

"MESSAGE"

I congratulate the Secretary and Commissioner of Industries for his initiative in bringing out this "Booklet" containing updated guidelines and procedure for grant of registration of Societies under the Societies Registration Act, 1860, model Memorandum of Association (MoA) and Rules & Regulations (RRs) alongwith specimens of MoA and RR for guidance to general public and the prospective applicants.

I am happy to note that certain reforms, e.g. creation of Data Bank in respect of Societies already registered with the Registrar of Societies has been uploaded on the Web-Site of Govt. of Delhi. This will enable the general public and the prospective applicants to check the availability of names.

(MANGAT RAM SINGHAL)
MINISTER OF INDUSTRIES, LABOUR,
EMPLOYMENT, ELECTION AND LAND & BLDG.

"FORWARD"

The Societies Registration Act, 1860 was enacted for improving the legal condition of societies established for the promotion of literature, science, or the fine arts, or for the diffusion of useful knowledge or for charitable purposes. This Act is applicable to the National Capital Territory of Delhi.

The Registrar of Societies in the Industries Department grants registration to the charitable societies. Though certain reforms had been carried out but still there existed scope for further improvement, simplifications and streamlining the procedure for registration of societies. I am happy to note that the Commissioner of Industries has taken initiative for bringing out this booklet containing updated guidelines and procedure for grant of registration of societies under the said Act. The objective of bringing out this booklet is to make the system of grant of registration to the societies under the said Act transparent and eliminate unscrupulous elements.

Creation of data bank in respect of societies already registered with the Registrar of Societies and uploading the same on the website of Industries Department, Government of Delhi will enable the general public and prospective applicants to check the availability of names. Model – Memorandum of Association and Rules & Regulations and specimen of Memorandum of Association and Rules & Regulations given in this booklet will not only help the prospective applicants in the preparation of applications for seeking registration under the Societies Registration Act, 1860 but will also expedite disposal of such applications. It will be the responsibility of the Registrar of Societies in the Industries Department to ensure that the applications received for registration of societies under the Societies Registration Act, 1860 as applicable in the National Capital Territory of Delhi are disposed of in a time bound manner.

(RAKESH MEHTA)
CHIEF SECRETARY
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI

OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVERNMENT OF N.C.T. OF DELHI

'UDYOG SADAN', 419, FIE, PATPARGANJ INDUSTRIAL AREA, DELHI

Sub.: Guidelines and procedure for seeking registration of a Society under the Societies Registration Act, 1860.
(1) FORMATION OF A SOCIETY

Any seven or more persons associated for any Literary, Scientific, or Charitable purpose, may, by subscribing their names to a Memorandum of Association and filing the same with the Registrar of Societies form themselves into a Society under the Societies Registration Act, 1860.

(2) OBJECTIVES

As per Section 20 of the Societies Registration Act, 1860 the following societies may be registered under the said Act.

"Charitable societies, the military orphan funds or societies established at the several presidencies of India, societies established for the promotion of science, literature, or the fine arts for instruction, the diffusion of useful knowledge, the diffusion of political education, the foundation or maintenance of libraries or reading rooms for general use among the members or open to the public, or public museums and galleries of paintings and other works of art, collections of natural history, mechanical and philosophical inventions, instruments, or designs."

(3) Points to be kept in mind while forming a society:-

- (i) The Emblems Act, 1950 prohibits the use of any name, emblems, official seal etc. as specified in the Act without previous permission of competent authority. It also prohibits the use of the name of national heroes and other names etc. mentioned in the Act. The Societies intending to seek registration are advised to consult this Act also before proposing the name etc. for registration.
- (ii) If the proposed name is identical with that by which any other society has been registered or resembles such name

which is likely to deceive the public or the member of society, such name may be avoided. Names of all the registered Societies have been put on the website of Industries Department [industries.delhi.govt.nic.in] to enable the public and prospective applicants to check the availability of names.

(iii) The Memorandum of Association shall contain the following details e.g.:-

- The name of the society;
- The objects of the society;
- The names, addresses, and occupations of the governors, council, directors, committee, or other governing body to whom by the rules of the society, the management of its affairs is entrusted.

(iv) A copy of the rules and regulations of the society, certified to be a correct copy by not less than three of the members of the governing body, shall be filed with the memorandum of association.

(4) **MODEL - MEMORANDUM OF ASSOCIATION**

The memorandum of association may be prepared according to the model memorandum of association given below:-

MEMORANDUM OF ASSOCIATION

1. Name of the Society : The name of the Society shall be

2. Registered Office :- The office of the Society shall remain in the National Capital Territory of Delhi and at present is at the following address:-

3. Aim and Object :- The aim and objects for which the Society is established are as under :-
- (a) -----
(b) -----
(c) -----
(d) -----
and so on

NOTE: Please add this clause in the memorandum after completing the objects.

All the income, earning, moveable, immovable properties of the societies shall be solely utilized and applied towards the promotion of its aim and objects only set forth in the memorandum of association and no profit thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever to the present and past member of the society or to any person claiming through any or more of the present or past member.
No member of society shall have any personal claim on any moveable or immovable properties of the society or make any profit, whatsoever by virtue of his membership.

4. **GOVERNING BODY** : The names, addresses, occupations and designations of the members of the governing body to whom the management of the society is entrusted as required under the section 2 of Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi area are as follows:-

| Sl.No. | Name (in Capital letters) | Address | Occupation | Designation in the Society |
|--------|---------------------------|---------|------------|----------------------------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |

5. **DESIROUS PERSONS** :- We, the undersigned are desirous of forming a society namely _____ under Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi in the pursuance of the memorandum of association of the society:-

| Sl.No. | Name & Address | Occupation | Signature |
|--------|----------------|------------|-----------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |

sd/-
President

sd/-
Secretary

sd/-
Treasurer

NOTE: The memorandum should close after clause 5 given in the above model form.

