

# ***Haryana Registration and Regulation of Societies Rules, 2012***

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## **Haryana Government Industries and Commerce Department**

**No.S.O.51/HAI/2012/S.87/2012.** - In exercise of the powers conferred by section 87 of the Haryana Registration and Regulation of Societies Act, 2012 (Act 1 of 2012), the Governor of Haryana hereby makes the followings rules, namely :-

**1. Short title.** - These rules may be called the Haryana Registration and Regulation of Societies Rules, 2012.

**2. Definitions.** - (1) In these rules, unless the context otherwise requires -

- (i) "**Act**" means the Haryana Registration and Regulation of Societies Act, 2012 ( Act 1 of 2012);
- (ii) "**Appendix**" means an Appendix annexed to these rules;
- (iii) "**Form**" means form appended to these rules.

(2) The words and expressions used but not defined shall have the same meaning as assigned to them in the Act.

**3. Approval of name of Society.** - (1) An association of persons desirous of registering itself as a Society, shall file an application in Form I with the District Registrar concerned for approval of the name of the Society under sub section (1) of section 8 of the Act, proposing three names in order of priority and it shall be accompanied by the fee set out in the Schedule of Fee as mentioned in Appendix-I.

(2) The District Registrar shall process the application keeping in view the provisions contained in section 7 of the Act and approve the name following the priority stated in the application and communicate the same in Form 1-A. In case the District Registrar does not find the proposed name fit for approval, he shall communicate the reasons for refusal of approval of the name and directing the applicant to propose alternate names.

(3) The name approved by the District Registrar shall remain valid for a period of one hundred eighty days from the date of issue of letter of approval and the applicant shall be required to register the Society under the said name within such period. In case the Society is not registered under the approved name within the stipulated period, the approval shall lapse.

(4) The District Registrar shall not approve the same name for any other applicant during the validity period of the name approved earlier.

**4. Application for registration of a Society.** - An application for the registration of a Society under sub section (2) of section 8 of the Act shall be made to the District Registrar concerned in Form-II alongwith the documents specified therein and shall be accompanied by the fee set out in the Schedule of Fees as given at Appendix-1.

**5. Certificate of registration.** - The District Registrar shall issue a certificate of registration of the Society within seven working days in Form-III in terms of provisions contained in sub section (1) of section 9 of the Act.

**6. Registration number for a Society.** - Every Society registered by the District Registrar shall be allotted a unique number, which shall comprise the initials of the State, the District Code, the Year of Registration and the Registration Number in Form-III .

**7. Register of Societies.** - (1) The District Registrar shall cause to be maintained an alphabetical index of the Societies registered by him in Form -IV.

(2) The District Registrar shall thereafter assign a page or pages for each Society in the register of Societies in Form -V and maintain the same updated at all times in terms of the provisions contained in sub section (1) of section 9 of the Act.

**8. Registration number for an existing Society.** - [(1) Every existing Society shall apply to the District Registrar for allotment of a new registration number in Form-VI within a period of two years from the date of coming into force of the Act without any fee or within next thirty six months on payment of fee set out in the Schedule of fees contained in Appendix-I in terms of provisions contained in sub section (4) of section 9 of the Act. The Society shall file application and submit the requisite documents alongwith a certificate from the office bearer duly authorized by the Governing Body to the effect that the Memorandum and the Bye-laws of the Society, as being presented before the District Registrar, conform to the provisions of the Act and the rules made thereunder.]

(2) After scrutiny of the application and the documents filed by the existing Society, the District Registrar shall allot a new registration number under rule 6 and issue a fresh certificate of registration in Form-VII.

(3) All applications received for allotment of a new registration number may be examined and kept separately. The process of allotment of new registration numbers shall commence after expiry of the period of one year or the extended period, if any.

**9. Change of Registered Office.** - (a) **Within the same district** -

(1) The information pertaining to change of registered office of a Society shall be filed with the District Registrar in Form-VIII alongwith a certified copy of the resolution of the Governing Body, certificate of registration in original, alongwith fee mentioned in Appendix 1 within a period of thirty days of the date of such change.

(2) The District Registrar shall take on record the change of address, make the necessary endorsement on the original certificate of registration as well as in the register of societies and return the original certificate to the Society.

**(b) outside the district** -

(1) In case of change of registered office from one district to another district, the application pertaining to change of registered office shall be filed in Form VIII-A with the Registrar of the District in which the Society is registered alongwith a certified copy of the resolution of the Governing Body, certificate of registration in original, alongwith fee mentioned in Appendix 1 .

(2) The District Registrar shall in the first instance examine the application and verify that the Society has filed all the documents and returns due from it as on the day. Upon his satisfaction, he shall record his 'No Objection' in Form VIII-B to the application and endorse the Society's original file containing all the documents, with due pagination, to his counterpart for recording the shifting of the registered office of the applicant society and issue of a new registration certificate. The District Registrar shall also record such

event in the register of Societies maintained in his office and shall retain one set of the vital documents in his office. A copy of the endorsement to the District registrar of the new District shall also be sent to the applicant Society for its information;

- (3) The District Registrar of the district to which the registered office of the Society has been resolved to be shifted shall, on receipt of the document file of the Society from his counterpart, take on record the said documents and issue a fresh certification of registration to the Society within a period of thirty days from the date of receipt of documents while retaining the year of its registration intact as per the format in Form VIII-C.

**10. Change in name. - (a) By the Society of its own-**

- (1) The General body shall pass a special resolution authorizing any office-bearer or member of the Governing Body of the Society to make an application to the District Registrar for approval of an alternate name as per procedure prescribed for approval of name under rule 3.
- (2) Upon approval of the new name, the applicant shall file an application in Form - IX for change of name along with the fee as set out in Schedule of fee in Appendix-I, and the District Registrar shall allow and register the same in terms of provisions contained in sub-section (1) of section 12 of the Act and shall issue a fresh certificate of registration in Form IX-A.

**(b) By the order of Registrar -**

- (1) Where the Registrar issues directions to a Society for change of its name in terms of sub-section (1) of section 13 of the Act, the Governing Body shall place such directions before the General Body or Collegium, as the case may be, for implementation of such directions and passing a special resolution for change of name of the Society as directed by the Registrar.
- (2) The General body or Collegium shall pass a special resolution authorizing any office bearer or member of the Governing Body to make an application in Form-IX to the District Registrar for approval of an alternate name as per procedure laid down under rule 3.
- (3) Upon approval of the alternate name, the authorized representative shall file an application for change of name, which shall be allowed by the District Registrar, who shall issue a fresh certificate of registration in Form IX-B.

**11. Admission of members and Issue of Identity cards. -** (1) Every Society shall prescribe in its byelaws the manner of application for admitting members to the Society and the competent authority to decide such applications as per Form-X. The payment of membership fee shall be made by the applicant from his bank account through a Bank Instrument (Demand Draft/Pay Order/Cheque) and in no case be accepted in cash.

(2) Every Society shall issue an identity card to every person admitted as a member containing the particulars given in Form-XI in terms of section 17 of the Act. The Society may decide about the validity or renewal of such identity card at such intervals as deemed appropriate.

**12. Register of members.** - The register of members in terms of sub section 1 of section 18 shall be maintained by the Society in Form-XII. In case the total number of members is more than 300, it shall prescribe in its byelaws the constitution of electoral colleges and shall, in addition, maintain a register of the electoral colleges and the members elected by each of such electoral colleges in Form-XIII and register of collegium in Form-XIV.

**13. Filing of list of members.** - Every Society shall file an updated list of members with the District Registrar, separately showing inclusions and deletions, if any, during the preceding financial year in Form-XV within sixty days of the close of the financial year in compliance of the provisions contained in sub-section (3) of section 18 of the Act, in physical or electronic mode.

**14. Settlement of membership disputes.** - Where the District Registrar decides to verify the credentials and genuineness of members in exercise of powers conferred under sub-section (5) of section 21 of the Act, he shall follow the process as under: -

- (i) in case the number of members is less than one thousand, cause individual notices to be sent to such members by registered post at the address contained in the register of members maintained by the Society in the first instance calling upon them to appear before him along with supporting identity documents as per the schedule (date and time) as may be indicated in such notice;
- (ii) where the number of members whose credentials are to be verified exceeds one thousand, cause the issue of a public notice addressed to the members indicating his decision to verify the genuineness of the members with a view to informing them to appear before him at such time and place as to be indicated in the individual notices;
- (iii) take a decision on accepting the genuineness or otherwise of the members appearing before him;
- (iv) after completing the process under sub-clause (i) above and with a view to informing the left out members, he shall cause another public notice to be issued, which shall be a second opportunity, calling upon all the left out members to appear before him as per the schedule indicated therein;
- (v) where a member is not able to present himself in person on the date so fixed by the District Registrar, for whatsoever reasons, his name shall be included in a list of defunct members with no voting rights for a period of one year. The membership in such case may be revived and activated as soon as he appears in person before the District Registrar within such period of one year. In case the member does not appear in person before the District Registrar in spite of two opportunities granted to him, his name shall be struck off the register of members;
- (vi) the proceedings under this rule shall be conducted at the expense of the Society.

**15. Contents of the Memorandum of Association and Bye-laws.** - The contents of the Memorandum and the Bye-laws shall be prepared in accordance with the provisions contained in sections 24 and 25 of the Act. The Society shall generally follow the model memorandum and the byelaws set out in Appendix-I, II and III of these rules.

Provided that a Society may include or exclude any or all such provisions in its bye laws as required keeping in view the nature and scope of its activities and operations, and which may or may not find a mention in the model byelaws subject to the condition that such additions or omissions are not inconsistent with the provisions of the Act and these rules.

**16. Quorum for the Meetings.** - Sub-section (3) of Section 29 of the Act provides for the quorum for meetings of the General Body/ Collegium to be not less than 40% of the total members of the Society. In case the minimum stipulated quorum is not present in the meeting of the General Body/ Collegium so convened, the meeting shall be adjourned to another date, of which a proper notice shall be issued.

**17. Procedure for amendment.** - (1) Any amendment in the Memorandum and the Bye laws resolved by the Society shall be filed in the office of the District Registrar in terms of sub-section (3) of section 26 in Form-XVI alongwith the fee mentioned in Appendix 1 prescribed fee and certified copy of the Special Resolution.

(2) The District Registrar shall register such amendment in terms of sub-section (3) of section 26 and communicate the same to the Society in Form XVI-A.

(3) In case the District Registrar refuses to register the said amendment, he shall communicate the reasons for such rejection to the Society within the time specified therefor.

**18. Determination of electoral colleges.** - (1) Where a Society has more than **one thousand** members and it is required to constitute electoral colleges in accordance with sub-section (3) of section 32 of the Act, it shall decide on the number of electoral colleges, not exceeding three hundred, to be created so as to include maximum participation of members. The number of electoral colleges should be at least five times the number of members (including the office-bearers) of the Governing Body . Guidelines and Illustrations given in Appendix-2 may be referred for guidance purposes in this behalf.

(2) the constitution of an electoral college may be determined by a Society following any one or a mix of the following criteria,

- (a) on the basis of straight numbers, i.e. Membership No. 1 to 30 constituting one college, Membership No. 31 to 60 constituting another College and so on and so forth; or
- (b) on the basis of geographical spread of the members i.e. members residing in Ward 1 & 2 of a Municipal Town or Villages 'X' 'Y' and 'z' constituting one electoral college and so on and so forth; or
- (c ) on the basis of professional or qualification criteria i.e. an electoral college consisting of Advocates, another college consisting of Professionals (Doctors, CAs, Engineers, Architects etc.), still another college consisting of Post- graduates, another college consisting of graduates, another consisting of persons belonging to the teaching profession, another one consisting of social workers and so on and so forth, or
- (d) On the basis of sizes/ categories of dwelling units in the case of Societies formed in pursuance to the Haryana Apartment Ownership Act (Illustration 4 in Appendix-2 may be referred).

**19. Filing the copy of Register of Governing Body.** - (1) Every Society shall maintain a register showing the names, addresses and occupations of the persons appointed/ elected as the office-bearers/members of the Governing Body in Form No. XVII and shall file a list of elected office bearers/ members of Governing Body with the District Registrar within a period of thirty days from the date of appointment or election of office bearers as required under clause (i) of sub section (4) of section 33 of the Act.

(2) Every change in the members of the Governing body shall be filed with District Registrar in Form XVII-A within thirty days from the date of such change as required under clause (ii) of sub section (4) of section 33.

(3) Every Society shall file an annual return of updated list of officebearers/ members of the Governing Body with the District Registrar, separately showing inclusions and deletions, if any, during the preceding financial year in Form XVII-B, within sixty days of close of the financial year in compliance with the provision contained in clause (iii) of sub section (4) of section 33 of the Act.

**20. Remuneration or the Honorarium.** - Remuneration or the Honorarium to be paid to the Administrator/ Returning Officer/ Observer/ the adhoc Committee/ and the members of the Committee constituted to assist the Administrator -

***A. In case of appointment of the Administrator/ Returning Officer/ Observer/ Adhoc Committee by the District Registrar under sub-sections (10) and (11) of section 39 of the Act:***

- (1) Wherever the person appointed as the Administrator/ Returning Officer/ Observer is in active service of the Government or a statutory body, he shall not draw any remuneration but may be paid honorarium for such additional responsibilities. However, where a retired person is appointed as the Administrator, he may be paid remuneration for his services.
- (2) The remuneration or honorarium under sub-rule (1) above may be decided and determined to be paid either on lump-sum basis or on monthly basis linked with the deliverables, as considered appropriate and justified.
- (3) The remuneration or the honorarium, as the case may be, shall be determined by a Committee comprising of the following:-
  - (i) Deputy Commissioner of the concerned district as Chairman;
  - (ii) Sub-divisional Magistrate as Member;
  - (iii) District Registrar, as the Member-Secretary.
- (4) While determining the remuneration or the honorarium, the Committee shall take into account the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay. However, such remuneration for an Administrator should generally not exceed the last pay drawn by him minus the pension in the case of a retired person and the honorarium should not exceed 20% of the gross pay of a serving person.

- (5) Similarly, the Committee headed by the Deputy Commissioner may also determine the remuneration/ honorarium for the members of an Adhoc Committee, wherever appointed, keeping in view the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay.

***B. In case of appointment of the Administrator/ Returning Officer/ Observer/ a Committee to assist the Administrator by the Registrar General under sub-section (3) of Section 56 of the Act and sub-section(4) of section 68 of the Act:***

- (1) Wherever the person appointed as the Administrator/ Returning Officer/ Observer is in active service of the Government or a statutory body, he shall not draw any remuneration but may be paid honorarium for such additional responsibilities. However, where a retired person is appointed as the Administrator, he may be paid remuneration for his services.
- (2) The remuneration or honorarium under sub-rule (1) above may be decided and determined to be paid either on lump-sum basis or on monthly basis linked with the deliverables, as considered appropriate and justified.
- (3) The remuneration or the honorarium, as the case may be, shall be determined by a Committee comprising of the following;
- (i) Registrar General of Societies as the Chairman;
  - (ii) Registrar of Societies, as the Member-Secretary;
  - (iii) Sr. Accounts Officer in the Office of Director Industries & Commerce.
- (4) While determining the remuneration or the honorarium, the Committee shall take into account the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay. However, such remuneration for an Administrator should generally not exceed the last pay drawn by him minus the pension in the case of a retired person and the honorarium should not exceed 20% of the gross pay of a serving person.
- (5) Similarly, the Committee headed by the Registrar General may also determine the remuneration/ honorarium for the members of the Committee appointed to assist the Administrator, wherever appointed, keeping in view the nature of responsibilities, the size of operations of the Society, the time and effort required to manage the affairs of the Society, the Society's financial position and its capacity to pay.

**21. Books of Accounts.** - Every Society shall keep and maintain the following books of accounts, namely:-

- (i) cash book showing daily receipt and expenditure, and the balance at the end of each day;

- (ii) receipt book, containing forms in duplicate/ counter-foils, one of each set to be issued with details for money received by the Society and other to serve as counterfoil;
- (iii) voucher's file, containing all vouchers for contingent and other expenditure incurred by the Society, numbered serially and filed chronologically;
- (iv) ledger showing consolidated and separate account of all items of receipt and expenditure;
- (v) any other books/ registers/ sub-ledgers as deemed appropriate by the Governing Body.

**22. Writing of Accounts.** - (1) Every entry in the books of account required to be kept in terms of section 47 of the Act shall be made as and when any transaction takes place.

(2) On receipt of any money, in cash or by cheque or any other instrument, a receipt recording the purpose of such receipt (e.g. membership fee or annual subscription or donation etc.) shall be prepared by the Society immediately and delivered to the payer.

(3) Any voucher, duly signed by the payee in token of any payment or expenditure incurred, shall be obtained by the Society at the time any payment is made to him and such voucher shall be immediately filed in the file maintained for the purpose.

**23. Verification of accounts, returns and registers.** - The accounts, returns and registers of the Society specified in the Act and these rules shall be verified by any two office-bearers/ members of the Governing Body of the Society and in each such account, return and register, the following declaration shall be endorsed by such office-bearers/ member of Governing Body in token of the verification, namely :-

***"We declare that the particulars furnished above are true and correct to the best of our knowledge and belief."***

**24. Adoption of Annual Accounts and filing of documents.** - (1) Every Society shall hold its Annual General Meeting within a period of six months of the close of the financial year for approval and adoption of its duly audited annual accounts.

(2) The annual return of the list of members of the Society as specified under subsection (3) of section 18 and clause (i) of sub-section (1) of section 50 shall be filed in Form-XV within a period of sixty days of the close of the financial year or thirty days after holding the Annual General Meeting, whichever is earlier, alongwith fee as mentioned in Appendix 1.

(3) The annual return of the list of members of the Collegium as specified under clause (ii) of sub-section (1) of section 50 shall be filed in Form-XIV within a period of thirty days of holding the Annual General Meeting of the Society.

(4) The annual return of the list of office-bearers and members of the Governing Body, as specified under clause (iii) of sub-section (1) of section 50 shall be filed in Form-XVII within a period of thirty days of holding the Annual General Meeting of the Society.

(5) An annual report on the working of the Society by the Governing Body duly certified by the President and Secretary.

(6) A copy each of the balance-sheet, receipt expenditure statement and the auditor's report duly certified by the auditor, and

(7) A copy of the special resolution, as and when passed.

(8) In case a Society fails to file any document or return within the period specified in the Act, it may file such documents within further period on payment of fine as mentioned in Schedule B of Appendix 1.



**25. Amalgamation and Division of a Society.** - (1) Where one or more Societies resolve to amalgamate themselves into one Society in accordance with the provisions contained in sub-section (1) of section 51, or a Society resolves to divide itself into two or more societies in accordance with the provisions contained in sub-section (2) of section 51 of the Act, the said Societies or Society shall prepare a Scheme of amalgamation or division, as the case may be. Such a scheme of amalgamation or division shall, inter alia, contain the following, namely:-

- (i) name and address of the Society, its Governing Body and objects;
- (ii) the financial position i.e. assets & liabilities of the Society as at the close of financial year immediately preceding supported by the audited annual accounts for the last three financial years;
- (iii) the grounds, objects and rationale in support of the proposal;
- (iv) details of the proposal of amalgamation or division, as the case may be;
- (v) details of pending litigation for and against the respective Societies, if any;
- (vi) consent of the secured creditors, if any;
- (vii) a copy of resolution of the Governing Body supporting the move;
- (viii) a copy of the special resolution of the General Body/Collegium, as the case may be;
- (ix) area of operation of the amalgamated Society /sub-divided Societies along with their relationship with the parent/ apex Society, if any;
- (x) settlement of all pending claims/ liabilities and a certificate from the Governing Body to that effect.

(2) An application in Form-XVIII in triplicate shall be filed by the authorised officebearer/ member of the Governing Body to the Registrar.

(3) The Registrar shall, thereafter, pass appropriate orders on the proposal for amalgamation or division of the Society, as the case may be, and convey the same to the applicant Society with a copy to the District Registrar.

(4) The applicant Society shall file a copy of the orders of the Registrar along with the following documents with the District Registrar for registration, namely ;

- (i) a certified copy of Memorandum and byelaws of the amalgamated Society or the divided Societies;
- (ii) list of members and office bearers of such Society;
- (iii) prescribed fee as mentioned in Appendix 1.

