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सहकाराचे नेते प्रविण दरेकर संपादित सहकार चळवळीचे मुखपत्र

## सहकारी महाराष्ट्र

नव्या ढंगात, नव्या रूपात !





स्वयंपुनर्विकास योजनेतून साकारलेल्या चारकोपमधील श्वेतांबरा गृहनिर्माण संस्थेच्या सभासदांना प्रशस्त घरांच्या चाव्यांचे वाटप मा. ना. मुख्यमंत्री देवेंद्र फडणवीस यांच्या हस्ते पार पडले.

# दि मुंबई डिस्ट्रिक्ट को ऑप. हौसिंग फेडरेशन लिमिटेड

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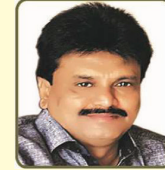
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देविदास गोस्वामी  
(मुख्यकार्यकारी अधिकारी)



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## सहकार कायदा, नियम व उपविधीतील विसंगत तरतुदीमुळे व्यवस्थापक समितीच्या निर्णय प्रक्रियेत निर्माण होणारे अडथळे

गृहनिर्माण सहकारी संस्था, इंडस्ट्रीयल इस्टेट आणि प्रिमायसेस को-ऑप सोसायट्या निबंधक, सहकारी संस्था यांनी महाराष्ट्र सहकारी संस्था अधिनियम १९६० च्या अंतर्गत व नियम १९६१ अंतर्गत सहकारी कायद्यांतर्गत नोंदविलेल्या असतात. सहकार कायद्यानुसार सहकारी संस्थांचे निबंधक या संस्थांच्या व्यवस्थापनाचे नियामक असतात. नुकतेच महाराष्ट्र सहकारी संस्था अधिनियम १९६० मध्ये बदल करून महाराष्ट्र शासनाने सहकारी गृहनिर्माण संस्था, इंडस्ट्रीयल इस्टेट व प्रिमायसेस सोसायट्या यांचे नियंत्रण करण्यासाठी प्रकरण १३



संपादक  
वसंतराव एन शिंदे

(बी) अंतर्गत सहकारी कायदा कलम १५४ बी समाविष्ट केले आहे. त्यामुळे सहकारी गृहनिर्माण संस्थांना कलम १५४ बी १ ते ३१ च्या तरतुदीनुसार व्यवस्थापन करणे बंधनकारक आहे. तथापि कलम १५४ बी १ ते ३१ च्या अनुषंगाने महाराष्ट्र शासनाने आवश्यक ते नियम महाराष्ट्र सहकारी संस्था अधिनियम १९६१ अंतर्गत प्रसिद्ध केलेले नाहीत. त्यामुळे सहकारी गृहनिर्माण संस्थांना ९७व्या घटनादुरुस्तीनुसार सहकार खात्याने मंजूर केलेल्या नमुना उपविधीनुसार कामकाज करावे लागत आहे. मात्र, वैधानिक तरतुदींमध्ये विसंगती असल्याने सहकारी गृहनिर्माण संस्थांच्या व्यवस्थापन समित्यांना निर्णय घेणे अडचणीचे झालेले आहे.

**सभासदत्व :** सुधारित प्रकरण १३ बी अंतर्गत कलम १५४ बी नुसार सहकारी गृहनिर्माण संस्थांमध्ये सभासदांची वर्गवारी करण्यात आली आहे. तसेच त्यासंबंधीच्या व्याख्या व जबाबदाऱ्याही नमूद करण्यात आल्या आहेत.

**मूळ सभासद म्हणजे** गृहनिर्माण संस्थेच्या नोंदणी अर्जावर ज्यांनी सही केलेली आहे व संस्थेच्या नोंदणीनंतर ज्यांना पहिल्या सभेत सभासदत्व दिलेले आहे, असे सभासद, मूळ सभासद.

**असोसिएट सभासद :** सहयोगी सभासद, जॉइन्ट सभासद (संयुक्त सभासद) प्रोव्हीजनल सभासद (तात्पुरता सभासद) अशी वर्गवारी केलेली आहे. व त्यानुषंगाने या सभासदांचे अधिकार व जबाबदाऱ्या निश्चित करण्यात आलेल्या आहेत. ही तरतूद पूर्वीच्या कायद्यात नसल्याने जुन्या उपविधीमध्ये अंतर्भूत नव्हते. कलम १५४ बी १ ते ३१ नुसार ज्या सुधारणा करण्यात आलेल्या आहेत. त्याबाबतच्या तरतुदीही प्रचलित उपविधी समाविष्ट नाहीत.

महाराष्ट्र सहकारी संस्थांचे नियम १९६१ नुसार नियमही प्रसिद्ध करण्यात आलेले नाहीत. यामुळे व्यवस्थापक समित्यांना त्यानुषंगाने निर्णय घ्यावयाचे झाल्यास कायदा व उपविधीतील विसंगतीमुळे निर्णय घेता येत नाहीत.

