

**BYE-LAWS OF PRAKASH DEEP FLAT OWNERS WELFARE SOCIETY,
NEW DELHI**

SHORT TITLE

Extent and commencement: The area of operation shall be New Delhi.

These bye-laws may be called the Bye-laws of "**PRAKASH DEEP FLAT OWNERS WELFARE SOCIETY**" (hereinafter referred to as "**SOCIETY**"), NEW DELHI.

These extend to the administration of the affairs in relation to the apartments and the property appertaining thereto being Land & Property No.7, Tolstoy Marg, Prakash Deep Building, New Delhi-110001 (hereinafter referred as "**the said Building**") and for the management of common areas and facilities thereat.

APPLICATION

These bye-laws shall apply to –

Every apartment in the said Land & Property No.7, Tolstoy Marg, Prakash Deep Building, New Delhi-110001 and to all present or future owners of Apartments as per the list marked Annexure 'A' hereto.

Explanation

For the purpose of these bye-laws, the mere acquisition of any of units at the said building (hereinafter referred to as "**units of the building**") shall signify that these bye-laws are accepted and will be complied with.

DEFINITIONS

In these bye-laws, unless the context otherwise requires –

1. "Society" means the Society of all apartment owners constituted by such Apartment owners of PRAKASH DEEP BUILDING, 7,



Arjun
President

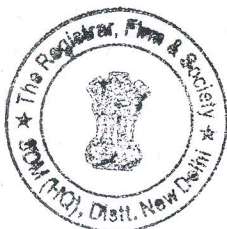
Smriti
Secretary
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Treasurer
[Signature]

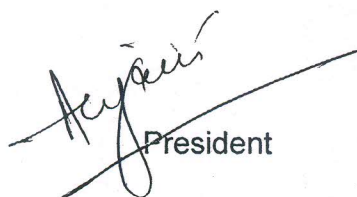
TOLSTOY, MARG, NEW DELHI-110001 known as 'PRAKASH DEEP FLAT OWNERS WELFARE SOCIETY'.

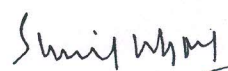
2. "Executive Committee" means a committee consisting of 7 members all owners of apartments in the said building 'PRAKASH DEEP', No.7, TOLSTOY MARG, NEW DELHI-110001.
3. "General Body" means all owners of the apartments in the said building 'PRAKASH DEEP', 7, TOLSTOY, MARG, NEW DELHI-110001.
4. "Building" means the building located at 7, Tolstoy Marg, New Delhi-110001, and known as the "SOCIETY", condominium and includes the land forming part thereof:
5. "Owners" or "apartment owners" means person owning the apartment in the "SOCIETY", condominium:
6. "Unit" means a unit in the "SOCIETY".
7. Membership procedure:

- a) All the Apartment Owners of the Building shall be the Members of the Society subject to the conditions mentioned hereunder.
- b) The intended member must attain age of majority and shall abide by terms and conditions of the Society, without discrimination of religion, caste, creed or colour but subject to the approval of Governing Body.
- c) In case of a person seeking membership in this "Society" is not a recorded owner of the unit, he / she will be required to furnish any one of the following documents:-
 - (i) Agreement for sale in his favour from the recorded owner.
 - (ii) General Power of Attorney (GPA) from the recorded owner duly attested by a Gazetted Officer.
 - (iii) Special Power of Attorney (SPA) from the recorded owner duly attested by a Gazetted Officer.
 - (iv) In addition, an Affidavit declaring the relationship of the introducing member / representative with the recorded owner.
 - (v) Deed of Indemnity.

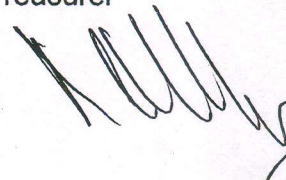


Upon furnishing the aforesaid documents and upon approval of documents by the Executive Committee of the Society such person will be inducted as member of the Society.


President


Secretary

Treasurer



OBJECTS OF SOCIETY

The Objects of the Society are morefully explained in the Object clause mentioned in Memorandum of Association.

