

MEGHALAYA ACT 9 OF 1978

**THE NATIONAL SPORTS CLUB OF ASSAM (TAKING-OVER OF
MANAGEMENT) ACT, 1978.**

(As passed by the Assembly)

[Received the assent of the Governor on the 9th August, 1978]

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An

Act

**to provide for the taking-over of the management of the National
Sports Club of Assam within the State of Meghalaya from the present
Executive Committee and other committees of the
Club and from the holders of offices of the Club for a
limited period in the public interest and in order
to secure the proper management of the Club
and for matters connected therewith
or incidental thereto.**

Be it enacted by the Legislature of Meghalaya in the Twenty-ninth Year of the Republic of India as follows:-

Short title and
commencement..

1. (1) This Act may be called the National Sports Club of Assam (Taking over of Management) Act, 1978.
(2) It shall be deemed to have come into force on the 2nd day of June, 1978.

Definitions.

2. In this Act, unless the context otherwise requires,-
 - (a) “appointed day” means the 3rd day of June 1978 (11,00 hours);
 - (b) “Club” means the National Sports Club of Assam registered under the Societies Registration Act, 1860.
 - (c) “prescribed” means prescribed by rule made under this Act ;
 - (d) “State Government” or “Government” means the State Government of Meghalaya.

Transfer or the
management of the Club to and vesting thereof in the State Government.

Management of and
control over the Club and its affairs.

3. (1) On and from the appointed day, and for a period of 1 “ten” years thereafter, the management of, and the control over the Club within the State of Meghalaya shall be deemed to have been transferred to and to have vested in the State Government.
(2) On the transfer and vesting of the management and control over, the Club to the State Government under sub-section (1),-
 - (a) the Government Body, Executive Committee, Finance Committee, Games Committee, Regional Committee and any other Committee of the Club, the President, Vice-President, Secretary, Assistant Secretary, Treasurer and Trustees, if any, of the Club and all other persons in-charge of or holding any other offices in the management of and control over the affairs of the Club in any other capacity shall cease to exercise any power or function regarding management and control of the Club within the State of Meghalaya and the Governing Body and every such Committee shall, during the period

this Act is in force, be deemed as if they have been dissolved and every person hereinbefore mentioned as if they have vacated their respective offices:

(b) all properties, movable or immovable, and all rights, powers, privileges of the Club within the State of Meghalaya which immediately before the commencement of this Act belonged to the Club or any other Committee or persons holding any office mentioned in clause (a), or holding any other offices, shall, for the purposes of such management and control, vest in the State Government.

4. The State Government may, for the purposes of management of and control over the Club and all its affairs the management and control of which have vested in the State Government under Section 3, from time to time, by orders in the Official Gazette, appoint such officer or officers of the State Government and /or Committee or Committees consisting of such officers of the Government and or other persons as members thereof to exercise such powers, duties and functions and for such period as may be specified in the Orders:

¹Substituted by Act No 11 of 1983, Section 2 , Earlier the words read as "five"

Provided that the State Government may change the composition of any Committee at any time before the expiry of the term of the office of members.

(2) A person nominated as member to any Committee under sub-section (1) shall hold office at the pleasure of the Government and such person may resign from membership of the Committee by giving notice in writing to the State Government and shall, on such resignation being accepted by the State Government, be deemed to have ceased as member of the Committee.

Preparation and
submission of Statements and penalty for non-compliance.
the Treasurer and the

5. (1) Notwithstanding anything in the preceding section, the Secretary, Assistant Secretary, Trustees, if any, of the Club, functioning as such immediately before the commencement of this Act shall prepare a statement in relation to all matters of the Club which the Secretary, Assistant Secretary, Treasurer or Trustees, if any, was required to deal with immediately before the commencement of this Act and submit the same, within a period of fifteen days from the date of commencement of this Act or within such further time as may be granted by the State Government from time to time to any officer of the State Government appointed by the State Government in this behalf.

(2) If any person, without any reasonable excuse knowingly and wilfully makes default in complying with the requirements of the preceding sub-section, he shall be punishable with imprisonment which may extend to three months, or with fines which may extend to five hundred rupees or with both.

Delivery of Books of
Accounts, Registers and properties, etc, and penalty for non-
Secretary, Treasurer and Trustees, if
immediately
compliance.

6. (1) Notwithstanding anything in section 4 of this Act, the Secretary, Assistant Secretary, Treasurer and Trustees, if any, of the Club, functioning as such immediately before the commencement of this Act, and any other person in custody of any books of accounts, registers, records, other documents or properties of and relating to the Club shall handover such custody to the Officers of the Government appointed under

sub-section (1) of appointment or within such further time as may be granted by the Government in this behalf.	Section 5, within a period of one week from the date of his
	(2) If any person, without any reasonable excuse knowingly and wilfully makes default in complying with the requirements of the preceding sub-section, he shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.
Creation of the Sports	7. The State Government may create and maintain in the Fund. manner prescribed a fund to be called the 'Sports Fund of the Club' into which shall be paid all receipts and income of the Club and out of which shall be met all expenses and disbursements of the Club.
Relinquishment of management of the Club.	8. Upon the expiration of the period of five years from the appointed day, the management and control of the Club within the State of Meghalaya shall revert back to the Club or to an <i>ad-hoc</i> Committee constituted for the purposes: Provided that the State Government may, at any time before the expiration of the said period of five years, transfer back the management and control of the club to the Club or to an <i>ad-hoc</i> Committee constituted for the purpose.
Protection of action taken Act.	9. (1) No suit, prosecution or other legal proceeding under the shall lie against any officer of the Government or member of any Committee in respect of anything which is in good faith done or intended to be done in pursuance of this Act. (2) No suit or other legal proceeding shall lie against the State Government, any Committee or any member thereof or any officer of the Government for any damage caused or likely to be caused by anything which in good faith done or intended to be done in pursuance of this Act.
Power to make rules.	10.(1) The State Government may, by notification, make rules, to carry out the objects of this Act. (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for – (a) the manner in which the Sports Fund of the Club shall be deposited or invested ; (b) the mode of authentication of orders for payment of money in and from the Sports Fund of the Club; (c) the form in which accounts of the Club and Sports Fund of the Club shall be kept and audited and publication of such accounts ; (d) creation of the fund under Section 7; (e) the function of and the procedure to be followed by any Committee appointed under Section 4 ; (f) any other matters which are required to, or may, be prescribed.

Over-riding effect of the

11. (1)The provisions of this Act and the rules framed Act. thereunder shall have effect notwithstanding anything in the Societies Registration Act, 1850, or in the memorandum of Association or the Rules and Regulations of the Club.

(2)During the period this Act is in force, no member of the Club shall exercise any right under Section 13 of the Societies Registration Act,1860.

Repeal of Ordinance 5 of 1973.

12. The National Sports Club of Assam (Taking over of Management) Ordinance, 1978 is hereby repealed.

THE UNDERLINED TEXT INDICATES THE INSERTION/SUBSTITUTION OF THE SUBSEQUENT AMENDMENTS TO THE NATIONAL SPORTS CLUB OF ASSAM (TAKING-OVER OF MANAGEMENT) ACT, 1978 (ACT 9 OF 1978)., AMENDED AND UPDATED UPTO THE YEAR - ACT 11 OF 1983.