**सभासदांची मर्यादा :** कोणत्याही सहकारी गृहनिर्माण संस्थाना त्यांच्याकडे उपलब्ध असलेल्या सदनिका, प्लॉट अथवा, दुकाने वितरीत करण्यासाठी उपलब्ध असतील इतक्या संख्येपेक्षा जास्त व्यक्तींना सभासदत्व देता येणार नाही. अनेकवेळा सहकार खात्याचे निबंधक ओपन प्लॉटवर बांधकाम करीत असलेल्या सहकारी गृहनिर्माण संस्थावर ओपन मेंबरशीपच्या तरतुदीखाली ज्यादा सभासद करण्यास भाग पाडतात. त्यामुळे गृहनिर्माण संस्थांमध्ये वादविवाद निर्माण होतात. ओपन प्लॉटवर विकास नियमावलीनुसार किती सदनिकांचे बांधकाम करण्यात येते याचाही अहवाल आर्किटेक्टकडून घेतला जात नाही. शासनाच्या धोरणाप्रमाणे भविष्यात बांधकामाकरिता एफ एस आय उपलब्ध होईल या अपेक्षेवर सभासदत्व लादले जाते. या करिताच सुधारित कायद्यामध्ये सदनिकेच्या संख्येएवढेच सभासद असावेत, ही तरतूद अंतर्भूत करण्यात यावी.

**भागदाखले :** ९७व्या घटना दुरुस्तीपूर्वी गृहनिर्माण सहकारी संस्थांच्या उपविधीमध्ये ५०/- रुपये प्रत्येकी दर्शनी भाग रक्कम असलेले पाच भाग सभासदांना देणे बंधनकारक होते. ९७ व्या घटना दुरुस्तीच्या अनुषंगाने सहकार विभागाने माननीय सहकार आयुक्त यांच्या माध्यमातून नमुना उपविधी दर्शनी किंमत १००/- रुपये असलेले पाच भाग म्हणजेच एकूण ५००/- रुपये रक्कमेचे भाग धारण करण्याचे बंधन घातले. सदर उपविधी ऑनलाइनवर सहकार विभागाने प्रसिद्ध केले. काही सहकारी संस्थानी हे नमुना उपविधी स्वीकारलेसुद्धा ! दरम्यानच्या कालावधीत गृहनिर्माण सहकारी संस्थांच्या फेडरेशननी तयार केलेल्या नमुना उपविधीमध्ये सहकार निबंधकानी आवश्यक ते बदल करून उपविधी तयार केले. त्यामध्ये गृहनिर्माण सहकारी संस्थेच्या वैयक्तिक सभासदांनी प्रत्येकी ५०/- रुपये दर्शनी किंमत असलेले १० भाग धारण करण्याचे बंधन घालण्यात आले. अशाप्रकारे सभासदांच्या भाग धारण करण्याच्या नियमांमध्ये प्रथम प्रत्येकी ५०/- रुपयांचे पाच भाग नंतर प्रत्येकी १००/- रुपयांचे पाच भाग व सध्या प्रत्येकी ५०/- रुपयांचे १० भाग धारण करण्याची तरतूद वेळोवेळी बदललेली आहे. मुंबई व ठाण्यासह राज्यभरामध्ये सुमारे सव्वालाख गृहनिर्माण संस्था आहेत.

आजमितीसही गृहनिर्माण संस्थांच्या सभासदांनी प्रत्येकी ५०/- रुपयांचे ५ भाग धारण केलेले आहेत. सुधारित तरतुदीप्रमाणे सभासदांनी वाढीव भाग धारण केलेले नाहीत. ज्या

गृहनिर्माण संस्थांनी वाढीव प्रत्येकी ५०/- रुपयांचे ५ भाग धारण केलेले आहेत त्यांना नवीन धारण केलेल्या ५ भागांकरिता भागदाखला देणे आवश्यक आहे. सहकारी संस्थांनी मूळ सभासदांना दिलेल्या भागदाखल्यावर भाग रक्कम २५०/- रुपयांचे व ५ भागाचा भागदाखला दिलेला आहे. १७ व्या घटना दुरुस्तीनंतर ५ भागांचे १० भाग धारण करण्याची तरतूद करण्यात आली. त्यामुळे सभासदांना प्रत्येकी ५० रुपयांचे ५ भाग अतिरिक्त धारण करणे आवश्यक झाले. दरम्यानच्या कालावधीत गृहनिर्माण संस्थांच्या काही सभासदांनी आपल्या सदनिका विक्री केलेल्या आहेत. त्यामुळे सदनिका खरेदीदार नवीन सभासद झालेला आहे. त्याचे नाव भाग दाखल्यावर मागील बाजूस नोंदविलेले आहे. नवीन दिलेल्या ५ भागांचा भागदाखला देत असताना त्यावर भाग क्रमांक नोंदवावे लागणार आहेत. तसेच या भागदाखल्यावर भाग दाखला क्रमांक द्यावा लागणार आहे. त्यामुळे याबाबत सहकार विभागाचे कोणतेही मार्गदर्शक नियमावली अस्तित्वात नाही.

**मतदान अधिकार :** सहकारी कायद्यातील तरतुदीनुसार प्रत्येक सभासदास एकच मत असते. कलम १५४ ब च्या तरतुदीनुसार मूळ सभासद, सहयोगी सभासद, संयुक्त सभासद व तात्पुरता सभासद अशी वर्गवारी करण्यात आल्याने मूळ सभासदांना बाजूला ठेवून सहयोगी सभासद, संयुक्त सभासद व तात्पुरता सभासद संस्थेच्या व्यवस्थापक समितीच्या निवडणुकीत मतदान करण्याची सुविधा कायद्याने उपलब्ध करण्यात आलेली आहे. त्यामुळे मूळ सभासदाव्यतिरिक्त सहयोगी सभासद, संयुक्त सभासद व तात्पुरता सभासदांचा व्यवस्थापक समिती निवडण्याचा मार्ग मोकळा झाला आहे. त्यामुळे मूळ सभासदाचा मालकी हक्क व वारसा हक्क धोक्यात येण्याची शक्यता निर्माण आहे. अशा गंभीर परिस्थितीत १५४ ब कलम १ ते ३१ अंतर्गत नियमावली व त्यानुसार उपविधी दुरुस्ती होणे अपेक्षित आहे. या संपादकीयाच्या माध्यमातून मुंबई डिस्ट्रिक्ट को-ऑप. हाऊसिंग फेडरेशन या गंभीर विषयाकडे सहकार विभागाचे लक्ष वेधित आहे.