MEMBERS OF SOCIETY

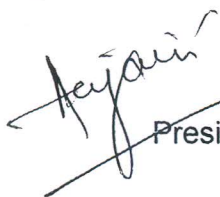
1. All persons who have attained the age of majority and has purchased or is the owner would be the owner in due course of time in "SOCIETY", shall automatically be the members of the Society and will pay one time the non-refundable entrance fee of Rs.1000/- (Rupees One Thousand only) and deposit interest-free non-refundable deposit of Rs.1000/- (Rupees One thousand only) with the Society for the maintenance of the common facilities of the building.
2. Upon the subsequent sale, bequest or transfer of apartment, the purchaser of apartment or the grantee or legatee or the transferee shall automatically become the member of the Society and shall be admitted as member on payment of the non-refundable entrance fee of Rs.1000/- (Rupees One Thousand only) and the membership of the past owner shall automatically ceased.

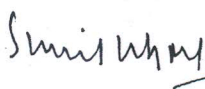


Each apartment owner shall receive a copy of the bye-laws on payment of Rs.100/- (Rupees One Hundred only).

JOINT APARTMENT OWNERS

Where apartment has been purchased jointly by two or more persons, they shall be jointly entitled to the apartment, but either of the two shall have the right to vote and in every meeting they shall be represented by one among them but subject to submission of NOC from the other joint owner. Joint owners shall always be treated as one.


President


Secretary
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Treasurer


SUBSCRIPTION:

The rate of subscription for all the members shall be such rate or rates as the Executive Committee shall decide. The Society is also empowered to take funds from the members towards other expense like sanitation, security etc.

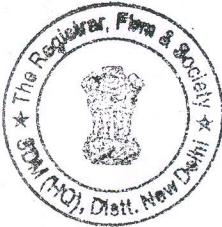
REFUSAL:

The Executive Committee of the Society may refuse any Apartment owner for the membership, provided reasons for refusal shall be communicated to the persons concerned in writing.

TERMINATION:

The Executive Committee of the Society shall have power to expel/terminate a member or members from the membership of the Society on the following ground:

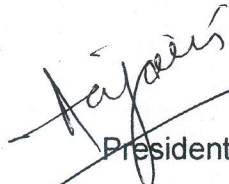
1. On death
2. If member fails to pay subscription of contribution for three successive years from the date of paying subscription.
3. If any member is found involved in anti Society activities or such activities which is against the Aims and objects of the Bye-Laws of the Society.
4. On Written resignation to the Society.

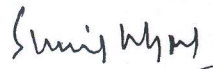


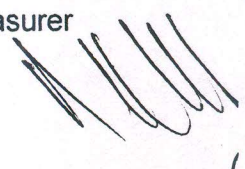
The reason of termination shall be communicated to the concerned member in writing.

DISQUALIFICATION

No apartment owner is entitled to vote on the election of members of the Executive Committee or President, Secretary, or any other office bearer or entitled to stand for election to such office, if he is in arrears of any sum due


President


Secretary

Treasurer


from him in respect of his contributions for common expenses, and otherwise or on any account, for more than thirty days.

APPEAL AND READMISSION OF MEMBERS:

Every such expelled member shall have right to appeal to a Committee consists of President, Vice President and Secretary of the Society, which may or may not be accepted. The decision of this Committee shall be final. The reason for rejection shall be communicated to the concerned member.

RE-ADMISSION:

In case an expelled member/terminated members is re-admitted, the same person shall have to pay all dues up to date. The decision of the Executive Committee shall be final.

RIGHTS AND PREVILEDGE OF MEMBER:

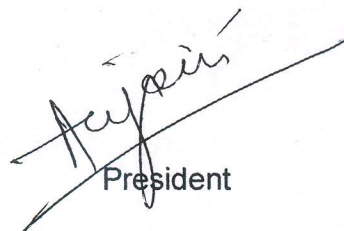
Every member shall have right to participate in the General body meeting. Beside this he/she have also right to vote in the meeting of the society. Every members shall be entitled to participate in the meetings, functions and get-together programs of the Society.

