered Office of the Society (within the district) under secti	See sub-rule (a)(1) of rule 9
FORM VIII-A	Application for change of the Registered Office of the Society (outside the district) unde	See sub-rule (b)(1) of rule 9
FORM VIII-B	No Objection Certificate and endorsement for change of the Registered Office under section	See sub-rule (b)(2) of rule 9
FORM VIII-C	New Certificate of Registration consequent upon change of Registered Office from one dist	See sub-rule (b)(3) of rule 9
FORM IX	Application for change of name of the Society under section 12(1)	See rule 10(a)(2) / (b)(3)
FORM IX-A	Certificate of Registration under section 12(2) consequent upon change of name by the Soci	See rule 10(a)(2)
FORM IX-B	Certificate of Registration under section 13(1) consequent upon change of name by the orde	See rule 10(b)(3)
FORM X	Application Form for Membership of a Society	See rule 11(1)
FORM XI	Particulars to be contained in the Identity Card under section 17	See sub-rule (2) of rule 11
FORM XII	Register of Members under section 18	See rule 12
FORM XIII	Register of Electoral Colleges under section 18	See rule 12
FORM XIV	Register of Members of the Collegium under section 30(3)	See rule 12
FORM XV	List of members of the Society along with changes therein to be filed with District Regist	See rule 13
FORM XVI	Application for amendment in the Memorandum and Bye-laws under section 26(3)	See sub-rule (2) of rule 17
FORM XVI-A	Certificate of amendment in Memorandum / Bye-laws under section 26(3)	See rule 17(3)
FORM XVII	Register of the Office-bearers and Members of the Governing Body under section 33(4)(i)	See sub-rule (1) of rule 19
FORM XVII-A	Change in the Office-bearers and Members of the Governing Body under section 33(4)(ii)	See sub-rule (2) of rule 19
FORM XVII-B	Office-bearers and members of the Governing Body and changes therein to be filed along w	See sub-rule (3) of rule 19
FORM XVIII	Application for Amalgamation / Division of a Society under section 51(1)	See sub-rule (2) of rule 25

**FORM I****Application Form for Approval of Name***[See sub-rule (1) of rule 3]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

To  
The District Registrar of Societies,

**Subject: Approval of name for the proposed Society.**

Sir,

We, the following persons are desirous of forming a Society to be registered under the Haryana Registration and Regulation of Societies Act, 2012 in the district of \_\_\_\_\_ of the State of Haryana.

1. Name and full address of the person(s) applying for the availability of the name (in block capitals):

Sr. No.	Name of the Person / Applicant	Occupation	Date of Birth	Address	Signatures
(i)					
(ii)					
(iii)					
(iv)					

2. Proposed name of the Society:

Sr. No.	Proposed name of the Society	Order of Priority
(i)		First
(ii)		Second
(iii)		Third

3. Main object of the proposed Society: \_\_\_\_\_

4. Address of the proposed registered office: \_\_\_\_\_

5. Particulars and results of any application moved to this or any other Registrar previously for approval of name:  
\_\_\_\_\_

6. Particulars of remittance of fee (Draft / IPO):

Amount (in Rs.)	DD / Cheque / Cash	No. & Date	Name of the Bank

Signature of the authorised representative of the applicants

(Name in Block Capitals)

Correspondence address: \_\_\_\_\_

Place: \_\_\_\_\_ Dated: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM I-A****Approval of Name***[See sub-rule (2) of rule 3]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

From

District Registrar of Societies, \_\_\_\_\_

To

\_\_\_\_\_

Memo No. \_\_\_\_\_ Dated: \_\_\_\_\_

**Subject: Approval of name of the Society.**

Dear Sir,

Kindly refer to your application dated \_\_\_\_\_ for approval of name of your proposed Society. Having examined the same, I am pleased to inform you that the following name has been approved against your application, namely: —

\_\_\_\_\_

2. This approval shall remain valid for a period of 180 days from the date of issue of this letter, whereafter the same shall lapse.
3. Accordingly, you may take further necessary steps for the registration of the Society within a period of 180 days from the date of issue of this letter.

(sd/-)

(Name of the authorised officer / official)

for District Registrar \_\_\_\_\_.

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM II****Application for Registration of Society**

[See rule 4]

**GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

From: \_\_\_\_\_

To: The District Registrar of Societies, \_\_\_\_\_.

**Subject: Application for registration of a Society under the Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

Pursuant to approval of the name of our Society intimated vide your office letter No. \_\_\_\_\_ dated \_\_\_\_\_, we have formed the said Society named as \_\_\_\_\_ on \_\_\_\_\_.

2. I enclose herewith the following documents: —

- (i) Copy of name approval letter;
- (ii) Memorandum of Association;
- (iii) Bye-laws of the Society;
- (iv) List of members of the Society along with address;
- (v) Copy of resolution of the Society authorising the undersigned to submit this application;
- (vi) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the registration fee.

3. I am a member of the Governing Body / Managing Committee / Executive Committee (strike out whatever is not applicable) of the Society and have been duly authorised in this behalf by the Society.

4. It is certified that the Memorandum and the Bye-laws of the Society, as being presented before you, are conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules framed thereunder.

5. It is further certified that the registered office of the Society shall be as under, and all future correspondence may be addressed to the Society at its said registered address —

- Name & complete address of the Society with PIN code;
- Name and contact details (Tel. No. and Email ID of the Society / authorised signatory).

6. Accordingly, it is requested that the Society may be registered and the Certificate of Registration issued.

(Signature of the applicant)

(Name of the Applicant)

Address: \_\_\_\_\_

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM III****Certificate of Registration to be issued under section 9(1) of the Haryana Registration and Regulation of Societies Act, 2012***[See rule 5 and rule 6]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT****CERTIFICATE OF REGISTRATION**

Certificate of Registration of Society

I hereby certify that a Society bearing the Registration Number and name as undermentioned has been registered this \_\_\_\_ day \_\_\_\_ month \_\_\_\_ year under the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No. 1 of 2012).

State Code	District Code	Year of Registration	Registration Number
HR			

Name of the Society	Registered Office Address

Issued under my hand at \_\_\_\_\_ this \_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the District Registrar)

Seal: Station:



\_\_\_\_\_  
Signature of the District Registrar  
(Authorised Officer for and on behalf of  
the Registrar General of Societies, Haryana)

**FORM IV****Index of Register of Societies maintained by the District Registrar under section 9(1)***[See sub-rule (1) of rule 7]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

Form of Index to the Register of Societies

<b>Sr. No.</b>	<b>Name of the Society</b>	<b>Date of Registration</b>	<b>Registration Number</b>	<b>Volume and Page No. of the Register of Societies</b>

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM V****Register of Societies maintained by District Registrar under section 9(1)***[See sub-rule (2) of rule 7]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

Format of the page(s) assigned to a Society in the Register of Societies

1. Serial No. (as in the Index): \_\_\_\_\_
2. Name of the Society: \_\_\_\_\_
3. Registration No.: \_\_\_\_\_
4. Date of Registration: \_\_\_\_\_
5. Address of the Registered Office: \_\_\_\_\_
6. Main Objects: \_\_\_\_\_
7. Date of first meeting of General Body: \_\_\_\_\_
8. Number of members of the General Body: \_\_\_\_\_
9. Number of Members of the Governing Body: \_\_\_\_\_

Details of Documents Registered or Filed:

Date	Serial number and year	Name of document	Whether registered and taken on record or rejected	Name and signatures of the District Registrar or his authorised officer

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM VI

### Application for allotment of new registration number by an existing Society under section 9(4)

*[See sub-rule (1) of rule 8]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: \_\_\_\_\_

To: The District Registrar of Societies, \_\_\_\_\_.

