Housing has become a serious problem in India today. To meet this problem, Group Housing with multiple of houses or flats has been resorted to, though not adequate, by dint of schemes adopted by public sectors through implementing Agencies or Boards created by the Government or through joint venture comprising Government Agencies and companies including private sector Housing Construction Agencies. As a scheme launched by some individuals, it is a collective effort by sharing resources of knowledge, skill, material and wealth among themselves for securing residential accommodation for their families. Group Housing is an idea of multi-storied building mainly and also unit houses in a compact area meant for a group of persons.

To control and guide such Housing Construction and all activities of the owners of houses or flats, statutes like Apartment Ownership Act, Housing Board Act, Apartment (Regulations of Construction) Act have been promulgated. In co-operative sector, these are regulated by statutes on Co-operative of different States in India in the form of the State Co-operative societies Act, as the matter is a state subject also under Article 254 of the constitution of India. In private sector, Housing Boards, joint venture companies, Metropolitan Development Authorities etc. do their
Housing Construction under the apartment ownership laws and other connected laws. Housing in Co-operative sector is remarkably flourishing by formation of Co-operative Housing Societies by group of persons under Co-operative Societies Act of the respective States.

But these housing accommodations are purely and absolutely meant for residences. Any commercial activities within such residential areas are generally barred. Besides, this is enjoyed only by a section of people who can afford it and as a result, a large percentage of people are out of the purview of Group Housing. Except brick-built or concrete houses or flats, if residential accommodation by a Group Housing is made of durable huts at low cost, many homeless poor people may have opportunity to get permanent residences.

As Group Housing is flourishing, several problems are being experienced by owners, tenants, management of the complexes or Co-operative Housing Societies. This leads to numerous litigations among them, resulting in lack of peaceful co-existence and loss of money. Problems are mainly in defalcation of money, transfer of ownership, letting out, repairing, altering, extension, ownership, commercial activities in the premises, allotment of garage spaces, plying of vehicles in the compound, illegal and immoral activities in flats, inheritance of ownership (Nominations, will, succession), dishonest management, utilisation of common spaces etc.
To combat such problems, I have considered the existing statutes and their application inadequate and I have also found that clear-cut provisions for an effective solution of those problems are absent. In West Bengal, a separate chapter for Co-operative Housing Societies in the Co-operative Societies Act and in its Rules is provided but the enjoining provisions therein are unable to cope with the prevailing problems as mentioned above. In most of the states in India, general provisions of similar Co-operative Societies Act are applicable to all types of Co-operative Housing Societies. So far as the Apartment Ownership Acts and other related laws are concerned, there are many more problems than those in co-operative sector.

Therefore, I have observed that existing legal system and laws have not kept pace with the evolving situation and, therefore, modification of these legal systems in keeping with changing social and economic scenario is urgently required.

On above observation I have fixed my main objectives of the study on following items:

1) To review the present situation and the adequacy of the existing laws relating to the Group Housing in India.

2) To formulate devices for commercial activities in group shopping complexes, mainly for poor and small businessmen.
3) To prevent defalcation of money before formation of group during construction of Houses / Flats / Huts, maintenance and repairing by enacting new legislation in this regard.

4) To formulate guidelines in allotting garage spaces, utilising common areas, in apportioning contribution for repairing common areas and facilities.

5) To deal critically with laws of inheritance, nomination, transfer including gift or will to prevent complicated procedures for obtaining ownership in a Co-operative Housing Society and Association of Apartment Owners.

To achieve those objectives I have studied several laws in co-operative sector and private sector, prevailing in India, particularly of the states of Andhra Pradesh, Bihar, Gujrat, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Orissa, Tamil Nadu, Uttar Predesh apart from West Bengal. As the Co-operative Law is primarily based on seven co-operative principles, provisions in this law are more or less similar in all states. Regarding Group Housing in Co-operative sector, the Co-operative Societies Act of West Bengal only has a special chapter on Co-operative Housing Societies. Other states have no such special chapter but are empowered by the Act to issue necessary notifications in respect of Housing Societies. So far as the Apartment Ownership Act is concerned,
the contents of this law of all states are almost same. I have also perused articles published in journal, newspapers and landmark judgements of various courts in respect of housing matter. I have collected through my works many problems of Co-operative Housing Societies and Apartments. In my treatise I have classified the whole matter into six chapters which are (1) Introduction; (2) History of Co-operative Housing Societies and Group Housing in India; (3) Group Housing Laws of some states in India: A Review (4) Laws Relating to Group Housing in West Bengal: A case study; (5) Housing Laws and Judiciary: An appraisal; and (6) Concluding Remarks and Observations.

With a view to preparing those six chapters I met Government officials, office-bearers of Group Housings and interviewed them for discussion on problems and probable solution of those problems. Thus, after examining the concerned statutes, the problems from Group Housings, journals, articles etc., I have tried to prepare the first five chapters from which I have derived some concrete points which have led me to put some specific suggestions for amendments of the Co-operative Law and the Apartment Ownership & Construction Laws in particular reference to the Laws of the State of West Bengal in the sixth i.e. the last chapter. Another important suggestion which I have made here is to afford the benefit of Group Housing to persons who live below poverty line (BPL) by way of allotting land and arranging loan at soft terms.