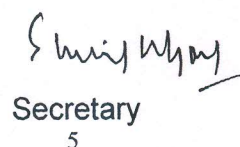


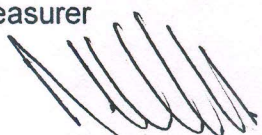
MORTGAGE / SALE / TRANSFER

NOTICE TO SOCIETY

If any owner mortgages sells / transfers his / her apartment, he / she will be required to obtain NOC from the Society in advance i.e. prior to entering into the transactions of his unit, he / she shall notify to the Secretary or President of the Executive Committee of the Society, the name and address of the mortgagee / purchaser / transferee and the Society shall maintain such information in a book entitled "Mortgages / Sales / Transfers of Units".


President


Secretary

Treasurer


NOTICE OF UN-PAID ASSESSMENT

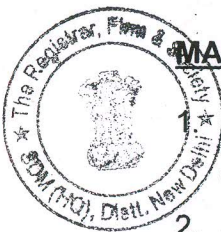
The Association shall, at the request for mortgage / sale / transfer of a unit, report any unpaid assessment due from the owner of such unit to him / her.

POWERS & DUTIES OF SOCIETY

The Society will have the responsibilities of administering the condominium, approving the annual budget, establishing and collecting monthly assessments and arranging for the management of the condominium in an efficient manner. Except as otherwise provided resolution of the Society shall require approval by any three Executive Members casting votes in person.

ASSESSMENTS

All the Apartment owners are obliged to pay monthly assessment imposed by the Society to meet all expenses, if the average expenses exceed the monthly income of the Society. The Executive Committee will be entitled to collect and balance the monthly maintenance charges. The assessment shall be made on the basis of the unit.



MAINTENANCE & REPAIRS

1. Every owner must perform all maintenance and repair work within his / its own unit.
2. All the repairs of internal installations of the units such as water, light, gas, power, sewage, telephone, air-conditioners, sanitary installations, doors, windows, lamps and all other accessories, shall be at the expense of apartment owner concerned.
3. The Apartment owner shall reimburse the Society for any expenditure incurred by the Society in repairing or replacing any common area and facilities damaged due to his fault.
4. Each apartment owner shall pay the monthly maintenance charges or any deposit or proportionate expenses as may be decided by the Executive Committee as per the time schedule fixed by the Executive Committee.

Agarwal
President

Smith
Secretary
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Treasurer
[Signature]

5. In case of default in payment by Apartment owner or the member, the Executive Committee shall be entitled to charge interest or may take any steps as per law against such defaulting member as may be decided by Executive Committee.
6. Considering the exigencies the Executive Committee so formed can increase the monthly maintenance charges and can also call upon the members to deposit some Funds or Security Deposit or any Deposit for smooth running of Society, subject to decision to be taken in the meeting of the Executive Committee in which presence of the President would be mandatory.

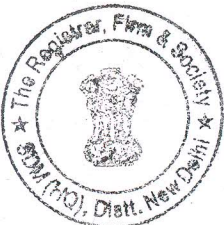
QUORUM AND NOTICE OF THE MEETINGS:

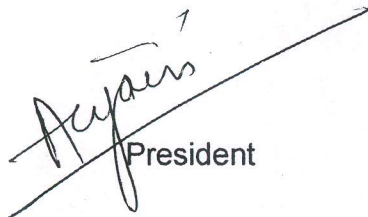
A) GENERAL BODY DEFINED:

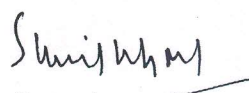
There shall be a general body of the society consisting of all the members. The meeting of the General body shall be held once every year with 1/4th of the total Members. No quorum shall be required in adjourned meeting. An emergency meeting of the General body may also be summoned on written request of the 1/2nd of the Apartment owners, with seven days prior notice for such meetings.

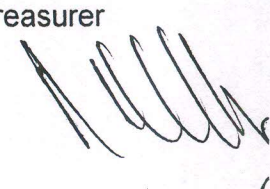
B) The notice of the General Body meeting shall be minimum three days. The following business shall be transacted in these meetings.

