



PEARL CREST FLAT OWNERS SOCIETY

ARGORA PUNDAG ROAD, ARGORA, RANCHI-834002

1. DEFINITIONS :-

- a) ASSOCIATION : means **“PEARL CREST FLAT OWNERS SOCIETY”**
- b) SOCIETY : means **The working Society of the Association**
- c) FINANCIAL YEAR : means **April to March every years**
- d) GENERAL BODY MEETING : Means **a meeting constituting all the members of the Association**
- e) OFFICE BEARERS : Means **President, Secretary, Treasurer and Executive Members**
- f) Bye -Laws : Means **Society Registration Act, 21, 1860** and Bihar Society Registration Rule 1965 (Adopted by the State of Jharkhand and amended vide notification no. 726 dated 18.11.2005)

2. CONDITIONS FOR THE MEMBERSHIP OF THE ASSOCIATION:-

Must be an owner of a flat at **PEARL CREST FLAT OWNERS’ SOCIETY** or his/her/their nominated blood relative, who lives in the said flat. (Blood relative will include only his/her parent, spouse, Son/daughter)

3. MEMBERS REGISTRATION:-





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The names and complete details of all the members would be registered in the members register. Further, it will be compulsory for owner/purchaser of a flat in Pearl Crest Apartments to become a member of the association. Also, the members would be required to contribute towards the Corpus Fund of the society, the amount of which would be decided by the Executive Committee. The members would also be required to submit a copy of their Registered Deed/Sale Agreement with the Association and to submit the filled up Membership Form.

4. CESSATION OF MEMBERSHIP:-

Under the following conditions the membership would be considered as terminated:

- a) On death of the member, his/ her/ their Legal heir/ nominee would become the member;
- b) On passing a No-Confidence motion by the Association;
- c) On being absent in Six consecutive meeting of society;
- d) On violating the rules/ laws and objectives of the Association;
- e) On selling the flat.

5. THE RIGHTS AND DUTIES OF THE MEMBERS:-

- a) The Flat owners' will have to pay any type of expenses borne by the Society.
- b) The monthly maintenance charge will be as per the need of the society which will be decided by the working committee.
- c) The flat owners who have occupied the flat will have to pay maintenance from the month of occupancy.
- d) Further those who has got the flat registered but not occupied will have to pay maintenance





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from the month of September, 2020.

e) The increase in annual maintenance charge will be done in the General body meeting.

f) That the flat owner/s shall neither sublet his/her/ their flat to any unsocial element/ lodge/ for office purpose/ business use nor they shall sale into any body/ corporate for any of these purposes.

g) That prior to selling any flat to any intending purchaser the flat owners/ clear all the dues amount of the society and shall have to obtain No objection certificate from the society.

h) That the flat owner/s shall have to deposit the maintenance amount/ charges by the 10th day of every month in advance which the office will send the SMS or whatsapp message to each flat owner as a reminder. In case maintenance is not paid on or before 10th of every month, and if the same is not paid by the 15th of the month then a fine of Rs.100/- per month will be imposed.

i) All flat owners shall pay the maintenance amount per month without any protest or hindrance. If any member will have any type of complain or problem from the society and that problem is within the jurisdiction of the society then the society may try to rectify it, and the members due to the above mentioned problem and till its rectification shall not stop paying the maintenance amount.

j) That if there will be a dues of two consecutive month of maintenance amount over any flat owner/s then the society shall have the right to disconnect all or any facility provided by the society to the flat owner. Penalty amount shall be applicable as per above clause.

k) That society of **Pearl Crest** shall have right to collect maintenance and other incidental charges imposed by the society to its member. It shall be also applicable to any agreement holder/ intending purchase who have entered into agreement for purchase of the flat in **Pearl Crest Flat Owner Society** from Developer/ Landowner/ Flat Owner and does not perform his/ her/ their part of





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contract i.e. not get registered the said flat in his/ her/ their name. This is applicable from 01.10.2020

l) The flat owners shall park their vehicles in their parking bay as allotted to them by the developer.

m) Every member would be supplied uninterrupted water and generator power backup facilities, who paid the monthly maintenance charges regularly.

n) No member would carry on any demolition activity nor change the outer elevation or colour of building in his/ her/ their flats without the written consent of the Society. If members are carrying any demolition/renovation activities in their flats after getting written consent from the office bearers of the association, it is their duty not to put collect rubble, building materials etc. in the common area, parking area and drive way etc. of the Society, failing which necessary action will be taken by the Association.

