

Amended Bye Laws of the



Home Multi State Cooperative Housing Society Ltd.

As per Notification S.O. 3493(E) dated 3rd August, 2023

HOME MULTI STATE COOP. HOUSING SOCIETY LTD.

192-A, Arjun Nagar (Near Safdarjung Enclave) New Delhi-110029.

www.hchs.in E-mail: homehousingociety@gmail.com

+91- 9953519091



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| Bye-Laws No. | Existing Bye-Laws | Proposed Bye-Laws |
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| 1. | Name of the Society shall be HOME MULTI STATE COOPERATIVE HOUSING SOCIETY LIMITED 192-A, 2 nd , Floor, Arjun Nagar, (Near Safdarjung enclave).. New Delhi-110023 | Name of the Society shall be Home Multi State Cooperative Housing Limited. (No change in the name and address of the Society.) |
| 2. | Bye Law No. 2 The Principal place of business and the Registered Office of the Society shall be situated at 192-A, 2 nd , Floor, Arjun Nagar New Delhi-110029 (Near Safdarjung enclave). Any change in the address shall be notified to the Central Registrar within 15 day of its change and also published in local newspaper and shall be made by an amendment of its bye Laws after following the procedures laid down in sec. 11 of the Multi State Co-Operative Societies Act, 2002. | Bye Law No. 2 a. The society shall have a principal place of business which shall be situated at 192-A, 2 nd , Floor, Arjun Nagar, (Near Safdarjung enclave).. New Delhi-110029. The E-mail Address of the society shall be <u>homehousingociety@gmail.com</u> . b. Any change in the address and e-mail address shall be notified to the Central Registrar (as defined-below) within 15days of its change and also published in local Newspaper and shall be made by an amendment of its Bye-laws after following the procedures laid down in section 11 of the MSCS Act, 2002. (No change in the address of the Society.) |
| 3. | Area of Operation The areal of operation of the Society shall be confined to the states of Delhi and Haryana only. | (No change in the area of operation of the Society.) The Area of operation of the Society shall be confined to the States of Delhi and Haryana. |
| 4. | Definitions : | |
| a) | 'Act' means the Multi State Cooperative Societies Act, 2002 as amended from time to time and 'State Act' means any law made by the Legislature of the State. | (No Change in the Definition of 'Act') |
| b) | 'Rules' means the Multi State Cooperative Societies Rules, 2002 as amended from time to time. | (No change in the definition of 'Rules') |
| c) | Bye Law No. 4 (c) "Registrar" means the Central Registrar of Cooperative Societies appointed by the Central Government in relation to the multi state Cooperative Society and the Registrar for cooperative societies appointed by the State Government under the law made by the Legislature of a State in relation to cooperative Societies. | Bye-Laws No.4(c) "Central Registrar" means the Central Registrar of Cooperative Societies appointed as per clause (f) of Article 243- ZH of the Constitution read with sub-section (1) of Section 4 of the MSCS Act, 2002, and includes any Officer empowered to exercise the powers of the Central Registrar under sub-section (2) of that section; The society is a body corporate which shall sue and be used in its name. |

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| d) | ‘Bye-Laws’ means the Bye-Laws of the Society for the time being in force which have been duly registered or deemed to have been registered under the Multi State Cooperative Societies act in force and includes amendments thereto which have been duly registered or deemed to have been registered under the act. | There is no change |
| e) | ‘Delegate’ means a person who is duly appointed /elected by the members of the Society or part thereof in accordance with its bye-laws as its representatives to the General body of the Society or a person who is duly authorised by the Board of the member society to represent the society in General body of the Society of which the society is a member. | The is no change in the definition of ‘Delegate’ |
| f) | ‘General Body’ means all members of the society, and includes a body constituted under the provisions of the act. | No change in the definition of ‘General Body’ |
| g) | ‘Board’ means the Board of Director or Governing Body of the Society to which the direction and control of the management of the affairs of the societies is entrusted. | There is no change in the definition of ‘Board’ |
| h) | ‘General Body’ means a meeting of the general body of the Multi State Cooperative Society and includes special general meeting; | There is no change in the definition of ‘General Body’ |
| i) | ‘Chief Executive’ means Chief Executive or Managing Director of the society appointed under section 51 of the Act. | There is no change in the definition of ‘Chief Executive’ |
| j) | ‘Office bearer’ means a President, Vice-President, Chairperson, Vice-Chairperson, Secretary, and Treasurer and includes any other person to be elected by the Board of any cooperative Society. | ‘Office bearer’ means Chairman, Vice Chairman and Directors and includes any other person to be elected by the Board of Home Multi State Cooperative Housing Society Ltd. |
| k) | ‘Member’ means persons joining in the application for registration of the Society and includes a person admitted to membership after such registration in accordance with the provisions of the act, rules and Bye Laws of the Society. | (There is no change in the definition of the ‘Member’) |
| l) | ‘Nominal’ members mean a person who has been admitted as a nominal member under the bye-laws of the Society. | (There is no change) |
| m) | ‘Multi State Cooperative Society’ means a cooperative society with objects not confined to one state and registered or deemed to be registered under the Multi State Cooperative | (There is no change) |

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| | Societies act, 2002 or under any law for the time being in force relating to such cooperative societies. | |
| n) | ‘National Cooperative Society’ means a Multi State Cooperative society specified in the second in the second schedule to the Multi State Cooperative Societies Act, 2002; | No change in the definition of the ‘National Cooperative Society’ |
| o) | ‘Cooperative Society’ means a cooperative society registered or deemed to be registered under any law relating to cooperative societies for the time being in force in any state of Union Territory; | There is no change in this definition |
| p) | ‘Federal cooperative’ means a federation of cooperative societies registered under the MSCS Act and whose membership is available only to a cooperative society or a multi state cooperative society; | There is no change in this definition |
| q) | A ‘Cooperative Bank’ means a multi state cooperative society which undertakes banking business; | There is no change |
| r) | ‘Reserve Bank’ means the reserve Bank of India constituted under the RBI Act, 1934 (act 2 of 1934) | There is no change. |
| s) | ‘Deposit Insurance Corporation’ means the Deposit Insurance and Credit Guarantee Corporation established under Sec.3 of the Deposit Insurance Corporation Act, 1961; | There is no change. |
| t) | ‘Defaulter’ means a member who has defaulted in payment of any kind of dues payable to the Society; | There is no change. |
| u) | Co-operative year means the period from 1 st of April to 31 March. | Bye-Laws No.4(u) “Financial Year” in relation to any multi-state co-operative society or class of such societies ,means the year ending on the 31 st day of March of the year and where the accounts of such society or class of such societies are, with the previous sanction of the Central Registrar, Balanced on any other day, the year ending on such day; Unless the context otherwise requires, words and expressions used and not defined herein, shall have the same meaning respectively assigned to them under the MSCS Act,2002, and the MSCS Rules, 2002, as may be amended from time to time. |
| v) | ‘Area of Operation’ mans the area from which the persons can be admitted as members of the Society; | There is no change |
| w) | ‘Cooperative Principles’ means the cooperative principles as specified in the first schedule of the Multi State Cooperative Societies act, 2002 | There is no change |
| x) | ‘State Level cooperative Society’ means a cooperative society having its area of operation extending to whole of a state. | There is no change |
| y) | ‘Authorised person’ means a person | “Authority” means the Co-operative Election Authority |

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| | referred in articles 243 ZQ of the Constitution of India | established under sub-section (1) of section 45 of the Act. |
| z) | ‘Society’ means Home Multi State Cooperative Housing Society Ltd. | Bye-Laws No. 4(z) New Addition “Co-operative Ombudsman” means the Ombudsman appointed by the Central Government under section 85A of the Act. |
| 5. | Objectives & Services to be provided to the members | |
| A | The objective of the Society are: | |
| a) | Promote Social and economic betterment of members through self help and mutual aid in accordance with cooperative principles specified in the First schedule of the Act, | There is no change |
| b) | Issue of share to the members | There is no change |
| c) | Raise funds from members for the construction of flats for the members of the Society | There is no change |
| d) | To purchase on ownership basis / lease hold basis land and / or build up structures completely or in any other way for the purpose of providing flats to its members and to provide areas for common facilities including club house, parking space, sports complex, health club, community centre, auditorium, arbitration centres and other facilities, amenities for its members including all other related purposes on no profit no loss basis. | There is no change |
| e) | To look after the welfare of its members and their family members and all activities incidental to such welfare. | There is no change |
| B. | In furtherance of the above objects the Society shall be at liberty: | |
| a) | To receive money from members for purchase of land or construction of flats or for development of common facilities including club house, parking space, sports complex, health club, community centre, auditorium or any other facilities, amenities for the members of the society. | There is no change |
| b) | To purchase, take on lease or in exchange or acquire lands, buildings or any movable or immovable property necessary for the business of the Society; and | There is no change |
| c) | Generally, to do all such other things as are incidental or conducive to the attainment of its objects. | There is no change |
| 6. | Raising of funds | |
| A) | The funds of the Society shall be raised in the following manner: | |
| i) | Share capital | There is no change |
| ii) | Admission Fees | There is no change |
| iii) | Subscription | There is no change |
| iv) | Deposits from members under various scheme | There is no change |
| v) | Loans, cash Credits, overdraft from any bank or financial institutions. | There is no change |
| vi) | Donations, grants and subsidies | There is no change |
| vii) | Contributions from members | There is no change |
| viii) | Profit | There is no change |
| B) | The funds of the Society shall be applied to achieve the objectives of the Society. | There is no change |
| 7. | Maximum Borrowing Limit | |
| | Bye Law No. 7. The Society may receive deposits, raise loans and receive grants from external sources provided the total amount of such loans and deposits shall not exceed ten times of the subscribed share capital plus accumulated reserves minus accumulated losses if any during the financial year. | Maximum Borrowing Limit [Section 67 of MSCS Act, 2002]: The total amount of deposits [from its Voting members] and loans received shall not exceed such multiples as may be determined by the Central Government of the sum of subscribed share capital and accumulated reserves |

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| | | minus the accumulated losses. |
| 8. | Shares | |
| a) | The authorised share capital of the Society is Rs. Ten Lac divided into Ten Thousand shares of Rs. 100/- (One Hundred) each | Bye Laws No. 8 Authorised Share Capital [Section 25 and 33 of MSCS Act, 2002] The authorized Share Capital of the Society is Rupees Ten Lakh divided into Ten Thousand shares of Rs. 100/- (Rupees One Hundred) each |
| b) | Money on shares shall be paid in full at one time and share certificates shall be issued on realization of the full amount subscribed for | There is no change |
| c) | The Society at its General Meeting, may from time to time, increase the authorised share capital by creation of new shares of such number and amount as may be deemed expedient with the prior approval of the Central Registrar. | There is no change |
| d) | No member other then the authorities referred to in clause (c) to (g) of sub section 1 of section 25 of the Act, shall hold more than 1/5 th of the total share capital of the Society. | There is no change |
| 9 | Membership | |
| | The Society shall have following of membership | There is no change |
| | i) Ordinary Members | There is no change |
| | ii) Nominal members | |
| 10. | Ordinary Members No person shall be admitted as a member of the Society except the following, namely; | There is no change |
| a) | An individual working in any government organization and competent to contract under section 11 of the Indian Contract Act, 1872; | There is no change |
| b) | Such class or classes of persons or associations of persons may be permitted by the Central Registrar having regard to the nature and activities of a multi state cooperative society. | There is no change |
| 11. | Conditions for ordinary membership | |
| 1. | An applicant will be enrolled to ordinary membership upon fulfilling the following condition; | There is no change |
| a) | He has applied in writing in the prescribed form | There is no change |
| b) | He has paid admission fee of Rs. 100/- and acquired at least one shares of the Society. | There is no change |
| c) | He has given a declaration that he is not a member of any other similar cooperative society. | There is no change |
| d) | He has fulfilled all other conditions laid down in the acts, the rules and the bye-laws of the society | There is no change |
| e) | The Board of Directors of the Society shall approve the application to admit as a member. | There is no change |
| 2. | No person shall be eligible for admission as a member of the Society if he:- | There is no change |
| a) | Has not attained the age of 18 year; | There is no change |
| b) | Has been adjudged by a competent court to be an insolvent or an undercharged insolvent; | There is no change |
| c) | Has been sentenced for any offence, other than offence of a political character or an offence not involving, moral turpitude and dishonesty and a period of five years has not lapsed from the date of expiry of the sentence. | There is no change |
| 3. | The application for membership of the Society found complete in all respects shall be disposed of within a period of four months from the date of receipt of the application by the Society and the same shall be communicated to the applicant within fifteen days of the decision. | There is no change |

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| 13. | Votes of Members and manner of voting | |
| i) | Every member of the Society shall have one vote in the affairs of the Society; | There is no change |
| ii) | In case of equality of votes, the Chairperson shall have a casting vote; | There is no change |
| iii) | Every member of the Society shall exercise his vote in person and no member shall be permitted to vote in proxy. | There is no change |
| 14. | Rights and Duties of Members: The members shall have the following rights and duties:- | |
| i) | A member shall be entitled to exercise his right as a member from the date of admission as a member; | There is no change |
| ii) | Right to vote in general body meeting | There is no change |
| iii) | To received notice of general body meeting as per the Bye-Laws of the Society | There is no change |
| iv) | To attend and take active part in the proceedings of the general body meeting; | There is no change |
| v) | To take part in elections and contest for any post as per provision of the Act, Rules and Bye-Laws for participation in the Management of the Society; | There is no change |
| vi) | To inspect member registers, books, information and accounts or any other record of the society kept in regular transaction of its business with such member and obtain certified copies of the resolutions or documents on payments of fee as may be prescribed by the Board of Directors from time to time. The Society shall appoint a Member Director as information Officer to provide any Information whenever desired by members. | There is no change |
| vii) | New Addition | Bye-Laws No. 14(vii) No right of membership shall be exercisable until a person has paid all dues to the Home multi-state co-operative Housing Society including the payment in respect of membership or has availed such minimum level of product or services as specified these Bye-laws from time to time. |
| 15. | Disqualifications for Membership: No person shall be eligible for being or continue to be a member of the Society if:- | |
| a) | His / her business is in conflict or competitive with the business of the society ; | There is no change |
| b) | Bye Laws 15(b) He/She did not make annual transactions of the value of at least Rs. 5000/- for two consecutive years. | Bye-Laws No. 15(b) He has failed to use the minimum level of the products or services as specified in the bye-laws for two consecutive years: Rs. 5000/- per year. |
| c) | Bye Law No. 15 (c) He Has not attended three consecutive general body meetings of the Society and such absence has not been condoned by the members in the general body meeting of the Society: | Bye-Laws No. 15(c) He has not attended three consecutive general meetings of the Home Multi-State Co-operative Housing Society and such absence has not been condoned by the members in the general meeting; or |
| d) | Bye Law-15 (d) He/She has made any default in payment | Bye-Laws No. 15(d) He has made any |

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| | of any amount to be paid to the society under bye laws of the society and has not cleared the amount even after 30 days notice for clearance of defaulter. | default in payment of any amount to be paid to the Home Multi-State Co-operative Housing Society Ltd. under these bye-laws / as decided by the Board. |
| 16. | Withdrawal and resignation of member | |
| i) | A member may withdraw and resign from the membership after two years and giving at least 3 months notice in writing and withdraw his share capital with the approval of the Board of Directors. The approval shall not be given while such a member is indebted, to the society. During any cooperative year, the aggregated withdrawals shall not exceed 10% of the total paid-up share capital as on 31 st March of the preceding year | There is no change |
| ii) | A member who withdraws or resigns from the membership will not be allowed to become a member again for a period of two years from the date of his resignation unless he repays the amount withdrawn by him from the society | There is no change |
| 17. | Expulsion of a member | |
| | Society may, be a resolution passed by a majority of not less than two thirds of the members present and voting at a general meeting held for the purpose, expel a member for acts, which are detrimental to the proper working of the society. | There is no change |
| a) | On expulsion from the society in accordance with the provisions of the act and the Rules, a person will cease to be a member. Such expulsion may involve forfeiture of shares at the sole discretion of the Society, provided that the member concerned shall not be expelled unless he has been given a reasonable opportunity of making representation in the matter. | There is no change |
| b) | Bye Law No.17. (b) No member of the Society who has been expelled shall be eligible for re-admission as a member of the society for a period of one year from the date of such expulsion. | Bye-Laws No. 17(b) No Member of the society who has been expelled shall be eligible for re-admission as a Member of the society for a period of three years from the date of such expulsion. |
| 18. | Cessation of Membership The membership of the Society may cease in case of:- | There is no change |
| i) | Resignation of member is duly approved by the Board or on death of the member; | There is no change |
| ii) | Cancellation of registration of the member society; | There is no change |
| iii) | Transfer of all the shares to another member of the society; | There is no change |
| iv) | Expulsion of member by the general body; | There is no change |
| v) | Incurring any of the disqualification of membership; | There is no change |
| 19. | Share certificate | |
| i) | Every person admitted as a member of the society shall be entitled to receive a share certificate stating the number of share/ shares and their distinctive number/numbers and the Chief Executive shall sign the share certificates. The Share Certificate shall bear the Society's seal. | There is no change |
| ii) | If any certificate were worn out, defaced, mutilated, | There is no change |

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| | destroyed or lost new share certificate may be issued in lieu thereof an payment of a fee as prescribed by the Board per share certificate and upon the delivery of the worn out or defaced original for cancellation and in the case of destruction or loss of the share certificate and on giving indemnity to the Board of Directors as may be required an upon such terms and conditions as the Board of Directors may thinks fit. | |
| 20. | Bye Law No. 20. The Society at its discretion may admit a person on payment of a non-refundable fee of Rs. 10/- as a nominal member provided that such nominal member shall not be entitled to subscribe to the shares of the Society or have any interest in themanagement thereof including right to vote, be elected as a director of the board or participate in the general body meetings. | Nominal or Associate Member [Section 26 of MSCS Act, 2002]: Home Multi State Cooperative Housing Society may, in the interest of promotion of the business of the society, admit a person as Nominal Member or Associate Member on payment of fee of Rs. 500/- only. Such Nominal or Associate Members will not be allowed to have any interest in the management of the Home Multi State Cooperative Housing Society including right to vote, contest election as Director of the Board or participate in the General Body meetings of the Society. The Home Multi State Cooperative Housing Society can issue non-voting shares to such Nominal or Associate Members, which may not confer any interest or any right in the management of the Home Multi State Cooperative Housing Society, as noted in these Bye-laws. |
| 21. | Nomination | |
| a) | A member may nominate a person to receive the member's interest in the Society after his/her death. Nomination shall be made in the prescribed form, and entered in the register kept by the Society for the purpose. Prior approval of the Board shall be necessary if the person to be nominated is an employee of the Society. | There is no change |
| b) | Nomination can be revoked and fresh nomination can be made on any number of times after due intimation in writing to the Society and on payment of prescribed fee as may be determined by the Board from time to time for every subsequent nomination. | There is no change |
| 22. | Death of a member | |
| | On the death of a member, the Society may pay or transfer to the person or persons nominated a sum representing the value of the member's interest in the Society within six months from the date of death of the member. In the absence of nomination, the Society may pay to such person as may appear to the Board of Directors to be entitled to received the same as heir or legal representative of the deceased member on his or their executing an appropriate deed of indemnity in favour of the Society. | There is no change |
| 23. | Liability of a Member | There is no change |
| | The liability of a member shall be limited to the share capital subscribed by him. | There is no change |
| 24. | Liability of past members and estate of a deceased | |

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| | member | |
| 1. | The liability of a past member, on the date on which he ceased to be a member, | There is no change |
| | a) In the case of a past member, on the date on which he ceased to be a member b) In the case of a deceased member, on the date of his death shall continue for a period of two years from such date. | There is no change |
| 2. | However, where the society is ordered to be wound up under section 86 of the Act, the liability of a past member who ceased to be a member or of the estate of a deceased member who died within two years immediately preceding the date of the order of winding up, shall continue until the entire liquidation proceedings are completed. But such liability shall extend only to the debts of the society as they existed on the date of cessation of membership or death as the case may be. | There is no change |
| 25. | Lien on shares, dividends and deposits | |
| | The society shall have the first and paramount lien or charge upon all the shares dividends and deposits of any member or past member for all dues from him/her to the Society from time to time. The Society may set off any sum credited by or payable to the member or past member against payment of any liability of such member or past member. | There is no change |
| 26. | Transfer of Shares | There is no change |
| | A member may transfer his/her share or shares after holding them for not less than one year to the another member. The Board of Director may approve such transfer of shares from the existing members on completion of such terms and conditions as may be fixed by the Board of Directors. | There is no change |
| 27. | General Body i. The General body of the Society shall consist of all, ordinary members of the society. ii. Subject to the provisions of the Act, the Rules and the bye-Laws, the ultimate authority of the Society shall vest in the General Body. | There is no change |
| 28. | Powers and functions of the General Body | |
| | The Board of the Society under a resolution shall, within six months of the close of the corresponding financial year, convened the Annual General Meeting at the principal place of business of the Society for the purpose of:- | There is no change |
| | a) consideration of the audited statement of accounts; b) consideration of the audit report and annual report; c) consideration of audit compliance report; d) approval for appointment of auditors & fixation of remuneration; e) Review of operational deficit, if any; f) Creation of specific reserves and other funds; g) Approval of the annual budget; h) Approval of the long-term perspectives plan and the annual operation plan i) Disposal of Net Profit; j) Review of actual utilization of reserve and other funds; k) Review of annual report and accounts of subsidiary institution, if any; l) Expulsion of members; m) List of employees who are relatives of members of the board or the chief Executive; n) Amendment of bye-laws, if any; | There is no change |

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| | <ul style="list-style-type: none"> o) Formulation of code of conduct for the members of the board and officers; p) Election of members of the board, if any; q) Consider a statement showing the detail of loans or goods on credit if any given to any member of the board or to the spouse or son or daughter of the member of the board during the preceding year outstanding against him or them. r) Any other matter to be laid before it by the Board of Directors; s) The Society shall file returns within six month of close of its financial year to the Central Registrar on the following matters:- <ul style="list-style-type: none"> i) Annual report of its activities ii) Audited statement of accounts iii) Plan for surplus disposal as approved by the general body iv) List of amendments in the bye laws v) Declaration regarding date of holding of general body meeting and conduct of elections where due vi) Any other information required by the central Registrar. | |
| 29. | Special General Body Meeting | |
| | The Chief Executive, may at anytime, on the direction of the board, call a Special general Body Meeting of the Society and shall call such meeting within one month after the receipt of requisition from the Central Registrar or from 1/5 th of the total number of members of the Society to transact the business as stated in notice of the meeting. | There is no change |
| 30. | Notice for Annual General Body Meeting and the Special General Body Meeting. | |
| | <ul style="list-style-type: none"> a) Annual General meeting of the Society may be called by giving not less than 15 days clear notice in writing to all the members of the Society. b) Special General Meeting of the Society may be called by giving not less than 7 days notice in writing to all the members of the Society. c) The notice of the Annual General Meeting shall be accompanied by a copy of the audited balance sheet, profit and loss account together with the auditor's report relating to the preceding year and the report of the Board of Directors thereon. Notice of election to the Board of Directors, if any and amendment to the bye-laws, if any d) The notice of general body meeting shall be sent to members by the following modes namely: <ul style="list-style-type: none"> i) By Local delivery or by Speed Post or by Courier or under postal certificate ii) By publication of notice in the newspaper having wide circulation and iii) Notice of the general body meeting shall also be affixed on the notice board of the society and its branches if any | There is no change |
| 31. | Quorum of the General Body Meeting | |
| | <ul style="list-style-type: none"> i. The quorum for the general meeting shall be 1/5th of the total number of members or 50 members, whichever is less; ii. No business shall be transacted at any general meeting | There is no change |

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| | <p>unless there is a quorum at the time when the business of the meeting is due to commence;</p> <p>iii. If within half an hour from the appointed time for the meeting, quorum is not present, the meeting shall stand adjourned and would be held after half an hour at which the quorum will not be required. If the meeting has been called on requisition of members, it shall be dissolved and not adjourned.</p> <p>iv. If at any time during the meeting sufficient number of members are not present on his own, or on his attention being drawn to this fact Chairperson shall adjourn the meeting and the business that remains to be transacted at this meeting, if any, shall be disposed off in the usual manner at the adjourned meeting;</p> <p>v. Where a meeting is adjourned under sub-clause (iii) or (iv) the adjourned meeting shall be held either on the same day or any other date time and place decided by the Chairperson or the member presiding over the meeting; but within seven days of the adjourned meeting.</p> <p>vi. No business shall be transacted at any adjourned meeting other than the business on the agenda of the adjourned meeting.</p> <p>vii. The adjourned meeting will transact its regular business even without the quorum being present at the meeting.</p> | |
| 32. | Chairperson of the General Body Meeting | |
| | The Chairman of the Board of Directors shall preside over the General Body Meeting. In his absence, the Vice Chairman and in absence of both the members of the Board of Directors shall elect one of the member to preside the general body meeting. | There is no change |
| 33. | Resolutions | |
| | Unless otherwise specifically provided in the Act, Rules and the Bye-laws, resolutions shall be carried by a majority of votes. Votes shall be taken by show of hands unless ten members demand poll, in such case a poll shall be taken. However, election n to the Board of Directors shall be held by secret ballot as per the procedure mentioned in the election schedule annexed to MSCS Rules, 2002. | There is no change |
| 34. | Minutes of the General Body Meeting | |
| | Minutes of the General Body Meeting shall be entered in the minutes book kept for the purpose withing thirty days of the conclusion of the meeting and shall be signed by the Chairman and Chief Executive of the meeting. The minutes so signed, shall be evidence of the correct proceedings of that meeting. | There is no change |
| 35. | Constitution of the Board of Directors | |
| i) | The affairs of the Society shall be managed by the Board of Directors consisting of the following: | There is no change |
| a) | Ten Directors to be elected by the members in the general body. One seat will be reserved for SC/ST and two seats will be reserved for Women. | <p>The Board of the Home Multi State Cooperative Housing Society shall consist of Nine Directors (not more than 21) excluding co-opted directors.</p> <p>The Board shall have one Member from Scheduled Caste or Scheduled Tribe and Two women, if society consists of individuals and has Members from such class or category of persons</p> <p>Two directors to be co-opted by the</p> |

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| | | Board as per Section 41(3) of the MSCS Act, 2002; |
| b) | The Chief Executive, who is the ex-officio member of the Board of Directors | There is no change |
| c) | In addition, the Board of directors may co-opt two specialist members in the board having specialization in the field relating to the objects and activities of the Society. Such co-opted members shall not have the right to vote in any election of the cooperative Society in their capacity as such member or to be eligible to be elected as office bearers of the Board. | There is no change |
| d) | The functional directors of the Society shall also be the members of the board and such members shall be excluded for the purpose of counting of total number of directors as specified in section 41 of the MSCS act, 2002 | There is no change |
| ii) | All the directors except the Chief Executive, Functional Directors or co-opted Directors shall be elected by the members in the General Body Meeting. | There is no change |
| iii) | The term of office of the elected members of the board of directors and its office bearer shall be five years from the date of election and the term of office bearer shall be conterminous with the term of the board. | <p>Bye-Laws No. 35 (iii) Term of the Board of Directors [Section 45-J(5), and 48(2) of MSCS Act, 2002]:</p> <p>The term of the office of the elected members of the Board shall be Five years from the date of election.</p> <p>The Board may fill casual vacancies up to one-third of number of elected Directors on the board by nomination out of the same class of members in respect of which the casual vacancy has arisen, if the term of office of the Board is less than half of its original term.</p> <p>In case the number of such casual vacancies in the same term of the board exceeds one-third of number of elected directors, such vacancies shall be filled by elections.</p> |
| iv) | The election of the Board shall be conducted before the expiry of the term of the board so as to ensure that newly elected members of the board assume office immediately on the expiry of the office of the members of the outgoing board. | There is no change |
| v) | The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections of the cooperative society shall vest in such authority or body as may be provided by the law and the election shall be conducted as per procedure and guidelines provided in the Act and Rules. | There is no change |
| 36. | Power and functions of the Board of Directors | |
| 1) | The Board of Directors may exercise all such power as may be necessary or expedient for the purpose of carrying out its function under the act. | There is no change |
| 2) | Without prejudice to the generality of the foregoing powers, such powers shall include the following powers:- <ul style="list-style-type: none"> a) To admit members; b) To interpret the organizational objectives and set up specific goals to be achieved towards these objectives; c) To make periodic appraisal of operations; d) To appoint and remove a Chief Executive Officer or | There is no change |

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| | <p>other employees of the Society as are not required to be appointed by the Chief Executive;</p> <p>e) To make provisions for regulating the appointment of employees of the Society and the scales of pay, allowances and other conditions of service including disciplinary action against employees;</p> <p>f) To place the annual report, annual financial statements, annual plan and budget for approval of the general body;</p> <p>g) To consider audit and compliance report and place the same before the general body;</p> <p>h) To acquire or dispose of immovable property;</p> <p>i) To review membership in other cooperatives;</p> <p>j) To approve annual and supplementary budget;</p> <p>k) To raise funds;</p> <p>l) To sanction loans to the members; and</p> <p>m) To take such other measures or to do such other acts as may be prescribed or required under this act rules or the bye-laws or as may be delegated by the general body.</p> <p>n) To authorise officers to sign documents and to institute and defend suits and other legal proceedings on behalf of the society;</p> | |
| | New Addition | To recruit employees through a transparent, objective, and adequately publicized competitive process, and as per specified educational and experience criteria as laid down in these Bye-laws. |
| 37. | Disqualification for being a member of the Board | |
| 1. | <p>A member of the Society shall be ineligible for being elected as, or for being a member for the Board, if such member:-</p> <p>a) Has been adjudged by a competent Court to be insolvent or of unsound mind;</p> <p>b) Is concerned or participates in the profits of any contract with the Society;</p> <p>c) Has been convicted for an offence involving moral turpitude;</p> <p>d) Holds any office or place of profit under the society:- Provided that the Chief Executive or such full-time employee of the Society as may be notified by the Central Government from time to time or a person elected by the employees of such Society to represent them on the board of such Society shall be eligible for being chosen as, or for being, a member of such board;</p> <p>e) Has been a member of the society for less than 12 months immediately preceding the date of such election or appointment;</p> <p>f) Has interest in any business of the kind carried on by the Society of which he is member;</p> <p>g) Has taken loan or goods on credit from the Society of which he is a member, or is otherwise indebted to such Society and after the receipt of a notice of default issued to him by such Society, has defaulted:-</p> <p>i) In repayment of such loan or debt or in payment of the price of the goods taken on credit, as the case may be, within the date extended, which in no case shall exceed six months, within the date so extended, or</p> <p>ii) when such loan or debt or the price of goods taken on credit is to be paid in instalments, in payment of any</p> | There is no change |

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| | <p>instalment, and the amount in default or any part thereof has remained unpaid on the expiry of six months from the date of such default: Provided that a member of the board who has ceased to hold office as such under this clause shall not be eligible, for a period of one year, from the date on when he ceased to hold office, for re-election as a member of the Board of the Multi-State Cooperative Society of which he was a member or for the election to the board of any other Multi-State Cooperative Society.</p> <p>h) Is a person against whom any amount due under a decree, decision or order is pending recovery under this act;</p> <p>i) Is retained or employed as a legal practitioner on behalf of or against the Society, or on behalf of or against any other Multi-State Cooperative Society. Explanation:- For the purposes of this clause, 'legal practitioner' has the same meaning as in Clause (i) or sub-section (1) of section 2 of the Advocates Act, 1961(25 of 1961);</p> <p>j) Has been convicted for any offence under this act;</p> <p>k) Is disqualified for being a member under Section 29;</p> <p>l) Has been expelled as a member under Section 30;</p> <p>m) Absents himself from three consecutive general body meetings and such absence has not been condoned by the Board.</p> <p>n) Absents himself from three consecutive general body meetings and such absence has not been condoned by the members in the General Body.</p> | |
| 2. | <p>A person shall not be eligible for being elected as member of board of the Society for a period of five years if, the Board fails:</p> <p>a) To conduct election of the Board under section 45 of the Act; or</p> <p>b) To call the general body meeting under Section 39 of the Act; or</p> <p>c) To prepare the financial statement and present the same in the annual general meeting.</p> | There is no change |
| 38. | Removal of the elected member of the Board by the General Body | |
| | <p>An elected member of a board, who has acted adversely to the interests of the Society, may on the basis of a report of the Central Registrar or otherwise be removed from the board upon a resolution of the general body passed at its meeting by a majority of not less than two-third of the members present and voting at the meeting; provided that the member concerned shall not be removed unless he has been given a reasonable opportunity of making a representation in the matter.</p> | There is no change |
| 39. | Vacancy in the Board of Directors | |
| | <p>If any vacancy arises in the Board of Directors, it shall be filled by election by the members in the General Body for the remaining unexpired term of the Board. If the term of the office of the board is less than half of its original term then board may fill the casual vacancy by nomination out of the same class of members in respect of which the casual vacancy has arisen.</p> | There is no change |
| 40. | Meetings of the Board of Directors | |

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| i) | The majority shall decide any question brought forward for discussion at the meeting of the Board of Directors. In case of equality of votes, the Chairman shall have a casting vote. | There is no change |
| ii) | The proceedings of the meetings of the board shall be recorded in the minute book to be kept for the purpose. | There is no change |
| 40. iii) | Bye Law No. 40(iii) The Chief Executive shall convene the meeting of the board at the instance of the Chairman of the Society. | Bye-Laws No. 40 (iii) The meeting shall be convened by the Chief Executive of the Board at the instance of the Chairperson of the society. In a situation where the Chairperson fails to direct the Chief Executive to convene the meeting of the Board within the quarter, such Chief Executive shall convene the meeting on the basis of requisition of the Vice-Chairperson or any other Member of the Board; The Chief Executive may also convene the meeting on the basis of requisition from at least fifty percent. of Members of the Board |
| iv) | The board of Directors shall meet at least once in every quarter. | There is no change |
| v) | The meetings of the board of Directors shall normally be held at the registered office of the Society. In exceptional cases, the meetings of the Board may be held at any other place as decided by the Board but within the area of operation of the Society. | There is no change |
| 40 (vi) | Bye Law No. 40 (vi) The meetings of Board of Directors shall be presided over by the Chairman or in his absence by the. Vice Chairman and in the absence of both Chairman & Vice Chairman, the Directors Present in the meeting shall elect a Chairperson for the Meeting from among themselves; | Bye-Laws No. 40 (vi) The meetings of the Board shall be attended / presided by the Chairperson of the society or in his absence the Vice-Chairperson and in the absence of both, any other Member of the Board chosen by the Members of the Board present from amongst themselves at the meeting, shall preside over the meeting; |
| vii) | Seven days notice shall ordinarily be necessary for the meeting of the Board of Directors; | There is no change |
| 40 (viii) | Bye Law No. 40 (viii) The Quorum of the Board Meeting shall consist of four elected directors. | Bye-Laws No. 40 (viii) The quorum for the meeting of the Board shall be 1/3rd of its total number of elected directors. |
| 41 | Bye Law No. 41. The Board of Directors shall constitute an executive Committee and other committees or Sub- Committees as may considered necessary, Provided that other committees or subcommittees other than the Executive Committee shall not exceed three at a given point of time. | Bye-Laws No. (41) Committees of the Board [Section 53 of MSCS Act, 2002]: a). The Board shall constitute an Executive Committee and other committees or sub-committees as may be considered necessary. Provided that the Board shall constitute— i) an Audit and Ethics Committee; ii) A Committee on prevention of sexual harassment at workplace. b).The Executive Committee , the Audit |

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| | | <p>and Ethics Committee, and the Committee on prevention of sexual harassment at workplace, shall perform the following functions as are assigned to it:</p> <ol style="list-style-type: none"> 1. Audit committee shall review the audited accounts regularly 2. Ethics committee shall formulate ethics connecting with business module, work conditions, and other business related policies. 3. Sexual harassment committee will address all complaint of female relating to sexual harassment at work place. |
| | New addition | <p>Executive Committee [Section 53 (1) of MSCS Act, 2002]:</p> <p>Composition & functions of the Executive Committee or other committee or sub-committee are as under:</p> <p>Following shall be members of committee :</p> <ol style="list-style-type: none"> a. Chief Executive Officer. b. Manager c. Deputy Manager <p>Executive Committee shall formulate policies and will assist the board in providing board guidelines in formulating policies, procedures for appointments of work force, financial matter and other business related matter to help the board of directors</p> |
| 41A | New Addition | <p>Bye Laws No (41A.) List of Members and delegates eligible to vote</p> <p>[Rule 19-I (2) of MSCS Rules, 2002]:</p> <p>Details of the person authorised to supply a copy of the list of members / delegates eligible to vote as upon request by a Member: Managing Director of Home Multi State Cooperative Housing Society shall supply the list of members / delegates.</p> |
| 41B | New Addition | <p>Bye Laws No (41B.) Qualifications for election as Member of Board</p> <p>[Rule 19J(5) (c) of MSCS Rules, 2002]:</p> <p>(a) To be nominated as a candidate for election to fill a seat on the Board, the candidate must have the following qualifications: (Details to be added by the society)</p> <ol style="list-style-type: none"> 1. Must be active member for last three years. 2. Must have availed minimum level of service as per bye-laws <p>(b) As per Section 19-J (5), no person</p> |

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| | | shall be nominated as a candidate for election to fill a seat on the Board if he— (i) is ineligible to vote; (ii) is not qualified or is disqualified to be the Member of a Home Multi-State Co-operative Housing Society or a Member of the Board under the provisions of the MSCS Act, 2002, and the MSCS Rules, 2002; and (iii) does not possess the necessary qualifications specified above for election as Member of the Board. |
| 42. | Chairman and Vice Chairman | |
| | There shall be a Chairman and a Vice-Chairman elected by the Board of Directors from among themselves. The Chairman and in his absence the Vice-Chairman shall preside over the Meeting of the General Body. The terms of office of the Chairman and Vice-Chairman shall be co-terminus with the term of Board of Directors. In case Chairman or Vice-Chairman ceases to be Director, the Board Shall fill up the vacancy through re-election for the unexpired term of the Board among themselves. | There is no change |
| 43. | Power and Functions of the Chairman | |
| | The Charman shall have the following powers and fuctions: | There is no change |
| i) | He shall preside over the meeting of the general body, Board of Directors, executive committee and any other committees. | There is no change |
| ii) | The Chairman shall sign the proceedigns of the meetings presided over by him, | There is no change |
| iii) | In the event of equality of votes on a resolution the Chairman shall have a casting vote in the meeting; | There is no change |
| iv) | The Chairman may delegate any of his powers and functions to the Vice-Chairman | There is no change |
| 44. | Prohibition to Hold office of Chairman or Vice Chairman in certain cases | |
| a) | No member of the board shall be eligible to be elected as Chairman or Vice-Chairman of the Society, if i) He/She is a minister in the Central or State Government. ii) At the same time, he/she is holding the position of Chairman or Vice-Chairman of the Board of more than two Multi-State Cooperative Societies. | There is no change |
| b) | No member of the Board shall be eligible to be elected as Chairman of the Society if he has held office during two consecutive terms whether full or part. | There is no change |
| 45. | Minutes of the meeting of Board of Directors | |
| | The minutes of meeting of the Board of directors shall be recorded in the Minute Book kept for the purpose within thirty days of the meeting and the pages of which shall be duly numbered. The Chairman of the meeting and the Chief Executive of the Society shall sign the minutes of the meeting. | There is no change |
| 46. | Chief Executive | |
| | Managing Director shall be the Chief Executive of the Society and he shall be appointed by the Board of Directors. He shall be a full time employee of the Society and he shall aid and assist the Board of Directors in their functions. The managing Director shall also be the ex-officio member of the Board of Directors. | There is no change |

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| 47. | Powers and Functions of the Chief Executive | |
| | The Chief Executive shall under general supervision, direction and control of the Board, exercise the powers and discharge functions as specified below, namely: | There is no change |
| a) | Day-to-day management of the business of the Society; | There is no change |
| b) | Operating the accounts of the Society and be responsible for making arrangements for safe custody of cash; | There is no change |
| c) | Signing on the documents for and on behalf of the Society; | There is no change |
| d) | Making arrangements for the proper maintenance of various books and records of the Society and for the correct preparation. Timely submission of periodical statements and returns in accordance with the provisions of this Act, the Rules and the Bye-laws; | There is no change |
| e) | Convening meeting of the general body of the Society, the Board and the Executive Committee and other committees or sub-committees constituted under sub-section (1) of Section 53 of the Act and maintaining proper records for such meetings; | There is no change |
| f) | Making appointments to the posts in the Society as may be approved by the Board of Directors; | There is no change |
| g) | Assisting the Board in the formulation of policies objectives and planning; | There is no change |
| h) | Furnishing to the Board periodical information necessary for appraising the operation and function of the Society; | There is no change |
| i) | Appoint the person to sue or be sued on behalf of the Society; | There is no change |
| j) | Present the draft annual report and financial statements for the approval of the Board within thirty days of closure of the financial year. | There is no change |
| 48 . | Deposits may be received from members at any time within the limits determined under the Act and Rule on such rates of interest and subject to such rule and regulations, as may be approved by the Board of Directors. | Bye Laws No. 48 <i>Deposits & Linking of Share holding with Loan Limits</i> Deposits [Section 10 (k) and Section 20 of MSCS Act, 2002]: i.) Deposits may be received from voting Members at any time within the limits determined under the MSCS Act and Rules, 2002, and the prudential norms determined by the Central Government in this regard, on such rates of interest and subject to such rules and regulations as may be fixed by the Board and also subject to the directives issued by the Reserve Bank of India (in case of cooperatives banks) in this behalf from time to time. ii) Deposits may be received on current, savings, fixed, recurring, cumulative and under any other special scheme/s. |
| 49. | Disposal of Net Profit | |
| | Subject to the provisions of the Act and Rules framed there under, the General Body on the recommendations of the Board of Directors may appropriate the net profit in the following manner: | There is no change |
| i) | Transfer at least 25% of net profit to the reserve fund | There is no change |
| ii) | Bye Law No. 49 | Bye Law No. 49(ii) |

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| | Disposal of net Profit Credit one percent of its net profit to the Co-operative education fund maintained by the National Co-operative Union of India. | Disposal of net Profit [Section 62(2) and 63,63-A and 91 of MSCS Act, 2002]: Credit annually one percent of net profit to co-operative education fund to be maintained by the Central Government; |
| iii) | An amount of at least 10% of the net profit shall be transferred to the reserve fund for meeting unforeseen losses. | There is no change |
| iv) | The balance of the net profit may be utilized for all on any of the following purposes:- | There is no change |
| | a) Payment of dividend to members on their paid up capital at the rate not exceeding 18% | There is no change |
| | b) Contribution towards Donation not exceeding 5% of the net profit for any purpose connected with the development of cooperative movement. | Bye Law No. 49(iv) (b) If the society is in profit for the preceding three financial years, 1% of its net profits, or Rs. 1 crore (whichever is less) shall be credited to the Co-operative Rehabilitation, Reconstruction and Development Fund maintained by the Central Government. |
| | c) New Addition | Bye Laws No 49(iv) (c) The society shall adopt such standards of auditing and accounting as may be determined by the Central Government, subject to Section 73(6) of the MSCS Act, 2002. Until such standards are specified, the auditing and accounting standards specified by the Institute of Chartered Accountants of India constituted by sub-section (1) of section 3 of the Chartered Accountants Act, 1949 shall be deemed to be the standards of auditing and accounting. |
| | d) New Addition | Bye Laws No 49(iv) (d) Distribution of patronage bonus to Members in consonance with the transactions of a Member with the society shall be done in the manner indicated below: 1. Policy for distribution of patronage bonus shall be formulated by Board and shall be approved by the General Body in its meeting and shall be paid through bank, by cheque or by cash. |
| 50. | Bye Law No. 50: INVESTMENTS OF FUNDS The Society may invest or deposit its funds in: a) Co-Operative banks; b) Securities specified in section 20 of the Indian Trust Act 1882; c) Shares and securities of any other co-operative society or Multistate cooperative Society; d) Share, Securities or assets of a subsidiary institution or | Bye-Laws No. 50 [Section 64 of MSCS Act, 2002] (a) The society may invest or deposit its funds in accordance with Section 64 of the MSCS Act, 2002, in:- (i) A Co-operative Bank, State Co-operative Bank, Co-operative Land Development Bank or Central Co-operative Bank; (ii) In any of the securities issued by the |

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| | any other institution. e) Any other Scheduled bank / Nationalized bank; | Central Government, State Government, Government Corporations, Government Companies, Authorities, Public Sector Undertakings or any other securities ensured by Government guarantees; (iii) in the shares or securities of any other multi-State cooperative society or any co-operative Society (iv) in the shares, securities and assets of any subsidiary institution or any other institution in the same line of business as the Multi-State Co-operative Society; (v) with any other scheduled or nationalised bank; (vi) in such other manner as may be determined by the Central Government. |
| 51. | Reserve fund | |
| i) | In addition to the sum prescribed under the Act Rules and Bye-Laws, all admission fees, entrance fee, nominal membership fees, amount of forfeited dividend and donations if any shall be carried to the Reserve Fund; | There is no change |
| ii) | The Reserve Fund shall be separately invested in Government and trustee securities or any other approved securities or in fixed deposits with any nationalised Bank, or any other Central co-operative Bank; | There is no change |
| iii) | The Reserve Fund to meet unforeseen losses shall be available for use by resolution of the General Body meeting to cover deficiencies, which may arise from unforeseen losses. | There is no change |
| iv) | Any loss occurring as the net result of the year's working shall be recovered from the profits of the next ensuing year or years. | There is no change |
| 52. | Dividend | |
| i) | The Dividend declared shall be paid to the person whose name stands first as the registered shareholder in the books of the Society on the last day of the Cooperative year to which the dividend relates. | There is no change |
| ii) | Any Dividend remaining unclaimed for three years after having been declared may be forfeited by the Board of Directors and shall be carried to the Reserve Fund of the Society, | There is no change |
| iii) | Unpaid Dividend shall be payable on application provided the same has not been forfeited. | There is no change |
| iv) | Dividend shall be proportionate to the amount paid on shares and the period in whole months for which the amount stood to the credit of the shareholder. | There is no change |
| 53. | Accounts and Records | |
| | Accounts and records shall be maintained in forms prescribed under the Act, Rules and Bye-laws and approved by the Central Registrar with such additions as the Board of Directors consider necessary. Any member of the Society may inspect during office hours any of the registers or records in so far as it relates to his own business transaction. | There is no change |
| 54. | Audit | |
| a) | The Accounts of the Society shall be audited by an Auditor or auditing firms appointed from the panel of auditors approved by the Central Registrar or penal approved by central government or any authority authorized by the Central government, at least once in each financial year. The | There is no change |

