

CIRCULAR NO. 34

**SUBJECT.— Service of Notice.
In case of a society registered under the
Societies Registration Act, 1860—**

A question has been raised as to who should be served with the notice of inquiry in the case of a society registered under the Societies Registration Act, 1860.

Attention is invited in this connection to para 2 of Circular No. 4. The principle underlying the instructions contained therein is that all the trustees, or if there is a managing trustee he alone, should be served with the notice of hearing.

In the case of a society registered under the Societies Registration Act, 1860, if there are trustees in whom the property of the society vests, all the trustees should be served with the notice. If the property of the society is not vested in trustees, the property is deemed to be vested in the governing body of the society, vide section 5 of the Societies Registration Act, 1860. As such all the members of the governing body are to be served with the notice, unless the society has under section 6 of the said Act by its rules and regulations determined that the society may sue or be sued in the name of the president, chairman or principal secretary or a person has been appointed by the governing body for the purpose of appearing and acting on their behalf in the inquiry before the Deputy/Assistant Charity Commissioner, in which case the person so determined by the rules or so appointed by

the managing committee may only be served with the notice of inquiry.

D. R. PRADHAN,
Charity Commissioner, Bombay.

Dated : 11th October, 1952.