o) No member would play music/loudspeaker/musical instruments/television in a high volume which might create annoyance to the neighbours.

p) Every member would deposit Monthly Maintenance Fee and any other fee decided by the Executive Committee/ General Body of the Association within the stipulated time frame. Inability to do so even after reminder would result into Penal Interest Charges, rate of which would be decided in the AGM of the association. **NON PAYMENT OF THE FEE WILL GIVE RIGHT TO THE ASSOCIATION TO WITHDRAW ESSENTIAL SERVICES LIKE GARBAGE CLEANING, WATER SUPPLY, GENERATOR ELECTRICITY, SECURITY etc.**

SERVICES AND ANY OTHER SERVICES BEING PROVIDED BY THE ASSOCIATION.

q) No member would carry on any external construction which affects the facade of the building.





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- r) No flat owner/ member shall cover the upper roof/ terrace/even in the parking area.
- s) All flat owners shall keep all the types of plants, flowers vases & Personal effects or vessel inside their balconies so that it may not cause any type of inconvenience to the persons residing in lower floor and if due to such acts of any flat owner any inconvenience is caused to the flat owners of lower floors then only the persons of upper floor shall be liable for this inconvenience or otherwise this might lead to some accidents in case the pots fall down and to see that the resident of the lower flat does not face any inconvenience. No storage should be allowed in corridor or terrace by the flatiers. **Only covered shoe rack is allowed. No second entry door to be opened.**
- t) Allowing entry or renting out the flat regularly to different people for short period of stay without the members themselves being present with them will be considered as the use of the flat as a guest house or for commercial activity. **Renters identity must be submitted to the society with recommendation of Owner.**(Format to be submitted to the society)
- u) Any flat owner, before giving out the flat for rent changing of ownership, must obtain a NOC certificate from the society. Violation of this is punishable offence and may lead to proper action.
- v) The community hall is for the use of members only for small functions extending maximum up to 3 days. It would be given to any member with a 15 days prior information to the society (subject to availability).Community Hall would be allotted on FIRST COME, FIRST SERVED basis, and proper register will be maintained.
- w) For all common functions no fee will be charged, **For personal use of the community hall a nominal fee would be charged as approved Rs.3000/- per day from needed individual Flatier.** No Personal Activity (Except any Common Puja) would be organized on parking area without prior permission from committee & there will be charges. But Pre-Wedding/small functions on the Terrace may be allowed subject to permission of the Society with charge equivalent to Community Hall. The organizing member would be held responsible for any damages during function at Terrace and repairing charges would be recovered accordingly. An undertaking alongwith Security Money has to be submitted/deposited before function.





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x) No garbage would be thrown from the terrace or the flat directly. It has to be disposed properly in the garbage bags.

y) Members can nominate any one of their family members to represent him/her in the society meetings.

6. FORMATION OF THE SOCIETY:- (w.e.f. 01st NOVEMBER 2020)

a) The working committee would constitute of 9, 11 or 13 members including the office bearers, with a term of minimum TWO years.

b) The office bearers and members of the working committee would be elected in the Annual General Body Meeting and may be re-elected.

c) There should be at least two members from each residential block in the working committee.

7. THE RIGHTS & DUTIES OF THE WORKING COMMITTEE:-

a) To keep watch on the workings and planning of the Association and give proper advice to relevant persons.

b) To be responsible for the assets of the Association.

c) To properly channelize all jobs of the association, to pass motions and form sub-committees as and when required.

d) To take proper actions/bring about a No-Confidence Motion against members for immoral actions or violating the code of conduct or bye - laws of the Association.

e) To amend and scrutinize the Annual Maintenance fee as required.

f) To decide the date and agenda of the ordinary general meeting.





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- g) To prepare the plans and budget of the Association and present it in the meeting.
- h) To stop all negative activities, any such construction activity against the approved design, or any activity which causes troubles to the other members and structure.
- i) To work towards the development and betterment of the Association.
- j) To take appropriate decisions in case of resignation of any office bearer.
- k) To implement the motions passed in the Ordinary General Meeting.
- l) In case any post is left vacant in the middle of the term, the society can nominate any person for that post till the term ends but at the Annual General Meeting, an election would have to be conducted for that particular post. The elected members would only work for the post for which they have been elected.
- m) To take proper decisions for achieving the objective of the Association.

