Amendments to byelaws of Coop HBS LTD.

S. No	Bye law	Existing	New
l	3A(v)	Committee means the Committee of the society.	Committee means the governing body of a co-operative Society, by whatever name called, to which the management of the affairs of the Society is entrusted.
2	3A(vi)		'Deputy Registrar ' means the Deputy Registrar Cooperative Societies of the district in which the Society is registered.
3	3A(vii)		'Assistant Registrar' means the Assistant Registrar Cooperative Societies of the Sub division in which the Society is registered.
4	3A(viii)	Registered this	'Member' means a person joining in the application for the registration of a cooperative society and a person admitted to membership after such registration in accordance with the Act, the Rules and the Bye-laws and includes a nominal and an associate member and the Government when it subscribes to the share-capital of a society.
5	3A(ix)	Exercising the Power of Assi.	'Associate member' means a member who holds jointly a share of a cooperative society with others but whose name does not stand first in the
6	3A(x)		'Nominal member' means a person admitted to membership as such registration in accordance with the bye-laws.
7	3A(xi)		'Officer' means the president, vice president, chairmen, vice-chairman, managing director, secretary, manager, member of committed, freasurer liquidator, administrator and includes any other person empowered adder the rules or the bye-laws to give directions in regard to the business, of a cooperative society.
_			'Chairman' means Chairman of the committee.
18			'Vice-chairman' means Vice-chairman of the committee.
9	3A(xiii)		To take steps to ensure and spread awareness for effective disaster
0	0 + 4(x)		To take steps to ensure and splead awareness for effective distance

			management.
1	5	Subject to the provisions be eligible for admission as a member of the Society, if he is. I. Over 18 years in age and of sound mind; II. Ordinarily resident in the Punjab. III. Of good character; IV. Intends to build a house for his own use in the area of	A person may be eligible to become a member of the society if he/she is I. An individual competent to contract under Section 11 of the Indian Contract Act 1872(9 of 1872) II. Over 18 years of age. III. Of sound mind IV. A citizen of India or a NRI or has Overseas Citizenship of India. V.Intends to build a house for his own use or for use of his/her children in the area of operation of the society. VI. Of good character.
10		operation of the Society.	
12	6A	After Registration it will be compulsory for the cooperative housing society to become a member of Housefed before it starts functioning	
13	6B		No member of a cooperative house building Society shall exercise voting rights of member unless he/she has: I.Paid the requisite membership fees and share capital II. Has no arrears regarding his/her portion of land cost due, if society has acquired land for the society, for payment, which he/she has been given adequate time as decided by the general body/committee. III. Has no arrears due to the society towards share of construction cost/external development charges within the premises of the society.
ţ			IV. Has no arrears regarding maintenance charges July proposed by committee and finally approved by general backs. V. Paid all such payments to the society as are due from him [For all such payments the member will be considered to have arrears pending if he fails to deposit the amount within three months or such longer period which may be decided by the

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			committee of the society, after the society has intimated him/her in written about the amount due through registered post, email and he/she has been given adequate time (not less than three months) for payment (as decided by general body/committee), the payment is still due.]	
14	7 changed to 7(a)	After registration of the society the President of the Committee shall be competent to admit new	1 1 0 1 0 1	
		member of the society subject to the approval of an authority as may be prescribed by the Registrar Co-operative Societies Punjab. Final approval of such admission shall be obtained from the committee in its meeting. If committee refuses to admit a person, it shall record its reasons for such refusal and	will give a written application along with PAN/ Photo ID copy to the society as well as share money and prescribed fee, if any, in form of Demand Draft (DD) or through RTGS/NEFT. No cash or cheques will be accepted for this purpose. III. All applications received from persons desirous of becoming members of the society will be placed before the committee through an agenda item clearly depicting name and addresses of all applicants. IV. The applications will be considered by the committee to	
		communicate them to the person concerned. Any person who has been refused admission, shall have the right of an appeal to the Registrat within 60 days of the date of communication of refusal.	members. The decision of the committee will be conveyed to the applicants in writing through Registered AD letter or email within 3 weeks of the decision of the committee. Reasons for refusal to admit shall be specifically conveyed to the applicant.	S Go-ope,
			case both through esnail and letter. The decision of the committee shall also be published on the website of the society within 15 days from the date of meeting. V. Any person who has been refused admission shall have right of appeal before the Registrar or such officer as may us authorized by the Registrar within 60 days of the date of communication of refusal. Decision of the appeal shall be final	

