Copies of the Model Bye-laws are available at

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BYE-LAWS

OF THE

CO-OPERATIVE HOUSING MAINTENANCE SOCIETY LIMITED

(WITH ENCLOSURES AND APPENDICES)

As per The Goa Co-operative Societies Act, 2001 and Rules, 2003

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15.	Shri. K. S. Gaude	Cooperative Officer, North Zone
16.	Shri. Uday A. Narvenkar	Director, GSCHFFL

Contents

	Subject matter of the Bye-laws	Page No.
	Preliminary	
(a)	Name of the society	1
(b)	Procedure for changing the name	1
(c)	Classification	1
(a)	Address of the society	1
(b)	Intimation of change in the address of the society	1
(c)	Procedure for changing the address of the society	1
(d)	Exhibition of Name Board	1
	Interpretations	
	Interpretations of the words and terms	1
	Area of Operation	
	Area of operation of the society	2
	Objects	
(a)	Objects of the society	3
	Affiliation	
	Affiliation of the society to other co-op. institutions	3
	FUNDS , THEIR UTILIZATION AND INVESTMENT	
	RAISING OF FUNDS	
	Modes of raising the funds of the society	3
	SHARE CAPITAL	
	Authorised share capital of the society	4
	Issue of share certificates to the members of the society	4
	Society's seal and signatures of office - bearers on every share certificate	4
	LIMIT OF LIABILITIES	
	Restrictions on incurring liabilities by the society.	4
	CREATION OF FUNDS	
	Any other funds to be created by the society.	4
	UTILIZATION OF THE FUNDS BY THE SOCIETY	
(a)	Utilisation of the Reserve Fund	4
(b)	Utilisation of the Repairs and Maintenance fund	4
(c)	Utilisation of any other funds	4
	INVESTMENT OF FUNDS	
	Modes of Investment of funds of the Society	5

MEMBERS, RIGHTS, RESPONSIBILITIES AND LIABILITIES

MEMBERSHIP

Classes of members 5

ELIGIBILITY FOR MEMBERSHIP

(a) Eligibility of individuals for membership of the society. 5
(b) Eligibility of a minor or a person of an unsound mind for membership of the society. 5
Eligibility of Corporate Bodies for membership of the society. 5

CONDITIONS FOR MEMBERSHIP

Conditions for individuals desiring to be members of the society. 5

Conditions of membership for bodies corporate desiring to become members of the society. 6

RIGHTS OF MEMBERS

Right to get a copy of the bye-laws of the society. 6

INSPECTION OF BOOKS AND RECORDS

Right of inspection of documents and getting copies thereof. 6

RESIGNATION OF MEMBERSHIP

RESIGNATION BY A MEMBER

(a) Notice of resignation of membership of the society. 7
(b) Resignation not to be accepted unless dues of the society are fully paid. 7
(c) Communication of the amount of dues of the society outstanding to the member. 7
(d) Acceptance of resignation where no charges of the society are outstanding. 7
(e) Communication of reasons for rejection of Resignation. 7

Acquisition of shares and interest of the member in the capital/property of the society. 7

NOMINATION BY MEMBERS

Procedure for nomination by a member and its revocation. 7

Recording of nominations or revocations thereof. 7

Transfer of shares and interest of the deceased member in the capital/property of the society to the nominee. 8

Transfer of shares and interest of the deceased member in the capital/ property of the Society to the heir. 8

Payment of the value of Shares and interest of the deceased member in the capital/property of the society to the nominee/nominees 8

Payment of the value of shares and interest of the deceased member in the capital/property of the society to the heir/legal representatives/ heirs legal representatives 9

TRANSFER OF SHARES OF THE SOCIETY

(a) Notice of transfer of shares and interest in the capital/property of the Society. 9

Sub-letting etc. of Flats/Plots/Premises

Sub-letting etc. not permissible except under the Society's permission. 10
Application for permission to sub-let etc. 10

Procedure for disposal of applications for sub-letting etc 11

RESPONSIBILITIES AND LIABILITIES OF MEMBERS

MAINTENANCE OF FLATS/PREMISES BY MEMBERS

Flats to be kept clean 11
Application for permission for making additions and alteration in a premise. 11
(a) Examination of premises and report about Repairs of premises 11
(b) Notice to the member about carrying out repairs in his flat by the society at its cost. 11
(c) Notice to the member about carrying out repairs in his flat at his cost. 12

Restriction on storing of certain goods.
(a) Not to do anything on a flat causing inconvenience nuisance or annoyance to other members. 12
(b) Board to take action on complaint about infringement of the Bye laws no 46(a) 12

REMOVAL AND EXPULSION OF A MEMBER

(a) Grounds on which a member could be removed or expelled. 12
(b) Procedure for expulsion of a member 13
(c) Procedure of shares of the expelled member. 13

Effect of expulsion on membership of the society. 13

Eligibility of the expelled member for readmission to membership of the society. 13

CESSATION OF MEMBERSHIP

Circumstances under which a person ceases to be a member of the society. 13
Action by the Board on cases of cessation of membership of the society. 13

LIABILITIES OF A MEMBER AND THE PAST MEMBERS

Liability limited to unpaid amount on Shares. 14

Liability of the past member. 14

OTHER MATTERS

Disposal of applications 14

LEVY OF CHARGES OF THE SOCIETY

Composition of the charges of the society. 15
Sharing of Society's charges by the members. 16
Board to fit Society's charges in respect of every flat. 17
Payment of the Society's charges. 17
Review of the cases of defaults in payment of the charges of the society. 17
Interest on the defaulted payments. 17

INCORPORATION, DUTIES AND POWERS OF THE SOCIETY

Incorporation 17
Common Seal 17
Charge and set off in respect of shares and interest of a member of the society. 17
Policy of allotment of parking spaces and stilts 17
Restriction of parking spaces/stilts. 18
Marking of parking space or stilts. 18
Eligibility for allotment of stilts or parking spaces. 18
Applications for allotment of stilts or parking spaces. 18
Payment of charges for parking of vehicles. 18
Parking of other vehicles. 18

GENERAL MEETINGS

Holding of the first general body meeting within the stipulated period. 18
Calling the first general meeting by the Registering Authority. 19
Period of notice for the first general body meeting. 19
Functions of the first general body meeting. 19
Recording of minutes at the first general body meeting. 19
Handing over records by the chief promoters of the Society. 19
Powers of the Provisional Board. 20
Period of Office and the Provisional Board. 20
Handing over charge by the Provisional Board. 20

ANNUAL GENERAL BODY MEETING

Period with which annual general body meeting should be held. 20
Filing of Annual Audited Statement 20
Functions of the annual general body meeting of the society. 20

SPECIAL GENERAL BODY MEETING

When a special general body meeting should be called. 21
Fixing date, time and place for a special general body meeting requisitioned. 21
Notice of a general body meeting. 21
Period of notice of a general body meeting. 21
Quorum for the adjourned general body meeting. 22
Holding of the adjourned general body meeting. 22
Postponement of the general body meeting which cannot complete the business on the agenda. 22
Chairman of the society to preside over all general body meetings. 22
Restrictions on attending a general body meeting by a proxy. 22
Voting right of a member. 22
One member vote. 22
How decisions shall be taken. 22
Recording of the minutes of the general body meetings. 23
Cancellation of the previous resolution of the general body meeting. 23

MANAGEMENT OF AFFAIRS OF THE SOCIETY

General body meeting to be the supreme authority. 23
Management of the society to vest in the Board. 23
Exercise of powers by the Board. 23
Strength of the Board. 23
Election of the Board. 23
Action if the nominations received are less than the number of seat to be filled in. 23
Disqualification for election to the Board. 24
Cessation of a member of the Board. 24
Procedure for removal of a Board member incurring disqualification. 24
Open a Bank A/c in the name of Society in any co-operative, nationalised or scheduled bank. 24
Period of office of the elected Board. 24
The first meeting of the newly elected Board to be held within three months of its election. 24
Issue of notice of the first meeting of newly elected Board. 24
Custody of the records of the society. 25
Handling over charge by the outgoing Board. 25
Election of office bearers of the Society and period of office bearers. 25
Quorum for Board meeting. 25
Number of Board meetings to be held in a month. 25
Casuals vacancies in the Board to be filled in by co-option. 25
The period of office of the member co-opted on the Board. 25
Resignation by a member of the Board. 25
Resignation of office-bearership of the society. 26
Notice of meeting of the Board. 26
The Chairman of the society to preside over the meetings of the board. 26
One member one vote. Decisions by majority of the Board. 26
A special meeting of the Board at the instance of the Chairman of 1/3rd members of the Board. 26
Attending meetings of the Board and recording their minutes by the Secretary of Society. 27
Joint and several liability of the member of the Board. 27
Powers, duties and functions of the Board. 27

POWERS OF THE CHAIRMAN

Powers of the Chairman of the society. 28
Functions of the Secretary. 29
Functions of the Treasurer 30

MAINTENANCE OF ACCOUNT BOOKS AND REGISTERS

Books of accounts Registers and other Books to be maintained. 30
Other records to be maintained. 30
Responsibility for maintenance of account books, registers, records etc. 31
Limit for maintaining cash on hand. 31
Payment beyond certain limit by cheques and authority to sign cheques. 31
Finalisation of accounts 32

APPROPRIATION OF PROFITS

Appropriation of Profits. 32

AUDIT OF ACCOUNT OF THE SOCIETY

Appointment of an Internal Auditor 32
Production of books and records for audit. 32
Structural Audit of the Building. 32
Preparations of the audit rectification report. 32
Inspection of the property of the society to see if it needs repairs. 33
Limits for incurring expenditure on repairs and maintenance of the society's property. 33
The Board to execute the work of repairs and maintenance of the Society's property. 33
Various items of repairs and maintenance to be carried by the society at its cost. 33
Repairs by the members at their cost. 34
Insurance of the building/buildings of the society. 34
Trees in the compound of the society. 34

OTHER MISCELLANEOUS MATTERS

Service of notice of the meeting, communication of resolution or decision. 34
Cooperative year. 34
Notice Board of the Society. 35
Penalties for breaches of the by-laws of the society. 35
Amendments to the bye-laws of the society. 35
Hours of operation of the lift. 35
Restrictions on playing of games in the society's compound. 35
Restrictions on letting or giving on leave and licence basis open space. 35
Permission for use of terrace. 36
Copying fees for supply of copies of documents to members of the society. 36
Prohibition against being interested in the society. 36

ELECTION RULES **37**

Annexure No List of Annextures prescribed under the bye-laws 47-50
E-1 to E-5

Appendices Specimen of various forms under this bye-laws. 51-91

PRELIMINARY

1 a. The name of the society shall be the _____ Co operative Housing Maintenance Society Limited. — Name of the society

b. The society shall follow the procedure laid down under Provisions of the Act and Rules for the change of its Name. — Procedure for changing the name

c. The Society is classified under major class as Co operative Housing Society with sub-classification as "Co-operative Housing Maintenance Society" as per registration certificate annexed hereto. — Classification

2 a. **The registered address of the society shall be as under:** — Address of the society

_____

_____

b. Any change in the registered address of the society shall be intimated by it to the Registered Authority and all others concerned within 30 days of such change. — Intimation of change in the address of the society

c. Any change in the registered address of the society shall be made after following the procedure laid down in Rule 28 of the Rules. — Procedure for changing the address of the society

d. The society shall exhibit, at a conspicuous place of the building, a Board indicating its name and the registered address. — Exhibition of Name Board

INTERPRETATION

3. Unless otherwise separately provided in these Bye-laws the following words and terms shall have the meaning assigned to them herein:

(i) **'Act'** means The Goa Co-operative Societies Act 2001 and as in force from time to time;

(ii) **'Accounts and records'** means all or any of the items mentioned in Section 73 of the Act.

(iii) **'Board of Directors'** means the Board of management or other directing body to which the management of the affairs of the Society is entrusted;

(iv) **'Building Maintenance Fund'** means the fund created under Section 110 of the Act;

(v) **'Bye-law'** means the registered bye-laws of the Society.

(vi) **'Chief Promoter'** means a person duly authorized as such by the promoters from amongst themselves to act on their behalf;

(vii) **'Clear Days Notice'** means the number of calendar days intervening between the days of issuing the notice and the day of the meeting;

(viii) **'Co-operative Principles'** means as defined in Section 3 of the Goa Co-operative Societies Act, 2001;

(ix) **'Federation'** means the Goa State Co-operative Housing Finance & Federation Ltd.;

(x) **'Flat'** means a separate and self contained set of premises used or intended to be used for residence;

(xi) **'General Body'** means as defined under Section 2(21) of the Goa Co-operative Societies Act, 2001;

(xii) **'Parking Space'** means open space within the premises of the society earmarked by it for parking of vehicles and includes a stilt;

(xiii) **'Prescribed Form'** means the form included in the Annexure II indicating the bye-law No. under which it is prescribed and the Appendix II indicating the bye-law No. under which it is prescribed and the Appendix at which it is enclosed;

(xiv) **'Premises'** includes plots, dwelling units and commercial units as defined in Section 102 of the Act;

(xv) **'Promoter'** means a person, who has signed the application for registration of the Society.

(xvi) **'Rules'** means the Goa Co-operative Societies Rules 2003 as in force from time to time.

(xvii) '**Society'** means the _____Co-operative Housing Maintenance Society Ltd., _____.

(xviii) **'Fees or Premium'** shall mean and include the amount payable to the society by the member transferring his shares of the society as provided under rule 134;

4. AREA OF OPERATION

Area of operation of the society

The area of operation of the society shall be limited to survey no., chalta no., gram panchayat / municipal area.

5. OBJECTS

Objects of the society

a. To maintain the Buildings known as _____ constructed on property known as "_____" or "_____" _____ which forms the combined property admeasuring an area of _____ sq. mtrs. of which the dwelling units/commercial units owned by the members and to provide common amenities.

b. To manage, maintain and administer the property of the society.

c. To raise funds for achieving the object of the society;

d. To undertake and provide for on its own account or jointly with a co-operative institution, social cultural or re-creative activities.

e. To keep the surrounding of the building clean and hygienic and to take all the preventive steps for mosquito breeding/including providing the mosquito proofing for overhead water tanks, sumps etc.

AFFILIATION

Affiliation of the society to other co-op. institutions

6. The society immediately after its registration shall become a member of the Goa State Co operative Housing Finance & Federation and The Goa State Co-operative Union Ltd. and shall pay sums, from time to time, payable by it under the bye laws of the respective organization referred to above.

FUND, THEIR UTILIZATION AND INVESTMENT

RAISING OF FUNDS

7. The funds of the society may be raised in one or more of the following ways.
   a. by entrance fees
   b. by issue of shares
   c. by loans and subsidies
   d. by deposits from members
   e. by voluntary donations
   f. by contribution towards cost of maintenance and providing common amenities
   g. by fee on transfer of share
   h. by non-occupancy charges
   i. by any other mode permitted under this bye-laws

SHARE CAPITAL

Authorised share capital of the society

8. The authorized share capital of the society shall be Rs. _____/- Divided into _____ shares of Rs.50/- each.

Issue of share certificates to the members of the society

9. A share certificate, bearing distinctive number and indicating the name of the members, the number of shares issued and the value paid thereon, shall be issued by the society to every member for the share subscribed by him, within a period of one month of the allotment of the shares.

Society's seal and signatures of office - bearers on every share certificate

10. Every such share certificate shall bear the seal of the society and be signed by the Chairman and the Secretary.

LIMIT OF LIABILITIES

Restrictions on incurring liabilities by the society.