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## भारताची जनगणना सन २०२६

दिनांक ०१/०४/२०२६ रोजी भारताची १६वी जनगणना सुरू करण्यात आली. देशातील ही जनगणना पूर्णपणे डिजिटल जनगणना असणार असून नागरीकांना घरबसल्या मोबाईल ॲप किंवा पोर्टलच्या माध्यमातून स्वतःची माहिती ऑनलाईन भरण्याची सोय उपलब्ध करून देण्यात आलेली आहे.

भारताची सुरू असलेली सध्याची जनगणना प्रामुख्याने २ टप्प्यात पार पडणार आहे. जनगणनेच्या काळात घरातील उपलब्ध सुविधांची माहिती संकलीत केली जाणार आहे. तरी सर्व नागरिकांनी त्यांची माहितीची नोंदणी अचूकपणे मोबाईल ॲप किंवा पोर्टलवर अपलोड करावी. त्यात आपल्या राहत्या घरांची माहिती देणे गरजेचे आहे.

दुसऱ्या टप्प्यात त्या घरातील लोकसंख्येची गणना करण्यात येईल. यामध्ये महत्वाची वैयक्तिक माहिती जसे की, आपले मोबाईल नंबर, जन्मतारीख, जन्मस्थान, चालू पत्ता, घरातील सदस्यांची नावे, शिक्षण, व्यवसाय, आर्थिक स्थिती, स्थलांतर, भाषा, इतर घटकांची माहिती समाविष्ट असेल.

जनगणनेसाठी आपल्या घरी अधिकारी/कर्मचारी आल्या नंतर त्यांना संपूर्ण अचूक माहिती द्यावयाची असल्यामुळे कुटुंब प्रमुखाची जबाबदारी वाढणार आहे. याबाबत आवश्यक ते सर्व सहकार्य देऊन जनगणना अधिकारी/कर्मचारी यांना माहिती द्यावयाची आहे.

भारताची पहिली जनगणना स्वतंत्र पुर्व काळात ब्रिटीशांनी सुरवात केली. भारताची १५वी जनगणना सन २०११ मध्ये करण्यात आली होती. सन २०२१ मध्ये कोविड महामारी सारख्या आजाराचे संकट असल्यामुळे त्यावेळी १६वी जनगणना पुढे ढकलण्यात आलेली होती. जनगणनेचा मुख्य उद्देश म्हणजे जनगणने नुसार भारताची आर्थिक ध्येय धोरणे ठरवणे, भारतातील व्यक्तींचे सामाजिक, आर्थिक व राहणीमाना संदर्भात संपूर्ण माहिती शासनाकडे असणे गरजेचे असल्यामुळे व त्यावरून शासनाचे लोकाभिमुख निर्णय घेणे. जेणे करून भारताच्या जनतेला योग्य ती दिशा दाखवणे इत्यादी महत्वाचे उद्देश आहे.

तरी बृहन्मुंबईतील सध्या सुरू असलेल्या जनगणने संदर्भात आपल्या कुटुंबाची अचूक माहिती आपल्या देण्यात आलेल्या विहित नमुन्यात भरून द्यावयाची आहे. मुंबईतील प्रत्येक नागरीकांना विनंती की, आपल्याकडे येणाऱ्या जनगणना अधिकारी/कर्मचारी यांना अतिथी देवो भव या म्हणी प्रमाणे किमान सन्मानपूर्वक वागणूक देऊन त्यांना आपल्या कुटुंबाची अचूक माहिती दिल्यास त्यांचा सन्मान झाल्या सारखे होईल.

जनगणने साठी सज्ज राहा, सतर्क राहा व देशाच्या जनहितासाठी व घ्यावयाच्या अचूक ध्येय धोरण आणि निर्णयासाठी आपण सुद्धा सहभागी व्हा.

**प्रकाश य. दरेकर**

अध्यक्ष

दि मुंबई डिस्ट्रिक्ट को-ॲप हौसिंग फेडरेशन लि.