- i) To prepare annual program and policies.
- ii) To discuss and to decide all such matters and issues which are directly or indirectly related to the affairs of the society.
- iii) To pass annual budget of the society.
- iv) To appoint in a qualified auditor for the conducting annual audit of the society.
- v) To consider any other business brought forward by the governing body.




President


Secretary

Treasurer


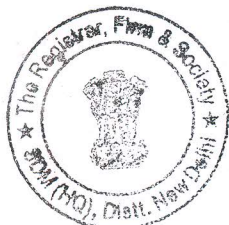
C) GOVERNING BODY:

There shall be a governing body of the society to look after and to manage the day to day affairs of the society. It shall consist of minimum seven and maximum fifteen members including the office bearers. The meeting of the governing body shall be held every month with the quorum of minimum three members in which the presence of either President or the Secretary or the Treasurer or any one of them would be necessary.

No quorum shall be required in the adjourned meeting. An emergent meeting of the governing body may also be summoned on the written request of any Executive Member by giving three days' notice of the meetings. The notice period of the governing body shall be three days. The following business shall be transacted in these meetings: -

- a) To take necessary steps for the implementation of all the program and policies drawn by the General body.
- b) To approve the necessary expenditure to meet the day to day requirement of the society.
- c) To take decision on application of the membership.
- d) To appoint committee for disposal of any business of the society or for advice on any matter pertaining to the society.
- e) To appoint, terminate and fix duties of staff.
- f) To receive, to have custody of and to expand the funds of the society and manage the properties of the society.
- g) To sue and defend all legal proceedings on behalf of the society.
- h) To take all such other legal steps which may appear beneficial for the smooth and better management of the society.
- i) The following is the present structure/Strength of the Governing body:

i)	President	One
ii)	Vice-President	One
iii)	Secretary	One



[Signature]
President

[Signature]
Secretary

Treasurer

[Signature]

iv)	Treasurer	One
v)	Joint Secretary	One
vi)	Executive members	Two

PLACE OF MEETINGS

Meetings of the Society shall be held at a suitable place convenient to owners as fixed by the Society, from time to time.

ANNUAL MEETINGS

The annual meetings of the Society shall be held on such dates as the Society may decide. At such meetings there shall be election by ballot of the apartment owners of any Executive Committee in accordance with requirements of bye-laws. The owners may also transact such other business of the Society as may properly come before them.

SPECIAL MEETINGS

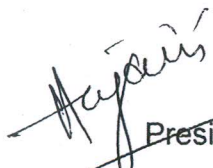
It shall be the duty of the President to call a special meeting of apartment owners as directed by a resolution of any three members of the Executive Committee or upon an application / request signed by more than 50% of the owners and having been presented to the Secretary. The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No other business shall be transacted at a special meeting except as stated in the notice without the consent of fourth-fifth of the owners present in person.

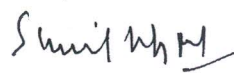



NOTICE OF MEETINGS

It shall be the duty of the Secretary to mail or send a notice of each annual or special meeting, stating the purpose thereof as well as the time and place where it is to be held to each apartment owner at least two days prior to such meeting. Notice of all such meetings may be mailed.

ADJOURNED MEETINGS


President


Secretary

Treasurer


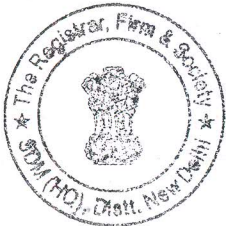
If any meeting of owners cannot be held for want of quorum the owners who are present, may adjourn the meeting to a time not less than two hours from the time the original meeting was called. If at such adjourned meeting also, no quorum is present, the owners present in person being not less than two shall form a quorum.

ORDER OF BUSINESS

The order of business at all meetings shall be as follows:

1. Roll call
2. Proof of notice of meeting or waiver notice.
3. Reading minutes of the proceedings of the last meetings.
4. Reports of officers
5. Reports of committee
6. Election of Executive Committee
7. Unfinished business, if any.
8. New Business

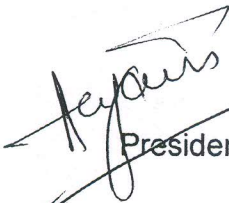
POWER AND DUTIES OF THE PRESIDENT:

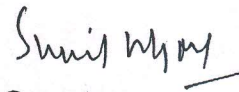


- a) He/she shall preside all the meetings of the General body and governing body.
- b) In case of equality of votes in any meetings, he/she shall tender his/her casting vote.
- c) He/she shall supervise work of the other office bearers from time to time.

