

ROLE OF REGISTRAR



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Chairman

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POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 6) To fix higher number of persons (more than 10) for registration of Society**
- **(S. 9) To register a co-operative society as well as its by-laws**
- **(Sec. 9(2)) To refuse registration of any society**
- **(Sec. 9(4)) To maintain a register of all societies registered**
- **(Sec.9(2)) To issue Certificate of Registration**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 11) To decide whether a person is an agriculturist or is engaged in business or not, or belongs to a class of persons mentioned in Sec. 22(1 A)**
- **(Sec. 12) To classify all societies into one or more classes and sub-classes**
- **(S. 13) To approve amendment in by-laws made by a society**
- **(Sec. 12(2)) To permit any society to undertake the activities of another class of Societies**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 13) To refuse registration of any amendment in by-laws**
- **(Sec. 14) To direct a Society to amend its by-laws**
- **(Sec. 15) To approve change in the name of a society**
- **(Sec. 18) To approve proposed amalgamation, transfer, division or to divide or re-organize itself**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 17) To approve proposed amalgamation, transfer or division of Society or conversion of a society to another class**
- **(S. 18B) To order amalgamation of primary agricultural societies**
- **(Sec. 18A) To order amalgamation of Co-op. Banks**
- **(Sec. 19) To order reconstruction of Societies on compromise.**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 20) To approve the creation of partnership between two societies**
- **(Sec. 21) To order cancellation of registration of society**
- **(Sec. 21A) To order de-registration of society**
- **(Sec. 22 1B) To order removal of any person of the class mentioned in Sec. 22 (IA) from membership**
- **(Sec. 22R) To decide whether a person has become a deemed member or not**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 23A) To decide whether a person has become deemed member or not.**
- **(Sec. 25A) To direct the managing committee to remove the name of a member who has ceased to be a member**
- **(Sec. 35(a) To approve expulsion of a member**
- **(Sec. 35(2) To sanction admission or readmission of member**
- **(Sec. 43(2) To impose conditions on a society on power to borrow**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 44(3) To pass order regulating the extent, conditions and manner of making loans by society**
- **(Sec. 66) To fix contribution to be made by a society to reserve fund at a lower rate**
- **(Sec. 67) To sanction declaration of dividend by a society exceeding 15% of profits**
- **(Sec. 68 (3)) To issue certificate of recovery of contribution to education fund from a society.**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 69-A(5) To direct payment of contribution to the Co-op. State Cadre employment fund.**
- **(Sec. 70) To approve investment in any Co-op. Bank or banking Company**
- **To direct the person who has made expenditure in violation of Sub-sec. (1) of Sec. 71 A, to repay the same.**
- **(Sec. 73 (2)) To prescribe the maximum number of members on the Managing Committee**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 73-IC) To recover expenses for holding elections to any society or class of societies referred to in Sec. 73 1C (1)**
- **(Sec. 73-ID (3)) To convene a special meeting of the managing Committee on requisition**
- **To preside over the meeting of the managing committee.**
- **(S. 3A (2A) To decide question whether a society falls under any of the categories mentioned in Sub-sec. (2) of Sec. 73A (S. 3A (2A)).**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 73BBB) To appoint a woman on the committee of any society if no woman is elected or co-opted.**
- **(Sec. 73H) To hold election of the managing committee of specified society**
- **(S. 75) To order that expenditure incurred in calling an annual general meeting be paid out of the fund of the Society**
- **(S. 75 (5) To extend period of holding annual general meeting and to order any officer of the**

POWERS AND FUNCTIONS OF THE REGISTRAR

Committee of a society to call general meeting of a society

- **(S. 76 (ii)) To convene a special general meeting of a society**
- **(S. 76 (4)). To convene a special meeting on requisition by member, if the officer of the society fails to do so (Sec. 76(3) and to impose fine**
- **(Sec. 76(4) To order the expenditure in calling a special meeting under Sub-sec. 3 of Sec. 76.**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 77) To decide whether any act done by an officer of a society is done in good faith or not**
- **(Sec. 77A) To order appointment of any member of the committee of a society**
- **(Sec. 77A) To appoint a managing committee of any society**
- **(S. 77A (4)) To change committee or any or all members thereof**
- **(S. 78) To remove any managing committee or members thereof**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(Sec. 78) To appoint or change a committee temporarily and to remove any member thereof**
- **(Sec. 78) To appoint an administrator of a society and to remove him and fix his remuneration**
- **(S. 79) To enforce performance of obligations of a society.**
- **(Sec. 79A) To order any officer to pay to the society expenses paid or payable by it to the Government**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 79A) To order the removal of any member of the managing committee or officer if he fails to carry out the directions of the Government**
- **(S. 79AA) To give directions to a society to frame regulations**
- **(S. 79B) To remove member for failure to supply his agricultural produce to processing society**
- **(S. 80) To seize records etc. of a society**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 81) To audit or get audited the accounts of a society**
- **(S. 81 (6)) To depute Flying squad to a society for examination of books etc.**
- **(S. 82) To make an order directing Society to rectify defects pointed out in audit report**
- **(S. 84) To direct rectification of accounts of a society**
- **(S. 83) To hold inquiry into the constitution, working and financial conditions of any society**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 84) To order inspection of books of an indebted society**
- **(Sec. 85) To order apportionment of costs of inspection or payment thereof**
- **(S. 85) To apply for recovery of costs payable by a society through Magistrate**
- **(Sec. 87) To bring defects disclosed in an enquiry or inspection to the notice of the society**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 88) To assess damages against delinquent promoter etc.,**
- **(Sec. 88A) To order deposit to be made against any society towards costs of inspection or inquiry**
- **(Sec. 89) To enforce attendance of any person and to examine him to produce documents**
- **(S. 89A) To inspect working of a society**
- **(S 98) To issue certificate to execute orders passed by him**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 101) To direct transfer of property to the society which cannot be sold in execution for recovery of any moneys due to the society**
- **(S. 101) To issue certificate of arrears due to a society**
- **(S. 102) To pass interim order of winding up of a society**
- **(S. 103) To appoint a liquidator of a company**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 106) To pass order for winding up of a society**
- **(S. 110) To distribute surplus assets of wound up society**
- **(S. 110A) To pass an order for winding up of insured Co-op. Bank**
- **(S. 113) To act as Trustee for securing the fulfillment of the obligations of State A. R. D. Bank**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 134) To grant approval for the confirmation of sale of property to ARD Bank**
- **To issue certificate for recovery of loan due to ARD Bank.**
- **(S. 142) To permit any society to function as ARD Bank**
- **S. 148 (2) To Sanction prosecution for an offence under**