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		and binding upon both society and member. VI. Society shall not admit more members than the number of plots, flats, dwelling units as the case may be, which can be made available.
	7(b)	Every member of the cooperative society shall have one vote in affairs of the society Provided that I. A member who has attended less than two general meetings out of the last five general meetings; or II. A member who is denied voting right due to non-payment of amounts due as provided in bye-law 6B; III. A person who has been a member of the cooperative society for a period less than nine months; shall not be eligible to participate in the general meeting of the cooperative society for election to the committee of the cooperative society. Provided further that- i. In case of equality of votes, the chairman shall have a second or casting vote. ii. A nominal or associate member shall not have the right of vote.
16	7(c)	If a member does not pay cost of land or cost of dwelling unit/external development charges and continues to remain a defaulter of these even after elapse of 180 days period or such further period as may be allowed by managing committee/ general body through general/ special order on prescribed terms and conditions after due notice including

			through registered post and email has been served on him/her, he/she may be expelled as member from the society after following due procedure (as given in bye-law 11(b)) and any allotment made to him should be cancelled. The Society shall be at liberty to forfeit up to 10% of the deposit of the member lying with the Society at the time of expelling member. The notice shall also be published on the website of the committee.	
7	7A	No Cooperative Housing Society shall ordinarily refuse to grant to its member permission for transfer of his occupancy right in the property of the cooperative housing society unless the transferee is otherwise not qualified to be a member: Provided that nothing contained in any agreement, contract or the bye-laws regarding eligibility for membership stipulated therein shall apply to a nominee, heir or legal representative of the deceased member for his admission to membership of the cooperative housing society,	I heirs, during his life time. Provided further that aforesaid transfer in case of leasehold land shall be governed by the provisions of the perpetual lease of land, Provided further that General Body of the Society may impose any other conditions regarding such transfer by a majority of not less than two third of its members present and voting, Provided further that transfer fee to be collected by the society in the soci	A STATE OF THE O
		Provided further that aforesaid transfer in case of leasehold land shall be governed by the provisions of the perpetual lease of land, Provided further that General	the society is located in case of plots and should not exceed equivalent rate based on covered area in case of flats, Provided further that in case of family transfer or transfer to a notifie, heir or legal representative of a deceased member no transfer fee shall	wa.

		' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	A person on transfer of flat/plot from an existing member will step into his shoes subject to the provisions of Bye-laws and such other conditions that can be imposed in pursuance of the provisions	
			meeting of the Executive Committee of the Society to be held from	
		A person on transfer of flat/plot from an existing member will	incorporated in the register of members of the society and also	
		step into his shoes subject to the provisions of Bye-laws and		
-		such other conditions that can		
		be imposed in pursuance of the provisions mentioned herein		
		above. All such transfers would be approved in the meeting of		
		the Executive Committee of the		
		Society to be held from time to time. All transfers of		
		membership would thereafter be incorporated in the register of members of the Society.		
18	7C(i)	An appeal against the orders/decision of the cooperative housing society refusing permission for transfer shall lie with the Registrar	society refusing permission for transfer shall lie with the Deput Registrar Cooperative Societies concerned within thirty days from the date of refusal.	Co-opologija
		Cooperative Societies within thirty days from the date of refusal.	그 교육하는 하는 아이는 그는 그들은 사람들이 하는 이 사람들이 다양하는 사람들이 얼마나 살아갔다.	5
19	7D	TCIusai.	No member of the society shall hold more than one dwelling unit of plot in his/her own name or in name of spouse or dependent children in the society. Provided that this restriction shall apply only for original allotment by the society and this restriction shall not apply if	

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			a member purchases an additional plot or dwelling unit from another member. Provided further that if land has been allotted to the society by any government agency then a member shall not be allowed to hold more than one plot/dwelling unit in the society.	
20	8	No member shall be admitted during 15 days preceding the date fixed for any general body meeting of the society at which office-bearers are to be elected.	The Society shall not admit members within 14 days prior to the date of annual general meeting.	
21	11(a)(ii)	Ceasing to reside in the area of operation of the society.	Deleted.	
22	12	A person shall cease to be member of society/committee of the society in one or more of the following circumstances: (i) Death; (ii) Ceasing to hold at least one share; (iii) Withdrawal in accordance with the procedure laid down in bye-law No. 18 of these bye-laws; (iv) Permanent	A person shall cease to be member of the society in one or more of the following circumstances: (i) Death; (ii) Ceasing to hold at least one share; (iii) Withdrawal in accordance with the procedure laid down in bye-law No. 18 of these bye-laws; (iv) Permanent insanity; (v) Declaration of bankruptcy; (vi) Who sells his/her houses/dwelling unit/plot allotted by the society or transfer his/her interest share to some other person. Declaration of cessation shall be made by the Deputy Registrar Cooperative Societies concerned after making due enquiry.	Go-opon,
		insanity; (v) Declaration of bankruptcy; (vi) Who sells his/her houses/dwelling	operative Societies concerned after making due enquiry.	Morian