8. THE RIGHTS & DUTIES OF THE OFFICE BEARERS:-

A) PRESIDENT:

He/She shall be the head of the Society.

- To preside all the meetings of the Association.
- To keep check on the assets and Income and Expenditure of the Association.
- To give a final decision on a unanimous decision at any meeting.
- To keep watch on the activities of the Association.
- To assist the secretary on the employment and termination of the employees/Service providers like security agency, cleaning agency and similar agencies.
- To complete the duties and responsibilities as asked by the working committee.
- To be a member of all the sub committees of the Association.





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- To be the official representative of the Association in the court of law in case of any Legal Controversy.
- He/She shall have an additional ‘ **Casting vote**’ in the event of a tie in the voting. The secretary shall enjoy the power of president in absence.

B) SECRETARY:

- To organize the meetings.
- In absence of President he/she will head.
- To carry out other activities in consultation with the president.
- To carry out all communications as an officio member of the Association.
- To keep all documents and records safely.
- To have the income and expenditure accounts audited and present it in the General Meeting.
- To record and minute of all the meetings and file them properly and display in NOTICE BOARD.
- To protect the resources of the Association and execute all financial activities.
- To be the official representative of the Association in the court of law in case of any Legal Controversy.

C) TREASURER:

- To carry out all the financial duties and responsibilities given by the Association.
- To maintain records of income-expenditure, to assist the secretary in maintaining all such record.
- To get all accounts audited by a certified Chartered Accountant annually.





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- To assist the secretary in presenting the accounts and be answerable for all the finance related queries in the General Body Meeting.
- To issue receipts on maintenance fees, Community Hall booking etc.
- To deposit the society funds in any nationalized banker or Post Office in the name of the Association and withdraw the amount with the joint signatures of the Secretary and the President as and when required.
- To keep all assets, financial documents, bank documents, ledgers and books of accounts safely and securely in his custody.
- To have an internal assessment done Quarterly.
- To be the official representative of the Association in the court of law in case of any Legal Controversy.

9. MEETINGS OF THE EXECUTIVE COMMITTEE:-

- a) The Executive Committee would meet regularly at an interval of quarterly basis. The notice would be served (2-3) days prior to the meeting and it would be obligatory for all members of the committee to be present for the meeting.
- b) In case of emergencies, meeting can be called anytime on a notice of 24 hours.
- c) The information would be given either through electronically as well as displaying on **NOTICE BOARD.**

10. DUTIES AND RIGHTS OF THE GENERAL BODY:-

- a) To elect the members and office bearers of the executive committee.





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- b) To pass the plans, budget, interim reports and development reports presented by the committee.
- c) To appoint a Nodal Officer to obtain a 2/3 majority for passing the motions.
- d) To make amendments in the laws of the association as and when required.
- e) To analyze and accept new proposals for the benefit of the Association in consultation with the resident.
- f) To pass the annual development application of the Association.

11. MEETING OF THE GENERAL BODY:-

- a) The annual meeting would be held once a year although a special meeting can be called anytime.
- b) The secretary would have to call a meeting, if 1/3 of the members so propose with a written application and their signatures on it and the agenda clearly mentioned, within 21 days of receiving the application. Inability to do so on the part of the secretary would mean that the members are free to call the meeting and inform the members themselves.
- c) The meeting would be presided by the president and conducted by the Secretary.
- d) QUORUM-the Quorum for all the general meeting would be 50% of the total members plus one. In absence of (50%+1) members, the meeting would be adjourned and reconvened after one week. In the meeting thus re convened, the quorum would not be necessary.





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d) The information for an ordinary General Meeting would be given at least 7 days prior to the meeting date and the notice for the same would be posted either through electronically as well as displaying on **NOTICE BOARD**.

12. FINANCIAL YEAR:-

The financial year would be from 1st April of the current year to the 31st March of the next year.

13. SOURCES OF INCOME:-

- a) From surplus of income over expenditure which shall form as a part of the RESERVE FUND/CORPUS.
- b) Interest through Fixed Deposit
- c) Monthly Maintenance fee.
- d) Contributions/Donations.
- e) Income from community Hall.

14. MANAGING THE FUND /OPERATING BANK ACCOUNTS:-

The Association Funds would be deposited in any Nationalized Bank in the name of the Association and withdraw the amount with the joint signatures of the Secretary, the President and Treasurer as and when required.

