

# Teaching co-op societies a lesson

■ Manu Desai, Andheri

A programme, the first of its kind in the western suburbs, and perhaps in India, for training office-bearers of the cooperative housing societies with a view to educating them in the legal provisions under the law is being organised by the Maharashtra Co-operative Societies Welfare Association at Andheri in October and November.

Those office-bearers or the committee members of the societies with an attitude of service, a sense of social responsibility and an innate desire to share knowledge and experience with others are eligible for participation.

The programme will be held at Shree N D Bhutta



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High School in Andheri (E). The subject and the programme as worked out by the association are as follows. Common problems of society (October 5), study of

By-laws (October 19), latest amendments and rules (November 2) and conveyance, leakage etc (November 16).

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Rakesh Shresintha

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In this connection, the association says that with the introduction of Sections 73 (AB) in the Maharashtra Co-operative Societies' Act, the committee members are jointly and severally responsible for all the acts and omissions detrimental to the interests of the society. It is also pointed out that every such member will have to execute a bond to that effect within 15 days of his assuming office in the form as prescribed by the government. It adds that a member who fails to execute such a bond within the specified period shall be deemed to have vacated the office as a member of the committee.

Anup D Gupta, Joint Secretary of the Association, says that it is necessary that members of the managing committees of the housing societies are fully acquainted with by-laws and rules of the societies.

Mr. Anup D. Gupta – BE – Civil – LLB – MBA, has been acting as lecturer at this training program .

Fees Rs. 100/- per person per class of 1 hr.

The Maharashtra Co-operative Societies Welfare Association held its weekly workshop on housing society matters last Sunday at Four Bungalows, Andheri West.

Anup D. Gupta, civil engineer, spoke on leakages, major and minor repairs, T.D.R. and F.S.I. development, while Yogesh Dhadare, civil engineer spoke on latest developments regarding the use of chemicals in repairs and leakages.

Ramesh S. Prabhu, chartered accountant, spoke on the latest Amnesty Scheme on stamp duty while advocate Mahabaleshwar

- which is compulsory after 10/12/1985
- At the time of possession whether sale deed is executed or not. For documents before 10/12/1985 also the same criteria.
- At time of conveyance if at the above two stages it is not paid.



## a cooperative approach

Morje fielded the question-answer session on common problems faced by the housing society members.

B. M. Ghokhle from Shri Ojas C.H.S Ltd., inquired about the procedure for a structural audit. Anup Gupta stated that as per byelaw No. 77, a society should carry out the structural audit once in five years for buildings aged 15 to 30 years and once every three years for those above 30 years.

Structural engineers who are registered with the BMC or those approved by the government shall carry out such audits.

K. S Padam from Mori Tower C.H.S. Ltd. wanted to know, which cases would be covered by the new amnesty scheme and whether one had to pay stamp duty on documents before 10/12/1985 or not.

Ramesh Prabhu clarified that the amnesty scheme is applicable for all the documents executed before January 25, 2004.

Prabhu also explained that the Stamp Duty is payable in one of the following three stages:

- At the time of the agreement,

Ramesh Prabhu was asked about the recourse available to members if the society does not provide the copies of AGM minutes despite several written applications. He replied that the member could approach the registrar of the respective ward to get the copies.

E. Dais from New Guru Krupa C.H.S Ltd. asked whether it was compulsory to become a member of Mumbai District Co-Operative Housing Federation to which Prabhu answered that as per the byelaws it is compulsory for the Society to become a member of the District Federation.

Advocate Morje was asked whether a society could go ahead with the redevelopment of the building when 80% have agreed

for reconstruction and others are against it.

To this, he explained that as per the development control rules and MCS Act even if three-fourth of the members agree for the reconstruction, it would be binding on other members.

**“ a society should do the structural audit once in five years for buildings aged 15 to 30 years ”**

**fast fact**

The first stamp duty amnesty scheme has a three-month duration. The penalty is