# After 6-yr wait, state clears co-op housing society rules

## TO MODERNISE GOVERNANCE

<ul style="list-style-type: none"> <li>➤ <b>Digital AGMs</b>   Legal recognition for online and hybrid annual general meetings</li> </ul>	<b>PUSH FOR REDEVELOPMENT</b>			
<ul style="list-style-type: none"> <li>➤ <b>Virtual voting</b>   Members can now officially participate and vote via digital platforms</li> </ul>	<ul style="list-style-type: none"> <li>➤ <b>Higher borrowing limits</b>   Societies can now borrow up to 10 times the value of their land (previously limited by society funds)</li> <li>➤ <b>Transparency</b>   The developer selection process must be video-recorded</li> <li>➤ <b>Mandatory quorum</b>   Minimum 51% member participation is required for redevelopment decisions</li> </ul>			
<ul style="list-style-type: none"> <li>➤ <b>Internal vacancies</b>   Societies can fill casual committee vacancies internally without needing to approach election authorities</li> </ul>	<table border="1" style="width: 100%;"> <tr> <td data-bbox="634 825 1406 873" style="background-color: #e0e0e0;"> <b>FINANCIAL DISCIPLINE</b> </td> </tr> <tr> <td data-bbox="634 873 1406 974"> <ul style="list-style-type: none"> <li>➤ <b>Uniform charges</b>   Greater clarity and uniformity in how maintenance charges are applied</li> </ul> </td> </tr> <tr> <td data-bbox="634 974 1406 1068"> <ul style="list-style-type: none"> <li>➤ <b>Lower penalties</b>   Provisions to reduce interest rates on delayed maintenance payments</li> </ul> </td> </tr> </table>	<b>FINANCIAL DISCIPLINE</b>	<ul style="list-style-type: none"> <li>➤ <b>Uniform charges</b>   Greater clarity and uniformity in how maintenance charges are applied</li> </ul>	<ul style="list-style-type: none"> <li>➤ <b>Lower penalties</b>   Provisions to reduce interest rates on delayed maintenance payments</li> </ul>
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## “CHAPTER XI-B

### CO-OPERATIVE HOUSING SOCIETIES

**106C-1.** *Non-application of provisions of these Rules to housing societies.*- Rules 4, 19, sub-rule (1) of rule 20, rules 22, 25, 27, 30A, rules 35 to 48, rules 49B, 49C, 53, 53C, 63A, 66, 86A, rules 93 to 103 of these Rules shall not apply to the housing societies.

**106C-2.** *Application for reservation of name and permission to open bank account.*-

**106C-3.** *Application for registration and registration fees.*-

**106C-4.** *Conditions to be complied with for admission to membership, etc.*-

**106C-5.** (i) Any person defined in section 154 B-1 (18) (a) may apply for being as an Associate Member of any member in Form Y-4 alongwith a recommendation of a member.

(ii) An Associate Member ceases to be an associate member on the death of the member who has made recommendation for his membership or on the resignation or death of such associate member.

**106C-6.** (1) *Procedure for admission of provisional members.*-

**106C-7.** *Co-operative education and training for members, officers, and employees of housing societies.-*

**106C-8.** *Nomination of persons.-*

(1) A member or joint member of a co-operative housing society may nominate any person or persons for provisional membership by submitting the prescribed nomination form, as outlined in the society's byelaws. The nomination form must be signed by the member submitted to the society during their lifetime. In case of Joint members, separate nomination form shall be submitted for each member for their respective share.

(2) Any nomination made may be revoked or varied by submitting a new nomination form, by following procedure specified in the society's bye-laws.

**106C-9.** *Registration of nominations.-* The name and address of every person nominated for the purpose of provisional membership, as well as any revocation or variation of such nomination, shall be entered in the register maintained under rule 32.

**106C-10.** *Conditions for borrowing by societies with limited liability.-* No housing society shall incur liability exceeding ten times the total amount of its paid-up share capital, accumulated reserve fund, amount contributed by members towards land and building, and the building fund, minus accumulated losses:

Provided that, at the time of re-development, a housing society may borrow up to ten times the value of the land, as per the valuation report obtained by the society from a Government approved valuer.

**106C-11.** *Creation of funds.-* The society may establish and maintain the following funds, as approved by the general body, namely:-

(1) *Reserve fund* (2) *Sinking fund* (3) *Repair and maintenance fund* (4) *Major repair fund* (5) *Education and training fund* (6) *Election Fund* (7) *Welfare Fund* (8) *Corpus fund* (9) *Any Other Funds with the Permission of the General Body*

**106C-12.** *Levy of the charges.-*

(1) The contributions to be collected from the members or unit holders of the society, for the funds and the rates specified therein are as follows, namely:-

(a) service charges; (b) property tax; (c) water charges; (d) expenses on repairs and maintenance of the lifts of the society, including charges for running the lift; (e) car parking charges; (f) interest on defaulted charges; (g) repayment of the installment of the loan and interest; (h) non-occupancy charges; (i) insurance charges; (j) lease rent; (k) non-agricultural tax; (l) contribution towards various funds created by the society; (m) any other charges approved by the general body at its meeting, however such charges should not contradict the provisions of the Act and rules.

(2) The service charges of the society referred to in sub-rule (1) above shall include the following, namely:-

- (a) salaries of the office staff, lift men, watchmen, mali's, and any other employees of the society;
- (b) where the society has an independent office, the property taxes, electricity charges, water charges, etc., for the same;
- (c) printing, stationery, and postage;
- (d) travelling allowance and conveyance charges to the staff and the members of the committee of the society;
- (e) sitting fees paid to the members of the committee of the society;
- (f) annual subscription of the housing federation and any other cooperative institution to which the society is affiliated;
- (g) entrance fees for affiliation to the housing federation and any other cooperative institution;
- (h) audit fees for internal, statutory, re-audit, and test audit, if any;
- (i) expenses incurred at meetings of the general body, the committee, and the sub-committees, if any;
- (j) retainer fees, legal charges, territory enquiry fees;
- (k) common electricity charges.

**106C-13. Management of housing societies.-**

(1) *Adoption and Governance by Model Bye-Laws.-*

- (a) The management of every housing society, association of society, or co-operative housing association shall be governed by the bye-laws of the society approved by the Registrar. Bye-laws of the society shall form the core governance framework for the society.
- (b) The Registrar of Co-operative societies shall issue the model bye-laws, for the housing society, Association of Societies and Co-operative Housing Association.
- (c) Every housing society, Association of Society, or Cooperative Housing Association shall adopt the model byelaws within three months from the date of their publication by the Registrar.