No. \_\_\_\_\_ Dated: \_\_\_\_\_

**Subject: Application for allotment of new registration number to the existing Society under the Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

Pursuant to the provisions of section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012, I \_\_\_\_\_, President / Secretary of \_\_\_\_\_ Society having registration No. \_\_\_\_\_ dated \_\_\_\_\_, duly authorised by the Governing Body of the Society vide resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby apply for allotment of a new registration number.

2. I enclose herewith the following documents, namely: —

- (i) An attested copy of the registration certificate;
- (ii) Memorandum of Association (old or new or both as applicable);
- (iii) Bye-laws of the Society;
- (iv) List of members of the Society;
- (v) List of members of the Governing Body;
- (vi) Copies of audited balance sheet / annual accounts for the last three financial years;
- (vii) Copy of resolution of the Society authorising the applicant to submit this application;
- (viii) Copy of the Treasury Receipt / Voucher dated \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards fee (required to be paid only if this application is being filed after expiry of one year from the date of coming into force of the Act).

3. It is certified that the Memorandum and the Bye-laws of the Society, as being presented before you, are conforming to the model bye-laws and the provisions of the Act.

4. It is further certified that the registered office of the Society shall be as under, and all future correspondence may be addressed to the Society at its said registered address.

5. It is requested that the Society may be allotted a new registration number and a fresh Certificate of Registration be issued.

(Signature of the applicant)

(Name of the Applicant)

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM VII****Revised Certificate of Registration issued under section 9(4) upon allotment of a new registration number***[See sub-rule (2) of rule 8]*

GOVERNMENT OF HARYANA · INDUSTRIES &amp; COMMERCE DEPARTMENT

**REVISED CERTIFICATE OF REGISTRATION**

## Revised Certificate of Registration of Society

I hereby certify that \_\_\_\_\_ (name of the society), registered vide registration number \_\_\_\_\_ on \_\_\_\_\_, registered with District Registrar \_\_\_\_\_, has been allotted a new Registration Number as undermentioned on this \_\_\_\_ day \_\_\_\_ month \_\_\_\_ year under the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No. 1 of 2012).

State Code	District Code	Year of Registration	Registration Number
HR			

Issued under my hand at \_\_\_\_\_ this \_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the District Registrar)

Address: \_\_\_\_\_

Seal: Station:



\_\_\_\_\_  
Signature of the District Registrar  
(Authorised Officer for and on behalf of  
the Registrar General of Societies, Haryana)

## FORM VIII

### Notice of Change of the Registered Office of the Society (within the district) under section 11

*[See sub-rule (a)(1) of rule 9]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: \_\_\_\_\_

To: The District Registrar, \_\_\_\_\_ (Station).

Sir,

You are hereby informed in terms of sub-section (2) of section 11 of the Haryana Registration and Regulation of Societies Act, 2012 that the registered office of \_\_\_\_\_ Society has been changed from \_\_\_\_\_ (complete address as recorded in the office of the District Registrar) to \_\_\_\_\_ (complete new address) with effect from \_\_\_\_\_ as per the resolution bearing No. \_\_\_\_\_ dated \_\_\_\_\_ of the Governing Body of the Society.

2. I am enclosing herewith the following documents: —

- (i) Resolution of the Governing Body;
- (ii) Certificate of Registration in original;
- (iii) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. You are requested to take note of the change in the registered office address of the Society and make all future correspondence at the new address notified now.

Signature of the authorised person

(Name and Designation of the signatory in relation to the Society)

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

#### Signature of Applicant

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM VIII-A

### Application for change of the Registered Office of the Society (outside the district) under section 11

*[See sub-rule (b)(1) of rule 9]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: \_\_\_\_\_

To: The District Registrar of Societies, \_\_\_\_\_ (Station).

Dated: \_\_\_\_\_

**Subject: Application for change of the registered office of the Society (outside the district).**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the Society), duly authorised by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby submit the application for change of registered office of the Society from \_\_\_\_\_ district to \_\_\_\_\_ district under section 11 of the Act, as per details given below: —  
Particulars of the Society

Sr.	Particulars	To be filled in
1	<b>Name of the Society</b>	
2	<b>Registered Office Address</b>	
3	<b>Registration Number</b>	
4	<b>Date of Registration</b>	
5	<b>Date of Meeting of the Governing Body</b>	
6	<b>Date of Meeting of General Body / Collegium</b>	
7	<b>Reason for change of registered office</b>	
8	<b>District in which the registered office is proposed to be changed</b>	
9	<b>Complete address of the registered office in the new district after change</b>	

2. I enclose herewith the following documents: —

- (i) Certificate of Registration in original;
- (ii) Copy of the resolution passed by the Governing Body;
- (iii) Proof of location and the Society's right to use such place as its registered office in the new district;
- (iv) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

- 3. It is certified that the change of registered office of the Society is conforming to the provisions of the Act and the rules framed thereunder.
- 4. It is further certified that the registered office of the Society changed outside the district shall be as under, and all future correspondence may be addressed to the Society at its said registered office address.
- 5. Accordingly, it is requested that the change of registered office of the Society from district \_\_\_\_\_ to the district \_\_\_\_\_ may be considered for recommendation to your counterpart in the new district for issue of the requisite certificate.

(Signature of the applicant)

(Name of the Applicant)

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM VIII-B

### No Objection Certificate and endorsement for change of the Registered Office under section 11

*[See sub-rule (b)(2) of rule 9]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: District Registrar, \_\_\_\_\_  
 To: The District Registrar, \_\_\_\_\_.  
 Memo No. \_\_\_\_\_ Dated: \_\_\_\_\_

**Subject: Application of \_\_\_\_\_ (Society's name) for change of its registered office from \_\_\_\_\_ to \_\_\_\_\_: regarding.**

Dear Sir,

This is with reference to the application dated \_\_\_\_\_ submitted by \_\_\_\_\_ Society for change of its registered office from \_\_\_\_\_ (exact address) to \_\_\_\_\_, which is situated in your jurisdiction.