(5) The District Registrar shall cancel the registration of the amalgamating Societies and shall issue a certificate of registration of the new Society. Similarly, in case of division, he shall register the new Societies created by way of division.

(6) In case the amalgamating Societies are registered with different District Registrars, the newly amalgamated Society shall be registered by the District Registrar where the Society resolves to maintain its registered office.

**26. Inspection and grant of copies thereof.** - Any person can inspect any document kept by the Registrar after payment of fee as mentioned in Appendix 1 and obtain copies thereof after depositing the fee as mentioned in Appendix 1.

**27. Qualifications of a Returning Officer and/or Observer.** - Where an Adhoc Committee or Administrator is appointed by the District Registrar in exercise of powers under sub-section (10) of section 39, and it is considered expedient by the District Registrar on a request from the Society (i.e. the Administrator or the adhoc Committee) to appoint an observer to oversee the proceedings of the meeting of General Body or Collegium, and/ or a Returning Officer for conducting the elections of the Collegium or the Governing Body, he may appoint returning officer or observer, who shall be an officer gazetted or equivalent, serving or retired officer of the State or Central Government/ any statutory authority to discharge such duties.

**28. Amount of Remuneration.** - The maximum remuneration or honorarium for a Returning Officer may be fixed by the committee constituted in accordance with rule 20 (A) (3) of these rules, while it may be fixed at an all inclusive amount not exceeding Rs. 1,000/- in case of an observer. These expenses shall be borne by the Society concerned.

**29. Qualifications of the members of a Committee to assist the Administrator.** - (1) Where an Administrator is appointed by the Registrar General in exercise of powers under sub-section (2) of section 56, or the Government in exercise of powers under sub-section(1) of section 68 of the Act, and there is need for appointment of a Committee to assist the Administrator, the concerned authority may appoint such committee, if considered expedient or on the request of the Administrator, as the case may be, to assist the Administrator in managing the affairs of the Society.

(2) The Committee appointed under sub-rule (1) above may comprise of such number of members as is minimally required, but not exceeding five in all.

(3) The members of the Committee may preferably be drawn from the area in which the Society carries out its operations and should be persons of eminence with established credentials in public life. The Committee may also include subject experts in Legal and Accounts matters (such as a practising Advocate and/ or a practising Chartered Accountant or a person having retired with experience in accounting and administrative matters). The Registrar General may generally avoid appointing any such person as a member of the Committee who may have direct interest in the affairs of the Society.

**30. Interpretation and Clarification.** - In the event of a need for an interpretation of any of the provisions under these rules or lack of clarity or ambiguity in any provision contained in these rules, or any situation not having been specifically addressed under these rules, the Government shall be competent to issue the requisite interpretation, clarification or address any unforeseen situation by way of a Government Order.

**31. Schedule of fees.** - The fees payable for various purposes defined under the Act and the Rules made there under are prescribed in schedule of fees in Appendix -1.

## ***Part - II***

### **Schedules and Forms**

#### **Appendix -1**

##### **A. Schedule of Fees**

**[rule 3(1) rule 4, rule 8(1), rule 9(a) (1), 10(a) (2), rule 15, rule 17(1), rule 24(8), 25(4) (iii)]**

**Schedule of fees payable for different purposes as prescribed under Section 82 of the Haryana Registration and Regulation of Societies Act, 2012**

| <b>Schedule of Fees and Charges</b> |   |                  |
|-------------------------------------|---|------------------|
| <b>Sr. No.</b>                      | <b>Purpose</b>  | <b>Fee (INR)</b> |
| 1                                   | For approval of name of the Society   | Rs. 100/-        |
| 2                                   | For registration of Society, including registration on amalgamation and division of societies   | Rs. 2500/-       |
| 3                                   | For filing annual return, balance sheet etc.  | Rs. 500/-        |
| 4                                   | For inspection of documents in the custody of the Registrar/District Registrar                  | Rs. 200/-        |
| 5                                   | For making or granting copies of any entries or documents before or after registration          | Rs. 5/- per page |
| 6                                   | For filling of appeals, petitions etc.  | Rs. 1000/-       |
| 7                                   | For filing a petition under sub-section (1) of Section 21 of the Act                            | Rs. 500/-        |
| 8                                   | For alterations or amendments in the Memorandum of Association, Byelaws and name of the Society | Rs. 500/-        |
| 9                                   | For filing membership Return of the Society along with additions/ deletions, if any.            | Rs. 200/-        |
| 10                                  | For change of registered office of the society  | Rs. 500/-        |
| 11                                  | For filing or recording or registering any other document.                                      | Rs. 100/-        |

#### **B. Schedule of Fines & Penalties**

**Schedule of fines and penalties payable for different purposes as prescribed under Section 50 of the Haryana Registration and Regulation of Societies Act, 2012**

| <b>Schedule of Fines &amp; Penalties</b> |   |  |                    |
|--|---|--|--------------------|
| <b>Sr. No.</b>                           | <b>Name of the document to be filed</b> | <b>Due Date</b>  | <b>Fee Payable</b> |
| (a)                                      | List of Members                         | 60 days of the close of the FY or 30 days of the AGM, whichever is earlier | Rs. 200/-          |

|     |                                     |  |
|-----|-------------------------------------|--|
| (b) | If filed within next 60 days        | Rs. 200 + Rs. 100 =<br>Rs. 300/-   |
| (c) | If filed within the next 120 days   | Rs. 300/- + Rs. 10/-<br>for delay of per day<br>per document                       |
| (d) | If filed within next 120 days       | Amount due under<br>Sr. No. (c) + Rs. 20/-<br>for delay of per day<br>per document |
| (e) | Non filling of<br>returns/documents | Penalty as per<br>chapter XV of the<br>Act.  |

**Note:**

1. The prescribed fee shall be payable through a Treasury Receipt made to the Head of Account \_\_\_\_\_
2. All fees and charges may be required to be paid online after implementation of e-Governance solutions, which shall be duly notified by the Government.

## **Appendix -2**

### **General Guidelines and illustrations for determination of the number of electoral colleges and its relationship with the constitution of the Governing Bodies**

(Reference rule 18)

**General Guidelines:**

1. An existing Society, with more than [1000] members, shall be required to carve out electoral colleges in accordance with the provisions contained in Section 32 of the Act read with rule 18, unless it opts to exercise other options available under subsection (1) of section 30 and sub-section (1) of section 32 of the Act. Carving out of electoral colleges may involve two major challenges i.e. determination of the electoral colleges and the allocation of members to an electoral college. The Governing Body of such Society is expected to define the criteria for creation of the electoral colleges. It is for the Governing Body of the Society to determine the same and also introduce a process of settling any objections from the members. However, once finalized, the constitution of an electoral college should remain intact for all times to come and the inter-se allocation of members should not change unless there is outgo and fresh induction of members in respect of an electoral college. Once finalized, these shall become a part and parcel of the byelaws of a Society.
2. Where a Society, registered after the coming into force of this Act, decides to keep its membership at more than [1000], it shall prescribe the mode and manner of creation of its electoral colleges and the method and process of allocation of members to an electoral college in its byelaws.

**3. Illustrations:**

**Illustration 1:**

Suppose a Society has 21,000 members and it decides to constitute a Collegium consisting of 300 members which shall entail creation of 300 electoral colleges. Normally, each of the electoral colleges should comprise of an average number of  $21,000/300 = 70$  members. However, the Society may carve out 70 electoral colleges in a manner that the number of members of an electoral is within +/- (10%) of the average number.

**Illustration 2:**

Suppose a Society has 10,000 members and it decides to constitute a Collegium consisting of 250 members which shall entail creation of 250 electoral colleges. Normally, each of the electoral colleges should comprise of an average number of  $10,000/250 = 40$  members. However, the Society may carve out 40 electoral colleges in a manner that the number of members of an electoral college is within +/- (10%) of the average number.

**Illustration 3:**

Suppose a Society has 1,000 members and it is required to constitute a Collegium. The Byelaws of the Society also provide for a Governing Body of 21 members (including the office-bearers). In such a case, the strength of the Collegium must not be less than 5 times of the strength of the Governing Body i.e. 105. In case the Governing Body consists of 11 members (including the office-bearers), the Collegium must comprise of no less than 55 electoral colleges i.e. five times of the strength of the Governing Body.

**Illustration 4: In the case of a Group Housing Society**

There is a Group Housing Society comprising of about 900 members. The Complex has common infrastructure facilities even though it may have, say, four different categories of dwelling units depending on the size of such dwelling Units. Such a Society shall have the following options:

(a) The Society shall have four distinct groups of members, say, 'A', 'B', 'C' and 'D' categories, linked with the sizes of dwelling Units. Further, 'A' category may have 120 DUs, 'B' category may have 240 DUs, 'C' Category may have 360 DUs, and 'D' category have the balance 180 DUs. The Society may decide to constitute a Collegium consisting of 300 members, i.e. an electoral college of 3 members each ensuring proportionate representation to each group. In case the Society decides to create a Collegium of 180 members, the proportionate representation shall be based on 5 members. In order to ensure that each of the Groups is also represented on the Governing Body, the Society may decide to earmark the number of positions of the Governing Body to include representatives of each Group on the Governing Body; or

(b) To divide itself into more than one society under sub-section (2) of section 51 of the Act, each based on the size of dwelling Units. In such a case, there may be one parent Society for the housing complex as a whole to look after the management of common indivisible infrastructure facilities and services and the individual societies of each group may be responsible for management of the common services for each group. There shall have to be a relationship defined between the Parent Society and the individual societies in such a case in order to meet the corresponding responsibilities for the common services and obligations. The elected/ nominated representatives from the different Societies shall constitute the Governing Body of the Parent Society in such case.

**Form-I**

**Application Form for approval of Name  
(See sub-rule (1) of rule 3)**

To

The District Registrar of Societies,

.....  
.....

**Subject: Approval of name for the proposed Society**

Sir,

We, the following persons are desirous of forming a Society to be registered under the Haryana Registration and Regulation of Societies Act, 2012 in district-of the State of Haryana.

1. Name and full address of the person(s) applying for the availability of the name (in block capitals).

| Sr. No. | Name of the Person/Applicant | Occupation | Date of Birth | Address | Signatures |
|---------|------------------------------|------------|---------------|---------|------------|
| i)      |                              |            |               |         |            |
| ii)     |                              |            |               |         |            |
| iii)    |                              |            |               |         |            |
| iv)     |                              |            |               |         |            |

2. Proposed name of the Society:

| Sr. No. | Proposed name of the Society | Order of Priority |
|---------|------------------------------|-------------------|
| i)      | First                        |                   |
| ii)     | Second                       |                   |
| iii)    | Third                        |                   |

3. Main object of the proposed Society

|  |
|--|
|  |
|--|

4. Address of the proposed registered office

|  |
|--|
|  |
|--|

5. Particulars and results of any application moved to this or any other Registrar previously for approval of name.

|  |
|--|
|  |
|--|

6. Particulars of remittance of fee (Draft/IPO)

| Amount (in Rs.) | DD/ Cheque/Cash | No. & Date | Name of the Bank |
|-----------------|-----------------|------------|------------------|
|-----------------|-----------------|------------|------------------|

Signature of the authorized representative of the applicants  
(Name in Block Capitals)  
Correspondence address

\_\_\_\_\_  
\_\_\_\_\_

Place: \_\_\_\_\_  
Dated: \_\_\_\_\_

**Form 1-A**  
**Approval of Name**  
**(See sub-rule (2) of Rule 3)**

From  
District Registrar of Societies,

To  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Memo. No. \_\_\_\_\_ Dated \_\_\_\_\_

Subject :- Approval of name of the Society  
Dear Sir,

Kindly refer to your application dated \_\_\_\_\_ for approval of name of your proposed society. Having examined the same, I am pleased to inform you that the following name has been approved against your application, namely:-

2. This approval shall remain valid for a period of 180 days from the date of issue of this letter, whereafter the same shall lapse.

3. Accordingly, you may take further necessary steps for the registration of the Society within a period of 180 days from the date of issue of this letter.

(sd/-)  
(Name of the authorised officer/ official)  
for District Registrar \_\_\_\_\_.

**Form-II**  
**Application for Registration of Society**  
**(See rule 4)**

From

To

The District Registrar of Societies,

\_\_\_\_\_  
**Subject: Application for registration of a Society under the Haryana Registration and Regulation of Societies Act, 2012**  
Sir,

Pursuant to approval of the name of our Society intimated vide your office letter No. \_\_\_\_\_ dated \_\_\_\_\_, we have formed the said Society named as \_\_\_\_\_ on \_\_\_\_\_.

2. I enclose herewith the following documents:

- (i) Copy of name approval letter;
- (ii) Memorandum of Association;
- (iii) Bye-laws of the Society;
- (iv) List of members of the Society alongwith address;
- (v) Copy of Resolution of the Society authorizing the undersigned to submit this application;
- (vi) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the registration fee.

3. I am a member of the Governing Body/ Managing Committee/ Executive Committee (strike out whatever is not applicable) of the Society and have been duly authorised in this behalf by the Society.

4. It is certified that the Memorandum and the Byelaws of the Society, as being presented before you, are conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules framed there under.

5. It is further certified that the registered office of the Society shall be as under and all future correspondence may be addressed to the Society at its said registered address:

Please provide the following details under this description:

- Name & Complete Address of the Society with PIN Code;
- Name and contact details (Tel No. and Email ID of the Society/authorized signatory)

6. Accordingly, it is requested that the Society may be registered and the Certificate of Registration issued.

(Signature of the applicant)  
(Name of the Applicant)

Address \_\_\_\_\_  
\_\_\_\_\_

Date :  
Place :

### Form-III

#### **Certificate of Registration to be issued under Section 9(1) of the Haryana Registration and Regulation of Societies Act, 2012 (See rule 5 and rule 6)**

#### **Certificate of Registration of Society**

I hereby certify that a Society bearing the Registration Number and name as undermentioned has been registered this \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year under the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No. 1 of 2012).

|               |                  |                         |                        |
|---------------|------------------|-------------------------|------------------------|
| State<br>code | District<br>Code | Year of<br>Registration | Registration<br>Number |
|---------------|------------------|-------------------------|------------------------|



|                     |   |  |  |  |   |   |                           |  |   |   |  |  |  |  |
|---------------------|---|--|--|--|---|---|---------------------------|--|---|---|--|--|--|--|
| H                   | R |  |  |  | 2 | 0 | 1                         |  | 0 | 0 |  |  |  |  |
| Name of the Society |   |  |  |  |   |   | Registered Office Address |  |   |   |  |  |  |  |

Issued under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year) \_\_\_\_\_

\_\_\_\_\_  
(Signature of the District Registrar)

Seal:  
Station:

#### Form -IV

**Index of Register of Societies to be maintained by the District Registrar under section 9(1) of the Haryana Registration and Regulation of Societies Act, 2012**  
(See sub-rule (1) of rule 7)

| Form of Index to the Register of Societies |                     |                      |                     |  |
|--|---------------------|----------------------|---------------------|--|
| Sr. No.                                    | Name of the Society | Date of Registration | Registration number | Volume and Page No. of the Register of Societies |
|  |                     |                      |                     |  |
|  |                     |                      |                     |  |

#### Form - V

**Register of Societies to be maintained by District Registrar under Section 9(1) of the Haryana Registration and Regulation of Societies Act, 2012**  
(See sub-rule (2) of rule 7)

**Format of the page(s) assigned to a Society in the Register of Societies**

1. Serial No. (as in the Index)
2. Name of the Society:
3. Registration No.:
4. Date of Registration:
5. Address of the Registered office:
6. Main Objects:
7. *Date of first meeting of General Body:*
8. *Number of members of the General Body:*
9. *Number of Members of the Governing Body:*

| Details of Documents Registered or Filed |                        |                  |  |  |
|--|------------------------|------------------|--|--|
| Date                                     | Serial number and year | Name of document | Whether registered and taken on record or rejected | Name and signatures of the District Registrar or |
|  |                        |                  |  |  |

|   |   |   |   |                           |
|---|---|---|---|---------------------------|
|   |   |   |   | his authorized<br>officer |
| 1 | 2 | 3 | 4 | 5                         |

**Form - VI**

**Application for allotment of new registration number by an existing Society under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012  
(See sub-rule (1) of rule 8)**

From

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To

The District Registrar of Societies,

\_\_\_\_\_  
No. \_\_\_\_\_ Dated: \_\_\_\_\_

**Subject: Application for allotment of new registration number to the existing Society under the Haryana Registration and Regulation of Societies Act, 2012**

Sir,

Pursuant to the provisions of section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012, I \_\_\_\_\_, President/ Secretary of \_\_\_\_\_ Society having registration No. \_\_\_\_\_ dated \_\_\_\_\_, duly authorized by the Governing body of the society vide resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby apply for allotment of a new registration number.

2. I enclose herewith the following documents, namely:-

- (i) An attested copy of the registration certificate;
- (ii) Memorandum of Association;(old or new or both as applicable)
- (iii) Bye-laws of the Society;
- (iv) List of members of the Society;
- (v) List of members of the governing body;
- (vi) Copies of audited balance sheet/ annual accounts for the last three financial years;
- (vii) Copy of Resolution of the Society authorizing the applicant to submit this application;
- (viii) Copy of the Treasury Receipt/ Voucher dated-----for an amount of Rs. \_\_\_\_\_ towards fee. (Required to be paid only if this application is being filed after expiry of one year from the date of coming into force of the Haryana Registration and Regulation of Societies Act, 2012)

3. It is certified that the Memorandum and the Byelaws of the Society, as being presented before you, are conforming to the model byelaws and the provisions of the Haryana Registration and Regulation of Societies Act, 2012.

4. It is further certified that the registered office of the Society shall be as under & all future correspondence may be addressed to the society at its said registered address, namely:-

Please provide the following details under this description:

- Name & Complete Address of the Society with PIN Code; (Existing as well as New)
- Name and contact details (Tel No. and Email ID of the Society/authorized signatory)

5. It is requested that the Society may be allotted a new registration number and a fresh Certificate of registration be issued.

(Signature of the applicant)  
(Name of the Applicant)

Date :  
Place :

### Form-VII

#### Revised Certificate of Registration issued under Section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012 upon allotment of a new registration number

(See sub-rule (2) of rule 8)

#### Revised Certificate of Registration of Society

I hereby certify that \_\_\_\_\_ (name of the society) registered vide registration number \_\_\_\_\_ on \_\_\_\_\_ Registered with District Registrar \_\_\_\_\_ has been allotted a new Registration Number as undermentioned on this \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year under the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No. 1 of 2012).

| State code          |   | District Code |  | Year of Registration |   |                           | Registration Number |   |  |  |
|---------------------|---|---------------|--|----------------------|---|---------------------------|---------------------|---|--|--|
| H                   | R |               |  | 2                    | 0 | 1                         | 0                   | 0 |  |  |
| Name of the Society |   |               |  |                      |   | Registered Office Address |                     |   |  |  |

Issued under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year) \_\_\_\_\_

(Signature of the District Registrar)  
Address \_\_\_\_\_

Seal:  
Station:

### Form - VIII

#### Notice of Change of the Registered Office of the Society (within the district) under Section 11 of the Haryana Registration and Regulation of Societies Act, 2012 (See sub-rule (a) (1) of rule 9)

From \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To

The District Registrar,

\_\_\_\_\_ (Station)

Sir,

You are hereby informed in terms of sub-section (2) of Section 11 of the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No. 1 of 2012) that the registered office of \_\_\_\_\_ society has been changed from

\_\_\_\_\_ (complete address as recorded in the office of the District Registrar) to

\_\_\_\_\_ (complete new address) with effect from \_\_\_\_\_ as per the resolution bearing No. \_\_\_\_\_ dated \_\_\_\_\_ of the Governing Body of the society.

2. I am enclosing herewith the following documents:-

(i) Resolution of the Governing Body

(ii) Certificate of Registration in Original

(iii) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. You are requested to take note of the change in the Registered Office address of the Society and make all future correspondence at the new address notified now.