11. Deposits from members and loans may be received by the society for such period and at such rate of interest and up to such amount and on such terms and conditions, as may be determined by the board provided that at no time, the total amount of such liabilities shall exceed the limit prescribed under Section 51 of The Act subject to the provisions of section 52(a) of the Act.

b. All entrance fees received by the society from its members.

c. All transfer fees received by the society from its members on transfers of the shares.

d. All donations received by the society, except those received by it for the specific purpose.

CREATION OF FUNDS

Any other funds to be created by the society.

12. The society shall create and establish any other funds by collecting contributions from its members as provided in the Act and Rules.

UTILIZATION OF THE FUNDS BY THE SOCIETY

13. The society may utilize its funds in the manner indicated below:

Utilisation of the Reserve Fund

a. **Reserve Fund:** the Reserve Fund of the society may be utilized for the expenditure on repairs of enduring nature of the properties of the society.

Utilisation of the Repairs and Maintenance fund

b. **Repairs and maintenance fund:** the Repairs and maintenance fund may be utilized by the Board for meeting the expenditure on maintenance of the property and repairs and renewal thereof.

Utilisation of any other funds

c. Any other funds be utilized for the purpose for which it was created.

INVESTMENT OF FUNDS

Modes of Investment of funds of the Society

14. The funds of the society, when not employed in its business may be invested or deposited as required under section 55 of the Act.

MEMBERS RIGHTS, RESPONSIBILITIES AND LIABILITIES

MEMBERSHIP

CLASSES OF MEMBERS

Classes of members

15. The membership of the society shall consist of members, joint members and nominal members defined in section 2(28), 2(25) and 2(30A) respectively.

ELIGIBILITY FOR MEMBERSHIP

Eligibility of individuals for membership of the society.

16 a) An individual, who is competent to contract under the Indian Contract Act, 1872 may be eligible for membership of the society.

Eligibility of a minor or a person of an unsound mind for membership of the society.

b) A minor or a person of unsound mind, inheriting shares of the deceased member of the society may be eligible for admission to membership of the society through his guardian or legal representative, on application in the prescribed form, along with undertakings/declaration, in the prescribed forms, mentioned in the application.

Note 1) Family means as defined under explanation to section 6 of the Act.

Note 2) Signatories to the application for registration of the society shall be deemed to be the members in the society upon its registration.

Note 3) The number of members in the society shall not exceed the number of flats/plots/premises of the building/buildings.

Eligibility of Corporate Bodies for membership of the society.

17. Artificial Judicial persons as defined under section 21(2) are entitled to become members of the society.

CONDITIONS FOR MEMBERSHIP

Conditions for individuals desiring to be members of the society.

18. An individual who is eligible to be a member and who has applied for membership of the society in the prescribed form, maybe admitted as member by the Board on complying with the following conditions;

(i) He has fully paid the value of at least five shares of the society, along with his application for membership.
(ii) He has paid the entrance fee of Rs. 10/- along with the application for membership.

(iii) He has given an undertaking in the prescribed form to the effect that he shall use the dwelling unit and or commercial unit for the purpose for which it was purchased.

(iv) He has furnished such other undertaking/declarations, in the prescribed forms as are required under any law for the time being in force and such other information as is required under the bye laws of the society along with the application for membership.

19. A firm, company or any other body corporate registered under any law for time being in force, which is eligible to be a member of the society and which has made an application for membership of the society in the prescribed form may be admitted as a member by the board meeting of the society on complying with the following conditions.

(i) It has paid, along with the application for membership full value of at least five shares and entrance fees of Rs. 10/-.

(ii) The firm or the company has furnished the undertaking/declaration in the prescribed forms required under any law for the time being in force along with the application for membership.

Conditions of membership for bodies corporate desiring to become members of the society.

20. An individual, a firm, a company or any other body corporate registered under any law the time being in force who/which is eligible to be a Joint Member and who/which has made an application in the prescribed form for such membership, along with the entrance fee in the prescribed form for such membership along with the entrance fee of Rs. 10/- may be admitted as such member by the board.

21. All applications for membership shall be dealt with as per Section 22, of the Goa Co-operative Societies Act read with Rule 17 and 18 of the Goa Co-operative Societies Rules, 2003.

RIGHTS OF MEMBERS

GETTING COPY OF THE BYE LAWS

Right to get a copy of the bye-laws of the society.

22. A member shall be entitled to receive a copy of the registered bye laws of the society on payment of the price thereof.

INSPECTION OF BOOKS AND RECORDS

Right of inspection of documents and getting copies thereof.

23. A member shall have right to inspect free of cost books, registers, documents etc. as provided in Section 73 of the Act, and get copies of the documents as provided under Section 32 of the Act on payment of the fees prescribed under the bye law No. 135.

RIGHT TO OCCUPY

A member shall have a right to occupy the flat/plot/premises allotted to him subject to the terms and conditions mentioned in the letter of allotment.

RESIGNATION OF MEMBERSHIP

RESIGNATION BY A MEMBER

Notice of resignation of membership of the society.

24 (a) A Member may resign his membership after giving three months notice, in the form to the Secretary of the Society as provided under Rule 19(1) of the Rules 2003.

Resignation not to be accepted unless dues of the society are fully paid.

(b) No resignation of a member of the society shall be accepted unless such member has made payment of all the dues payable to the society in full and cleared all the liabilities as borrower and guarantor.

Communication of the amount of dues of the society outstanding to the member.

(c) Where any dues are found payable by the member of the society the Secretary of the society shall intimate the same to the member within 15 days of the receipt of the notice of resignation, advising him to make payment thereof within 30 days of the date of the intimation.

Acceptance of resignation where no charges of the society are outstanding.

(d) Where there are no dues of the society outstanding with the member, the Board shall accept the resignation of the member within a period of 3 months from the date of the receipt of the notice of this resignation.

Communication of reasons for rejection of Resignation.

(e) Where any resignation is rejected, the board shall record the reasons thereof and communicate the same to the member concerned within 3 months of the date of receipt of notice of resignation.

Acquisition of shares of the member of the society.

25. On acceptance of the resignation of the member, under Bye-law no. 24 the society may acquire the shares of the member and pay him the value thereof.

NOMINATION BY MEMBERS

Procedure for nomination by a member and its revocation.

26. A member of the society may, by writing under his hand, in the prescribed form, nominate a person to whom the whole or part of the shares of the member shall be transferred in the events of his death no fees shall be charged for recording the first nomination. A member may revoke or vary his nomination, at any time, by making an application in writing, to the Secretary of the society, for every fresh nomination shall be charges fee of Rs.10/-.

Recording of nominations or revocations thereof.

27. On receipt of the nomination form or the letter of revocation of the earlier nomination, the same shall be placed before the meeting of the Board, held next after the receipt of the nomination form or the

letter of revocation of the earlier nomination, by the secretary of the society for recording the same in the minutes of the board. Every such nomination or revocation thereof shall be entered in the register of nominations by the secretary of the society within 7 days of the meeting of the board in which it was accepted.

Transfer of shares of the deceased member of the society to the nominee.

28. Subject to the provision of the bye-law no. 16(a) or 18 on the death of a member, the society shall transfer the shares of the deceased member of the society as provided in section 30 of the Act and read with Rule 23 of the Rules.

Transfer of shares of the deceased member of the Society to the heir.

29. Where a member of the society dies without making a nomination, the society shall invites, within one month of knowledge of his death, claims or objection to the proposed transfer of shares of the deceased member of the society by a public notice, in the prescribed form, exhibited on the notice board of the society. It shall also publish such notice in at least two local news papers, having wide circulation. The entire expenses of publication of the notice shall be recoverable from the value of shares of the deceased members. After taking into consideration the claims or objections received, in response to the said notice, and after making such enquires as the board considers proper, in the circumstances prevailing, the board shall decide as to the person, who in its opinion, is the heir or legal representative of the deceased member. Such a person will be eligible to be a member of the society subject to the provisions of the bye laws no. 16(a) or 18 provided that he gives, along with his application for membership in the prescribed form, the indemnity bond in the prescribed form indemnifying the society against any claims made to the shares at any time in future. If there are more claimants than one they shall be asked to make the affidavit as to who should become a member of the society and such person, named in the affidavit shall furnish the indemnity bond as indicated above along with application for membership, referred to above. If however, the Board is not able to decide as to the person who is the heir/legal representative of the deceased member or claimants do not come to the agreement as to who should become the member of the society, Board shall call upon them to produce succession certificate from the competent Court. If, however, there is no claimant, the shares of the deceased member of the society shall vest in the society.

Payment of the value of Shares of the deceased member of the society to the nominee/ nominees

30. If there is the single nominee and if he demands payment of the value of shares of the deceased member, of the society, the society may acquire the same and pay him the value thereof as provided under the bye laws of the society. If however, there are more nominees than one and if they demand payment of the value of the shares of the deceased member of the society, the society may acquire the same and pay them value thereof as provided under the bye law referred to above in the proportion mentioned in the nomination form. If no

proportion is mentioned in the nomination form, the payment shall be in equal proportions.

Payment of the value of shares of the deceased member of the society to the heir/legal representative/ heirs legal representatives

31. If, in the opinion of the board there is only one heir/legal representative of the deceased member and if he demands payment of the value of the shares of the deceased member of the society, the society may acquire the same and pay him the value thereof as provided under the bye-laws of the society after obtaining the indemnity bond referred to in the bye law no. 30 if, in the opinion of the board there are more heirs/legal representative than one and if they demand payment of the value of shares of the deceased member of the society, the society may, acquire the same and pay them value thereof in equal proportion, after obtaining the indemnity bond referred to in the bye-law no. 30 from all the heirs/legal representatives jointly.

TRANSFER OF SHARES OF THE SOCIETY

Notice of transfer of shares of the Society.

32(a) A member, desiring to transfer his shares of the society, shall give 15 days notice of his intention to do so to the Secretary of the society in the prescribed form, along with the consent of the proposed transferee in the prescribed form.

(b) On receipt of such notice, the secretary of the society shall place the same before the meeting of the board, held next after the receipt of the notice, pointing out whether the member is prima facie eligible to transfer his shares of the society, in view of the provisions of section 29(2) of the Act.

(c) In the event of ineligibility of the member to transfer his Shares, the Board shall direct the secretary of the Society to inform the member accordingly within 3 days of the decision of the board.

(d) If the Board is satisfied that the member is prima-facie eligible to transfer his shares, the Board shall direct the Secretary of the society to inform the member within 3 days of the decision of the Board to make the compliance as under:

(i) To submit an application for transfer of his shares, in the prescribed form, along with the share certificate.
(ii) To submit an application for membership of the proposed transferee in the prescribed form.
(iii) To give valid reasons for the proposed transfer.
(iv) To discharge all the liabilities of the society.
(v) To pay the transfer fee of Rs.1000/-.
(vi) To remit entrance fee of Rs.10/-.
(vii) To furnish the undertaking/declaration in compliance with the provisions of any law for the time being in force, and such other things

by the members of the Society in General Body Meeting.

(viii) To pay a premium of Rs. 5000/- or as decided by the General Body.

33 (a) The procedure for disposal of applications for transfers of shares members of the Society as laid down under the bye law no. 49 shall be followed by the Secretary and the board of the society.

(b) A meeting of the Board shall not refuse any application for admission to membership or transfer of shares of the society except on the ground of non compliance of the provisions of the Act, the Rules and the bye-laws of the society or any other law or order issued by the Government in exercise of the statutory powers vested in it.

(c) If the decision of the board, on the application for transfer of shares of the society is not communicated to the applicant within 3 months of its receipt, the transfer application shall be deemed to have been refused as provided under section 22(4) of the Act.

(d) Any transfer made in contravention of the Act, Rules or the bye-laws shall be void and not effective against the society.

34. The Transferee shall be eligible to exercise the right of membership on receipts of the letter in the prescribed form from the society.

35. **Sub-letting etc. of Flats/Plots/Premises**

Sub-letting etc. not permissible except under the Society's permission.

I. A member may with the previous intimation in writing to the board, sub-let or give on leave and licence basis or caretaker basis his flat/plot/premises or part with its possession in any other manner.

Application for permission to sub-let etc.

II. No member shall give on leave and licence basis or caretaker basis his flat/premises or any part thereof with its possession in any manner, written permission is obtained from the Board and unless:

(i) He has made an application in the prescribed form:

(ii) His application contains the undertaking that:

(a) He shall, by joining the society as party to the proceedings initiate necessary legal proceedings against the sub –lettee, licensee, caretaker or possessor, on his failure to get vacant possession of the flat or part thereof on expiry of the period of sub-letting, giving on leave and licence or caretaker basis the flat or part thereof or parting with its possession in any other manner and reimburse the cost of the legal proceedings required to be incurred by the society.

(b) He shall, pay the regular charges of the society every month during the period of sub-letting, Licence etc.

(c) He shall pay non-occupancy charges to the Society as prescribed under Rule 133.

Provided that while permitting sub-letting, giving on leave and licence or caretaker basis the flat or part thereof permitting parting with its possession in any other manner, the Board shall restrict the period thereof to 11 months which may, on the request of the members be extended for similar period or part thereof from time to time.

Procedure for disposal of applications for sub-letting etc.

36. The procedure for disposal of the applications for permission for sub-letting, giving on leave and licence or caretaker basis flats or parts thereof or parting with possession in any manner, as laid down under the bye-laws No. 49 be followed by the Secretary and the Boards of the Society.

RESPONSIBILITIES AND LIABILITIES OF MEMBERS

MAINTENANCE OF FLATS/PREMISES BY MEMBERS

Flats to be kept clean

37. Every members shall keep his flat/premises clean.

Application for permission for making additions and alteration in a premise.

38. The members desirous of making any additions to or alterations in his premises, shall make an application to the Secretary of the society giving all the required particulars. Further action on such application shall be taken by the Secretary and the Board of the society as provided under the Bye-law No. 49.

Examination of premises and report about Repairs of premises

39(a) For facilitating discharge of functions by the Board, every member shall allow the Secretary of the Society, accompanied by any other member of the board, to enter upon his flat/premises to examine its conditions for ascertaining the repairs, if any, necessary. The secretary of the society shall make a report to the Board, indicating therein, the particulars of the external repairs to be carried out by the society at its cost and the internal repairs to be carried out by the members at their cost.

Notice to the member about carrying out repairs in his flat by the society at its cost.

(b) On receipt of such report, the board shall ascertain the cost involved in the external repairs, which are required to be carried out by the society at its cost as provided under the bye law no. 123(a) and cause the notice to be served on the member of such period as the board thinks adequate, of its intention to carry out the external repairs and there upon the member concerned shall allow the workmen engaged by the society directly or through its architect, access to his flat/premises for carrying out the repairs. If the member concerned fails to give access to his flat/premises without any reasonable and convincing reasons, the Secretary of the society shall have authority to enter upon the flat/premises and carry out the work under the Supervision of the member of the Board duly authorized by it in that

behalf or the architect appointed by the society.

Notice to the member about carrying out repairs in his flat at his cost.

(c) In respect of the internal repairs to be carried out by the member at his cost, the Board shall cause the notice to be served on the member, indicating therein, the particulars of repairs necessary to his flat and calling upon him to carry out the repairs to his flat to the satisfaction of the Board at his cost, within such period as the board may allow. On his failure to comply with the notice, the secretary of the Society or the architect appointed by the society shall have authority to enter upon the flat/premises and cause the repairs to be carried out after giving due notice to the member concerned. The amount spent by the society on such repairs shall be recoverable from the member concerned.

Restriction on storing of certain goods.

