

GOVT. OF MAHARASHTRA

Commendium of Standing Orders & Circulars of Co.Op. Department
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MAHARASHTRA CO-OPERATIVE SOCIETIES ACT-1960

In exercise of the powers conferred by clauses (a) and (b) of section 42 of the Maharashtra Co.Op. Society Act, 1960 (Mah. XXIV of 1961) (hereinafter referred to as the said Act), and in supersession of Government Notification, Revenue Department No. 10055/28, dated 22nd March 1939, Government Notification, Co-Operation and Rural Development Department No. CAS-1961/27508/j, dated 16th August 1961 and Govt. Notification No. 2, dated 31st - August 19 issued by the former Govt. of Madhya Pradesh and all other orders or notifications on the subject, which are in force in any part of the State by the operation of sub-section (a) of section 166 of the said Act, in so far as these orders of notifications, including those of 1939, 1955 & 1961 aforesaid relates to societies other than housing societies, the Govt. of Maharashtra hereby remits or and with effect from 20th day of April 1980:-

(a) The stamp duty with which, under the law relating to stamp duty for the time being in force, instruments of Co.Op. Societies (other than Co.Op. Housing Societies) specified in the schedule hereto annexed, being instruments executed by or on behalf of a Society or by an office or member thereof and relating to the business of the society, are respectively chargeable: and

(b) All fees payable under the Registration Act, 1908 (XVI of 1908) on instruments of the Co.op. Societies (other than Coop. Housing Societies) specified in the schedule hereto annexed being instruments executed by or on behalf of a Society or by an office or member thereof and relating to the business of the Society.

2. For the avoidance of doubt, it is hereby declared that nothing in this notification shall affect the operation of the Govt. Notification shall affect the operation of the Govt. Notification No. 2 dated 31 August 1955, issued by the former Govt. of Madhya Pradesh (so far it relates to Coop. Housing Societies) and Govt. Notification, Agriculture and Co-Operation Department No. CSL-1072/13068/C-5, dated 30th October 1972, set but in exten so in the Appendix hereto.

SCHEDULE

1. All instruments (excepting instruments relating to the transactions with any State Level (Society) of all Agricultural Societies other than those at the State Level.
2. All instruments of Crop Protection Societies.
3. All instruments of Lift Irrigation Societies.
4. All instruments of consumers societies excepting these at the State Level.
5. (1) All instruments whether attested or not in respect of transactions relating to loans and advances, loans or mortgage cash credit, draft bonds, agreement of pawn or pledge, letters or hypothecation executed by members.
 - (a) in respect of urban credit societies and banks, if the value is Rs. 5,000/- or less:
 - (b) in respect of Central Coop. Banks including the Maharashtra State Coop. Bank: if the value is
 - (i) Rs. 5,000/- or less in respect of than sanctions with individual members: (ii) Rs. 10,000/- or less in respect of transactions with members other than individual members.
- (2) Recovery and releases executed by officers of Urban Credit Societies or banks in respect of mortgages the value of which is Rs. 5,000/- or below.
- (3) The following instruments executed by officers or members or urban credit societies or banks:
 - (a) Conveyance relating to the business of such Societies or banks, if the amount or value of the consideration is Rs. 5,000/- or less:
 - (b) Leases, agreements to lease or transfer of leases.
- (4) All instruments of Co.Op. Land Development Banks.
- (5) All instruments of Co.Op. Farming Societies.
- (6) All instruments (excepting those relating to the transactions with any State Level Coop. Society) of all processing societies other than the Coop. Sugar Factories and Coop. Spinning Mills.
- (7) All instruments of Coop. Producers Societies.
- (8) All instruments of resource societies.
- (9) All instruments of general Societies having sub-classifications as "Social" Societies.

NOTE:

The Term "Business of the Society" means the actual trade of commerce or other similar business activity of the society which the Society is authorised to enter under the provisions of section 36 of the M.C.S. Act, 1960 and Bye-Laws relating to the object clause of the Society.