



THE RELIGIOUS SOCIETIES ACT, 1880



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THE SCHEDULE

THE RELIGIOUS SOCIETIES ACT, 1880

¹ACT No I OF 1880

[9th January, 1880]

An Act to confer certain powers on Religious Societies

Preamble. WHEREAS it is expedient to simplify the manner in which certain bodies of persons associated for the purpose of maintaining religious worship may hold property acquired for such purpose, and to provide for the dissolution of such bodies and the adjustment of their affairs and for the decision of certain questions relating to such bodies; It is hereby enacted as follows:—

1. Short title. This Act may be called the Religious Societies Act, 1880.

Local extent. It ²* * * shall extend to ³[the whole of Pakistan] but nothing herein contained shall apply to any Hindus, ⁴[Muslims] or Buddhists, or to any persons whom the ⁵[provincial Government] may from time to time, by notification in the ⁶[official Gazette], exclude from the operation of this Act.

2. Appointment of new trustee in cases not otherwise provided for. When any body of persons associated for the purpose of maintaining religious worship has acquired, or hereafter shall acquire, any property,

and such property has been or hereafter shall be vested in trustees in trust for such body,

and it becomes necessary to appoint a new trustee in the place of or in addition to any such trustee or any trustee appointed in the manner hereinafter prescribed,

¹For Statement of Objects and Reasons, see Gazette of India, 1879, Pt. V, p.770; for Proceedings in Council, see *ibid.*, 1879, Supplement, pp. 598, 745; and 174, *ibid.*, 1880, Supplement, pp. 23 and 170.

This Act has been amended to the extent of Islamabad Capital Territory, see Ordinance No. 27 of 1981, s. 5 and 4th Sch.

²The words "shall come into force at once, and" rep. by the Repealing and Amending Act, 1914 (10 of 1914).

³Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "all the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "the whole of British India".

⁴Subs. by F.A.O., 1975, Art. 2 and Table, for "Muhammadans".

⁵Subs. by A.O., 1937, for the words "L.G." which had been subs. for the words "G.G. in C" by the Devolution Act, 1920 (38 of 1920), s. 2 and Sch. I.

⁶Subs. by A.O., 1937, for the words "local official Gazette" which had been subs. for the words "Gazette of India" by Act 38 of 1920, s. 2. and Sch. I.

and no manner of appointing such new trustee is prescribed by any instrument by which such property was so vested or by which the trusts on which it is held have been declared, or such new trustee cannot for any reason be appointed in the manner so prescribed,

such new trustee may be appointed in such manner as may be agreed upon by such body, or by a majority of not less than two-thirds of the members of such body actually present at the meeting at which the appointment is made.

3. Appointment under section 2 to be recorded in a memorandum under the hand of the chairman of the meeting. Every appointment of new trustees under section 2 shall be made to appear by some memorandum under the hand of the chairman for the time being of the meeting at which such appointment is made.

Such memorandum shall be in the form set forth in the schedule hereto annexed, or as near thereto as circumstances allow, shall be executed and attested by two or more credible witnesses in the presence of such meeting, and shall be deemed to be a document of which the registration is required by the ¹[Registration Act, 1908 (XVI of 1908)] section 17.

4. Property to vest in new trustees without conveyance. When any new trustees have been appointed, whether in the manner prescribed by any such instrument as aforesaid or in the manner hereinbefore provided, the property subject to the trust shall forthwith, notwithstanding anything contained in any such instrument, become vested, without any conveyance or other assurance, in such new trustees and the old continuing trustees jointly, or, if there are no old continuing trustees, in such new trustees wholly, upon the same trusts, and with and subject to the same powers and provisions, as it was vested in the old trustees.

5. Saving of existing modes of appointment and conveyance. Nothing herein contained shall be deemed to invalidate any appointment of new trustees, or any conveyance of any property, which may hereafter be made as heretofore was by law required.

¹Subs. by Ord. XXVII of 1981, s.5 and Sch. IV (only to the extent of Islamabad Capital Territory.)