VICE PRESIDENT

In the absence of the President the Vice President shall enjoy the powers and duties entrusted to the President. He shall also assist the President in his/her duties from time to time.


President


Secretary
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Treasurer


SECRETARY:

- a) He/she shall represent the society in public and private offices
- b) He/she shall keep all type of records of the society including the register of the members containing their name, address and other brief particulars.
- c) He/She shall undertake all types of correspondences on behalf of the society.
- d) He/she shall convene the meetings of the General body, Governing Body and inform every member regarding time, date and venue of the meeting through a seven days earlier notice.

JOINT SECRETARY:

In the absence of the Secretary, the Joint Secretary shall enjoy the powers and duties entrusted to the Secretary. He will also assist the Secretary in his/her duties from time to time.

TREASURER:

He/she shall collect subscription from the members and the general public and shall be responsible for keeping and maintenance of a true and correct accounts of the Society's fund.

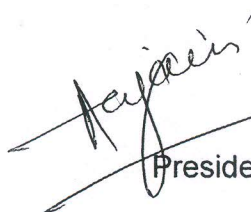


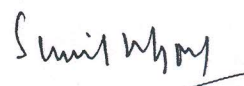
EXECUTIVE MEMBERS:

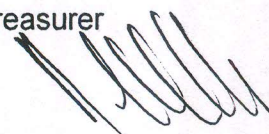
They will assist in the day to day work of the society as directed by President and Secretary.

ELECTION:

The Governing body of the society shall be elected for a term of two years in General body meeting. The raising hands shall be the mode of the election. The newly elected governing body list should be attested by three outgoing office bearers.


President


Secretary

Treasurer


VOTING

1. Voting shall be on unit basis, and the number of the votes to which the owners is entitled is the number of apartments held by him in the building i.e. one apartment one vote will be valid.
2. Every apartment owner (single or joint) is entitled to nominate any of its family members or authorized representative to participate in the meeting of the Society including voting subject to valid authority. Vote by proxy will be valid subject to Rules as may be made by the Executive Committee.

VOTES TO BE CASTED IN PERSON

Votes shall be cast in person by the apartment owner or by proxy / authorized representative duly authorized by the authentic documents acceptable to the Executive Committee represented by three Members wherein one shall be either President or Secretary.

FINANCIAL YEAR:

The financial year of the Society will be from April 1st to March 31st every year.

SOURCES OF INCOME AND UTILISATION OF FUNDS:

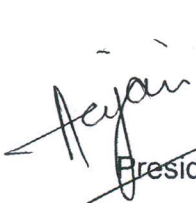
FUNDS AND THEIR INVESTMENTS

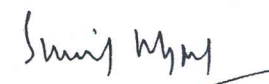
FUNDS

Funds may be raised by the Society in all or any of the following ways:

1. By collecting registration fee, membership fee and in such other way as the committee would decide.
2. By contributions and donations by the apartment owners;
3. From common profits which shall form the nucleus of the reserve funds;
4. By raising loans, if necessary subject to such terms and conditions as the Society, may determine in this behalf.




President


Secretary
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Treasurer


INVESTMENTS

The Society may invest or deposit its funds in one or more of the following:

1. In the central Co-operative Bank or in State Co-operative Bank; or any scheduled Bank or nationalized Bank or Bank.
2. In any of the securities specified in Section 20 of the Indian Trust Act, 1882; or
3. In any Co-operative Bank other than referred to in clause (a); or in any Banking Company approved for this purpose by the Society.

