

Form of application for reservation of name and permission to open bank account for a proposed Co-operative Housing Society.

To,

The Joint/ Deputy / Assistant Registrar of Co-operative Societies.

.....

Subject : Reservation of Name and opening of bank account of the proposed Co-operative Housing Society.

Sir,

I wish to inform you that I have been elected as the Chief Promoter of the Co-operative Housing Society Ltd.(proposed). I enclose a certified true copy of the resolution of the Promoters of the proposed society, held on..... at..... electing me as the Chief Promoter. As per the authority vested in me by virtue of Resolution No. passed in the said meeting of the Promoters, I am making this application for reservation of name as Co-operative Housing Society Ltd. (Proposed).

If the above proposed name is not available for reservation, any one of the following alternative names, in the order of preference, may be reserved :—

1.
2.
3.
4.

The information required for securing reservation of name is as follows :—

1. Name of the proposed society to be reserved:
2. Details of plot, such as location and Municipal ward on which the building is proposed to be constructed or already constructed :
3. Postal address for correspondence purpose :
4. e-mail address:
5. Details of land whether it is already acquired or proposed to be acquired :
6. No. of flats proposed to be constructed or already constructed :
7. No. of promoters who have already joined the proposed society :
8. Whether the applicant is one of the promoters of the proposed society :
9. Address of the proposed society :
10. Details of the Chief Promoter :
 - (a) Full name, occupation and address of the Chief Promoter :
 - (b) Residential Address :
 - (c) Business/ Service :
 - (d) Occupation :

(e) Mobile No :

I hereby enclose the following documents :—

(1) Copy of resolution of promoters of society.

(2) In case of tenant co-partnership housing society or premises society, copy of agreement with any one proposed member by the builder promoter, copy of commencement certificate or the building completion certificate certified by the architect.

(3) In the case of tenant ownership housing society, a certified copy of the agreement for sale of land or letter of consent from Vendor for sale of land, or assurance letter from Government and copy of tentative lay-out plan certified by Architect or sanctioned lay-out plan.

I declare that the information given above, including in the enclosures, is correct.

I request you to reserve the above name and grant permission for opening of bank account of the proposed housing society accordingly.

Date :

Yours faithfully,

Place :

(Name and Signature of Chief Promoter)

Form Y-2

[See rule 106C-2(2)]

Form of application for reservation of name and opening of bank account for a proposed Association of Society or Co-operative Housing Association.

To,

The Joint/ Deputy / Assistant Registrar of Co-operative Societies.

.....

Subject :— Reservation of Name and opening of bank account of the proposed Association of Society/Co-op Housing Association.

Sir,

I wish to inform you that I have been elected as the Chief Promoter of the Association of Society/ Co-operative Housing Association (proposed), I enclose a certified true copy of the minutes of general body meeting and list of office bearers who attended the general body meeting of the proposed Association of Society/ Co-operative Housing Association, held on at..... electing me as the Chief Promoter. As per the authority vested in me by virtue of Resolution No. passed in the said meeting of the office bearers, I am making this application for reservation of name as Association of Society/ Co-operative Housing Association. (Proposed).

If the above proposed name is not available for reservation, any one of the following alternative names, in the order of preference, may be reserved :-

1.
2.
3.
4.

The information required for securing reservation of name is as follows :—

1. Name of the proposed Association of Society/ Co-operative Housing Association to be reserved :
2. Details of individual societies or legal bodies that are part of the same layout or plot :
3. Postal address for correspondence purpose :
4. e-mail address :
5. Details of societies or legal bodies giving consent or authorizing two office bearers to sign the necessary documents :
6. No. of societies or legal bodies forming the association :
7. No. of office bearers who have already joined the proposed association :
8. Whether the applicant is one of the office bearer of the proposed association :
9. Address of the proposed association :
10. Details of the Chief Promoter :

- (a) Full name, occupation and address of the Chief Promoter :
- (b) Residential Address :
- (c) Business/ Service :
- (d) Occupation :
- (e) Mobile No :

I hereby enclose the following documents :—

(1) Copy of minutes of general body meeting and list of office bearers who attended the general body meeting.

(2) Copy of the resolution from the general body meeting of five societies for the proposed Association of society or a resolution of the general body meeting of two societies or a consent of the legal bodies for the proposed Co-operative Housing Association to authorize two office bearers to attend the general body meeting and to sign the necessary documents.

(3) Copy of the Registration certificate of such individual society or legal body.

(4) Copy of a certificate from an architect certifying the individual societies or legal bodies are part of the same layout or plot.