15. AUDIT:-





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The accounts of the Association would be maintained regularly and every year appointed **AUDITOR** at the general meeting would **AUDIT** the accounts within three months of completion of the financial year.

16. AMENDMENTS IN THE BYE-LAWS:-

Any amendments in the Bye-Laws can be made in any Ordinary General Body Meeting with a 3/5th majority. This would be followed under Society Registration Act 21, Section 1860 and Jharkhand Society Bye-Laws.

30. REGISTRATION INSPECTION:-

All registration documents would be in the custody of the Secretary of the Association at the Association office (Community Hall) where any certified government officer or member can inspect on prior consent and approval from the Secretary.

31. LEGAL ACTIONS:-

Any or all Legal Actions for or against the Association would be done under the name of the President, Secretary, Treasurer and the Executive Committee members of the Association on behalf of Association.

32. DISSOLUTION OF THE ASSOCIATION & MANAGEMENT OF ASSETS THEREAFTER:

a) If, under any circumstances the dissolution of the society is deemed necessary by the executive committee, then the same would be done by passing a motion by the executive committee and presenting it in an extraordinary general meeting. The decision on Dissolution can be taken by 2/3 majority of members during the extraordinary general meeting.





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b) Society Registration Act, 21, 1860 and Bihar Society Registration Rule 1965 (Adopted by the State of Jharkhand and amended vide notification no. 726 dated 18.11.2005) would be followed during the course of Dissolution.

Details of Persons willing to form the Association:

Following persons whose full name, name of their father/husband, full address, profession, position and signed stamp size photograph is detailed below, are willing to get the association registered as per the Societies Registration Act :-

Sl. no.	Name, Father's/ Husband Name	Full Address	Age In Yrs.	Profession	Position	Stamp size Photo with signature

Certified that this is due correct copy of Rules & Regulations of the Association.

ANIL KUMAR SINHA
(President)

DEEPAK SINGH
(Secretary)

MANISH
(Treasurer)

Witnesses : 1. Mrs.Monalisha 2. Shailendra Kumar 3. Mrs.Smita Narayan 4. Jayant Kumar.
5. Manoj Kumar Verma 6. Mrs.Indu Prasad 7. Ravinder Prasad.
8. Lalit Kishor 9. T.R.Parmeshwaran 10. Ranjan Kumar
(All are elected Executive Members of the Pearl Crest Flat Owners Society)

MEMORANDUM OF ASSOCIATION OF PEARL CREST FLAT OWNERS ASSOCIATION

1. NAME OF SOCIETY:-





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The name of the Society shall be PEARL CREST FLAT OWNERS SOCIETY which shall be registered under the Societies Registration Act of 1860 and the rules framed there under.

2. REGISTERED OFFICE OF THE SOCIETY:-

The registered office of the Society shall be situated in **Pearl Crest, Pundag Road, Near Indane Gas Godown, Argora, Ranchi - 834002 Jharkhand.**

3. AREA OF OPERATION OF THE SOCIETY:-

The area of operation of the Society shall be within **PEARL CREST, ARGORA , RANCHI - 834002.**

4. AIMS AND OBJECTS OF THE SOCIETY:-

The aims and objects to be pursued by the Society are:

- (i) To take over from the builder of the complex and manage, protect and maintain all the joint and common properties in the premises and the building complex known as PEARL CREST located at Argora, Ranchi, Jharkhand.
- (ii) To establish and carry out jointly with individuals or institutions, or its own violation, educational, physical, social, recreational; or other activities, for the benefit of flat owners.
- (iii) To maintain and manage all common facilities and amenities like electricity, water supplies, drainage, etc., provided or to be provided by the said premises and building complex.
- (iv) To look after the cleanliness and lighting of the said premises and building complex.
- (v) To upkeep and surveillance of buildings/flats inclusive of corridor, stair, Parking area, common space, Temple and maintenance of Temple area.
- (vi) To repair, alter or otherwise deal with the said common premises of the building complex.
- (vii) To employ the staff required for fulfilling the above objectives, and





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(viii) In general to do everything for the convenience and good of the members and for the better enjoyment of the said premises and building complex.

(ix) To represent the Society before Government and other authorities for any common purpose. Which may impact the members monetarily or otherwise and take all such steps as may be necessary in this regards.