6. All the signatures of the desirous persons / subscribers given in the clause 5 of the memorandum must be witnessed by an Oath Commissioner, Notary Public (Notarial stamps affixed), Gazetted Officer/Advocate or Magistrate 1st Class with their official rubber stamps and complete in all respect.
7. The names of the persons mentioned in the clause 4 (Governing Body) of the model of the memorandum must necessarily be included under clause 5 i.e. in the list of desirous persons / subscribers to the memorandum. This is to say that member of the Governing Body cannot be outside the list of the desirous persons / subscribers to the memorandum.

8. For carrying out the aims and objects given by the memorandum and for internal management of the society, rules and regulation may be made by the society.
9. The rules and regulations of the society should be filed alongwith the memorandum of association with registering authority i.e. Registrar of Societies for the purpose of registration of the society.
10. If the rules and regulations of the society are inconsistent with provision of the Societies Registration Act, 1860 they are invalid and mere filing with registering authority for the purpose of registration of society cannot make them valid.

1. **MODEL - RULES & REGULATIONS**

Rules and Regulations of the Society may be prepared according to the model rules and regulation given below:-

- i. Name of the Society
- ii. Membership defined
- iii. Admission and qualification for Membership
- iv. Subscription of the membership
- v. Appeal and re-admission of membership
- vi. Right and privileges of membership

2. **GENERAL BODY**

- i. General body defined
- ii. Power and duties / functions of the general bodies.
- iii. Notice of meeting and periodicity of meetings

3. **MANAGING / GOVERNING BODY/EXECUTIVE COMMITTEE**

- i. Managing/Governing Body/Executive Committee defined
- ii. Minimum and maximum strength including office bearers
- iii. Composition
- iv. Election and its mode
- v. Term of the office of the Governing Body
- vi. Powers and suits of the office bearers
- vii. Quorum and notice of the meeting
- viii. Filling up of casual vacancies

4. Sub-Committee, if any, formation, Composition, duties and functions
5. Source of income and utilization of funds
6. Audit of Accounts
7. Operation of the Bank Account
8. Annual List of Managing / Governing Body to be filed

As required Under Section 4 of the Societies Registration Act, the list of Managing / Governing Body shall be filed once in every year with the Registrar of Societies, Delhi.

9. Suits by and against Societies

Every society registered under this Act may sue or be sued in the name of the president, chairman, or principal secretary, or trustees, as shall be determined by the rules and regulations of the society and, in default of such determination, in the name of such person as shall be appointed by the governing body for the occasion.

Provided that it shall be competent for any person having a claim or demand against the society, to sue the president or chairman, or principal secretary or the trustees thereof, if on application to the governing body some other officer or person be not nominated to be the defendant.

A registered society is not a corporation but is like a Joint Stock Company or a Club.

10. Any amendment in the memorandum of association of rules will be carried out in accordance with procedure laid down under section 12 and 12-A of the Society Registration Act, 1860

11. **Dissolution and Adjustment of Affairs**

If the Society need to be dissolved it shall be dissolved as per provision laid down under section 13 and 14 of the Societies Registration Act, 1860 as applicable to Union Territory of Delhi shall apply to this Society.

12. **Application of the Act:**

All the provision under all the section of the Societies Registration Act, 1860 as applicable to the Union Territory of Delhi shall apply to this Society.

13. Essential Certificate

Certified that this is the correct version of the rules and regulations of the Society

sd/-

President

sd/-

Secretary

sd/-

Treasurer

INSTRUCTIONS

Types of Societies Registered under Societies Registration Act, 1860

| CODE NO. | CATEGORY |
|----------|---|
| 01. | WELFARE SOCIETY |
| 02. | SOCIAL WELFARE |
| 03. | NATURAL ENVIRONEMNT & POLLUTION CONTROL |
| 04. | LITERACY SOCIETIES |
| 05. | SCIENCE/HEALTH / RESEARCH |
| 06. | RESIDENTS WELFARE SOCIETIES |
| 07. | GAMES / SPORTS |
| 08. | FINE ARTS |
| 09. | CULTURAL |
| 10. | EDUCATIONAL SOCIETIES |
| 11. | MEDICAL & HOSPITAL |
| 12. | RELIGIOUS |
| 13. | CHARITABLE |
| 14. | MISC. |

2. The two documents for registration viz. Memorandum of Association and Rules and Regulations should separately be typed neatly with separate page marking. Good quality durable paper should be used for typing as the documents are for the permanent records.
3. At least 4 cm margin must be on the left side and 2.5 cm from right side of each sheet on the thick paper while typing on double space lining and type on one side only.
4. The aims and objects given under Clause 3 of the memorandum should not be repeated in the Rules and Regulations like wise, the activities of the programme of working direction towards attainment of the aims and objects of the Society should not figure in Memorandum.
5. Specific language given in the Guidelines for the particular clauses may be adopted while preparing the document.
6. In case management of or reference to a particular existing places of worship like Mandir, Gurudwara, Masjid, Church or Budh Vihar etc. is involved sufficient documentary proof is required that the Society is legally competent for the same.
7. Affidavit on Rs.10/- (Rupees ten only) Non-Judicial stamp paper from the President or Secretary of the Society should be furnished regarding the relationship between the subscribers (desirous persons) to the Memorandum are given under clause 5 of the Memorandum and also an affidavit that the name of society will be changed if the said name already found registered in our records. This affidavit must be attested by Oath Commissioner. Notary Public with National Stamp affixed thereon or Magistrate 1st Class. Documentary proof in the shape of Sale Deed / General Power of Attorney/ Water bill and an allotment letter in the case of Government Quarter in respect of premises shown as registered office of the Society under Clause 2 of the Memorandum should also be furnished alongwith No Objection Certificate from the owner of the premises on Rs.10/- (Rupees ten only) Non-judicial Stamp affixed thereon. Specimen of affidavits are enclosed.
8. Rs.50/- (Rupees fifty only) as the registration fee shall be demanded when formalities are complete and the Registrar of the Societies has approved the grant of registration.
9. Driving License/Passport / Election Card or any other identity proof required in respect of all desirous persons.
10. Societies which propose to operate on all India basis should have one member each from at least seven states of the Union of India.
11. Signature of minimum three office bearer are required on each & every page of the Memorandum of Association and rules and regulations of the Society.