I declare that the information given above, including in the enclosures, is correct.

I request you to reserve the above name and grant permission for opening of bank account of the proposed association of society accordingly.

Yours Faithfully,

Date :

Place :

(Name and Signature of Chief Promoter)

Form Y-4

[See Rules 106c-6 (1) (a) and 106c-6 (1) (c)]

The Form of application for Provisional Membership by the nominee

To,
The Secretary,
..... Co-operative Housing Society Ltd.

Subject : Application for provisional membership.

Sir,

I, Shri/Smt. hereby make an application for provisional membership of the Co-operative Housing Society Ltd., as nominee / legal representative of the deceased member Shri/Smt. was a member of the society holding.....shares of Rs. each and flat / tenement noin the society's buildings.

Shri/Smt. died on A copy of the death certificate is enclosed. The late Shri/Smt. the deceased member of the society had nominated me/us under Rule 106 C-7 of the Maharashtra Co-operative Societies Rules, 1961.

or

The late Shri/ Smt. the deceased member of the society has not made any nomination and I am the legal representative of the deceased member and I shall abide by the provisions of the Maharashtra Co-operative Societies Act, 1960 and the Maharashtra Co-operative Societies Rules, 1961.

I request you to please admit me as a provisional member of the society till the legal heirs are brought on the record of the society to transfer the shares and interest of the deceased member in the capital and property of the society in their names. The share certificate held by the deceased member is enclosed herewith.

Being the only nominee as per nomination filed with the society by the deceased member or being the legal representative of the deceased member, I am entitled to make an application for provisional membership of the society. I undertake to discharge the present and future liabilities to the society.

I have got understood the provisions of Act, Rules and bye-laws of the society and undertake to abide by the same.

Yours Faithfully,

Date :
Place :

(Signature of Nominee/
Signature of legal Representative).

Form Y-5

[See Rule 106C- 6(2)(b)]

The Form of application for Membership by the Legal Heirs executing duly registered Family Arrangement

To,
The Secretary,

..... Co-operative Housing Society Ltd.

.....

Subject : Application for Membership.

Sir,

I, Shri/Smt. hereby make an application for membership of the Co-operative Housing Society Ltd., as the legal heir / legal representative of the deceased member or joint member. Shri/Smt. was a member or joint member of the society holding shares of Rs. each and flat / tenement no in the society's buildings.

Shri/Smt. died on A copy of the death certificate is enclosed.

I hereby state and submit that I am the person entitled to inherit the property of late Shri/Smt., the deceased member of the society and thereby I have entered upon a duly registered Family Arrangement with other legal heirs to transfer the share, right, title and interest for the flat no. held by Late Shri/Smt., the deceased member of the society in my name.

I request you to please admit me as a member of the society. The share certificate held by the deceased member is enclosed herewith. I undertake to discharge the present and future liabilities to the society.

I have got understood the provisions of Act, Rules and bye-laws of the society and undertake to abide by the same.

Yours Faithfully,

(Signature of Legal Heirs /Legal Representative).

Date :

Place :

Form Y-5A

[See Rule 106C-5]

The Form of application for Associate Membership by an individual who is a relative of a member as defined in section 154B-1 (18) (a) and desires to be admitted to Associate Members of the Society.

To,
The Secretary,

..... Co-op. Housing Society Ltd., -----

Subject : Application for Associate Membership

Sir,

Shri/Shrimati is already a Member of the Co-operative Housing Society Ltd., having address at holdingfully paid shares of Rs. each and flat/ tenement/ plot No. in the Society.

Shri/Shrimati desires to admit me as an Associate member on his/her behalf to participate and vote in the affairs of the society with his/her prior written consent and I am related to the Member as husband / wife / father / mother / brother/ sister / son / daughter / daughter in law/ son in law/ nephew/ niece.

Accordingly, I make this application for admitting me as an Associate member to Shri/Shrimati and remit herewith the entrance fee of Rs.

On my admission as an Associate member by the society, I, shall participate and vote in the affairs of the society on behalf of the Member with his/her prior written consent.

The name of Shri/Shrimati shall stand first/ second / third in the share certificate and as an Associate member my name will not be incorporated in the share certificate and I shall have no rights or privilege of a member except to participate and vote in the meeting or contest in the election to committee of the society with prior written consent of the Member. I request you to admit me as an Associate member and include my name as an associate member in the society records.

The Member may in writing recommend the society for making me an associate member.

I undertake to discharge the present and future liabilities to the society.

