



VED HOUSING SOCIETY MANAGEMENT

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गृहनिर्माण संस्थेचे उपविधी स्वीकारण्याची प्रक्रिया आणि फॉर्म

PROCEDURE AND FORMS FOR ADOPTION OF BYE LAWS OF HOUSING SOCIETY

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COVERING LETTER

ON SOCIETY'S LETTERHEAD

Date:

To,
The Dy-Registrar,
BMC Godown Building,
Thakur Complex, 90 Feet Road,
Kandivali (E), Mumbai-101

Sub: Adoption of Bye-Laws

**This is to inform you that we have adopted new Bye-Laws in AGM/SGM
Dt._____ . We are herewith submitting the following documents
for your record.**

- 1. 2 BYE-LAWS COPY-duly stamped**
- 2. APPENDIX -A (WITH 50/- COURT FEE STAMP)**
- 3. ENSLOURE-I**
- 4. ENSLOURE-II**
- 5. ENSLOURE-III**
- 6. ENSLOURE-IV (2 COPIES)**
- 7. ENSLOURE-V**
- 8. RESOLUTION OF MANAGING COMMITTEE**

STAMP/SEAL OF SOCIETY





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Date: _____

Subject: Revised set of model byelaws as per 97th Constitutional Amendment

Adoption of _____ by societies

CIRCULAR

1. The New Model Bye-laws of 2013 as per 97th constitutional amendment already circulated by the office of Commissioner for corporation & Registrar Co-op. Societies, Pune, on their website. Vasai Taluka Co-operative Housing Federation Limited got the same down loaded from the website of Commissioner for Co-operation and printed for adoption by housing societies.

2. At present there are two set of Bye-laws. One is for Open Plot type societies and the other for Flat Owner type societies. However at present we have copies of English bye-laws for Flat Owners Cooperative Housing Societies.

3. Rule 12(2) of the Maharashtra Co-operative Societies Rules 1961 prescribes the procedure to be followed for amendment to the bye-laws. The said rule prescribes a condition that a society shall give due notice in accordance with its bye-laws to all the members for considering any amendment thereof. The bye-law No. 167 in the existing Model bye-laws deals with the amendments to bye-laws. The sub-clause (i) of the said bye-laws says that "no bye-laws shall be made, altered or abrogated unless a proposal to do so has been communicated to all the members, 14 days before the General Meeting at which it is to be considered. Each member of the society need not have to be furnished with a copy of the existing Bye-laws and that of revised model bye-laws. Instead a copy of the existing bye-laws and a copy of the revised set of model bye-laws proposed to be adopted at the General Body meeting, should be kept in the office of the society for inspection by members of the society at the convenient time. The item on the agenda of the General Body meeting for adoption of the Model bye-laws should be as under:

To consider adoption of the revised set of model bye-laws of 2014 introduced by the Commissioner for Co-operation and Registrar, C.S., Maharashtra State, Pune in place of the existing Model bye-laws of the society.

Note: A copy of the existing Model bye-laws of the society and a copy of the revised Model bye-laws proposed to be adopted at the General Body meeting, are kept in the office of the society for inspection by members of the society, during ____AM/PM and _____AM/PM on the days preceding the date of the General Body meeting.





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4. A proposal for amendment of the bye-laws is required to be submitted with five enclosures viz: enclosure I, II, III, IV and V. to enable the Cooperative housing societies to prepare amendment proposal correctly, specimen of the above I, II, III, IV and V enclosures are given herewith. The information in enclosure I and V could be filled in from the records of the society. The columns of the enclosure II, III and IV are to be filled to serve as per guidance. In addition to the above enclosures, the societies will have to furnish copies of the resolution of the managing committee/general body committee as under.

“Resolved that the Chairman Shri _____, The Hon. Secretary Shri _____, and the Managing Committee member Shri _____ be and are hereby authorized to sign the proposal for amendment to bye-laws (i.e. adopting the revised set of bye-laws in place of existing bye-laws).