40. No member shall store or stock any kind of goods or materials which are combustible, obnoxious or hazardous to life or not permitted under any other law.

Not to do anything on a flat causing inconvenience nuisance or annoyance to other members.

41 (a) No member shall do or suffer anything to be done in his flat/premises which may cause nuisance, annoyance or inconvenience to any of the members of the society or carry on practices which may be repugnant to the general decency or moral of the members of the society.

Board to take action on complaint about infringement of the Bye laws no 41(a)

(b) It shall be competent for the Board either suo motto or on receipt of the complaint from any member to take step to stop all such practices referred to in the bye-laws no. 41(a) forthwith.

REMOVAL AND EXPULSION OF A MEMBER

Grounds on which a member could be removed or expelled.

42 (a) A member may be expelled from the membership of the Society, if such a member:

(i) Has persistently failed to pay the charges due to the society for a period of 3 years and for an amount exceeding Rs.5000/- in terms of section 25(4) of the act.

(ii) Has willfully deceived the society by giving false information.

(iii) Has used his flat for immoral purposes or misused it for illegal purpose habitually.

(iv) Has been in the habit of committing breaches of any of the provisions of the bye laws of the society which in the opinion of the board are of serious nature.

(v) Has furnished false information or omitted to furnish the material information to the Registering Authority at the time of registration of the society.

Procedure for expulsion of a member

(b) The cases of expulsion from the membership of the society shall be dealt with in the manner provided under section 26 of the Act, read with Rules 25 and 26 of the Rules.

Procedure of shares of the expelled member.

(c) Expulsion from membership may involve forfeiture of the shares held by the member. Where the Board decides that expulsion from membership should also involve forfeiture of the shares, it shall make necessary reference to the proposed forfeiture of the shares in the notice to be issued under Rule 26 of the Rules.

Effect of expulsion on membership of the society.

43. The member, duly expelled from membership of the Society, shall cease to be the member of the society, with effect from the date on which the resolution of expulsion from the membership of the society is passed by the general body. The forfeiture of shares shall take effect after the meeting of the general body has so decided and the resolution of expulsion from the membership of the society has been passed by the general body under section 26 of the Act.

Eligibility of the expelled member for readmission to membership of the society.

44. No member of the society, who has been expelled from its membership shall be eligible for re-admission to membership in the society until expiry of the period of one year from the date of his expulsion, in terms of section 26(2).

CESSATION OF MEMBERSHIP

Circumstances under which a person ceases to be a member of the society.

45. The person shall cease to be the member of the society:

(i) On his resignation from membership of the society having been accepted by the Board.

(ii) On transfer of all his shares of the society.

(iii) On his death

(iv) On his expulsion from the membership of the society

(v) On being adjudged as an insolvent or legally disabled from continuing as member.

(vi) The Board shall take further action in the matter as indicated in the bye law no. 48.

Action by the Board on cases of cessation of membership of the society.

46. The Board shall record the facts of cessation of member's membership of the society under the bye-law no. 45(iii) and (v) in the minutes of its meetings. The secretary of the society shall send intimation of cessation of membership to the joint member if any or to the nominee within 7 days of the dates of the meetings of the board in which the facts about cessation of membership were recorded.

LIABILITIES OF A MEMBER AND THE PAST MEMBERS

Liability limited to unpaid amount on Shares.

47. The liability of a member for the debts of the society shall not exceed the amount unpaid on the shares.

Liability of the past member.

48. The liability of the past member of the society for the debts of the Society, as they stood on the date of the cessation of his membership and the liability of the estate of the deceased member of the society for the debts of the Society as they stood on the date of his death shall continue for the period of 2 years from the date of his cessation of death respectively as per the provision of section 33(1) of the Act.

49. **OTHER MATTERS**

Disposal of applications

a. All the applications for
   (i) Admission to membership of the society including joint membership and nominal membership
   (ii) Approval to the transfer of shares of the society
   (iii) Permission for sub-letting or giving flats/premises thereof on leave and licence or caretaker basis.
   (iv) Permission for additions and alternations in flat/premises
   (v) Allotment of parking spaces and stilts
   (vi) Permission for use of terrace, open space and
   (vii) For any other purpose provided under the bye-laws but not specifically mentioned above shall be addressed to the Secretary of the society.

b. On receipt of the applications, the secretary of the society shall scrutinize them and bring any short comings therein to the notice of the members concerned within 7 days of their receipt for compliance.

c. The Secretary shall place all the applications, complete in all respects before the meetings of the board or the general body as the case may be held next after receipt of the applications.

d. The Board or the General body as the case may be shall consider all such applications at its meetings and take decisions thereon.

e. The board shall ensure that all the applications received by the secretary of the society are disposed off within the maximum period of 3 months from the date of their receipt.

f. The board or the general body, may reject any application after

recording the reasons thereof in the minutes.

g. The secretary of the society shall communicate the decision of the board or the general body, as the case may be to the applicants concerned within 15 days of the decisions of the Board or the General Body, as the case may, with reasons why the applications are rejected by the Board or the General Body, as the case may be. If the society does not communicate the decision to the applicant within three months from the date of receipt of application for membership, including joint membership and nominal membership the application shall be deemed to have been refused as provided under section 22(4) of the Act.

LEVY OF CHARGES OF THE SOCIETY

Composition of the charges of the society.

50. The contributions to be collected from the members of the society, towards outgoing as defined under section 102(n) of the act and establishment of its funds, referred to in these bye-laws as the charges/dues may be in relation to the following: **(Property taxes to be paid by the member directly to the concerned authority).**

   (i) Water charges
   (ii) Common electricity charges
   (iii) Contribution to building and maintenance fund
   (iv) Expenses on repairs and maintenance of the building of the society, including charges for running the lift if available.
   (v) Building fund
   (vi) Service charges
   (vii) Car parking charges
   (viii) Interest on the defaulted charges
   (ix) Non-occupancy charges
   (x) Insurance charges
   (xi) Any other charges

Breakup of service charges of the society.

51 The service charges of the society referred to at (vi) above shall include the following:

   (i) Salaries of the office staff, liftman, watchman, gardener and any other employee of the society.
   (ii) Where the society has independent office, the property taxes, electricity charges, water charges etc., for the same.
   (iii) Printing, stationary and postage
   (iv) Traveling allowance and conveyance charges to the staff and the members of the board of the society.
   (v) Annual Subscription to the Goa State Co-op. Union Ltd.

(vi) Annual subscription of the Federation and any other co-operative institution to which the society is affiliated.

(vii) Audit fees for internal, statutory and re-audit if any

(viii) Expenses incurred at meetings to the general body, the board and the sub-committee, if any.

(ix) Retainer fees, legal charges, statutory enquiry fees.

(x) Entrance fees for affiliation to the federation and any other co operative institution.

(xi) Any other charges approved by the general body at its meetings.

Sharing of Society's charges by the members.

52 (a) The Board shall apportion the share of each member towards the charges of the society on the following basis.

(i) **Water charges**, As decided by the General Body from time to time.

(ii) **Common electricity charges** At the rate per square metre of each flat/premises

(iii) **Expenses on repairs and maintenance of the building/buildings of the society**, At the rate per square of the built-up area of each flat/premises fixed by the general body of the society at its meeting.

(iv) **Expenses on repairs and maintenance of lift, including charges for running the lift**, At the rate per square meter of the flat/premises.

(v) **Service charges**, At the rate per square metre of the flat/premises

(vi) **Car parking charges**, At the rate fixed by the general body of the society at its meeting under the bye-law no. 63.

(vii) **Interest on the defaulted charges**, At the rate fixed under the bye-law at its meeting under the bye-law no. 55 to be recovered from the defaulter members.

(viii) **Non-occupancy charges**, At the rate fixed under Rule 133.

(ix) Insurance charges, The built up area of each flat, provided that if there is increase in the insurance premium due to storing any specific goods in any flat, used for commercial purposes, the extra burden if insurance premium shall be shares be those who were responsible for such increased premium in proportion of the built up area of their flats.

(x) Any other charges, As may be decided by the general body of the

society at its meeting.

Board to fix Society's charges in respect of every flat.

b) The board shall fix in respect of every flat/premises the society charges on the basis laid down under the bye-laws No.52(a).

Payment of the Society's charges.

53. The secretary of the society shall prepare demand notices in respect of the charges of the society, payable by, members on the basis of the bye-law No. 52(a) and issue the same to all the members on or before the date fixed by the board in that behalf. Every member of the society shall pay the amount mentioned in the demand notice in full within such period as may be fixed by the board.

Review of the cases of defaults in payment of the charges of the society.

54. A member shall be deemed to have committed default in payment of the charges of the society, if the payment mentioned in the demand notice is not made within the period fixed by the board under the bye-law No. 53. The secretary of the society shall bring the cases of default in payment of the society's charges to the notice of the board for taking further necessary action.

Interest on the defaulted payments.

55. A defaulted member shall be required to pay simple interest 18% p.a. on the charges of the society defaulted by a member, from the date the amount was defaulted till its payment.

INCORPORATION, DUTIES AND POWERS OF THE SOCIETY

Incorporation

56. The registration of society shall render it a body corporate by the name under which it is registered, with perpetual succession and common seal and with power to acquire, hold and dispose of the property, to enter into contracts and other legal proceedings and to do all such things as are necessary for the purpose for which is constituted.

Common Seal

57. The common seal of the society shall be in the custody of the secretary of the society and shall be used under the authority by means of resolution of the board. Share certificates or any other documents. To which the seal is affixed on behalf of the society, shall be attested by the chairman, the secretary and one member of the board, authorized by the board in that behalf.

Charge and set off in respect of shares and interest of a member of the society.

58. The society shall have first charge on the shares of the society and upon any dividend, bonus or profits, payable to a member in respect of any charges due from such member or past member to the society and may set off any sum credited by or payable to a member. In or towards the repayment of such charges as provided under section 43 of the act.

Policy of allotment of parking spaces and stilts

59. The allotment of parking spaces/stilts shall be made by the board on the basis of drawings lots on annual basis.

Restriction of parking spaces/stilts.

60. No member shall be entitled to utilize more parking spaces/stilts than what it allotted to him by the board.

Marking of parking space or stilts.

61. Where any stilts have been built or open space in the society's compound is available for parking of cars, the society shall number the stilts or the open space in such a way that no inconvenience would be caused to any of the members of the society. The board shall ensure that space is used by the members for the purpose for which it is allotted to them.

Eligibility for allotment of stilts or parking spaces.

62. A member having a motor vehicle, will only be eligible to have stilt or a parking space. No member shall normally be eligible for being allotted more than one stilt or a parking space for parking the car owned by him or allotted to him by his employers of the firm of which he is the partner or the company of which he is the director. If any stilts or parking spaces remain un-allotted for want of applicant for allotment, a 2nd or 3rd stilts or parking space maybe allotted to the same member who has earlier been allotted the stilt or the parking space. Such allotment of 2nd or 3rd stilt/parking space shall be made on year to year basis, provided the same is not required by any other member, who is not allotted even a single stilt/parking space.

Applications for allotment of stilts or parking spaces.

63. The member, desiring to have a stilt or a parking space, may make an application to the secretary of the society giving necessary details. The procedure for disposal of application for permission under this bye-law, as laid down under the bye-law No. 49 shall be followed by the secretary and the board of the society.

Payment of charges for parking of vehicles.

64. Every member, who has been allotted the stilt or the parking space shall be required to pay the parking charges at such rate as may be decided by the general body of the society at its meeting, irrespective of the fact whether he actually parks his motor vehicle or not. Where a member has been allotted more than one stilt/parking space, he shall pay parking charges in respect of every such stilt or parking space.

Parking of other vehicles.

65. Every member, having a scooter, a motor cycle, or an auto rickshaw shall obtain prior permission of the board of parking his vehicle in the compound of the society, on payment of charges, fixed by the general body of the society at its meeting.

GENERAL MEETINGS

Holding of the first general body meeting within the stipulated period.

66. **First General Meetings**: The first general body meeting of the promoters, who have signed the application for registration of the society, shall be held within the period of 3 months of the date of the registration of the society. As provided under rule 45 of the rules. It shall be the responsibility of the chief promoter of the society to

convene the said meeting within the stipulated period/time.

Calling the first general meeting by the Registering Authority.

67. On failure of the chief promoter of the society to hold the first general body meeting, within the period as specified in rule 45 the registering authority shall cause it to be called, as specified in Rule 45.

Period of notice for the first general body meeting.

68. Fourteen clear days notice of the first general body meeting of the society shall be given by the Chief Promoter of the society or as the case may be. By the officer authorized by the registering authority to all promoters, who have signed the application for the registration of the society.

Functions of the first general body meeting.

69. (a) The functions of the first general body meeting of the society shall be as under:

(i) To elect a President for the meeting.
(ii) To admit person to membership (other than the promoters) who have applied for membership of the society.
(iii) To elect a Provisional Board and to fix date of first meeting of the board of directors.
(iv) To receive and approve the statement of accounts, as prepared by the Chief Promoter of the society. Upon 14 days prior to the date of the first general body meeting of the society.
(v) To review and approve the report of the Chief Promoter of the society regarding the work done and proposed to be done.
(vi) To appoint internal auditors of the society for the year, if necessary and to fix their remuneration.
(vii) To consider affiliation of the society as a member of the Goa State Co operative Housing Finance & Federation of the state and The Goa State Co-operation Union Limited.
(viii) To consider any other matter to be brought before the meeting with the permission of the Chair, exception those requiring proper notice.

Recording of minutes at the first general body meeting.

70. The person, who presides over the first general body meeting, shall record the minutes of the meeting, sign them and hand over them to the secretary of the society elected at the first meeting of the Provisional Board.

Handing over records by the chief promoters of the Society.

71. The Chief Promoter of the Society shall, immediately after election of the office bearers of the society, at the first meeting of the Provision board hand over to the Chairman of the Society, or any member of the Provisional board authorized by it in that behalf, all records of the Society, Particularly the copy of the application for registration of the society, received back from the Registering Authority, the copy of the bye laws of the society registered by the Registering Authority, the certificate of registration of the society, the challans for credit of amount into the bank, the counterfoils of the used cheques and the unused forms of the cheques, the bank pass books, copies of all the

agreements entered into by him with different parties, the statement of accounts as prepared by him, the applications for membership, the statements of information of the promoters, the vouchers for amounts spent, the cash balance if any, the minutes of the first general body meeting of the society, the files of the correspondence with the Registering Authority, all such other records and assets if any of the society as are in his possession, leaving nothing with him.

Powers of the Provisional Board.

72. The Provisional Board shall have the same power and function as the Board duly elected in accordance with the bye-laws of the society.

Period of Office and the Provisional Board.

73. The provisional board shall be in office for a period of one year or till the election of the new board in the next annual general meeting.

Handing over charge by the Provisional Board.

74. The chairman of the provisional board hand over charge of all the assets and papers of the Society to the Chairman of the newly elected Board at the time of its 1st meeting leaving nothing with him.

ANNUAL GENERAL BODY MEETING

Period with which annual general body meeting should be held.

75 (i). The annual general meeting of the Society shall be held within 6 months from the date of closing the accounting year under Section 72(2), of the Act read with Rule 46.

Filing of Annual Audited Statement

75 (ii) The society shall file Annual Audited accounts alongwith other documents specified in section 81 within six months from he end of the financial year.

Functions of the annual general body meeting of the society.

