

Bye Laws - RULES & REGULATIONS

1. PREAMBLE

WHEREAS, the residents of "Yash Vihar", a residential plotted colony developed by M/s KSD Buildtech Pvt Ltd under the Deen Dayal Jan Awas Yojna, located in Sector-5 Pataudi, Gurgaon, Haryana, deem it expedient and necessary to form an association for the welfare, maintenance, and overall betterment of the project and its residents.

AND WHEREAS, it is considered essential to establish a formal body to represent the collective interests of the residents, manage common facilities, promote community living, and ensure the harmonious functioning of the residents.

NOW, THEREFORE, these Bye-Laws are framed to govern the constitution, functions, powers, and duties of the Yash Vihar Resident Welfare Association (hereinafter referred to as "the Association"), in accordance with the provisions of the Haryana Registration and Regulation of Societies Act, 2012, and any rules framed thereunder.

In these rules, unless the context otherwise requires:

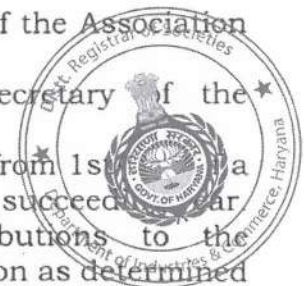
- 1.1 Association means members of " YASH VIHAR RESIDENTS WELFARE ASSOCIATION, Sector-5, Pataudi, Gurugram, Haryana- 122503.
- 1.2 "Rules" means rules provided herein or as may be altered, added, deleted, modified or amended, from time to time in the manner specified here in after.
- 1.3 "Office" means the registered office of the Association.
- 1.4 "Managing Committee" means the committee to look after overall administration and management of the affairs of the Association.
- 1.5 "General Body" means General Body of the members of the Association.
- 1.6 "Month" means English calendar month.
- 1.7 "President" means the Principal Officer/Head of the Association who shall be the president of the Association.
- 1.8 "General Secretary" means the General Secretary of the Association.
- 1.9 "Year" means a period of 12 months beginning from 1st of a particular year and ending on 31st March of the succeeding year.
- 1.10 "Annual Subscription" means such contributions to the Association in the nature of one-year subscription as determined by the managing committee to be payable by the member.
- 1.11 "Monthly Subscription" means such contributions to the Association in the nature of one-month subscription as determined by the managing committee to be payable by the member.

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1.12 "Memorandum of Association" means Residents Association, Yash Vihar, Sector 5, Pataudi, Gurugram, Haryana, 122503,

1.13 "Dwelling Unit (DU) means a residential plot allotted under the Deen Dayal Jan Awas Yojana (DDJAY) and registered with the competent authority, including lawful constructions approved by such authority.

2. NAME AND REGISTERED OFFICE

2.1 The name of the Association shall be "Yash Vihar Resident Welfare Association".

2.2 The registered office of the Association shall be situated at SCO-6, Shopping Centre, within the residential plotted colony of Yash Vihar, Sector-5 Pataudi, Gurgaon 122503, or such other place as the Managing Committee may decide from time to time within the colony.

3. AIMS AND OBJECTIVES

The aims and objectives for which the Association is established are:

3.1 To promote and safeguard the civic, social, cultural, recreational, and general welfare interests of the residents of Yash Vihar.

3.2 To maintain and manage all common areas, facilities, amenities, services, and infrastructure within Yash Vihar, including but not limited to parks, green spaces, street lighting, internal roads, drainage systems, water supply, sewerage, security systems, and community area, which are handed over to the Association by the developer or relevant authorities.

3.3 To represent the residents of Yash Vihar before the developer, local authorities, government departments, and other external bodies on matters affecting the welfare and interests of the residents.

3.4 To foster a sense of community, cooperation, and mutual understanding among the residents, promoting harmonious living and social interaction through various events and activities.

3.5 To ensure the proper upkeep, cleanliness, and aesthetic appeal of the colony, thereby enhancing the quality of life for all residents.

3.6 To formulate and implement rules and regulations for the orderly conduct of residents and the use of common facilities, ensuring peace and tranquility within the colony.

