

Circular on Associate Member dated 24.12.2013

O.W.No.: Home/D-3/Housing Manual /To omit provision/ 2013.
Office of the Commissioner,
Co-operation and
Registrar, Co-operative Societies, Maharashtra State, Pune.
Date: 24th December, 2013.

READ:

1. Directions under Section 79 (A) bearing No. C.H.S.-2011/M. No. 360/14- S, dated 15/10/2011 from the Co-operation, Marketing and Textile Industries Department, Mantralaya, Mumbai;
2. Letter bearing No. C.H.S.- 2013/2097/M. No. 269/14-S, dated 28/11/2013 from the Co-operation, Marketing and Textile Industries Department, Mantralaya, Mumbai,

CIRCULAR

As complaints regarding the registered Co-operative Housing Societies in the State of Maharashtra are received on a large scale, with a view to see that the said complaints are redressed immediately at the level of the Society itself and that for conducting the working of the Societies smoothly and neatly, the Government, by its directive dated 15/10/2011 issued under Section 79(A) of the Maharashtra Co-operative Societies Act, 1960, has made the Co-operative Housing Societies Manual applicable.

In Chapter – III of the said Manual, rights of Associate Members/Co-members have been described. However, as there is no provision of "Joint Member" made in the amendment to the Act published in the Government Gazette dated 13/08/2013, it has become necessary to omit the word "Joint Member" from the said Manual.

In the said Manual, there is a provision that, a person who becomes an Associate Member only by paying a fee cannot get right to cast a vote or to election on behalf of that particular member. In order to hold Share jointly, the Associate Member must have his share/name in the ownership of the property.

Taking into consideration the possibilities that due to the said provision dispute and confusion would create amongst the members and the Managing Committee of the Society and that number of complaints in that regard would increase, the Government, by its letter dated 28/11/2013, has granted its approval to omit the provision made in Paragraph No.4 in Rights of Associates Members in 3.1 (D) of the Co-operative Housing Societies Manual viz.

"a person who becomes an Associate Member only by paying a fee cannot get right to cast a vote or to election on behalf of that particular member. In order to hold Share jointly, the Associate Member must have his share/name in the ownership of the property".

Accordingly, said provision is omitted subject to the provisions made in Section 27(2) of the Maharashtra Co-operative Societies Act, 1960.

This fact should be brought to the notice of all Co-operative Housing Societies, at your level.

Sd/- x x x x x
(Madhukar Chaudhari)
Commissioner, Co-operation and Registrar,
Co-operative Societies, Maharashtra State, Pune.

Copy to:

1. The Divisional Joint Registrars, Co-operative Societies (All);
2. The Joint Registrar, Co-operative Societies, (CIDCO), Raigad Bhavan, C.B.D. Belapur, Navi Mumbai;
3. The Joint Registrar, Co-operative Societies (Eastern and Western Suburban Areas), Slum Rehabilitation Authority, 5th Floor, Grihanirman Bhavan, Bandra (East), Mumbai - 51;
4. The District Deputy Registrars, Co-operative Societies (All);
5. The Deputy Registrar, Co-operative Societies (MHADA), Grihanirman Bhavan, Sandra (East), Mumbai;
6. The Deputy Registrar, Co-operative Societies (MMRDA), Mumbai;

Copy to: The District Federation of Co-operative Housing Societies (All);

Copy humbly submitted for information to: The Secretary (Co-operation), Co-operation, Marketing and Textile Industries Department, Mantralaya, Mumbai.