76. The annual general body meeting of the Society shall transact the following business:

i) To read the minutes of the Annual General Body Meeting of the society and the special general body meeting of the society, if any and to note action taken thereon.

ii) Receive from the board, the report on the preceding co-operative year's working together with the statement of account in form 'L-1 to L-4 prescribed under Rule 50 (1) of the Rules, Showing the income and expenditure during the preceding co-operative year and the balance sheet as at the close of the preceding co-operative years.

iii) To consider audit memorandum if received from the Statutory Auditors for the previous year or year, along with the audit rectification report on the Board thereon.

iv) To declare the result of election to the Board, if election to Board has taken place during the year in which the annual general body meeting of the society is held.

v) To appoint Statutory Auditors from among the panel of auditors constituted by the Registrar of Cooperative societies to hold the office till the conclusion of the next annual General body meeting and to fix their remuneration.

vi) To appoint an internal auditor, if considered necessary and to fix his remuneration.

vii) To consider any other matter, specifically requiring decision, concurrence or sanction of the general body meeting of the society, by virtue of the provision in the Act, Rules and the Bye-laws of the society.

viii) To consider any other important communications received from the Registering Authority, the Statutory Auditor, Internal Auditor, Government, Collector, Local Authority or any other Officer of Government.

ix) To consider any other matter, excepting those requiring proper notice, with the permission of the Chair, after the regular agenda is over.

SPECIAL GENERAL BODY MEETING

When a special general body meeting should be called.

77. A special general body meeting of the Society may be called at any time by the decision of the majority of the Board and shall be called within 30 days of the date of the receipt of requisition in writing, signed by at least one/tenth (1/10th) of the members of the Society or from the Registering Authority or from the Housing Federation, to which the Society is affiliated. The Meeting so convened shall not transact any business, other than that mentioned in the notice of the meeting.

Fixing date, time and place for a special general body meeting requisitioned.

78. The requisition for the special general body meeting of the Society, under the bye –laws No. 77 shall be placed, within 7 days of its receipt, before the meeting of the Board by the Secretary of the Society, for fixing the date time and place for the special general body meeting of the society.

Notice of a general body meeting.

79. The Board shall decide the date, time and place of every general body meeting of the society and the business to be transacted thereat, provided that the business to be transacted at the requisitioned special general body meeting shall be only that mentioned in the requisition. The notice convening the general body meeting shall be issued by the Secretary of the Society accordingly. On his failure to issue the notice, the chairman shall issue the same.

Period of notice of a general body meeting.

80. In case of the annual general body meeting, 14 clear days' notice and in the case of the special general body meeting 7 clear days' notice of

the meeting shall be given to all the members of the society, under intimation to the Registering authority. In case of an emergency, the special general body meeting may be called even at a shorter Notice, if the board unanimously decides to call the special General Body Meeting at a shorter notice.

Quorum for the adjourned general body meeting.

81. The quorum for every general body meeting of the Society shall be more than 50% of the total number of members of the Society or 20 members, whichever is less.

Holding of the adjourned general body meeting.

82. If within half an hour after the time appointed for the general body meeting of the Society, there is no quorum, the meeting, if convened upon the requisition of the members, shall be dissolved. In any other case, it shall be adjourned to a later hour on the same day and at the same place, as may have been specified in the notice, calling the general body meeting of the Society or to a subsequent date, not earlier than 7 days and not later than 30 days and as such adjourned body meeting the business on the agenda of the original general body meting shall be transacted, whether there is quorum or not and the decisions taken to such meetings shall be binding on all the members of the Society.

Postponement of the general body meeting which cannot complete the business on the agenda.

83. If all the business on the agenda of the general body meeting of the Society cannot be transacted on the day on which the general body meeting is held, the meeting shall be postponed to any other suitable date, not later than 30 days from the date of the meeting, as may be decided by the members present at the meetings.

Chairman of the society to preside over all general body meetings.

84. The Chairman of the society shall preside over all general body meetings of the society, provided that if the Chairman is absent or if present and is unwilling to preside, the, members present may elect a person from amongst themselves to preside over it.

Restrictions on attending a genral body meeting by a proxy.

85. No proxy or a holder of power attorney or letter of authority shall be eligible to attend a general body meeting of the society on behalf of a member of the society except as provided in Section 28 of the Act.

Voting right of a member.

86. Voting right of a member of the society shall be regulated in accordance with the provisions of section 28(1) and (2) of the Act.

One member vote.

87. At a general body meeting of the Society, every members of the society shall have one vote only. In case of equality of votes, the chairman of the meeting shall have a casting vote.

How decisions shall be taken.

88. Unless otherwise specifically provided under the Act. The Rules and the Bye-laws of the Society, all questions at a general body meeting of the society shall be decided by a simple majority of those present for voting at the meeting.

Recording of the minutes of the general body meetings.

89. The Board shall finalise the draft minutes of every general body meeting of the society within 1 month from the date of the meeting and circulate the draft minutes amongst all the members of the society within 7 days of the meeting of the Board at which the draft minutes were finalized. The members of the society may communicate to the Secretary of the society their observations, if any, on the draft minutes, within 7 days of the date of their circulation. The board, at its subsequent meeting shall prepare the final minutes of the general body meeting after taking into consideration the observation, if any, made by the members on the draft minutes and cause them to be recorded in the minutes book by the Secretary of the Society or any other person authorized in that behalf.

Cancellation of the previous resolution of the general body meeting.

90. No resolution can be brought at a general body meeting of the Society, cancelling or modifying it a previous resolution, unless 6 clear months have expired after passing of the previous resolution.

MANAGEMENT OF AFFAIRS OF THE SOCIETY

General body meeting to be the supreme authority.

91. Subject to the provision of the Act, the Rules and the Bye-laws of the Society, the final authority of the society shall vest in its general body meeting, summoned in such manner as in specified in these bye-laws.

Management of the society to vest in the Board.

92. The Management of the affairs of the Society shall vest in the Board duly constituted in accordance with the provision of the Act, the rules and the Bye-laws of the Society.

Exercise of powers by the Board.

93. Subject to the direction given or regulation made by a meeting of the general body of the Society, the Board shall exercise all powers, expressly conferred on it and discharge all functions entrusted to it under the bye-law No. 109(k).

Strength of the Board.

94. The board shall consist of 3/5/7/9/11/13/15 members of the Society.

Election of the Board.

95 (a) Election of all the members of the Board shall be held once in 5 years. The election of the Board shall be conducted by the Registrar of Cooperative Societies, or any body or authority specified by Govt. of Goa, before expiry of the term of Board so as to ensure that the newly elected members of Board assume office immediately on the expiry of the office of members of the outgoing Board. The retiring members of the Board shall be eligible for re-election unless disqualified under the provisions of Act, Rules and Bye-laws.

Action if the nominations received are less than the number of seat to be filled in.

(b) In the event of failure to elect required Directors of the Board to constitute the full board, the vacancies shall be filled by the Registrar of Co-operative Societies, as per section 67A of the Co-operative Societies Act.

Disqualification for election to the Board.

96. No person shall be eligible for being elected as a member of the Board or co-opted on it if:

(i) He has been convicted of the offence, involving moral turpitude, unless the period six years has elapsed since his conviction.

(ii) He is in default of the society, in respect of any charges due from him or in respect of the demand made by the society towards the shares, or any other charges payable to the society for more than 60 days prior to the date of filing the nomination.

(iii) He had, without the previous permission of the society, in writing sub-let his flat/premises or part thereof or given it on leave and licence or care taker basis or has parted with its possession in any other manner or has not been residing in the flat/premises for more than 6 months on the date of registration of the society or on society's approval to the transfer of shares and interest in the flat/premises.

Cessation of a member of the Board.

97. 1) **A person shall cease to be the member of the Board, if:**

a. He has incurred any of the dis-qualifications mentioned under the Bye-laws No. 96 or,

b. He has failed to attend three consecutive meetings of the Board without the leave of absence or,

c. he has defaulted payment of any amount mentioned in the bye-law No. 96(ii) for more than 60 days from the date on which it was due for payment.

Procedure for removal of a Board member incurring disqualification.

2) If a member of the Board attracts any of the disqualification under the bye-laws No. 97(1) the Board shall after giving opportunity; to the concern member shall record the fact in the minutes of its meetings.

Open a Bank A/c in the name of Society in any co-operative, nationalised or scheduled bank.

98. A bank account shall be opened in the name of the Society in any co-operative, nationalized or schedule banks which shall be operated jointly by any two amongst the Chairman, Secretary.

Period of office of the elected Board.

99. The period of office of the Board elected under the Bye-law No. 95(a) shall be of maximum 5 years from the date of its first meeting.

The first meeting of the newly elected Board to be held within three months of its election.

100. a) The first meeting of the newly elected Board shall be held within one month from the date of the general body meeting of the society, at which the result of its election was declared.

Issue of notice of the first meeting of newly elected Board.

b) Subject to the provisions of the Bye-law No. 100(a) the secretary of the outgoing Board shall issue notice of the first meeting of the newly elected Board. On the failure of the Secretary of the outgoing board

to convene the said meeting, the chairman of the outgoing board shall call it. On the failure of both, the Registering Authority may call such a meeting.

Custody of the records of the society.

101. All records of the society shall be kept at its registered address of the society, convenient to the Secretary with the approval of the chairman of the society.

Handling over charge by the outgoing Board.

102. When the new board is elected, the secretary of the outgoing board shall prepare the list of papers and property of the society in his custody and hand over the charges thereof to the outgoing chairman. The retiring chairman shall hand over charges of the office of the board and all papers and property of the society, in his possession to the Chairman of the new Board.

Election of office bearers of the Society and period of office of office bearers

103. a) Every Board, at its first meeting, after its election shall elect a chairman, secretary and treasurer from amongst the members of the board.

b) The chairman, secretary and treasurer of the society shall hold office for the maximum period of 5 years from the date of election or till the tenure of the Board which ever earlier. Provided that he shall cease to be the chairman, secretary and treasurer as the case may be of the society if the motion of “No confidence” is moved and passed by simple majority for the total members of board member in the special meeting of the board called upon the requisition signed by not less than 1/3 of the total members of the Board who are for the being entitled to attend and vote at any meeting of the Board.

Quorum for Board meeting.

104. The quorum of a board meeting shall be more than 50% of the number of members of the Board. It shall not be competent for the Board to transact any business unless there is the quorum at the meeting of the Board.

Number of Board meetings to be held in a month.

105. The Board shall meet as often as necessary but atleast once in three months.

Casuals vacancies in the Board to be filled in by co-option.

106. In the event of vacancies in the Board, caused on account of the death, resignation, disqualification or removal of any members of the Board, the Board may fill in such vacancies by co-option on the Board of any other members, eligible to be on the Board.

The period of office of the member co-opted on the Board.

107. The period of office of the co-opted members of the Board shall be co-terminate with tenure of office of the Board.

Resignation by a member of the Board.

108 A member of the Board may, by a letter, addressed to the Chairman of the society, resign his membership of the Board. The resignation shall be effective from the date it is accepted by the Board or on

expiry of the period of one month from the date of the receipt of the letter of the resignation by the society, whichever is earlier.

Resignation of office-bearership of the society.

109 (a) The Chairman of the society may resign his office as Chairman by a letter addressed to the Secretary of the society;

(b) The Secretary of the society may resign his office as Secretary by a letter addressed to the Chairman of the Society.

(c) The Treasurer of the society may resign his office as Treasurer by a letter addressed to the Chairman of the society.

(d) The Board may accept the resignation of the office of the Chairman/Secretary/Treasurer, only after it is satisfied that the Chairman or as the case may be the Secretary/Treasurer of the society has brought up-to date the work entrusted to him and has produced the entire papers and property of the society, in his possession before the Board.

Notice of meeting of the Board.

(e) The Secretary of the society shall give 3 clear days notice of every meeting of the board to all the members of the board, which shall state the date, time and place of the meeting and the business to be transacted there at, in consultation with the Chairman of the society. Where the Secretary of the society fails to issue a notice and agenda of any meeting of the Board, the chairman of the society shall issue it if the chairman and the secretary of the society failed to issue a notice and agenda of any meeting of the board, any member of the Board can issue such notice and agenda. In case of emergency meeting shorter notice may be given. The majority of managing committee members may also call the meeting.

The Chairman of the society to preside over the meetings of the board.

(f) The Chairman of the society, shall preside over all the meetings of the Board, provided if at any meeting of the Board, he is absent those members of the Board present shall elect one of them to be the chairman for the occasion, who shall preside over the meeting.

One member one vote. Decisions by majority of the Board.

(g) Every member of the Board shall have one vote, however, incase of equality of votes, the Chairman of the meeting will have a second or casting vote. All decisions shall be taken by majority of votes.

A special meeting of the Board at the instance of the Chairman of 1/3rd members of the Board.

(h) On a requisition by1/5th of the members of the Board, the Secretary of the society shall convene a special meeting of the Board within 7 days of the date of receipt of the requisition to discuss the matter mentioned of the requisition. On the failure of the Secretary of the society to convene such a meeting within the time stipulated the procedure laid down under the bye-law No. 109(c) shall be followed.

(i) The Secretary of the society shall attend every meeting of the Board

Attending meetings of the Board and recording their minutes by the Secretary of Society.

Joint and several liability of the member of the Board.

Powers, duties and functions of the Board.

Sr. No.	POWERS, FUNCTIONS AND DUTIES OF THE BOARD
1.	To consider acceptance of deposits and raising of loans
2.	To consider and to recommend to the meeting of the general body, the rates o f contribution to the Repairs and Maintenance Fund and Building Fund.
3.	To consider all matters relating to the creation, investment and utilization of the Building Maintenance Fund & Building Fund.
4.	To consider and decide the resignations received from members and joint members.
5.	To ensure that nominations and revocations thereof are recorded in the minutes of the meeting of the Board.
6.	To take action on the report of the Secretary on inspection of the flats.
7.	To take action on cases of cessa tion of membership, including joint membership.
8.	To consider and decide the applications for various purposes received by the Society.
9.	To consider and decide cases of refund of shares of the society where the shares are acquired by the society.
10.	To fix rate of insurance premium in respect of commercial use of the flats.
11.	To fix in respect of every flat/premises, the society's charges laid down under the bye-law No. 52.
12.	To review the position of recovery of the charges due to the society from members and to initiate action against defaulting members.

13.	To verify compliance of the provisions relating to charging of interest on default charges of the society.
14.	To authorize a member of the Board to sign share certificate and any other documents to which the seal of the society is affixed.
15.	To ensure holding of AGM and other General Body Meetings within the prescribed time as specified in the act and rules.
16.	To ensure that all matters required to be considered at annual meeting of general body are kept on the agenda of the meeting.
17.	To call a special meeting of the general body when required.
18.	To arrange for election of a new Board prior to the expiry of the period of the existing board.
19.	To elect office-bearers of the society.
20.	To ensure that a meeting of the board is held once in 3 months.
21.	To fill in vacancies on the Board.
22.	To consider resignation of a member of the board.
23.	To consider resignation of an office bearer of the society.
24.	To take steps to maintain the property in good condition and to carry out repairs to it and renewals thereof.
25.	To insure the property of the society.
26.	To suggest to the general body meeting the rates of penalties for breaches of bye-laws and to issue show cause notices.
27.	To suggest to the meetings of the general body the games to be allowed to be played in the compound of the society.
28.	To consider and decide the admission, transfer, transmission and resignation and expulsion of members.
29.	To consider and decide any other matters provided under the Act, the Rules and the Bye-laws of the society but not expressly indicated hereinabove.

Powers of the Chairman of the society.