I have got understood the provisions of Act / Rules / bye-laws of the society and undertake to abide by the same.

The recommendation of the Member for my admission as an Associate member is given below.

Place

Date

Yours faithfully

(Signature of the applicant).

I, Shri/ Shrimati a Member of the.....
..... Co-operative Housing Society Ltd. having address at
..... holding fully paid shares of Rs....., recommend the
application made by Shri/Shrimati, who is
my..... in relation, for the Associate membership of the Society to exercise rights and
duties on my behalf as per terms and conditions set out in the above application.

Place

Date

Signature of the Member.

FORM Y-6

[See Rule 106C- 14(1)(a)]

Form of application for grant of certificate for recovery u/s 154 B-29
before Joint / Deputy /Assistant Registrar of Co-operative Societies
application u/s 154 B-29 of the Maharashtra Co-operative Societies Act, 1960.

Application No. ----- /154 B-29 / -----Year

1. -----)

R/A -----)

Occupation-----)

..... Applicant

Versus

1. -----)

R/A -----)

Occupation-----)

2. -----)

R/A -----)

Occupation-----)

3. -----)

R/A -----)

Occupation-----)

4. -----)

R/A -----)

Occupation-----)

..... Respondents

Amount claimed : Rs. ----- (Rupees -----)

Applicant -----Co-operative Housing Society Ltd. is submitting as follows :—

1. Applicant -----Co-operative Housing Society Ltd. is the society registered under the Maharashtra Co-operative Societies Act, 1960 having its registered address as mentioned in the cause title (hereinafter referred to as the “said Society”).

2. Above named Respondent No. 1 to -----are the members / joint members / associate member / provisional member / occupier of the society residing / occupant in Flat No.-----, Wing -----, of the said Society building on the said Society Plot having address as mentioned in the cause title ;

3. The said Society has prepared and issued bills / demand notices in respect of the charges of the Society to the above Respondent No. ----- to ----- on the basis of the provisions of the Act, Rules, Bye-laws, Circulars, Government Resolution, notifications etc. amounting to Rs. ----- /- (Rupees -----) (which includes the principal amount and the interest as resolved by the General Body and as prescribed by the Bye Laws along with the taxes if any applicable).

4. The Respondent No. ----- to ----- have failed to pay the charges / dues within three months from the date of service of bill / notice / due date of payment (whichever is later). The said amount is in arrears. All the Respondents are jointly and severally liable for the said defaulted amount.

5. The said Society has issued oral as well as written instructions / letters / notices to all the Respondents for the payment of the pending dues from time to time.

6. Since the Respondents have failed to pay the abovementioned charges / dues, the Committee members and the General Body have passed a resolution at the meeting held on----- and ----- respectively to file an application for recovery of dues under section 154 B-29 and to give the effect to such recovery certificate as may be issued on such application and execute the same under section 156 of the Maharashtra Co-operative Societies Act, 1960 and Rule 107 of the Maharashtra Co-operative Societies Rules, 1961 and to authorize the Secretary / Chairman / Treasurer to initiate the recovery proceedings.

7. As mentioned above the applicant society had issued due notice by the registered post / hand delivery with acknowledgement / Courier and demanded the said amount / dues / charges of Rs. ----- from the Respondent and also informed the Respondents that; if the Respondents fail to pay the said amount / dues / charges, an application u/s 154 B-29 of the Maharashtra Co-operative Societies Act, 1960 shall be filed against the Respondents.

8. Therefore, the Applicant Society has filed this Application u/s 154 B29 of the Maharashtra Co-operative Societies Act, 1960 against the Respondents before the Joint / Deputy / Asst. Registrar, Co-operative Societies.

9. Details of the dues pending till date :—

Sr. No.	Details	Amount in Rupees
(1)	Amount of dues pending as per the last Bill / demand notice dated -----	
(2)	Amount of interest charged (Rate of Interest in %)	
(3)	Amount of other expenses such as notice fees & postage charged as on -----	
(4)	Taxes if any applicable	
	TOTAL	

10. The Recovery Application is filed for the recovery of the dues along with the interest.

11. The said Society states that the claim of the applicant is legal and filed with bonafide intention and there is no lawful cause on the part of the Respondents to deny the applicant's claim and hence, the application should be decided summarily.

12. The cause of action has arisen in the territorial jurisdiction of the Deputy/ Asst. Registrar, Co-operative Societies as the said Society is registered under the Jurisdiction of the said Deputy / Asst. Registrar. The amount due was demanded by the applicant by the notices dated -----, and -----.