(x) To represent the Society in all matters pertaining to the common property of **PEARL CREST FLAT OWNERS SOCIETY** and to negotiate, carry on litigation, settle or compromise with third parties any matter affecting the common rights and properties.

(xi) To do all things necessary and expedient for the accomplishment of the aforesaid objects.

5. The income and property of the Society howsoever derived shall be solely utilized and applied for the promotion of the aims and objects as set forth in the Memorandum of the Society and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, gift, division, bonus or in any manner whatsoever to the profit of the present or past members of the Society. Provided, that nothing herein shall prevent the payment in good faith of reasonable and proper remuneration to any officer or servant of the Society or to any member of the Society in return for any services rendered to the Society nor prevent payment of interest at appropriate rates or payment of a reasonable and proper rent for premises let out to the Society by any member thereof.

6. Member(s) of the Governing Body shall be chargeable only for money and securities actually received by him notwithstanding his signing any receipt for the sake of conformity and shall be answerable and accountable only for his own acts, receipts, neglects, or defaults and not for those of any other Member(s), nor for any banker, broker, or other person with whom any Society money or securities may be deposited, nor for the insufficiency or deficiency of any securities or assets, nor for any other loss, unless the same happens through his own willful neglect or default.

7. No individual Member shall be liable for any legal claims or financial loss to the Society, arising by reason of any act(s) done in good faith or for improper investment made in good faith or for the negligence or fraud of an agent employed by him even though the employment of such agent was





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not strictly necessary or expedient, or by reason of any mistake or omission made in good faith by any Member or by reason of any other matter or thing, except willful and individual fraud or wrong doing or neglect on the part of the Member sought to be made liable.

8. GOVERNING BODY

The names, addresses, occupations and designations of the members of the first Governing Body to whom the management and affairs of the Society is entrusted as required under Section 2 of the Societies Registration Act, 1860, as applicable.

9. SEAL OF THE SOCIETY :- Shall have common seal in the custody of secretary and shall be used as & when required.

Annexure -I

RULES TO BE FOLLOWED BY ALL MEMBERS/RESIDENTS

1. PARKING

- i) Vehicles should be parked in concerned ,fix, parking area.
- ii) Guest vehicles should be parked outside parking area.
- iii) No parking in front of lift &/or Driveways.

2. CLEANNESS :

- i) Don't litter here & there in Society premises.
- ii) Don't throw garbages near entrance of Society or backyard area.
- iii) Disposal of waste should be properly done by discarding it Municipal Co.van.
- iv) The roof top should be kept free from accumulation of soil, plant pots.
- v) Maintain the cleanliness & hygienic environment of Society by taking care of Plants in society premises.

3. SAFETY & SECURITY

- i) Security guards must not be involved in any personal work.
- ii) No blowing of horn after 11 pm to open the Society gate. Must call on guard's phone no. pasted on gate.





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- iii) If found any stranger doing suspicious or any suspicious person, do inform the security guards.
- iv) Don't allow children to play with ball and hard object in parking place because it may damage the vehicles or may harm them also.
- v) Use of inflammable substances &/or smoking strictly prohibited in parking area.
- vi) Be safe by keeping your Society safe.

4. CELEBRATIONS OF EVENTS :

- i) Festivals, special events will be celebrated collectively in the Society (Not Blockwise)
- ii) Every flat owners/Renters participation is expected in all kinds of celebrations.
- iii) Society Committee will decide the schedule of every collective celebration.

5. WATER CONCERN

- i) For filling the Society tanks daily, guards are responsible but if needed reminders can be given to them.
- ii) Washing of vehicles in any condition in the side of the society premises is strictly prohibited.
- iii) Wastage of water will be intolerable to the Society Committee.

6. OTHERS

- i) Don't pluck flowers or uproot & Plants which has been planted by Society for beauty rather enjoy the beauty of our Society.
- ii) Don't allow children to play in Mandir lawn area with hard objects as it may damage the Mandir glass doors, idols etc.

Bye laws Draft Committee members :

1. Sri Shailesh Jha (C-407)
2. Sri Lalit Kishor (C-306)
3. Sri T.R.Parmeshwaran (C-207)
4. Mrs. Indu Prasad (C-G1)
5. Sri Jayant Kumar (B-306)
6. Sri Anil Kumar Sinha (B-302)
7. Sri Shailendra Kumar (A-301)





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