Signature of the authorized person  
(Name and Designation of the signatory  
in relation to the Society)

Date :

Place :

**Form - VIII-A**

**Application for change of the Registered Office of the Society (outside the district)  
under Section 11 of the Haryana Registration and Regulation of Societies Act, 2012  
(See sub-rule (b) (1) of rule 9)**

From

To

The District Registrar of Societies,

\_\_\_\_\_ (Station)

Dated:

**Subject: Application for change of the registered office of the society (outside the district) under Section 11 of the Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the society), duly authorized by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby submit the application for change of registered office of the society from \_\_\_\_\_ district to \_\_\_\_\_ district under section 11 of the Haryana Registration and Regulation of Societies Act, 2012 as per details given below:

| Particulars of the Society |  |  |
|----------------------------|--|--|
| 1                          | Name of the Society  |  |
| 2                          | Registered Office Address  |  |
| 3                          | Registration Number  |  |
| 4                          | Date of Registration   |  |
| 5                          | Date of Meeting of the Governing Body                                      |  |
| 6                          | Date of Meeting of General Body/Collegium                                  |  |
| 7                          | Reason for change of registered office                                     |  |
| 8                          | District in which the registered office is proposed to be changed          |  |
| 9                          | Complete address of the registered office in the new district after change |  |

2. I enclose herewith the following documents:

(i) Certificate of Registration in original.

(ii) Copy of the resolution passed by the Governing Body;

(iii) Proof of location and society's right to use such place as its registered office in the new district;

(v) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the change of registered office of the society, as being presented before you, is conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules framed there under.

4. It is further certified that the registered office of the Society changed outside the

district shall be as under and all future correspondence may be addressed to the society at its said registered office address:

Please provide the following details under this description:

- Name & Complete Address of the Society with PIN Code;
- Name and contact details (Tel No. and Email ID of the Society/authorized signatory)

5. Accordingly, it is requested that the change of registered office of the society from district \_\_\_\_\_ to the district \_\_\_\_\_ may be considered for recommendation to your counterpart in the new district for issue of the requisite certificate.

(Signature of the applicant)

(Name of the Applicant)

Date :

Place :

**Form - VIII-B**

**No Objection Certificate and endorsement for change of the Registered Office of the Society under Section 11 of the Haryana Registration and Regulation of Societies Act, 2012**

**(See sub-rule (b) (2) of rule 9)**

From

District Registrar,

To

The District Registrar,

Memo No. \_\_\_\_\_ Dated \_\_\_\_\_

Subject :- Application of \_\_\_\_\_ (Society's name) for change of its registered office from \_\_\_\_\_ to \_\_\_\_\_: regarding.

Dear Sir,

This is with reference to the application dated \_\_\_\_\_ submitted by \_\_\_\_\_ Society for change of its registered office from \_\_\_\_\_ (exact address) to \_\_\_\_\_, which is situated in your jurisdiction.

2. Having verified the details and particulars of the applicant society and the status of the documents filed by them in this office, we hereby issue a 'No Objection' to the Society's application and endorse the same for further necessary action at your end. The original file of the said society containing \_\_\_\_\_ pages is sent herewith. This document file contains the following latest documents filed by the Society in this office:

- (i) Registration Certificate in Original;
- (ii) MOA of the Society;
- (iii) Byelaws of the Society as amended till date;

- (iv) Register of members of the Society as per the latest filing dated \_\_\_\_\_ ;
- (v) Particulars of the office-bearers and members of the Governing Body of the Society as per the latest filing dated \_\_\_\_\_ ;
- (vi) Any other documents (please specify).

3. You are requested to take the same on record, under acknowledgement to this office, take note of the new Registered Office of the Society and issue a fresh certificate of Registration in accordance with the provisions of the Act and the rules made there under. This office will strike its name from the register of societies maintained by us only after a new Certificate of Registration is issued by your office.

\_\_\_\_\_  
(Signature of the District Registrar)

Seal:  
Station:  
Endst.No.

Dated :

A copy of the covering letter is forwarded to \_\_\_\_\_ (Applicant) for their kind information and further necessary action.

\_\_\_\_\_  
(Signature of the District Registrar)

Seal:  
Station:

### Form - VIII-C

#### **New Certificate of Registration by the District Registrar consequent upon change of Registered Office from one district to another under Section 11 of the Haryana Registration and Regulation of Societies Act, 2012**

**(See sub-rule (b) (3) of rule 9)**

#### **Certificate of Change of Registered Office from one district to another**

It is hereby certified that \_\_\_\_\_ (name of the society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ at \_\_\_\_\_ (address of the registered office) district \_\_\_\_\_ under Section 9(1) and allotted new registration number \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012 and having complied with the provisions of Rule 9(b), the registered office of the society is hereby accepted to be changed to \_\_\_\_\_.

Consequent upon the change of the registered office of the said Society, its new registration number will be as under :-

| State code          |   | District Code |  |  | Year of Registration |   |   |   | Registration Number |   |  |  |
|---------------------|---|---------------|--|--|----------------------|---|---|---|---------------------|---|--|--|
| H                   | R |               |  |  | 2                    | 0 | 1 |   | 0                   | 0 |  |  |
| Name of the Society |   |               |  |  |                      |   |   | Registered Office Address in the new district |                     |   |  |  |

Existing Registration Number retained \_\_\_\_\_

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year)\_\_\_\_\_.

Date :

Place :

\_\_\_\_\_  
(Signature of the District Registrar)  
(of the new district)

**Form - IX**

**Application for change of name of the Society under Section 12(1) of the Haryana  
Registration and Regulation of Societies Act, 2012  
(See Rule 10 (a) (2)/ (b) (3))**

From

To

The District Registrar of Societies,

\_\_\_\_\_ (Station)

Dated:

**Subject: Application for change of name of the society under Section 12(1) of the  
Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of  
\_\_\_\_\_ (name of the society), duly authorized by the Governing Body vide  
its resolution No. \_\_\_\_\_ dated \_\_\_\_\_, hereby apply for change of name of the  
society under Section 12(1) of the Haryana Registration and Regulation of Societies  
Act, 2012 as per details given below:

| Particulars of the Society |  |  |
|----------------------------|--|--|
| 1                          | Name of the Societies  |  |
| 2                          | Registered Office Address  |  |
| 3                          | Registration Number  |  |
| 4                          | Date of Registration   |  |
| 5                          | Date of Meeting of the<br>Governing Body   |  |
| 6                          | Date of Meeting of General<br>Body/ Collegium  |  |
| 7                          | Reason in brief for change of<br>name  |  |
|                            | a) By the Society of its own<br>b) By the order of Registrar<br>(Give reasons to (a) and (b)<br>above as applicable) |  |



|   |  |  |
|---|--|--|
| 8 | Reference number and date vide which the proposed name has been approved |  |
| 9 | New name as approved   |  |

2. I enclose herewith the following documents:

- (i) Certificate of Registration in original.
- (ii) True Copy of resolution passed by the Governing Body ;
- (iii) True Copy of special resolution passed by the General Body ;
- (iv) True copy of the new name approval letter;
- (v) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the change of name of the society, as being presented before you, is conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012.

4. It is further certified that pursuant to the approval granted by you, the Society shall be known by the new name with its registered office as under:

Please provide the following details under this description:

- New Name & Complete Address of the Society with PIN Code;
- Name and contact details (Tel No. and Email ID of the Society/authorized signatory)

5. Accordingly, it is requested that the change of name of the society form \_\_\_\_\_ to the \_\_\_\_\_ may be approved and the necessary Certificate be issued.

Date :

Place :

(Signature of the applicant)  
(Name of the Applicant)

#### Form - IX-A

### **Certificate of Registration under sub-section (2) of Section 12 of the Haryana Registration and Regulation of Societies Act, 2012 consequent upon Change of Name of the Society by the Society of its own**

[See rule 10(a) (2)]

#### **Registration Certificate upon Change of Name**

It is hereby certified that \_\_\_\_\_ (name of the society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012 and having duly passed a

special resolution in terms of section 12(1) of the Act, the name of the society is hereby changed to \_\_\_\_\_.

2. Accordingly, the original Certificate of Registration shall be substituted by this Certificate from the date of issue:

| State code                                   |   | District Code |  | Year of Registration |   |   | Registration Number |   |  |  |
|--|---|---------------|--|----------------------|---|---|---------------------|---|--|--|
| H  | R |               |  | 2                    | 0 | 1   | 0                   | 0 |  |  |
| Name of the Society as originally registered |   |               |  |                      |   | Registered Office Address in the new district |                     |   |  |  |
| New Name of the Society                      |   |               |  |                      |   | -do-  |                     |   |  |  |

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year)\_\_\_\_\_.  
Place:

\_\_\_\_\_  
(Signature of the District Registrar)

### Form - IX-B

### **Certificate of Registration under sub-section (1) of Section 13 of the Haryana Registration and Regulation of Societies Act, 2012 consequent upon Change of Name of the Society by the order/ direction of the Registrar**

[See rule 10(b) (3)]

### **Registration Certificate upon Change of Name**

It is hereby certified that \_\_\_\_\_ (name of the society), which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012, was directed by the Registrar of Societies to change its name vide his orders bearing No. \_\_\_\_\_ dated \_\_\_\_\_.

2. That acting upon the directions of the Registrar of Societies, the said Society has resolved to change its name from \_\_\_\_\_ to \_\_\_\_\_.

3. Accordingly, the original Certificate of Registration will be substituted by this Certificate from the date of issue:

| State code                                   |   | District Code |  | Year of Registration |   |   | Registration Number |   |  |  |
|--|---|---------------|--|----------------------|---|---|---------------------|---|--|--|
| H  | R |               |  | 2                    | 0 | 1   | 0                   | 0 |  |  |
| Name of the Society as originally registered |   |               |  |                      |   | Registered Office Address in the new district |                     |   |  |  |
| New Name of the Society                      |   |               |  |                      |   | -do-  |                     |   |  |  |

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year)\_\_\_\_\_.  
Place :

\_\_\_\_\_  
(Signature of the District Registrar)

### Form - X

# Application Form for Membership of a Society

|    |                         |  |            |
|----|-------------------------|--|------------|
| To |                         |  | Photograph |
|    | The President/Secretary |  |            |
|    |                         |  |            |
|    |                         |  |            |

**Subject: Application for admission as a Member of the \_\_\_\_\_ Society.**

Dear Sir,

I wish to apply for admission as a member of \_\_\_\_\_ Society. My brief particulars are as under:

| Sr. No. | Subject   | Particulars |
|---------|---|-------------|
| 1       | Name of the Applicant   |             |
| 2       | Father's/Husband's Name   |             |
| 3       | Permanent Address:  |             |
| 4       | Correspondence Address:   |             |
| 6       | Date of Birth:  |             |
| 7       | Occupation:   |             |
| 8       | Phone No. with Code:  |             |
| 9       | Email ID  |             |
| 10      | PAN No.) (attach self attested copy, if available   |             |
| 11      | Caste, where the membership of a Society is restricted to any caste or community (Attach the Caste Certificate) |             |

2. I certify that:

- (i) I unconditionally subscribe to the aims & objects of the Society and contribute towards attainment of the same.
- (ii) I will abide by the Bye laws of the Society, as applicable and amended from time to time.
- (iii) I have not been convicted of an offence involving moral turpitude involving imprisonment.

3. I am enclosing herewith the following Documents:

- (i) Copy of \_\_\_\_\_ towards proof of Identity.
- (ii) Copy of \_\_\_\_\_ towards proof of Address.
- (iii) Copy of \_\_\_\_\_ towards proof of date of birth.

(iv) Copy of the Caste Certificate (required only where a Society has limited its membership in its Bye laws to the members of particular caste or community)

(v) DD/Pay Order/ Cheque No. \_\_\_\_\_ dated \_\_\_\_\_ for Rs. \_\_\_\_\_ drawn in favour of \_\_\_\_\_ towards membership fee.

(vi) DD/Pay Order/ Cheque No. \_\_\_\_\_ dated \_\_\_\_\_ for Rs. \_\_\_\_\_ drawn in favour of \_\_\_\_\_ towards annual subscription for the year \_\_\_\_\_.

(vii) Two passport size and one stamp size photographs.

4. I request you to kindly admit me as a \_\_\_\_\_ (Type of Membership) member of the Society.

Thanking you,

Yours faithfully

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

(Signature of the Applicant)

---

**B. Recommendations of a regular member of the Society (if provided in the byelaws):**

I recommend admission of Sh. \_\_\_\_\_ s/o \_\_\_\_\_, aged \_\_\_\_\_ years, r/o \_\_\_\_\_, as Ordinary/ Life member of the Society.

|                         |  |
|-------------------------|--|
| Signature of the Member |  |
| Name of the Member      |  |
| Membership No.          |  |
| Date                    |  |
| Place                   |  |

---

**C. Decision of the Governing Body:**

Sh. \_\_\_\_\_ s/o \_\_\_\_\_, aged \_\_\_\_\_ years, r/o \_\_\_\_\_, is admitted as Ordinary/ Life member of the Society w.e.f. \_\_\_\_\_ under membership No. \_\_\_\_\_ vide resolution bearing No. \_\_\_\_\_ in the meeting of the Governing Body held on \_\_\_\_\_. He may be issued an Identity Card of the Society & his name may be entered in the Register of Members.

**Secretary/ President**

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

**Form - XI**

**Particulars to be contained in the Identity Card to be issued under Section 17 of the Haryana Registration and Regulation of Societies Act, 2012**

(See sub-rule (2) of rule 11)

|   |
|---|
| <b>Name of the Society with logo, if any.</b> |
|---|

| IDENTITY CARD      |                 |                                     |
|--------------------|-----------------|-------------------------------------|
| I.Card No.:        |                 | Type of Membership:                 |
| Date of Birth:     |                 |                                     |
| Photograph         | Name:           |                                     |
|                    | S/o, W/o:       |                                     |
|                    | Address:        |                                     |
|                    | Membership No.: |                                     |
|                    | Date of Issue:  |                                     |
|                    | Photograph      |                                     |
| Valid upto:        |                 |                                     |
| Holder's Signature |                 | Authorised Signatory of the Society |

**Form - XII**

Register of Members to be maintained under Section 18 of the Haryana Registration and Regulation of Societies Act, 2012

(See rule 12)

1. Name of the Society:
2. Regd. Office Address:
3. Date of registration:
4. Registration number:

| Register of Members of the Society |                    |                         |                 |                     |                              |            |                   |       |                                |  |
|------------------------------------|--------------------|-------------------------|-----------------|---------------------|------------------------------|------------|-------------------|-------|--------------------------------|--|
| Sr. No.                            | Name of the member | Father's/Husband's name | Members hip No. | Type of Members hip | Full addresses of the member | Occupation | Date of enrolment | Caste | Date of resignation or removal | Remarks/Signature & date of authorised signatory |
| 1                                  | 2                  | 3                       | 4               | 5                   | 6                            | 7          | 8                 | 9     | 10                             | 11   |
|                                    |                    |                         |                 |                     |                              |            |                   |       |                                |  |

**Form - XIII**

**Register of Electoral Colleges to be maintained under Section 18 of the Haryana Registration and Regulation of Societies Act, 2012**

(See rule 12)

**Register of Electoral Colleges**

1. Name of the Society:

2. Regd. Office Address:
3. Date of registration:
4. Registration number:
5. No. of Electoral Colleges:

| <b>Register of Electoral Colleges</b> |   |   |                    |                         |                |
|---------------------------------------|---|---|--------------------|-------------------------|----------------|
| Sr. No.                               | Identity/Particulars of the Electoral College | No. of Members in the Electoral College | Name of the Member | Father's/Husband's name | Membership No. |
| 1.                                    |   |   |                    |                         |                |
| 2.                                    |   |   |                    |                         |                |
| 3.                                    |   |   |                    |                         |                |
| And so on and so forth                |   |   |                    |                         |                |

**Form - XIV**

**Register of Members of the Collegium to be maintained under sub-section (3) of section 30 of the Haryana Registration and Regulation of Societies Act, 2012**

(See rule 12)

1. Name of the Society:
2. Registered Office Address:
3. Date of registration:
4. Registration number:

|         |  |                            |                                      |  |
|---------|--|----------------------------|--------------------------------------|--|
| 1.      | Date of Election to the Collegium        |                            |                                      |  |
| 2.      | Date till when the term of the Collegium |                            |                                      |  |
| Sr. No. | Particulars of the Electoral College     | Name of the Elected Member | Membership No. of the Elected Member | Date of Cessation of Membership of the Collegium, if any |
|         |  |                            |                                      |  |
|         |  |                            |                                      |  |

**Form - XV**

**List of members of the Society along with changes therein to be filed with District Registrar under section 18(3) of the Haryana Registration and Regulation of Societies Act, 2012**

(See Rule 13)

**List of members and changes therein during the year \_\_\_\_\_**

1. Name of the Society:
2. Registered Office Address:
3. Registration No.:
4. Maximum Limit of the number of Members of the Society in its Bye-laws, if any:

| <b>A. List of members as submitted for the previous year ending March _____</b>           |                    |                |                                 |   |   |                            |
|---|--------------------|----------------|---------------------------------|---|---|----------------------------|
| Sr. No.   | Name of the Member | Membership No. | Full address of the member      | Occupation  | Date of enrollment  |                            |
| 1   |                    |                |                                 |   |   |                            |
| 2   |                    |                |                                 |   |   |                            |
| <b>B. List of members who ceased to be members during the year :</b>                      |                    |                |                                 |   |   |                            |
| Sr. No.   | Name of the Member | Membership No. | Date of Cessation of membership | Reasons for cessation (Death/Resignation/Removal) | Remarks, if removed (for non-payment of fees or any other reason) |                            |
| 1   |                    |                |                                 |   |   |                            |
| 2   |                    |                |                                 |   |   |                            |
| <b>C. List of persons admitted as new members during the years after the last filing:</b> |                    |                |                                 |   |   |                            |
| Sr. No.   | Name of the Member | Membership No. | Date of Birth                   | Date of admission                                 | Occupation  | Full address of the member |
| 1   |                    |                |                                 |   |   |                            |
| 2   |                    |                |                                 |   |   |                            |

5. This is to certify that;

- (i) the members who have been included and/or the members whose name(s) has been deleted in the register of members during the year \_\_\_\_\_ are as per the provisions of the Byelaws of the Society and the Haryana Registration and Regulation of Societies Act, 2012 and the rules made there under;
- (ii) the total number of members is within the limit specified in the byelaws of the Society;
- (iii) there are no other changes in the register of members during the year \_\_\_\_\_ and the above list is as per the Register of Members maintained by the Society under section 18 of the Act.

|           |       |       |
|-----------|-------|-------|
| Filed by: |       |       |
| Sign.     | Sign. | Date: |

|                       |                       |        |
|-----------------------|-----------------------|--------|
| Name of the Secretary | Name of the President | Place: |
|                       |                       |        |

**Form - XVI**

**Application for amendment in the Memorandum and By-laws of the Society under section 26(3) of the Haryana Registration and Regulation of Societies Act, 2012**

(See sub-rule (2) of rule 17)

From

To

The District Registrar of Societies,

\_\_\_\_\_ (Station)

Dated:

**Subject :- Application for amendment in the memorandum and By-laws of the Society under section 26(1) of the Haryana Registration and Regulation of Societies Act, 2012.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the society), duly authorized by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_ hereby file the application for amendment in the memorandum and by-laws of the society under section 26(1) of the Haryana Registration and Regulation of Societies Act, 2012 as per details given below:

| <b>Particulars of the Society</b>                    |  |
|--|--|
| 1. Name of the Societies                             |  |
| 2. Registered Office Address                         |  |
| 3. Registration Number                               |  |
| 4. Date of Registration                              |  |
| 5. Date of Meeting of the Governing Body             |  |
| 6. Date of Meeting of General Body/Collegium         |  |
| 7. Reason in brief for change in memorandum/ by-laws |  |
| (a) By the Society of its own                        |  |
| (b) By the order of Registrar                        |  |
| (Give reasons to (a) and (b) above as applicable)    |  |



| 8. Particulars of changes proposed<br>(Give details of the clauses deleted, replaced and added. Attach an extra sheet if required.) | S. No. | Clauses deleted | Clauses amended | Clauses added |
|---|--------|-----------------|-----------------|---------------|
|   |        |                 |                 |               |

2. I enclose herewith the following documents namely:-

- (i) attested copy of Certificate of Registration ;
- (ii) copies of resolutions passed by the Governing Body ;
- (iii) copies of special resolutions passed by the General Body ;
- (iv) attested copies of memorandum/ by-laws before proposed amendment;
- (v) attested copies of memorandum/ by-laws after proposed amendment;
- (vi) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the proposed amendment in memorandum/ bye-laws of the Society, as being presented before you, is conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012.

4. Accordingly, it is requested that the amendment in the memorandum/ bye-laws of the Society as requested for may be taken on record and the necessary Certificate may be issued.