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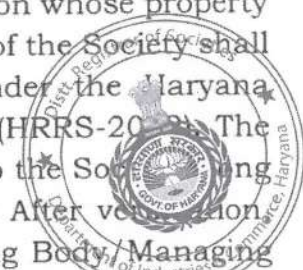


- 3.7 To address grievances and resolve disputes among residents or between residents and external entities concerning the colony, through amicable means and established procedures.
- 3.8 To raise funds through subscriptions, contributions, donations, and other legitimate means for the effective discharge of the Association's objectives and functions.
- 3.9 To engage, employ, and supervise staff, contractors, or agencies as may be necessary for the maintenance and management of the colony's facilities and services.
- 3.10 To undertake any other lawful activities that are incidental or conducive to the attainment of the above-mentioned aims and objectives.
- 3.11 To promote environmental sustainability within the colony through initiatives such as waste management, rainwater harvesting, and tree plantation drives, thereby contributing to a healthier living environment.
- 3.12 To establish and maintain a robust security framework for the colony, including surveillance systems, guard services, and access control, to ensure the safety and security of all residents and their property.

4.0 Membership

The minimum age of membership is 21 years. A person whose property in the "Yash vihar", desirous of becoming a member of the Society shall apply in the prescribed Form-10 as provided under the Haryana Registration and Regulation of Societies Act, 2012 (HRRS-2012). The duly filled and signed Form-10 shall be submitted to the Society along with the required documents and membership fee. After verification, the application shall be placed before the Governing Body/Managing Committee for approval. Upon approval by the competent authority of the Society, the applicant shall be admitted as a member and his/her name shall be entered in the Register of Members maintained by the Society in accordance with the provisions of HRRS-2012.

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5.0 Admission of membership

Persons desiring to enrol themselves as members shall submit a written application, in the prescribed format, along with fees duly recommended by managing committee of the Association, to the general secretary. The General Secretary will place the applications so received before the Managing Committee for admission.

Eligibility conditions:

- a) Must be 21 years of age on the date of admission;
- b) Should subscribe to the bye laws, aims and objects of the Society;
- c) must have deposited the admission fee and annual subscription fee and must not be in arrears of payment of such fee as on the date of annual general meeting for continuing as a member;
- d) must not have been convicted of an offence involving moral turpitude involving imprisonment of one year or more.
- e) The decision of the Managing Committee shall be final and binding in the matter of admission of a member. The decision of the Managing Committee shall be communicated to the Applicant.

6.0 SUBSCRIPTION FEES

As per the Haryana Registration and Regulation of Societies Act, 2012 (HRRS, 2012), the membership subscription fee of the Society shall be **₹1,000/- (Rupees One Thousand Only)**, payable by every member at the time of admission. This fee shall form part of the general funds of the Society and shall be utilized for furthering its objectives and meeting administrative expenses. The Managing Committee shall have the authority to revise or determine the subscription fee from time to time, and membership rights, including participation in meetings and voting shall commence only upon payment of the prescribed fee. The fee shall be non-refundable except as permitted under the Bye-laws or by a resolution of the Managing Committee, and all payments shall be recorded in the Register of Members and maintained in accordance with HRRS, 2012.

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A. Life Membership	:	1000/-
B. Annual Membership	:	500/-
C. Annual Associate Member	:	500/-
D. Honorary Members	:	500/-

7.0 Cessation of the Membership

A member shall have ceased to be a member of the Association in any of the following events:

- 7.1 If he dies last; or
- 7.2 If he resigns, by giving three months advance notice: or
- 7.3 If he is adjudicated insolvent or of unsound mind or is convicted of an offence, which, in the opinion of the Managing Committee of the Association, involves moral turpitude; or
- 7.4 If he fails to pay his subscription and/or any other sum due from him to the Association within a period of one month after written notice has been given to him by General Secretary in this regard in accordance with the directions of the Managing Committee to that effect; or
- 7.5 If he has been working against the spirit of the objects, rules and regulations of the Association and a resolution to that effect has been passed in meeting of the General Body.

8.0 Appeal and re-admission of members

- 8.1 A member, who cease to be the member of the Association, (except otherwise removed by the General Body) may be eligible for re-admission to membership on a fresh application giving cogent reasons and payment of fees at the discretion of and subject to the approval of the managing committee.
- 8.2 Where, however, a person has been removed/dissmised by the General Body, such member can only be re-admitted to membership by the general body.
- 8.3 Spouse or son or other resident legal heir of a deceased member shall have the opinion to become the member of the Association.

9.0 Membership Register

- 9.1 A Register of members containing the following information shall be maintained:



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- a) The names, addresses and other relevant particular of all the members of the Association shall be entered from the date on which such persons have been accepted as members.
- b) All changes taking place in the membership from time to time.
- c) Such other information as is relevant and for which decision is taken by the Managing Committee from time to time.

9.2 The membership register as aforesaid shall be open for inspection to the members of the Association during office hours at the office Association provided 2 days prior notice is given thereof.

10.0 Rights and privileges of the members

10.1 The members will have the right to give their considered views/opinions to the Managing Committee or in the General Body, which may help in furtherance to the objectives of the Associations and its smooth working.

10.2 The members will have the right to receive information and exchange of information of mutual interest.

10.3 The Members will be entitled to attend the General Body Meeting, provided there is no due outstanding against them.

10.4 However, only the Members (Whose names are in Property records) shall have the voting right at the General Body meeting and authority to participate in the elections for the managing Committee of the Association.

11.0 General Body

11.1 General Body of Association shall consist of all the Members on the role of the Association who are not disqualified by any prior resolution of the Managing Committee of the association and who are not in arrears at the time of the meeting of the General Body.

11.2 Powers, duties and functions of the General Body:

The General Body shall be supreme policy making body of the Association and shall have the following amongst other powers, duties and functions to perform via:

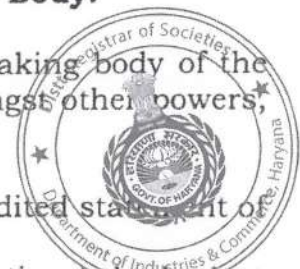
- a) To receive and adopt the annual report and audited statement of accounts for the previous year;
- b) To consider sanction (with or without modifications) the budget estimated for the ensuring year;
- c) To elect the President, Vice President, General Secretary, Joint Secretary, Treasurer and Maximum 5 Executive Members for the Managing Committee of The Association as specified hereinafter.

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Elections shall be held after every three years. That no office bearer can hold his office for more than two consecutive terms, but he can contest for any other post. In the event of any Executive Member/Office Bearer failing to attend three consecutive meetings of the Managing Committee, such member/officer bearer shall be automatically deemed to have vacated the office held by him/her.

- d) To appoint Auditors and fix their remuneration;
- e) To consider proposed amendments to the Memorandum of Association and rules and Regulations duly approved by the Managing Committee;

11.3 Notice of meeting and periodicity of meeting:

The General Secretary of the Association shall give a clear 15 days' notice for convening the General Body meeting of the Association. The notice shall contain the agenda for consideration. At least one General Body Meeting shall be held every year.

11.4 Quorum

Quorum for the General Body meeting shall be 40 percent of the total strength of the members or a minimum of 5 members whichever less is. In the event, the quorum is not complete, the meeting shall stand adjourned for 25 percent after adjourned second meeting. In the event the quorum is not complete, the meeting shall adjourn for 15 percent after adjourned of third meeting. At such adjourned meeting, no quorum would be required. No separate notice of the adjourned meeting shall be required.

11.5 All the decisions shall be taken up a majority vote, unless otherwise provided in case of equality of votes the president of the meeting shall have a casting vote.

11.6 The president shall preside over all the General Body Meetings. In his absence, the vice president shall preside.

11.7 In case the president or the vice president is not present, the members shall elect a chairman to conduct that particular meeting and transact the business as per the agenda of that meeting.

11.8 Requisitioned General Body Meeting

- a) A meeting of the General Body can requisition when 1/5th of the existing members of the Association, having voting rights, give a notice to the general secretary in writing specifying the agenda for the meeting.



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- b) Such a requisitioned meeting shall not consider any matters other than those mentioned in notice.
- c) The Notice of the requisitioned meeting shall be submitted by the members to the General Secretary at least one month before the date of the proposed meeting.

11.9 Voting shall be by secret ballot.

12.0 Managing Committee

The General supervision, management and control of the Association shall be vested in the Managing Committee. The composition and the manner of Election/Appointment of the Managing Committee are described below: -

- a) The Managing Committee shall consist of 7 members.
- b) It shall comprise President, Vice President, General Secretary, Joint Secretary, Treasurer and two Executive members.
- c) Two third of the committee members shall constitute the required quorum.
- d) The President or the Vice President will preside. In absence of both the President and the Vice-President, the MC shall ordinarily not hold any important meeting, except in case of emergency. Such an emergency meeting will be presided over by the General Secretary.
- e) Each member of the MC shall have one vote, but the President or the Vice President or the Presiding officer shall have a casting vote in addition.
- f) Members of the MC shall be elected and will hold office for three year.
- g) No member shall be eligible for re-election for any position in the MC after two consecutive terms. He can however contest again for a third term after a gap of at least two years
- h) Meetings of the MC shall be held at least once in a month. If necessary, such meetings may also be called at any time by President or Vice President. The meeting may also be called by President or Vice President on receipt of requisition four members of the MC or on the directions of the Registrar of Societies or any person authorized by him.
- i) A member of MC shall cease to hold office if he:
 - i. Ceases to be a member of the Yash Vihar Resident Welfare Association;
 - ii. Applies for insolvency or is adjudged insolvent by a competent court;
 - iii. Becomes of unsound mind, as certified by a competent medical authority;
 - iv. Is convicted of any offence involving dishonesty or moral turpitude;



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- v. Accepts any office of profit under the Association or receives any honorarium from the Association;
- vi. Resigns from office and such resignation is accepted by the General Body;
- vii. Is a regular defaulter in payment of dues payable to the Association;
- viii. Violates the terms and conditions of allotment or agreement with the competent authority under the DDJAY Scheme, or undertakes any unauthorized construction or encroaches upon land or common areas belonging to the Association;
- ix. He/she or any member of his/her family is found running any unauthorized business, trade, or commercial activity within Yash Vihar, Sector-5, Pataudi, Gurugram, Haryana-122503;
- x. He/she or any member of his/her family accepts an office of profit or undertakes any business activity involving members of the Yash Vihar Residents Welfare Association, which is prejudicial to the interests of the Association.

13.0 Term of Managing Committee

The term of the Managing Committee shall be three year.

14.0 Election of the Managing Committee:

The election of all the members of the managing committee will be held during the date time, to be notified to all members well in advance in the manner described herein after.

14.1 The Managing Committee shall appoint a Returning Officer for the conduct of a free and fair election in accordance with the provisions of the Constitution/Bye-Laws of the Association, under his/her supervision.

14.2 Upon his/her appointment, the Returning Officer shall issue a notification for the election of the Association at least one month prior to the date of the proposed election. It shall be ensured that the elections are held on the notified date, on which day the Annual General Body Meeting (AGBM) shall also be held. Only those members shall be permitted to cast their votes who have paid their annual membership subscription at least one month prior to the date of election (or the General Body Meeting as applicable).

14.3 Thereafter, the Returning Officer shall call upon the Managing Committee office to provide the list of all members eligible to vote, at least one month prior to the date of the proposed election. On receipt of the list of eligible members, the Returning Officer shall circulate Nomination Forms to all members of the Yash Vihar Residents Welfare Association, Sector-5, Pataudi, Gurugram,

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Haryana-122503 and shall allow a period of seven (7) days for receipt of duly filled nomination papers by registered post or courier. The Returning Officer shall scrutinize the nominations, prepare a list of valid nominations for the Managing Committee posts, and circulate the same to all members of the Association at least fifteen (15) days prior to the date of the proposed election.

14.4 Any valid member of the Association who is not a defaulter in payment of the Association's financial dues shall be eligible to file his/her nomination for election. A defaulter shall not be eligible to contest the election of the Association.

14.5 Any eligible person intending to contest election for any post shall submit his/her nomination on the prescribed nomination form, duly proposed by one valid member of the Association and seconded by another valid member of the Association. No office bearer of the Managing Committee shall be eligible to contest election for the same office/post for more than two consecutive terms.

14.6 Every nomination paper shall be accompanied by a nominal nomination fee of ₹100/- (Rupees One Hundred only) per post per person, payable in cash at the time of filing of the nomination papers. Any nomination paper not accompanied by the prescribed nomination fee shall be rejected outright, without any further notice or intimation to the concerned candidate.

14.7 The election shall be conducted by secret ballot. Each eligible voter shall be entitled to cast only one vote for each post. Proxy voting shall not be permitted under any circumstances.

14.8 The Returning Officer shall not be eligible to contest the election for any post in the Association, consequent to his/her appointment as Returning Officer.

14.9 The counting of votes shall be carried out under the direct supervision of the Returning Officer and in the presence of at least two (2) independent observers.

14.10 The results of the election shall be announced on the same day, in the presence of all contesting candidates, by the Returning Officer.



15.0 Managing Committee Meeting

15.1 The Managing Committee shall meet at least once in a month.

15.2 The Notice for the meetings of the Managing Committee shall be issued by the General secretary and/ or the president by giving

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seven days clear notice and also specifying agenda for the meeting therein.

- 15.3** An emergent meeting may however be convened at any time at short notice.
- 15.4** A requisitioned meeting of the managing committee can be called by any valid member by giving a 7 clear days' notice through General Secretary by 1/3rd of the members of the managing committee stating the purpose for which such meeting is to be convened.
- 15.5** The requisitioned meeting of the managing committee shall consider only such of the matters which are mentioned on the request given to the General secretary duly signed by 1/3rd of the members of the managing committee as aforesaid.

16.0 Quorum

The Quorum of the managing committee meeting would be 2/3rd of its Members or six whichever is low. If the quorum is not complete within 30 Minutes of schedule time, the meeting shall automatically stand adjourned to the same date at the same place after 30 minutes and the members' present. If, however such meeting were requisitioned meeting, and the same shall stand dissolved in case the quorum is not complete in first instance.

17.0 Powers, Duties and Functions of the Managing Committee

Subject to such general or specific directions as may be given by the General Body from time to time, powers, duties and functions of the Managing Committee shall be:

- 17.1** To transact all business of the Association and to regulate the order, in which they shall be placed before the general meeting and generally to manage, superintend and control the affairs of the Association.
- 17.2** To appoint auditors, office secretary and such other staff members of Associations and to fix their salaries, allowances, gratuities and other Privileges within the sanctioned budget and to define their powers and Duties and to suspend and dispense with their services at its Discretion in accordance with rules and regulations of the Associations.
- 17.3** To consider and approve the amendments to the Memorandum of Association / Rules and Regulations of the Association as when deemed necessary and to forward the same to the General Body of Association.



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17.4 To invest and deal with any funds of the Association not immediately required in such manner, as it deems fit.

17.5 To open and operate Bank Account in the names of Treasurer and President/Vice President/General Secretary or Joint Secretary.

17.6 To appoint signatories to the operation of Bank account(s) of the Association.

17.7 To do all such business this would aim at increasing the image and popularity of the Association and to further the cause of the Association keeping its aims and objects in view.

17.8 The Managing Committee shall take decision by majority of members present and voting. In case of equality of votes the president or Vice President presiding the meeting shall have a casting vote.

17.9 To appoint sub committees for the smooth running of the affairs of the Association.

18.0 The rights and duties of the office-bearers of the Association are being specified as follows:

18.1 President

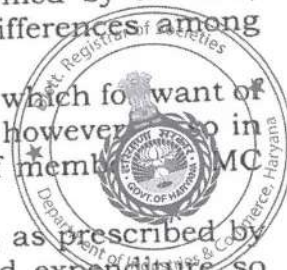
- a) The President shall be the Head of the Association.
- b) He shall preside over all the meetings of the Association.
- c) He shall take lead on all ceremonial occasions.
- d) The president will act in accordance with members of his Managing Committee.
- e) The President shall have general control over all the affairs of the Society and the members of the Management Committee. He shall preside over all the meetings of the GB and the MC. He shall also exercise general supervision over the activities of all the committees and sub-committees formed by the MC, coordinate their functioning and resolve differences among them, if any.
- f) He may dispose of urgent important matters which for want of time cannot be put up to the MC. He must however consult in consultation with the maximum number of members of the MC who may be available at that time.
- g) He may authorize expenditure up to a sum, as prescribed by the GB from time to time. The unapproved expenditure so incurred should be got approved from the Managing Committee in their next meeting. However, the expenditure forming a part of the approved budget shall not be restricted by this limit.