2. Having verified the details and particulars of the applicant Society and the status of the documents filed by them in this office, we hereby issue a "No Objection" to the Society's application and endorse the same for further necessary action at your end. The original file of the said Society containing \_\_\_\_\_ pages is sent herewith. This document file contains the following latest documents filed by the Society in this office —
- (i) Registration Certificate in original;
  - (ii) MOA of the Society;
  - (iii) Bye-laws of the Society as amended till date;
  - (iv) Register of members of the Society as per the latest filing dated \_\_\_\_\_;
  - (v) Particulars of the office-bearers and members of the Governing Body as per the latest filing dated \_\_\_\_\_;
  - (vi) Any other documents (please specify).
3. You are requested to take the same on record, under acknowledgement to this office, take note of the new registered office of the Society and issue a fresh Certificate of Registration in accordance with the provisions of the Act and the rules made thereunder. This office will strike its name from the register of societies maintained by us only after a new Certificate of Registration is issued by your office.

\_\_\_\_\_  
 (Signature of the District Registrar)

Seal: Station:

Endst. No. \_\_\_\_\_ Dated: \_\_\_\_\_

A copy of the covering letter is forwarded to \_\_\_\_\_ (Applicant) for their kind information and further necessary action.

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM VIII-C****New Certificate of Registration consequent upon change of Registered Office from one district to another***[See sub-rule (b)(3) of rule 9]*

GOVERNMENT OF HARYANA · INDUSTRIES &amp; COMMERCE DEPARTMENT

**CERTIFICATE OF CHANGE OF REGISTERED OFFICE**

Certificate of Change of Registered Office from one district to another

It is hereby certified that \_\_\_\_\_ (name of the Society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ at \_\_\_\_\_ (address of the registered office), district \_\_\_\_\_, under section 9(1), and allotted new registration number \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012, and having complied with the provisions of rule 9(b), the registered office of the Society is hereby accepted to be changed to \_\_\_\_\_.

Consequent upon the change of the registered office of the said Society, its new registration number will be as under —

State Code	District Code	Year of Registration	Registration Number
HR			

Existing Registration Number retained: \_\_\_\_\_

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

Date: \_\_\_\_\_ Place: \_\_\_\_\_

\_\_\_\_\_  
 (Signature of the District Registrar)  
 (of the new district)

\_\_\_\_\_  
 Signature of the District Registrar  
 (Authorised Officer for and on behalf of  
 the Registrar General of Societies, Haryana)



**SEAL**

**FORM IX****Application for change of name of the Society under section 12(1)***[See rule 10(a)(2) / (b)(3)]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

From: \_\_\_\_\_

To: The District Registrar of Societies, \_\_\_\_\_ (Station).

Dated: \_\_\_\_\_

**Subject: Application for change of name of the Society under section 12(1).**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the Society), duly authorised by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby apply for change of name of the Society under section 12(1) of the Act, as per details given below: —

Sr.	Particulars	To be filled in
1	<b>Name of the Society</b>	
2	<b>Registered Office Address</b>	
3	<b>Registration Number</b>	
4	<b>Date of Registration</b>	
5	<b>Date of Meeting of the Governing Body</b>	
6	<b>Date of Meeting of General Body / Collegium</b>	
7	<b>Reason in brief for change of name: (a) by the Society of its own / (b) by the order of Registrar</b>	
8	<b>Reference number and date vide which the proposed name has been approved</b>	
9	<b>New name as approved</b>	

2. I enclose herewith the following documents: —

- (i) Certificate of Registration in original;
- (ii) True copy of resolution passed by the Governing Body;
- (iii) True copy of special resolution passed by the General Body;
- (iv) True copy of the new name approval letter;
- (v) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the change of name of the Society is conforming to the provisions of the Act.

4. It is further certified that, pursuant to the approval granted by you, the Society shall be known by the new name with its registered office as under.

5. Accordingly, it is requested that the change of name of the Society from \_\_\_\_\_ to \_\_\_\_\_ may be approved and the necessary Certificate be issued.

Date: \_\_\_\_\_ Place: \_\_\_\_\_

(Signature of the applicant)

(Name of the Applicant)

Place: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM IX-A****Certificate of Registration under section 12(2) consequent upon change of name by the Society of its own***[See rule 10(a)(2)]*

GOVERNMENT OF HARYANA · INDUSTRIES &amp; COMMERCE DEPARTMENT

**CERTIFICATE OF REGISTRATION ON CHANGE OF NAME**

## Registration Certificate upon Change of Name

It is hereby certified that \_\_\_\_\_ (name of the Society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Act, and having duly passed a special resolution in terms of section 12(1) of the Act, the name of the Society is hereby changed to \_\_\_\_\_.

2. Accordingly, the original Certificate of Registration shall be substituted by this Certificate from the date of issue: —

State Code	District Code	Year of Registration	Registration Number
HR			

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

Place: \_\_\_\_\_

\_\_\_\_\_  
(Signature of the District Registrar)

\_\_\_\_\_  
Signature of the District Registrar  
(Authorised Officer for and on behalf of  
the Registrar General of Societies, Haryana)

SEAL

**FORM IX-B****Certificate of Registration under section 13(1) consequent upon change of name by the order of the Registrar***[See rule 10(b)(3)]*

GOVERNMENT OF HARYANA · INDUSTRIES &amp; COMMERCE DEPARTMENT

**CERTIFICATE OF REGISTRATION ON CHANGE OF NAME (BY ORDER)**

## Registration Certificate upon Change of Name

It is hereby certified that \_\_\_\_\_ (name of the Society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Act, was directed by the Registrar of Societies to change its name vide his orders bearing No. \_\_\_\_\_ dated \_\_\_\_\_.

2. That acting upon the directions of the Registrar of Societies, the said Society has resolved to change its name from \_\_\_\_\_ to \_\_\_\_\_.

3. Accordingly, the original Certificate of Registration will be substituted by this Certificate from the date of issue: —

State Code	District Code	Year of Registration	Registration Number
HR			

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

Place: \_\_\_\_\_

\_\_\_\_\_  
(Signature of the District Registrar)

\_\_\_\_\_  
Signature of the District Registrar  
(Authorised Officer for and on behalf of  
the Registrar General of Societies, Haryana)

SEAL

**FORM X****Application Form for Membership of a Society**

[See rule 11(1)]

**GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

To  
The President / Secretary,

**Subject: Application for admission as a member of the \_\_\_\_\_ Society.**

Dear Sir,

I wish to apply for admission as a member of \_\_\_\_\_ Society. My brief particulars are as under:

Sr.	Particulars	To be filled in
1	<b>Name of the Applicant</b>	
2	<b>Father's / Husband's Name</b>	
3	<b>Permanent Address</b>	
4	<b>Correspondence Address</b>	
5	<b>Date of Birth</b>	
6	<b>Occupation</b>	
7	<b>Phone No. with Code</b>	
8	<b>Email ID</b>	
9	<b>PAN No. (attach self-attested copy, if available)</b>	
10	<b>Caste, where membership is restricted to a caste or community (attach Caste Certificate)</b>	

2. I certify that: —

- (i) I unconditionally subscribe to the aims and objects of the Society and shall contribute towards attainment of the same.
- (ii) I will abide by the bye-laws of the Society, as applicable and amended from time to time.
- (iii) I have not been convicted of an offence involving moral turpitude involving imprisonment.