(Signature of the applicant)

(Name of the Applicant)

Date :

Place :

#### Form - XVI-A

#### **Certificate of amendment in Memorandum/ By-laws of the Society under Subsection (3) of Section 26 of the Haryana Registration and Regulation of Societies Act, 2012.**

[See rule 17(3)]

#### **Certificate of amendment in the Memorandum/By-laws of the Society**

I hereby certify that \_\_\_\_\_ (name of the society) which was originally registered on \_\_\_\_\_ vide registration number \_\_\_\_\_ and allotted new registration No. \_\_\_\_\_ on \_\_\_\_\_ under section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012 and having duly passed a special resolution in terms of section 26(1) of the Act, the approval to the amendment in memorandum/ by-laws of the Society is hereby granted as under :-

| S.No. | Clauses deleted | Clauses Amended | Clauses added |
|-------|-----------------|-----------------|---------------|
|       |                 |                 |               |

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of (month) \_\_\_\_\_ (Year)\_\_\_\_\_.

\_\_\_\_\_  
(Signature of the District Registrar)

Place:

**Form - XVII**

**Register of the Office-bearers and members of the Governing Body of the Society  
under Section 33 (4)(i) of the Haryana Registration and Regulation of Societies Act,  
2012**

(See sub-rule (1) of rule 19)

| 1.  | Name of the Society                                    |                |             |                     |                            |         |
|---|--|----------------|-------------|---------------------|----------------------------|---------|
| 2.  | Registration . No. & Date                              |                |             |                     |                            |         |
| 3.  | Registered Office Address of the Society               |                |             |                     |                            |         |
| 4.  | Date of Election of the Governing Body:                |                |             |                     |                            |         |
| 5.  | Elections valid Till:                                  |                |             |                     |                            |         |
| <b>Register of Office-bearers and members of the Governing Body</b> |  |                |             |                     |                            |         |
| Sr. No.   | Name of the office bearer/Member of the Governing Body | Membership No. | Designation | Date of appointment | Full address of the member | Remarks |
| 1   |  |                |             |                     |                            |         |
| 2   |  |                |             |                     |                            |         |
| 3   |  |                |             |                     |                            |         |
| 4   |  |                |             |                     |                            |         |
| 5   |  |                |             |                     |                            |         |
| 6   |  |                |             |                     |                            |         |
| 7   |  |                |             |                     |                            |         |
| 8   |  |                |             |                     |                            |         |
| 9   |  |                |             |                     |                            |         |

The above particulars are certified to be correct  
as per the records of the Society.

|                       |                       |        |
|-----------------------|-----------------------|--------|
| Sign.                 | Sign.                 | Date:  |
| Name of the Secretary | Name of the President | Place: |

**Form - XVII - A**

**Change in the Office-bearers and members of the Governing Body of the Society  
under section 33 (4)(ii) of the Haryana Registration and Regulation of Societies Act,  
2012**

(See sub-rule (2) of rule 19)

|    |   |  |
|----|---|--|
| 1. | Name of the Society                       |  |
| 2. | Registration. No. and Date                |  |
| 3. | Registered. Office Address of the Society |  |
| 4. | Date of Election of the Governing Body:   |  |
| 5. | Elections valid Till:                     |  |

| <b>Change in the constitution of the Governing Body during the term, if any</b> |  |                |             |                                    |                                    |
|---|--|----------------|-------------|------------------------------------|------------------------------------|
| Sr. No.   | Name of the office bearer/Member of the Governing Body | Membership No. | Designation | Date appointment/cessation/Removal | Reasons for removal or appointment |
|   |  |                |             |                                    |                                    |

The above particulars are certified to be correct as per the records of the Society.

|                       |                       |        |
|-----------------------|-----------------------|--------|
| Sign.                 | Sign.                 | Date:  |
| Name of the Secretary | Name of the President | Place: |

**Form - XVII-B**

**Office bearers and members of the Governing Body and changes therein to be filed along with Annual Return under section 33(4)(iii) of the Haryana Registration and Regulation of Societies Act, 2012**

(See sub-rule (3) of rule 19)

|         |   |                |                                    |                            |                 |
|---------|---|----------------|------------------------------------|----------------------------|-----------------|
| 1.      | Filing for the Year:  | Ending March   |                                    |                            |                 |
| 2.      | Name & address of the Society   |                |                                    |                            |                 |
| 3.      | Registration. No. and Date  |                |                                    |                            |                 |
| 4.      | Registered Office address of the Society  |                |                                    |                            |                 |
| A.      | <b>Details of the office-bearers and members of the Society as on the 31st of March of the previous year:</b> |                |                                    |                            |                 |
| Sr. No. | Name of the office bearer/Member of the Governing Body  | Membership No. | Designation (Office-bearer/Member) | Full address of the member | Remarks, if any |
| 1.      |   |                |                                    |                            |                 |
| 2.      |   |                |                                    |                            |                 |

|   |  |                |                                    |                            |                     |
|---|--|----------------|------------------------------------|----------------------------|---------------------|
| 3.  |  |                |                                    |                            |                     |
| 4.  |  |                |                                    |                            |                     |
| <b>B. Appointments to the Governing Body during the year for which report is being submitted:</b> |  |                |                                    |                            |                     |
| Sr. No.   | Name of the office bearer/Member of the Governing Body | Membership No. | Designation (Office-bearer/Member) | Full address of the member | Date of Appointment |
| 1.  |  |                |                                    |                            |                     |
| 2.  |  |                |                                    |                            |                     |
| <b>C. Removals from the Governing Body during the year for which report is being submitted</b>    |  |                |                                    |                            |                     |
| Sr. No.   | Name of the office bearer/Member of the Governing Body | Membership No. | Designation (Office-bearer/Member) | Date of Removal            | Reasons for Removal |
| 1.  |  |                |                                    |                            |                     |
| 2.  |  |                |                                    |                            |                     |
| 3.  |  |                |                                    |                            |                     |

The above particulars are certified to be correct as per the records of the Society.

|                       |                       |        |
|-----------------------|-----------------------|--------|
| Sign.                 | Sign.                 | Date:  |
| Name of the Secretary | Name of the President | Place: |

**Form - XVIII**

**Application for Amalgamation/ Division of a Society to be filed with the Registrar under section 51(1) of the Haryana Registration & Regulation of Societies Act, 2012**  
(See sub-rule (2) of rule 25)

From

|  |
|--|
|  |
|--|

To

The Registrar of Societies,  
First Floor, 30 bays' Building,  
Sector 17, Chandigarh  
Through the District Registrar \_\_\_\_\_

Dated:

**Subject: Application for Amalgamation / Division of a Society under the Haryana Registration & Regulation of Societies Act, 2012.**

Sir,

I, \_\_\_\_\_ s/o \_\_\_\_\_, office-bearer of \_\_\_\_\_ (name of the society), duly authorized by the Governing Body vide its resolution No. \_\_\_\_\_ dated \_\_\_\_\_ hereby file the application for amalgamation / division of the Society as per details given below:

| <b>A. In case of amalgamation of two or more societies</b> |  |           |               |                         |   |
|--|--|-----------|---------------|-------------------------|---|
| Sr. No.  | Name of the Society  | Regn. No. | Date of Regn. | Registered Off. Address | Date of Meeting of General Body/Collegium/Administrator's Recommendations |
| 1.   |  |           |               |                         |   |
| 2.   |  |           |               |                         |   |
| 3.   |  |           |               |                         |   |
| 4.   | Name of the Society after Amalgamation as approved by the District Registrar |           |               |                         |   |
| 5.   | Registered Office of the Society after amalgamation                          |           |               |                         |   |

| <b>B. In case of Division of a Society</b>          |  |                      |
|---|--|----------------------|
| <b>Particulars of the Society to be sub-divided</b> |  |                      |
| 1.  | Name of the Societies                        |                      |
| 2.  | Registered Office Address                    |                      |
| 3.  | Registration Number                          |                      |
| 4.  | Date of Registration                         |                      |
| 5.  | Date of Meeting of the Governing Body        |                      |
| 6.  | Date of Meeting of General Body/ Collegium   |                      |
| <b>Particulars of the Sub-divided Societies</b>     |  |                      |
|   | Proposed Names of the Society after Division | Regd. Office Address |
| 1.  |  |                      |
| 2.  |  |                      |
| 3.  |  |                      |

\*Fill-up either Part `A' or Part `B' as the case may be.

2. I enclose herewith the following documents:

(i) Copies of resolutions passed by the Governing Bodies of each of the Society;

(ii) Copies of special resolutions passed by the General Body/Collegium of each of the Society;

(iii) Scheme of amalgamation/ division duly approved by the General Body/collegium of each of the Society;

(iv) Treasury Challan/ Voucher bearing No. \_\_\_\_\_ dated \_\_\_\_\_ drawn on \_\_\_\_\_ for an amount of Rs. \_\_\_\_\_ towards the requisite fee.

3. It is certified that the scheme of amalgamation/ division of the Society, as being presented before you, is conforming to the provisions of the Haryana Registration and Regulation of Societies Act, 2012.

4. It is further certified that the registered office of the new Society after amalgamation/ sub-division shall be as under & all future correspondence may be addressed to the society at its said registered office address:

Please provide the following details under this description:

- Name & Complete Address of the Society with PIN Code;
- Name and contact details (Tel No. and Email ID of the Society/authorized signatory)

5. Accordingly, it is requested that the scheme of amalgamation/division of the Society may be approved and the necessary Certificate may be issued.

(Signature of the applicant)

(Name of the Applicant)

Date :

Place :

**Part - III**  
**Model**  
**Memorandum of Association**  
**And**  
**Model Byelaws Of Societies**

| Sr. No. | Nature of Society  | Pages       |
|---------|--|-------------|
| 1.      | Model Memorandum of Association  | Annexure -1 |
| 2.      | Contents and Explanatory Notes for preparation of the Byelaws of a Society | Annexure -2 |
| 3.      | Model Byelaws for:   |             |
| (i)     | <i>An All purpose Society without a Collegium</i>                          | Annexure -3 |
| (ii)    | <i>An All purpose Society with a Collegium</i>                             | Annexure -4 |

|       |   |             |
|-------|---|-------------|
| (iii) | Association of owners of Dwelling Units | Annexure -5 |
|-------|---|-------------|

#### Annexure -1

#### Model `Memorandum of Association' of a Society

| Sr. No. | Subject   | Description   |
|---------|---|---|
| 1       | Name of the Society   |   |
| 2       | The registered office of the Society shall be at:   |   |
| 3       | Jurisdiction  | The Society shall work within _____ District of the territory of State of Haryana   |
| 4       | Aims and Objects of the Society   | The objectives, which are specific to a society, shall be enumerated below. <i>Some of the indicative objectives could be as under:</i> |
| (i)     | Promotion of national unity and international peace and amity;  |   |
| (ii)    | Promotion of communal and social harmony and brotherhood;   |   |
| (iii)   | To work for the cause of enforcement of prohibition and initiate people's movement against smoking, alcoholism and drug abuse;  |   |
| (iv)    | To create awareness and addressing some of the social evils, such as, female foeticide, dowry, extravagant expenditure on social functions like marriages, empowerment of women in decision making etc. etc.  |   |
| (v)     | Promotion and progress of agriculture and animal husbandry;   |   |
| (vi)    | To take up programmes for accelerating the pace of rural development with application of science and technology (techniques and technologies for cost reduction, improving productivity, etc.) especially in the field of water conservation, sanitation, low-cost housing, agriculture and animal husbandry and engineering sources; |   |

|        |   |
|--------|---|
| (vii)  | To take up programmes for ensuring protection of environment and for regeneration of natural resources degraded due to past neglects;   |
| (viii) | Promotion and extension of appropriate technology including systems having renewable sources of energy;   |
| (ix)   | Promotion of cottage and small scale industries by taking up action research work;  |
| (x)    | To take up programmes in which science and technology may have major role in improving life, working conditions and opportunities for gainful employment of women.  |
| (xi)   | To engage in delivery of citizen services in a transparent manner with use of Information and Communication Technology.   |
| (xii)  | To undertake impact evaluation of economic and social projects.   |
| (xiii) | To undertake programmes which ensure raising of income levels and expanding employment opportunities of the weaker sections of the Society, particularly of those living below the poverty line and women by involving participants in the planning, implementation and maintenance of activities taken up.   |
| (xiv)  | To organize disadvantaged section of Society and take steps for increasing their level of awareness in regards to the programme contents and facilities therein under Government/non-Government programmes, legal provisions, etc. and also for increasing their bargaining power by promoting co-operative and group action.   |
| (xv)   | To take up all formal and non-formal educational programme as per directives contained in the National Policy of Education, 1986.   |
| (xvi)  | To work for promotion of sports and health care activities.   |
| (xvii) | To raise or acquire funds or property from Central Government, State Government, Non-government agencies, charitable trusts by way of donations or grants or contribution or by taking loan from public and private financial institutions. The funds, properties, assets and all other resources, present and future, of the Society shall be utilized for any or all the purposes or objects of the Society as stated |



|         |   |         |            |            |
|---------|---|---------|------------|------------|
|         | above and also for all other similar activities in furtherance of ideals of truth and non-violence.                                 |         |            |            |
| 5.      | The names of the founder members of the Society to which the rules and byelaws of the management affairs is entrusted are as under: |         |            |            |
| Sr. No. | Name<br>Father's/Husband's name   | Address | Occupation | Signatures |
| (i)     |   |         |            |            |
| (ii)    |   |         |            |            |
| (iii)   |   |         |            |            |
| (iv)    |   |         |            |            |
| (v)     |   |         |            |            |
| (vi)    |   |         |            |            |
| (vii)   |   |         |            |            |

#### Annexure - 2

| Explanatory notes for the Contents of the 'Byelaws' of a Society |                       |  |
|--|-----------------------|--|
| Sr. No.  | Subject               | Description  |
| 1.   | Name of Society       | This should contain the name of the society as approved by the District Registrar, giving reference no. and date of the letter vide which such name has been approved.   |
| 2.   | Membership of Society | Sections 14 to 23 of the Act may be carefully read while framing the byelaws in this behalf. It has been observed that the maximum number of disputes in a Society pertain to memberships. The byelaws must address the issues of the maximum number of members it would like to fix for the Society, types of membership, the fees for each type of membership, the manner and the process of admitting a person as a member, cessation of membership etc. Further, all particulars of a person admitted as a member, such as Name, Father's name, address (both correspondence and permanent address), contact details (such as telephone number, email ID), caste or community (if the byelaws of a Society so restrict), may be obtained for ease of establishment of identity as well as timely communications. |
| 3.   | Re-admission of       | The society may also lay down in its byelaws the procedure for re-admission of a person as a   |

|    |   |  |
|----|---|--|
|    | expelled/<br>suspended<br>members         | member who ceased to be a member of the society in terms of the provisions contained in section 22 of the Act, or suspension and reinstatement of a member, if deemed necessary. However, it may also keep in view that no such member, who has been either convicted of an offence amounting to moral turpitude or who has been removed from membership on the directions of the District Registrar/ Registrar/ Registrar General for any misconduct, should be readmitted. |
| 4. | Members' Rights/<br>Privileges and duties | The byelaws of a society should clearly define the rights/privileges and duties of its members. Section 20 of the Act may be carefully read while framing the byelaws in this behalf.  |

**Explanatory notes for the Contents of the 'Byelaws' of a Society**

| Sr. No. | Subject                                      | Description   |
|---------|--|---|
| 5.      | Definition of General Body                   | ["General Body" means and refers to the body of 'members' of a Society, and which may be divided into electoral colleges where the membership is more than 1000 in order to constitute the Collegium of the Society. The constitution of collegium and election of the representatives of the collegium should be decided by the Society/its management as deemed appropriate and clearly defined in the byelaws of the society.]   |
|         |  | The constitution of collegium and election of the representatives of the collegium should be decided by the Society/ its management as deemed appropriate and clearly defined in the byelaws of the society.  |
| 6.      | Size of the Governing Body and the Collegium | [The size of the Governing body, which can vary between 3 to 21 in terms of Section 33 of the Act, designations of its office-bearers and their powers & duties should be clearly defined in the bye-laws of the society. Where a Society decides to keep its membership at more than 1000, it will be required to constitute electoral colleges (not exceeding 300) and the Collegium so formed shall act as the General Body for all intents and purposes. In that case, the size of the Governing Body cannot exceed 1/5th the size of the Collegium.] |
| 7.      | Creation/ constitution                       | [In case of Societies with more than 1000 members, these are required to carve out a scheme   |

|     |  |  |
|-----|--|--|
|     | of the electoral colleges                              | of creation of Electoral Colleges in its byelaws and election of members of the Collegium. Provisions contained in Rule 16 read with the illustrations in Appendix-2 may be referred for the purposes of clarity.]   |
| 8.  | Elections of the Collegium/ Governing Body.            | Keeping in view that memberships and elections of Societies constitute a major part of the problems in smooth management of the affairs of a society, it is advisable that the procedures with regard to the elections of the Collegium and the Governing Body are clearly defined in the bye-laws of the society subject to the provisions of the Act and the rules framed there under.   |
| 9.  | Term of Governing Body                                 | The tenure of the Governing Body of a Society shall not be more than three years. The bye-laws of the society should also contain a provision for filling-up of vacancy of any of the office- bearers or members of the Governing body, caused due to any reason whatsoever, during its tenure or till the election of new Governing Body.   |
| 10. | Requirement of Notice of meeting of the Governing Body | The notice periods for convening meetings of the Governing Body and the General Body should be prescribed in the byelaws subject to the provisions of the Act and the rules there under.   |
| 11. | Quorum of Meetings                                     | The byelaws of a Society should provide for the quorum of any meeting. The Act specifies the quorum of a General Body/ Collegium meeting as 40%. The provisions contained in rule 16 may be kept in mind while specifying in the byelaws as to what should be quorum for a meeting adjourned on account of want of the quorum in the meeting convened in the first instance and adjourned. |
| 12. | Governing Body and urgent Meetings                     | The byelaws may also contain a provision for convening urgent meetings of the Governing Body at shorter notice or without any formal notice with written consent of at least 50% of the total strength of the Governing body.  |
| 13. | Powers of Governing Body                               | The bye laws of the society should clearly define the powers that may be exercised by the Governing body and its office bearers for management of affairs of the society. The Governing body is the custodian of the assets of the society.  |

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|-----|---|--|
| 14. | Office-bearer of Society and their Powers | The byelaws of the society should also contain provisions pertaining to each of the office-bearers, their designations and their powers & duties. The office-bearers would be entitled to exercise such powers as are mentioned in the byelaws of the society. It may be useful to specify the operation of accounts singly or jointly by the office-bearers in order to have proper internal checks on financial transactions   |
| 15. | General Secretary/ Secretary              | The responsibility for convening the meetings of a Society should generally vest in the Secretary/ General Secretary of the society who will also be the custodian of all records, documents, title deeds etc. of the society. Unless otherwise provided in the Byelaws, the Secretary will be responsible for implementing the decisions of the governing body and act as the compliance officer of the society for various types of statutory compliances under the Act.   |
| 16. | Management of funds by Treasurer          | One of the members of the governing body should be designated as a Treasurer who should be responsible for proper management of funds and assets of the society as well as proper maintenance of the books of accounts according to the byelaws/rules of the society. He should be the custodian of all books of accounts/ statutory records and cheque- books of all bank accounts, FDRs, etc. The Byelaws should also specify the officer responsible for filing of all the documents in the office of the District Registrar as required under the Act. |
| 17. | Provision for filling-up casual vacancies | Procedure with regard to filling- up of any vacancy of an office bearer of the society caused due to death, resignation, cessation of membership etc. should be defined in the byelaws of the society. Ideally, such a person should continue to hold the office & perform functions only till the next Annual General Meeting of the General Body, unless his appointment is further ratified in such Annual General Meeting.   |
| 18. | Sources of Income of a Society            | Every Society should clearly define the sources of its income such as membership fee, annual subscription, donations, rent from property/assets, interest, gifts, etc. in its byelaws so as to maintain probity in its financial transactions.   |

|     |  |  |
|-----|--|--|
| 19. | Provisions relating to Audit of the Society's Accounts | The byelaws of a society should provide for audit of annual accounts of the society from an auditor who is a member of the Institute of Chartered Accountants of India and such auditor should not be a member of the Governing Body of the society.   |
| 20. | Operation of Bank Accounts                             | The byelaws of a society should define the persons who are authorized to operate its bank accounts, which may include its employees and the office-bearers. The limits of cash-in-hand to meet the day-to-day expenses, the limits up to which the authorized person could sign the cheques individually and joint signatories beyond such limits should be clearly defined. |

### **Annexure - 3**

#### **Model Byelaws for a Society (Multi-purpose) without a Collegium**

1. Name of the Society: \_\_\_\_\_
2. The Registered Office of the Society shall be at (complete postal address):  
\_\_\_\_\_  
\_\_\_\_\_

3. The Society shall carry out its major activities in the \_\_\_\_\_ District within the territory of State of Haryana.

#### **4. Membership:**

(1) The Society shall have a maximum of 250 members including the founder members/ original subscribers.

