

**A person can become a member of Co-operative Housing Society in the following manners:**

1. **Promoter Member:** A flat purchaser in a building may join the process of registration of Co-operative Housing Society and sign the application for registration of Co-operative Housing Society as a promoter member. All the promoter members are deemed to be members of the society. These promoter members will be allotted shares and share certificate will be issued to them.
2. Other flat owners who did not join registration of society as Promoter Members may apply in the prescribed form for membership of society and will be admitted and shares will be allotted and share certificate issued to such members.
3. The some of the important conditions/ requirements for Promoter Member/ Non Promoter Member flat owners to be eligible to become member are as under:-
  - a. The person must be the owner of the flat under Sec 4 of Maharashtra Ownership Flats Act, 1963.
  - b. If the person is individual he/she must be competent to contract under Indian Contract Act.
  - c. A minor not being competent to contract can't be a member of Society.
  - d. Other persons, such as Partnership firms, Private and Public Company, Trust registered under Trust Act, Society registered under Society registration Act, Co-operative Society registered under Co-operative Society Act, etc., which are categorized as Corporate Members can also become member of Co-operative Housing Society subject to additional terms and conditions as per the order issued by Government of Maharashtra under Sec 22 of Maharashtra Co-operative Society Act.

A. Question:-Normally what are the discrepancies in case of Promoter Members?

In case of Promoter Members many a times the Society faces the following problems:

- a. The person who has signed the application for registrar of society may have sold/ transferred his flat before registration of Society.
- b. The name mentioned in the application for registration may be wrongly spelled or incorrect.
- c. A Promoter Member may be one of the joint purchasers and he may not have added the name/s of joint purchasers while submitting Membership application form at the time of registration of Society.
- d. The individual who is owner of the flat may have written the name of his propriety concern in his agreement for purchase of flat.
- e. Sometimes the Promoter Member or the joint member who had joint the application for registration of society may have expired before registration of society.

Above mentioned are some of the issues faced by Co-operative Housing Society.

In all these cases a Co-operative Housing Society will need to pass necessary resolutions, take necessary declarations and Indemnity Bond for the purpose of necessary corrections including cancellation of deemed membership, addition of members etc.

The course of action will depend on the facts of the case. It may be advisable for Co-operative Society to take legal opinion in such matters.