

Ser No	Existing Para	Existing Bye Law	Recommended Bye Law	Remarks
1	2 (vii)	“Collegium” means an intermediate body consisting of elected representatives of members of the Society constituted as such, as the number of members exceeds three hundred and shall act as the General Body for all intents and purposes;	Delete	Not applicable under revised Act
2		Para 2(ix), Para 2(xiv), Para 8 (viii), Para 8 (xi), Para 9, Para 9(i), para 9 (iii), Para 9 (vi), Para 10, Para 12 (ii), para 14 (ii), Para 15 (iv), Para 22 (2), Para 33	Delete reference to Collegium, wherever existing	Not applicable under revised Act
3	New Sub Para		To ensure that the complex is properly managed, maintained and administered in a manner compatible with the standards and expectations of the apartment owners;	As per Para 4(iii) of Model Bye Laws
4	New Sub Para		The Association shall not act beyond the scope of its objects without suitably amending the provisions of these bye-laws for the purpose.	As per Para 4(ix) of Model Bye Laws
5		New Sub Para	6(viii) Every person admitted as a member will provide his details, as are required to be filed with the District Registrar and will be responsible to ensure that these are updated whenever there is a change.	Emergent Requirement due to change in rules of the Haryana Government
6	8(ii)	A member admitted to the Society shall cease to be so in the following events:- (i) upon his/her acting contrary to the interests, aims and objectives of the Society; or	Delete para	1. Not at as per Model Bye Laws. 2. Liable to subjective interpretation and misuse.
7	8(vi)	(i) Upon such member being found guilty of a financial misappropriation of the funds of the Society.	(i) Upon such member being found guilty of a financial misappropriation of the funds of the Society by a Court of Law;	Words by a Court of Law added to avoid subjective application and misuse.

8	8 (vi)	Upon his becoming insolvent or of unsound mind or having been convicted of any offence involving moral turpitude punishable with imprisonment of one year or more or is involved in anti-national activities.	Delete Para	1. Not at as per Model Bye Laws. 2. Liable to subjective interpretation and misuse.
9	8(x)	Members of Managing Committee cannot contest re-election for at least one term after having served in last two consecutive Managing Committees, including any truncated periods.	Delete Para	1. Not at as per Model Bye Laws. 2. Clarified by District Registrar that the clause is not legally enable.
10	10	Meetings of the General Body/Collegium shall be held either at the Housing Complex or any suitable place convenient to the owners as may from time to time be designated/decided by the Managing Committee.	Meetings of the General Body/Collegium shall be held at the Housing Complex	To prevent misuse of the provision.
11.	14 (i)	(i) The quorum for every general meeting, annual or special, shall be 40% of the Members subject to a minimum of 25 members present and voting.	The quorum for every general meeting, annual or special, shall be 40% of the Members	Amended to conform to revised provisions of Act.
12	14 (iii)	(iii) Every vote, be it exercised by the member or by the duly authorized joint member, shall be cast in person. Proxy voting is not permitted.	(iii) Every vote, be it exercised by the member or by the duly authorized joint member, shall be cast in person. Proxy voting is not permitted. 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.	In accordance with Para 14 (iii) of Model Bye Laws
13	15 (iii)	(iii) If no aforesaid quorum is present in the re-convened meeting, a total of 25% of total members subject to a minimum of 16 members present and	(iii) The quorum in a re-convened meeting shall be not less than 25 % of the members entitled to vote and present.	Haryana Govt Notfn No S.O. 33/HA1/2012/S.87/2014

