

CO-OPERATIVE HOUSING SOCIETIES

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(1) Govt of Maharashtra has notified an Ordinance on 2nd Nov 2021 known as " Maharashtra Cooperative Societies (Amendment and validation) Ordinance 2021 to insert proviso in subsection (3) which reads as follows effective from 24th March, 2020

" Provided that , if the term of office of the elected members of the committee and its office bearers has expired, and if the election to the committee of the society could not be held due to imposition of lockdown in the State in view of the Covid 19 pandemic, the orders issued by the Government from time to time, or any reasons not attributable to the members of the committee of the society. such members and officer bearers of the committee shall be deemed to have continued as members and office bearers of the committee till new committee is duly constituted"

(2) The Income Tax Appellate Tribunal, Indore Bench in ITA No 132/Ind/2020 in the matter of Shri. Lawrence Rebello has held on 29/09/2021 that in the case of Redevelopment of the society, the corpus fund towards hardship caused to flat owners on redevelopment has to be treated as capital receipt which as section 2(24)(vi) of the Act is not taxable as income of the Assessee.

(3) Hon'ble Supreme Court in SLP/1122/2020 in the matter between Punam Cooperative Housing Society Ltd Vs Alok Agarwal and others , has upheld the decision of Deputy Registrar granting the membership to the respondent under section 23(2) of the Maharashtra Cooperative Societies Act, 1960.