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		unit/plot allotted by the society or transfer his/her interest share to some other person. Declaration of cessation shall be made by the Assistant Registrar Co-operative Societies concerned after making due	
		enquiry.	
23	12B		I. Allotment of flat/plot/dwelling unit shall be made in the General Body meeting of the society in which 50% of the total members or 500 members, whichever is less, are present. II. Only those members shall be eligible for allotment of plots/flats/dwelling units who have paid the required amount called by the society through proper notice published on the website and in a leading newspaper (vernacular and English) within the specified time. Provided that a minimum period of 2 months shall be given to the members to deposit the money required for making them eligible for allotment. Provided further that if land has been allotted to the society by a Government agency like PUDA, GMADA, GLADA etc. then the eligibility conditions imposed by the agency allotting land to the Society will also have to be satisfied by every member seeking allotment. III. Allotment will be made by a draw of lots amongst eligible members (those who deposited the required amount before the specified time period as prescribed by general body/committee). Provided further that the founding members of the society shall have first right to be allotted the plots/flats/dwelling units etc subject to their being able to fulfill the laid down eligibility conditions.



		 IV. Members who are absent in the general body meeting for allotment shall be considered in a subsequent general body meeting for the plots remaining after first such meeting. V. The proceedings of allotment shall be video-graphed.
		VI. Allotment of plots/flats/dwelling units shall be made in the presence of the nominee of the Deputy Registrar concerned. VII. Proceedings of the General Body Meeting/allotment shall
	The state	be published on the website of the society within 48 hours.
24	12C	(I) For the purpose of construction of dwelling units for the members or any other development work at the site of the society's land, tenders must be called by the Committee in a transparent manner. This must be done under written intimation to the Assistant Registrar. (II) The process of any development work in the land of the society must be undertaken only when the society is in possession of land after allotment in case of Agencies like GMADA, GLADA ctc. or in case of private purchase of land in area approved by the PUDA,GMADA etc by society. It must done only after mutation of land is recorded in the name of the society in the record of revenue department with due approvals from all concerned government departments regarding the land on which the complex of the society is to be built.
		(III) The Committee will hire the services of an architect who is empanelled by the respective area development authority of the government (GMADA, GLADA, PUDA etc.)/municipality to design the building plan/ site plan. The building plan/ site plan must then be duly sanctioned as per norms of the respective area development authority. Structural design must be duly approved by structural design consultants empanelled by the area development authority concerned. (IV) The DNIT (Detailed Notice Inviting Tender) framed on



basis of the above must be approved by the committee.

The notice for inviting tenders must be published in two leading newspapers (one in vernacular and one in English).

(VI) Opening of tenders must be done in the presence of the Assistant Registrar. Technical Bid must be opened first. Financial Bid must be opened of only those firms which qualify the technical bid.

(VII) A firm (whether individual proprietorship or partnership) which is either partly or fully owned by a member of committee or society/ his or her relatives or a firm in which a member or his/her relatives have direct or indirect interest shall be ineligible to take part in the tendering process to ensure transparency and prevent conflict of interest. An undertaking to this effect must be taken from the firm at the time of submitting the tender bid.

(VIII) The proceeding of the tendering process will be duly video-graphed.

(IX) Finalization of tender must be done by keeping in mind Punjab Schedule Rates. For those commodities for which schedule rates are not in existence provisions may be decided at the time of floating of tender.

E-tender system

the general body compulsorily attended by the concerned Assistant Registrar Cooperative Cooperative (XI) Before award of tender, it shall be duly got approved by Assistant Registrar Cooperative Societies or his nomineeand only then should the agreement between the society and the firm (whose tender has been finalized after due process) be signed.