(2) *Duties and functions of the Managing Committee.-*

- (a) The Managing Committee shall execute decisions taken by the general body, prepare the annual budget, maintain financial records and ensure timely audits, repairs and maintenance of the society's property.

- (b) The committee may with the approval of the general body, appoint professionals, such as architects, contractors, etc., for projects of the society and for the purposes of the society.
- (c) The committee shall also ensure that the Society adheres to the model bye-laws adopted by the it and perform duties as per the model bye-laws.

(3) *General Body*, -

- (a) The general body shall be the supreme decision-making authority in the society and its decisions are binding on the managing committee, which is responsible for implementing them.
- (b) The general body shall have the power to resolve matters that fall within its jurisdiction as per the Act, rules, Bye-laws and Government directives issued under section 79A of the Act.
- (c) The annual general body meeting (AGM) shall be held every year as per the provisions of section 75 of the Act.
- (d) The notice and the agenda of the annual general body meeting (AGM) shall be in accordance the provisions of the Act.
- (e) The quorum for the general body meeting (AGM) shall be two-thirds of the total members or 20 members, whichever is less.
- (f) If there is no quorum, within half an hour after the time appointed for general body meeting of the society, the meeting, if convened upon the requisition of the Members, shall be dissolved. In any other case, it shall be adjourned to a later hour on the same day and at the same place, as may have been specified in the notice, calling the general body meeting of the society or to a subsequent date, not earlier than seven days and not later than thirty days and at such adjourned general body meeting, the business on the agenda of the original general body meeting shall be transacted, whether there is requisite quorum or not. Decisions at the general body meeting (AGM) shall be passed by a majority vote of fifty-one per cent. of the total members of the society present, including those attending through video conferencing.
- (g) For regular matters, a special general body meeting may be called by giving five clear days' notice.
- (h) For redevelopment matters, such as selecting a developer or contractor, a fourteen clear days' notice period is mandatory and the quorum for redevelopment-related special general body meeting shall be two-third of the total members of the society. Such meeting shall be conducted in the presence of the representative of the Registrar. Video recording of the meeting for re-development shall be made and shall be kept in custody of the Chairman and one copy of the said shall be kept in the office of the Deputy Registrar for Co-operative Societies within whose jurisdiction the society is located.

(i) A resolution for the selection of a developer or contractor for redevelopment shall be passed by a majority of fifty- one per cent. of the total members of the society.

(4) *Casual Vacancies in the Committee.-*

(a) A casual vacancy in the committee, arising due to the death, resignation, disqualification, removal or incapacity of a member or any other reason before the expiry of their term, may be filled by the Managing Committee.

(b) The Secretary or an authorized person shall invite nominations from members by giving a seven day notice on the society's notice board.

(c) After scrutinizing the nominations the valid nominations shall be placed before the committee.

(d) If the number of valid nominations exceeds the vacancies, the committee shall fill the vacancies by majority vote. (e) The term of the co-opted member shall be coterminous with the term of the committee members.

(5) *Maintenance and repairs,-*

(a) The managing committee is responsible for maintaining and repairing of the society property.

(b) The managing committee shall be competent to incur expenditure on the repair and maintenance of the society's property once in a financial year provided the one-time expenditure does not exceed,-

for 1 to 25 members upto rs. 1,00,000,

for 26 to 50 members upto rs. 2,00,000, and

51 and above member upto Rs. 3,00,000.

**106C-14.** *Grant of certificate for recovery under section 154B- 29.-*

(1) *Application for grant of certificate for recovery.-*

(a) Every application for the grant of a certificate for recovery under section 154B- 29 shall be submitted alongwith a court fee of rupees one hundred.

(b) The application must specify the dues the society claims from the person against whom the amount is due.

(c) The application shall clearly state whether the person from whom the amount is claimed is a member of the society or not.

(2) *The application shall be accompanied with,-*

(a) A letter of authority, authorizing an officer or a representative to submit the application and represent the society before the Registrar.

- (b) A certified true copy of the up-to-date account of dues or personal ledger of the defaulting member or occupier.
- (c) A certified true copy of the resolution approving the levy of major repair funds or construction costs.
- (d) A certified true copy of the resolution approving the levy of simple interest on the dues.
- (e) The original treasury challan or any other proof of the deposit of fees.
- (f) A copy of the notice issued by the society.

(3) *Scrutiny and Registration of Application.*-

- (a) Upon receiving the application, the Registrar shall ensure that the application is complete before proceeding to register it.
- (b) If the application is incomplete, the Registrar may direct the society to rectify the deficiencies within seven days.
- (c) After compliances of the requirements, the application shall be registered. If the requirements are not complied with, within the period specified, the Registrar shall dismiss the application.
- (d) After registration, the Registrar shall, within fifteen days, issue a notice to the opponent, requiring them to file a written statement on the specified day, date and place as specified in the notice.
- (e) The notice shall be served through hand delivery, registered post acknowledgment due, or if the opponent could not be easily found by publication of public notice thereof in at least one local daily newspaper.
- (f) The provisions of the Code of Civil Procedure, 1908 shall *mutatis mutandis* apply to such public notice. (g) The expenses for the publication of the notice shall be borne by the applicant.