**(2) Eligibility:** In order to be admitted as a member of the Society, a person:

- (i) must be 21 years of age on the date of admission;
- (ii) should subscribe to the aims and objects of the Society;
- (iii) must have deposited the admission fee and annual subscription fee and must not be in arrears of payment of such fee as on the date of annual general meeting for continuing as a member;
- (iv) must not be an insolvent and of unsound mind; and
- (v) must not have been convicted of an offence involving moral turpitude involving imprisonment of one year or more.

**(3) Kinds/ Types / Categories of Members:** The Society shall consist of four different categories of members as under:

**(i) Founder Members** - A member who has been admitted as a founder member at the time of registration of the Society and has paid the requisite membership fee to the society. The number of founder members shall not exceed \_\_\_\_\_. The founder members shall also be deemed to have become Life Members of the society and shall have the privilege of being members of the collegium without election, in case the total number of members of the society exceeds 300.

(ii) **Life Members** - A person may be admitted as a life member on payment of the prescribed fees and such person shall continue to be the member of the society for his life. The total number of life members shall not exceed \_\_\_\_\_ .

(iii) **Ordinary Member** - The Society shall have a total of \_\_\_\_\_ ordinary members who shall continue to enjoy their membership only so long as they are not in arrears of payment of their annual subscription fee. An ordinary member may be admitted as a tenure member, say, for a period of two to five year(s), as the case may be, and he will cease to be a member of the society on completion of his tenure, unless it is renewed by the Governing body for another tenure.

(iv) *Honorary Member* - The Governing Body may admit individuals of distinguished talent and merit or whose association is deemed to be beneficial to the Society or who has rendered services of outstanding merit to the Society or who is a distinguished citizen of India or any other country as Honorary Member of the Society, after obtaining consent of the individual, without payment of any membership or subscription fees. The number of such honorary members shall not exceed \_\_\_\_\_. The Honorary members shall be entitled to attend the meetings and contribute to the deliberations but shall have no right to vote.

#### **(4) Membership Fee & Annual Subscription:**

(i) The rates for membership of the Society and the annual subscription shall be as under:

| As may be decided by the Society in its Byelaws: |                 |               |                     |
|--|-----------------|---------------|---------------------|
| Sr. No.  | Type of Member  | Admission Fee | Annual Subscription |
| (i)  | Founder Members | Rs. 21,000/-  | Nil                 |
| (ii)   | Life Member     | Rs. 11,000/-  | Nil                 |
| (iii)  | Ordinary Member | Rs. 1100/-    | Rs. 500/-           |
| (iv)   | Honorary Member | Nil           | Nil                 |

(ii) The payment of annual subscription of a member shall become due as on the 1st of April of every year, which may be paid latest by the 30th of June of such year. The membership of a defaulting member shall be deemed to be under suspension after the due date (30th June) and such member shall not be entitled to cast his vote during the elections of the Society held after 1st July of the said year.

(iii) The suspension of membership on account of default in payment of the annual subscription may be revoked after he has cleared the default with along with 18% interest on the amount payable. However, he shall not be eligible to cast his vote in any election held during the remainder of the financial year.

#### **(5) Admission Procedure (for members other than the subscribers):**

(i) The admission of a person as a member of the Society shall be decided by its Governing Body from time to time;

(ii) An individual willing to be a member of the Society has to submit an application in prescribed form, and along with supporting documents to the Secretary duly filled in and signed and recommended by a regular member of the society.

- (iii) The Secretary shall examine the application and place the same before the Governing Body for a decision.
- (iv) The Governing Body may accept or reject the application and the decision of the Governing Body in this regard shall be final. It shall not be bound to assign any reason for its decision.
- (v) The approval of the Governing Body shall be intimated to the member, his name shall be entered in the register of members, to be maintained in such manner & form as prescribed under the Haryana Societies Registration and Regulation Rules, 2012 and he/she will be issued an Identity Card of the Society.

**(6) Identity Card for every member:** Every person admitted as a member will be issued an identity card containing his/ her photograph, brief particulars and membership category, duly signed by the individual Member and the General Secretary of the Society.

**(7) Rights & Obligations of Members:**

- (i) All the members of the Society shall be bound by the rules and regulations of the Society as contained in its byelaws and amended from time to time;
- (ii) Every member, except an Honorary member, shall have a right to cast his vote at the elections of the Society provided such member is not a defaulter in payment of any dues of the Society and the annual subscription for a period of three months beyond the due date;
- (iii) Every member of the Society shall have the right to inspect the books of accounts, books containing the minutes of proceedings of the general meetings, meetings of the Governing Body and register of members of the society on any working day by giving a notice of seven days;
- (iv) Every member shall inform the Society about any change in his address, which shall be duly recorded in the register of members of the Society and upon which the Society shall issue a fresh Identity Card to such member.

**(8) Cessation of Membership:** Any person admitted as a member shall cease to be a member of the Society in the following events:

- (i) Attracts the provisions contained in Section 22 of the Act;
- (ii) Upon his/ her acting contrary to the aims and objectives of the Society;
- (iii) Upon such member being found guilty of a financial misappropriation of the funds of the society;
- (iv) Upon indictment and directions for removal by the District Registrar/Registrar/Registrar General of Societies;
- (v) An Honorary member shall cease to be a member of the Society, if the Governing Body, decides so by passing a resolution in this behalf.

**5. General Body:**

- (1) Every person admitted as a member shall be a member of the General Body of the Society and shall be entitled to cast his vote for the election of the Governing

Body of the Society unless he is in arrears of payment of any dues of the Society, including the annual subscription.

(2) Every member shall cast his vote in person and no proxy voting shall be allowed.

#### **6. Meetings of the General Body:**

(i) A meeting of the General Body of the society will be held as and when required. However, at least one meeting of the General Body of the society, called as the Annual General Meeting (AGM) will be held in a year, within six months of the close of the financial year for consideration and adoption of the duly audited annual accounts of the society in addition to transaction of any other business of the Society as may be required.

(ii) The Governing Body of the society may convene an extra-ordinary meeting of the General Body of the society at any time after giving due notice as prescribed hereunder, either of its own or within 45 days of receipt of a written requisition along with reasons for convening such meeting, from at least 1/10th of the members of the General Body.

(iii) For any meeting of the General Body, a clear notice of at least 14 days along with a copy of the agenda of the business to be transacted, date, time & venue of the meeting will be given to the members of the General Body. A copy of such notice will also be endorsed to the District Registrar.

(iv) A meeting of the General Body may also be convened at a shorter notice, if agreed to, by a majority (at least above 50% of the total members) of the members of the General Body.

(v) Quorum for the meeting of the General Body will be 40% of the total members entitled to vote and present in person, subject a minimum of four members. In case of a meeting adjourned for want of quorum, the quorum for the adjourned meeting shall not be less than 10% of the total members, subject to a minimum of three. The General Body shall be competent to transact all business in such adjourned meeting except the consideration of any Special Resolution. Any Special Resolution can be passed in such adjourned meeting only if at least 25% of the total members of the Society are present.

(vi) The proceedings of all meetings of the General Body will be recorded in the minutes-book (bound or in loose leaves) maintained separately for the purpose by the Secretary and such minutes will be signed by the Chairman of the meeting and the Secretary of the Society.

#### **7. Powers, Functions & Duties of the General Body -**

(i) To guide the Society in determining and fulfilling its aims and objects.

(ii) To decide policy matters such as change of name of the society, amendment in the Memorandum of Association and the Byelaws of the society, approval of annual accounts of the society, approval for disposal of immoveable assets of the society etc. and all such other acts as may be required under the Haryana Registration and Regulation of Societies Act & Rules, 2012.

(iii) To elect the members of the Governing Body.



- (iv) To remove any member from the Governing Body and according approval to the continuation of a person appointed as a member of the Governing Body against a casual vacancy.

## **8. Governing Body:**

**(1) Composition:** The Governing Body of the society shall consist of a total of 11 Office-bearers and Members as under:

- a) President
- b) Vice-President
- c) General Secretary /Secretary
- d) Joint Secretary
- e) Treasurer
- f) Six Executive Members, including co-option of any Honorary Member by the Governing Body.

## **(2) Election of the Governing Body:**

- (i) The Term of the Governing Body shall be three years from the date of approval of its election by the District Registrar;
- (ii) The Governing body will declare the Schedule of Elections and appoint the Returning Officer for conduct of elections and also notify/display a list of members of the General Body entitled to vote at least 45 days prior to the holding of the General Meeting for conduct of the elections. The Governing Body shall also send notices for holding elections of the Governing Body to all the members, conveying the date, time & the manner. The information w.r.t. holding of election for the Governing Body shall also be sent to District Registrar to appoint an observer, if he so desires.
- (iii) Any objections qua the list of members of the Society entitled to vote shall be decided by the Returning Officer in consultation with the office-bearers of the society. However, the decision of the Returning Officer shall be final in the event of any difference of opinion. The Returning Officer shall, thereafter, invite nominations to be filed within the period prescribed in the Schedule of elections, scrutiny and withdrawal of nominations, if any, for election of the office-bearers and the executive members of the Governing Body.
- (iv) The Returning Officer will display a list of the contesting members on the notice board of the society. The returning officer will conduct the election on the notified date. The members eligible to vote will be allowed to cast their vote in person, and wherever disputed, on production of the identity card issued by the society.
- (v) After closing hours on the date of the poll, the returning officer will declare the results and constitute the Governing Body of the society. A list of the elected office-bearers and the executive members of the Governing Body, duly signed by the Returning Officer, will be filed with District Registrar within 30 days, who shall accord his approval of the same upon his satisfaction.
- (vi) The office-bearers of the Society shall not be entitled to any remuneration for rendering services to the society.

### **(3) Filling of any Casual Vacancy on the Governing Body -**

Any vacancy arising on account of resignation or death of any member of the Governing Body or for any other reason, may be filled-up by the Governing Body, if required, from amongst the members of the General Body on adhoc basis till the holding of next Annual General Meeting of the Society. Such adhoc member of the Governing Body shall cease to be a member of the Governing Body on the date of the next Annual General Meeting, if his appointment is not approved in the Annual General Meeting by a majority vote for the balance term of the Governing Body.

### **(4) Meetings of the Governing Body -**

- (i) The meetings of the Governing Body will be held as and when required. However, the Governing Body shall meet at-least once in every quarter and there will be minimum four meetings of the Governing Body in a financial year.
- (ii) A clear notice of three days of every such meeting will be given by the Secretary of the Governing Body to the office bearers and members before the date appointed for the meeting. However, the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty percent of its members.
- (iii) The quorum of the meetings of the Governing Body shall be at least 40% of the total members of the Governing Body, subject to a minimum of 5 members. In case quorum is not present, the meeting shall be adjourned to another date for which a proper notice shall be issued. The members present in the adjourned meeting, subject to a minimum of three members, shall form the quorum for the adjourned meeting.
- (iv) The proceedings of every meeting of the Governing Body will be recorded in the proceedings book separately maintained for this purpose. Such minutes shall be signed by the Chairman of the meeting and the Secretary of the Society. In case the Chairman or the Secretary are not available to sign the minutes, these will be signed by any two members present in the meeting as may be authorised by the Governing Body.
- (v) The minutes of every meeting of the Governing Body will be placed for confirmation in the succeeding meeting of the Governing body.

### **(5) Powers, Functions & Duties of the Governing Body-**

- (i) The Governing Body will be responsible for achieving the aims & objectives of the Society and shall work in the best interest of the Society, for which it shall be empowered to deploy the funds & assets of the society for the stated objectives;
- (ii) The Governing Body will be competent to raise funds and purchase property, movable and immovable, on free-hold or lease basis in its name, as decided by it.
- (iii) The Governing Body shall have full charge of all immovable properties and moveable assets belonging to or vested in the Society and these will be managed in such a manner as it considers appropriate subject to the overall control and directions of the General Body of the Society.

- (iv) The Governing Body shall be competent to invest the funds in the manner it considers appropriate in the best interests of the Society and it shall be competent to borrow or mortgage or hypothecate the properties on behalf of the Society in the manner decided.
- (v) To constitute various standing or adhoc Committees for looking after such functions as may be assigned from time to time.
- (vi) To create provision for engagement of regular or part-time employees of the Society to look after the secretarial, accounting and other functions in a seamless manner.
- (vii) To outsource certain functions e.g. cleaning, security and similar other maintenance activities of the premises of the society.

**(6) Powers, Functions & Duties of individual members of Governing Body-**

**(i) President:**

- a) To preside over all the meetings of the General Body and of the Governing Body and regulate the proceedings of such meetings.
- b) To do all such acts, deeds and things as may be authorized by the General Body and/or the Governing Body from time to time.
- c) To allow or disallow discussion on any matter which is not included in the agenda.
- d) To ensure proper & transparent functioning of the Society/ Governing Body.
- e) To ensure strict compliance of the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.
- f) To supervise and guide the overall activities/ achievement of aims & objectives of the Society.

**(ii) Vice-president:**

- a) To assist the president in carrying out his duties.
- b) In absence of the President, to act on his behalf and perform all duties and exercise all the powers of the President.
- c) To do all such acts, deeds and things, as may be authorized by the Governing Body.

**(iii) General Secretary/Secretary:**

- a) To conduct, organize, supervise and manage all the affairs of the Society and do all such acts and perform all such duties for the working of the Society as may be assigned by the President/Governing Body;
- b) To receive, scrutinize and place applications for membership of the Society before the Governing Body and to enter the name of the members, if approved, in the register of members under his initials and to intimate the members about the same and issue identity cards to the members so admitted;

- c) To convene meetings of the General Body/Governing Body with the consent of the President and serve proper notices as prescribed under these byelaws.
- d) To attend all the meetings of the General Body and the Governing Body and assist the President in conducting the meetings and record proceedings of all the meetings.
- e) To prepare annual report of the Society and place it before the Governing Body along with audited annual accounts of the Society, for approval to place the same before the General Body in the Annual General Meeting.
- f) To keep and preserve the records of the Society/ Governing Body.
- g) To help and assist the President in looking after the complete affairs of the Society and in attaining aims & objects of the Society.
- h) To ensure timely filing of all statutory returns/ documents in the office of the District Registrar and such other authorities as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.
- i) To be the custodian for safe custody of common seal of the society and affix the same, wherever required, as per the authorisation of the Governing Body.
- j) To conduct correspondence on behalf of the Society/ Governing Body and to sign letters and papers on its behalf and to ensure that all statutory registers and records are properly kept and maintained.
- k) To prepare before announcing of the date of election and the Annual General Meeting, the list of all the members eligible to vote, duly updated and to place it before the Governing Body.
- l) Act as the overall in-charge of the administration and execution of all the programmes of the Society/ including financial affairs on behalf of the Governing Body including creation of posts, fixation of salaries/ remuneration/ allowances etc., make appointments/ engagement of staff, make purchases and do all other such things as may be necessary in the furtherance of the aims & objects of the Society in accordance with the delegations by the Governing Body from time to time and where no such delegation is specifically made, in consultation with the President of the Society.

**(iv) Joint Secretary:**

- a) To assist the General Secretary/ Secretary of the Society in carrying out his functions and duties;
- b) To discharge the functions and duties of the General Secretary/ Secretary of the Society in his absence to the extent authorised by the Governing Body;
- c) To look after such functions and duties and exercise such powers as may be assigned and delegated by the Governing Body of the Society from time to time.

**(v) Treasurer:**

- a) To keep accounts of all financial transactions of the Society and of all the sums of money received and spent by the Society and maintain records of receipts and expenses relating to such matters, and of assets, credits and liabilities.
- b) To get the accounts of the Society audited by the chartered accountant appointed by the Governing Body at the close of the Financial year, every year.
- c) To submit to the Governing Body through General Secretary/Secretary, the audited annual accounts of the Society, at least one month prior to the date of annual general meeting.
- d) To act as the overall custodian of all the books of accounts of the society, financial statements, receipt books, expense vouchers, bank pass books & cheque books, cash etc.

**(7) Cessation of members of the Governing Body-** An office-bearer/ executive member of the Governing Body shall cease to be an office-bearer or executive member:

- a) upon submission & acceptance of his resignation;
- b) if he ceases to be a member in accordance with sub-clause (8) of Clause 4 of these byelaws;
- c) if he is removed by a resolution passed in the meeting of the General Body.

**(8) Exclusions from the Employment of a Society:**

- a) No member of the Society shall be in full-time or part-time employment of the Society;
- b) No dependant or family member or close relative of the office-bearers and members of the Governing Body shall be engaged as an employee of the society during its term;
- c) Every office-bearer and member of the Governing Body shall make a declaration in case any person in the employment of the Society is his close relative.

**(9) Amendments in the Memorandum of Association, Byelaws, Name of the Society, etc.** - Any amendment in the Memorandum of Association and Byelaws, or Change of Name, amalgamation or division of the Society will be done only with the approval of the General Body by way of a special resolution. The intimation of any such amendment or change, along with attested copy of the requisite documents, shall be filed in the office the District Registrar by the General Secretary/ Secretary within such time as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.

**(10) Management of Assets and Funds of the Society**

- (i) The sources of income of the society will include receipts on account of membership fee, annual subscription, rent from property/ assets, interest, consultation fees, donations, gifts, grants, etc. The society can also raise funds

through interest-free short term loans from its members or from scheduled banks on interest. Loan from the scheduled banks on interest will be taken only for purchase of creation of capital assets and not for meeting any recurring revenue expenditure under any circumstances.

- (ii) The Governing Body will prepare and approve an annual budget of the Society on the basis of its estimated income and the capital & revenue expenditure during the first quarter of the financial year and shall also place a copy thereof before the General Body in its Annual General Meeting for information.
- (iii) The Bank accounts of the Society will be jointly operated by such members/ office bearers as may be decided by the Governing body from time to time.
- (iv) All assets and funds will belong to the Society and vest in the society.
- (v) All receipts and payments of the Society shall be made through Bank Instruments (i.e. DD/ Pay Order/ Cheques/ Bank Transfers/ RTGS) including all receipts towards the Membership Fees and the annual subscriptions from the members. However, the Governing Body may determine the limits of financial transactions which may be conducted in cash in certain other cases.

**(11) Accounts of the Society:**

- (i) The Treasurer of the Society will be responsible for keeping and maintaining proper books of accounts i.e. cash book, ledger etc. as required under the Income Tax laws and/or any other authority including the Institute of Chartered Accountants of India, at its Registered Office with respect to all sums of money received and expended by the Society and the assets and liabilities of the Society.
- (ii) The books of accounts of the Society shall be open to inspection during the business hours by the Registrar General, Registrar, District Registrar or any officer authorised by them and by any member of the Society.
- (iii) The annual accounts of the society will be signed by any two authorised office-bearers of the Society.
- (iv) The Governing Body will appoint a chartered accountant, who shall not be a member of the Governing body or family member of any member of the Governing Body, for auditing the accounts and filing of income tax return of the society for each financial year, at such remuneration as may be determined by the Governing Body.

**(12) Common Seal:-**

The Society will have a common seal which shall be kept in safe custody of the General Secretary/Secretary and shall be affixed wherever it is required in accordance with the authorisation by the Governing Body.

**(13) Amalgamation of the Society :-**

The Society may amalgamate itself with any other Society established with the identical aims and objects or allow any other society to amalgamate with itself by a Special Resolution passed in this behalf in accordance with the provisions contained in Section 51 of the Act and rule 25 made there under.