(I) POWERS OF THE CHAIRMAN

The Chairman of the society shall have the power of overall superintendence, control and guidance in respect of management of the affairs of the Society, within the frame-work of Act, the Rules and the Bye-laws of the society. In case of any emergency, the

chairman of the society shall be competent to exercise any of the powers of the Board. Any decision, so taken by the Chairman of the society shall, however, be got ratified in the next meeting of the Board.

Functions of the Secretary.

(m) **The functions of the Secretary of the society shall be those mentioned below:**

Sr. No	FUNCTIONS OF THE CHAIRMAN
1.	To issue share certificate to members within 30 days from the date of registration and allotment or transfer or transmission.
2.	To deal with resignation from members, including joint members.
3.	To enter nominations and revocations thereof in the nomination Register
4.	To issue notices regarding repairs to be carried out in flats.
5.	To deal with cases of expulsion of members.
6.	To deal with cases of cessation of membership including joint membership.
7.	To prepare demand notices for payment of the society's charges.
8.	To bring cases of defaults in payment of societies charges to the notice of the board.
9.	To issue notice and agenda of all meetings of the general body.
10.	To record the minutes of all the meetings of the general body.
11.	To call the first meetings of the newly constituted board.
12.	To issue notices of all the meetings of the Board.
13.	To attend meetings of the Board and to record minutes thereof.
14.	To produce records of the society before different authorities concerned with the consent of the Chairman.
15.	To bring breaches of the bye-laws by the members to their notices under instructions from the Board.
16.	To discharge such other functions under the Act, the Rules and the Bye-laws of the society and direction of the Board and the general body meetings, as are not expressly mentioned hereinabove.

Functions of Treasurer

(n) FUNCTIONS OF THE TREASURER

The functions of the Treasurer of the Society shall be those mentioned below :

(1) To maintain account books, registers and other records, unless otherwise decided by the Board.
(2) To finalise accounts of the Society in the required manner.
(3) To issue Pass Books to members.
(4) To prepare the audit rectification reports in respect of audit memos received from the Statutory and internal Auditors.
(5) Operation of Bank account jointly with Chairman or Secretary.

110. MAINTENANCE OF ACCOUNT BOOKS AND REGISTERS

Books of accounts Registers and other Books to be maintained.

(A) The society shall maintain the following books of account, records and the registers in addition to the books as regards in terms of Section 73 of the Act.

i) The Registers of members in "H" form, prescribed under Rule 29 (1) of the Rules.
ii) The list of members in "I" form, prescribed under Rule 29 (2) of the Rules
iii) The Cash Book
iv) The General Ledger
v) The Personal Ledger
vi) The Share Register
vii) The Building Fund Register
viii) The Audit Rectification register in "M" form, prescribed under Rule 112 of the Rules
ix) The Investment register
x) The Nomination register
xi) The Minutes book of the meetings of the Board of Directors of the society
xii) The minutes book of the meetings of the general body of the society
xiii) Register of deposits made with the Local Authority, the Electric Supply company and any other authority
xiv) The Register of furniture, fixtures and office equipments

Other records to be maintained.

110. B) **The society shall maintain files for the following items:**

i) Applications for membership
ii) Application for joint membership
iii) Letters of resignations of membership including joint membership
iv) Applications for transfer of shares and/or interest in the capital/property of the society
v) Cases of expulsion members

vi) Nominations made by members including revocations thereof
vii) Separate file for correspondence entered into with each member
viii) Correspondence with the Registering Authority
ix) Correspondence on water charges
x) Correspondence of electric supply
xi) Applications for allotment of parking spaces and stilts
xii) Vouchers, along with the bills relating thereto arranged in order to entries in the cash book and the journal
xiii) Counterfoils of challans for credits of amounts into the bank, arranged in order of dates of credits
xiv) Counterfoils of cheques issued
xv) Counterfoils of share certificates
xvi) Applications for duplicate share certificates
xvii) Application for registration of the society, the copy of the bye-laws and amendments thereto
xviii) A certificate of registration duly framed
xix) Counterfoils of receipts of carbon copies of receipts issued by the society
xx) Counterfoils of bills or carbon copies of bills for the society's charges
xxi) Correspondence about loan received and property of the society mortgaged
xxii) Notices and agenda of the meetings of the general body of the society
xxiii) Periodical statements of accounts prepared by the society
xxiv) Board of directors' annual reports on the working of the society
xxv) Audit memos received from Statutory auditors, with rectification reports thereon
xxvi) Audit reports received from internal auditors with rectification reports thereon
xxvii) Notices and agenda of the meetings of the Board

Responsibility for maintenance of account books, registers, records etc.

111. Unless otherwise decided by the Board, it shall be the responsibility of the Secretary of the society to maintain and keep up to date the account books, registers and other records mentioned under the bye-laws Nos. 109(p) and 110.

Limit for maintaining cash on hand.

112. The Secretary of the society authorized by the board in that behalf, may retain in his personal custody, at the close of every day, a sum not exceeding Rs.5,000/- (Rupees five thousand only) for petty expenses. If due to unavoidable circumstances, the cash on hand has exceeded the above limit, the excess cash shall be credited into the bank within the next days by the Secretary or any other person authorized by the board to keep cash in hand.

Payment beyond certain limit by cheques and authority to sign cheques.

113. All payments in exceed of Rs. 5000/- (Rupees five thousand only)

shall be made by means of crossed Account Payees's cheques.

Finalisation of accounts

114. Within 90 days of the close of every co-operative year the Secretary of the society or any other persons, authorized by the Board in that behalf, shall finalize the accounts of the preceding co-operative year, prepare a trial balance, the profit and loss account for the said year and the balance sheet, as at the close of the said year in the forms prescribed under Rule 50 of the Rules, along with the list of members as at the close of the preceding co-operative year, with amounts to their credit in the share capital amount and deposits, if any, the schedules of investments, the debtors and the creditors etc.

APPROPRIATION OF PROFITS

Appropriation of Profits.

115. The appropriation of profits shall be in accordance with the provisions of Section 52 of the Act.

AUDIT OF ACCOUNTS OF THE SOCIETY

116 (i). The Annual Accounts of the society shall be audited within 6 months from the end of the financial year as provided in section 74.

Appointment of an Internal Auditor

116 (ii). The society may consider if necessary, appoint an internal auditors to audit the accounts of the society at the annual meeting of the general body and fix his remuneration.

Production of books and records for audit.

117. The Secretary of the society shall produce or cause to be produced all the books, registers, records before the internal auditor and the Statutory Auditor in the office of the society or where the records are normally kept and furnish such information as may be required by him for the conduct of the audit of the accounts of the society.

Structural Audit of the Building.

118. The Society shall cause the "Structural Audit" of the society as follows:

a) for the building ageing between 15 to 30 years – once in 5 years
b) for the building ageing above 30 years – once in 3 years

Such Structural audit shall be conducted by Architects from the panel of Municipal Corporations in case of the societies, which are in the limit of the municipal corporations. In case of the other societies, such structural audit shall be carried out by the Government approved architect.

Preparations of the audit rectification report.

119. On receipt of the audit report from the statutory and internal auditors, the secretary of the society shall prepare draft audit

rectification reports on the objections raised and suggestions made, in the form prescribed and place the same before the meeting of the board held next after the date of the receipt of the audit reports for its approval.

Inspection of the property of the society to see if it needs repairs.

120. The Secretary of the society on receipt of any complaints about the maintenance of the property from any member of the society or on his own motion, shall inspect the property from time to time and make the report to the board, bringing out the repairs, if any, considered necessary. The board shall consider the report made by the secretary of the society and decide as to which of the repairs should be carried out.

Limits for incurring expenditure on repairs and maintenance of the society's property.

121. (a) The board shall be competent to incur expenditure on the repairs and maintenance of the society's property, if the expenditure does not exceed Rs. 1,00,000/-

(b) If the expenditure on repairs and maintenance of the property exceeds Rs. 1,00,000/- prior sanction of the meeting of the general body of the society shall be necessary.

(c) The meeting of the general body of the society shall decide:

(i) The limit upto which the expenditure on repairs and maintenance of the property could be incurred by the board without calling for tenders for the work. In respect of the work, the cost of which exceeds the limit, so fixed, the Board shall follow the procedure of inviting tenders, placing them before board for approval and entering into contract with the architect (if appointed) and the contractor etc.

(ii) The limit of expenditure on repairs and maintenance of the property to be incurred by the society in a co-operative year.

The Board to execute the work of repairs and maintenance of the Society's property.

122. Subject to the provisions of the bye-law No.121(a), (b) and (c), the board shall proceed to carry the repairs and maintenance of the property. It shall be the responsibility of the board to see that the repairs are carried out as per the contract.

Various items of repairs and maintenance to be carried by the society at its cost.

123. The following repairs and maintenance of the property shall be carried out by the society at its costs.

(a) All external repairs as defined under section 102 (k) of the Act including (i) all internal road (ii) compound wall, (iii) external water pipelines, (iv) septic tanks, (v) water storage tanks, (vi) drainage lines, (vii) staircase, (viii) terrace and parapet walls, (ix) roofs of flats (x) stair case lights (xi) street lights, (xii) outside walls of the

building/buildings, (xiii) external painting, (xiv) all leakages of water, (xv) electric line upto main switches in the flats and (xvi) lifts, if any.

Repairs by the members at their cost.

(b) All internal repairs, as defined under section 102(1) shall be carried out by the members at their cost.

(c) In the case of repair/leakage in the toilet/bathroom/kitchen and service balconies the cost of repairs should be borne by the affected members. In case the members fail to carry out repairs on their own or at the instance of the society, the society shall carry out the repairs and recover the expenses from the concerned members.

Insurance of the building/buildings of the society.

124. The society shall insure the building/buildings necessarily against the risk of fire, earthquake, riots etc.

Trees in the compound of the society.

125. No member of the society shall plant, grow, deface or cut down any tree in the compound of the society without the prior permission of the board. Any action, in contravention of the above provision may render the member concerned liable for action.

OTHER MISCELLANEOUS MATTERS

Service of notice of the meeting, communication of resolution or decision.

126. It shall be open to the society having regard to the importance of the matter and the specific provision made therefore under the Act, the Rules and Bye-laws of the society, to give notice of every meeting and communicate the resolution or the decision to the members of the society on their last know addresses by one of the following modes:

(a) Hand delivery

(b) Dispatch through post office under certificate of posting or by registered post with or without acknowledgement.

(c) A copy of such notice/communication of the decision/resolution shall be displayed on the notice board of the society and thereupon the notice shall be deemed to have been duly given or communication shall be deemed to have been duly made and the complaint received or made that the notice/communication was not received or was not sent to the correct address shall not effect the validity of the notice of the communication.

Cooperative year.

127. The accounting year of the society shall be that commencing on the 1st April and ending on the 31st March.

Notice Board of the Society.

128. The society shall have its notice board, fixed at a conspicuous part of the building on which shall be exhibited all notices and communications the statements of accounts, the annual reports of the board and other matters of which notices are required to be given to all the members of the society under the Acts, the Rules and the Bye-laws of the society.

Penalties for breaches of the by-laws of the society.

129. The meeting of the general body of the society may prescribe penalties for different breaches of the bye-laws of the society. The secretary of the society, under instructions from the board shall bring to the notice of the members concerned, the breach/breaches of the bye-law/bye-laws committed by him. If the member persists in continuing the breach/breaches, the board shall give the notice to the member to show cause as to why the penalty should not be inflicted on him for breach/breaches of the bye-law/bye-laws. The general body meeting after considering the say of the member and after giving him hearing may levy penalty at the rate fixed by the meeting of the general body of the society.

Amendments to the bye-laws of the society.

130. No bye-law shall be made, altered or abrogated unless (i) a proposal to do so has been communicated to all members 14 days before meeting of the general body of the society, at which it is proposed to be considered (ii) the resolution is passed by not less than 2/3rd majority of the members present and voting at the meeting of the general body of the society and (iii) the making, alteration or abrogation is approved and registered by the Registering Authority.

Hours of operation of the lift.

131. If provided/available, the board shall regulate the operation of the lifts, taking into consideration convenience of the majority of the members of the society.

Restrictions on playing of games in the society's compound.

132. The meeting of the general body of the society may, after taking into consideration the location of the building or buildings and their surroundings and the open space available for playing games by the members of the society and their children allow such games to be played during such hours as may be fixed by the meeting of the general body of the society and subject to such restrictions, charges and penalties as it may impose.

Restrictions on letting or giving on leave and licence basis open space.

133. The society shall not let out or give on leave and licence basis or permit any subletting, giving on leave and licence basis any open space available under the staircase or in any other part of the property to any person whether the members of the society or not any purpose whatsoever.

Permission for use of terrace.

134. Notwithstanding the provision under the bye-law No. 133 the board may allow temporary use of the terrace and open space of the building by any member on his written application, for any function subject to such restriction and on payment of such society may decide.

Copying fees for supply of copies of documents to members of the society.

135. The member of the society, requiring copies of the following documents shall pay coping fees at the rates mentioned against them:

1)	Bye-laws of the society	At cost price
2)	Amendment of the bye-laws of the society	Rs.100/- plus photo copying charges
3)	Last audited balance sheet of the society	Rs.50/-
4)	Application for membership of the society	Rs.10/-
5)	Second and subsequent nomination by the members of the society	Rs.10/-
6)	Share certificate of the society	Rs.50/-
7)	List of members of the society	Rs.5/- per page
8)	Correspondence	Rs.50/- per page
9)	Minutes of the general body meeting and committee meetings	Rs.10/- per page
10)	Indemnity bond	Rs.50/-

Prohibition against being interested in the society.

136. No officer of the society shall have any interest, directly or indirectly otherwise than as such officer in any other transaction of the society.

Open space & surroundings of all buildings would be common property of all members and its possession will be with society.

137. Although it is a fact that all the members of the society are owners of their respective flats or premises such as shop, garage, stilt etc. it shall be always ensured by the members that the open space and surrounding of all the buildings would be the common property of all the members and its possession will always remain with the registered entity for the purpose of maintenance, repairs and for all other allied purposes.

138. Notwithstanding any provisions in the bye-laws hereinabove, the Goa Co-operative Societies Act, 2001 and Goa Co-operative Societies Rules, 2003 as amended and notified from time to time and any directions given by the Government or Registrar fo Coop. Societies, shall prevail.

ELECTION RULES

1. These rules shall be called the rules of election of the Board of Directors of the _____ Co-operative Housing Maintenance Society Ltd. They shall be deemed to have come into force from the date of their approval by the Registering Authority.
   a) The society shall hold elections as per section 66(v).
   b) The society shall hold its elections in the Annual General Meeting or specially convened extra ordinary General Meeting.
   c) The Board of Directors shall appoint a member as Election Officer among the members of the society who shall not be the member of the Board or contestant in the elections.
   d) The members of the society on the Register of members as at the close of the co-operative year immediately preceding the election shall only be eligible to vote in the matter of election of the Board of Directors of the society.

2. A provisional list of members as on 31st March of the last preceding co-operative year, who are eligible to vote, shall be prepared by the society within 30 days of the close co-operative year.
   a. The list so prepared shall be notified on the notice board of the society, latest by 30th April of the year in which election is to take place, inviting suggestions and objections in respect of the names of the members, within a period of 8 days from the publication of the list.
   b. After considering the suggestions and objections if any, received, the returning office shall publish a final list of members eligible to vote by 16th of May.
   c. The provisional and final list of members referred to above shall be in the form 'A' appended to these rules

3. (a) The Board of Directors shall appoint from amongst the members who are not candidates for election or who have neither proposed nor seconded candidature of any member, as returning officer. However, before doing so, the Board of Directors shall obtain an undertaking from the member proposed to be appointed as returning officer that he will not contest the election nor propose or second any candidate. The returning officer shall have authority to appoint such polling staff as he deems necessary.