POWERS AND FUNCTIONS OF THE REGISTRAR

- **(S. 152 (ii)) To hear appeals against the decision or order of subordinate officers**
- **(S. 152 A) To hear appeals against rejection of nomination papers at election**
- **(S. 154) To revise any order passed by a subordinate Officer**
- **(S. 156) To recover sums by attachment and sale of property**

COMPLAINTS TO BE MADE TO THE REGISTRAR

MATTERS PERTAINING TO FOLLOWING ISSUES :

- ✓ Registration of Society on Misrepresentation
- ✓ Non-Issuance of the Share Certificates.
- ✓ Refusal of Membership.
- ✓ Non Registration of Nomination by the society.
- ✓ Non Occupancy Charges.
- ✓ Demand of excess premium for transfers.

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Non supply of the copies of record and documents.
- ✓ Tampering, suppression and destruction of the records of the society.
- ✓ Non acceptance of the cheques or any other correspondence by the committee.
- ✓ Non maintenance or incomplete maintenance of records and books of the society.
- ✓ Non preparation of the annual accounts/reports, with the prescribed period.

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Misappropriation/Misapplication of the funds of the society.
- ✓ Defaulter / Disqualified member on the Committee.
- ✓ Investment of Funds without prior permission.
- ✓ Reconciliation of Accounts.
- ✓ Defaulter / Disqualified member on the Committee.
- ✓ Investment of Funds without prior permission.

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Reconciliation of Accounts.
- ✓ Audit.
- ✓ Non conducting of election before expiry of the term of the committee.
- ✓ Rejection of Nomination.
- ✓ Non calling of General Body Meetings within prescribed period.
- ✓ Non calling of Managing Committee Meeting as prescribed in Bye-laws.

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Resignation by the Committee.
- ✓ Any other, like, matters which falls within jurisdiction of the Registrar.
- ✓ Registration of the society or the Federation
- ✓ Society registration through the builder or by the members under non co-operation from the builder
- ✓ Formation of condominium (under Mah. Apartment Ownership Act, 1970)

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Formation of company for managing the Affairs of the Complex
- ✓ Registration of society under Society Registration Act.
- ✓ Consultancy for facilitating registration through builder
- ✓ First meeting, if not conducted within 3 months from the registration, if reported to the registrar by any members.

COMPLAINTS TO BE MADE TO THE REGISTRAR

- ✓ Requisition general body meeting, if not done by the committee within 1 month of request made by 1/5th members.
- ✓ Attending the meeting of the members on behalf of the registrar
- ✓ Conducting the Annual General body meeting after 14th Aug or after 14th November on behalf of the registrar.

TAKING OVER THE CHARGE

- ✓ Consultancy and facilitation to verify the documents to be received from the chief promoter or builder at the time of taking over of the society.
- ✓ Facilitating to take the charge from the outgoing committee
- ✓ If the old committee reluctant to give the charge or handover the documents, approach the registrar and facilitate to receive the records.

CONDUCT THE ELECTION AND CONSTITUTE THE COMMITTEE

- ❖ Society can appoint the CA as the Election officer
- ❖ Registrar also can appoint as the Election officer
- ❖ Constitution of the committee by the Registrar by the proper order
- ❖ Helping for signing the Indemnity bond
- ❖ Taking over the charge from the old committee to the new committee

AUDIT, INSPECTION AND ENQUIRY

- Statutory audit – by registrar or by the society
- Internal audit - by the Society
- Inspection u/s 89 through the registrar
- Enquiry officer u/s 83 by the registrar

AUTHORISED OFFICER APPOINTMENT BY THE REGISTRAR

- To conduct the first meeting or any general body or committee meeting.
- To execute the orders of transfer of shares etc u/s 79
- To conduct the meeting for the purpose of re-development
- Election officer
- Verification of documents filed under deemed conveyance.

AUTHORISED OFFICER APPOINTMENT BY THE REGISTRAR

- For vetting of the conveyance deed on behalf of registrar
- For execution and registration of conveyance deed under the deemed conveyance procedure

RE-DEVELOPMENT PROCESS AND PROCEDURE

- Act as the authorized officer appointed by the registrar to attend the general body in which developer is appointed.
- Vetting of the various agreements provided by the developer
- Get the stamp duty adjudicated on the Development agreement, individual agreements etc.
- Verification of the stamp duty liability of the individual flat buyers
- Registration of development agreement, individual agreement etc.

THANK
YOU