**(14) Dissolution of the Society:**

- (i) The Society may resolve to dissolve itself in accordance with the provisions contained in the Act and the rules there under in case it becomes difficult to carry on with the operations of the Society, or it becomes insolvent or for any other pressing and unavoidable reasons;
- (ii) In the event of dissolution of the Society, no assets of the society shall devolve on or distributed amongst the members of the Society;
- (iii) Its assets and properties shall be first used to liquidate any liabilities and the left-over properties/ assets, if any, shall be considered for transfer to any other Society established with identical aims and objects or to the District Collector for use thereof in the general public interest.

| <b>We, the several persons whose names &amp; addresses are subscribed hereunder, certify the above to be the true copy of the Bye-laws of the society.</b> |             |                                |                |                   |                   |
|--|-------------|--------------------------------|----------------|-------------------|-------------------|
| <b>Sr. No.</b>   | <b>Name</b> | <b>Father's/Husband's name</b> | <b>Address</b> | <b>Occupation</b> | <b>Signatures</b> |
| (i)  |             |                                |                |                   |                   |
| (ii)   |             |                                |                |                   |                   |
| (iii)  |             |                                |                |                   |                   |
| (iv)   |             |                                |                |                   |                   |
| (v)  |             |                                |                |                   |                   |
| (vi)   |             |                                |                |                   |                   |
| (vii)  |             |                                |                |                   |                   |

#### **Annexure - 4**

#### **Model Byelaws for a (multi-purpose) Society with a Collegium**

1. Name of the Society: \_\_\_\_\_

2. The Registered Office of the Society shall be at (complete postal address):

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3. The Society shall carry out its major activities in the \_\_\_\_\_ District within the territory of State of Haryana.

#### **4. Membership:**

(1) The Society shall have a maximum of 3000 members including the founder members/ original subscribers.

(2) **Eligibility:** In order to be admitted as a member of the Society, a person:

- (i) must be 21 years of age on the date of admission;
- (ii) should subscribe to the aims and objects of the Society;
- (iii) must have deposited the admission fee and annual subscription fee and must not be in arrears of payment of such fee as on the date of annual general meeting for continuing as a member;
- (iv) must not be an insolvent and of unsound mind; and

- (v) must not have been convicted of an offence involving moral turpitude involving imprisonment of one year or more.

**(3) Kinds/ Types / Categories of Members:** The Society shall consist of four different categories of members as under:

(i) **Founder Members** - A member who has been admitted as a founder member at the time of registration of the Society and has paid the requisite membership fee to the society. The number of founder members shall not exceed \_\_\_\_\_. The founder members shall also be deemed to have become Life Members of the society and shall have the privilege of being members of the collegium without election, in case the total number of members of the society exceeds 300.

(ii) **Life Members** - A person may be admitted as a life member on payment of the prescribed fees and such person shall continue to be the member of the society for his life. The total number of life members shall not exceed \_\_\_\_\_.

(iii) **Ordinary Member** - The Society shall have a total of \_\_\_\_\_ ordinary members who shall continue to enjoy their membership only so long as they are not in arrears of payment of their annual subscription fee. An ordinary member may be admitted as a tenure member, say, for a period of two to five year(s), as the case may be, and he will cease to be a member of the society on completion of his tenure, unless it is renewed by the Governing body for another tenure.

(iv) **Honorary Member** - The Governing Body may admit individuals of distinguished talent and merit or whose association is deemed to be beneficial to the Society or who has rendered services of outstanding merit to the Society or who is a distinguished citizen of India or any other country as Honorary Member of the Society, after obtaining consent of the individual, without payment of any membership or subscription fees. The number of such honorary members shall not exceed \_\_\_\_\_. The Honorary members shall be entitled to attend the meetings and contribute to the deliberations but shall have no right to vote.

**(4) Membership Fee & Annual Subscription:**

- (i) The rates for membership of the Society and the annual subscription shall be as under:

| Sr. No. | Type of Member  | Admission Fee | Annual Subscription |
|---------|-----------------|---------------|---------------------|
| (i)     | Founder Members | Rs. 21,000/-  | Nil                 |
| (ii)    | Life Member     | Rs. 11,000/-  | Nil                 |
| (iii)   | Ordinary Member | Rs. 1100/-    | Rs. 500/-           |
| (iv)    | Honorary Member | Nil           | Nil                 |

- (ii) The payment of annual subscription of a member shall become due as on the 1st of April of every year, which may be paid latest by the 30th of June of such year. The membership of a defaulting member shall be deemed to be under suspension after the due date (30th June) and such member shall not be entitled to cast his vote during the elections of the Society held after 1st July of the said year.



- (iii) The suspension of membership on account of default in payment of the annual subscription may be revoked after he has cleared the default with along with 18% interest on the amount payable. However, he shall not be eligible to cast his vote in any election held during the remainder of the financial year.

**(5) Admission Procedure (for members other than the subscribers):**

- (i) The admission of a person as a member of the Society shall be decided by its Governing Body from time to time;
- (ii) An individual willing to be a member of the Society has to submit an application in prescribed form, and along with supporting documents to the Secretary duly filled in and signed and recommended by a regular member of the society.
- (iii) The Secretary shall examine the application and place the same before the Governing Body for a decision.
- (iv) The Governing Body may accept or reject the application and the decision of the Governing Body in this regard shall be final. It shall not be bound to assign any reason for its decision.
- (v) The approval of the Governing Body shall be intimated to the member, his name shall be entered in the register of members, to be maintained in such manner & form as prescribed under the Haryana Societies Registration and Regulation Rules, 2012 and he/she will be issued an Identity Card of the Society.

**(6) Identity Card for every member:** Every person admitted as a member will be issued an identity card containing his/ her photograph, brief particulars and membership category, duly signed by the individual Member and the General Secretary of the Society.

**(7) Rights & Obligations of Members:**

- (i) All the members of the Society shall be bound by the rules and regulations of the Society as contained in its byelaws and amended from time to time;
- (ii) Every member, except an Honorary member, shall have a right to cast his vote at the elections of the Society provided such member is not a defaulter in payment of any dues of the Society and the annual subscription for a period of three months beyond the due date;
- (iii) Every member of the Society shall have the right to inspect the books of accounts, books containing the minutes of proceedings of the general meetings, meetings of the Governing Body and register of members of the society on any working day by giving a notice of seven days;
- (iv) Every member shall inform the Society about any change in his address, which shall be duly recorded in the register of members of the Society and upon which the Society shall issue a fresh Identity Card to such member.

**(8) Cessation of Membership:** Any person admitted as a member shall cease to be a member of the Society in the following events:

- (i) Attracts the provisions contained in Section 22 of the Act;
- (ii) Upon his/ her acting contrary to the aims and objectives of the Society;

- (iii) Upon such member being found guilty of a financial misappropriation of the funds of the society;
- (iv) Upon indictment and directions for removal by the District Registrar/ Registrar/ Registrar General of Societies;
- (v) An Honorary member shall cease to be a member of the Society, if the Governing Body, decides so by passing a resolution in this behalf.

#### **5. General Body:**

- (1) Every person admitted as a member shall be a member of the General Body of the Society and shall be entitled to cast his vote for the election of members of the Collegium unless he is in arrears of payment of any dues of the Society, including the annual subscription.
- (2) Every member shall cast his vote in person and no proxy voting shall be allowed.

#### **6. Collegium of the Society**

- (i) The Society shall have a total of  $11 + 150 = 161$  electoral colleges which shall constitute its Collegium;
- (ii) Each electoral College shall consist of 18 to 22 members who shall, in turn, elect one member to the Collegium;
- (iii) The particulars and details of the electoral colleges along with the members allocated to each electoral College are attached as Annexure-1 to these Byelaws. Further constitution of electoral colleges and allocation of members to each electoral colleges shall be decided by the Governing Body with the admission of new members and such details shall be communicated to the members and also displayed on the notice board of the Society in its office;
- (iv) Any change in the allocation of members of an electoral college shall be made only upon cessation of the members of an electoral college and induction of fresh members or on consideration of the request of any member, if found feasible of acceptance.
- (v) The Collegium of the Society shall act as the General Body for all intents and purposes and the members of the Collegium shall in turn elect the Office-bearers and the members of the Governing Body.

#### **7. Procedure for Election of the Collegium**

- (i) 11 number of founder members of the Society shall be the members of the collegium without any election.
- (ii) 150 number of members of the society shall be elected as members of the collegium. Each member shall be representing his house/ electoral college.
- (iii) The term of the collegium shall be three years from the date of its constitution.

- (iv) The Governing body will declare the schedule of election and appoint a returning officer for conduct of election and also notify/ display the details of members of each electoral colleges entitled to vote at least 90 days prior to holding the General Meeting. Further, individual notices for holding elections of the collegium shall also be conveyed by the Governing Body. The information of holding the election of the collegium shall also be sent to the District Registrar so as to appoint an observer, if he so desires.
- (v) Any objections qua the list of members of the Society entitled to vote shall be decided by the Returning Officer in consultation with the office-bearers of the society. However, the decision of the Returning Officer shall be final in the event of any difference of opinion. The Returning Officer shall, thereafter, invite nominations to be filed within the period prescribed in the Schedule of elections, scrutiny and withdrawal of nominations, if any, for election of the members of the Collegium.
- (vi) The Returning Officer will display a list of the contesting members on the notice board of the society. The returning officer will conduct the election on the notified date. The members eligible to vote will be allowed to cast their vote in person, and wherever disputed, on production of the identity card issued by the society.
- (vii) After closing hours on the date of the poll, the returning officer will declare the results and constitute the Collegium of the society. A list of the elected members of the collegium, duly signed by the Returning Officer, will be filed with District Registrar within 30 days.

#### **8. Meetings of the Collegium of the Society:**

- (i) A meeting of the Collegium of the society will be held as and when required. However, at least one meeting of the Collegium of the society, called as the Annual General Meeting (AGM) will be held in a year, within six months of the close of the financial year for consideration and adoption of the duly audited annual accounts of the society in addition to transaction of any other business of the Society as may be required.
- (ii) The Governing Body of the society may convene an extra-ordinary meeting of the Collegium of the society at any time after giving due notice as prescribed hereunder, either of its own or within 45 days of receipt of a written requisition along with reasons for convening such meeting, from at least 1/10th of the members of the Collegium.
- (iii) For any meeting of the Collegium, a clear notice of at least 14 days along with a copy of the agenda of the business to be transacted, date, time & venue of the meeting will be given to the members of the Collegium. A copy of such notice will also be endorsed to the District Registrar.
- (iv) A meeting of the Collegium may also be convened at a shorter notice, if agreed to, by a majority (at least above 50% of the total members) of the members of the Collegium.

- (v) Quorum for the meeting of the Collegium will be 40% of the total members entitled to vote and present in person, subject a minimum of four members. In case of a meeting adjourned for want of quorum, the quorum for the adjourned meeting shall not be less than 10% of the total members, subject to a minimum of three. The Collegium shall be competent to transact all business in such adjourned meeting except the consideration of any Special Resolution. Any Special Resolution can be passed in such adjourned meeting only if at least 25% of the total members of the Society are present.
- (vi) The proceedings of all meetings of the Collegium will be recorded in the minutes-book (bound or in loose leaves) maintained separately for the purpose by the Secretary and such minutes will be signed by the Chairman of the meeting and the Secretary of the Society.

#### **9. Powers, Functions & Duties of the Collegium -**

- (i) To guide the Society in determining and fulfilling its aims and objects.
- (ii) To decide policy matters such as change of name of the society, amendment in the Memorandum of Association and the Byelaws of the society, approval of annual accounts of the society, approval for disposal of immoveable assets of the society etc. and all such other acts as may be required under the Haryana Registration and Regulation of Societies Act & Rules, 2012.
- (iii) To elect the members of the Governing Body.
- (iv) To remove any member from the Governing Body and according approval to the continuation of a person appointed as a member of the Governing Body against a casual vacancy.

#### **10. Governing Body:**

**(1) Composition:** The Governing Body of the society shall consist of a total of 11 Office-bearers and Members as under:

- a) President
- b) Vice-President
- c) General Secretary /Secretary
- d) Joint Secretary
- e) Treasurer
- f) Six Executive Members, including co-option of any Honorary Member by the Governing Body.

#### **(2) Election of the Governing Body:**

- (i) The Term of the Governing Body shall be three years from the date of approval of its election by the District Registrar;
- (ii) The Governing body will declare the Schedule of Elections and appoint the Returning Officer for conduct of elections and also notify/display a list of members

of the Collegium entitled to vote at least 45 days prior to the holding of the General Meeting for conduct of the elections. The Governing Body shall also send notices for holding elections of the Governing Body to all the members, conveying the date, time & the manner. The information w.r.t. holding of election for the Governing Body shall also be sent to District Registrar to appoint an observer, if he so desires.

- (iii) Any objections qua the list of members of the Society entitled to vote shall be decided by the Returning Officer in consultation with the office-bearers of the society. However, the decision of the Returning Officer shall be final in the event of any difference of opinion. The Returning Officer shall, thereafter, invite nominations to be filed within the period prescribed in the Schedule of elections, scrutiny and withdrawal of nominations, if any, for election of the office-bearers and the executive members of the Governing Body.
- (iv) The Returning Officer will display a list of the contesting members on the notice board of the society. The returning officer will conduct the election on the notified date. The members eligible to vote will be allowed to cast their vote in person, and wherever disputed, on production of the identity card issued by the society.
- (v) After closing hours on the date of the poll, the returning officer will declare the results and constitute the Governing Body of the society. A list of the elected office-bearers and the executive members of the Governing Body, duly signed by the Returning Officer, will be filed with District Registrar within 30 days, who shall accord his approval of the same upon his satisfaction.
- (vi) The office-bearers of the Society shall not be entitled to any remuneration for rendering services to the society.

**(3) Filling of any Casual Vacancy on the Governing Body** - Any vacancy arising on account of resignation or death of any member of the Governing Body or for any other reason, may be filled-up by the Governing Body, if required, from amongst the members of the Collegium on adhoc basis till the holding of next Annual General Meeting of the Society. Such adhoc member of the Governing Body shall cease to be a member of the Governing Body on the date of the next Annual General Meeting, if his appointment is not approved in the Annual General Meeting by a majority vote for the balance term of the Governing Body.

**(4) Meetings of the Governing Body -**

- (i) The meetings of the Governing Body will be held as and when required. However, the Governing Body shall meet at-least once in every quarter and there will be minimum four meetings of the Governing Body in a financial year.
- (ii) A clear notice of three days of every such meeting will be given by the Secretary of the Governing Body to the office bearers and members before the date appointed for the meeting. However, the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty percent of its members.
- (iii) The quorum of the meetings of the Governing Body shall be at least 40% of the total members of the Governing Body, subject to a minimum of 5 members. In

case quorum is not present, the meeting shall be adjourned to another date for which a proper notice shall be issued. The members present in the adjourned meeting, subject to a minimum of three members, shall form the quorum for the adjourned meeting.

- (iv) The proceedings of every meeting of the Governing Body will be recorded in the proceedings book separately maintained for this purpose. Such minutes shall be signed by the Chairman of the meeting and the Secretary of the Society. In case the Chairman or the Secretary are not available to sign the minutes, these will be signed by any two members present in the meeting as may be authorised by the Governing Body.
- (v) The minutes of every meeting of the Governing Body will be placed for confirmation in the succeeding meeting of the Governing body.

#### **(5) Powers, Functions & Duties of the Governing Body-**

- (i) The Governing Body will be responsible for achieving the aims & objectives of the Society and shall work in the best interest of the Society, for which it shall be empowered to deploy the funds & assets of the society for the stated objectives;
- (ii) The Governing Body will be competent to raise funds and purchase property, movable and immovable, on free-hold or lease basis in its name, as decided by it.
- (iii) The Governing Body shall have full charge of all immovable properties and moveable assets belonging to or vested in the Society and these will be managed in such a manner as it considers appropriate subject to the overall control and directions of the Collegium of the Society.
- (iv) The Governing Body shall be competent to invest the funds in the manner it considers appropriate in the best interests of the Society and it shall be competent to borrow or mortgage or hypothecate the properties on behalf of the Society in the manner decided.
- (v) To constitute various standing or adhoc Committees for looking after such functions as may be assigned from time to time.
- (vi) To create provision for engagement of regular or part-time employees of the Society to look after the secretarial, accounting and other functions in a seamless manner.
- (vii) To outsource certain functions e.g. cleaning, security and similar other maintenance activities of the premises of the society.

#### **(6) Powers, Functions & Duties of individual members of Governing Body-**

- (i) President:
  - a) To preside over all the meetings of the Collegium and of the Governing Body and regulate the proceedings of such meetings.
  - b) To do all such acts, deeds and things as may be authorized by the Collegium and/or the Governing Body from time to time.
  - c) To allow or disallow discussion on any matter which is not included in the agenda.

- d) To ensure proper & transparent functioning of the Society/ Governing Body.
- e) To ensure strict compliance of the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.
- f) To supervise and guide the overall activities/ achievement of aims & objectives of the Society.

**(ii) Vice-president:**

- a) To assist the president in carrying out his duties.
- b) In absence of the President, to act on his behalf and perform all duties and exercise all the powers of the President.
- c) To do all such acts, deeds and things, as may be authorized by the Governing Body.

**(iii) General Secretary/Secretary:**

- a) To conduct, organize, supervise and manage all the affairs of the Society and do all such acts and perform all such duties for the working of the Society as may be assigned by the President/Governing Body;
- b) To receive, scrutinize and place applications for membership of the Society before the Governing Body and to enter the name of the members, if approved, in the register of members under his initials and to intimate the members about the same and issue identity cards to the members so admitted;
- c) To convene meetings of the Collegium/Governing Body with the consent of the President and serve proper notices as prescribed under these byelaws.
- d) To attend all the meetings of the Collegium and the Governing Body and assist the President in conducting the meetings and record proceedings of all the meetings.
- e) To prepare annual report of the Society and place it before the Governing Body along with audited annual accounts of the Society, for approval to place the same before the Collegium in the Annual General Meeting.
- f) To keep and preserve the records of the Society/ Governing Body.
- g) To help and assist the President in looking after the complete affairs of the Society and in attaining aims & objects of the Society.
- h) To ensure timely filing of all statutory returns/ documents in the office of the District Registrar and such other authorities as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.
- i) To be the custodian for safe custody of common seal of the society and affix the same, wherever required, as per the authorisation of the Governing Body.

- j) To conduct correspondence on behalf of the Society/ Governing Body and to sign letters and papers on its behalf and to ensure that all statutory registers and records are properly kept and maintained.
- k) To prepare before announcing of the date of election and the Annual General Meeting, the list of all the members eligible to vote, duly updated and to place it before the Governing Body.
- l) Act as the overall in-charge of the administration and execution of all the programmes of the Society/ including financial affairs on behalf of the Governing Body including creation of posts, fixation of salaries/ remuneration/ allowances etc., make appointments/ engagement of staff, make purchases and do all other such things as may be necessary in the furtherance of the aims & objects of the Society in accordance with the delegations by the Governing Body from time to time and where no such delegation is specifically made, in consultation with the President of the Society.

**(iv) Joint Secretary:**

- a) To assist the General Secretary/ Secretary of the Society in carrying out his functions and duties;
- b) To discharge the functions and duties of the General Secretary/ Secretary of the Society in his absence to the extent authorised by the Governing Body;
- c) To look after such functions and duties and exercise such powers as may be assigned and delegated by the Governing Body of the Society from time to time.

**(v) Treasurer:**

- a) To keep accounts of all financial transactions of the Society and of all the sums of money received and spent by the Society and maintain records of receipts and expenses relating to such matters, and of assets, credits and liabilities.
- b) To get the accounts of the Society audited by the chartered accountant appointed by the Governing Body at the close of the Financial year, every year.
- c) To submit to the Governing Body through General Secretary/Secretary, the audited annual accounts of the Society, at least one month prior to the date of annual general meeting.
- d) To act as the overall custodian of all the books of accounts of the society, financial statements, receipt books, expense vouchers, bank pass books & cheque books, cash etc.

**(7) Cessation of members of the Governing Body-** An office-bearer/ executive member of the Governing Body shall cease to be an office-bearer or executive member:

- a) upon submission & acceptance of his resignation;
- b) if he ceases to be a member in accordance with sub-clause (8) of Clause 4 of these byelaws;



c) if he is removed by a resolution passed in the meeting of the Collegium.

**(8) Exclusions from the Employment of a Society:**

- a) No member of the Society shall be in full-time or part-time employment of the Society;
- b) No dependant or family member or close relative of the office-bearers and members of the Governing Body shall be engaged as an employee of the society during its term;
- c) Every office-bearer and member of the Governing Body shall make a declaration in case any person in the employment of the Society is his close relative.