AFFIDAVIT NO. 1

I, -----s/o-----Resident of -----
-----do hereby solemnly affirm and declare as under:-

- (1) That I am the President / Secretary of the Society named _____.
- (2) That the desirous persons of the Society are not related to each other by way of blood relation or otherwise.
- (3) That the name of proposed Society is not identical or reassembles to any other registered / non-registered Society in our locality as per my knowledge.
- (4) That if name of this Society is found attracting the provision of Emblems Act of 1950 and / or identical and resembles closely to any other Society which is already registered under Societies Registration Act of 1860 in the N.C.T. of Delhi and other law of land applicable to them then registration granted shall be deemed to have been withdrawn if the Society fail to change the name within the given time do so Registrar of Societies, Delhi.

DEPONENT

VERIFICATION:

Verified at Delhi, on this the ----- day of -----200---- that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

AFFIDAVIT NO. 2
(SPECIMEN OF N.O.C.)

I, -----s/o-----Resident of -----
-----do hereby solemnly affirm and declare as under:-

- (1) That I am the legal owner / General Power of Attorney holder / allottee and in possession of property bearing No.-----
- (2) That I shall have 'No Objection' if the registered office of the Society named----- shall be situated at my above said premises.

DEPONENT

VERIFICATION:

Verified at Delhi, on this the ----- day of -----200---- that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

DEPONENT

Specimen of MoA for an Association / Society of Art, Culture and Social Welfare**MEMORANDUM OF ASSOCIATION****OF** _____

(A society registered under the Societies Registration Act No. XXI of 1860 as applicable to the National Capital Territory of Delhi)

1. **Name:** _____ "XYZ"

The name of the Society is _____ "XYZ" An Association / Society of _____.

2. **Registered Office:**

The registered office of the Society, at present, is situated at _____.

3 The Society will operate on all India basis.

4. **Aims and Objects**

The basic aims and objects for which the Society is formed and registered are the following:-

- (i) To establish, manage, maintain and run Educational, vocational and Technical Institutions any where in India, in urban, rural and backward areas and/ or to provide financial assistance and other facilities to such institutions.
- (ii) To promote dance, theaters, music, arts, songs, yoga, meditation, creativity of the dancers, artists, musicians, singers, poets, theatre persons and others related to any form of visual and performing arts, in particular young professionals through performance, seminars, talks and workshops and to achieve high degree of proficiency in various types of Indian Classical Dance forms.
- (iii) To establish, manage maintain and run homes, institutions for the welfare and relief of the poor handicapped, old, orphans, widows etc. for their education / training in household and cottage industries.
- (iv) To promote harmonious understanding and equal respect for all religions, cultures, races and ideologies and for that purposes to arrange cultural exchange programs, seminars, tours etc. and establish, manage maintain and run spiritual co-operative communities and institutes of inter cultural understanding.
- (v) To promote research in the study of Indian system of medicine, homeopathy, nature cure etc., and ancient Indian culture.
- (vi) To give or establish prizes for excellence in the field of (a) Social services (b) human understanding (c) Scientific, technical etc., work

- / research for peace in the country.
- (vii) To grant scholarships or provide financial aid to poor / meritorious students in the field of education.
 - (viii) To complete, publish and distribute or give, financial aid, in the publication of any literature for the promotion of the above objects.
 - (ix) To open branches where ever considered expedient for the promotion of above objects.
 - (x) To promote and create opportunities for Indian classical dance & Music traditions at the performing level.
 - (xi) To use the audio-visual media for furtherance of its aims and objects.
 - (xii) To promote and revive the traditional arts and crafts of India.
 - (xiii) To provide assistance and opportunities to children and young people desirous and eager to learn traditional arts and crafts and folk dances as a profession from best masters and professional in this field and thereby, create in them the concepts that may lead to greater growth in the field of art.
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- (xiv) To promote interest in general public in Indian art, culture, music and thus spread this culture far and wide.
 - (xv) To compile, arrange and make ballets on social issues etc. and show them and help in raising moral character and social awareness of people.
 - (xvi) To mutual exchange of artists, collaborations with other organizations etc.
 - (xvii) To develop a good teaching faculty and invite experts in the field of Indian classical dances especially kathak and promote research, documentation and dissemination on the various aspects of the dance form.
 - (xviii) To translate, print, publish, circulate and distribute appropriate material for distribution of useful knowledge through magazine, pamphlets or other printing mode for the development and promotion, benefit and advancement of music, dance etc.
 - (xix) To subscribe or give donations, financially or otherwise , to such other societies, agencies, associations or institutions who are working in the area of dance & music or involved in the activities which tend to support or aid / advance the aims and objects of the society.
 - (xx) To receive any grant, donation, fee, support and assistance in any form for the furtherance of the objects of the society.
 - (xxi) To purchase, lease, secure by exchange or license, hire or otherwise acquire any moveable or immovable property and any interest, easement, right and privilege necessary or alter any moveable and immovable property of the Society and undertake such other activities as may be necessary and incidental to the objects of the Society.
 - (xxii) To frame bye-laws and rules and regulations for the conduct of the business of the Society and its officers and employees.
 - (xxiii) To do all such other lawful acts, deeds and things as are incidental or conducive to the attainment of the above objects or any of them.
 - (xxiv) All the income, earnings, moveable properties of the society shall be utilized and applied towards the promotion of its aims and objects only as set forth in the "Memorandum of Association" and no profit or part thereof shall be paid or transferred, directly or indirectly by way of dividends, bonus, profit or in any manner whatsoever, to the members of the society or to any other person. No member of the society shall have any personal claim on any moveable or immovable properties of the society or make any profits, whatsoever, by virtue of this membership.