(4) *Appearance of parties and consequences of nonappearances.*-

- (a) On the date fixed as aforesaid, the opponent shall appear either personally or through his advocate or his representative before the Registrar and shall file a written statement in his defense. The Registrar may grant adjournment for a period not exceeding fifteen days in the first instance to file a written statement.
- (b) On the date of hearing, if the applicant appears and the opponent or any of the opponents, if more than one, does not or do not appear, as the case may be, the Registrar shall after satisfying himself that all the opponent are duly served the notices, order the applicant to prove the claim on the next date and decide the application *ex-parte*: Provided that, before deciding the application, if the opponent appears and shows a sufficient cause for his non-appearance on the

earlier occasions, he shall be heard in the matter as if he had appeared before the Registrar on the first day.

(c) If, on the date fixed for the hearing, the opponent appears and applicant does not appear,-

(i) the Registrar may issue a recovery certificate as admittance by the opponent;

(ii) non-appearance of the applicant would not be reason for dismissal of the claim and the Registrar shall decide the application on merit.”

16. In rule 107 of the principal Rules, in sub-rule (1), in clause (e),-

(1) after the words and figures and “or under sub-section (1) of section 137” the words, figures and letter “or subsections (1) and (2) of section 154B-29” shall be inserted;

(2) in the proviso, after the words and figures “under subsection (1) or (2) of section 101” the words, figures and letter “or sub-sections (1) and (2) of section 154B-29” shall be inserted.”.

17. Forms J-1 and J-2 appended to the principal Rules shall be deleted.

18. Forms M-1 to M-19 appended to the principal Rules shall be deleted.

19. After Form-Y appended to the principal Rules, following Forms shall be added, namely:-

## सहकारी गृहनिर्माण संस्था सदस्यांसाठी निवडणूक अधिकारी प्रशिक्षण

महाराष्ट्र शासनाने नवीन निवडणूक नियमानुसार २५० पेक्षा कमी सभासद असलेल्या सहकारी गृहनिर्माण संस्थांच्या व्यवस्थापक समित्यांच्या निवडणुका घेण्याची संधी आता त्याच संस्थेच्या संचालकांना उपलब्ध करून दिली आहे. यामुळे गृहनिर्माण संस्थांच्या व्यवस्थापक समितीच्या निवडणुकांचे संचालन करण्याची संधी त्या संस्थेच्या सभासदांना उपलब्ध झालेली आहे. तथापि, यासाठी संबंधित सदस्य/ संचालकाने निवडणूक अधिकारी म्हणून नियमानुसार प्रशिक्षण घेणे आवश्यक आहे.

मुंबई डिस्ट्रिक्ट को-ऑप. हाऊसिंग फेडरेशन मार्फत असे प्रशिक्षण जुलै २०२१ पासून ऑनलाइन/ऑफलाइन पद्धतीने देण्यास सुरुवात झाली आहे. या प्रशिक्षण वर्गाचा लाभ मोठ्या संख्येने गृहनिर्माण संस्थांच्या सदस्य/संचालकांनी आजवर घेतला आहे. या प्रशिक्षणासाठी शुल्क प्रतिप्रशिक्षणार्थी ऑनलाइन रु.१,०००/- व ऑफलाइन रु. १,५००/- एवढे निश्चित करण्यात आले आहे. ज्या सदस्य/संचालकांना हे प्रशिक्षण घ्यावयाचे आहे त्यांनी आगाऊ नोंदणी करणे आवश्यक आहे. यासाठी [mumbaihousingfederation.live](http://mumbaihousingfederation.live) या लिंकवर जाऊन नोंदणी करता येईल. या लिंकवर गेल्यानंतर एक फॉर्म उघडेल. त्यात इच्छुकाने आपली माहिती भरावयाची आहे. तसेच प्रशिक्षणाचे शुल्क सुद्धा याच लिंक मार्फत भरायचे आहे. ज्यांना प्रत्यक्ष शुल्क भरायचे आहे त्यांनी फेडरेशनच्या कार्यालयात कार्यालयीन वेळेत येऊन हे शुल्क भरले तरी चालेल. मात्र “प्रथम येणाऱ्यास प्राधान्य” तत्वानुसार प्रवेश मिळेल.

### प्रशिक्षण कार्यक्रमाचे वेळापत्रक

दिनांक व वार	प्रकार	भाषा	वेळ
शनिवार, 20 जून, 2026	ऑनलाइन/Online	मराठी/English	सायं. 5.30 ते 8.30

For queries please contact:

**Shri Ashish J. Goel**

(Hon. Director, Mumbai district co-op housing federation)

9821047155/ mumbaifederationtraining@gmail.com

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, मे ४, २०२६/ वैशाख १४, शके १९४८

**REVENUE AND FORESTS DEPARTMENT**

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,

Mumbai 400 032, dated the 4th May, 2026.

*NOTIFICATION*

Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961.

No. Mashem-2020/C.R.50/L-7.— Whereas, by the Government Notification, Revenue and Forest Department, No. Mashem-2020/C.R.50/L-7, dated the 14th January, 2026, the Government of Maharashtra had published the draft rules, in exercise of the powers conferred by sub-section (1) and clause (e-1) of sub-section (2) of section 46 read with section 29A of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (Mah. XXVII of 1961), and of all other powers enabling it in that behalf, as required by sub-section (1) of section 46 of the said Act, for information of all the persons likely to be affected thereby; and notice was hereby given that the said draft would be taken into consideration by the Government of Maharashtra on or after the 11th February, 2026 ;

And Whereas, various objections and suggestions received pursuant to the said notification have been considered by the Government ;

And Whereas, after considering the objections and suggestions received, the Government considered it expedient to modify certain provisions of draft rules.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (e-1) of sub-section (2) of section 46 read with section 29A of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (Mah. XXVII of 1961), and of all other powers enabling it in that behalf, the Government of Maharashtra, hereby makes the following rules, the same having been previously published as required by sub-section (1) of section 46 of the said Act, namely :-

1. *Short title and application.*— (1) These rules may be called the Maharashtra Agricultural Land (Ceiling on Holdings) (Conversion of Class-II Occupancy into Class-I Occupancy) Rules, 2026.

