

SOCIETY

Q1.What is meant by a Society or an Association? Why should it be registered?

Ans:- A Society / Association is an organized group of people with the sole aim and objectives of non-profitable service. Registration of Societies is optional. Registration of such an association will have legal recognition. It will be possible to run society legally with discipline. Society can sue and be sued.

Q2.Who will register a Society/Association and where it can be registered?

Ans:- Registrar of Societies i.e., District Registrar of a District is appointed under Andhra Pradesh Societies Registration Act, 2001 is the authority to register the societies. Society can be registered in the office of the Registrar in which District the society is intended to be established.

Q3.What is the minimum number of people to form a society or an Association?

Ans:- A minimum 7 persons who have attained the age of 18 years can form a society or an Association.

Q4. For what purpose a society/association be formed?

Ans:- Association could be formed for the following purposes:

Art, Fine Arts, crafts;

Educational, charity, cultural, literature and religious;

Sports (excluding games of chance);

Knowledge of commerce and industry;

Political education and training;

Maintaining Library;

Collection/preservation of historical monuments, technical and philosophical research.

Promotion of scientific temper in the society etc.

Diffusion of any knowledge or any public purpose.

Q5.What are the differences between `Trust' and `Society' registered under Andhra Pradesh Societies Registration Act 2001?

Ans:-

| Society | Trust |
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| District Registrar and Registrar of Societies is competent authority to register. | Trust deed can be registered in Office of the Sub Registrar |
| Aims and objectives are for the development/welfare of the whole society without restriction | There are two kinds of Trusts. Public and Private. The latter is a private trust for the beneficiaries. |
| Minimum of 7 persons are required to form Society. | Anybody can form Trust without restriction as to the number of persons. |
| Executive committee runs it. | Managing trustee runs it. |
| Executive committee manages, subject to approval of general body. | Management is under the control of management of Trustees and Managing Trustees. |
| Accounts shall be filed to the Registrar of Societies. | Does not apply. |
| There is provision to admit members. | Does not apply. |
| In order to cancel an association action can be taken only after enquiry | Author of Trust can cancel Trust if he so wishes. If the provision is made in the deed. |
| Profit cannot be distributed among the members. It can be used only for | Trustees cannot share. Beneficiaries may be allowed to use the profit. |

| Society | Trust |
|-------------------------|--------------|
| development of society. | |

Q6. What are the documents to be filed for registration of a society?

Ans:- Application

Proceedings of the first meeting

Memorandum of Association

List of members of Executive Committee with name, address, occupation, age and signature.

Bye-laws of the Association.

Affidavit

passport size photographs of Executive Committee members (now being insisted in some of the District Registrar Offices)

Q7. What should not be there in the name of the society?

Ans:- The name shall not be Similar to one already existing in the District.

Name prohibited or registered by State or Central Government through executive instructions or through Emblems and Names (Prevention of Improper Use) Act, 1950.

Indian Institute or University.

Q8. What is the fee for registration of Society?

Ans:- Rs.200/-

Q9. What are the follow up actions after registration of society?

Ans:- Every year the society within fifteen days from the date of the General Body meeting shall submit a list to the Registrar of societies. And that list shall contain the names and addresses of the members of the Managing Committee (Executive Committee) and officers entrusted with the management of the society.

Executive Committee shall meet at least once in three months; and General Body shall meet at least once in a year.

Amendments, if any, made shall be filed with Registrar.

Minutes of all the meetings shall be filed with the Registrar of Societies.

Society shall elect Executive Committee members as per its bye law.

Q10. What is the fee to be paid for filing of accounts and List of Executive Committee per annum?

Ans:- Rs.100/- per annum

Q11. Can memorandum, byelaws of society be amended? If so, what is the procedure?

Ans:- Memorandum can be amended by approval in a special General Body Meeting called for the purpose after giving due notice and by approval another special General Body Meeting called after 30 days again. Byelaws can be amended by approval of majority of members in Special General Body Meeting. Such amended byelaws shall be filed with the Registrar within one month.

Q12. Can a registered Society be amalgamated with another Society or divide itself into two or more societies?

Ans:- Section 21 of A.P. Societies Registration Act, 2011 deals with this subject. Amalgamation: Any two or more societies may, by a special resolution of both or all such societies, and confirmed by a like resolution at a second meeting of both or all such societies, convened after an interval of one month after the first meeting, get amalgamated into one society with or without any dissolution or division of the funds of any of the societies with intimation to the Registrar.

Any society may, by a special resolution, divide itself into two or more societies. Such resolution shall contain proposals for the division of the assets and liabilities of the society among the new societies into which it is proposed to divide itself and may specify the area of operation of an the members, who will constitute each of the new societies.

An amalgamation or division in pursuance of this section shall not prejudice any right of a creditor of any society, which was a party to such amalgamation or division.

Q13. Can anybody other than member of Society inspect records of the Society and get copy of it?

Ans:- Yes, since records of the Society are deemed to be public records. Under section 24 any person can get copy and produce as evidence.

Q14. What is the dispute resolution mechanism provided by AP Societies Registration Act, 2001?

Ans:- According to Section 23 of the Act, in the event of any dispute arising among the committee or members of the society, in respect of any matter relating to the affairs of the society, there are two ways of resolution of it: May seek redressal under the Arbitration and Conciliation Act , 1996, or

May file an application in the District Court concerned and the said court shall after necessary inquiry pass such order as it may deem fit .

Q15. Procedure to be followed in respect of dissolution of the society?

Ans:- Under Section 24 of the Act, a society may by passing a special resolution may dissolve with prior intimation to the Registrar. And all necessary steps shall be taken for the disposal and settlement of the property of the society.

In the event of any dispute arising among the members of the Committee or the members of the society, the adjustment of its affairs shall be referred to the court and the court shall make such order in the matter including appointment of liquidator as it deems fit;

A society dissolved under this section shall file with Registrar a full report showing as to how the property has been disposed of. If upon the dissolution of any society after the satisfaction of all its debts and liabilities if any property remains, the same shall not be delivered to or distributed among the members of the said society or any of them, but shall be delivered to some other society, with a similar objective to be named by a special resolution.