   (b) Where the Board of Directors has failed to appoint a Returning Officer, the registering authority shall appoint a returning officer and polling staff. The cost of the returning officer and the polling staff appointed shall borne by the society.

   (c) The functions of the returning office shall be as under:

i) To scrutinize the final list of members eligible to vote and to exhibit the same on the notice board of the society.
ii) To draw up a detailed programme of election to the Board of Directors of the society after taking into consideration the various stages of election process and to circulate it amongst the members and to exhibit the same on the notice board of the society.
iii) To invite nominations, to receive and scrutinize them, to exhibit list of valid nominations and list of final nominations remaining after withdrawal of nominations, if any.
iv) To arrange for election by ballot in accordance with the provisions of the election rules.
v) To furnish the result of election to the chairman of the society for being declared at the general body meeting of the society.
vi) To take such other actions as are necessary for and incidental to the election to the Board of Directors of the society.

4. The returning officer shall issue a notice in form 'B' inviting nominations from members at least 30 days prior to the date fixed for the Annual or Special General Body Meeting at which the result of election is to be declared. A copy of the notice shall be exhibited on the Notice Board of the society.

5. The nominations from the members shall be in form 'C' appended to the Rules.

6. No members of the society shall be eligible to contest the election to the Board of Directors of the society, if:
(i) He is in arrears in respect of any charges and any other amounts due to the society for such period as is mentioned in the bye-laws of the society.
(ii) He has incurred any of the disqualification as mentioned in the Goa Co-operative Societies Act, 2001 and Co-operative Societies Rules 2003 and the bye-laws of the society.

7. The nominations shall be delivered to the Returning officer within the period notified in the notice inviting nominations and during the hours fixed by the Returning Officer for receipt of nominations. The returning officer shall pass a receipt duly signed and dated by him in form C-1 appended to these regulations for every nomination received by him.

8. The nominations received till the date and hour fixed for receiving nominations shall be scrutinized by the returning officer on the date fixed for scrutiny of nominations in the presence of the candidates or their duly authorized representatives and the list of the valid nominations shall be published on the Notice Board of the society on the same day, immediately after the completion of the scrutiny. The candidates whose nominations are rejected shall be informed by the returning officer in writing of the reason for rejection of their nominations on the same day.

9. The candidates whose nominations have been declared valid shall be allowed a time of 3

days from the date of publication of the list of valid nominations to withdraw their candidature by means of a letter handed over to the returning officer.

10. Immediately after the expiry of period allowed for withdrawal of candidature, a final list of the candidates contesting the election shall be notified on the notice board of the society.

11. The voting at the election shall be by ballot.

12. The ballot paper shall be in the form 'D' appended to these Rules. It shall bear the seal of the society and the counterfoil thereof shall bear the initials of the returning officer.

13. The names of the candidates in the ballot paper shall be arranged in alphabetical order with surname appearing first.

14. The date time and place of voting shall be notified on the notice board at least ten days in advance of the date fixed for the poll.

15. The ballot box shall be so prepared that ballot papers could be conveniently put into it but could not be taken out without the box being unlocked.

16. On the date of the polling the empty ballot box shall be shown to the candidates or their authorized agents if any and present 15 minutes before the time fixed for commencement of the poll and shall be locked and sealed in their presence.

17. Each member voter shall be supplied with an authenticated ballot paper after satisfying his identity and after obtaining his signature on the counterfoil of the ballot paper.

18. Member voter coming to the polling station after expiry of the time allowed for voting shall not be allowed to vote.

19. Immediately after the completion of voting the ballot box shall be sealed in the presence of the candidates or their authorized representatives, if present.

20. The counting of votes shall be done on the day of the poll. The time of commencement of counting of votes shall be notified to all the candidates along with notice. Counting shall be done by and under the supervision of the Returning Officer with the assistance of such person as he may appoint to assist in the counting of votes.

21. The Returning officer shall submit to the chairman of the society a report indicating the number of voters, who voted, number of valid and invalid votes, and the votes polled by each candidates along with his certificates that the polling was peaceful and in accordance with the Election Rules.

22. The names of the candidates with votes polled by each of them shall be put on the Notice Board of the society at the conclusion of the counting of votes.

23. The final result of election shall be declared in the ensuing Annual General Body meeting/Special General Body meeting as the case may be.

24. All the records pertaining to the election shall be carefully preserved in a box duly locked and sealed by the secretary of the society for a period of 3 months and destroyed thereafter. However, if the result of the election is disputed, the records pertaining to election shall be preserved until the final decision of the dispute.

25. If for any reasons beyond the control of the society, it is not possible to observe the time schedule prescribed under these Rules, the Returning officer of the society may revise the same with due notice to the members.

26. The Board of Directors of the society may make amendments to these Rules with the approval of the Registering Authority.

(CHIEF PROMOTER)

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

Sr. No	Full Name of the Promoter	Sr. No	Signature of the Promoter

ANNEXURE E-1

Provisional/final list of members of the _____ Co-operative Housing Maintenance Society Ltd. _____ as on 31st March 20____.

Sr. No.	Sr. No. in the members register (G form)	Name of the member and his flat/house No.	Date of admission to membership	No. of fully paid up shares held	Remarks
1	2	3	4	5	6

(Seal)

Place:

Date: HON. SECRETARY/CHAIRMAN

ANNEXURE E-2

Notice inviting nominations to the post of the Board of Directors of the _____ _____Co-operative Housing Maintenance Society Ltd. _____.

_____ is hereby notified for the information of the members of the society that the terms of office of the Board of Directors of the society for the years _____ has expired on _____.

The names of the Board of directors retiring as a result of expiry of the term of their office are given below:

1. Shri/Smt. _____ Chairman
2. Shri/Smt. _____ Secretary
3. Shri/Smt. _____ Treasurer
4. Shri/Smt. _____ Board of Director
5. Shri/Smt. _____ "
6. Shri/Smt. _____ "
7. Shri/Smt. _____ "
8. Shri/Smt. _____ "
9. Shri/Smt. _____ "

It has been decided to hold election to the posts of the members of the Board of Directors in the places of those retiring, as mentioned above.

All the members of the society (including those retiring) if they desire to contest election are hereby requested to send the forms of nomination duly filled into the Returning Officer within 10 days of the days of the date of publication of this notice. The nomination should be made in the prescribed form 'C'.

(Seal)

Place:

Date: Returning Officer

ANNEXURE E-3

Form of nomination paper for election to the post of the members of the Board of Directors of the _____ Co-operative Housing Maintenance Society Ltd. _____ for the period from _____ to _____.

Name of the candidate _____

(beginning with surname)

Address of the candidate _____

Name of the proposer _____

Address of the proposer _____

Name of the seconder _____

Address of the seconder _____

Signature of the Seconder :

Signature of the Proposer

Place:

Date:

DECLARATION BY THE CANDIDATE

I, Shri/Shrimati _____ hereby signify my willingness to serve as Member of the Board Director of the _____ Co-operative Housing Maintenance Society Ltd., _____ if I am elected to the said post.

Signature of the Candidate

Place:

Date:

ANNEXURE – E-4

Received the nomination paper proposing and seconding Shri/Smt. _____ _____ as a candidate for election to the post of the member of the board of directors of the _____ Co-operative Housing Maintenance Society Ltd., _____ for the period from _____ to _____.

Signature of the Returning Officer

Place:

Date:

ANNEXURE – E-5

FORM OF BALLOT PAPER

Election to the post of the members of the Board of Directors of the _____ Co-operative Housing Maintenance Society Ltd., _____ for the period from _____ to _____.

Full name of the Candidate	Mark to Vote
1. Shri/Smt. _____	_____
2. Shri/Smt. _____	_____
3. Shri/Smt. _____	_____
4. Shri/Smt. _____	_____
5. Shri/Smt. _____	_____
6. Shri/Smt. _____	_____
7. Shri/Smt. _____	_____
8. Shri/Smt. _____	_____
9. Shri/Smt. _____	_____
10.Shri/Smt. _____	_____

APPENDIX – 1

{Under the Bye-law No. 16(b)}

The form of application for membership of the society by a nominee* heir, who is a minor through his guardian *legal representative.

To
The Secretary
_____ Co-op. Housing Maintenance Society Ltd.,

Sir,

Shri/Smt. _____ who was the member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ holding five shares of Rs. Fifty each and the flat No. _____ died on _____ his*her death certificate is enclosed. He*She had nominated Shri/Smt. _____ who is a minor. He*She had not made nomination. His*Her heir Shri/Smt. _____ is a minor.

I, Shri/Smt. _____ being his*her natural guardian* guardian appointed by the deceased member*legal representative hereby make an application on behalf of the said minor for membership of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ and for transfer of shares and interest of the deceased member in the capital* property of the society to me on behalf of the minor nominee *heir as provided under 18(3) of the Goa Co-operatives Rules, 2003. The share certificate held by the deceased member is enclosed. An entrance fee of Rs.10 is sent herewith.

*I declare that the said minor or any of his member's family or person dependent on the minor does not own any plot *flat *house in the area of operation of the society.

I undertake to contribute, on behalf of the minor, such further amounts, as the society may require, from time to time, towards cost of contraction and other charges. *As I have no independent sources of income, I enclose herewith the undertaking, in the prescribed form, from the person, on whom I am dependent to the effect that he will discharge all the present and future liabilities to the society on my behalf.

I enclose the undertaking in the prescribed form to use the flat on behalf on the minor for the purpose for which it was held* acquired by the deceased member and that any change of user will be made with the prior approval of the society.

I have gone through the registered bye-law of the society and undertake to abide by the same

with any modification the Registering Authority may make in them.

Undertake to discharge all outstanding liabilities against the deceased member and also pay the charges of the society in future on behalf of the minor.

I declare that I will take all action as a member of the society on behalf of the minor in his*her interest only.

On behalf of the minor, I request you to admit me as a member of the society.

Yours faithfully

Place :

Date :

NOTE: The undertaking about registration of the transfer of the flat is not necessary where the minor is related to the deceased member within the meaning of section of section 2 (41) of the Income-Tax Act.

*Strike out which is not application

◆ ◆ ◆

APPENDIX – 2

{Under the Bye-Law No.18}

The form of application for membership of the society by an individual

To,
The Chief Promoter*Secretary,
_____ Co-op. Housing Maintenance Society Ltd., (proposed)*
_____.

Sir,

Shri/Smt. _____ hereby make an application for membership of the _____ Co-operative Housing Maintenance Society Ltd., (proposed)* _____.

I have been residing in the _____ for the last _____ years. *I intend to settle down and reside in the area of operation of the society.

My particulars for the purpose of consideration of this application are as under:

Age : _____

Occupation : _____

Monthly Income : Rs._____

Office Address : _____

Residential Address : _____

I give below the particulars of the plot*flat*house owned by me or by me or by any of the members of my family or the person dependent on me in the area of operation of the society.

I remit herewith a sum of Rs.250/- towards value of 5 shares of Rs.50 each.

I undertake to use the flat for the purpose for which it is purchased by me and that any change of user will be made with the prior approval of the society.

I have gone through the *registered Bye-laws of the society and undertake to abide by the same and any modification the Registering Authority may make in them.

I request you please admit me as the member of the society.

Yours faithfully,

Place :

Date :

Attested by,
Chief Promoter*Chairman

The expression member of family' means and included husband, wife, father and mother. Unmarried daughter and unmarried son.

*Strike out which is not applicable

◆ ◆ ◆

4APPENDIX - 3

{Under the Bye-Law No. 16 (b) and 18(iii)}

Form of undertaking to be furnished by the prospective member to use the flat for the purpose for which it is allotted.

I*Mr. _____
_____ at present residing * having address at _____ member*intending member of the _____ Co-operative Housing Maintenance Society Ltd., *registered having address at _____
_____ hereby give the undertaking that I * we will use flat* proposed to be acquired by me on cessation of membership of the earlier member under the bye-laws of the society for the purpose mentioned in the letter which will be issued under bye-law No. _____ (a) of the bye-laws of the society * registered.

I*We further give the undertaking that no change of use will be made me * us without the previous permission in writing of the Directors of the Society.

Signature

Place:

Date:

*Strike out which is not applicable

APPENDIX – 4

{Under the Bye-law No.19}

The Form of application for membership of the Co-operative Housing Maintenance Society by a firm, a Company or Body Corporate.

To,
The Secretary*Chief Promoter
_____ Co-operative Housing Maintenance Society Ltd., *(proposed)_____.

Sir,

We, M/s. _____ having address at _____ hereby make an application for membership of the _____ Co-operative Housing Maintenance Society Ltd. (*proposed), having address at _____.
We send herewith an amount of Rs.260/- (Rupees two hundred sixty only), being the value of 5 shares of Rs.50/- each and entrance fees of Rs.10/-

Shri*Smt. _____ has been authorized by us to sign the application for membership of the society on our behalf and furnish such information as is needed by you for the purpose of consideration of our application for admission to the membership of the society. A true copy of the authority is enclosed for your record.

We send herewith the applications for nominal of the following bonafide employees of the firm *Company who will occupy the flats on our behalf:

1. Shri/Smt. _____
2. Shri/Smt. _____
3. Shri/Smt. _____
4. Shri/Smt. _____
5. Shri/Smt. _____
6. Shri/Smt. _____
7. Shri/Smt. _____
8. Shri/Smt. _____
9. Shri/Smt. _____
10. Shri/Smt. _____

The entrance fee at the rate of Rs.10/- per employee is also remitted herewith.

We will not allow any other employee to occupy any of the flats allotted or proposed to be allowed to us without getting their applications for nominal membership accepted by the society.

We undertake to use the flat*flats allotted *proposed to be allotted to us in the building/buildings, constructed*under constructed, for purpose mentioned in the letter to be issued to us, under the bye-law No. _____ of the society and further add that no change of user will be made without the previous consent in writing of the committee of the society. The undertaking to that effect is enclosed herewith.

We herewith remit an amount of Rs. _____ (in words Rupees _____ _____) the proportionate cost of construction and other charges payable in respect of the flats constructed *under construction, allotted*proposed to be allotted to us.

Our Head Office is situated in the area of operation of the society, where we are carrying on our business.

The Articles of Memorandum Partnership Deed of our company* firm do* does not prohibit us from allow*allows us to utilize our funds for providing housing accommodation to our employees.

We have gone through the registered *proposed bye-laws of the society and the notification issued by government from time to time under section 22 of the Goa Co-operative Society Act 2001 regulating membership of corporate bodies, and we undertake to abide by the same with any modification that the Registering Authority/Government respectively may make in them.

FOR AND ON BEHALF OF THE

_____

_____

(Signature of the Applicant)

Place:

Date:

APPENDIX – 5

{Under the Bye-law No. 20}

The Form of application for membership by an individual, who desire to hold shares jointly with another person, who is already admitted to membership of the Society.

To
The Secretary
Shri/Smt. _____ Co-operative Housing Maintenance Society Ltd. _____

Sir
Shri/Smt. _____ is already a member of the _____ Co-operative Housing Society Ltd., having address at _____ holding 6 fully paid shares of Rs.50/- fifty each.

He/She desires Shri/Smt. _____ to join him as a joint member for the purpose of holding the shares jointly with Shri/Smt. _____ Accordingly, I make this application for admitting me as a joint member to Shri _____ and remit herewith the entrance fee of Rs. 10/-

On my admission as a Joint member by the society, we shall be jointly and severally liable to discharge to present and future liabilities of the society.