3. I am enclosing herewith the following documents: —

- (i) Copy of \_\_\_\_\_ towards proof of identity;

- (ii) Copy of \_\_\_\_\_ towards proof of address;
- (iii) Copy of \_\_\_\_\_ towards proof of date of birth;
- (iv) Copy of the Caste Certificate (where required);
- (v) DD / Pay Order / Cheque No. \_\_\_\_\_ dated \_\_\_\_\_ for Rs. \_\_\_\_\_ drawn in favour of \_\_\_\_\_ towards membership fee;
- (vi) DD / Pay Order / Cheque No. \_\_\_\_\_ dated \_\_\_\_\_ for Rs. \_\_\_\_\_ drawn in favour of \_\_\_\_\_ towards annual subscription for the year \_\_\_\_\_;
- (vii) Two passport-size and one stamp-size photograph.

4. I request you to kindly admit me as a \_\_\_\_\_ (type of membership) member of the Society.

Thanking you,  
Yours faithfully,

Dated: \_\_\_\_\_ Place: \_\_\_\_\_

(Signature of the Applicant)

**B. Recommendation of a regular member of the Society (if provided in the bye-laws):**

I recommend admission of Sh. \_\_\_\_\_ s/o \_\_\_\_\_, aged \_\_\_\_\_ years, r/o \_\_\_\_\_, as Ordinary / Life Member of the Society.

Signature of the Member Name: \_\_\_\_\_ Membership No.: \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

**C. Decision of the Governing Body:**

Sh. \_\_\_\_\_ s/o \_\_\_\_\_, aged \_\_\_\_\_ years, r/o \_\_\_\_\_, is admitted as Ordinary / Life Member of the Society w.e.f. \_\_\_\_\_ under membership No. \_\_\_\_\_, vide resolution bearing No. \_\_\_\_\_ in the meeting of the Governing Body held on \_\_\_\_\_. He may be issued an identity card of the Society and his name may be entered in the Register of Members.

Secretary / President

Dated: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

# FORM XI

## Particulars to be contained in the Identity Card under section 17

*[See sub-rule (2) of rule 11]*

### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

Name of the Society (with logo, if any)

IDENTITY CARD

I-Card No.	
Type of Membership	
Date of Birth	
Name	
S/o or W/o	
Address	
Membership No.	
Date of Issue	
Valid up to	

Holder's Signature Authorised Signatory of the Society

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM XII****Register of Members under section 18***[See rule 12]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

1. Name of the Society: \_\_\_\_\_
2. Regd. Office Address: \_\_\_\_\_
3. Date of Registration: \_\_\_\_\_
4. Registration Number: \_\_\_\_\_

Register of Members of the Society

Sr. No.	Name of member	Father's / Husband's name	Membership No.	Type of Membership	Full address	Occupation	Date of enrolment	Caste	Date of resignation / removal	Remarks / Sign. & date

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

**FORM XIII****Register of Electoral Colleges under section 18***[See rule 12]***GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT**

1. Name of the Society: \_\_\_\_\_  
 2. Regd. Office Address: \_\_\_\_\_  
 3. Date of Registration: \_\_\_\_\_  
 4. Registration Number: \_\_\_\_\_  
 5. No. of Electoral Colleges: \_\_\_\_\_

Register of Electoral Colleges

<b>Sr. No.</b>	<b>Identity / Particulars of the Electoral College</b>	<b>No. of Members in the Electoral College</b>	<b>Name of the Member</b>	<b>Father's / Husband's name</b>	<b>Membership No.</b>

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XIV

### Register of Members of the Collegium under section 30(3)

*[See rule 12]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

1. Name of the Society: \_\_\_\_\_

2. Registered Office Address: \_\_\_\_\_

3. Date of Registration: \_\_\_\_\_

4. Registration Number: \_\_\_\_\_

Date of Election to the Collegium: \_\_\_\_\_ Date till when the term of the Collegium: \_\_\_\_\_

Sr. No.	Particulars of the Electoral College	Name of the Elected Member	Membership No. of the Elected Member	Date of cessation of Membership of the Collegium, if any

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XV

### List of members of the Society along with changes therein to be filed with District Registrar under section 18(3)

[See rule 13]

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

List of members and changes therein during the year \_\_\_\_\_.

1. Name of the Society: \_\_\_\_\_
2. Registered Office Address: \_\_\_\_\_
3. Registration No.: \_\_\_\_\_
4. Maximum limit of the number of members of the Society in its bye-laws, if any: \_\_\_\_\_

**A. List of members as submitted for the previous year ending March \_\_\_\_\_:**

Sr. No.	Name of the Member	Membership No.	Full address of the member	Occupation	Date of enrolment

**B. List of members who ceased to be members during the year:**

Sr. No.	Name of the Member	Membership No.	Date of cessation of membership	Reasons (Death / Resignation / Removal)	Remarks

**C. List of persons admitted as new members during the year after the last filing:**

Sr. No.	Name of the Member	Membership No.	Date of Birth	Date of admission	Occupation	Full address

5. This is to certify that —

- (i) the members who have been included and / or whose name(s) has / have been deleted in the register of members during the year \_\_\_\_\_ are as per the provisions of the bye-laws of the Society and the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder;
- (ii) the total number of members is within the limit specified in the bye-laws of the Society;

(iii) there are no other changes in the register of members during the year \_\_\_\_\_, and the above list is as per the Register of Members maintained by the Society under section 18 of the Act.

Filed by:

Sign. (Secretary): \_\_\_\_\_ Sign. (President): \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XVI

### Application for amendment in the Memorandum and Bye-laws under section 26(3)

*[See sub-rule (2) of rule 17]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: \_\_\_\_\_

To: The District Registrar of Societies, \_\_\_\_\_ (Station).

Dated: \_\_\_\_\_

**Subject: Application for amendment in the Memorandum and Bye-laws of the Society under section 26(1) of the Act.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the Society), duly authorised by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby file the application for amendment in the Memorandum and Bye-laws of the Society under section 26(1) of the Act, as per details given below: —

Sr.	Particulars	To be filled in
1	<b>Name of the Society</b>	
2	<b>Registered Office Address</b>	
3	<b>Registration Number</b>	
4	<b>Date of Registration</b>	
5	<b>Date of Meeting of the Governing Body</b>	
6	<b>Date of Meeting of General Body / Collegium</b>	
7	<b>Reason in brief for change in Memorandum / Bye-laws: (a) by the Society of its own / (b) by the order of Registrar</b>	
8	<b>Particulars of changes proposed (give details of the clauses deleted, amended and added; attach an extra sheet if required)</b>	

S. No.	Clauses deleted	Clauses amended	Clauses added

2. I enclose herewith the following documents, namely: —

- (i) Attested copy of Certificate of Registration;
- (ii) Copies of resolutions passed by the Governing Body;
- (iii) Copies of special resolutions passed by the General Body;
- (iv) Attested copies of Memorandum / Bye-laws before the proposed amendment;
- (v) Attested copies of Memorandum / Bye-laws after the proposed amendment;
- (vi) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the proposed amendment is conforming to the provisions of the Act.