(1) **GOVERNING BODY**

The names, addresses, occupations of members of the Governing body, to whom the management of the Society shall be entrusted, as required section 2 of the societies Registration Act 1860, as applicable to the National Capital Territory of Delhi are as follows:-

| S.No. | NAME | ADDRESS | OCCUPATION | DESIGNATION IN THE SOCIETY |
|-------|------|---------|------------|----------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

6 **DESIROUS PERSONS**

We, the undersigned, are desirous of forming a society, namely _____,

(Name of the Society) (Address)

under the Societies Registration Act, 1860, as applicable to the National Capital Territory of Delhi. In pursuance of this memorandum of Association of the Society, set out hereto and form ourselves into a society under the Societies Registration Act, 1860 as extended to the National Capital Territory of Delhi.

SPECIMEN OF RULES AND REGULATIONS FOR ASSOCIATION / SOCIETY OF ART, CULTURE AND SOCIAL WELFARE

1. Name : The name of the society shall be " _____ "

Membership: Every subscriber to the Memorandum of the Society, every member of the Governing Body and every person who believes in the aims and objects of this society and whom the Governing Body may admit as member shall be members of the society.

Subscription: The rate of subscription for all the members shall be Rs. _____ payable only at the time of enrolment as a member.

Termination of Membership: A person shall cease to be a member of the society by resignation, death, disqualification, insolvency or liquidation or for non-attending without taking leave for absence, three consecutive meetings of the General Body as the case may be. A member shall be deemed to have become disqualified, if in the view of the other members expressed by a resolution of the majority of the total member of the members, he is of unsound mind, or has worked against the aims and objects of the society or has committed an act, which makes it undesirable to have him as member or his membership cease to be in the interest of the society.

Refusal: The Governing Body of the society may refuse any person the membership provided the Governing Body records the reasons for such refusal.

2. **Governing Body of the Society:**

- (i) The management of the affairs of the society shall vest in the Governing Body. The Governing Body shall consist of not less than _____ and not more than _____ members who shall be elected by the members of the society. Secret ballot shall be the mode of election.
- (ii) **Term of Governing Bodies Members:** The members of the Governing Body shall hold office for a term of _____ years from the dates of their appointment and shall be eligible for re-appointment. Unless otherwise decided by the Governing Body, a member of the Governing Body shall continue to be in office after the expiry of his term until his successor has been appointed.
- (iii) **Vacancy of Governing Body:** In case a member of the Governing Body resigns, dies, ceases to be a member or vacates office otherwise, the vacancy may be filled by the Governing Body by nomination for the balance term.
- (iv) **Powers of the Governing Body:** Without prejudice to the generality of the powers of the Governing Body to do such things as it may consider necessary or shall be expedient for the purpose of carrying out the objects of the society, the governing body exercise the following powers.
 - (a) Open bank account in the name of the society with such bank(s) or other institution (s) as it may think fit from time to time, and authorize any two of its members to operate such account(s).
 - (b) Defray the expenses of the society activities and make contribution from the funds of the society to any other trust or society or association having objects similar to those of the society.
 - (c) Invest/deposit such funds of the society as may not be immediately required in such manner as may be determined by the Governing Body from time to time subject to any statutory restrictions and realize or vary such investments.
 - (d) Borrow moneys for the purpose of the society and if necessary, create lien on the society assets for the purpose.
 - (e) Appoint and, at the discretion, remove or suspend employees of all categories of the society and, from time to time determine their powers and duties and fix their remuneration and terms of employment.
 - (f) Delegate any of its powers to such committees or sub-committees and as it may constitute consisting of such members and or to any member of the Governing Body or office bearer of the society.
- (v) **MEETING OF THE GOVERNING BODY:** The Governing Body shall meet as and when a meeting is convened by the chairman or is requisitioned by at least three members of the governing body provided that it shall meet atleast once in _____ calendar months.
- (vi) **NOTICE FOR MEETING:** At least _____ days notice shall be given for a meeting of the Governing Body, but a meeting may be called by the chairman without any notice in case of exigencies.
- (vii) **QUORUM FOR MEETING:** 2/3rd members of the Governing Body, personally present, shall form the quorum for a meeting of the Governing body.
- (viii) **DECISIONS:** The Governing Body shall take decisions by a vote of the majority. Every member shall have one vote and in case of a tie, chairman of the meeting shall also have a casting vote.
- (ix) **RESOLUTION BY CIRCULATION:** A resolution by the majority of the members of the Governing Body after circulation amongst all the member for the time being in India, shall be an effective and binding as resolution passed at a meeting of the Governing Body.

3 **OFFICE BEARERS:** The society shall have the following office bearers.