13. The valuation of the application is ----- and ----- have been paid for the process fees and advolerm stamp.

14. The Applicant prays that,—

(a) All the Respondents should be ordered to pay the amount of _____ and the interest at the rate of -----% p.a. from the date of filing the application till the final payment. The recovery certificate should be inclusive of expenses incurred by the applicant for filing the application with the process fees.

(b) Hence order may be passed to the effect that the above mentioned arrear should be recovered as the arrears of land revenue.

(c) The recovery certificate should be sent to the Special Recovery Officer for the necessary execution thereof.

Place :

Date :

Applicant

(For ----- Co-op Hsg. Soc. Ltd.)

VERIFICATION

I undersigned Mr. ----- designation ----- of the ----- Co-operative Society Ltd. state on solemn affirmation that the above statement is true and correct to the best of my knowledge and belief. Following documents have been submitted on behalf of the Applicant ----- Co-operative Society Ltd.

(i) ----- copies of the application (Original Application + one copy each for each Respondent).

(ii) Resolutions passed in the meeting of the Committee Member and the General Body Meeting.

(iii) Certified Copy of the last Bill dated ----- issued to the Respondents.

(iv) Copy of the Notices dated -----, ----- and ----- sent to the Respondent and the acknowledgment thereof.

(v) Certified Copy of the extract of the account of the Respondents.

Place :

Date :

Applicant

(For ----- Co-op Hsg. Soc. Ltd.)

FORM Y- 7

[See Rule 106c-14(4)(c)(i)]

Form of Certificate for Recovery u/s 154 B-29.

Before Joint / Deputy /Assistant Registrar, Co-operative Societies

Application No. _____/154 B-29 / -----Year

1. -----)

R/A -----)

Occupation-----)

..... Applicant

Versus

1. -----)

R/A -----)

Occupation-----)

2. -----)

R/A -----)

Occupation-----)

3. -----)

R/A -----)

Occupation-----)

4. -----)

R/A -----)

Occupation-----)

..... Respondents

Application under Section 154 B-29 of the Maharashtra State Co-operative Societies Act, 1960 & Rules thereunder

Claim for -----

1. Date of filing application of the Society -----

2. Details regarding the documents filed by the Society :

(i) Application filed against the respondents to recover claimed amount.

(ii) Copy of the resolution dated ----- passed by the Managing Committee.

(iii) Copy of the notice given by the applicant society to the respondents.

(iv) Latest extract of the Personal ledger reflecting the dues of the Respondents.

(v) Documents necessary to prove the claims filed by the applicant society.

3. Date of issue of hearing notices to the respondents -----

4. Date of appearances of the respondents -----

5. Dates of Hearing

6. Advocates appeared on behalf of the Applicant Society -----

7. Advocates appeared on behalf of the Respondents -----

8. Statement filed (written and oral) by the Respondents

9. Opinion by the Registrar on the above Statement.

Whereas I have issued due notices and given proper and sufficient opportunity of being heard to the all above respondents in the interest of justice :

And whereas I have scrutinized, checked the letters/statements given by the respondent to the society, extract of the account of transaction filed by the society and all other relevant document filed by the applicant society and confirmed that the above respondent has not paid the dues and therefore I issue the following order for recovery of the dues amount in accordance with my aforesaid opinion—

Certificate for recovery under Section 154 B-29 of the Maharashtra Co-operative Societies Act :

The above applicant society to recover from the respondents

Claim amount	: -----
Cost & Fees of this application	: -----
Other Expenses	: -----
Total amount	: -----

And to recover interest at simple interest from the date of filing this application till the date of full repayment excluding any such amount that might have been deposited by the respondents towards the dues.

Expenses incurred by the applicant:

(a) Stamp affixed by the applicant	: -----
(b) Cost & Fees of inquiry	: -----
(c) Public Notice Fee	: -----
(d) Other Expenses	: -----
Total Expenses	: -----

I hereby order that amount mentioned above be recovered from the respondents as per the provisions of the Maharashtra Land Revenue Code 1966 as arrears of Land Revenue or ;

Applicant should get the above amount recovered through the officers who have been delegated the powers under Section 156 of the Maharashtra Co-operative Societies Act, 1960 and Rule 107 of the Maharashtra Co-operative Societies Rules, 1961. There is no need to file a separate application for implementation of this recovery certificate.

This recovery certificate issued today this ----- day of ----- year
under signature and seal of this office.

Joint/Deputy/Assistant Registrar, Co-operative Societies.

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

PRAVIN DARADE,
Principal Secretary to Government.