(XII) If a matter of conflict of interest relating to any member society or his /her relatives and the firm awarded the tender should come to light at any stage, then the decision of the general body about whether to continue or not



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			continue the agreement shall be final. (XIII) No sub contracting of construction work by contractor will be allowed. This will result in immediate cancellation of agreement and calling for new tenders. (XIV) The construction of the dwelling units of the members will be done in accordance with the relevant provisions of Real Estate (Regulation and Development) Act 2016 (RERA).	
25	14(i)	Issuing of shares of value of Rs 100/- each.	Issuing of shares of value of Rs 500/- each.	
26	15	Each member shall take at least one share of the value of Rs 100/- at the time of admission, payable in lump sum, cooperative.	the time of admission, payable in lump sum.	
27	16	No member shall hold shares of which the nominal value exceeds Rs 10000/- or 1/5 th of the total share capital actually subscribed whichever is less. If any member by inheritance or otherwise becomes possessed of more than the maximum share holding permitted by this rule, the managing committee shall have the power to sell the excess number or buy them on behalf of the society and to hold the proceeds at his disposal.	inheritance or otherwise becomes possessed of more than the maximum share holding permitted by this rule, the managing committee shall have the power to sell the excess number or buy them on behalf of the society and to hold the proceeds at his disposal.	Mora.
28	21	All the members of the society on a given date shall meet constitute the general body of the Society.	(i) All the members of the society (except nominal and associate members) on a given date shall meet to discuss a specific agenda and thereby constitute the general body of the Society.	

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			(ii) The agenda shall not include any item authorizing chairman or any other member /officer/body what so ever to consider, to bring, to propose or to deliberate any item on the spot with or without the permission of the chair.	
29	22	The general body of the members of the Society shall meet from time to time and at least once a year. A meeting of the general body shall be convened by the Secretary of the Society under the direction of the Managing Committee. A general meeting shall be convened, if the requisition for such a meeting signed by not less than one fifth of the total members, is received by the Managing Committee. If on the receipt of the requisition the Managing Committee fails within 30 days time to convene the general meeting the signatories who may, if he thinks fit, summon the general meeting. The Registrar, may on his own motion, at any time, summon a general meeting of	time to time and within a period of six months of the close of the financial year every year. A meeting of the general body shall be convened by the Secretary of the Society under the direction of the Managing Committee. A general meeting shall be convened,	
30 1,	23(b) (ii)	by sending the notice to the members by post under postal certificate.	By sending the notice to the members by Registered post and through email. It should also be published on the website of the society.	
31	27(iii)	Disposal of profit	Disposal of net profits	

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2	27(ix)	Approve the programme of the activities of the society prepared by the committee for the ensuing year.
3	27(x)	Appoint auditor or auditing firm.
34	27(xi)	To be informed about admission and termination of members
35	27(xii)	To be informed regarding amendment of bye-laws registered in
36	27(xiii)	the previous year. Consideration of any inspection report under section 49 of the Punjab Cooperative Societies Act 196 and any inquiry report under section 50 of the Act and action taken thereon by the concerned authority.
37	27(xiv)	Information regarding instructions issued by the Registrat under
38	27(xv)	Approve transfer or lease or mortgage of sale of many assets of the society by a resolution passed by a majority of members present at the general meeting at which not less than two-third of members for the time being are present. Such transfer or lease or mortgage or sale of immovable assets of the society shall be executed only after obtaining approval of the
39	27(xvi)	Consideration of loans and advances made to memoers of managing committee and their relatives, the defaults, if any, and the action taken for recovery thereof
40	0 27(xvii)	the same including the civil, criminal and disciplinary actions the same including the civil, criminal and disciplinary actions. Define the overall limit for admission of new members by the
4	1 27(xviii)	committee after registration of the society.
4	2 27(xix)	the design of construction or development work on site books
	3 27(xx)	Approve the tender of construction of develop the society and the final award and agreement of the same between the society and the final whose tender has been finalized after due process. Promote awareness among members of the society regarding Disaster than the society regarding Disaster.
4	14 27(xxi)	Management and approve plans of the society to take timely action t



