



Professional Opportunities in Co-Op. Sector

Presented By

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PROFESSIONAL OPPORTUNITIES IN CO-OPERATIVE SECTORS

**Co-operative
Sectors**

Auditing

Accounting

Advisors

**Members in
Governing
bodies**

Scope for CAs: Statutory & Internal Audits as per...

- ⦿ **Maharashtra Co-op. Societies Act, 1960 (MCS Act)** -- for co-ops registered in Maharashtra and having no branches outside state.
- ⦿ **Act & Rules of respective states** where society is registered
- ⦿ **Co-operative Societies Act, 1912 & Rules** -- applicable to any state not having its own co-operative Act.

Scope for CAs: Statutory & Internal Audits as per...

- ⦿ **Multi-State Co-op. Societies Act, 2002 and Rules**
-- for societies whose objects are not confined to one state).
- ⦿ **Reserve Bank's mandated audits for Co-op Banks**, apart from Statutory Audit e.g. concurrent audit, EDP audit, Stock & Book Debt audits for large borrowers



Financial Management- An Overview



❖ **Co-op Registering Services:**

- ✓ Registration of a Co-operative Society.
- ✓ Registration of Federation of Co-operative Society.
- ✓ De-Registration/ Dissolution of a Co-operative Society.
- ✓ Bifurcation of all wings to form separate individual Co-operative Societies.
- ✓ Documents: Stamp Duty, Registration, Income Tax Matters, etc.

❑ **Co-op Consulting Services:**

- ✓ Advice on Management of affairs of Society.
- ✓ Advice on steps to be undertaken by the flat purchasers, when the Builders/ Developer are levying heavy/ exorbitant Maintenance Charges on the flat purchaser.
- ✓ Advice on actions & steps to be undertaken by flat purchasers, when the Builders/ Developers are not forming or Registering Co-operative Society.
- ✓ Advising on procedure to be followed for obtaining documents, of land & building, Building Plan, Property Card, Occupation Certificate, Commencement Certificate, 7/12 Extract, etc.
- ✓ Advising on procedure to be followed when the Promoter is not calling the First General Body meeting of the society after Registration of the Co-op Society.

- ✓ Advice on actions & steps to be undertaken by the Co-operative society, when the Builders/ Developers are not conveying title of Land in favour of the Society.
- ✓ Advising on How to operate a Society Bank account and adopt sound & profitable financial policies for a Co-operative society.
- ✓ Advising on how to resolve internal Society disputes and issues peacefully & amicably.
- ✓ Advising on procedure for Co-option of members in Managing Committee of the Co-operative Society.
- ✓ Advising on Rights of General Members of the society.
- ✓ Advising on Rights of Managing Committee Members of the society.
- ✓ Advising on allotment of Parking spaces in the Co-operative society & framing relevant Rules & Policies.

- ✓ Advising on Nomination of Flat/ Shop/ Gala.
- ✓ Advising on Alteration/ Modification/ Repairs/ Renovation of Flat/ Shop/ Gala in a Co-operative society.
- ✓ Advising on levy of Maintenance & other Charges of Co-operative Society.
- ✓ Advising on procedure to be followed with respect to Expulsion of Members of society.
- ✓ Advising on Calling and Conducting Meetings of the society (Annual General Body Meeting/ Special General Body Meeting/ Requisition General Body Meeting/ Emergency General Body Meeting/ First General Body meeting/ Requisition Managing Committee meetings).

- ✓ Advising on Redressal of Complaints of members.
- ✓ Advising on proper procedure to be followed with respect to calling and conducting meetings of the society.
- ✓ Retainership services for Co-operative Societies.
- ✓ Co-operative Society Building Parking Issues.
- ✓ Advising on other Society related problems /issues.
- Budget Preparation
- AGM Agenda drafting

❖ **Co-op Drafting Services:**

- ✓ Drafting Professional and customized Flat/ Shop/ Gala **Agreements/ Sale Deeds.**
- ✓ Drafting Professional and customized Flat/ Shop/ Gala **Gift Deeds.**
- ✓ Drafting Co-operative Society **Transfer papers.**
- ✓ Drafting Redevelopment Agreements with Builders/ Developers.
- ✓ Drafting Co-operative Society Transmission papers.
- ✓ Drafting relevant papers with respect to loss of Share Certificate and procedure to be followed for issue of duplicate Share Certificate.
- ✓ Drafting Conveyance Deed for a Co-operative Society, conveying Land in favour of the society.
- ✓ Drafting Rules & formulating policies for maintaining Internal discipline in the Co-operative Society.