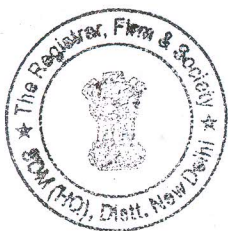
All the income of the Society received shall be utilized only for the promotion and upliftment of the Aims and objectives of the Society. Sources of the income of the Society are as follows:


- a) Admission fee and subscription from membership of the Association;
- b) Special Contribution
- c) Subscription
- d) Deposits

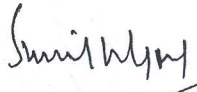
OPENING AND OPERATION OF BANK ACCOUNT:

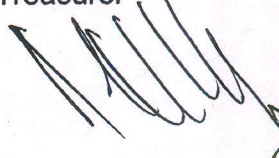
The Society shall open a banking account and deposit the money received on behalf of the Society. The Secretary may retain in his personal custody an amount not exceeding Rs.5000/- for party expenses. All payments above Rs.5000/- shall be made by Cheque signed by the President and the Treasurer or any one member of the Executive Committee except the payment of salary to staff.

All the accounts will be operated in the name of the Society and will be operated by any one out of President, Secretary and Treasurer AND the second signatory shall be Treasurer and any other person as appointed by Governing body;




President


Secretary
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Treasurer


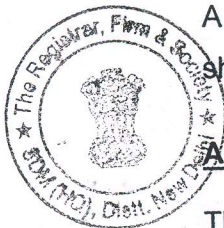
No withdrawal would be allowed without the signature of two members of the Governing body who are authorized to operate the bank account;

AUDIT OF ACCOUNT

1. The Society shall on or before the 30th day of June in each year publish an audited financial statement in respect of the common areas and facilities.
 - ii. The profit and loss accounts;
 - iii. The receipts & expenditures of the previous financial year; and
 - iv. A summary of the property and assets & liabilities of the common areas and facilities of the Society giving such particulars as will disclose the general nature of these liabilities & assets and how the value of the fixed assets have been arrived at;
2. The audited financial statement shall be opened to the inspection of any member of the Society during office hours and a copy shall be submitted to the competent authority not later than 15th day of August of every year.
3. Every financial statement shall accompanied by a list of the apartment owners and the similar list of loanees.

PUBLICATION OF ACCOUNTS AND REPORTS

A copy of the last financial statement and of the report of the auditor, if any, shall be kept in a conspicuous place in the society.

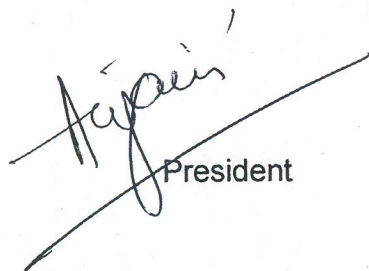


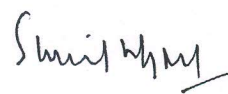
APPOINTMENT OF AUDITOR

The Society shall appoint at its general meeting an auditor who shall audit the accounts of the Society to be prepared by the Executive Committee.

POWER OF AUDITOR

The auditor shall be entitled to examine any papers or documents belonging to the Society relating to the common expenses and shall make a special


President


Secretary
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Treasurer


report to the Society upon any matter connected with the accounts which appears to him to require notice.

The accounts of the Association shall be audited by the qualified account every year which is duly appointed by the Governing body.

FILLING UP OF CASUAL VACANCIES

Any casual vacancy shall be filled by the resolution passed by the Governing body. Such appointment shall be confirmed by the General Body in its coming General body meetings;

USE OF UNITS : INTERNAL CHANGES

1. All the units shall be utilized for commercial purposes only.
2. An owner shall not carry any structural modification or alternation or installation located therein, in its / his unit without notifying the Society in writing. The Society shall have the obligation to answer within thirty days and failure to do so shall mean that there is no objection to the proposed modification, alternation or installation.

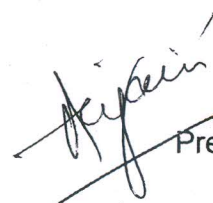
USE OF COMMON AREAS AND FACILITIES AND RESTRICTED COMMON AREAS AND FACILITIES.

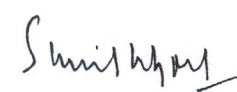


The owner shall not place or cause to be placed in the lobbies, vestibules, stairways, elevators and other areas of facilities of a similar nature both common and restricted, any furniture, packages or objects of any kind. Such area shall be used for no other purpose than for normal transit through them.