Proposed by: _____

Seconded by: _____

Resolution carried unanimously:

5. The proposal, adopting the revised set of bye-laws, in place of the existing set of bye-laws of the society, should be prepared as shown in the specimen annexed to this circular letter and submitted to the Registering Authority within two months from the date of the General Body meeting at which the resolution of adoption of the revised set of bye-laws was adopted. If the proposal is not submitted within the prescribe time limit, it becomes invalid and entire fresh process will be necessary. For adoption purpose the name and signature of only Chairman, Secretary and Authorized member of the managing committee are necessary. Names and Signature of all promoters are necessary while submitting registration proposal only.

Secretary

Vasai Taluka Co-operative Housing Federation Limited





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IMPORTANT GUIDELINES TO BE FOLLOWED

1. **Affix Rs.50.00 Court Fee Stamp on the application.**
2. **Submit 2 copies of the Model bye-laws (to be adopted) bearing society name and stamp.**
3. **Submit a certified copy of the existing bye-laws of the society.**
4. **Enclose a certified copy of the Notice of the General Body meeting in which the adoption proposal was considered and approved.**
5. **Submit duly signed and stamped 4 copies of Enclosure I to "IV".**
6. **Submit the proposal within 2 months from the date of its approval in the General Body Meeting.**
7. **Minutes of Managing Committee to authorize Office Bearers/Consultants to submit adoption forms**
8. **Authority letter on letterhead of society to submit & receive Bye Laws.**
9. **List of Committee Members & contact details**

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_____CO-OPERATIVE HOUSING SOCIETY

(Address of the society)

Seal/Stamp of the Society

APPENDIX "A"

Affix Court Fee Stamp of Rs.50/-to the Application

From

Date:

The Chairman,

.....Co-operative Housing Society Limited

To,

The Deputy Registrar/Assistant Registrar,
Co-operative Society, Ward, Mumbai.

Sir,

1. I have the honor to forward herewith amendments approved by the General Meeting of the society, held on..... and to request that you may be pleased to approve and registered the same.

2. 4 copies of the Byelaws along with Enclosures I to V, which are required in this connection, are enclosed.

3. Shri.....Chairman, Shri.....
Hon. Secretary, Shri.....member of the managing committee have been authorized to sign the amendment proposal. A copy of the managing committee resolution is enclosed.

Yours faithfully,

For Co-operative Housing Society Ltd.
Chairman/ Hon. Secretary

Seal/Stamp of the Society





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CO-OPERATIVE HOUSING SOCIETY

(Address of the society)

ENCLOSURE "I"

Seal/Stamp of the Society

We hereby certify that:

- i) The period that has intervened between the date of notice and the date of General Meeting at which the amendments have been passed is not less than the period required under the byelaws of the society.
- ii) The notice has been given by the Officers empowered to the parties mentioned in the Bye-laws and in the manner prescribed therein.
- iii) The date, hour and place of the meeting and the proposed amendments were mentioned in the notice.
- iv) The original copy of the notice and agenda are maintained in the records of the society.

Authorised

Secretary **Managing Committee Member** **Chairman**

- Enclosures: 1. 2 copies of Model bye-laws.
2. Copy of Notice of the General body / Managing Committee meeting.
3. Copy of Minutes of the General body / Managing Committee meeting.
4. Court fee stamp of Rs. 50.00.
5. Covering note.
6. Membership receipt of Vasai Housing Federation.





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ENCLOSURE "III"

Seal/Stamp of the Society

No. of Byelaw

1

Bye-Laws No.1 to 176, Annexures I, II and III with Appendixs A to C and Appendixs 1 to 29 Addenda & Corrigenda To bye-laws, annexures And Appendixs as per Copy of the revised set bye-laws, enclosed

Wording of the Existing Byelaw

2

As per copy of the existing bye-laws enclosed

Wording of the Amended Byelaw

3

Bye-laws No.1 to 177 Annexure I, II with Appendixs 1 to 2 to bye-laws, annexure and Appendix's as per copy of the revised set of bye-laws enclosed

Reasons for Amendments

4

To switch over to the revised Model bye-laws as the present bye-laws of the society are not adequate to regulate the entire working of the Society and as per 97th Constitutional of amendments.

For..... Co-operative Housing Society Ltd.

Secretary

Authorized
Managing Committee Member

Chairman

Seal/Stamp of the Society





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ENCLOSURE "IV"

Seal/Stamp of the Society

NOTE:

Four separate copies of this enclosure shall be supplied. Copy of the Bye-laws (as amended) approved at the General Meeting held on201...,and/or the adjourned general meeting/meetings held on.....201.....