The right of attending General Body Meeting and voting by us will ordinarily be exercised Shri/Smt. _____ whose name stand first in the share certificate. The name of Shri/Smt. _____ whose name stands first in the share certificate. The name of Shri/Smt. _____ shall have no rights or privilege that the member whose name stands first in the share certificate is absent at such meetings.

I request you to admit me as a joint member and include my name as a joint member in the share certificate just after the name of the first member.

The consent of the first member for my admission as a member is given below.

Yours faithfully

(Signature of the applicant whose
Name to stand second in the share certificates)

Place:

Date:

I, Shri/Smt. _____ a member of the _____ Co-operative Housing Maintenance Society Ltd., having address _____ and holding five paid up shares of Rs.50/- (Rupees fifty) each recommend the application made by Shri/Smt. _____ for joint membership of the society for the purpose of holding the shares jointly on terms and conditions set out in the above application. The name of Shri/Smt. _____ be added in the share certificate (enclosed herewith) after my name.

Signature of the first member

Place:

Date:

APPENDIX - 6

{Under the Bye-law No. 20)

The form of application for membership by individuals where both the person apply for membership at a time.

To
The Secretary*Chief Promoter
_____ Co-operative Housing Maintenance Society Ltd.,* (proposed) _____.

Sir
We, the undersigned Shri/Smt. _____ and Shri/Smt. _____hereby make application for membership of the _____ Co-operative Housing Maintenance Society Ltd., *(proposed) having address at _____ for the purpose of holding the share of the society jointly.

We have paid the full value of five shares of rupees fifty each along with entrance fee of Rs. 10/- each as required under the bye-laws of the society.

We will be jointly and severally liable to discharge the present and further liabilities to the society. The right of attending and voting at General Body Meeting of the society will ordinarily be exercise by Shri/Smt. _____ whose name should stand first in the share certificate. The name of Shri/Smt. _____ shall stand second in the share certificate and he*she (joint member) shall have no right or privilege of a member, except attending general body meeting of the society and voting by them provided that the member whose name stands first in the share certificate is absent at such meetings.

I request you to admit me as a joint member and include my name as a joint member in the share certificate just after the name of the first member.

The consent of the first member for my admission as a member is given below:
The share certificate should please be issued in our name in the order mentioned above.

Yours faithfully

1) _____
(Signature of the applicant whose name to stand first in the share certificate)

2) _____
(Signature of the applicant whose name to stand second in the share certificate)

Place:

Date:

APPENDIX - 7

{Under the bye-law No. 20)

The form of application for membership by a firm or company or any other body corporate with the person already admitted to membership of the society.

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir
Shri/Smt. _____ is already a member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ holding five fully paid shares of rupees fifty each.

He desires M/s. _____ having address at _____ to join him as a joint member for the purpose of holding the shares jointly with him*her.

Accordingly, we make this application for admitting us as a joint member to Shri/Smt. _____ and remit herewith the entrance fee of Rs.10/-

The signatory of the application for joint membership is duly authorized by us to sign the application on our behalf. A certified copy of the authority in this behalf is enclosed.

On our admission as a member by the society, we shall be jointly and severally liable to discharge the present and future liabilities to the society.

The right of attending General Body Meeting and voting by them will ordinarily be exercised by Shri/Smt. _____ whose name stand first in the share certificate. Our name shall stand second in the share certificate. We M/s. _____ have no rights privileges of a member, except attending and voting at General Body Meetings at which Shri/Smt. _____ remains absent.

We request you to admit us as a joint member and include our name in the share certificate next after the name of Shri/Smt. _____.

The consent of Shri/Smt. _____ for our admission as a joint member is given below.

FOR AND ON BEHALF OF

_____
(Signature of applicant)

Place:

Date:

I, Shri/Smt. _____ a member of the _____ Co-operative Housing Maintenance Society Ltd. having address at _____ and holding five paid up shares of rupees fifty each, recommend the application made by M/s. _____ for joint membership with me for the purpose of holding the shares jointly on terms and conditions set out in the above application. The name of M/s. _____ be added in the share certificate (enclosed herewith) after my name.

Signature of the first member

Place:

Date:

APPENDIX - 8

{Under the bye-law No. 20)

The form of application for membership where the firm, the company or any other body corporate and the other person desire to apply for such membership at a time.

To
The Secretary/Chief Promoter
_____ Co-operative Housing Maintenance Society Ltd., *(proposed) _____.

Sir

We the undersigned Shri/Smt. _____ _____ and M/s. _____ Apply for membership of the _____ Co-operative Housing Maintenance Society Ltd., *(proposed) having address at _____ for the purpose of holding the share of the society jointly.

Both of us paid the full value of five shares of rupees fifty each along with entrance fee of Rs.10/- each, as required under the bye-laws of the society.

Both of us, on admission to membership of the society shall be jointly and severally liable to discharge the present and future liabilities to the society.

The right of attending and voting at general body meetings of the society will ordinarily be exercised by Shri/Smt. _____ whose name should stand first in the share certificate.

The second signatory to the application is duly authorized to sign the application on behalf of M/s. _____.
A certified copy of the authority is enclosed herewith. The name of M/s. _____ should stand second in the share certificate.

M/s. _____ shall have no right or privilege of a member except the right of attending and voting at General Body Meeting at which Shri/Smt. _____ whose name would stand first in the share certificate, remains absent at such meetings.

Both of us request you to please accept the application for membership of the society and issue share certificate in the joint names arranged in the order suggested above.

Yours faithfully

1) _____
(Signature of the applicant whose name to stand first in the share certificate)

Place:

Date:

For and on behalf of

1) _____
(Signature of the applicant whose name to stand second in the share certificate)

Place:

Date:

APPENDIX - 9

Under the Bye-law No. 24(a)

The form of resignation of membership of the society by a member

To
The Secretary/Chief Promoter
_____ Co-operative Housing Maintenance Society Ltd.,* _____.

Sir
I/We/Shri/Smt/Messrs. _____ am/are a member of the _____ Co-operative Housing Maintenance Society holding _____ shares of rupees fifty each amounting to Rs. _____ and the flat No. _____ in the building of the society numbered*known as _____.

I/We desire to withdraw from the society and therefore give you a notice of three months of my*out intention to resign from membership of the society as required under the bye-laws No.24(a) of the bye-laws of the society.

I/We hereby state that I/we/am/are prepared to discharge in full the amount of liability to the society as per records of the society before my*our resignation is considered by the Board of Directors of the Society.

Yours faithfully

Place:

Date:

APPENDIX – 10(1)

Form of nomination to be furnished in triplicate
{Under the Bye-law No. 26)
(Applicable where there is single nominee)

To
The Secretary/Chief Promoter
_____ Co-operative Housing Maintenance Society Ltd.,* _____.

Sir

1. I, Mr. _____ am the member of the _____ Co-operative Housing Maintenance Society Ltd.,* having address at _____.

2. I hold the share certificate No. _____ dated _____ for five fully paid up share of rupees fifty each bearing Nos. from _____ to _____ (both inclusive) issued by the said society to me.

3. I also hold the flat No. _____ admeasuring _____ sq. mts. in the building of the said society known _____.

4. As provided under rule 24 of the Goa Co-operative Societies Act, 2003 I hereby nominate _____ who is related to me as _____ and who is minor with age of _____ years.

5. As provided under section 30 of the Goa Co-operative Societies Act, 2001 on my death the share mentioned above and my interest in the flat the details of which are given below should please be transferred in the name of the above mentioned nominee on his/her complying with the provisions of the Bye-laws of the society regarding requirements of membership.

6. As the nominee is minor, I hereby appoint Shri/Smt. _____ residing at _____ as the guardian/legal representative of the minor to represent the minor nominee during his minority in matters connected with this nomination.

Signature of the Nomination Member

Place:

Date:

Witnesses:

Name and address of witness.

1)Shri _____

Address: _____

_____ 1) Signature of the witness

2)Shri _____

Address: _____

_____ 2) Signature of the witness

Place:

Date:

APPENDIX - 10(2)

FORM OF NOMINATION TO BE FURNISHED IN TRIPLICATE
(Under the bye-law No. 26)
(APPLICABLE WHERE THERE ARE MORE NOMINEES THAN ONE)

To
The Secretary,
_____Co-operative Housing Maintenance Society Ltd.,
_____.

Sir

1. I, Shri/Smt. _____ am the member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____.

2. I hold the share certificate no _____ dated _____ for five fully paid up shares of rupees fifty each bearing numbers from _____ to ____ (both inclusive) issued by the said society to me.

3. I also hold the flat No. _____ admeasuring _____ sq. mts. in the building of the said society known numbered as _____.

4. As provided under rule 24 of the Goa Co-operative Societies Rules, 2003 I hereby nominate the person whose particulars are shown below:

Sr. No.	Names of the nominee	Permanent address of the nominee	Relationship with the nominator	Share of each nominee	Date of birth of the nominee if the nominee is minor
1	2	3	4	5	6

5. As provided under section 30 of the Goa Co-operative Societies Act, 2001 I state that on my death the share mentioned above and my interest in the flat, the details of which are given above should be transferred to Shri/Smt. _____. The first named nominee on his*her complying with the provision of the bye-laws of the society regarding requirements of admission to membership and on furnishing an indemnity bond, along with the application for membership, indemnifying the society against any claims made to the said shares and my interest in the said flat by the other nominee*nominees.

6. As the nominee at Sr. No. _____ is the minor, I hereby appoint Shri*Smt. _____ as the guardian*legal representative of the minor to represent the minor nominee during his minority in matters connected with this nomination.

Name and address of witnesses:

1) Shri/Smt._____

Address: _____

_____ 1) Signature of the witness

2) Shri/Smt._____

Address: _____

_____ 2) Signature of the witness

Place:

Date:

APPENDIX - 11

{Under the Bye-law No. 28
(The form of application for membership by the nominee)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir
I/We/Shri/Smt/Messrs. _____ hereby make an application for membership of the _____ Co-operative Housing Maintenance Society Ltd., _____ and for transfer of shares of Shri/Smt. _____ to deceased Shri/Smt._____ of the society.

Shri/Smt. _____ was a member of the Society holding _____ shares of Rs.50/- each and flat No. _____ in the society's building.

Shri/Smt. _____ the deceased a member of the society died on _____. A copy of the death certificate of the said member is enclosed.

Shri/Smt. _____ the deceased member of the society had nominated me*us under rule 24 of the Goa Co-operative Societies Rules, 2003. Being the only nominee *first named nominee as per the nomination filed with the society by the deceased member, I*we am*are entitled to make an application for membership of the society and for transfer of shares of the deceased member in the capital/property of the society to my*our name.

I/We have executed the indemnity bond in favour of the society indemnifying it against any claim made at any subsequent time by other nominee*nominees to the shares of the deceased member of the Society. The said indemnity bond is enclosed herewith.

I/We remit herewith an amount of Rs.10/- as entrance fee.

My particulars for the purpose of consideration of my application for the society are as under:

Age : _____

Occupation : _____

Monthly income : Rs._____

Office Address : _____

Residential address : _____

I/We undertake to use the flat for the purpose for which it was acquired by the deceased member and that any change of user will be made with the prior approval of the society. The undertaking in the prescribed form to that effect is enclosed.

I/We undertake to discharge all the present and future liabilities to the society. *As I have no independent source of income, I enclose herewith the undertaking in the prescribed form, from the person on whom I am dependent to the effect that he will discharge all the present and future liabilities to the society on my behalf.

I/We have gone through the bye-laws of the society and undertake to abide by same and any modification that the Registering Authority may make in them.

I/We request you to please admit me*us as a member of the society and transfer the shares of the deceased member of the society to my*our name. The share certificate held by the deceased member is enclosed herewith.

Yours faithfully

Place:

Date:

Note:

1. The expression a member of a family means and includes husband, wife, father, mother, unmarried daughter and unmarried son.
2. The undertaking about registration of the flat is not necessary if the nominee is related to the deceased member within the meaning of section 2(41) of the income-tax act.

Not applicable where there is a single nominee.
*strike out which is not applicable

APPENDIX – 11(1)

(Under the bye-law No. 29)

(The form of notice, inviting claims or objection to the transfer of the shares of the deceased member of the society)

NOTICE

Shri/Smt. _____ a member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ and holding flat No. ____ in the building of the society died on _____ without making any nomination.

The society hereby invites claims or objection from his heirs or heirs or other claimant or claimants/objector or objectors to the transfer of the said shares of the deceased member of the society with a period of _____ days from the publication of this notice, with copies of such documents and other proofs in support of his/her/their claims/objections for transfer of shares of the deceased member of the society. If no claim are received within the period prescribed above, the society shall be free to deal with shares of the deceased member of the society in such manner as is provided under the bye-laws of the society. A copy of the registered bye-laws of the society is available for inspection by the claimants/objectors, in the office of the society. With the secretary of the society between _____a.m./p.m. to _____ a.m./p.m. form the date of publication of the notice till the date of expiry of its period.

For and on behalf of
The _____Co-op. Housing Maintenance Society Ltd.,

Secretary

Place:

Date:

APPENDIX - 12

{Under the Bye-law No. 29)

Application for membership by the heir of the deceased member of the society

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

I, Shri/Smt. _____ hereby make an application for membership of the _____ Co-operative Housing Maintenance Society Ltd. having address at _____ and for transfer of shares of the deceased member of the society.

Shri/Smt. _____ who was a member of the society and holding _____ shares of Rs. Fifty each and the plot No. _____ in the property of the known as, died on _____ without making a nomination. His*Her death certificate is enclosed.

I hereby state that I am the only heir the said deceased member* there are _____ heirs of the deceased member and all the heirs have made an affidavit choosing me to make an application for membership of the society and for transfer of shares of the deceased member of the society to my name. The affidavit in original is enclosed.

I have also executed the indemnity bond in favour of the society indemnifying it against any claim made by any other person* at any subsequent time in respect of the share of the deceased member of the society. The said indemnity bond is enclosed herewith.

I remit herewith an amount of Rs.10/- entrance fee.

My particulars for the purpose of consideration of my membership are as under:

Age : _____

Occupation : _____

Monthly income : Rs. _____

Office Address : _____

Residential address : _____

I undertake to use the plot/flat for the purpose for which it was acquired by the deceased member and that any changes of use will be made with the prior approval of the society. The undertaking

in the prescribed form to that effect is enclosed herewith
I have gone through the bye-laws of the society and undertake to abide by the same and any modification that the registering authority may make in them.

I request you to please admit me* as a member of the society and transfer the shares of the deceased member of the society to my* name. The share certificate held by the deceased member is enclosed herewith.

I have gone through the bye-laws of the society and undertake to abide by the same and any modification that the Registering Authority may make in them.

I request you to please admit me* as a member of the society and transfer the shares of the deceased member of the society to my* name. The share certificate held by the deceased member is enclosed herewith.

Yours faithfully

Place:

Date:

Note:

1. The expression a member of a family means and includes husband, wife, father, mother, unmarried daughter and unmarried son.
2. The undertaking about registration of the flat is not necessary if the nominee is related to the deceased member within the meaning of section 2(41) of the income-tax act.