❖ **Co-op Managing Services:**

- ✓ Computerized Professional Accounting of Co-op Societies;
- ✓ Internal & Statutory Co-operative Audit;
- ✓ Maintaining all Statutory Registers as required under Rule 65(1) of Maharashtra Co-operative societies Rules 1961;
- ✓ Maintaining Society Minutes Books;
- ✓ Election of Co-operative Housing & Premises Societies.
- ✓ Managing Disputes & Recovery of Society Dues.
- ✓ Estate Management Services.

❖ **Co-op Scrutiny Services:**

- ✓ Opinion and Society Documents Scrutiny:
- ✓ Society Membership documents;
- ✓ Society Flat/Shop/Gala **Sale Transfer papers;**
- ✓ Society Flat/Shop/Gala **Gift Transfer papers,**
- ✓ Society Flat/Shop/Gala **Transmission papers;**
- ✓ Subletting/ Renting/ Leave & Licence papers & relevant applications filed by members before the Society.
- ✓ Members Loan papers & NOC draft to be issued by the Society to Bank;
- ✓ Conveyance Deed: Transferring Land & Building in favour of the society;
- ✓ Re-development Agreements with builder.

❖ **Co-op Law Services:**

- ✓ Legal Notice to Society Defaulters.
- ✓ Legal action on defaulters & Recovery of dues.
- ✓ Legal Notice to errant member of the Co-operative Society.
- ✓ Legal Notice to errant Managing Committee/ Office Bearers of the Co-operative Society.
- ✓ Legal Notice/ Complaints to various authorities.
- ✓ Legal Notice to errant Builders/ developers.
- ✓ Legal Notice, Drafts, Deeds, Documentation, etc.
- ✓ Resolving disputes with the Builders/ developers.
- ✓ Other Legal Service



❖ **Co-op Meetings Services:**

- ✓ Attending Meetings of Societies and providing Legal Advice;

❖ **Co-op Conveyancing Services:**

- ✓ Conveyance of Land in favour of the society through Consumer/ competent Court.
- ✓ Deemed Conveyance of Land the society.

❖ **Co-op Liasoning Services:**

- ✓ Amendment of Bye-Laws of the society.
- ✓ Adoption of Model Bye-laws for the society.
- ✓ Liaoning with the Office of Registrar, Co-operative Societies on various society's issues.
- ✓ Deemed membership of a Co-operative Society.
- ✓ Compiling procedure with respect to withdrawal of Co-operative Society Sinking Fund for utilizing towards Major Repairs of the Society Building.



❖ **Co-op Membership Services:**

- ✓ Deemed membership of a Co-operative Society.
- ✓ Society other Membership issues.
- ✓ Society non-complying with Transmission proceedings.

❖ **Co-op Tax Services:**

- ✓ Obtaining PAN & TAN for the Co-operative Society.
- ✓ Filling Income Tax Returns of the Co-operative Society.
- ✓ Filling TDS Returns of the Co-operative Society.
- ✓ Service Tax and Vat services
- ✓ VAT Audits, Service Tax and Tax Audits

Coop Professional Services

- Statutory & Internal Audit
- Accounts writing & Billing
- Budget Preparation
- Tax Planning
- Society enrollment
- Uploading Mandatory Returns u/s 79(IA) and 79(IB) under the MCS Act, 1960
- Recovery Action u/s 101

Apportunities with Coop Dept


- Being there on the panel of Dept of Co-operation as an Election officer for the Elections to be conducted in the societies.
- Being there on the panel of Arbitrators maintained by the Dept.Of Co-operation.
- Facilitating the website development and Digitization of various sections and departments of the Co-op.Depts.
- Pending audits and accounts writing orders can be issued by the Registrar if approached.
- Enquiry officer /Re-audit/Test Audit assignments


Professional Opportunities on Commencement of Real Estate (Regulation and Development) Act, 2016

- RERA is going to be an ERA of the Certifications and the Compliances by CAs.
- Advising the Real Estate Developers about the Real Estate Regulations.
- Registration of the project with the Real Estate Regulatory Authority after complying with all the requirements.
- File Quarterly Returns on the website about the progress of the work and the sale effected.