		voting shall constitute the quorum of the re-convened meeting and the matters decided.	Further, in case such meeting is adjourned for a second time for want of reduced quorum of 25%, the quorum for such adjourned meeting shall be 15% of members entitled to vote and present.	dated 25/2/2104
14	17	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 subject to a minimum of 25 members and the proposal is approved by 3/5th of the members present and voting.	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 or an adjourned meeting which is attended by at least 25 % of total members and the proposal is approved by 3/5th of the members present and voting.	Conforms to para Para 6 (v) of Model Bye Laws at Annexure 3 to the Rules.
15	18 (i)	Pertaining to General Body / Collegium	General Body (i)Every person who is a bonafide owner of a Dwelling Unit in the Sandeep Vihar (AWHO) GHS-79 shall be a member of the General Body of the Society as per provisions of para 8A.	To conform to revised provisions of Act
16	18 (ii)	(a) The Managing Committee of the Society shall consist of a President, a Vice-President, a General Secretary, a Joint Secretary, a Treasurer and sixteen Members who will be elected by the General Body/Collegium. Responsibilities to sixteen Members, which may include appointment of Assistant Treasurer, will be given by the President-elect. In case of temporary non-availability of President as well as Vice-President, Managing Committee will nominate one of its members to act as President.	(b) The Managing Committee of the Society shall consist of a President, a Vice-President, a General Secretary, a Joint Secretary, a Treasurer and six Members who will be elected by the General Body. Responsibilities to six Members, which may include appointment of Assistant Treasurer, will be given by the President-elect. In case of temporary non-availability of President as well as Vice-President, Managing Committee will nominate one of its members to act as President.	To conform to the system being followed. Contradicts Para 25 (i) of existing Bye Laws which stipulates these numbers.
17	18 (d)	(a) The term of office of the Managing	(a)The term of office of the Managing	In view of amendment to

		Committee Members/ office-bearers of the Society shall be 3 (three) years or as specified by the Act from time to time and shall be eligible for re-election save as otherwise envisaged in para 8 above of these Bye-laws.	Committee Members/ office-bearers of the Society shall be 3 (three) years or as specified by the Act from time to time and shall be eligible for re-election.	Para 8 (x)
18	18(iii)	(iv)Conduct of elections will be as specified in Appendix “A”.	Appx A amended to lay down the SOP for elections as per the revised Act	
19	19(ii)	(ii) In case a majority of 2/3rd members of the Managing Committee express their lack of confidence in any office-bearer/member, for whatsoever reason, they shall be competent to suspend such office-bearer/member from office till such time the matter is considered at the general meeting of the Society for his removal and so resolved. Provided that the Managing Committee shall convene a General meeting as soon as possible, but not later than 30 days of such decision, to consider the removal of such office-bearer/member. The successor of any office-bearer/member removed from the office shall be elected at the same general meeting of the Society. (in case of other eventualities pl refer para 28 below).	(ii)In case a majority of 2/3 rd members of the Managing Committee express their lack of confidence in any office-bearer/member, for whatsoever reason, they shall be competent to suspend such office-bearer/member from office till such time the matter is considered at the general meeting of the Society for his removal and so resolved. Provided that the Managing Committee shall convene a General meeting as soon as possible, but not later than 30 days of such decision, to consider the removal of such office-bearer/member.	In view of change to General Body System , vacancy will have to be filled up by fresh election.
20	Para 20 (viii)	May dispose off such important and urgent matters, which for want of time, cannot be put up to the Managing Committee but such disposal shall have to be got ratified subsequently from the Managing Committee in its following quarterly meeting. He/she may also authorize expenditure upto Rs. 25,000/- per item/work (or more as approved by the majority vote of the Managing Committee and should be got ratified in the next GBM) provided that total sum does not exceed Rs.	May dispose off such important and urgent matters, which for want of time, cannot be put up to the Managing Committee but such disposal shall have to be got ratified subsequently from the Managing Committee in its following quarterly meeting.	Separate Para on Financial Powers being introduced.