(2) These rules shall apply to the lands granted under section 27 of the Act on Class II Occupancy, after lapse of ten years from the date of grant of such land; and where there is no breach of any of the conditions for grant of such land, or if there is a breach of any of such conditions, then after regularization of such breach.

2. *Definitions.*— (1) In these Rules, unless the context otherwise requires,—

(i) “Act” means the Maharashtra Agricultural Land (Ceiling on Holdings) Act, 1961 (Mah. XXVII of 1961);

(ii) “Annual Statement of Rates” means the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 framed under the Maharashtra Stamp Act (LX of 1958) and where such Annual Statement of Rates is not prepared or available, it means the rate of such land as determined by the Assistant Director of the Town Planning Department of the concerned District;

(iii) “Conversion Premium” means the conversion premium as prescribed in the Table under sub-rule (4) of rule 3 of these Rules.

(2) Words and expressions used but not defined hereinabove shall have the meanings as are respectively assigned to them in the Act.

3. (1) Any holder of land granted under section 27 of the Act on Class-II Occupancy, may after lapse of ten years from the date of grant of such land and if there is no breach of any of the conditions for grant of such land or if there is a breach of any of such conditions, then after regularization of such breach, make an application to the concerned District Collector for conversion of his land into Class-I Occupancy land as per the provisions of these Rules.
- (2) Upon receipt of any application under sub-rule (1), the Collector shall, within three months, verify the particulars of the concerned land and whether there is any breach of any of the terms or conditions of grant of such land.
- (3) Upon such verification, if it is noticed that there is breach of any of the terms or conditions of grant of such land which has not been regularised, then the Collector may reject the application, by an Order, after recording the reasons therefor.
- (4) Upon such verification, if it is noticed that there is no breach of any of the terms or conditions of grant of such land; or if there is a breach then such breach have been regularized by the competent authority, then, the Collector shall by final order, convert the Class-II Occupancy land into Class-I Occupancy lands within 15 days on verification, upon payment of the Conversion premium specified in the table below, and subjects to the conditions stipulated thereunder:-

TABLE

(A) Conversion Premium payable for conversion of lands allotted on Class-II Occupancy under section 27 of the said Act, which have not been transferred or use of which has not been changed after allotment to Class-I Occupancy :—

Sr.Nos. (1)	Area in which land is situated (2)	Conversion Premium (3)
1.	Metropolitan Regions, Municipal Corporation, or Municipal Council and their Fringe Areas	Thirty per cent. of value of such land calculated as per Annual Statement of Rates.
2.	Lands other than lands in Metropolitan Regions, Municipal Corporation or Municipal Council and their Fringe Areas	Twenty Five per cent. of value of such land calculated as per Annual Statement of Rates.

(B) Conversion Premium payable for conversion of lands allotted to Class-II Occupancy under section 27 of the said Act, which have been transferred or use of which has been changed after allotment with the prior permission of the Collector, to Class-I Occupancy :—

Sr.Nos. (1)	Areas in which land is situated and user thereof (2)	Conversion Premium (3)
1.	Metropolitan Regions, Municipal Corporation or Municipal Councils and their Fringe Areas,-	
	(i) used for Agricultural purposes;	Thirty per cent. of value of such land calculated as per Annual Statement of Rates;
	(ii) used for Industrial and other non-agricultural purposes	Twenty Five per cent. of value of such land calculated as per Annual Statement of Rates.

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, मे ४, २०२६/ वैशाख १४, शके १९४८

Sr.Nos. (1)	Areas in which land is situated and user thereof (2)	Conversion Premium (3)
2.	Lands other than lands in Metropolitan Regions, Municipal Corporation or Municipal Council and their Fringe Areas,-	
	(i) used for Agricultural purposes;	Twenty Five per cent. of value of such land calculated as per Annual Statement of Rates;
	(ii) used for Industrial and other non-agricultural purposes	Twenty per cent. of value of such land calculated as per Annual Statement of Rates.

Conditions.—

- (1) The Collector shall have the authority to convert the Class-II Occupancy land into Class-I Occupancy land in cases where the market value of the land, as per the Annual Value Rate Statement, does not exceed fifty lakh rupees. The Collector shall not pass any order to convert the Class-II Occupancy land into Class-I Occupancy land in cases where the market value of the land, as per the Annual Value Rate Statement, exceeds fifty lakh rupees, unless prior approval of the State Government is obtained. The Collector shall scrutinize the application where the market value of the land, as per the Annual Value Rate Statement, exceeds fifty lakh rupees within three months from the receipt of such application and forward the same for prior approval of the State Government.
- (2) Before the final order of conversion of Class-II Occupancy land into Class-I Occupancy land, the applicant shall pay the amount of conversion premium as mentioned in the notice for payment within three months from the date of such notice.
- (3) After the allotment of land under section 27 of the Act, if there is breach of any of the terms or conditions, then such breach shall be regularised first by the competent authority and thereafter action shall be taken to convert the land from Class-II Occupancy to Class-I Occupancy in accordance with these Rules.
- (4) In case the land holders have transferred or changed the land use with the prior permission of the competent authority, the amount of unearned income or surcharge or premium at the time of prior permission shall not be adjusted in the conversion premium charged at the time of conversion of the said land from Class-II Occupancy to Class-I Occupancy.