Professional Opportunities on Commencement of Real Estate (Regulation and Development) Act, 2016

- Certifying the Cost of the Project and also certifying the amount that can be withdrawn from the Escrow Account of the Project and other compliances.
- Advising the Flat Buyers by going through the website about the risks involved.
- Audit of every project account by the CA.
- Representing before the Real Estate Regulatory Authority and Appellate Tribunal on behalf the Flat buyers or Developer.

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- Promote the Affordable Housing Scheme with you LIG and MIG clientel and involve in loan syndication.
 - Advising the builder clients on the Funding options available and the income tax benefits available for the affordable housing projects.
 - Project report and project viability studies can be prepared on behalf of the builder clients.

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- GST is equally applicable to construction projects .
 - Registrations of the Estate Agents , Architects ,Engineers and converting the networked professional into your own client.
 - Convert your dream of becoming a buider /developer .

Types of Certificates CA has to give

1. Certificate for the estimated balance cost to complete the project
2. Certificate certifying the balance amount of receivables from the apartments or flats or premises sold or allotted.
3. Certificate for the cost incurred on construction cost and the land cost.
4. Certificate certifying the proportion of the cost incurred on construction and land cost to the total estimated cost of the project.


Certificates continue...


5. In case of redevelopment project certifying the cost incurred before the registration of the project for various clearances, security deposit, premium ,temporary transit accomodation etc.

Precautions to be taken :

- **ALWAYS VISIT THE SITE BEFORE EVEN PICKING UP THE PEN TO SIGN ANY CERTIFICATE.**
- **ENSURE THAT THE FEE/CHARGES ARE COMMENSURATE WITH THE WORK DONE.**
- **CROSS CHECK WITH ARCHITECTS CERTIFICATES FOR MEASUREMENTS ETC**
- **KEEP WORKING NOTES OF ALL CALCULATIONS**
- **ENSURE THAT PROPER NOC AND CONFIDENTIAL NOTES IS RECEIVED BY CHARTERED ACCOUNTANT WHO MAY HAVE DONE SOME CERTIFICATION EARLIER**


- **CHECK RATIOS AND COMPARATIVES OF VARIOUS ASPECTS**
- **PENCIL OR BLACK PEN SHOULD NOT BE USED**
- **The CA shall be guilty if he permits his name or the name of his firm to be used in connection with an estimate of earnings which may lead to belief that he vouches for the accuracy of the forecast. Clause (3) of Part I of the Second Schedule to the Chartered Accountants Act, 1949 . However, this clause does not prevent a CA from participating in the preparation and review of financial forecasts/projections**
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- **Provided he indicates clearly in the report the source of information, the basis of forecasts and also the major assumptions made in arriving at the forecast. Opinion of the Council at its 100th meeting held on 22nd-24th July 1982.**
 - **Proper disclaimers should be inserted to prevent a contrary perception.**

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- **Never sign a report when client seems to be in a hurry or is sitting across the table.**
 - **Guidance Note on Reports or Certificates for Special Purposes (Revised 2016)**
<http://resource.cdn.icai.org/43452aasb-gn-rcsp.pdf>

How to approach or how to get the assignments

- Get the guidance or associate with those who are already in this field
- Attend the seminars and programs that are happening on housing issues, deemed conveyance, redevelopment conducted by WIRC and all other NGOs or Associations
- Knowledge of the basic provisions of the MCS Act, rules and Bye laws is must
- Basic Knowledge of stamp duty act, Registration Act
- Basic Knowledge of MOFA 1963 and Apartment Act 1970
- Basic knowledge of Development control rules or DP plan
- Meet the Department officials to develop the rapport with them
- Meet the builders/developers to have tie up with them for formation of the societies

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- Networking with friends and seniors
 - Free seminars or guidance to the societies by visiting societies on Model bye laws, election rules, deemed conveyance etc. This will fetch you housing as well as income tax clients which further can become your service tax and VAT clients
 - Educate the people on important provisions of Bye laws, adoption of bye laws, election rules etc with penalty provisions –This will give you the work .
 - Start writing articles in the newspaper
 - Find out from the internet who all are practising in the cooperative field and the allied laws
 - Don't say no to any assignment



FOR ANY FURTHER CLARIFICATION....

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