No. of the amended
Bye-laws

Wording of the Byelaws as they
would read when amended

Bye-laws No. 1 to 177, Annexure I and
II and Appendix 1 to 28 to Bye-laws,
Annexure and Appendix.

As per copy of the revised set of
Bye- laws attached.

For..... Co-operative Housing Society Ltd.

Secretary

Authorized
Managing Committee Member

Chairman

Seal/Stamp of the Society





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ENCLOSURE "V"

Seal/Stamp of the Society

Additional Information relating to the society as on the date of the General Meeting;

1. Name of the Society.....
2. Address, Number and Date of Registration.....
3. Authorised Share capital.....
4. Area of operation
5. Date of last AuditLast Audit Classification.....
6. Rate of Interest on Borrowing 7. Rate of Interest on Lending

A) Deposits:

B) Loan from Central Bank:

Rate of Dividend:

C) Share Subscriptions:

D) Other Borrowings:

Capital & Liabilities	Rs.Ps.	Assets	Rs.Ps.
Paid up Share Capital:		1) Investment in	
Reserve Funds:		a) Building	
Other Funds:		b) Lands	
Member's Deposits:		c) other Societies	
Non-Members' Deposits:		d) Shares of	
Loan from other		i) Central bank	
Societies and		ii) other societies	
Central Bank:		iii) Other Shares	
Loan from Govt.		2) Loans due from members	
of which over dues		a) of which overdue	
		b) of which involved in arbitration	
		3) Deposits with Bank	
Total:		Total:	

- a) Limit of outside borrowing as per Byelaws.....
- b) Total amount of actual outside borrowings
- c) Profit/Loss for the last three years
- d) Limit of Individual Loans as per byelaws

For..... Co-operative Housing Society Ltd.

Secretary Authorised Managing Committee Member Chairman

Seal/Stamp of the Society





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_____ CO-OPERATIVE HOUSING SOCIETY LIMITED.

_____ (on the letter head of the society)

NOTICE

Notice is hereby given that the Special General Body / Managing Committee Meeting of Co-operative Housing Society Limited shall be held on _____(date) at _____(time) at _____(Venue) to transact the following business.

AGENDA

1. To read and confirm the Minutes of the Special General Body Meeting/Annual General Body Meeting / Managing Committee Meeting. (If any)
2. To discuss the high lights of the new Model Bye-Laws 2014 prepared as per 97th Constitutional Amendment, Maharashtra Co-operative Societies (Amendment) Act, 2013 and MCS (Amendment) Rules 2014 and to pass a Resolution to adopt the new Model Bye Laws in place of old bye-laws and authorize the Managing Committee to submit the same to the Deputy Registrar Co-operative Societies for the approval of Registrar.
3. To authorize the Managing Committee to engage services of professionals and pay the remuneration, if required, to get the New Model Bye-laws adopted or Authorise the managing Committee to avail free services offered by Vasai Taluka Co-operative Housing Federation Ltd.
4. To obtain the membership of Vasai Taluka Co-operative Housing Federation Ltd

By Order of the Committee

Place: Mumbai/_____

Date: _____

Hon. Secretary/Chairman

Note: i) If there is no quorum at the schedule time, the meeting shall be adjourn for 30 minutes and the adjourned meeting will be done at the same time and all the business of the agenda shall be transacted whether there is a quorum or not.

ii) The old bye-laws and the new Model bye laws is available inspection by the members at the office of the Society (with the Hon. Chairman/ Hon. Secretary) and if member wants to purchase copy of the new Model Bye-laws, the same can be purchase from the office of the Vasai Taluka Co-operative Housing Federation Limited at Swagat Bhawan, Opp : MSEB colony, Near Indian Oil, Station Road, Vasai Road, Vasai Road (East) 401202 or call them on 0250-6457596 / 2390170 / 71 / 239 3773 / 74.

iii) Salient Features of the New Model Bye-laws, provision of section 89AB regarding the constitution of "Grievance Redressal Settlement Committee", Provisions regarding the election, necessity of appointment of Auditors from the panel of auditors etc are available at the society office (with the Hon. Chairman/ Hon. Secretary) and if member wants to purchase copy of the new Model Bye-laws, the same can be purchased from the office of the Vasai Taluka Co-operative Housing Federation Limited at Swagat Bhawan, Opp : MSEB colony, Near Indian Oil, Station Road, Vasai Road, Vasai Road (East) 401202 Tel.no. 0250-6457596 / 2390170 / 71 / 239 3773 / 74.