**11. Amendments in the Memorandum of Association, Byelaws, Name of the Society, etc.** - Any amendment in the Memorandum of Association and Byelaws, or Change of Name, amalgamation or division of the Society will be done only with the approval of the Collegium by way of a special resolution. The intimation of any such amendment or change, along with attested copy of the requisite documents, shall be filed in the office the District Registrar by the General Secretary/ Secretary within such time as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made thereunder.

**12. Management of Assets and Funds of the Society**

- (i) The sources of income of the society will include receipts on account of membership fee, annual subscription, rent from property/ assets, interest, consultation fees, donations, gifts, grants, etc. The society can also raise funds through interest-free short term loans from its members or from scheduled banks on interest. Loan from the scheduled banks on interest will be taken only for purchase of creation of capital assets and not for meeting any recurring revenue expenditure under any circumstances.
- (ii) The Governing Body will prepare and approve an annual budget of the Society on the basis of its estimated income and the capital & revenue expenditure during the first quarter of the financial year and shall also place a copy thereof before the Collegium in its Annual General Meeting for information.
- (iii) The Bank accounts of the Society will be jointly operated by such members/ office bearers as may be decided by the Governing body from time to time.
- (iv) All assets and funds will belong to the Society and vest in the society.
- (v) All receipts and payments of the Society shall be made through Bank Instruments (i.e. DD/ Pay Order/ Cheques/ Bank Transfers/ RTGS) including all receipts towards the Membership Fees and the annual subscriptions from the members. However, the Governing Body may determine the limits of financial transactions which may be conducted in cash in certain other cases.

**13. Accounts of the Society:**

- (i) The Treasurer of the Society will be responsible for keeping and maintaining proper books of accounts i.e. cash book, ledger etc. as required under the Income Tax laws

and/or any other authority including the Institute of Chartered Accountants of India, at its Registered Office with respect to all sums of money received and expended by the Society and the assets and liabilities of the Society.

- (ii) The books of accounts of the Society shall be open to inspection during the business hours by the Registrar General, Registrar, District Registrar or any officer authorised by them and by any member of the Society.
- (iii) The annual accounts of the society will be signed by any two authorised office-bearers of the Society.
- (iv) The Governing Body will appoint a chartered accountant, who shall not be a member of the Governing body or family member of any member of the Governing Body, for auditing the accounts and filing of income tax return of the society for each financial year, at such remuneration as may be determined by the Governing Body.

#### **14. Common Seal:-**

The Society will have a common seal which shall be kept in safe custody of the General Secretary/Secretary and shall be affixed wherever it is required in accordance with the authorisation by the Governing Body.

#### **15. Amalgamation of the Society:**

The Society may amalgamate itself with any other Society established with the identical aims and objects or allow any other society to amalgamate with itself by a Special Resolution passed in this behalf in accordance with the provisions contained in Section 51 of the Act and rule 25 made there under.

#### **16. Dissolution of the Society:**

- (i) The Society may resolve to dissolve itself in accordance with the provisions contained in the Act and the rules there under in case it becomes difficult to carry on with the operations of the Society, or it becomes insolvent or for any other pressing and unavoidable reasons;
- (ii) In the event of dissolution of the Society, no assets of the society shall devolve on or distributed amongst the members of the Society;
- (iii) Its assets and properties shall be first used to liquidate any liabilities and the left-over properties/ assets, if any, shall be considered for transfer to any other Society established with identical aims and objects or to the District Collector for use thereof in the general public interest.

|  |             |                                |                |                   |                   |
|--|-------------|--------------------------------|----------------|-------------------|-------------------|
| <b>We, the several persons whose names &amp; addresses are subscribed hereunder, certify the above to be the true copy of the Bye-laws of the society.</b> |             |                                |                |                   |                   |
| <b>Sr. No.</b>   | <b>Name</b> | <b>Father's/Husband's name</b> | <b>Address</b> | <b>Occupation</b> | <b>Signatures</b> |

|       |  |  |  |  |  |
|-------|--|--|--|--|--|
| (i)   |  |  |  |  |  |
| (ii)  |  |  |  |  |  |
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| (vii) |  |  |  |  |  |

#### Annexure -5

### Residents Welfare Association of \_\_\_\_\_ Apartment Owners Model Bye-laws (GHS)

#### Chapter 1

|  |   |
|--|---|
| <b>1. Short title and Application:</b>   |   |
| (i)  | These bye-laws may be called the Bye-laws of the Association of Apartment Owners of the _____.  |
| (ii)   | These bye-laws shall apply to the members of the Association of Apartment Owners of the _____ and the Housing Complex situated at _____.  |
| (iii)  | All present owners, their successors-in-interest, tenants, future tenants or their employees or any other person who may use the facilities of the Housing Complex in any manner shall be bound by these the provisions set forth under these Bye-laws.                     |
| (iv)   | The acquisition of ownership or on rent of any independent dwelling units (hereinafter referred to as "Dwelling Unit") of the Complex or act of occupancy of any of the said units will signify that these bye-laws are accepted, ratified and will be complied with.       |
| <b>2. Definitions:</b>   |   |
| Unless otherwise specified, all words and phrases used in these byelaws shall have the same meaning as ascribed to them under the Haryana Registration and Regulation of Societies Act, 2012 and the rules framed there under and the Haryana Apartment Ownership Act, 1983. |   |
| <b>3. Haryana Apartment Ownership Act, 1983</b>  |   |
| The housing complex raised at _____, District _____, and known as the _____ (name), is submitted to the provisions of the Act and the rules made there under.  |   |
| <b>4. Aims and Objects of the Association: The aims and objects of the Association shall be:-</b>  |   |
| (i)  | to be and to act as the Association of Apartment Owners of the group housing building complex called the _____ Group Housing Society, (hereinafter called "complex") who have filed their respective declarations submitting their apartments to the provisions of the Act. |

|  |        |  |
|--|--------|--|
|  | (ii)   | to invest or deposit contributions and other moneys with the Association;  |
|  | (iii)  | to ensure that the complex is properly managed, maintained and administered in a manner compatible with the standards and expectations of the apartment owners;  |
|  | (iv)   | to provide for the maintenance, repair and replacement of fittings, fixtures, appurtenances or other property requiring maintenance, repair and replacement comprised in common areas and facilities by contribution made by the apartment owners, and if necessary, by raising loans for that purpose;  |
|  | (v)    | to retain and permit use of common facilities to outsiders against an approved charge and appropriate such income for the objects of the Association or its credit to a reserve fund;  |
|  | (vi)   | to establish and conduct educational, physical, social and recreational activities for the benefit of the apartment owners on its own account or jointly with individuals or institutions;   |
|  | (vii)  | to frame rules regarding establishment of any provident fund for the benefit of full-time employees of the association, as required under the law of the land, after following the prescribed procedure;   |
|  | (viii) | to do all things necessary or/ and otherwise provide for the attainment of the objects specified in these bye-laws.  |
|  | (ix)   | The Association shall not act beyond the scope of its objects without suitably amending the provisions of these bye-laws for the purpose.  |
| <b>5. Affiliation</b>  |        |  |
| Should there be any Federation of apartment owners in the locality in which the _____ CGHS is situated, the Association may become a member thereof and pay the sums from time to time payable to such Federation under the rules thereof. |        |  |
| <b>Chapter II</b><br><b>Membership and the Association of Apartment owners</b>   |        |  |
| <b>6. Terms of admission of Members</b>  |        |  |
|  | (i)    | Every person who owns an apartments in the _____ Co-operative Group Housing Society, _____, and has executed respective declarations pursuant to Clause 3 of these Byelaws submitting the apartment to the provisions of Haryana Apartment Ownership Act, 1983, shall be a member of the Association, and shall pay a sum of one hundred rupees as membership fee; |
|  | (ii)   | Each owner, on being a member, shall be allotted _____ share of the face value of Rupees _____ in respect of the each of the dwelling units under his ownership. Every apartment owner must hold at least one share of the Association and the Joint owners shall hold the share jointly.  |

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|   | (iii) | Each apartment owner shall receive a copy of the bye-laws in electronic form for their reference, of which a hard copy may also be supplied on demand.  |
|   | (iv)  | Upon any apartment owner transferring his/her apartment by way of any will, gift or sale, or an apartment becoming liable to transfer on account of natural inheritance, the successor-in-interest shall automatically become a member of the Association, and shall be admitted as a member on payment of the applicable membership fee; Provided that any transfer of the apartment by way of sale to a third party, other than those involving family transfers, shall require prior approval of the Association.<br>Further provided that wherever the Association permits any such transfer, the seller/ transferor or the buyer / transferee, as mutually settled between the parties, shall be liable to pay a one time transfer fee of _____ rupees to the Association. |
|   | (v)   | On the death of an apartment owner, the apartment shall be transferred to the person or persons to whom the owner bequeaths the same by his or her nomination or will or to the legal heirs of his or her estate, in case he or she has not made any specific bequest of the apartment:   |
|   | (v)   | Where any legatee is a minor, the apartment owner shall appoint a guardian of such minor to exercise powers and perform the functions required under these bye-laws.  |
| <b>7. Joint Apartment Owners</b>                        |       |   |
|   |       | Where an apartment has been allotted in favour of two or more persons jointly, they may be jointly entitled to the ownership of the apartment and the share of the Association in such case may be issued in their joint names. However, the person whose name stands first in the share certificate shall have the right to vote;<br>Provided that such person, whose name stands first in the share certificate, may transfer such right of vote to any one of the other joint owners.  |
| <b>8. Disqualifications</b>                             |       |   |
|   |       | No apartment owner shall be entitled to vote on the questions of the election of members of the Board or the President, Secretary, Treasurer or any other officebearer or be entitled to stand for election to such office if he or she is in arrears of any payment to the Association on account of common maintenance charges, utility bill payments, common areas user charges etc. on the first day of the month of the election for more than 60 days.  |
| <b>9. Powers, Functions and Duties of Association:-</b> |       |   |
|   | (i)   | The Association will be responsible for complete administration of the common facilities and services of the apartment complex and  |

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|   |      | shall be competent to exercise all powers in this behalf e.g. preparation and approval of the annual budget, determination and collection of monthly contributions from the members, placing demand for any additional contribution occasioned by any unforeseen liability, interacting with all government or semi-government agencies etc. in furtherance of the overall management of the apartment complex in an efficient manner.                       |
|   | (ii) | Except as otherwise provided, resolutions of the Association shall require approval by a majority of owners, present and voting, casting their votes in the manner provided in clauses 17 and 18 of the bye-laws.  |
| <b>10. Place of meetings -</b>                        |      |  |
|   |      | Meetings of the Association shall be held either at the Housing Complex or any suitable place convenient to the owners as may from time to time be designated by the Association.  |
| <b>11. Annual General Meeting</b>                     |      |  |
|   | (i)  | The first general meeting of the members of the Association will be held on _____ to consider and approve these Bye-laws.  |
|   | (ii) | The Annual General Meeting of the Association shall be held every year any time during the second quarter of the financial year (July to September) so as to consider, approve and adopt the annual accounts of the Association and transact all such business as it may be required to do.  |
| <b>12. Extra-ordinary or Special General Meetings</b> |      |  |
|   | (i)  | The Association may hold its extra-ordinary or special general meetings as and when required.<br>Provided that the Board of Managers shall convene a special or extraordinary general meeting of the Association upon a requisition signed by 1/3rd of the members, or as & when so directed by the the District Registrar of Societies or the Housing Commissioner or any other officer duly authorized by them under the relevant statutes in this behalf. |
|   | (ii) | The notice of any special general meeting shall state the date, time and place of such meeting and the purpose thereof.  |
| <b>13. Notice of Meetings</b>                         |      |  |
|   | (i)  | A notice of 14 days, indicating the time, date and venue, shall be given to the members for any general meeting.<br>Provided that such notice may be of a shorter duration if not objected by at least 1/3rd of the members.   |
|   | (ii) | The notice of any general meeting sent by electronic mail to the email ID of the members shall be an accepted mode of service of such notice.  |

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|  | (iii)   | A copy of the notice of every general meeting, annual or special, shall also be endorsed to the office of the District Registrar and/or the Housing Commissioner, as the case may be. A hard copy of the said notice may be sent to the concerned offices of the District Registrar and/ or the Housing Commissioner, if these offices are not electronically connected. |
| <b>14.Quorum and Voting</b>  |   |  |
|  | (i)   | The quorum for every general meeting, annual or special, shall be 40% of the members.  |
|  | (ii)  | There shall be one vote for each apartment, which may be exercised by the joint member on authority of the member.   |
|  | (iii)   | Every vote, be it exercised by the member or by the duly authorized joint member, shall be cast in person.<br>Provided that the member may communicate such authority in favour of the joint member through electronic mail with a copy thereof duly endorsed to the Secretary of the Association.   |
| <b>15.Adjourned Meetings. -</b>  |   |  |
|  | (i)   | A general meeting of the Association may be adjourned if the quorum for such meeting is not complete   |
|  | (ii)  | It shall be competent for the Board of Managers to convene an adjourned general meeting after a gap of not less than 48 hours of the meeting first convened and adjourned.   |
|  | (iii)   | If no quorum is present in the adjourned meeting, a total of _____ members present shall constitute the quorum and the matters decided.  |
| <b>16.Order of Business</b>  |   |  |
|  | The order of Business of any general meeting, annual or special, may be decided by the Board of Managers or the members as deemed appropriate.  |  |
| <b>17.Special Resolution</b>   |   |  |
|  | Any matter required to be resolved through a Special Resolution may be decided at any general meeting, annual or special, which is attended by at least 40% of the total members and the proposal is approved by 3/5th of the members present and voting. |  |
|  | <b>Chapter III</b><br><b>Office-bearers of the Association, election and their duties</b>   |  |
| <b>18.Office-bearers of the Association, tenure and their Election</b> |   |  |
|  | (i)   | The office-bearers of the Association shall consist of a President, a Vice- President, a Secretary, a Joint Secretary and a Treasurer.   |
|  | (ii)  | The office-bearers of the association shall be elected, as and when it becomes due, by the Association of Owners at its Annual General Meeting.  |

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|  | (iii) | The term of office of the office-bearers of the Association shall be three years.  |
| <b>19. Resignation, Suspension and Removal of Officer-bearers. -</b> |       |  |
|  | (i)   | An office-bearer of the Association may, of his own volition, resign from such position at any time.<br>Provided that the Board of Managers may, if considered unavoidable, require such office-bearer to continue to discharge his functions till such time his substitute is duly elected at a general meeting of the Association.   |
|  | (ii)  | In case a majority of the Board of Managers express their lack of confidence in any office-bearer, for whatsoever reason, they shall be competent to suspend such office-bearers from office till such time the matter is considered at the general meeting of the Association for his removal and so resolved.<br>Provided that the Board of Managers shall convene a meeting of the Association of Owners as soon as possible, but not later than 45 days of such decision, to consider the removal of such office-bearer. |
|  | (iii) | The successor of any office-bearer removed from the office shall be elected at the same meeting of the Association.  |
| <b>20. President of the Association</b>                              |       |  |
|  | (i)   | The President shall be the Chief Executive Officer of the Association and shall preside over all meetings of the Association and of the Board of Managers.   |
|  | (ii)  | The President shall have all the general powers and duties which are usually vested in a Chief Executive of an organisation, including but not limited to the powers to constitute sub-committees of members for attending to various tasks in furtherance to the aims and objects of the Association.   |
| <b>21. Vice President</b>  |       |  |
|  | (i)   | The Vice President shall perform such functions as are assigned to him by the Board of Managers from time to time.   |
|  | (ii)  | Officiate as the President and preside over the meetings of the Association and the Board of Managers during any temporary absence of the President.   |
| <b>22. Secretary</b>   |       |  |
|  | (i)   | He shall be the overall in-charge of the secretarial functions of the Association and the Board of Managers;   |
|  | (ii)  | He shall issue notices for the meetings of the Association, the Board of Managers, record the proceedings of all such meetings and maintain various registers as are required to be maintained in this behalf.   |



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|   | (iii) | He shall be the custodian of all such books and records of the Association and the Board of Managers, as the Board may direct.  |
| <b>23. Joint Secretary</b>  |       |   |
|   |       | He shall assist the Secretary of the Association in discharge of his duties and responsibilities  |
| <b>24. Treasurer</b>  |       |   |
|   | (i)   | He shall be responsible for management of the finances and accounts of the Association, receipts and expenditure, bank accounts, maintenance of all books of accounts, investment of surplus funds and audit of the accounts of the Association.  |
|   | (ii)  | He shall be responsible for the deposit of all moneys and other valuable effects in the name and to the credit of the Association, in such depositories, as may from time to time be decided by the Board of Managers.  |
| <b>Chapter IV</b><br><b>Constitution of the Board of Managers, its functions and powers</b> |       |   |
| <b>25. Board of Managers and its mandate</b>  |       |   |
|   | (i)   | The affairs of the Association shall be managed by a 'Board of Managers', comprising of five office-bearers, who shall be elected by the members of the Association for a term of three years, and may be referred to as the 'Board' hereinafter.   |
|   | (ii)  | The office-bearers of the Board of Managers shall be the office-bearers of the Association also.  |
|   | (iii) | The Board of Managers shall act as the trustees of the members of the Association and be responsible for the overall management of the assets of the Association, operation and management of all its common facilities and the housing complex as a whole, and shall exercise all powers as are required to be exercised in the efficient discharge of its functions and responsibilities; |
|   | (iv)  | The Boards of Managers shall discharge its functions and duties following the principles of collective responsibility and the designations of any officebearers are not meant to create any hierarchy;  |
|   | (v)   | The Board of Managers may appoint such sub-committees of members from time to time, as may be considered necessary, with such terms as it may deem appropriate in exercise of powers and discharge of duties for the administration of the affairs of the Association.  |
|   | (vi)  | The Board may co-opt or appoint such persons as members of any such subcommittee who possess special knowledge of any area to provide any expert assistance to any such committee.  |

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|  | (vii)  | Any sub-committee appointed by the Board, with or without any expert, shall submit its report to the Board, upon which the Board may take such action as deemed appropriate.   |
|  | (viii) | The Board shall be responsible for preparation of the Annual Accounts and shall present an Annual Report of its activities before the Association in its Annual General Meeting.   |
| <b>26. Duties, functions and powers of the Board</b> |        |  |
|  |        | The Board shall, in addition to the duties and responsibilities assigned under these bye-laws or by resolution of the Association, be responsible for the following, among other things:   |
|  | (i)    | The care, upkeep and surveillance of the apartment complex of the _____ Group Housing Society, and the common areas and facilities and the restricted common areas and facilities;   |
|  | (ii)   | Determination and collection of the monthly maintenance charges from the apartment owners;   |
|  | (iii)  | Raise bills, receive the amount and deposit the same with the appropriate authority on account of monthly water and electricity bills;   |
|  | (iv)   | Levy and collection of user charges for use of restricted common facilities as may be decided by the Association from time to time;  |
|  | (v)    | Designation, employment, payment of remuneration and dismissal of personnel or service provider(s) necessary for the maintenance and operation of the apartment complex of the _____ Group Housing Society, its common areas and facilities and the restricted common areas and facilities;  |
|  | (vi)   | Provide for the manner in which the accounts of the Association shall be maintained and its audit shall be carried out;  |
|  | (vii)  | Inspect and examine the records and accounts kept by or under the supervision of the Secretary and/or the Treasurer so as to ensure that these are maintained in the manner as prescribed;   |
|  | (viii) | Take steps for timely payment of all obligations and the recovery of all sums due to the Association;  |
|  | (ix)   | Approve or sanction working expenses, maintenance of cash balance and deal with other miscellaneous business;  |
|  | (x)    | Ensure that the cash book is written promptly and is signed daily by one of the members of the Board authorized in this behalf;  |
|  | (xi)   | Appropriately deal with the complaints concerning the above;   |
|  | (xii)  | Perform all other functions as may be decided, from time to time, by the Association for the maintenance, repair and replacement of the fittings, fixtures, appurtenances or other property requiring maintenance, repair and replacement comprised in common areas and facilities and the restricted common areas and facilities. |