RIGHT OF ENTRY

1. An owner shall grant the right of entry at his apartment to an Executive Committee Member or to any other person authorized by the Executive Committee of the Society in case of emergency whether the owner is present at the time or not.


President


Secretary
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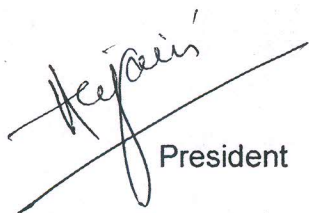
Treasurer

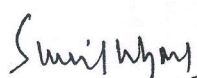

2. An owner shall permit other owners or their representatives when so required to enter his unit for the use of performing installation and alternation or repairs to the mechanical or electrical services provided, that request for entry are made in advance and that such entry is a time convenient to the owner, but in case of emergency, such right of entry shall be immediate.

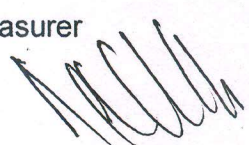
RULES OF CONDUCT

1. No occupant / lessee shall post any advertisement or poster of any kind in or on the building, except as authorized by the society.
2. The residents / occupants shall exercise extreme care about making noises by the use of musical instruments, radios, television and amplifiers etc. that may disturb others. Residents / occupants/ lessees keeping domestic animals shall abide by the municipal sanitary bye-laws or regulations.
3. It is prohibited to hang garments, rugs etc. from the windows, balconies or from any of the facades.
4. It is prohibited to dust rugs etc. from windows or to clean rugs etc by beating on the exterior part of the building.
5. It is prohibited to throw garbage or trash outside the disposal places provided for such purpose in the service areas. If such place is not provided, all garbage or trash shall be collected in a vessel and thrown in municipal dustbin.
6. No owner, resident or lessee shall install wiring, electrical telephone installation, television antenna, machines or air-conditioning units etc. on the exterior of the building.




President


Secretary
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Treasurer


ANNUAL LIST OF GOVERNING BODY:

Once in the month of April every year a list of the office bearers and executive members of the Governing body shall be filed in the office of the Registrar of Societies, Delhi as required under Section 4 of the Societies Registration Act 1860.

LEGAL PROCEEDINGS (SECTION 6 OF THE ACT)

The society may sue or be sued in the name of the President/Secretary as per provisions laid down under section 6 of Societies Registration Act 1860 as applicable to NCT of Delhi.

AMENDMENT (SECTION 12 AND 12 A OF THE ACT)

Any amendment in the MOA or rules will be carried out in accordance with the procedure laid down under section 12 and 12 A of the Societies Registration Act 1860.

DISSOLUTION:

If the society needs to be dissolved it shall be dissolved as per provisions laid down under section 13 and 14 of the Societies Registration Act 1860 as applicable to National Capital Territory.



APPLICATION OF THE ACT:

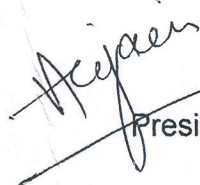
All provisions under all the sections of the Societies Registration Act 1860 as applicable to NCT of Delhi.

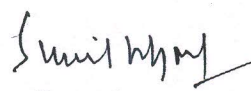
COMPLIANCE

These bye-laws are set forth to comply with the law laid down in New Delhi

SEAL OF THE SOCIETY

The Society shall have a common seal which shall be in the custody of the President or Secretary and shall be used under the authority of a resolution of


President


Secretary
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Treasurer


the Executive Committee and every Deed of Instrument to which seal is affixed shall be attested for or on behalf of the Society by two members of the Executive Committee including President or Secretary or any other person authorized by the Society.

AMENDMENTS TO THOSE BYE-LAWS OF APARTMENT OWNERSHIP
AMENDMENTS OF BYE-LAWS

These bye-laws may be amended by the Society in a duly constituted meeting for such purpose and no amendment shall take effect unless approved by owners representing at least 50% percent of the total members of the units in the building.

ESSENTIAL CERTIFICATE:

Certified that this is the correct copy and true copy of Rules and regulations of the society.



[Signature]
President

[Signature]
Secretary
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Treasurer
[Signature]