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_____CO-OPERATIVE HOUSING SOCIETY LIMITED.

_____ (on the letter head of the society)

MINUTES OF THE SPECIAL GENERAL BODY / MANAGING COMMITTEE MEETING HELD ON _____

A Special General Body / Managing Committee meeting of the members of _____ Co-operative Housing Society Ltd. was held on _____(date) at _____(Time) at _____ (Venue) in which the members as per the attendance list attached herewith were present.

The Meeting commenced at the scheduled time. Since there was no quorum at the appointed time, the Hon. Chairman adjourned the meeting for half an hour and the reconvened meeting was held at _____(time) at the venue fixed for the Meeting as per the notice in which above members were present. The Hon. Chairman welcomed the members and explained to the members present about the purpose of holding the special General Body meeting. The Hon. Chairman called the meeting to order as per notice and took up the agenda No. 1 for discussion.

Agenda No. 1: To confirm the Minutes of the Special General Body Meeting held on

The Hon. Secretary read the minutes of the SGM held on _____ as circulated / recorded in the minutes book. The members were invited to discuss on the points arising from the minutes and also the action taken thereon.

After some discussion the following resolution was passed:

“Resolved that the minutes of the Special General Body meeting held on _____as read out, recorded and with the suggestion made by the members be and are hereby approved. Further resolved that the Hon. Chairman be and is hereby authorized to sign the minutes as a token approval of the same by the members of the society.

Proposed by:

Seconded by:

Passed: Unanimously/ by Majority:

Agenda No. 2: To adopt the new model Bye-Law and submit the same to the Deputy Registrar Co-operative Societies for its approval.

Hon. Secretary placed before the meeting the comparison between the old registered bye-laws and the New Model Bye-laws approved by the commissioner as per 97th Constitutional amendment and also as per Maharashtra Co-operative Societies(Amendment) Act, 2013 and MCS amendment Rules 2014.

After some discussion the following resolution was passed:

“Resolved to adopt the new model Bye Law 2014 prepared as per 97th Constitutional Amendment, Maharashtra Co-operative Societies (Amendment) Act, 2013, and MCS Amendment Rule 2014 in place of old bye-laws and further resolved authorize the Managing Committee to submit the same to the Deputy Registrar Co-operative Societies for its approval by the Registrar

Proposed by:

Seconded by:

Passed: Unanimously/ by Majority:



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Agenda No. 3: To engage services of professionals or avail free facility for Adoption of Bye-laws offered by the Vasai Taluka Co-operative Housing Federation Limited.

Hon. Secretary informed the members that society will be require to pay the professional fees and the expert fees of the consultants in order to adopt the new Bye Law for the society. Hon. Secretary further informed that the free services are offered by the Vasai Taluka Co-operative Housing Federation Limited at Swagat Bhawan, Opp : MSEB colony, Near Indian Oil, Station Road, Vasai Road, Vasai Road (East) 401202 to its members for adoption of the new Model Bye-laws.

After some discussion the following resolution was passed:

“Resolved that the Hon. Chairman/Secretary be and are hereby authorized to pay the professional fees and the expert fees as per the bills, to the respective persons.”

Further “resolved that the Chairman/Secretary be and are hereby authorised to avail free Guidance /Advise for Adoption of Bye-laws from the Vasai Taluka Co-operative Housing Federation Limited at Swagat Bhawan, Opp : MSEB colony, Near Indian Oil, Station Road, Vasai Road, Vasai Road (East) 401202 to become a member of Vasai Taluka Co-operative Housing Federation Limited at Swagat Bhawan, Opp : MSEB colony, Near Indian Oil, Station Road, Vasai Road, Vasai Road (East) 401202.”

Proposed by:

Seconded by:

Passed: Unanimously/ by Majority:

