Maharashtra Housing Society Bye-laws 2026

Cooperative housing societies in Maharashtra are in the middle of a major regulatory reset. The state government has released draft Model Bye-laws 2026 for cooperative housing societies and placed them in the public domain for suggestions and objections. The draft would replace a framework that was last revised in 2014.

Why new bye-laws now?

The draft follows several recent changes to the law. The Maharashtra Co-operative Societies (Amendment) Act, 2019 added Chapter XIII-B to the MCS Act, 1960, creating a separate legal framework for housing societies. The Maharashtra Co-operative Societies (Amendment) Rules, 2026 were notified on 18 June 2026 and published in the Gazette on 22 June 2026. These rules introduced Chapter XI-B, with Rules 106C-1 to 106C-14, giving housing societies their own statutory framework and legal recognition for matters previously covered only by model bye-laws.

The 2026 Model Bye-laws are the next step. They are meant to align the operating rules of individual societies with the amended Act and Rules.

What the 2026 Rules already cover

The rules bring several areas into the statute, including:

- Registration, including digitised applications and fixed registration fees
- Membership, provisional membership and associate membership
- Society funds, maintenance and society charges
- A general ceiling on the liabilities a housing society can incur
- Recovery of dues
- Redevelopment

Societies will also be required to adopt the approved model bye-laws within a prescribed period. Earlier this was handled mainly through Registrar directions.

Current status: still a draft

The 2026 Model Bye-laws are not yet in force and could change after the consultation process. Until the final version is notified, societies should continue to follow their registered bye-laws, which in most cases are based on the 2014 Model Bye-laws, along with the amended Act and Rules.

What societies and members should do now

1. **Review existing bye-laws.** Check them against the 2026 Rules, especially on membership, charges and borrowing.
2. **Audit documentation.** Look at membership records, share certificates, nominations and accounting practices rather than assuming historical practices remain compliant.
3. **Track the final notification.** Note the deadline for adopting the new bye-laws once it is announced.
4. **Plan the general body meeting.** Adopting the new bye-laws will likely need a resolution at a general body meeting.
5. **Consult a professional.** Redevelopment and borrowing provisions in particular should be reviewed by a lawyer or society auditor.

Key takeaway

The 2026 changes aim to bring uniformity and legal certainty to how Maharashtra's roughly 1.27 lakh housing societies operate. Societies that prepare early will find the switch to the new bye-laws much smoother.