4. Accordingly, it is requested that the amendment in the Memorandum / Bye-laws of the Society as requested for may be taken on record and the necessary Certificate may be issued.

(Signature of the applicant)

(Name of the Applicant)

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

# FORM XVI-A

## Certificate of amendment in Memorandum / Bye-laws under section 26(3)

[See rule 17(3)]

GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

## CERTIFICATE OF AMENDMENT

Certificate of amendment in the Memorandum / Bye-laws of the Society

I hereby certify that \_\_\_\_\_ (name of the Society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Act, and having duly passed a special resolution in terms of section 26(1) of the Act, the approval to the amendment in Memorandum / Bye-laws of the Society is hereby granted as under —

S. No.	Clauses deleted	Clauses amended	Clauses added

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the District Registrar)

Place: \_\_\_\_\_



\_\_\_\_\_  
Signature of the District Registrar  
(Authorised Officer for and on behalf of  
the Registrar General of Societies, Haryana)

## FORM XVII

### Register of the Office-bearers and Members of the Governing Body under section 33(4)(i)

*[See sub-rule (1) of rule 19]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

1. Name of the Society: \_\_\_\_\_
2. Registration No. & Date: \_\_\_\_\_
3. Registered Office Address of the Society: \_\_\_\_\_
4. Date of Election of the Governing Body: \_\_\_\_\_
5. Elections valid till: \_\_\_\_\_

Register of Office-bearers and Members of the Governing Body

Sr. No.	Name of office-bearer / member	Membership No.	Designation	Date of appointment	Full address	Remarks

The above particulars are certified to be correct as per the records of the Society.

Sign. (Secretary): \_\_\_\_\_ Sign. (President): \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XVII-A

### Change in the Office-bearers and Members of the Governing Body under section 33(4)(ii)

*[See sub-rule (2) of rule 19]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

1. Name of the Society: \_\_\_\_\_
2. Registration No. and Date: \_\_\_\_\_
3. Registered Office Address of the Society: \_\_\_\_\_
4. Date of Election of the Governing Body: \_\_\_\_\_
5. Elections valid till: \_\_\_\_\_

Change in the constitution of the Governing Body during the term, if any

Sr. No.	Name of office-bearer / member	Membership No.	Designation	Date of appointment / cessation / removal	Reasons

Sign. (Secretary): \_\_\_\_\_ Sign. (President): \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

#### Signature of Applicant

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XVII-B

### Office-bearers and members of the Governing Body and changes therein to be filed along with Annual Return under section 33(4)(iii)

*[See sub-rule (3) of rule 19]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

1. Filing for the Year ending March \_\_\_\_\_
2. Name & address of the Society: \_\_\_\_\_
3. Registration No. and Date: \_\_\_\_\_
4. Registered Office address: \_\_\_\_\_

#### A. Details of the office-bearers and members of the Society as on 31st March of the previous year:

Sr. No.	Name of office-bearer / member	Membership No.	Designation (Office-bearer / Member)	Full address	Remarks

#### B. Appointments to the Governing Body during the year:

Sr. No.	Name	Membership No.	Designation	Full address	Date of Appointment

#### C. Removals from the Governing Body during the year:

Sr. No.	Name	Membership No.	Designation	Date of Removal	Reasons

Sign. (Secretary): \_\_\_\_\_ Sign. (President): \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## FORM XVIII

### Application for Amalgamation / Division of a Society under section 51(1)

*[See sub-rule (2) of rule 25]*

#### GOVERNMENT OF HARYANA · INDUSTRIES & COMMERCE DEPARTMENT

From: \_\_\_\_\_

To: The Registrar of Societies, First Floor, 30 Bays Building, Sector 17, Chandigarh.

Through the District Registrar \_\_\_\_\_

Dated: \_\_\_\_\_

**Subject: Application for Amalgamation / Division of a Society under the Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the Society), duly authorised by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby file the application for amalgamation / division of the Society as per details given below: —

**A. In case of amalgamation of two or more societies:**

Sr. No.	Name of the Society	Regn. No.	Date of Regn.	Registered Office Address	Date of Meeting of GB / Collegium / Administrator's recs.

4. Name of the Society after amalgamation as approved by the District Registrar: \_\_\_\_\_

5. Registered Office of the Society after amalgamation: \_\_\_\_\_

**B. In case of Division of a Society — Particulars of the Society to be sub-divided:**

Sr.	Particulars	To be filled in
1	<b>Name of the Society</b>	
2	<b>Registered Office Address</b>	
3	<b>Registration Number</b>	
4	<b>Date of Registration</b>	

Sr.	Particulars	To be filled in
5	<b>Date of Meeting of the Governing Body</b>	
6	<b>Date of Meeting of General Body / Collegium</b>	

Particulars of the Sub-divided Societies:

Sr. No.	Proposed Names of the Society after Division	Regd. Office Address

\*Fill up either Part "A" or Part "B" as the case may be.

2. I enclose herewith the following documents: —

- (i) Copies of resolutions passed by the Governing Bodies of each of the Societies;
- (ii) Copies of special resolutions passed by the General Body / Collegium of each of the Societies;
- (iii) Scheme of amalgamation / division duly approved by the General Body / Collegium of each of the Societies;
- (iv) Treasury Challan / Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the scheme of amalgamation / division of the Society is conforming to the provisions of the Act.

4. It is further certified that the registered office of the new Society after amalgamation / sub-division shall be as under, and all future correspondence may be addressed to the Society at its said registered office address.

5. Accordingly, it is requested that the scheme of amalgamation / division of the Society may be approved and the necessary Certificate may be issued.

(Signature of the applicant)

(Name of the Applicant)

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant**

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

## **ANNEXURE**



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### *The HRRS (Amendment) Act, 2014*

Haryana Act No. 14 of 2014 - 2nd April, 2014

***The Haryana Registration and Regulation of Societies (Amendment)  
Act, 2014***

***Haryana Act No. 14 of 2014***

***hl650***

***Part-I***

**Haryana Government**

Law and Legislative Department

**Notification**

The 2nd April, 2014

**No. Leg. 17/2014.** - The following Act of the Legislature of the State of Haryana received the Assent of the Governor of Haryana on the 25th March, 2014, and is hereby published for general information :-

An Act further to amend the Haryana Registration and Regulation of Societies Act, 2012.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fifth Year of the Republic of India as follows:-

**1. Short title and commencement.** - (1) This Act may be called the Haryana Registration and Regulation of Societies (Amendment) Act, 2014.

(2) It shall be deemed to have come into force with effect from the 26th March, 2012.