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	n, 2 *		prevent disaster and mitigate loss to the person or property of the members incase disaster strikes.
45	31(c)	Is convicted of any offence involving dishonesty or moral turpitude and a period of 5 years has not elapsed since his conviction; or	Is convicted of any offence involving dishonesty or moral turpitude or any election offence under section 71(7) of the Punjab Co-operative Societies Act 1961 and a period of 5 years has not elapsed since his conviction; or
46	31(i)	our autou, or	He has attended less than two general meetings out of the last five general meetings of the Society provided that this condition shall not apply to such a member within whose period of membership five general meetings have not been held.
47	32	The committee shall be elected in the manner laid down in the Act, the Rules and the Instructions issued by the Registrar in this regard from time to time. The Committee shall hold office for 5 years. An interim vacancy caused by resignation or otherwise shall be filled by re-election for the unexpired period of the term of the Committee.	The committee shall be elected in the manner laid down in the Act, the Rules and the Instructions issued by the Registrar in this regard from time to time. The Committee and its office-bearers shall hold office for 5 years (both being co-terminus). Provided that the committee may fill a casual vacancy on the committee by nomination out of the same class of members in respect of which the casual vacancy has arisen, if the term of office of the Committee is less than half of its original term; provided further that such casual vacancy shall be filled in a meeting of the committee held in the presence of a nominee of the Registrar.
48	33(x)		Becomes of unsound mind
49	33(xi)		Fails to comply with the directions given by the Registrar for sharing any information with the members of the Society or fails to produce or fails to cause to be produced any record or information required by the inquiry officer in any inquiry ordered by the Registrar.
50	33(xii)		Commits any act which is prejudicial to the interests of the Society or

51	33(xiii)		Becomes subject to any disqualification which would have prevented him from seeking election, had he incurred that disqualification before election.
52	36(xxiv)	To sell, let out or lease house sites to members for the construction of the house.	Cooperative Societies Punjab in the same manner as laid out in bye-law 27(xy)
53	36(xxx)		setting up at its own expense a web site with a unique domain
			(b) It will be responsible for regular maintenance and updating of the web-site and ensuring it runs securely, smoothly and web-site and ensuring it runs securely, smoothly and uninterruptedly. The website will be hosted on a secure, reliable uninterruptedly.
			server through a reputed company used technology accessible to all members on commonly used technology platforms and devices. (c) The website will be accessible to all members of the society at all times. In case access to any information is to be restricted and times. In case access to any information is to be restricted and made available to members only, then every member will be provided a separate user name and password through which he
			can access the information. (d) The web site will be updated at least once every month i.e. in the first week of every month, and the date of updating must be prominently displayed on the Home Page. (e) The following information regarding the society, its Managing to 2. Committee and membership will be displayed on the web-site. i. Name, address, email and number and date of registration along with telephone number of office of
			society. ii. A table showing name, father's name, residential address, contact details of all members of

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with brief description of the work, total amount for which work has been allotted, target date of completion of work, brief description of work done and tentative amount spent as on date of updating of website. (g) The following information about allotment of plots/flats to the members will be displayed as under: i. Names of members who have been offered plot/flat by the society. ii. Names of members who have accepted the offer. iii. Names of members who have refuse the offer. iv. Names of members offer to whom has been revoked by the society. v. Names of members who have been allotted flat/plot by the society. vi. Names of members whose allotment has been cancelled by the society. (h)if the society is to take installments from the members for purchase/development/construction of land/plots/flats, regarding the payment schedule must be displayed on the website notice would specify the amount of installment and due date by payment is to be made. (i) The following information regarding meetings will be displayed: i. Dates of general body meetings held in the last three years and in the current wear ii. Dates of managing committee methods held in the last one year and in the current year. iii. Agenda and minutes of the last three general body meeting and last three managing committee meetings. Minutes of the last meeting must be put on the website not later

		insure implementation of above in letter and spirit. Any lapse in this regards will attract serious action.	
4	36(xxxi)	(1) The Managing committee shall submit all such information and returns as required by Registrar by a general or a special order, in the manner and form in which these are to be submitted or displayed and provide for the person by whom such information and returns are to be submitted or displayed. The managing committee shall file returns within six months of the close of every financial year to the Registrar relating to the following matters: i. Annual report of its activities; ii. Its audited statement of accounts; iii. Plan for surplus disposal as approved by the general body of the co-operative society; iv. List of amendments to the bye-laws of the co-operative society, if any; v. Declaration regarding date of holding of its general body meeting and conduct of elections when due; vi. Misappropriation or embezzlement of funds, if any, and action taken against the persons responsible for the same including the civil, criminal and disciplinary actions vii. Information regarding the admission termination of members; and viii. Any other information required by the Registrar. (2) If a co-operative society fails to provide information realier return under this rule within the specified time, the Registrar have the same completed at the expense of the co-operative society. 1. It will be the primary responsibility of the managing committee.	
	55 36(xxx	and instead of the state of the	

				person or property of the members of the society in disaster strikes. The managing committee will also promote awareness redisaster management and also conduct drills for mem coordination with relevant government agencies.	garding
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