		50,000/- per quarter.		
21	Para 25 (i)	The affairs of the Society shall be managed by a 'Managing Committee', comprising of 11 (Eleven) members/office-bearers (President, a Vice-President, a General Secretary, a Joint Secretary, a Treasurer and six Members), who shall be elected by the members of the Collegium (out of the 62 members of the Collegium) for a term of 3 (three) years and may be referred to as the 'Managing Committee' hereinafter.	The affairs of the Society shall be managed by a 'Managing Committee', comprising of 11 (Eleven) members/office-bearers (President, a Vice-President, a General Secretary, a Joint Secretary, a Treasurer and six Members), who shall be elected by the members for a term of 3 (three) years and may be referred to as the 'Managing Committee' hereinafter.	Deletion of word "of the Collegium (out of the 62 members of the Collegium)
22	Para 26 (xii)	(xii) Incur all expenditure to fulfil various responsibilities and commitments of Society. These would generally be in accordance with the annual programme and budget approved by the Annual General Meeting. However, in emergent circumstances which affect power/water supply, security, health/hygiene, lifts or are attributable to natural calamities etc., which could not have been anticipated till the last General meeting/AGM and subject to post-facto approval of the next General Body meeting, the authorities mentioned below would have financial powers as stated for each financial year of their tenure:-	(xii) Incur all expenditure to fulfil various responsibilities and commitments of Society.	Additional Para added on Financial Management.
23		New Para 26 (ii)	<u>Financial Management</u> (a) The Managing Committee shall present a budget during the general Body Meeting in February for approval of expenditure during the subsequent year. The Budget shall categorise revenue and expenditure under different Heads. (b) Any Projects planned for implementation will be accompanied by Project Report and firm estimates for	Introduced to ensure Financial prudence.

			<p>approval.</p> <p>(c) The Managing Committee is authorised to incur expenditure under the approved heads.</p> <p>(d) Powers for unplanned expenditure, subject to approval by the next General Body Meeting will be as under:-</p> <ul style="list-style-type: none">(aa) Managing Committee – Up to Rs 1 Lakh subject to limit of Rs 5 lakhs per Quarter.(ab) President – Rs 50,000, subject to limit of Rs two lakhs, per Quarter.(ac) General Secretary – Rs 10,000 up to limit of Rs 50,000, per Quarter.(ad) Treasurer– Rs 10,000 up to limit of Rs 50,000 per Quarter. <p>(e) In emergency circumstances, the Managing Committee may resort to immediate expenditure as required to deal with the situation and simultaneously convene a Special General Meeting within one week to ratify the expenditure and approve further actions.</p> <p>(f) Biannual Audit Board of accounts will be conducted in January and June under orders of the Managing Committee and placed before the subsequent General Body Meeting.</p> <p>(g) Annual Stock Taking Board of Property will be done in the first week of June by a Board of Officers to be detailed by the Management and unserviceable items will be written off. The details of the same will be placed before the AGM</p>	
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24		New Para 26 (i) (o)	(o) Approve new tenants in the Society in accordance with rules framed by the Management.	To meet existing requirement.
25	Para 28	Any vacancy in the Managing Committee, caused by any reason other than the removal of an office bearer, may be filled-up by the remaining member of the Managing Committee by nomination from the Collegium as an intervening measure, which shall be placed before next general meeting for ratification or election of such office-bearer. General meeting for election of new office bearers will be called as soon as possible but not later than seven days, if the number of vacancies exceeds five.	Any vacancy in the Managing Committee, caused by any reason other than the removal of an office bearer, may be filled-up by the remaining member of the Managing Committee. Election will be held to fill up any such vacancy in the earliest time frame, in accordance with Para 18 (iv) of these Bye Laws	
26	39 (vi)	(vi) Concurrent/internal audit shall be undertaken by members nominated for the same by the Managing Committee.	Delete	In view of introduction of Quarterly Audit Board.
27	42(iii)	The payment of monthly maintenance charges shall be half yearly which would become due, in advance, on 1 st Jan/1 st Jul to be paid by 31 st of Dec/20 th Jul and thereafter a penalty @ 18% per annum (simple interest) of the due amount shall be imposed with effect from the due date viz. 01 Jan/01 Jul as the case may be.	The payment of monthly maintenance charges shall be half yearly which would become due, in advance, on 1 st Jan/1 st Jul to be paid by 30 th of Jan / 30 th of Jun and thereafter a penalty @ 18% per annum (simple interest) of the due amount shall be imposed with effect from the due date viz. 01 Jan/01 Jul as the case may be.	Introduced to conform to the definition of “advance”, as well as smoother maintenance of accounts.