By order and in the name of the Governor of Maharashtra,

SATYANARAYAN BAJAJ,  
Joint Secretary to Government.

## Question & Answer

**Q.1) If any consent given by the member by email in a special meeting called by the society whether it is valid for the consideration of majority in passing the resolution?**

Ans - As per the papers submitted by the society it is advised that, if any of the society called a special general meeting as per the provisions given under Bye laws no.96. In which any such agenda was discussed wherein during the course of the meeting, out of the 39 total members 22 members were present in the meeting. At the time of passing the resolution 8 present members and in addition to that 7 members have given their consent by email (As per Model Bye laws no.162, and accordingly passed the resolution by majority in which such 7 members email are taken into consideration and as such the resolution passed by the society is valid and is forcible in Law.

**Q.2) If a flat is jointly owned by a father and son, then upon**

**the death of the father, can the flat be directly transferred to such son's name alone? or any consent or any NOC of other legal heirs is required? and what is the procedure for such transfer? Further, after the father's demise, can the son directly add his wife's name to the property?**

Ans: In the context of the details provided by the society it is joint owner / members flat between father and son. After the death of the father his undivided shares in the flat shall be governed as per Law of succession among the heirs of the deceased father, therefore the entire

Flat with shares cannot be transferred on the name of one son who is joint flat holder. Further to that we here by clarify that the undivided shares of a joint membership son will be owned by such son and the undivided shares of a deceased father shall be governed as per succession. Hence joint member son cannot add his

wife's name in the property directly. However, the society is hereby advised that the individual concern heirs of the deceased father shall take advised from any advocate producing the concerned documents and papers of such flat.

**Q.3) What is the procedure to be followed for disposal of applications received for transfer of shares?**

Ans: The Secretary and the Committee of the Society have to follow the procedure for disposal of applications for transfers of shares and/or interest of members in the capital/property of the society as laid down under the bye law No. 65. On receipt of the applications, the Secretary of the society shall scrutinise them and bring any short comings therein to the notice of the members concerned within 7 days of their receipt for compliance.

(a) The Secretary shall place all the applications, complete in all

respects, or incomplete, before the meeting of the Committee or the general body, as the case may be held next after receipt of the applications.

(b) The committee or the General Body, as the case may be, shall consider all such applications at its meetings and take decisions thereon;

(c) The committee shall ensure that all the applications received by the Secretary of the Society are disposed off within the maximum period of 3 months from the dates of their receipt;

(d) If the Committee or the General Body, as the case may be, rejects any applications, it shall record, in the minutes of its meetings, the reasons for rejection of the applications.

(e) The Secretary of the society shall communicate the decisions of the Committee or the General Body, as the case may be, to the applicants concerned within 15 days of the decisions of the committee or the General Body, as the case

may be, with reasons, where the applications are rejected by the Committee or may be, with reasons, where the applications are rejected by the committee or the General Body, as the case may be if the society does not communicate the decision to the applicant within three months from the date of receipt of application for membership, including nominal or associate membership, the applicant shall be deemed to have been admitted as a member as provided under Section 22(2) of the MCS Act 1960.

**Q.4) When can the Committee or the General Body of a Society refuse an application for membership or transfer of shares?**

Ans.: A meeting of the Committee or the General Body, as the case may be, do not usually have the power to refuse any application for admission to membership or transfer of shares and interest in the capital/property of the Society except on the ground

of noncompliance of the provisions of the Act, the Rules and the Bye-laws of the Society or any other law or order issued by the Government in exercise of the statutory powers vested in it.

**Q.5) When is the application for transfer of shares and interest in the capital/property of the society deemed to have been admitted?**

Ans.: In the event, the decision of the Committee/General Body Meeting as the case may be, on the application for transfer of shares and/or interest in the capital/property of the society is not communicated to the applicant within 3 months of its receipt, the transfer application is deemed to have been accepted and the transferee shall be deemed to have been admitted as a member of the society as provided under Section 22(2) of the Act.

**Adv. D. S. Vader.**

Hon. Secretary

The Mumbai District Co-Op Hsg. Federation Ltd.

(9821336411)



मुंबई हाऊसिंग फेडरेशनच्या पंचाहत्तरीची कहाणी  
सुफळ संपूर्ण!!!





देशाचे पंतप्रधान मा.नरेंद्र मोदीजी यांनी इंधन बचतीसाठी केलेल्या आवाहनाला प्रतिसाद देत गेटवे परिसरातील इंधनावर चालणाऱ्या बोटी इलेक्ट्रिक करण्यासंदर्भात व मत्स्य व्यवसायाला चालना तसेच संबंधित घटकांना आवश्यक आर्थिक सहाय्य उपलब्ध करून देण्याच्या अनुषंगाने मुंबई जिल्हा मध्यवर्ती सहकारी बँक लि. चे अध्यक्ष मा.ना. प्रविण दरेकर यांच्या समवेत फोर्ट येथील कार्यालयात महत्त्वपूर्ण बैठक मत्स्योद्योग व बंदरे विकास मंत्री मा.नितेशजी राणे यांच्या सोबत पार पडली त्यावेळचे छायाचित्र.