Not applicable where there is a single nominee.
*strike out which is not applicable

APPENDIX - 13

{Under the Bye-law No. 29)

FORM OF INDEMNITY BOND

To be given on stamp paper of Rs.50.00 or to be affixed with adhesive stamps of the same denomination

(To be given where there are more nominees than one)

1. I, Shri/Smt. _____ of _____ Indian inhabitant state as under:
2. Shri/Smt. _____ residing at _____ was the member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____. He*She was holding share certificate No. _____ for five fully paid up shares of rupees fifty each bearing Shri/Smt. _____ distinctive number from _____ to _____ (both inclusive).
3. The said Shri/Smt. _____ was holding the flat No. _____ on _____ floor in the building of the society known * numbered as _____ constructed on the plot of land bearing No. _____ at _____.
4. The said Shri/Smt. _____ had nominated the following persons under rule 23 of the Goa Co-operative Societies Rules, 2003.
   i) Shri/Smt. _____
   ii) Shri/Smt. _____
5. My name is first in the nomination.
6. The said Shri/Smt. died on or about _____.
7. According to the bye-law No. 28 of the said society I am entitled to make an application for membership of the said society and for transfer of the said shares of the said deceased member in the said flat to my name. Accordingly, I have made an application for membership of the said society and for transfer of the shares of the said deceased member in the said flat to my name.
8. I hereby indemnity and keep indemnified and harmless the said society and its office bearers against any claim. Demand suit or other legal proceedings by the other nominee*nominees claiming either lawfully and/or equitably through the said deceased Shri/Smt. _____. I further declare and undertake to bear all expenses, costs, charges in respect of any such claim, demand, suit and/or legal

proceedings which be filed by the other nominee/nominees either lawfully and/or equitable claiming through the said deceased member of the society.

9. I am conscious of the fact that the society will admit me as its member in place and instead or the said deceased member of the society on the basis of this indemnity and undertaking.

Signature

Place:

Date:

Witnesses:

1)Shri/Smt._____

Address: _____

_____ 1) Signature of the witness

2)Shri/Smt._____

Address: _____

_____ 2) Signature of the witness

Place:

Date:

APPENDIX - 14

{Under the Bye-law No. 29)

FORM OF INDEMNITY BOND

To be given on stamp paper of Rs.50.00 or to be affixed with adhesive stamps of the same denomination.

(To be given where there is no nomination)

1. I, Shri/Smt. _____ of _____ Indian inhabitant state as under:
2. Shri/Smt. _____ residing at _____ was the member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ died on or about _____.
3. The said Shri/Smt. _____ had nominated the following persons under rule 23 of the Goa Co-operative Societies Rules, 2003.
4. The said Shri/Smt. _____ was holding the share certificate No. _____ for five fully paid up shares of rupees fifty each, bearing distinctive numbers from _____ to _____ (both inclusive).
5. The said Shri/Smt. _____ was holding the flat No. ____ on _____ floor in the building of the society known *numbers as _____ constructed on the plot of land bearing No. _____ at _____.
6. The said Shri/Smt. _____ left behind me as his*her only heir*the following heirs:

(i) Shri/Smt. _____

(ii) Shri/Smt. _____

(iii) Shri/Smt. _____

(iv) Shri/Smt. _____

(v) Shri/Smt. _____

I am the only heir of the deceased Shri/Smt. _____. I inherit his*her shares of the said flat. According to the bye-law No. 30 of the bye-law of the said society, I am entitled to make an application for membership of the said society and for transfer of the said shares of the said deceased member in the said flat to my name. Accordingly, I have made an application for membership of the said society and for transfer of the said shares and the rest of the deceased member in the flat to my name.

OR*

According to the bye-law No. 29 of the bye-laws of the society all the above heirs have jointly made an affidavit, naming me to make an application for membership of the said society for transfer of the said shares of the said deceased member in the said flat to my name. Accordingly, I have made an application for membership of the said society and for transfer of the shares and the said deceased member in the said flat to my name.

7. I hereby indemnify and keep indemnified and harmless the said society and its office bearers against any claim, demand, suit or other legal proceedings by the other heir*heirs claiming* Shri/Smt. _____. I further declare and undertake to bear all expenses, costs, charges in respect of any such claim, demand, suit and/or legal proceedings which may be filed by the other heir/heirs wither lawfully and/or equitably claiming through the said deceased member of the society.

8. I am conscious of the fact that the society will admit me as its member in place and instead of the said deceased member of the society on the basis of this indemnity and undertaking.

Signature

Place:

Date:

Witnesses

1)Shri/Smt._____

Address: _____

_____ 1) Signature of the witness

2)Shri/Smt._____

Address: _____

_____ 2) Signature of the witness

Place:

Date:

APPENDIX - 15

{Under the Bye-law No. 32 (a)}

A form of Notice of intention of a member to transfer his shares of the society.

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir,

I/We/Shri/Smt./Messrs. _____ member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ and holding five fully paid up shares of rupees fifty each bearing distinctive numbers from _____ to _____ (both inclusive) hereby give you notice as required under Rule 22 (b) of the Goa Co-operative Societies Rules 2003 as under:

I/We/Shri/Smt./Messers. _____ intend to transfer my*our shares in the flat in the building of the society and my*our shares to Shri/Smt./Messers. _____ for consideration of Rs. _____.

The consent is enclosed.

Yours faithfully

Place:

Date:

Enclosed: 1) Consent letter from the transferee

APPENDIX - 16

{Under the Bye-law No. 32 (a)}

A form of letter of consent of the proposed transferee for the transfer of the shares of the member (Transferor) to him (Transferee)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir,

Shri/Smt./Messrs. _____ member of the _____ Co-operative Housing Maintenance Society Ltd., propose*proposes to transfer his*her*their shares of the society to me*us. I*We hereby give my*our consent for the proposed transfer of shares of Shri/Smt./Messrs. _____ of the society to me*us as required under Rule 22 of the Goa Co-operative Societies Rules, 2003.

My*Our name and address is as under:

_____

_____

Yours faithfully

Place:

Date:

APPENDIX – 17(1)

{Under the Bye-law No. 32 (d) (i)}

A form of application for transfer of Shares of the society by the proposed transferor (being an individual)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir

1. I, _____ a member of the _____ Co-operative Housing Society Ltd., having address at _____ and holding the shares certificate No. _____ for five paid up shares for rupees fifty each bearing distinctive numbers from _____ to _____ (both inclusive) and holding the flat No. _____ admeasuring _____ sq. mts. In the building of the said society, *known as _____.

2. I had given you notice of my intention to transfer the said shares of the society on _____ as required under rule 22 of the Goa Co-operative Societies Rules, 2003 along with the consent of the proposed transferee _____.

3. I enclose herewith the application in the prescribed form for membership of the said society by the proposed transferee.

4. I remit herewith the transfer fee of Rs.1000/- (rupees one thousand only). I also remit herewith the amount of the premium of Rs. _____ (rupees _____ only) as provided under bye-laws No. 32(d)(v) & (viii) of the bye-laws of the society.

5. I state that the said shares of the said society have been held by me for a period of not less that a year.

6. I further state that the liabilities due to the said society by me as on the date of this application have been fully paid by me. I also undertake to pay the liabilities, which may become due till the transfer application is approved by the society.

7. I hereby undertake to discharge any liabilities to the society, which related to the period of my membership with said society and have become payable by me after cessation of my membership due to any demand made by the local authority, government or by any authority on any account after cessation of my membership.

8. I propose to transfer the said shares of the said society on account of some domestic.

i) _____

_____

ii) _____

_____

iii) _____

_____

9. I request you to approved transfer and inform me accordingly.

Yours faithfully

(Signature of the transferor)

Place:

Date:

APPENDIX - 18

{Under the Bye-law No. 32 (d) (ii)}

A form of application for transfer of Shares of the society by the proposed transferor being a corporate body)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir

1. We, M/s., _____ a member of the _____ Co-operative Housing Society Ltd., having address at _____ and holding the shares certificate No. _____ for five paid up shares for rupees fifty each bearing distinctive numbers from _____ to _____ (both inclusive) and holding the flat No. _____ admeasuring _____ sq. mts. in the building of the said society, numbered*known as _____.

2. We had given you notice of my intention to transfer the said shares of the society on _____ as required under rule 22 of the Goa Co-operative Societies Rules, 2003 along with the consent of the proposed transferee Shri/Smt./Messers._____.

3. We enclose herewith the application in the prescribed form for membership of the said society by the proposed transferee named in the notice referred to above.

4. We remit herewith the transfer fee of Rs.1000/- (rupees one thousand only). We also remit herewith the amount of the premium of Rs. _____ (rupees _____ only) as provided under bye-laws No. 32 (d) (v) & (viii) of the bye-laws of the society.

5. We state that the said shares of the said society have been held by me for a period of not less that a year.

6. We further state that the liabilities due to the said society by me as on the date of this application have been fully paid by me. We also undertake to pay the liabilities, which may become due till the transfer application is approved by the society.

7. We hereby undertake to discharge any liabilities to the society, which related to the period of my membership with said society and have become payable by me after cessation of my membership.

8. We propose to transfer the said shares of the said society on the following grounds.

i) _____

_____

ii) _____

_____

iii) _____

_____

9. We have authorized Shri/Smt. _____ to sign the application for transfer on our behalf. A certified copy of the authority is enclosed herewith.

10. We request you to approved transfer and inform me accordingly.

Yours faithfully

(Signature of the transferor)

Place:

Date:

APPENDIX - 19

{Under the Bye-law No. 32 (d) (ii)}

A form of application for membership of the society by the proposed transferee

(Being an individual)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd.,
_____.

Sir

1. I, Shri/Smt. _____ intend to become a member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ by transfer of the share certificate No. _____ for five fully paid up shares of rupees fifty each bearing distinctive numbers from _____ to _____ (both inclusive) held by _____ the member of the said society and his*her shares in the flat No. _____ admeasuring _____ sq. mts. in the building of the said society known as _____ held by the said _____ to my name.

2. I had given my consent to the proposed transfer of the said shares and the shares of the said transfer of the said society to me on _____.

3. I now transfer shares of the said transferor of the said society to my name.

4. The particulars for the purpose of consideration of my application for membership of the _____ Co-operative Housing Maintenance Society Ltd., are given below:

   Age : _____
   Occupation : _____
   Monthly income Rs. : _____
   Office Address : _____
   Residential address : _____

5. I remit herewith the entrance fees of Rs.10/- (rupees ten only)

6. I declare that there is no plot either owned by me or any of the members of my family or person dependent on me in the area of operation of the society.

OR

7. I have gone through the bye-laws of the said society and undertake to abide by the same and any modification that the Registering Authority may make in them.

8. I request you to please admit me as a member of the society and transfer the shares and interest of the transferor in the capital/property of the said society to my name.

Yours faithfully

Place:

Date:

NOTE: 1) The expression "A member of a family" means and includes husband, wife, father, mother, unmarried daughter and unmarried son.

APPENDIX - 20

{Under the Bye-law No. 32(d)(II)}

Form of application for membership of the society by the proposed transferee

(Being a body corporate)

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd.,
_____.

Sir

1. We, Messrs. _____ having address at _____ intend to become a member of the _____ Co-operative Housing Maintenance Society Ltd., having address at _____ by transfer of the share certificate No. _____ for five fully paid up shares bearing distinctive numbers from _____ to _____ (both inclusive) held by Shri/Smt. _____ the member _____ of the said society and his*her interest in the flat No. _____ admeasuring _____ sq. mts. in the building of the said society, numbered *known as _____ held by the said _____ to our name.

2. We had given my consent to the proposed transfer of the said shares of the said transferor of the said society to us on _____.

3. We now make this application for membership of the said society and for transfer of the said share of the said transferor of the said society to our name. We also remit herewith the value of five additional shares of Rs.250/- required to be purchased by us.

4. We remit herewith the entrance fee of Rs.10/- only.

5. We hereby undertake the discharge all the liabilities to the society which may become due from my admission to the membership of the society.

6. We declare on the basis of the information, given to us by the said society that by admitting us to membership of the said society the total membership of corporate bodies of the said society will not exceed the limit mentioned in the government order enclosed at Annexure-1.

7. We further declare on the basis of the information given to us by the said society that by transfer of the flat in question to our name, the limits on holding of flats by firms and/or companies in the building/buildings of the society will not be transgressed.

8. We undertake to use flat, proposed to be transferred to us for the purpose mentioned in the letter that will be issued to me by the said society under bye-laws No. 30(a) of the bye-laws of

the said society and that no change of the user of the said flat will be made by me without the prior approval of the society in writing. The undertaking in the prescribed form to that effect is enclosed herewith.

9. We have gone through the bye-laws of the said society and the Government order issued under Section 22 of the Goa Co-operative Societies Act 2001 and undertake to abide by the same and any modification that the Registering Authority and the Government may respectively make in them.

10. Shri*Shirmati _____ has been authorized to sign this application on our behalf. A certified copy of the authority is enclosed herewith.

11. We request you to please admit me as a member of the society and transfer the shares of the transferor of the said society to my name.

FOR AND ON BEHALF OF THE

_____
Signature

Place:

Date:

APPENDIX - 21

{Under the Bye-law No. 34}

Form of intimation by the society to the transferee about exercise of Right of membership by him

To
Shri/Smt./Messrs. _____

Sir
Upon acceptance of the application for transfer of shares of Shri/Smt./Messrs. _____ of the society, to you and upon acceptance of your application for membership of this society simultaneously in the General Body Meeting of the society held on _____ your name has been entered in the register of members in "G" Form and in the list of members in "H" form and necessary endorsement of transfer of shares held by the transferor to your name has been made in the share certificate No. _____ you are eligible to exercise the rights of membership of this society in accordance with the Act, Rules and bye-laws of the society on receipt of this letter.

The said share certificate duly endorsed in your name is enclosed herewith.

Yours faithfully
_____ Co-operative Housing
Maintenance Society Ltd.,

Secretary

Place:

Date:

Encl: Share Certificate

APPENDIX - 22

{Under the Bye-law No. 35 (II) (I)}

A form of application for permission to sub-let on leave and licence or caretaker basis the flat or part thereof

To
The Secretary
_____ Co-operative Housing Maintenance Society Ltd., _____.

Sir
Shri/Smt. _____ am the member of the _____ Co-operative Housing Maintenance Society Ltd., holding flat No. _____ admeasuring _____ sq. metres on _____ floor of the building number named as _____ of the society.

I propose to sub-let given on leave and licence caretaker basis my flat part of the to the person named hereinafter under an agreement (copy enclosed) under the following circumstances.

Note: State any reason to justify your inability to occupy or continue in occupation of the flat.

The name of the person to whom the flat part of the flat is proposed to be sub-let proposed to be given on leave licence caretaker basis is Shri/Smt./Messrs. _____ residing at _____ having office address at _____. His/her application for nominal membership of the society in the prescribed form is enclosed herewith.

I undertake to initiate legal proceedings against the sub-letter licence caretaker on my failure to secure vacant and peaceful possession of the form the sub-letter licencee caretaker on expiry of the original or extended period of sub-letting licence caretaking and to make the society the party to the proceedings and to reimburse the expenditure which the society may be required to incur on legal proceedings to get back the possession of the flat part of the flat.

I also undertake to pay all the charges of the society every month within the time stipulated without any excuse from the date, I part with the possession of the flat/part of the flat till I get possession thereof.

I also undertake to pay non-occupancy charges at the rate fixed by the society during the period mentioned above.

I request you please to grant necessary permission to sub-let given on leave and licence caretaker basis the flat part of the flat to the person here in above mentioned for a period of _____ years _____ months. In case it becomes necessary for me extend the period of sub-

letting giving on leave and licence care taker basis the flat part of the flat I will submit an application for extending the period will in advance of expiry of the original period with due justification for extending for period.

Yours faithfully

Signature of the applicant

Place:

Dated: