

**ANDHRA PRADESH STATE GOVERNEMENT EMPLOYEES MUTUALLY
AIDED COOPERATIVE HOUSE BUILDING SOCIETY LIMITED**

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**BYE-LAWS OF
THE ANDHRA PRADESH STATE GOVERNMENT EMPLOYEES MUTUALLY
AIDED CO-OPERATIVE HOUSE BUILDING SOCIETY LIMITED,
VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH.**

1. NAME AND ADDRESS OF THE SOCIETY :

i) The name of the Society shall be **The Andhra Pradesh State Government Employees Mutually Aided Co-Operative House Building Society Limited, Vijayawada.** In Telugu it shall be known as **The Andhra Pradesh Prabhutva Udyogula Paraspara Sahayaka Sahakara Gruha Nirmana Sangham limited.**The address of the society shall be D.No.54-18-1/4, Flat No.508, 5 th floor, Sai Satya Apartment, Prasanthi Nagar, Bharat Gas lane, Opp: ITI college, Vijayawada -8, Krishna District , Andhra Pradesh.

ii) Area of Operation and Corporate Status:

a) The geographical Area of Operation of the society for the purpose of membership shall be limited to all the permanent employees from the rank of class IV to Group I officers working in the State Government of Andhra Pradesh working in any of the thirteen Districts of the State of Andhra Pradesh and also employees of Secretariat, Commissionerates, Directorates & also employees of State level offices of Government of A.P. who are working at Hyderabad for the time being and who will relocate to Andhra Pradesh.

b) The society can acquire land in the entire State of Andhra Pradesh for the distribution of housing plots, Residential Flats, or for constructing house buildings or developing the lay outs, for the purpose of allotting to its members.

c) The society shall be a corporate body with perpetual succession and common seal with powers to hold property, to enter into contracts, to sue and to be sued.

iii) Definitions:

In these byelaws, unless the context otherwise requires:-

- a) 'Act' means A.P. Mutually Aided Co-operative Societies Act 1995.
- b) "board" means the board of Directors or the governing body of a co-operative society, by whatever name called, to which the direction and control of the management of the affairs of a society is entrusted to.
- c) 'Board meeting' means meeting of the managing committee.
- d) 'Bye-laws' means the approved Bye-laws of the Society registered by the Registrar of Mutually Aided Cooperative Credit Societies, Krishna District under the provisions of the APMACS Act-1995 including the amendments made to it from time to time.

- e) 'Co-operative principles' means the cooperative principles specified in section -3 of the AP MACS Act.1995.
- f) 'Cooperative society' means a mutually aided cooperative society registered under Section 4 of the APMACS Act, 1995, whose byelaws prohibit it from raising Share Capital from the Government.
- g) 'Cooperative year / Financial Year' in relation to the society means twelve months accounting period starting with 1st April of each year and ending with 31st March of succeeding year.
- h) 'Default' means failure of the member or other person to repay the amount owed to the society, a loan or any other amount due to it within time fixed for repayment or to keep any other obligation for the fulfillment of which a time limit is specified.
- i) 'Defaulter' means any person who commits default.
- j) 'Deficit' means the net excess of expenditure over income.
- k) 'General body' means all the members of the society including representative general body.
- l) 'General meeting' means meeting of the general body of the society.
- m) 'State Government' means Government of Andhra Pradesh
- n) He and his may also mean she or her with reference to the context.
- o) 'Members' means members of the society
- p) 'Officer' includes a person elected or appointed by the society to any office according to its byelaws as a President, Vice-President, Chief Executive Officer, Treasurer, Manager, Member of the Managing Committee, Liquidator or any other person elected or appointed under the act or the byelaws of the society.
- q) 'Office Bearer's' means an individual elected by the Board of the Coop. Society to any office of the Cooperative society in accordance with its byelaws, Chairperson, Vice-chairperson, Secretary.
- r) 'Permanent employee' means an employee in the government service who has completed his probation and declared as permanent employee as per the service conditions applicable to the concerned department/ corporation or undertaking or local body.
- s) 'Registrar' means Registrar of the Mutually Aided Co-operative Societies and include other person with whom all or any of the powers of the Registrar are conferred.
- t) 'State Government' means State of Andhra Pradesh having with 13 Districts.
- u) 'Surplus' means the excess of income over expenditure.

2. OBJECTIVES OF THE SOCIETY:

The main objective of the society is to promote the economic development of its members in accordance with co-operative principles as enunciated in section -3 of the APMACS Act 1995 and help the members to acquire housing sites, Housing Plots or Apartment flats, Independent/ Group Houses or in Gated community colonies in

the area of operation of the society and to help the members in developing the land/plots, construction of houses and maintaining the site/houses acquired by the members through the society.

3. ELIGIBILITY, INELIGIBILITY, PROCEDURE AND RETAINING MEMBERSHIP

(a) Eligibility:

Any person satisfying the following conditions is eligible to be a member of the society:

- i) Must be a permanent resident in the area of operation of the society.
- ii) Must have completed eighteen years of age.
- iii) Must be of sound mind.
- iv) Must be a permanent employee working in the State Government of Andhra Pradesh. To all the permanent employees from the rank of class IV to Group I officers working in the State Government of Andhra Pradesh working in any of the thirteen Districts of the State of Andhra Pradesh and also employees of Secretariat, Commissionerates, Directorates & other State level offices etc., of Government of A.P. who are working at Hyderabad for the time being and who will relocate to Andhra Pradesh.
- v) The persons who is interested in acquiring the housing plot/house/ flat through the society.
- vi) Must be willing to abide by the co-operative principles as defined in Section 3 of the APMACS Act and by the Bye-laws of the Society and actively participate in the activities of the society.
- vii) Must be committed to pay advances and repay the amounts due to society as per payment schedule.
- viii) Must be willing to accept the responsibilities as member of the society.

(b) Ineligibility:

A person

- i) Who is adjudged by the court as an insolvent.
- ii) Who has been sentenced for any offence involving moral turpitude, such sentence having not been reversed or a period of three years has not been elapsed from the date of expiration of the sentence.
- iii) Who is a member of any co-operative Society providing same or similar services registered under this Act or APCS Act 7 of 1964.
- iv) Who was expelled from the membership of the Society and a period of three years has not been elapsed from the date of expulsion is not eligible for becoming a member of the society.
- v) Who is a member resigned and a period of 3 Months has not been elapsed from such date.
- vi) Who is working as a paid employee of the society.
- vii) The Government shall not be a member in the society.

(c) Procedure to obtain membership:

- i) Any individual who is eligible to become a member of the society and seeking membership in the Society shall submit an application in the prescribed form along with the following enclosures:
 - a).A Demand draft or Bankers Cheque for a minimum of Rs.1500/- i.e towards the value one share i.e. Rs.1000/- and admission fee of Rs.500/- for each share. The admission fees is non-refundable.
- ii) The applicant shall submit attested copy of any of the documents approved by the managing Committee as the identity proof and proof of his working as permanent employee in the State Government of Andhra Pradesh.
- iii) The Secretary of the society or the Chief Executive Officer of the society if appointed, shall place the applications so received before the ensuing Managing Committee meeting, which shall consider each application. If the applicant has satisfied the eligibility criteria and if the society is in a position to extend the Services to him it will admit him, otherwise it will reject the application. The decision of the Board is final.
- iv) Every application shall be disposed off within 60 days of its receipt and the decision shall be communicated to the applicant within 30 days from the date on which the decision is taken.
- v) If the application is rejected the amount of share capital paid by the applicant shall be refunded. However the admission fee is not refundable.
- vi) If the application is accepted by the Managing committee the Secretary or the Chief Executive Officer of the society shall enter the details of the applicant and the share capital and admission fees subscribed by him in the admission register.
- vii) The secretary shall take action for issue of share certificates for the amount subscribed by the members as share capital.
- viii)The Secretary or the Chief Executive Officer shall maintain a register and enter the details of the applications received and the action taken by the Managing Committee on each application.
- ix) The society shall issue identity cards to all the members admitted into the society.
- x) The membership shall be continued even after retirement of the respective member from Government services on superannuation, Voluntary resignation, VRS from services and they shall not be eligible for contesting in elections.

4.WITHDRAWAL, CESSATION AND TERMINATION OF MEMBERSHIP:**(a) Withdrawal:-**

A member may withdraw his/her membership any time by submitting an application after discharging all his/her dues outstanding at his/her credit and satisfying all obligations as guarantor.

(b) Cessation and Termination:-

The membership of a member shall cease:

- i) on his acquiring any of the disqualifications mentioned in bye-law No.3 and or
- ii) On his death or
- iii) On his expulsion by the General Body for activities detrimental to the interests of the society.
- iv) On his resignation to the membership of the society.
- v) The Board of Directors may terminate a member, if he is a defaulter in payment of dues to the society as per the payment schedule or has failed to attend General body meetings for two consecutive meetings without obtaining permission from the Chairman.

(c) ON CESSATION OR TERMINATION OF MEMBERSHIP:-

- i) The balance outstanding to the credit of such member after deducting all dues and liabilities shall be paid to him or his nominee or legal heir in case of death.
- ii) The Board shall take immediate action to recover the dues from the member irrespective of the original due date and other conditions.
- iii) In case of expulsion of a member for the activities detrimental to the interests of the society, the society may forfeit the amount in his credit in the society's account.

5. ACTIVITIES AND SERVICES:-

In order to achieve the objects, the society renders the following services to its members:

- i) Acquire, pool up land for the purpose of allotment to members by purchase from the individuals, institutions, real estate developers, purchase house sites/plots from the real estate developers or persons for allotment to members.
- ii) Develop layouts by obtaining approval from the competent authorities and divide the land into plots, lay roads and create required amenities at the venture and allot to the members.
- iii) Construct houses, apartments in the land developed by the society for the purpose of allotment to members.
- iv) Purchase houses, apartments constructed by real estate builders or individuals or institutions or organizations for the purpose of allotment to members.
- v) To allot plots/flats/ houses to the members as per the procedure laid out in the byelaws and as per decisions taken by the General Body from time to time.
- vi) To liaison with the scheduled banks, financing institutions, Government financial institutions, Cooperative Institutions, or institutions approved by the RBI or the Government to provide housing loans and enter into

agreements/deeds with them to arrange for short-term, medium term, long term and other types of loans to the members for purchase of the site/house/plot/flat allotted to the member by the Cooperative Society.

- vii) To liaison with the Government departments, Government institutions, regulatory authorities, organizations, local bodies, Revenue, Police, Municipal, Irrigation, R&B, P&R, CRDA, etc., Government Departments , A.P. Transco, Indian Railways, other Cooperative Institutions, Private institutions etc in furtherance of the objectives of the society.
- viii) To enter into agreements/deeds with construction companies, builders, land owners, land developers, individuals or Government etc., in pursuit of acquiring land/plots for construction of houses/apartments/ or purchasing houses/apartments/flats for the purpose of furtherance of objectives of the society.
- ix) To undertake allied activities like laying roads, electrification, drainage and sewage lines, Tanks, Treatment Units, drinking water facility such as OHSR & GLSR, water pipe lines, Sumps , In take wells etc., construction of worshipping places, community halls, parks etc. for the welfare of the members of the society in the respective ventures.
- x) To liaison with the engineers, architects, Surveyors and other professional related to the construction activity or with the firms offering services in the construction activity and to enter into agreements with them on behalf of the society for the purpose of developing the land/ construction of houses or apartments and providing amenities at the ventures.
- xi) To undertake welfare activities like financial and development counselling to the members.
- xii) To arrange for health camps and conducting yoga and spiritual camps for the benefit of members.
- xiii) Subscribe to newspaper, Magazines and maintain reading room/library for the benefit of members.
- xiv) Undertakes any other activity which is incidental or essential for attaining its objectives with the prior approval of the General Body and Registrar.

6.MINIMUM PERFORMANCE:-

- i) Every member shall utilize the services of the society and he should not be an idle member.
- ii) He should be either holding a house or house plot in the venture developed by the society or submitted his application seeking plot/house/flat in any of the ventures of the society and paid required advance for the same.
- iii) Every member shall attend the General Body meeting at least once in two consecutive General Body meetings.

7.CONSEQUENCES OF BELOW PERFORMING LEVEL:-

The member whose performance is below the minimum level as per Bye-law No.6 shall forfeit his voting right and he continuously fails to utilize the services of the society for a

period of three years continuously he ceases to be a member. However if the society could not provide the services due to any reason to any member on his

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application seeking services, he should not be treated as idle member and the member shall not forfeit his voting right or lose his membership.

8. CONSEQUENCES OF DEFAULT:-

All the payments of the society shall be made as per payment schedule. In case of default in paying the amount due to the society, the Board may charge penal interest at the rate prescribed by the Managing committee and approved by the General Body from time to time. If the defaulter fails to pay the dues even after issue of three subsequent notices, the allotment of plot/flat/house made in favor of him shall be cancelled and membership shall cease. Any amounts due to society from him shall be recovered by initiating legal action against him.

9. RIGHTS AND DUTIES OF MEMBERS:-

Without prejudice to the rights, duties and privileges conferred on members by the Act, each member shall be entitled to.

- i) Acquire plots/houses/flats from the society.
- ii) Receive receipts and certificates for the amounts paid by them to the society.
- iii) Participate in the general body meetings of the society in person. Any change in address of the member shall be informed to the society by registered post with acknowledgment due. The member shall also inform his latest address as per Aadhar card.
- iv) Participate in elections if he/she has the right to vote and contest as director if he has fulfilled the conditions eligible to become Director of the society.
- v) Receive all services offered by the society on satisfying the required criteria.
- vi) Receive interest/dividend on Share capital.
- vii) Verify the byelaws, Act, Minutes book pertaining to the General Body meetings reports and compliance reports of Audit, Special Audit and inquiry reports, voters lists and such accounts and documents as related to him during business hours on payment of prescribed fees as decided by the board from time to time.
- viii) Every member of the society may nominate any person to receive the benefits that may accrue from the society as per bye-laws of the society in the event of his/her death. In the event of there being no person nominated by the deceased members, any person/persons nomination by a competent court will receive the benefits that would accrue to the deceased member.
- ix) No member shall be permitted to transfer his shares or create a charge in respect of the same in favor of another person.

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10. LIABILITY OF MEMBERS:-

- i) The liability of the members shall be limited to the share capital subscribed by them.
- ii) The liability of past member or the estate of a deceased member shall continue for a period of two years from the date on which he ceased to be a member.

11. AMENDMENTS TO BYE-LAWS:-

The society may amend its bye-laws complying with the provisions of Section 10 of the Act i.e. as follows.

- i) The cooperative society may amend any of the provisions of its bye-laws by a resolution of its general body, or by the representative general body, where this exists:

Provided, that no such resolution shall be passed unless at least twenty clear days of written notice of the meetings have given along with a copy of the proposed amendment to each member of the General Body or representative general body, as the case may be, and such notice and proposed amendment is also displayed on the notice board of the Co-operative Society for a period of twenty days immediately preceding the date of the meeting:

Provided further that, the representative general body shall not alter any provision in the bye-laws relating to its own constitution and powers.

- ii) In the case of amendment of its bye-laws with regard to matters relating to items (i), (ii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), (xvi), (xvii), (xix), (xxiv), (xxix), (xxxvi) and (xxxvii) of sub-section (2) of Section 9 an application for the registration of the amendment shall be forwarded by the Co-operative Society by registered post to the Registrar within a period of thirty days from the date of the resolution.
- iii) Every application forwarded to the Registrar shall be signed by the chairperson and shall be accompanied by a copy of the resolution adopting the amendment and the following particulars, namely:
 - a. The date of the meeting at which the amendment was approved;
 - b. The total number of members on the rolls of the Co-operative Society who were eligible to vote on the date of such meeting, the number present at the meeting and the number of eligible members who voted for the resolution.
- iv) If the proposed amendment is in consonance with the provisions of this Act, the Registrar shall register the proposed amendment within a period of sixty days from the date of receipt of the application.
- v) The Registrar shall forward by registered post to the Co-operative Society within a period of fifteen days after registration, a copy of the registered amendment together with a certificate signed and sealed by him and such certificate shall be conclusive evidence that the amendment has been duly registered.

- vi) If the proposed amendment is not in consonance with the provisions of this Act, the Registrar shall refuse, within a period of sixty days from the date of receipt of the application, to register the proposed amendment:
Provided that no order refusing to register the amendment shall be passed except after giving the Co-operative Society an opportunity of making its representation.
- vii) The Registrar shall forward by registered post to the Co-operative Society, within a period of fifteen days after refusal, the order of refusal together with the reasons there on.
- viii) Where no order of refusal is received by the Co-operative Society under sub-section (7) within a period of seventy five days from the date of submission of application, it shall be deemed that the Registrar has registered the amendment on the last date of the period specified in that sub-section.
- ix) In the case of all amendments to the bye-laws other than those specified in sub-section (2), information about the amendment shall be forwarded by the Co-operative Society by registered post, with the enclosures and particulars specified in sub-section (3), to the Registrar within a period of thirty days from the date of the general meeting at which the resolution was passed, and the Registrar shall immediately take on file such amendment:
Provided, that such action shall not in any way preclude the Registrar from proceeding against the Co-operative Society of its management, where such amendment is found to be contrary to the provisions of this Act.
- x) An amendment to the bye-laws under sub-section (9) shall come into effect only after registration or on the thirtieth day from the date of the amendment has been sent to the Registrar for taking on record, as the case may be.

12. GENERAL BODY:-

- (i) The ultimate authority of the society shall vest, in the General Body. It consists of all members of the society. It shall deal with all matters as specified in Section 20 of the APMACS Act 1995.
- (ii) The following matters among others shall be dealt with by the General Body.
 - a) Election and removal of Directors
 - b) Consideration of
 1. The long term perspective plan and budget whenever required.
 2. The annual operational plan and budget.
 3. Examine the activities undertaken by the Managing committee and submitted to the General Body for approval.
 4. The annual report of activities to be filed with Registrar.

5. Auditors report and annual audited Statements of accounts for being filed with the Registrar.
6. Special Audit report and enquiry report if any.

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7. Compliance report relating to audit, special Audit and enquiry report if any.
- c) Disposal of surplus funds.
 - d) Management of deficit.
 - e) Creation of special reserves and other funds.
 - f) Review of actual utilization of reserves and other funds.
 - g) Review of Secretary or chief Executive's report on the attendance at Meetings by Directors and review the business done with the society by the Directors.
 - h) Remuneration payable to the Directors or internal auditors in connection with their duties in that capacity or their attendance in related meetings.
 - i) Constitution, reconstitution and disbanding of representative General Body.
 - j) Membership of the society in federation or other Institutions.
 - k) Collaboration with other Organizations and review of their work.
 - l) Promotion of subsidiary organizations and review of their work.
 - m) Amendment to Bye-laws.
 - n) Expulsion of Members,
 - o) Dissolution of the society
 - p) Any other matter proposed by the Board requiring decision of the General Body.
 - a) Promotion of subsidiary and new organizations.
 - b) Amalgamation, Dissolution and Liquidation of the society.

13. MEETING OF THE GENERAL BODY:-

- i) The annual general meeting of the general body shall be convened by the Managing Committee at least once in every year within six months from the closing of the financial year to transact the business of the society.
- ii) A meeting of the General Body shall be convened by the Board by giving a clear 30 days notice specifying the date time and venue of the meeting, by the President or the Secretary. Wide publicity should be given for conduct of Annual General Body meeting. The notice may be sent either by post or by hand delivery or by publication in leading local daily news paper. A copy of the same should be displayed in the prominent places of the office of the society and at all its branch offices.
- iii) The quorum for the general body meeting shall be 1/4th of the total members.
- iv) If there is no quorum at any meeting, the meeting shall be adjourned to another date which shall not be beyond three weeks of the earlier date.
- v) All issues shall be resolved by a majority of votes of the members present and voting.

- vi) The board may at any time call a special general body meeting within 30 days after receipt of requisition in writing from at least 1/10th of the total members or 1/10th of the total members of delegates or on the request of at least 1/3rd of the managing committee members or at the request of the registrar or at the request of the federation to which the society is as affiliated. The requisition for Special General Body shall State the purpose of the meeting and such meeting shall transact only the subjects in the notice.

14. NUMBER AND TERM AND ELECTION OF MEMBERS OF MANAGING COMMITTEE:

1. The Managing Committee shall consist of 15 Directors. The Directors shall have staggered terms such that at any point of time the vacancies arising as a result of the terms of Board of Directors coming to end, are less than one-half of the total strength of the board. The term of office of elected members of the Managing Committee and its office bearers shall be five years from the date of election
2. Every year vacancies shall arise for 1/5th of the Directors due to the completion of their term and elections shall be held every year to such vacancies. However the Directors are eligible for contesting in the election if they have not acquired any other disqualification prescribed in these bye-laws.
3. The Elections to the casual vacancies arisen due to death or resignation shall also be conducted along with the elections to the Directors specified in sub section -2. However the term of the Directors elected in the casual vacancy shall be the remaining period of such director post only.
4. In the first elections all the Directors shall be elected at a time and their staggered term shall be fixed by drawl of lots specifying different terms.

5. It is the responsibility of the incumbent Managing Committee to conduct elections to the post of Directors every year before the expiry of the term of the outgoing Directors.
6. The Managing Committee shall notify the regular vacancies and casual vacancies if any and appoint election officer at least 45 days before the expiry of the term of the outgoing Directors.
7. The election shall be by the method of secret ballot.

15. ELECTION OF OFFICE BEARERS:

1. Every year after the election of Directors as specified in byelaw No.14 all the members of the managing Committee (Directors) shall elect a Chair person, Vice- Chair-Person and a Secretary as the office bearers.
2. The Election of Office bearers shall be conducted by the Election Officer within three days from the date of election of Directors.

16. MANNER OF REMOVAL OF DIRECTORS

1. Any director can be removed by the General Body similarly any office bearer can be removed by the Board, The removal of the Director or an Office bearer shall be through a “No confidence” motion, not less than 8 (eight) Directors or not less 1/3rd of the members of the General Body can send a notice of “No Confidence” on any office bearer or any director to the Secretary, who shall convene the Board meeting or the General Body meeting as the case may be. After receiving the No-confidence motion, the Secretary/President shall arrange for convening the Managing Committee meeting after expiry of twenty days of notice. The motion of No Confidence is passed by 2/3rd members present at such meeting who are entitled to vote. If the “No Confidence” motion is against the Secretary, the notice shall be sent to the Chairman who shall convene the Board meeting or the General Body meeting.

2. The Directors on acquiring disqualification to continue as director or as member of the society shall be removed by the Board. Such removal shall be placed before the general body held immediately after such removal.

3. Any director, may vacate the office, by submitting his resignation to the secretary he ceases to be a director from the date of acceptance of his resignation by the Board.

17. MEETING OF THE BOARD OF DIRECTORS:

- i) The Board shall meet as is required to conduct the business of the Society. However, it shall meet at least once in three months.
- ii) The Secretary with the approval of the Chairman shall issue a clear 7days notice of the meeting by post or hand delivery to all the Directors. Quorum of the meeting is 8 (eight) members. If there is no Quorum for any meeting, the meeting shall be adjourned to other day which shall not be beyond one week.
- iii) An emergency meeting shall also be conducted on request of 5 (five) Directors or the registrar or a federation to which society is affiliated. There shall be specific agenda for such meeting; such a meeting shall discuss only that specific agenda. In the board meeting all resolutions shall be passed with simple majority.

18. POWERS AND THE DUTIES OF THE BOARD:

The Board shall in accordance with the bye-laws be the authority to

- a) Admit members and terminate membership.
- b) Elect Chairman, Vice-Chairman and Secretary.
- c) Interpret the Organizational objectives and set up specific goals to be achieved towards these objective and obtaining approval of the General body for the same.
- d) Acquire, purchase, own, lease, mortgage, hypothecate, and dispose off any movable or immovable property for achieving the objectives of the society.

- e) Raise funds by seeking advances from members and borrowings from financial institutions/banks. Government institutions and other cooperative institutions etc., for the purpose of acquiring land/ construction of houses and for performing the other activities of the society.
- f) Allotment of housing plots/ flats/ houses to the members as per the procedure laid down in the byelaws and as per the rules framed by the General body from time to time.
- g) Arrange loans to the members from the banks and othe financial institutions for purchasing plot/house/flat from the society.
- h) To constitute committees for undertaking various activities of the society like purchasing, developing, liasoning with regulatory authorities etc., with the approval of the general body and Delegate powers to the Office Bearers in addition to those mentioned in bye-laws.
- i) Determine the fees, price, service charges, subscriptions, contributions advances to be paid by members.
- j) Appoint and remove the paid Chief-Executive Officer.
- k) Fix staff Strength, their pay scale and their allowances.
- l) Frame Policies concerning.
- m) Organization and provision of service to members.
 - i) Recruitment and service conditions of Staff.
 - ii) Mode of custody and investment of funds.
 - iii) Manner of keeping Accounts.
 - iv) Mobilization, utilization and investment of funds.
 - v) Monitoring Management Information System including statutory returns to be filed.
 - vi) Such other subjects and matters concerning performance of the society.
- n) Place the annual report, finance Statements, annual plan and budget for the approval of the General Body.
- o) Accept and receive membership in other cooperative and other organizations.
- p) Consider Audit report, Special report or Enquiry report and their compliance reports and place them before the General Body.
- q) Specify duties and responsibilities of paid chief Executive.
- r) Call for General Body meeting.
- s) Enter in to contracts on behalf of the Society, settle the terms there of and to authorize an officer or the Director to execute all deeds, agreements and documents,
- t) Institute, Conduct, Defend, Compromise or compound all legal proceedings by or against the society,
- u) Authorize one or more Directors of the Board to endorse, sell transfer or otherwise deal with the shares, government securities on behalf of the Society and issue receipts for the amounts received in connection with the business of the Society,

- v) Authorize the Secretary to operate Bank Accounts severally or jointly with another Office Bearer or Director or the Chief Executive Officer.
- w) Approve the monthly receipts and payments, Statements and Annual Accounts for being presented to the General Body.
- x) Accept resignation of members and sanction refund of their share capital.
- y) Accept advances from members or institutions
- z) (i) Appointing attorneys, agents etc., for society to defend and institute legal proceedings on its behalf.
 (ii) The procedure for termination of membership (or) cancellation of plot (or) any other mode of transaction with the member, the managing committee shall serve the copy to the member as per the latest address available with the society or as per the address of the Aadhar card of the member and all other legal modes of communication and service.

19. POWERS OF THE CHAIRMAN, VICE-CHAIRMAN AND SECRETARY:-

a) Chairman:

The chairman shall:

- i) Preside over the meeting of the Board and General Body.
- ii) Exercise his casting vote when there is equality of votes except in the case of elections.
- iii) Have general control over all the affairs of the Society and ensure that the society functions in accordance with its objectives, principles of co-operation, Provisions of the APMACS Act, bye-laws and policy decisions of the Board and the General Body.
- iv) Represent the Society in all other organizations and forums or approach the Board for selection of another Director for the purpose, if he is unable to represent the Society in any case and the same shall be approved in board meeting.
- v) Take all steps necessary for maintaining high standards of accountability and member sensitiveness in the Society.
- vi) The chairman shall sign on the cheques, agreements and court matters along with secretary.
- vii) The chairman shall not act against the resolutions of the managing committee or the General body.

b) Vice chairman:

Vice-chairman shall have all the powers and responsibilities of the Chairman whenever he is absent for a period of one month & above in the Head Quarters. It is the responsibility of the chairman to pass on a note to the vice-chairman, when he proceeds on leaving the head Quarters and his absence will be for one month and above. The vice chairman shall have such other powers delegated to him, by the Board.

c) Elected Secretary:

The secretary shall perform the following subject to the control of the chairman.

- i) Implement all the decisions of the Board and the General Body and ensure prompt submissions of all records and receipts and returns to the authorities concerned.
- ii) To issue notices for convening the meetings as per the provisions of the bye-laws.
- iii) Carry on the correspondence of the Society and attend to the routine day to day work.
- iv) Incur expenditure within the budget limits and within the limits prescribed by the board.
- v) Issue receipts to the members for the payments made by them to the society.
- vi) Issue Share certificates to members for the shares subscribed by them.
- vii) To sue or to be sued on behalf of the society.
- viii) Ensure good staff management.
- ix) Appoint the staff basing on the resolutions made by the managing committee.
- x) Act as custodian of all the properties including money received by the Society.
- xi) Sign the cash book.
- xii) Ensure that the cash on hand does not exceed Rs.20,000/-.
- xiii) Ensure that the assets are well managed.
- xiv) Ensure that the records and the books of the accounts are properly maintained.
- xv) Be responsible for the mobilization and utilization of funds.
- xvi) Operate Bank accounts in accordance with the authorization of the Board.
- xvii) Issue, on authorization by the board, receipts for the monies paid to the societies.
- xviii) Make payment on authorization by the competent authorities.
- xix) He shall not incur any expenditure without written sanction of the chairman/Board.

20. DEALING WITH NON-MEMBERS

The society shall not provide services to the non-members. However the society may with the approval of the General body may extend its welfare activities like health, education, utilization of community halls, counseling etc to the non members also especially to the under privileged sections.

21. ELIGIBILITY AND INELIGIBILITY FOR DIRECTORS TO BE ELECTED AND TO BE CONTINUED:-

In order to be elected as a director, a member

- i) Shall have been eligible to vote in the elections to the managing committee
- ii) Shall have a minimum of 5(five) shares of value of Rs.5,000/- for a continuous period of two years prior to the date of notification to election.
- iii) Shall not have lost the right to vote or right to continue as a Member/Director.
- iv) Shall not be a defaulter to the society on the date of notice convening the General Body in which election will be held.
- v) Shall not have been penalized under the act.
- vi) Shall have attended the Two General Body meetings immediately preceding the meeting in which he wishes to contest as director.
- vii) Further the Directors shall be ineligible to continue as Directors during their term as Directors due to following reasons.
 - a) The board as a whole shall incur disqualification to continue, if it performs business in the manner contrary to the provisions of Act & bye laws.
 - b) The Directors shall cease if he is absent himself to three consecutive board meetings, without obtaining written permission of the chairman.
 - c) He shall cease, when he lost membership in the society.

22. PENALTIES FOR ACTING AGAINST THE INTEREST OF THE SOCIETY

- i) Every director while exercising his power or discharging the duties shall act honestly and in good faith and in the best interest of the society and shall exercise such due care, diligence and skill, a reasonably prudent person would exercise in similar circumstances.
- ii) The actions of Members and employees of the Society, against to the interest of the Society are liable for penal action. If a person is guilty of misappropriation, fraud, breach of trust, cheating or any other act involving moral turpitude, resulting in a loss to the society, he shall be punishable according to the provisions of the AP MACS Act 1995 and Indian Penal Code.

23. LIABILITY OF CHAIRMAN AND BOARD OF DIRECTORS:

The president/ or the chairperson and Directors are jointly and severally responsible for the excess expenditure incurred over and above the budget provisions as approved by the general body for that accounting year. Similarly where the president has caused to incur the excess without board resolution and not ratified by the general body shall be responsible by himself. The board of management held jointly and severally responsible for the financial irregularities and there by incurred loss to the assets of the society, proved due to their willful negligence and dishonest.

24. CHIEF EXECUTIVE OFFICER AND HIS RESPONSIBILITIES:

In case the services of paid Chief Executive officer is required, the managing Committee with the approval of the general body is authorized to create the post and fix the remuneration payable to him and also prescribe his duties and responsibilities.

25. DELEGATES TO FEDERATION:

The Chairman is ex-officio delegate to the higher tier co-operatives or the federation to which the society is a member. At any time, if he is not able to represent the society, in any forum, the board shall select another director for the purpose.

26. RIGHTS OF THE FEDERATION:

The rights and privileges of the society, when contracted with other Federation or other society, shall be subject to the terms and conditions agreed between another cooperative society or federation.

27. SHARE CAPITAL AND ENTRANCE FEE:-

- i) The authorized share capital of the society shall be Rs.50,00,000/- (Rupees fifty Lakhs only) made up of 5,000 (Five thousand only) shares of Rs. 1000/- each,
- ii) A member shall take at least a minimum of one share and retain it as long as he continues as member of the society.
- iii) A member can take up to a maximum of 20 shares provided that the paid up share capital of the society does not exceed the authorized share capital.
- iv) The society shall issue a share certificate to every member for each share subscribed by the member duly signed by the Chairman and the Secretary together with the seal of the Society.
- v) The shares taken by a member shall be held by him at least for a minimum period of one year from the date of issue of shares and thereafter if the member desires he may withdraw the excess shares held by him. If a member wishes to withdraw all the shares held by him he can do so only if he was a member for at least two years, if he withdraws all the shares held by him at the society he ceases to be a member of the society.
- vi) The admission fee is Rs.500/- per share subject to a maximum of Rs.5000/-
- vii) The Dividend/Interest payable on the paid up share capital shall be decided by the General Body each year subject to the condition that the rate shall not exceed the highest rate of interest paid by the scheduled banks on their Fixed Depositors.

28. FUNDS:

- a) The Society ordinarily obtains funds from the following sources:
 - i) Share capital from members,
 - ii) Advances from members

- iii) Admission Fee,
- iv) Donations, Loans and Grants from the Government on such terms and conditions as mutually agreed upon through memorandum of understanding, Commercial Banks, Cooperative Banks, financial institutions, Other Cooperative Institutions like AP House Fed, HUDCO, LIC, and other Government approved institutions offering Housing loans.

(b) The loans obtained by the Society shall not exceed Twenty five times of its paid up share capital plus advances plus reserve fund.

(c) Every member shall continue to contribute to the thrift deposit as long as he continues to be a member. The rules for collection and maintenance of the thrift deposit accounts and the interest payable shall be framed by the general body from time to time.

29. INVESTMENT OF FUNDS:

The funds of the society shall be invested in its business. Surplus funds may be invested in one or more nationalized banks or scheduled commercial Banks or cooperative banks or in financial institutions approved by the Reserve Bank of India in any non speculative manner.

30. APPLICATION OF FUNDS:

The funds of the society including its reserves shall be spent for the purpose for which they are specifically meant for and for carrying on the activities and services mentioned in byelaws.

31. DISPOSAL OF NET SURPLUS AND CONSTITUTION OF FUNDS:

The net surplus shall be disposed as follows:

- a. An amount equivalent to 10% to deficit cover fund.
- b. 30% to General Reserve Fund.
- c. 10% to Bad debts fund.
- d. 10% to the Building Fund.
- e. 10% to the Education Fund to be operated by the society.
- f. 05% to patronage Rebate Fund
- g. 05% to Community Development Fund.
- h. 10% to Staff Welfare Fund.
- i. 10% to Dividend equalization Fund

The funds thus created shall be credited at the end of every year, with an interest at a rate not less than the rate of interest paid by any Scheduled Bank on One Year Fixed deposits. In the board meeting all allocations and modifications shall be passed with simple majority.

32. APPOINTMENT OF AUDITOR:

- (1) The Cooperative Society shall have to maintain the accounts of the Society and get audited of such accounts at least once in each financial year.
- (2) The General Body of the society by a resolution shall appoint an auditor for conduct of audit of accounts of the society.
- 3) The auditor shall be a Chartered Accountant having registration with ICAI or the general Body may also resolve to request the Registrar of Mutually Aided Cooperative Societies, to appoint a departmental auditor to conduct audit of the society.
- 4) Provided that the accounts of every co-operative society, shall be audited within three months of the close of the financial year to which such accounts relate.
- 5) He may be paid remuneration as determined by the General Body.

33. INTERNAL AUDITORS

- i) Internal Auditor or Auditors may be appointed by the Board, if required to ensure that the expenditure is supported by proper authority and all receipts are properly accounted for and to ensure that the society runs in accordance with the provisions of the Act and the bye-laws. He may be a member of the society other than a director or a staff member.
- ii) He may be paid remuneration as determined by the General Body.
- iii) Internal Auditor shall submit his report every month to the Secretary who will place them before the Board for its consideration.

34. SETTLEMENT OF DISPUTES:

- i) The General Body or the Representative General Body shall appoint a three men committee for the settlement of disputes between the members and society, members and members, employees of the society and the society.
- ii) The society or the member, if aggrieved by the decision of the committee may approach the Cooperative Tribunal constituted under the APCS Act, 1964.

35. MAINTENANCE OF BOOKS, ACCOUNTS AND REGISTERS:

The following registers and books of accounts shall be maintained by the society.

- I. A copy of the APMACS ACT 1995 with up to date amendments incorporated.
- II. Copies of other laws and regulations to which the society is related.
- III. A copy of its registered byelaws with amendments made from time to time.
- IV. Admission register.
- V. The minutes book.

- VI. Meeting attendance register.
- VII. Plot, Flat, House allotment registers.
- VIII. Plot, Flat, House registration register.
- IX. Register showing the particulars of the Immovable properties of the society along with the details of the Registration documents of the land buildings purchased by the society.
- X. Register containing the particulars of Plans, layouts approved by the competent authority.
- XI. Accounts of all stocks of money received and expended by the society and their respective purposes.
- XII. Accounts of all purchases and sales of goods by the society & Stock register.
- XIII. Accounts of all assets and liabilities of the society.
- XIV. An up to date register and list of all members with voting right for the current year prepared within thirty days of closure of the financial year of the society.
- XV. Copies of the audit reports and special audit and or inquiry report if any and compliance report thereon and.
- XVI. All such other accounts, records and documents as may be required by the APMACS Act, 1995 and other laws.
- XVII. Staff acquittance register.
- XVIII. Staff attendance register.

36. FINANCIAL YEAR:-

The accounting year (financial year) of the society shall be from 1st April to 31st March of the succeeding year.

37. FILING OF RETURNS:

Every year within 30 days of conduct of the General Body meeting, the society shall file with the Registrar the returns and other records referred to its section 34 of the Act.

- 1. Annual Report of activities.
- 2. Annual audited Statements of accounts with auditor's report.
- 3. List of members at the close of the year under reports.
- 4. Statement on the disposal of surplus or on the allocation of deficit.
- 5. List of names of Directors, their address and their term of office.
- 6. Compliance reports relating to special audit and inquiry, if any.

38. AQUIRE, PURCHASE, DEVELOP AND ALLOTMENT OF PLOTS/ APARTMENTS/HOUSES:

i) The Managing committee after acquiring land or making agreement with the owner of the land/ apartment shall prepare a detailed project report of the venture along with

the estimations of cost of the project and finally determine the cost of the unit i.e. the plot/house or flat in the venture as the case may be.

ii) The society shall publish the details of the layout of plots/houses / Apartment flats along with the total units available for allotment, unit price, the site advance payable and the payment schedule. The society shall inform the same to the members by sending notices to all the eligible members inviting applications from them in the prescribed format towards purchase of the plot/houses/ flat in the respective venture. The society shall also display the details in the notice board of the society and in the notice boards of all the branch offices of the society. The society shall give wide publicity amongst the members with regard to the details of the venture.

iii) The interested eligible members shall submit their application in prescribed form along with the site, Flat, House advance by way of Demand Draft / Bankers Cheque or Crossed Cheque (subject to realization) issued on the name of the society as decided thereon.

iv) Basing on the availability of plots/houses/apartments in the respective venture, only sufficient number of applications along with site advances shall be accepted duly following the seniority of members as per admission register. Date and time of receipt of application and the site advance shall be noted by the society on the application.

v) Procedure for Allotment of plots/houses/Apartments :

a) The list of plots available for allotment shall be prepared. The list of eligible members as per seniority as per admission register (from the date of admission as member in the society) shall be prepared.

b) Eligible list of members (as per the seniority, but not from the list of applications for allotment of plots) to the equal number of plots available for allotment shall be prepared.

c) Slips of members and slips of plot numbers equal to the number of members shall be kept in two different boxes.

d) Member's slip and plot number slip shall be taken out simultaneously from two separate boxes in the presence of the members.

e) Draw of lots is only for the purpose of allotment of plot number to member only, but not allotment of limited plots to some members from out of total members.

vi. The registration process of the plot/flat/house which was allotted to the member shall be done in favour of the member only on making complete payment of the unit cost on or before completion of the payment schedule. The sites/plots/houses/ Flats shall be registered to the member by the Chairman & secretary jointly on behalf of the society.

vii. On allotment of plot/flat/house, if a member expires before the registration on his name, it shall be registered on the name of the nominee or if no nomination is made by the deceased member to the legal heirs, as declared by the competent court only payment of the balance due amounts if any payable by the member to the society.

viii. The Stamp duty, registration fee and other incidental costs of registration shall be borne by the member himself.

ix. The site advances paid by the members excess than proposed, may be kept in the account of the society for a period of Four months and they may be allotted the plot in case of any vacancies arisen due to the withdraw of the application by any of the members to whom the plots are allotted or cancellation of allotment to the members, who has failed to pay the unit cost of site as per payment schedule. If no such vacancy arisen within Four months, the site advance shall be refunded to the concerned member along with interest decided by the General Body from time to time which however shall not be less than the interest payable by the scheduled banks on the fixed deposits for tenure of Four months. If the applicant wishes to withdraw the site advance and his application within Four months, he may do so, but he shall not receive any interest on the site advance kept with the society.

x. The members who have availed the plot/flat/house from the society shall not dispose it off to others within two years from the date of registration of the plot/flat/house in their name without obtaining the prior approval of the Managing committee of the society. However under circumstances the member shall dispose his plot, flat or House within one year of acquiring on the name of third person subject to prior written approval of Board.

xi Third persons, or any other constructing firm, outside developer or contractor will not allowed to enter the premises of the colony, or apartment, or Buildings, or Layout premises which will develop by the society. If so, the same shall be treated as 'trespassing' and civil, criminal action will be initiated as per law, in such cases.

xii. No modification, alter, re-construction or any kind of additional works in the House site, House Flat or House Building allowed within the layout or House building without prior written permission from the society.

xiii. Construction of residential houses with only Ground Floor + 2 (Two) Floors i.e. total THREE FLOORS including parking/ stilt is allowed in the proposed colonies developed/ or under taken by the society.

xiv. Construction of Apartments, Hire- rise buildings, Commercial complexes, shops or commercial activities in the plots, flats, or in the house sites, or allotted building premises strictly prohibited for a period of ten years from the date of acquiring plot, flat, building.

xv. The prior permission, No due certificate and No objection Certificate shall be obtained from the society by the member or Subsequent purchaser of the plot/ Flat/House building allotted through the society, before transfer of the property to

any third person by way of sale deed, sale agreement, lease deed, mortgage deed, gift deed , general power of attorney etc.,

39. ARRANGING FINANCE TO MEMBERS TOWARDS PURCHASE OF PLOTS/HOUSES/FLATS:

- i. The society shall not issue loans to the members towards purchase of plots/houses/ flats. It shall encourage the members to arrange the funds on their own.
- ii. The society may liaison with the Commercial Banks, Scheduled Banks, Cooperative Banks, AP House Fed, LIC and other financial institutions providing housing loans with the approval of the RBI and the Government and arrange for finance to the members subject to the conditions of the financing bank.
- iii. The society shall only act as a mediator and recommend for loan, the agreement of loan shall be between the Member and the concerned financing institution only.

40. REMOVAL OF DOUBTS:-

If there is conflict between the bye-laws and the provisions of the Act, the Act prevails over the bye-laws and if any of the provisions are not covered in the bye-laws the provisions in the Act prevails.

41. DISSOLUTION OF THE SOCIETY:-

- (I) The society may be dissolved or liquidated in accordance with the provisions of the APMACS Act.1995.
- (II) In the event of liquidation of the society any funds remaining after the fulfillment of all external liabilities and the other liabilities, shall be disbursed in proportion to the share capital of such members as are not defaulters on the date.
- (III) Any amount that cannot be shared with members for whatsoever reason shall be given as a donation to another organization with similar objectives or to any charity institution as desired by the General Body.

42. BYELAWS SUBJECT TO THE APMACS ACT 1995, GUIDE LINES, RULES ISSUED BY THE GOVERNEMENT:

The Byelaws of the society shall be amended in tune with the future amendments to the APMACS Act-1995, or to the rules, guidelines issued by the government or as per the directions issued by the Registrar from time to time. If any of the bye-law is contradictory to the provisions of the APMACS Act, 1995 or to the directions of the Government of Andhra Pradesh, the Provisions of the APMACS Act, 1995 and the guidelines of the Government shall prevail.

43. TRANSITORY BYE-LAW:

- 1) Chief promoter shall convene the meeting of the promoters within a period of 30 days from the date of receipt of registration certificate, the meeting shall approve all transactions entered into or expenses incurred in good faith prior to registration.

- 2) The first set of Directors appointed at the time of registration shall submit proposals to the Election Officer or to any authority prescribed by the Government for this purpose for the conduct of elections to the Managing Committee within 60 days from the date of Registration and hand over charge to the newly elected Managing Committee.