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- h) The President shall be the person on behalf of the Society, to enter into a contract approved by the General Body or the Managing Committee.
- i) With the consent of the Managing Committee, he shall be the person to sue on behalf of the Society or to defend any legal action against the Society. All legal proceedings shall be instituted, continued or defended by the President who shall sign the documents/papers and Vakalatnama in the name of and on behalf of the Association.
- j) The President will supervise and regulate the Residents Association finances. All cheques exceeding Rs 2,000/- in value will be counter-signed by him.
- k) He shall represent the Residents Welfare Association in all matters relating to the Association before the District Magistrate, Local Administration, Police Authorities, and other Government or Statutory Bodies, as and when required
- l) Preparation of budget and supplementary demands (if any) for the duration of his tenure will be done by the Treasurer directly under his supervision.
- m) In case the President is going to be absent, his charge is automatically transferred to Vice President.

18.2 Vice-President

In the absence of the President, Vice-President shall have all his powers and shall perform all the duties of the president. If the president is not available, Vice-President will preside over the meeting of the managing committee.

18.3 General Secretary

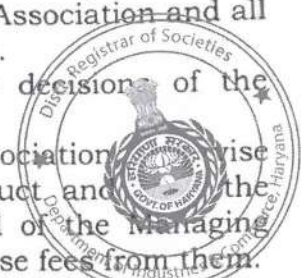
The General Secretary shall be deemed as the Chief Executive officer of The Association. He shall have the following Duties & Responsibilities.

- a) He shall handle all correspondence and keep true and accurate minutes of all the Meeting of the Association and all such Committees connected with the same.
- b) He shall take action to implement the decision of the managing Committee.
- c) He shall look after the properties of the Association, its income and expenditure and to induct and tenants/ license etc. with prior approval of the Managing Committee and also to receive rent or license fees from them.
- d) All sales, transfers, renting etc. in the Society will be supervised by the General Secretary. He shall ensure that the police verification of the new entrants has been carried out and that the provisions of these bye-laws as well as the stipulations laid down by the GB and MC are complied with.

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- e) He is authorized to collect all fees, charges, donations or cash receipt in any form and to issue receipt thereof.
- f) He shall sign all papers on behalf of the Association in its name.
- g) He shall keep the Managing Committee and the General Body informed about the activities undertaken by the Association as when the meetings are held.
- h) He shall convene and conduct all the meetings of the General Body and / or Managing Committee of the Association and will keep a true and faithful record of the deliberations held in those Meetings.
- i) He shall look after, manage and control the affairs of the Associations under the guidance and supervision of the Managing Committee and shall generally take all the steps in that regard.
- j) He shall operate the Society's bank accounts jointly with the treasurer. All cheques below Rs 2,000/- will be jointly signed by him and the Treasurer. Cheques exceeding Rs 2,000/- in value will also be counter-signed by the President.
- k) The General Secretary may authorize expenditure up to a sum, as prescribed by the GB from time to time, to meet petty office expenses and other needs of the Society.
- l) On detection of any unauthorized construction, modification or encroachment activity, he shall warn and initiate appropriate action against the violator in consultation with the President.
- m) In case of absence of the General Secretary the Joint Secretary shall act as General Secretary with all the powers of the General Secretary. In the rare event of absence of both, exceeding 7 days, the President may appoint one of the members of the Committee to act as General Secretary with all the duties powers of the General Secretary.

18.4 Joint Secretary

In the absence of the General Secretary, Joint Secretary shall have all his powers and shall perform all the duties of the General Secretary. If the General Secretary is not available, Joint Secretary can be asked to preside over the meeting of the managing committee.

18.5 Treasurer

- a) He shall keep or cause to be kept proper accounts of the Association.
- b) The treasurer shall be the custodian of all the Residents Association funds, investment papers and financial documents and shall operate as per the directions and control of the MC



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- c) He shall be the Financial Adviser to the MC.
- d) He shall maintain proper accounts and other related records, collect subscriptions and other dues of the Society and issue receipts for such collections.
- e) He shall effect payment of monthly wages of workmen, staff salaries and other routine expenses as per the procedure laid down by the Managing Committee.
- f) Payment of the non-routine expenses shall be made only after specific approval of the Managing Committee in exercise of their powers.
- g) The treasurer shall keep bank cheque books, fixed deposit receipts and other financial instruments in his custody. He shall operate bank accounts jointly with the General /Joint Secretary. While cheques up to Rs 2,000/- will be jointly signed by the Treasurer and the General /Joint Secretary, those exceeding Rs 2,000/- shall be counter-signed by the President/Vice President as well.
- h) He shall deposit the cash received into the bank account of the Society on daily basis, retaining a minimum essential sum considered necessary to meet normal expenses.
- i) The Treasurer shall prepare the necessary Statements of Accounts for quarterly internal audit and annual external audit. The account of the Society shall be closed on 31st March of every year. Accounts shall first be approved and signed by the Managing Committee and then got audited. Such audited accounts will be forwarded to all PRMS and PMs along with agenda points for the meetings.
- j) The Treasurer shall present the audited accounts and the auditor's report in the General Body Meetings.
- k) The Treasurer shall authenticate all entries in the cash book every day. He should also authenticate entries in the ledgers as frequently as he can and ensure that proper accounts under the various heads are maintained.
- l) He shall be responsible for the funds of the Association and shall pay all the bills etc., which are sanctioned for the payment by the Managing Committee of the Association.
- m) He shall collect and receive all subscriptions and donations and issue receipt for the same.
- n) He shall collect and receive all subscriptions and donations and issue receipt for the same.
- o) He shall prepare or cause to be prepared final Accounts and the Balance Sheet annually, get it audited by the auditor, and get it approved from the managing committee and the general body of the Association.



18.6 Executive Members

- a) They shall perform all the duties/ functions as may be assigned to them by the Managing Committee.

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- b) They shall be entitled to guide/ advise the office bearers of the Association.

18.7 Paid Staff

The MC may employ paid administrative and technical staff at any level for smooth and efficient functioning of the Residents Association, after taking prior approval of the GB. Charter of duties of such staff shall be laid down by MC.

18.8 Advisory Committee:

The GB shall from time to time, appoint an advisory committee comprising of 3 to 5 PRM's/PM's, who are not the members of the MC, to assist the MC in advisory capacity. The suggestions made by the committee, for the betterment of the colony, shall be considered by GB, discussed, brainstormed and implemented by MC, if approved.

19.0 Filling up of casual vacancy

Any vacancy occurring in the office of the President, Vice President, other office bearers and Executive Members during the interval between two Annual General Body Meetings shall be filled up by the Managing Committee in such manner as they may deem expedient from amongst the ordinary Members. The member so appointed shall hold office only for the remaining period of his office.

20.0 No confidence motion/removal/impeachment

Should a situation arise, such a motion shall be moved as stipulated below:

- 20.1 If the Management Committee decides with a majority of 2/3rd votes in favor of No Confidence/ Removal / Impeachment Motion against the President or any member of the MC, or on receipt of a request from 1/5th of total number of PRMs, or on receipt of directions from the Registrar of Societies or any person authorized by him, a Special General Body Meeting (SGBM) shall be called within 7 days of passing of such a motion/ receipt of written request/ direction. SGBM will appoint an Empowered Committee of Three members (Chairman and two members) to investigate and recommend appropriate action.

- 20.2 After completion of investigations by the Empowered Committee the SGBM shall be reconvened, under the aegis of the said Empowered Committee, who will consider the evidence adduced and hearing both the parties. The Special General Body Meeting (SGBM), by simple majority of members present and voting, may



Aarti Dhar

Shankar

Raj Kumar

then take any one of the following actions, which shall be final and binding:

- a) Exonerate the Alleged Party if no case is made out.
- b) Order the Alleged Party to resign and debar such person(s) from holding any post(s) in future
- c) Suspend and/or terminate membership of the concerned member(s). In case of suspension, period of suspension shall be specified.
- d) Lodge a FIR and register a Criminal Case (s) against the guilty person(s) for recovery of losses incurred to the Society.

21.0 Source of income and utilization of funds

- a) The funds of the Association shall generally be kept in Scheduled Banks.
- b) Such part thereof as shall not be required for current expenses, may at the discretion of the Managing Committee be invested in any fixed deposits.
- c) Such fixed deposits shall not be sold dealt with except with the permission of the Managing Committee.

22.0 Maintenance & Banking Clause

After registration under the Haryana Registration and Regulation of Societies Act, 2012, the RWA must:

- Obtain PAN Card
- Open a bank account in the name of:

YASH VIHAR RESIDENTS WELFARE ASSOCIATION

- a) The Association shall open and maintain a bank account in its name.
- b) All maintenance charges, corpus funds and other receipts shall be deposited into such account.
- c) No member shall retain Association funds personally.
- d) Payments to vendors shall be made only after approval of the Managing Committee and through banking channels.
- e) Proper books of accounts shall be maintained and audited annually.