**2. Amendment of section 32 of Haryana Act 1 of 2012.** - In section 32 of the Haryana Registration and Regulation of Societies Act, 2012,-

(a) in sub-section (1)-

(i) in the proviso, for the sign "." existing at the end, the sign ":" shall be substituted;

(ii) after the existing proviso, the following proviso shall be added, namely:-

"Provided further that if on redetermination of the membership, the number of members is restricted to three hundred or less, the same shall constitute General Body of the Society."; and

(b) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) Where the membership of a Society under clause (i) or (ii) of sub-section (1) exceeds three hundred, the Governing Body shall prepare a scheme of determination of the electoral colleges in accordance with

such principles, as may be prescribed, for holding elections to the Collegium and place the same for consideration of its members as a special resolution with consequential amendments to its bye-laws."

## ANNEXURE



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### *The HRRS (Amendment) Act, 2015*

Bill No. 10-HLA of 2015 - 1st September, 2015



# Haryana Government Gazette

## EXTRAORDINARY

Published by Authority

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156-2015/Ext.] CHANDIGARH, TUESDAY, SEPTEMBER 1, 2015 (BHADRA 10, 1937 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

### Notification

The 1st September, 2015

**No.10-HLA of 2015/72/13694.**— The Haryana Registration and Regulation of Societies (Amendment) Bill, 2015, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :-

**Bill No. 10- HLA of 2015.**

### THE HARYANA REGISTRATION AND REGULATION OF SOCIETIES (AMENDMENT) BILL, 2015

A

### BILL

*further to amend the Haryana Registration and Regulation of Societies Act, 2012.*

Be it enacted by the Legislature of the State of Haryana in the Sixty-sixth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Registration and Regulation of Societies (Amendment) Act, 2015. Short title.

2. In clause (iii) of section 2 of the Haryana Registration and Regulation of Societies Act, 2012 (hereinafter called the principal Act), for the words “three hundred”, the words “five hundred” shall be substituted. Amendment of section 2 of Haryana Act 1 of 2012.

3. For sub-section (1) of section 30 of the principal Act, the following sub-section shall be substituted, namely:- Amendment of section 30 of Haryana Act 1 of 2012.

“(1) A society consisting of more than five hundred members, unless it is divided into two or more Societies or opts to re-determine and revise its membership in accordance with clause (ii) of sub-section (1) of section 32 and sub-section (2) of section 51, shall constitute a Collegium consisting of not less than twenty-one and not more than three hundred members in accordance with its Bye-laws. The status of a Collegium in this case shall be the same in all respects as that of the General Body of a Society comprising of not more than five hundred members.”.

Amendment of  
Section 32 of  
Haryana Act 1 of  
2012.

4. In section 32 of the principal Act,-
- (i) for sub-section (1), the following sub-section shall be substituted, namely:-
- “(1) Where a Society, registered prior to the coming into force of the Act, consists of more than five hundred members, it shall convene a meeting of its members to consider and resolve through a special resolution at least six months before the due date for election of Governing Body,-
- (i) to continue with the present number of members; or
- (ii) re-determine the number of members of the General Body by prescription of a revised criteria, including membership fee and annual subscription or special additional charges:
- Provided that in case the number of members opting for any such revised criterion exceeds five hundred, the membership may be decided by draw of lots:
- Provided further that if on redetermination of the membership, the number of members is restricted to five hundred or less, the same shall constitute General Body of the Society.”;
- (ii) for sub-section (3), the following sub-section shall be substituted, namely:-
- “(3) Where the membership of a Society under clause (i) or (ii) of sub-section (1) exceeds five hundred, the Governing Body shall prepare a scheme of determination of the electoral colleges in accordance with the principles, as may be prescribed for holding elections to the collegiums and place the same for reconsideration of its members as a special resolution with consequential amendment to its Bye-laws.”.

Repeal and  
savings.

5. (1) The Haryana Registration and Regulation of Societies (Amendment) Ordinance, 2015 (Haryana Ordinance No. 4 of 2015), is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

**STATEMENT OF OBJECTS AND REASONS**

The Scheme of formation of Collegium was incorporated under the Haryana Registration & Regulation of Societies Act, 2012. The two-tier system was introduced with an objective to overcome the issue related to canvassing among huge number of members for contesting the elections of the Governing Body of the Society and difficulty being faced on account of quorum in the meeting of General Body in case of large Societies. The status of a Collegium in such a case is same as that of General Body of a Society comprising of not more than three hundred members.

According to Section 2(iii) of the Haryana Registration & Regulation of Societies Act, 2012, the "Collegium" means an intermediate body consisting of elected representative of members of a society and required to be constituted in cases where the number of members exceeds three hundred. Further, the enabling provisions had been made under section 30(1), 32(1) and (3) for the societies having more than three hundred members.

A Society consisting of members in the General Body exceeding 300 members is required to conduct the elections of Collegium at the first stage and the Collegium members further elects the office bearers of the Governing Body. The Societies have represented to increase the minimum criteria of members required for constitution of the Collegium. If the criteria for formation of scheme of electoral colleges is increased from 300 members to more than 500 members, the existing as well as new small size of societies shall be able to conduct direct election of the Governing Body without constitution of collegium, which would be a relief to such Societies. It has been proposed that the minimum requirement of 300 members for constitution of Collegium be increased to 500 members in public interest. Sections 2(iii), 30(1), 32(1) and 32(3) of the Haryana Registration & Regulation of Societies Act, 2012 are proposed to be amended.

CAPTAIN ABHIMANYU,  
Industries & Commerce Minister, Haryana.

Chandigarh:  
The 1st September, 2015.

RAJENDER KUMAR NANDAL,  
Secretary.

[प्राधिकृत अनुवाद ]

2015 का विधेयक संख्या 10—एच.एल.ए.

हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन (संशोधन) विधेयक, 2015

हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन अधिनियम, 2012

को आगे संशोधित करने के लिए

विधेयक

भारत गणराज्य के छियासठवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

संक्षिप्त नाम।

1. यह अधिनियम हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन (संशोधन) अधिनियम, 2015, कहा जा सकता है।

2012 के हरियाणा अधिनियम 1 की धारा 2 का संशोधन।

2. हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन अधिनियम, 2012 (जिसे, इसमें, इसके बाद, मूल अधिनियम कहा गया है), की धारा 2 के खण्ड (iii) में, "तीन सौ", शब्दों के स्थान पर, "पांच सौ", शब्द प्रतिस्थापित किए जाएंगे।

2012 के हरियाणा अधिनियम 1 की धारा 30 का संशोधन।

3. मूल अधिनियम की धारा 30 की उपधारा (1) के स्थान पर, निम्नलिखित उपधारा प्रतिस्थापित की जाएगी, अर्थात् :-