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| <b>27.</b> | <b>Restrictions for an office-bearer or member from receiving any benefits</b>  |
|            | No office-bearer or member of the Association or the Board of Managers shall be appointed to any salaried office of the Society, and shall not be paid any fees or remuneration for the services rendered by him;<br>Provided that the office-bearers and/or the members shall be entitled to claim reimbursement of actual travel and out of pocket expenses incurred by them in connection with any work related to the Association, and interest on any money lent to the society for overcoming any temporary requirements. |
| <b>28.</b> | <b>Vacancies in the Board of Managers</b>   |
|            | Any vacancy in the Board, caused by any reason other than the removal of an officebearer, may be filled-up by the remaining office-bearers of the Board by nomination as an intervening measure, which shall be placed before the Association in its next general meeting for ratification or election of such office-bearer.   |
| <b>29.</b> | <b>Engagement of Agencies, Service Provider, Estate Manager and other officials</b>   |
| (i)        | The Board may engage one or more service providing agencies for performance of such functions or delivery of such services and for such compensation as it may determine for the purpose.   |
| (ii)       | The Board may engage or employ individuals, on full-time or part-time basis in the employment of the Association, for a remuneration or compensation as determined by the Board, and performance of such duties and services as may be decided by the Board.  |
| (iii)      | The Board may require all or any of the employees of the Association to furnish a fidelity bond.  |
|            | <b>Chapter V</b><br><b>Meetings of the Board of Managers -Notices, Agenda, Quorum, and Proceedings</b>  |
| <b>30.</b> | <b>Meetings of the Board of Managers</b>  |
| (i)        | The first meeting of the newly elected Board shall be held within 30 days of such election at such place as shall be fixed by the Board.  |
| (ii)       | The Board of Managers may hold its meeting as and when required subject to the condition that it shall meet at least once every quarter and hold a minimum of four meetings in a financial year.  |
| <b>31.</b> | <b>Notice for the Meetings of the Board of Managers</b>   |
|            | Every meeting of the Board shall entail a notice of at least three days, circulated in electronic or physical mode, as the case may be, along with the tentative agenda of the business to be transacted at such meeting.   |

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|            |  | Provided that the notice period may be waived in emergent circumstances if a majority of the office-bearers agree to hold the meeting at a shorter notice.      |
| <b>32.</b> | <b>Quorum</b>  |   |
|            | At least 33% of the members of the Board shall constitute the quorum for any meeting.  |   |
| <b>33.</b> | <b>Proceedings of Meetings</b>   |   |
|            | (i)  | Proceedings of each and every meeting of the Board of Managers shall be recorded by the Secretary and signed by the Secretary and the President;                |
|            | (ii)   | The proceedings of meetings, signed by the Secretary and the President, shall be maintained in the form of a register of proceedings;                           |
|            | (iii)  | The proceedings may be circulated amongst the Board members by electronic mode and hard copies thereof shall be endorsed to concerned authorities, as required. |
|            |  | <b>Chapter VI</b><br><b>Funds, Accounts and Audit</b>   |
| <b>34.</b> | <b>Funds: The Association may raise funds through all or any of the following sources, namely: -</b>   |   |
|            | (i)  | Transfers from the savings available in the Capital Account of the _____ Group Housing Society, if any;   |
|            | (ii)   | Membership fee and by issue of shares;  |
|            | (iii)  | Contributions, assessments, user charges and donations from the apartment owners;   |
|            | (iv)   | Revenue Surpluses which may form the nucleus of the Reserve Fund;   |
|            | (v)  | Loans, if necessary, subject to such terms and conditions as the Association may determine with the approval of the Competent Authority in this behalf.         |
| <b>35.</b> | <b>Investments - The Association may invest or deposit its funds in one or more of the following:-</b>                                       |   |
|            | (i)  | In a Co-operative Bank or a Scheduled Bank or a Post-office Savings Account, or   |
|            | (ii)   | In any of the securities specified in Section 20 of the Indian Trust Act, 1982; or  |
|            | (iii)  | In any other manner as resolved by the Association.   |
| <b>36.</b> | <b>Deployment of funds</b>   |   |
|            | The income and property of the Association shall be applied solely towards promotion of the aims and objects of the Association as set forth |   |

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|                                    | in the Memorandum of Association and no portion thereof shall be paid or transferred, directly or indirectly, to the members of the Association.   |
| <b>37. Maintenance of Accounts</b> |  |
| (i)                                | The Association may open separate bank accounts for separate purposes and maintain proper accounts of credits to and debits from each such account.  |
| (ii)                               | The Secretary or the Treasurer may keep an amount, not exceeding Rs. _____, in cash at all times with them or with the Manager in order to defray any or all such petty expenses for which payments may not be feasible through bank instruments.  |
| (iii)                              | All payments exceeding Rs. _____, in so far as possible, shall be made by cheque signed by the Secretary or the Treasurer of the Association.  |
| (iv)                               | Cheques for any payment exceeding Rs. _____ shall be signed jointly by the Secretary and the Treasurer.  |
| (v)                                | The Board of Managers shall maintain a pass-book in respect of every member in electronic or physical form containing particulars of the amount due from a member (in respect of common maintenance charges, utility bills, user charges, or any other demand), the payments made, the balance towards or against the member/ Association, as the case may be. Copies of the accounts so maintained shall be made available to the members on demand during the Annual general Meeting of the Association or at any stage, for which the Association may or may not determine a fee. |
| <b>38. Annual Accounts</b>         |  |
| (i)                                | The Board of Managers shall prepare annual accounts of the Association as at the end of a financial year, as soon as possible, but in any case on or before the 30th June of the following year.   |
| (ii)                               | The Annual Accounts shall contain (a) the receipts and expenditure statement of the previous financial year; (b) surplus or deficit account; and (c) a summary of the property and assets and liabilities of the common areas and facilities of the Association giving such particulars as will disclose the general nature of these liabilities and assets and how the value of fixed assets has been arrived at.   |
| <b>39. Audit of Accounts</b>       |  |
| (i)                                | The Annual Accounts shall be submitted for Audit by a Chartered Accountant engaged by the Board, such Chartered Accountant not being a member of the Association or a close relative of any of the members;  |
| (ii)                               | The Auditors shall audit the accounts of the Association, with or without any qualifications, and submit their report thereon.   |
| (iii)                              | The audited financial statement shall be open to inspection by any member of the Association during office hours and in the office of  |

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|            |   | the Association and a copy thereof shall be placed before the Annual General Meeting for its approval and adoption not later than 31st of August of the year.   |
|            | (iv)  | Every financial statement shall be accompanied by a complete list of the apartment owners, along with the amount receivable from or payable to the members.   |
|            | (v)   | A copy of the Annual Audited Accounts shall be filed in the office of the District Registrar in the form and manner prescribed under the relevant law.  |
| <b>40.</b> | <b>Appointment of Auditor and related matters.-</b>   |   |
|            | (i)   | The Association shall appoint a registered Chartered Accountant or a firm of Chartered Accountants as the auditor at its Annual General Meeting along with the determination of the remuneration there for.   |
|            | (ii)  | The Board of Management shall extend full assistance to the Auditor and make all such documents and records available to him as may be required for the same;   |
|            | (iii)   | The Auditor shall conduct the audit of the accounts of the Association in accordance with the accepted Accounting Standards, along with or without any qualifications or advisory to the Association for the proper upkeep of accounts.   |
|            | (iv)  | The auditor shall be entitled to call for and examine any papers or documents belonging to the Association covering the complete scope of activities of the Association.  |
|            | <b>Chapter VII</b><br><b>Mortgages</b>  |   |
| <b>41.</b> | <b>Notice about Mortgage and related information</b>  |   |
|            | (i)   | A member, who mortgages his or her dwelling unit in favour of any financial institution, shall notify the Association through its Secretary, the name and address of his or her mortgagees, and the Association shall maintain such information in a book entitled "Mortgagees of Units." |
|            | (ii)  | The member shall also notify the Association about the status of mortgage of the dwelling unit, and its vacation.   |
|            | (iii)   | The Association may, at the request of the Mortgagee of a unit, report any unpaid assessments or charges due from the owner of such unit.   |
|            | <b>Chapter VIII</b><br><b>Determination of contributions from Members for Common Maintenance of facilities, user charges and utility payments</b> |   |
| <b>42.</b> | <b>Members to contribute for Various charges</b>  |   |

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|            | <p>(i) The Association shall determine the rates of various charges to be contributed by the members on account of all or any of the following:</p> <p>(a) Charges for the maintenance of common areas and facilities e.g. security, cleaning, garbage disposal, horticulture, electrical and plumbing services, AMCs of various facilities e.g. lifts, Gen-set etc.;</p> <p>(b) Charges for use of common facilities e.g. Gym, Indoor games, lounge, terrace with lounge, common kitchen area, lawns etc;</p> <p>(c) Utility charges i.e. electricity bills of individual dwelling units (if the power is being supplied to the Association Complex from a HT Connection), water charges etc.;</p> <p>(d) Contribution to the Reserve Fund for meeting major repairs and renovation works required for the common areas of the complex;</p> <p>(e) Costs towards payment of insurance premium to cover the risk against various eventualities e.g. fire, earthquakes, calamity, strike by any terrorist action etc;</p> <p>(f) Any taxes or fees or cess payable to the local Municipal Corporation;</p> <p>(g) Any other charges not specifically covered under the above.</p> |
|            | <p>(ii) All expenditure incurred on the maintenance of the common facilities and services of the housing complex shall be recoverable from and payable by the members on a prorated basis i.e. divided or multiplied by a factor of _____ (no. of members) in a uniform manner.</p>  |
|            | <p><b>Chapter IX</b></p> <p><b>Obligations of the Apartment Owners</b></p>   |
| <b>43.</b> | <b>Obligation to timely payment of all charges and contributions</b>   |
|            | <p>Each and every owner of an apartment in the Housing Complex, who is a also member of the Association, shall be under obligation at all times to pay the common maintenance charges and user charges as determined by the Association from time to time and the utility bills in respect of electricity and water consumption without being in arrears.</p>  |
| <b>44.</b> | <b>Observance of duties and responsibilities</b>   |
|            | <p>The apartment owners shall be obliged to observe their duties and obligations as set out herein and any violation of the same shall make them liable to fine and /or for forfeiture of their rights as may be determined by the Association at its meeting or by any special committee appointed by them in this regard.</p>  |
| <b>45.</b> | <b>Enforcement of obligations</b>  |
|            | <p>In case any member is in arrears of payment of his obligations for a period of _____ days or more, the Board of Managers shall be competent to take all measures for the recovery of such arrears of the monthly maintenance charges, or monthly utility bills (electricity and</p>   |

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|   | related charges) and other user charges, including coercive measures by taking recourse to disconnection of electricity and water supply to the dwelling unit, blocking its sewage outflow, and denial of access to the use of common facilities including the lifts.   |
| <b>46. Maintenance and repairs of individual dwelling units</b> |   |
| (i)   | All repair, renovation and replacement of internal installations within the area of the individual dwelling unit e.g. water, light, gas, power, sewage, telephones, air-conditioners, sanitary installations, doors, windows, lamps and all other accessories belonging to the unit area shall be carried out by the apartment owner at his own expense;  |
| (ii)  | Every apartment owner shall promptly undertake the maintenance and repair work in respect of any installation within his own dwelling unit, which if not attended promptly, may have an adverse effect on the dwelling units of other members or the common areas of the housing complex;   |
| (iii)   | Should there be caused any damage or injury to the common areas or facilities in the process of internal works in any apartment, the owner shall either get the same restored to its condition at his own expense or be liable to pay and re-imburse the expenditure incurred by the Association on getting such damages repaired.  |
| (iv)  | The apartment owner 'A' shall either reimburse and compensate the owner of another apartment 'B' for any damage or injury caused to his (B's) apartment in the process of repairs carried out in his (A's) apartment or get the same repaired at his cost to the satisfaction of the affected owner.  |
| (v)   | No apartment owner shall make any structural modifications or alteration in his/her unit or installations located within the apartment without previously notifying the Association in writing, through the Secretary of the Board, and securing prior permission of the Board for such modifications and alterations.<br>Provided that the elevation and engineering structure of the building will not be changed under any circumstances.<br>Provided further that any change affecting any other apartment will not be permitted. |
| (vi)  | The Board shall respond to any request received under sub-clause (iii) above at the earliest but not exceeding thirty days. In case no response is received to the contrary within 30 days, it shall be deemed that there is no objection to the proposed modification, alteration or installation.   |
| <b>47. Use of Independent units and liability for violation</b> |   |
| (i)   | All the apartments/ dwelling units shall be used for residential purposes only as permissible under the regulations of _____ (the competent Authority) from time to time.   |



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|   | (ii)  | Any financial or other liability arising out of violation of the usage condition shall have to be borne by the apartment owner who violates this condition;   |
| <b>48. Use of Common areas and facilities and restricted common areas and facilities.</b> |       |   |
|   | (i)   | No member shall place or cause or allowed to be placed any furniture, packages or objects of any kind in the lobbies, vestibules, stairways, elevators and other areas of the _____ Group Housing Complex and facilities of a similar nature both common and restricted, that may impede or expected to impede the smooth movement of persons or goods or may cause inconvenience to the residents.   |
|   | (ii)  | The common or restricted areas shall not be used for any purpose e.g. storage or construction work, except where specifically authorized by the Association, other than for normal transit and circulation.   |
|   | (iii) | The _____ Group Housing Complex has provision for _____ elevators earmarked for the use of apartment owners/ tenants and their guests and _____ elevator earmarked for freight service or auxiliary purposes.   |
|   | (iv)  | Owners, tenants and their workmen shall use the freight or service elevator only for carrying any packages, merchandise or construction material or any such other objects which may effect the comfort or well being of the passengers of the elevators dedicated for the use of owners, occupants and guests. The users shall exercise due care and caution and ensure that no damage or defacing is caused to any of the lifts during the use thereof. |
| <b>49. Right of access and entry in emergency and normal conditions</b>                   |       |   |
|   | (i)   | Every apartment owner shall ensure unhindered access to the Manager or any workmen employed by the Board to attend to any emergent situation arising from electrical installations or any such thing which might threaten the safety of his apartment or any other apartment whether in his presence or absence.  |
|   | (ii)  | An owner shall permit other owners or their representative, when so required, to enter his dwelling unit for the purpose of installation, alteration, or repairs to the mechanical or electrical services, provided, that requests for entry are made in advance and that such entry is at a time convenient to the owner; but in case of emergency, such right of entry shall be immediate.  |
| <b>50. Code of Conduct for the apartment owners/ residents</b>                            |       |   |
|   | (i)   | It shall be the responsibility of every apartment owner/ resident to ensure that:   |

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|       | <p>(a) his/ her apartment is not used for any unlawful, illegal, immoral or anti-national activity;</p> <p>(b) the laws, rules and instructions of the police and or any law enforcement agency regarding verification of their tenants and foreign nationals are duly complied with.</p>   |
| (ii)  | All the apartment owners and/or residents including the tenants of the Hermitage Housing Society Complex and their domestic help, if any, are obliged to maintain at all times a wholesome family environment in the complex.   |
| (iii) | No owner or resident of the _____ Group Housing Society Complex shall post any advertisement or posters of any kind in or on the building except as authorized by the Association.  |
| (iv)  | The apartment owners/ residents may notify the security staff at the gate in advance if they are expecting any guests or any maintenance staff or any other person. The guests, visitors and maintenance workers etc. are required to sign the visitor's register at the entrance gate, failing which entry to the Housing Complex may be denied by the Security staff.   |
| (v)   | Consumption of alcohol or any intoxicants etc. by the residents and /or their guests and domestic staff in the common areas, and smoking in the lifts is strictly prohibited.   |
| (vi)  | <p>The apartment owners/ residents shall:</p> <p>(a) contain and confine the noise level caused by any construction, maintenance and repairs in any apartment or use of musical instruments, radios, television, amplifiers and any other devices so as to ensure that other residents are not disturbed in peaceful enjoyment of their privacy;</p> <p>(b) ensure that the domestic pets, if any, are kept strictly following the safety &amp; sanitation norms, and managed &amp; maintained as per the Municipal bye-laws or regulations;</p> <p>(c) not dust rugs, carpets etc. from the windows and balconies, or to clean rugs, carpets etc. by beating on the exterior part of the Hermitage C.G.H.S. building;</p> <p>(d) not throw or drop any garbage or trash or litter outside the disposal installations provided for such purpose in the service areas or any water from the windows/ balconies etc;</p> <p>(e) collect all garbage or solid/ semi solid municipal waste in a container and dispose it off in the Municipal dust-bin, if no such installation is provided;</p> <p>(f) lay or install or cause to be laid/ installed any wiring for electrical or telephone installation, television antennae, machines or air conditioning units, etc. on the exterior of the Complex building or that protrude through the wall or the roof of the building except as authorized by the Association.</p> |

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| <b>51.</b> | <b>Parking of Vehicles:</b> The apartment owners/ residents/ tenants shall follow the following guidelines in this behalf:  |
|            | (i) As _____ car parking slots are earmarked for each apartment, _____ parking stickers shall be issued for each apartment for regular overnight parking of vehicles inside the building complex. These stickers will be displayed on the front windscreen of the cars of the residents.  |
|            | (ii) Entrance and parking of any additional vehicle on a regular basis for any apartment inside the Complex will be regulated by the Board of Managers.   |
|            | (iii) It is expected that every owner/ resident shall park or cause to be parked his cars at the assigned parking slot specifically allotted to an apartment.   |
|            | (iv) All the apartment owners and residents are expected to ensure that their vehicles or taxis are not parked in the main drive-way except for drop and pick-up facility of the passengers;  |
|            | (v) The rear-setback area of the complex may be used as the floating car parking space during the day time only;  |
|            | (vi) No owner or resident shall park or allow his vehicles to be parked in the drive-ways/ pathways demarcated for the movement of vehicles in the basement, or park two-wheelers in the area earmarked for four-wheelers.  |
| <b>52.</b> | <b>Domestic Staff (servants, drivers, cleaners, cooks and domestic workers etc.)</b>  |
|            | (i) Apartment owners/ residents are required to get the servants, drivers, cleaners, cooks and domestic workers (henceforth to be referred as the domestic staff) employed by them verified by the local police and to submit a copy of the police verification to the Board. Entry to the Housing Complex may be denied to the domestic staff not verified by the local police.  |
|            | (ii) The names and other particulars of the servants, drivers and domestic staff employed by the residents should be supplied by them to the Board. The Board shall issue identity cards to them that must be carried by the domestic staff while in the Complex. On termination of the employment of any member of their domestic staff, it shall be the responsibility of the owner/resident to inform the Board and to return the identity card. |
|            | (iii) The domestic staff is prohibited from using the common areas for recreation, assembly or sitting unless accompanied by the residents. Domestic staff will use only the areas earmarked for them in the Complex area.  |
|            | <b>Chapter X</b><br><b>Other General matters</b>  |

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| <b>53.</b> | <b>Compliance</b>   |
|            | These bye-laws are set forth to comply with the requirements of the Haryana Registration and Regulation of Societies Act, 2012 read with the provisions of Haryana Apartment Ownership Act, 1983 and the rules framed there under. In case of any inconsistency between these byelaws and the provisions of the said Acts, the provisions of the Acts will apply.   |
| <b>54.</b> | <b>Seal of the Association</b>  |
|            | The Association shall have a common seal which shall be in the custody of the Secretary and shall be used only under the authority of a resolution of the Board of Managers and every deed or instrument to which the seal is affixed shall be attested for or on behalf of the Association by two members of the Board and the Secretary or any other person authorized by the Association in that behalf.   |
| <b>55.</b> | <b>Amendment of the Memorandum and/ or Byelaws of the Association</b>   |
|            | <p>The Memorandum of Association or the Byelaws may be amended through a special resolution passed in a general meeting of the Association by 3/5th of the members present and voting.</p> <p>Provided that where a member is unable to attend the meeting in person, he may communicate his concurrence or reservation to the amendment to the memorandum or the Bye-laws, as the case may be, by electronic means or letter at least one day prior to the date of the meeting, which shall be read out by the Secretary in the meeting.</p> |
| <b>56.</b> | <b>Amalgamation or Dissolution of the Association</b>   |
| (i)        | The Association of Apartment Owners of the Hermitage Co-operative Group Housing Society, Gurgaon is a body corporate with perpetual succession and not likely to be dissolved;  |
| (ii)       | The Association, may, however, amalgamate itself with any other Society with identical aims and objects through a special resolution passed in a general meeting of the Association and approved by at least 3/5th of the members present and voting.   |

**Note:** Forms as required under the model byelaws appended to the rules framed under the Haryana Apartment Ownership Act may be appended to these byelaws