Society Registration Act 1860 Uttar Pradesh

This is a central law (Act No. 21 of 1860) that Uttar Pradesh has adopted with several state specific amendments, commonly referred to as the "Societies Registration Act, 1860 (UP)," further governed by the UP Societies Registration Rules, 1976.

Purpose

The Act exists to improve the legal condition of societies established for the promotion of literature, science, or the fine arts, or for the diffusion of useful knowledge, the diffusion of political education, or for charitable purposes. It gives voluntary associations legal identity, so they can hold property, sue, and be sued in the society's name rather than in individual members' names.

Who Can Register

Any seven or more persons associated for a literary, scientific, or charitable purpose (or purposes described in Section 20) may register by subscribing their names to a memorandum of association and filing it. In UP, filing is done with the Registrar (the UP amendment replaced the original reference to "Registrar of Joint-Stock Companies" with simply "Registrar").

Memorandum of Association

Must contain:

- The name of the society
- Its objects
- Names, addresses, and occupations of the governing body members (council/committee/directors) managing its affairs
- A certified copy of the rules and regulations, signed by at least three governing body members, filed along with the memorandum

Section 20: Societies Covered

Typically includes societies for: charitable assistance, military orphan funds, promotion of science/literature/fine arts, diffusion of useful/political knowledge, foundation or maintenance of libraries or reading rooms, and public museums/galleries of paintings and other works of art, collections of natural history, mechanical/philosophical inventions, instruments, or designs.

Registration and Fees: Section 3 (UP Amendment)

The original Section 3 was substituted by the UP amendment. Under it, upon the memorandum and certified copy of rules being filed, the Registrar certifies under his hand that the society is registered, and a fee is payable to the Registrar for every such registration. The fee amount is fixed by the State Government from time to time, and all fees collected are accounted for to the State Government.

Other Key Features (General Structure of the Act)

- Annual list of governing body: Societies must file a list of managing members annually with the Registrar.
- Property vesting: Property of the society vests in the governing body for the time being, for the purposes of the society.
- Amendment of rules: Societies can alter, extend, or abridge their objects/rules by following a prescribed procedure (special resolution passed at general meetings, often requiring 3/5th majority).
- Dissolution: Societies may be dissolved by a resolution of 3/5ths of members, with assets applied to another society or charitable object, not distributed among members.
- Suits: A registered society can sue and be sued in the name of its president, chairman, or a designated officer, rather than every member individually.

UP Specific Framework

- UP Societies Registration Act, 1975 (UP Act 52 of 1975): made significant amendments applying to the 1860 Act's operation in the state.

- UP Societies Registration Rules, 1976: framed under Section 33 of the Act as amended by the 1975 UP Amendment Act, prescribing detailed registration procedure, forms, and administration across the state.
- Renewal of registration (societies in UP are generally required to renew registration periodically, unlike some other states).

Important Recent Development (2025)

This law is in the process of being replaced in UP. In September 2025, Chief Minister Yogi Adityanath stressed the need to replace this colonial era Act with a modern law, to bring clarity on property protection and speedy dispute resolution. The new law is intended to strengthen registration, renewal, property management, and financial transparency, with strict provisions for dissolving inactive or dubious institutions and protecting their properties. Registration and renewal are also meant to become fully online, KYC based, and time bound. This is relevant if you're registering a society now, since the framework may change in the near term, though the 1860 Act (as amended) remains in force until a new law is enacted.

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