23.0 Amendment to Bye-Laws

Aarti Dhar

Shree Kumar

Raj Chaudhary

The Bye-laws of the Society can be amended only by a Special Resolution of the General Body or Collegium under the Haryana Registration and Regulation of Societies Act, 2012, with a meeting valid if at least 40% of members are present (or 25% if adjourned) and the resolution passing upon approval by three-fifths of members present and voting; members must receive at least 14 days' prior notice specifying the proposed amendment, and the amended Bye-laws must be filed with the District Registrar within 30 days, taking effect only upon registration and binding all members.

24.0 Audit of Accounts

The Association shall maintain accounts. All accounts and account books shall be kept at registered office of the Association and shall not be removed there from. The Accounts shall be duly audited every year by the auditors appointed by the Association. Every year the accounts of the Association shall be examined, and the correctness of the balance sheet ascertained by one or more properly qualified auditors duly appointed by the General Body for the purpose and shall be placed before the General Body at least once in a year.

25.0 Annual list of Managing Committee

25.1 The Association shall comply with the requisite legal formalities as required under the law.

25.2 Any amendments in the Memorandum of Association and Rules and Regulations of the association shall be made as per the provisions laid down Haryana Registration and Regulation of Societies Act, 2012 (HRRS Act, 2012)

26.0 Legal Proceedings

Any suit or other legal proceedings by or against the Association may be filled/contested/ defended and conducted on its behalf either by the president/Vice President or the Secretary or by any other person so authorized by the Managing Committee of the Association. Any pleadings or other documents in connection there with may be signed and verified by any of such persons on behalf of the Association. The power will also include the appointment of Advocate/s, Attorney for the purpose.

27.0 Dissolution and adjustment of affairs

If the Association needs to be dissolved, it shall be dissolved as per the provisions laid down under Haryana Registration and Regulation of Societies Act, 2012 (HRRS Act, 2012).

28.0 Application of the Act

Anshu Sharma

Sanjay Kumar

Rajeev

Umesh



The provisions of the **Haryana Registration and Regulation of Societies Act, 2012 (HRRS Act, 2012)**, as applicable in the State of Haryana, shall apply to this Association.

29.0 Essential Certificate

These bylaws have been prepared in strict conformity with the provisions of the Haryana Registration and Regulation of Societies (HRRS) Act, 2012. In case of any inconsistency between these bylaws and the HRRS Act, 2012, the provisions of the HRRS Act, 2012 shall prevail.

30.0 A. Builder (HRERA Compliance)

The Association shall be entitled to take over maintenance, management and control of common areas and facilities from the developer in accordance with applicable HRERA laws.

B. No Continuing Control

Upon lawful handover of common areas and services to the Association, the Builder shall have **no responsibility, obligation, or control** over the management, maintenance, administration or governance of the Association. Any decisions taken by the Association post-handover shall be at its **sole risk and responsibility**.

C. Cessation of Maintenance Obligation

The Builder's obligation to maintain common areas shall **cease immediately upon lawful handover** to the Association. Any maintenance carried out thereafter shall be the **exclusive responsibility of the Association**, including costs, contracts and service providers.

31.0 OBLIGATION OF BUILDER TO HANDOVER COMMON AREAS

The Builder/Colonizer shall be legally bound to hand over to the Association, free from encumbrances, the **physical possession, control, maintenance and management** of all common areas and facilities, including but not limited to:

- Internal roads and footpaths
- Parks, green belts and open spaces



Aarti Dhar

Jay Kumar

Raj Uney

- Storm water drains and sewer lines
- Water supply lines and tanks
- Street lighting and electrical infrastructure
- Security infrastructure (if provided)

Such handover shall be done **strictly in accordance with the approved layout plan and HRERA conditions.**

DECLARATION

We, the undersigned, being the founding members of the Yash Vihar Resident Welfare Association, hereby certify that the above Bye-Laws are true and correct to the best of our knowledge and belief, and we undertake to abide by them.

Uncey

Raj

Aruni Dhar

Jayaram