1. President
2. Secretary

3. Treasurer
4. Executive members minimum _____ (maximum _____)
4. The president of the society shall be the president of the Governing Body and vice-versa. All the office bearers of the society shall be elected in the General Body meeting.
5. The office bearers as specified in clause 4 above shall have the following powers/functions.
6. **PRESIDENT:**
- (i) He shall preside all the meetings of the General Body and Governing Body.
 - (ii) In case of equality of votes in any meeting he shall have a casting vote.
 - (iii) He shall supervise work of other office bearers of the society.
7. **SECRETARY :**
- (i) He shall represent the Society.
 - (ii) He shall keep and maintain all records including the register of members, minutes books etc.
 - (iii) He shall undertake all type of correspondence on behalf of the society.
 - (iv) He shall convene the meetings of General body and shall also inform every member regarding the time, date, venue etc. of the meeting.
 - (v) He shall perform all other functions as may be assigned to him.
8. **TREASURER:** He shall collect subscriptions, gifts, grant / aids / donations etc., from the members, general public and he shall also be responsible for keeping and maintaining true and correct accounts of the society.
9. **FINANCIAL YEAR:** The account of the society shall be prepared from 1st April to 31st March, every year.
10. **AUDIT:** The annual accounts of the Society shall be audited by any Chartered Accountants appointed as auditor of the society.
11. **GENERAL BODY OF THE SOCIETY:** There shall be a general body of the society consisting of all the members. The meeting of the general body shall be held once every year with 2/3rd quorum. No quorum shall be required in the adjourned meeting. An emergent meeting of the General Body may also be summoned on the written request of 3/4th members, with _____ days prior notice for such meetings. The notice period of the general meeting of the General Body shall be _____ days. The following business shall be transacted in these meetings:-
- (i) To prepare annual programs and policies.
 - (ii) To discuss and to decide all such matters and issues which are directly or indirectly related to the affairs of the society.
 - (iii) To pass annual budget of the society.
 - (iv) To appoint a qualified auditor for conducting annual audit of the society.
 - (v) To consider any other business brought forward by the Governing Body.
12. **EXTRA-ORDINARY MEETINGS:** An extra-ordinary general meeting of members requisitioned by members sufficient in the number to constitute a quorum.
13. The provision applicable to Governing body shall apply mutates mutandis to general meetings.
14. **ANNUAL LIST:** Every year a list of Governing body office bearers and members shall be filled in the Office of Registrar of Societies Delhi as required U/S 4 SR Act, of 1860.
15. **AMENDMENT:** Any amendment in the memorandum of rules this society shall be carried out in accordance with procedure laid down U/S 12 and 12A of SR Act, of 1860.
16. **LEGAL PROCEEDINGS:** The society may sue or be sued in the name of its president as required U/S 6 of SR Act of 1860.
17. **INCOME NOT TO REVERT:** The income of the society from its property of donations, whatsoever derived shall be applied solely towards the promotion of the objects of the society as set out in its Memorandum of Association and no portion there of shall be paid or transferred directly or indirectly to the persons who at any time are or have been members of the society or to any of them or any person claiming through any of them.
18. **DISSOLUTION:** The society may be dissolved in according with procedure laid down U/S 13 & 14 of SR Act. Of 1860.
19. **EXCLUSION OF PERSONAL RESPONSIBILITY:** No member of the Governing Body shall be answerable or personally liable for any loss arising from the administration or application of the funds and properties of the society unless such loss or damage is caused through willful default or breach of trust or culpable negligence on his part.
20. **APPLICABILITY OF THE ACT:** All the provision of the societies Registration Act, XXI of 1860 Act, as extended to the National Territory of Delhi, will apply to this society.

We undersigned, persons president, Secretary and Treasurer of the Governing body certify that this is a correct copy of RULES AND REGULATION of _____.

NAME

SIGNATURE

WITNESS

PLACE:

DATED:

SPECIMEN OF MEMORANDUM OF ASSOCIATION (MoA) OF A SOCIETY FORMED FOR EDUCATIONAL PURPOSES

MEMORANDUM OF ASSOCIATION

1. Name of the Society: The name of the society shall be "**ABC**"
2. The registered office of the society shall be situated in the National Capital Territory of Delhi, at present it is at

3. AIMS & OBJECTIVES

- (i) To open and run, educational and vocational schools or institutions to bring education within the reach of poor & backward children, in the National Capital Territory of Delhi.
- (ii) To provide libraries, publish books on educational, cultural & social subjects, organize discussions & seminars to impart knowledge & understanding amongst the people.
- (iii) To provide hostels & residential accommodation that may be considered necessary for the students & for each member of the staff that may be made eligible for it.
- (iv) To establish & maintain institutions for the handicapped & for adult education, like vocational training in vocations of household industry, semi-skilled jobs for self employment, short hand & type-writing, social science, languages, fine arts, crafts, music, painting, modeling, physical training etc.
- (v) To provide the best education available in some of the best schools in Delhi. Emphasis would be on character building, self discipline & the development of the creative & social faculties. The society aims at producing well informed & well assured young children just the kind of children that our country needs.
- (vi) To strive to meet changing need of providing comprehensive education to develop various facets of personality and to impart education to children on the most modern lines & provide an environment congenial to growth & development of the children.

- (vii) To arrange & organize the social, cultural & educational programmes from time to time.
- (viii) All the income, earning, movable & immovable properties of the society shall be solely utilized & applied towards the promotion of its aim & objects only as set forth in the memorandum of association & no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever to the present or past members of the society or to any person claiming through any one or more of the present or the past members. No member of the society shall have any personal claim on any moveable property of the society or make any profit, whatsoever, by virtue of his/her membership.
- (ix) To provide free meals, clothes, medicines and other needy things to the poor and needy, children of widows.

4. GOVERNING BODY

The names, address, occupation and designation of the present members of the Governing Body of whom the management of the society is entrusted as required under section 2 of the Societies Registration Act 1860, as applicable to the National Capital Territory of Delhi, are as follows:-

| S.No. | Name & Address | Occupation | Designation |
|-------|----------------|------------|-------------|
| 1. | | | |
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5. DESIROUS PERSONS:

We, the under signed are desirous of forming a society namely

_____ under the Societies Registration Act 1860, as applicable to the National Capital Territory of Delhi, in pursuance of the memorandum of association of the society.

| S.No. | Name & Address | Occupation | Signature |
|-------|----------------|------------|-----------|
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sd/-

sd/-

sd/-

President

Secretary

Treasurer

SPECIMEN OF RULES & REGULATIONS OF A SOCIETY FORMED FOR EDUCATIONAL PURPOSE

NAME: Name of the Society shall be "ABC"

1. MEMBERSHIP

The membership of the society is open to any person of repute & good conduct who has attained the age of maturity and fulfills the terms & conditions of the society without discrimination of religion, caste, colour or creed but subject to the approval of the Governing Body. If the membership is refused to a certain person or persons, the reason for refusal shall be communicated to the person concerned.

2. SUBSCRIPTION

- (i) Admission fee Rs. _____ at the time of admission.
- (ii) Subscription Rs. _____ per month. or per annum
- (iii) Lifelong membership fee Rs. _____.

3. TERMINATION OF MEMBERSHIP

The Governing Body shall have the power of expel a member from the society on the following terms & conditions:-

- (a) On his/her death or insanity
- (b) Non-payment of subscription continuously for more than three months or year (as the case may be) from due date.
- (c) On his/her written resignation.
- (d) If he/ she has not attended three consecutive meetings of the general body without any intimation.

4. APPEALS

All the appeals should be referred to the Governing Body. The decision of the Governing Body shall be final. The reasons for rejection shall be communicated to the person concerned.

5. RE-ADMISSION

In case of member expelled by the Governing Body, the same can be re-admitted provided the member pays up all the dues to the Society. However, the decision of the Governing Body shall be final.

6. GENERAL BODY OF THE SOCIETY

There shall be a General Body of the society consisting of all the members. The meeting of the General Body shall be held atleast once every year with 2/3rd quorum. No quorum shall be required in the adjourned meeting. An emergent meeting of the General Body may also be summoned on the written request of 3/4th members, with _____ days prior notice for such meetings. The notice period of the general meeting of the General Body shall be _____ days. The following business programs shall be transacted in these meetings:-

- (i) To prepare annual programs and policies.
- (ii) To discuss and to decide all such matters and issues which are directly or indirectly related to the affairs of the society.
- (iii) To pass annual budget of the society.
- (iv) To appoint in a qualified auditor for conducting annual audit of the society.
- (v) To consider any other business brought forwards by the Governing Body.

7. GOVERNING BODY

The management of the affairs of the Society shall vest in the governing body consisting of the following:-

- 1. Chairman One
- 2. Vice Chairman One
- 3. Secretary One
- 4. Treasurer One
- 5. Members from _____ to _____

8. BANK ACCOUNT

The bank account of the society shall be operated by the Chairman & Secretary or Treasurer jointly with severely or as decided by the Governing Body.

9. FUNCTIONS OF GOVERNING BODY

- (a) To consider any business brought before the Governing Body.
- (b) There shall be meeting of the Governing Body once in _____ months.

10. SOURCE OF INCOME

The fund of the society shall consist of

- (i) Admission fee
- (ii) Capital fund
- (iii) Donations and Gifts
- (iv) Subscription and donation from members
- (v) Aid from governments, semi government, charitable trusts, institutional and associations.
- (vi) Aid or donation or gifts from foreign charitable agencies through any other approved and authorized organizations.

11. GOVERNING BODY

The Governing Body's strength shall not be less than _____ & not more than _____. The members of the Governing Body shall hold the office for _____ years. The meeting of the Governing Body shall be held as & when necessary for which _____ days notice will be required & the quorum shall be 2/3rd.

12. ELECTION & QUORUM

The General Body in its annual meeting will elect its chairman & all the office bearers & members in the month of _____ after _____ years by secret ballot. The quorum of the General Body & Governing Body shall be 2/3rd.

13. MANAGEMENT OF FUNDS

All the income of the society shall be deposited in the designated bank.

14. POWERS & DUTIES OF THE OFFICE BEARERS:-

CHAIRMAN

He will be the head of the society & preside over the meeting of the General Body & Governing Body. He will have the right of casting vote in the case of tie.

VICE CHAIRMAN

In the absence of the Chairman, the vice chairman shall enjoy all powers which are entrusted to the chairman.

SECRETARY

The powers of the Secretary shall be as under:-

- (a) To sign on behalf of the society & to conduct its correspondence & to record the proceedings of meeting.
- (b) To summon & attend the meeting of General Body.
- (c) To call ordinary general meeting if desired on written request of atleast _____ members.

TREASURER

He shall keep accounts of all receipts & expenditures of the society and to furnish necessary information of the Governing Body. He will keep with him Rs. _____ /- (_____) and the balance account will be deposited in the bank / post office etc. as decided by the Governing Body.

15. AUDIT

The accounts of the society shall be audited at least once a year by an auditor appointed by the Governing Body.

16. FINANCIAL YEAR

The financial year of the society shall be from 1st day of the April to 31st day of the March every year.

17. TENURE

The tenure of the Governing Body shall be _____ years.

18. AMENDMENT

Any amendment in the Memorandum of Association (MoA) or Rules and Regulations will be carried out in accordance with the procedure laid down Under Section 12 & Section 12-A of the Societies Registration Act of 1860 as applicable to the National Capital Territory of Delhi.

19. LEGAL PRECEEDINGS SECTION 6 OF THE ACT

The society may sue or be sued in the name of the chairman as per provision laid down under section Society Registration Act, 1860 as applicable to the National Capital Territory of Delhi.

20 ANNUAL LIST OF GOVERNING BODY

Once in every year a list of the office bearers & members of the Governing Body shall be filed with the registrar of the society, Delhi as required under 4 of the Societies Registration. Act, 1860 as applicable to the National Capital Territory of Delhi.