"(1) पांच सौ से अधिक सदस्यों से मिलकर बनने वाली सोसाइटी, जब तक यह धारा 32 की उपधारा (1) के खण्ड (ii) तथा धारा 51 की उपधारा (2) के अनुसार दो या इससे अधिक सोसाइटियों में विभाजित नहीं की गई है या इसकी सदस्यता का पुनः अवधारण तथा पुनरीक्षित करने का विकल्प नहीं देती है, इसकी उप-विधियों के अनुसार कम से कम इक्कीस तथा अधिक से अधिक तीन सौ सदस्यों से मिलकर बनने वाले कॉलिजियम का गठन करेगी। इस मामले में कॉलिजियम की स्थिति हर प्रकार से उसी रूप में होगी जो पांच सौ से अनधिक सदस्यों को मिलाकर बनने वाली किसी सोसाइटी के सामान्य निकाय का रूप है।"

2012 के हरियाणा अधिनियम 1 की धारा 32 का संशोधन।

4. मूल अधिनियम की धारा 32 में,—

(i) उपधारा (1) के स्थान पर, निम्नलिखित उपधारा प्रतिस्थापित की जाएगी, अर्थात् :-

"(1) जहां अधिनियम के लागू होने से पूर्व पांच सौ से अधिक सदस्यों से मिलकर बनी सोसाइटी रजिस्ट्रीकृत है, वहां यह निम्नलिखित के संबंध में शासकीय निकाय के निर्वाचन के लिए नियत तिथि से कम से कम छह मास पूर्व विशेष संकल्प के माध्यम से विचार करने तथा निर्णय करने के लिए अपने सदस्यों की बैठक बुलाएगी,—

(i) सदस्यों की वर्तमान संख्या को बनाए रखने ; या

(ii) सदस्यता फीस तथा वार्षिक अंशदान या विशेष अतिरिक्त प्रभारों सहित पुनरीक्षित मापदण्ड के भोगाधिकार द्वारा सामान्य निकाय के सदस्यों की संख्या पुनः अवधारित करने :

परन्तु यदि किसी ऐसे पुनरीक्षित मापदण्ड के लिए विकल्प देने वाले सदस्यों की संख्या पांच सौ से अधिक है, तो सदस्यता ड्रा ऑफ लाट्स द्वारा विनिश्चित की जाएगी :

परन्तु यह और कि यदि सदस्यता के पुनः अवधारण पर, सदस्यों की संख्या पांच सौ या इससे कम तक सीमित है, तो वह सोसाइटी का सामान्य निकाय गठित करेगी।"

(ii) उपधारा (3) के स्थान पर, निम्नलिखित उपधारा प्रतिस्थापित की जाएगी, अर्थात् :-

"(3) जहां उपधारा (1) के खण्ड (i) अथवा (ii) के अधीन सोसाइटी की सदस्यता पांच सौ से अधिक है, वहां शासकीय निकाय कॉलिजियम के निर्वाचन को करवाने के लिए नियम, जो विहित किए जाएं, के अनुसार निर्वाचकगण के अवधारण की स्कीम तैयार करेगा तथा उसे इसकी उपविधियों के परिणामिक संशोधन सहित विशेष संकल्प के रूप में इसके सदस्यों के पुनर्विचार के लिए रखेगा।"

निरसन तथा व्यावृत्तियां।

5. (1) हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन (संशोधन) अध्यादेश, 2015 (2015 का हरियाणा अध्यादेश संख्या 4) इसके द्वारा निरसित किया जाता है।

(2) ऐसे निरसन के होते हुए भी, उक्त अध्यादेश के अधीन की गई कोई बात या की गई कोई कार्रवाई, इस अधिनियम के अधीन की गई कोई बात या की गई कोई कार्रवाई समझी जाएगी।

### उद्देश्यों एवं कारणों का विवरण

हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन विधेयक, 2012 में कॉलिजियम बनाने की स्कीम सम्मिलित की गई थी। यह व्यवस्था इस उद्देश्य के साथ लागू की गई थी कि ऐसी सोसाइटीज जिनके सदस्यों की संख्या बहुत अधिक है में शासकीय निकाय के चुनाव के दौरान बड़ी संख्या में सदस्यों में प्रचार करना तथा आम सभा की बैठक हेतु कौरम पूरा करने के लिए जो कठिनाइयां आती हैं, उनका समाधान किया जा सके। इस मामले में कॉलिजियम की स्थिति हर प्रकार से उसी रूप में होगी जो तीन सौ से अधिक सदस्यों को मिलाकर बनने वाली किसी सोसाइटी के सामान्य निकाय का रूप है।

हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन विधेयक, 2012 की धारा 2 (iii) के अनुसार कॉलिजियम से अभिप्राय है, किसी सोसायटी के सदस्यों के निर्वाचित प्रतिनिधियों से मिलकर बनने वाला मध्यवर्ती निकाय तथा ऐसे मामलों में गठित किए जाने के लिए अपेक्षित है जहां सदस्यों की संख्या तीन सौ से अधिक है। आगे भी, विधेयक की धारा 30(1), 32(1) एवं (3) के अन्तर्गत ऐसी सोसायटीज जिनके सदस्यों की संख्या 300 से अधिक है में सक्षम प्रावधान किया गया है।

सोसायटी जिसकी सामान्य निकाय के सदस्यों की संख्या 300 से अधिक है को प्रथम चरण में कॉलिजियम के लिए चुनाव करवाने की आवश्यकता होती है और यह कॉलिजियम सदस्य शासकीय निकाय पदाधिकारियों का चुनाव करते हैं। सोसायटीज द्वारा कॉलिजियम के गठन के लिए न्यूनतम निर्धारित मानदंड सदस्यों की संख्या को बढ़ाने के लिए प्रतिवेदन दिया गया है यदि कॉलिजियम के बनाने की योजना सदस्यों की संख्या को 300 से अधिक से बढ़ाकर 500 से अधिक कर दिया जाता है तो नई व मौजूदा सोसायटियों के द्वारा कॉलिजियम के गठन के बिना शासकीय निकाय का चुनाव करवाना सम्भव हो सकेगा जो कि इन सोसायटीज के लिए राहत होगी। अतः कॉलिजियम के गठन के लिए कम से कम 300 सदस्य की जगह 500 सदस्य करने का प्रस्ताव किया जाता है। इसके लिए हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन विधेयक, 2012 की धारा 2(iii), 30(1), 32(1) एवं 32(3) का संशोधन प्रस्तावित है।

कैप्टन अभिमन्यु,  
उद्योग एवं वाणिज्य मंत्री, हरियाणा।

चण्डीगढ़ :  
दिनांक 1 सितम्बर, 2015.