21. DISSOLUTION

If the society needs to be dissolved, it shall be dissolved as per provisions laid down Under Section 13 & 14 Societies Registration Act Delhi of 1860 as applicable to the National Capital Territory of Delhi.

APPLICATION OF THE ACT

All the provisions under all the sections of the Societies Registration Act, 1860, as applicable to the National Capital Territory of Delhi, shall apply to this society.

ESSENTIAL CERTIFICATE

CERTIFIED THAT THIS IS CORRECT COPY OF THE RULES AND REGULATIONS OF THE SOCIETY.

Sd/-
CHAIRMAN

Sd/-
SECRETARY

Sd/-
TREASURER

[Specimen of Memorandum of Association and Rules & Regulations of Resident Welfare Association (RWA)]

MEMORANDUM OF ASSOCIATIONS

Name of the Society : The Name of the Society shall be ----"LMN"-----

Registered Office : The registered office of the Society shall be
and remain in the National Capital Territory of Delhi and at present is its following address-----

Working Area of the Society : -----

AIMS OF OBJECS OF THE SOCIETY

The main aims and objects for which the society is established are as under:-

1. To make best efforts for creating mutual harmony, co-operation and love and affection amongst the residents.
2. To take up the matter with the competent authorities for common interest of the residents for providing and or improving upon common facilities in the area like - Park, drainage, roads, street-lights, scavenging, water and electricity supplies, banking, post office , bus services facilities, community hall and Barat-Ghar, milk booth, health centre, rationing shop, mini-super bazaar, shopping facilities.
3. To arrange establish and open libraries, reading rooms for the use of residents/members.
4. To arrange and organize social and cultural functions from time to time.
5. To make adequate arrangements for poor, widows and handicapped orphans, old aged and mentally retired persons.
6. To maintain run and construct Basti Vikas Kendra, Jan Suvidha Parisar, Roads, Foot Path, Anganvari, Libraries etc. with the help of concerned Government authorities for giving the education to the students, socially neglected people and children.
7. To publish books, magazines and other publications for the promotion, protection and advancement of residents.
8. To approach the concerned authorities for redressal of grievances of members of society.
9. To make correspondence in lawful manner to arrange meetings, conferences, with the concerned authorities.
10. To disseminate information of the Government Rules, policies, notifications among the members of the association.
11. To arrange services like sanitary fittings, plumber work, electrician work, security and sweeping etc. for the area.
12. To arrange and establish medical and charitable dispensaries.
13. To provide lectures by the expert team of the Doctors, Journalists, Lawyers and Professionals etc.
14. To help and assist poor and needy residents and their families during emergencies such as flood, war, earth-quack and rains.
15. To receive and collect any gift, subscriptions and donations either in cash or in any kind or acquire by and other lawful ways and means and open the same in fulfillment of all or any other aims and objects of the society, the income and property(s) of the society shall be applied solely for promotion and fulfillment of the aims and objects of the society. If any person wants to contribute, donate or give subscription, the same shall be spent towards the promotion of the particular objects only.
16. To open, found, establish, promote, set up, run, maintain, arrange finance, support and / or help the various community development programs/activities and also construct and develop the community halls, Shochalaya, Charitable Dispensaries, hospitals, libraries and other buildings/institution for use of general public and for welfare or the general public.

17. To arrange and organize various kinds of Welfare programs e.g. Vocational Education, entertainment, games etc. for children, working men & women.
18. To do such other things / acts/ activities which are necessary and which may be incidental or conducive to the attainment of any of the object of the Society.
19. All the income earnings, movable, immovable properties of the society shall be solely utilized and applied towards the promotion of its aims and objects only set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of profit, dividends, bonus in any manner whatsoever to the present or past member of the society or to any persons claiming through any one or more of the present or past member. No member of the society shall have any personal claim on any moveable or immoveable properties of the society or make any profit whatsoever by virtue of his/her membership.

GOVERNING BODY The names, addresses, occupations and designations of the present members of the Governing Body of the Society is entrusted as required Under Section 2 of the Society Registration Act, 1860 as applicable to the National Territory of Delhi are as follows:-

| Sl.No. | Name & Address | Occupation | Designation |
|--------|----------------|------------|-------------|
| 1 | | | |
| 2 | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |

DESIROUS PERSONS: We, the undersigned are desirous persons of forming a society names "LMN" under the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi in pursuance of the **Memorandum of Association** of the society:-

| Sl.No. | Name & Address | Occupation | Signatures |
|--------|----------------|------------|------------|
| 1 | | | |
| 2 | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |

RULES & REGULATIONS OF THE SOCIETY
(RESIDENT WELFARE ASSOCIATION)

1. Name of the Society : Name of the society shall be ----- "LMN"-----
2. Membership : The membership of the society is open to any person who has attained the age of majority and has interest in the development of the society and abides by terms and conditions of the society without discrimination of the religion, caste, creed or colors, but subject to the approval of the governing body.
3. Subscription : The rate of subscription for all the members shall be Rs. _____ per month and admission fee Rs. _____ per member.
4. Refusal : The governing body of the society may refuse any person for the membership, provided reasons for refusal shall be communicated to the person concerned in writing with reason.
5. Termination : The governing body of the society may terminate any member from the society on the following grounds:-
- (i) On his/her death
 - (ii) If the member fails to pay subscription for three successive years from the due date of paying subscription.
 - (iii) If the member of the society works against the aims and objects of the society
 - (iv) If the membership of the society tender his/her resignation to the society.
 - (v) If the member fails to attend three successive meetings of the general body without intimation in writing.

The reason for termination shall be communicated to the concerned member in writing. .

6. Appeals : Every such expelled member shall have right to appeal to the general body of the society which may or may not be accepted. All the appeals shall be preferred to the general body of the society; the decision of the general body shall be final. The reason of rejection shall be communicated to the concerned member.