राजेन्द्र कुमार नांदल,  
सचिव।

## **ANNEXURE**



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### *The HRRS (Amendment) Rules, 2018*

Notification dated 22nd June, 2018



# Haryana Government Gazette

## EXTRAORDINARY

Published by Authority

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No. 104-2018/Ext.] CHANDIGARH, FRIDAY, JUNE 22, 2018 (ASADHA 1, 1940 SAKA)

हरियाणा सरकार

उद्योग तथा वाणिज्य विभाग

अधिसूचना

दिनांक 22 जून, 2018

संख्या 8/1/2018-4आई.बी.-गा.— हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन अधिनियम, 2012 (2012 का 1), की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन नियम, 2012, को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन (संशोधन) नियम, 2018, कहे जा सकते हैं।
2. हरियाणा सोसाइटी रजिस्ट्रीकरण तथा विनियमन नियम, 2012 (जिन्हें, इसमें, इसके बाद, उक्त नियम कहा गया है) में, नियम 8 में, उप-नियम (1) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात्:-

“(1) प्रत्येक विद्यमान सोसाइटी, अधिनियम के लागू होने की तिथि से दो वर्ष की अवधि के भीतर किसी फीस के बिना या अधिनियम की धारा 9 की उप-धारा (4) में अन्तर्विष्ट उपबन्धों के अनुसार परिशिष्ट-1 में अन्तर्विष्ट फीस की अनुसूची में निर्दिष्ट फीस के भुगतान पर आगामी सतावन मास तथा तीन दिन अर्थात् 31 दिसम्बर, 2018 तक, के भीतर प्ररूप-VI में नई रजिस्ट्रीकरण संख्या के आबंटन के लिए जिला रजिस्ट्रार को आवेदन करेगी। सोसाइटी जिला रजिस्ट्रार के पास आवेदन दायर करेगी तथा उसके सम्मुख प्रस्तुत किए जाने वाले अपेक्षित दस्तावेजों के साथ-साथ शासकीय निकाय द्वारा विधिवत प्राधिकृत पदाधिकारी से इस आशय का प्रमाण-पत्र भी प्रस्तुत करेगी कि सोसाइटी का ज्ञापन तथा उपविधियां अधिनियम तथा इसके अधीन बनाए गये नियमों के उपबन्धों के अनुरूप हैं”।

3. उक्त नियमों में, नियम 31 के बाद, निम्नलिखित नियम जोड़े जाएंगे, अर्थात्:-

“32. अन्तरण फीस का नियतन-सोसाइटी किसी अपार्टमेंट के विक्रय की दशा में, दस हजार रुपये से अधिक अन्तरण फीस प्रभारित नहीं करेगी और ऐसी सोसाइटी तदनुसार उपविधियां भी उपान्तरित करेगी और उपान्तरित उपविधियां जिला रजिस्ट्रार से अनुमोदित करवाई जाएंगी”।

“33. अनुरक्षण प्रभारों का नियतन-सोसाइटी सामूहिक क्षेत्र तथा सुविधाओं के अनुरक्षण के लिए अपार्टमेंट के आकार के आधार पर प्रभार नियत करेगी तथा ऐसी विद्यमान सोसाइटी तदनुसार उपविधियां भी उपान्तरित करेगी और उपान्तरित उपविधियां जिला रजिस्ट्रार से अनुमोदित करवाई जाएंगी”।

देवेन्दर सिंह,  
अपर मुख्य सचिव, हरियाणा सरकार,  
उद्योग तथा वाणिज्य विभाग।

**HARYANA GOVERNMENT**  
INDUSTRIES AND COMMERCE DEPARTMENT

**Notification**

The 22nd June, 2018

**No. 8/1/2018-4IB-II.**— In exercise of the powers conferred by section 87 of the Haryana Registration and Regulation of Societies Act, 2012(1 of 2012), the Governor of Haryana hereby makes the following rules further to amend the Haryana Registration and Regulation of Societies Rules, 2012, namely:-

1. These rules may be called the Haryana Registration and Regulation of Societies (Amendment) Rules, 2018.
2. In the Haryana Registration and Regulation of Societies Rules, 2012 (hereinafter called the said rules), in rule 8, for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) Every existing Society shall apply to the District Registrar for allotment of a new registration number in Form-VI within a period of two years from the date of coming into force of the Act without any fee or within next fifty seven months and three days *i.e.* upto the 31st December, 2018 on payment of fee set out in the Schedule of fees contained in Appendix-I in terms of provisions contained in sub-section (4) of section 9 of the Act. The Society shall file application and submit the requisite documents alongwith a certificate from the office bearer duly authorized by the Governing Body to the effect that the Memorandum and the Bye-laws of the Society, as being presented before the District Registrar, conform to the provisions of the Act and the rules made thereunder”.

3. In the said rules, after rule 31, the following rules shall be added, namely:-

“32. Fixation of transfer fee.- The Society shall not charge transfer fee not more than ten thousand rupees in case of sale of apartment and such society shall also modify the bye-laws accordingly and get the modified bye-laws approved from the District Registrar”.

“33. Fixation of maintenance charges.-The society shall fix the charges on the basis of size of apartment for maintenance of common area and facilities, as such, existing society shall also modify the bye-laws accordingly and get the modified bye-laws approved from the District Registrar.”

DEVENDER SINGH,  
Additional Chief Secretary to Government Haryana,  
Industries and Commerce Department.

**ANNEXURE**

# IV

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*The HRRS (Amendment) Rules, 2024*

Notification dated 15th October, 2024 (Summary)

# THE HARYANA REGISTRATION AND REGULATION OF SOCIETIES (AMENDMENT) RULES, 2024

Source: Haryana Government Gazette - Notification dated 15 October 2024  
Industries & Commerce Department, Government of Haryana

## Summary of Key Changes

Issued in exercise of powers under section 87 of the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act 1 of 2012), the State Government further amended the Haryana Registration and Regulation of Societies Rules, 2012.

### 1. Short Title

These rules may be called the Haryana Registration and Regulation of Societies (Amendment) Rules, 2024.

### 2. Amendment of Rule 8(1)

Rule 8(1) of the principal Rules - which prescribes the timeline within which every existing society must apply to the District Registrar for allotment of a new registration number in Form-VI - is substituted to grant an additional extension. Existing societies that had not yet obtained their new registration numbers within the windows allowed by the 2012 Rules (initial two-year free window) and the 2018 amendment (extended deadline of 31 December 2018) are given a further extended window, subject to payment of re-registration fees prescribed in the Schedule of Fees contained in Appendix-I of the 2012 Rules.

Societies must file the application with the District Registrar along with the requisite documents and a certificate from an authorised office-bearer certifying that the Society's Memorandum and Bye-laws conform to the provisions of the Act and the rules made thereunder.

### Purpose / Effect

The 2024 Amendment is procedural - it relaxes the deadline for legacy societies (those registered under the pre-2012 regime) to migrate to the new registration numbering and compliance framework under HRRS Act, 2012. It does not change the substantive obligations of societies; it only extends the timeline by which the re-registration window remains open on payment of the prescribed fee.

### Context

Many older societies (registered under the Societies Registration Act, 1860 as adopted in Haryana) had failed to re-register within the original two-year window allowed by the 2012 Act/Rules. The 2018 Amendment Rules extended the deadline up to 31 December 2018 on payment of fees. Subsequent extensions were granted by notification from time to time. The 2024 Amendment Rules formalise a further extension under Rule 8(1).

*[End of Annexure IV - summary based on official notification and secondary gazette reports]*