7. Re-Admission : In case an expelled / terminated member is Re-admitted by the general body the same person / member shall have to pay all dues upto date. The decision of the general body shall be final.

8. Rights & Privilege of : Every member shall have right to participate in the Membership general body meeting. Besides this, he/she shall have also right to vote in the meeting of the society. Every member shall be entitled to participate in the meetings, functions and get-together programmes of the society.

9. Quorum & Notice of the meetings:-

A. General Body: There shall be a general body of the society consisting of all the members. The meeting of the general body shall be held once every year with 2/3rd quorum. No quorum shall be required in the adjourned meeting. An emergent meeting of the general body may also be summoned on the written request of 3/4th members, with _____ days prior notice for such meetings. The notice period of the general meeting of the general body shall be _____ days. The following business shall be transacted in these meetings:-

- (i) To prepare annual programs and policies.
- (ii) To discuss and to decide all such matters and issues which are directly or indirectly related to the affairs of the society.
- (iii) To pass annual budget of the society.
- (i) To appoint in a qualified auditor for conducting annual audit of the society.
- (ii) To consider any other business brought forwards by the governing body.

B. Governing Body : There shall be a governing body of the society

to look after and to manage the day to day affairs of the society. It shall consist of minimum _____ and maximum _____ members including the office bearers. The meetings of the governing body shall be held every _____ months with 2/3rd quorum

No quorum shall be required in the adjourned meeting. An emergent meeting of the governing body may also be summoned on the written request of 3/4th members by _____ days notice of the meeting. The notice period of the governing body shall be _____ days. The following business shall be transacted in these meetings:-

- a) To take necessary steps for the implementation of all the programmes and policies drawn by the general body.
- b) To approve the necessary expenditure to meet the day to day requirements of the society
- c) To take decisions on application for membership
- d) To appoint committee for disposal of any business of the society or for advice on any matter pertaining to the society.
- e) To arrange finance if required from other bank(s), institutions or individual on reasonable terms and conditions and the governing body as a whole is liable for its return.
- f) To appoint, terminate and fix duties of any staff.
- g) To receive, to have custody of and to expand the funds of the society and manage the properties of the society.
- h) To sue and defend all legal proceedings on behalf of the society.
- i) To take all such other legal steps which may appear beneficial for the smooth and better management of society.
- j) The following is the present structure / strength of the governing body:-

- 1. President : One
- 2. Vice-President : One
- 3. General Secretary : One
- 4. Secretary : One
- 5. Treasurer : One
- 6. Finance Advisor : One
- 7. Executive Members : One or maximum _____

10. Powers & Duties of the office bearers:

President : a) He/She shall preside all the meetings of general body and governing body.

- b) In case of equality of votes in any meetings, he/she Shall tender his/her casting vote.
- c) He/She shall supervise work of other office bearers from time to time.

Vice President In the absence of the President the Vice-President shall enjoy all powers and duties which are entrusted to the President. He/She will also assist to the President in his/her duties from time to time.

General Secretary a) He/She shall represent the society in public and private offices

- b) He/She shall keep all types of records of the society including the register of members containing their names, addresses and other brief particulars.
- c) He/She shall undertake all types of correspondence on behalf of the society.
- d) He/She shall convene the meetings of general body, governing body and inform every member regarding time, date and venue of the meeting through a _____ days earlier written notice.

Secretary In the absence of the General Secretary, the Secretary shall enjoy all powers and duties

which are entrusted to the General Secretary. He/She will also assist to the General Secretary in his/her duties from time to time.

Treasurer He/She shall collect subscription, gifts, grants-in-aid and donations from the members and the general public and shall be responsible for keeping and maintenance of a true and correct accounts of the society's fund.

Executive Members They will assist in the day to day work of the society as directed by the President and General Secretary

11. Financial year The financial year of the society shall be from 1st April to 31st March, of every year.

12. Source of Income and Utilisation of Funds

Subscriptions, donations, grant-in-aid and gifts from the members and the general public shall be the source of income of the society. All the income of the society shall be utilized towards the aims and objects of the society.

13. Operation of Bank Account The funds of the Society shall be kept in a scheduled bank. The bank account of the society shall be operated by the Treasurer and/or any one of the President or General Secretary.

14. Audit of Accounts The accounts of the society shall be audited by the qualified auditor every year to be appointed by the Governing Body.

15. Filling up Casual Vacancies The Casual vacancies may be filled up by the resolution passed by majority of votes by both the governing body and general body up to the next election.

16. Election The governing body of the society shall be elected for a

term of _____ years in general body meeting. The raising hands shall be the mode of election. The newly elected governing body list should be attested by three out going office bearers and it will be filed with registrar of the societies, Delhi.

17. Annual list of Managing / Governing Body (Section 4 of the Act)

Once in the month of April every year a list of the office bearers and members of the governing body of the society shall be filed with the Registrar of Societies, Delhi as required under section 4 of the Societies Registration Act, 1860.

18. Legal Proceedings (Section 6 of the Act):

The Society may sue or be sued in the name of the President / General Secretary as per provision laid down under section 6 of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.

19. Amendment (Section 12 & 12A of the Act)

Any amendment in the Memorandum of Association or rules will be carried out in accordance with procedure laid down under section 12 and 12A of the Societies Registration Act, 1860.

20. Dissolution and Adjustment of Affairs (Section 13 & 14 of the Act)

If the society needs to be dissolved it shall be dissolved as per provision laid down under section 13 & 14 of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.

21. Application of the Act All the provisions under all the sections of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.

22. Essential Certificate Certified that this is the correct and true copy of Rules and Regulations of the Society.

sd/-

sd/-

sd/-

President

General Secretary

Treasurer