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| | accounts of the Society shall be audited within six month of the close of the financial year to which such accounts relates and the remuneration of auditors shall be fixed by the Central Registrar or the Society as the case may be, as per the provisions of section 70 of the Act. | |
| b) | The appointment of the auditor and his remuneration shall be approved in the General Body meeting of the Society. The qualifications/disqualification, powers, rights and duties of the auditor shall be as prescribed under the Act. | There is no change |
| c) | Bye Law No. 54(c) The appointment of the auditor and his remuneration shall be approved in the General Body Meeting of the Society. The qualifications/ disqualification, powers, rights and duties of the auditor shall be as prescribed under the Act | Bye Law No. 50(c) Audit [Section 70,70A and 73 of MSCS Act, 2002] The auditors or auditing firms hall be appointed from a panel maintained by the Central Registrar. NOTE: In case of Multi-State Co-operative society with deposits of above five hundred crore rupees and multi-state non-credit societies with turnover of above five hundred crore rupees, the auditor shall be appointed from a panel of auditors maintained by the Central Registrar. d. The auditor shall submit the audit of accounts report to the society with in six months from the date of closing of the financial year, to which such accounts relate. e. The society may fill any casual vacancy in the office of an auditor; but while any such vacancy continues, the remaining auditor or auditors, if any, may act. where such vacancy is caused by the resignation or death of an auditor, the vacancy shall be filled by the Board from the panel of auditors maintained by Central Registrar. f. In case the society meets the criteria laid down under Section 70A of the MSCS Act, 2002, a concurrent audit shall be carried out by an auditor appointed from a panel of auditors approved by the Central Registrar. |
| 55. | Common Seal | |
| | The Society shall have a common seal, which will remain in the custody of the Chief Executive and shall be affixed in the presence of a Director and the Chief Executive as per specified resolution of the Board of Directors | There is no change |
| 56. | Amendment to Bye-Laws | |
| | The amendment to the bye-laws of the Society shall only be passed by a resolution of the meeting of the general body in which quorum is present by a vote of not less than two thirds of the members present there at and not less than 15 clear days notice for the considering of such amendment has been previously given to members. | There is no change |
| 57 | Bye Law No. 57 EDUCATIONAL COURSE FOR MEMBERS | Bye-Laws No. 57 |

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| | The Society shall organize co-operative educational programmes for education and training for its members, directors and employees and sufficient funds in the regard shall be earmarked as per the requirement. | The society shall organise co-operative education programmes for its Members, directors, and employees. Further, the society may provide funds for such co-operative education programmes in the following manner: 1. Society shall be giving regular training to its members, employees and will provide 0.5% of its profit for training of employees on periodic basis as under :- a. Yearly b. Half Yearly c. Quarterly The society shall recruit employees as per the following educational and experience criteria: 1. The Board shall fix appointment policy and requirement for the society and qualification, procedure shall be decided by the Board as per requirements for the society. Following shall be the basis :- A) Technical qualification with required experience B) skilled, semi skilled or unskilled as per requirement of society. C) Non technical staff for administrative job. |
| 58. | Settlement of dispute | |
| i) | All the dispute shall be referred to Arbitration in accordance with the provisions of the Act and Rules. | There is no change |
| ii) | The limitation period in disputes shall be as per the provisions of the Act. | There is no change |
| 59 | Bye Law No. 59 PROVIDENT FUND The Society shall maintain a Contributory Provident Fund for the benefits of its employees in accordance with the provisions of Employees Provident Fund and Miscellaneous Provisions Act, 1952. | Bye-Laws No. 59 Contributory Provident Fund [Section 69 of the MSCS Act, 2002]: (a) The Contributory Provident Fund shall be credited with the contributions made by the employees and the society in the following manner: 1. The contribution to provident fund shall be made as per applicable provisions of provident fund Act. |
| 60/61 | Service Rules | Change in Sr. number of Bye-Laws |
| | The Society shall have services rules for regulating the service conditions of its employees as formulated by the Board from time to time. | Bye Law No. 60 Service Rules [Sections 27, 69 and 42 of MSCS Act, 2002 & Rules 26, 37A and 6(v) of MSCS Rules, 2002]: a. The society shall have service rules for regulating the service conditions of its employees as formulated and amended by the Board from time to time. |
| 61/62. | Winding up | Change in Sr. no. |
| | If winding up is necessary, it will be done as per the | There is no change |

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| | provisions of the Act. | |
| 62/63 | <p>Bye Law No 63. ASSOCIATION OF EMPLOYEES IN THE MANAGEMENT DECISION MAKING PROCESS The Society shall devise such procedure through administrative instructions for the association of employees in the management decision making process.</p> | <p>Bye-Laws No. 62 The society shall follow the following procedure for the association of therepresentativesofits employees in the management decision making process: 1.Board Meeting 2.Executive committee 3.Adhoc Committee A) A regular quarterly meeting shall be held by committee's under the chairmanship of managing director with representative of employees to address their grievance on regular basis.</p> |
| 64 | <p>Miscellaneous</p> <p>i) No act of the General body or the Board of Directors shall be deemed invalid by reason of any defect in the election of a Member thereof or by reason of any vacancy therein not having been filled in.</p> <p>ii) If any doubt arises in the interpretation of the Bye-Laws of the Society, the same shall be referred to the Central Registrar for his advice and his decision shall be final.</p> | <p>Bye-Laws No. 64 Share Redemption / Redemption of shares [Section35(2) of the MSCS Act, 2002]: a) Redemption of shares by authorities mentioned under Section 25 of the MSCS Act, 2002, shall be subject to the exceptions under Section 33 of the MSCS Act, 2002, and shall be undertaken in the following manner: (1) The shares of authorities referred to in clauses (c) and (d) of sub-section (10 of section 25, held in multi-state co-operative societies,- (a) Shall not be redeemed without the prior approval of the such authorities and (b) May redeemed in such manner as may be agreed upon between the multi-state co-operative society and such authorities (2) The share held in multi-state co-operative society by any of the authorities referred to in clause (e) to (g) of sub section (1) of section 25, shall be redeemed in accordance with the byelaws of such multi-state co-operative society and in case where the byelaws do not contain any provision, in such manner as may be agreed upon between the multi-state co-operative society and such authorities. (3) The redemption of shares referred to in sub-section (1) and (2) shall be on the face value of shares.</p> |
| 64(iii). | <p>iii) The matters which have not been provided for herein shall be decided in accordance with the provision of the Multi State Cooperative Societies Act and Rules, 2002. The society shall appoint a Member director as Information Officer to provide any information whenever desired by Members.</p> | <p>Bye law No. 66 Co-operative Information Officer [Section106(1) of the MSCS Act, 2002, and Rule 35,of MSCS Rules, 2002]: (a)The society shall designate a Co-operative Information Officer.</p> |

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| | | <p>(b)The Co-operative Information Officer shall provide information to its Members regarding the affairs and management of the society, upon receiving an application for the same as prescribed under the MSCS Rules, 2002, which shall be confined to the following: (details to be filled by the society)</p> <ol style="list-style-type: none"> 1 Any degree 2. Permanent member of the society. 3. Communication skill. 4. Experience <p>The application to the Chief Information Officer shall be in the format and with such qualifications, as specified in the MSCS Act, 2002 and the MSCS Rules, 2002.</p> |
| 65 | New Addition | <p>Bye Law No. 65.</p> <p>1. Smaller General Body [Section 38(1) of MSCS Act, 2002 & Rule 13(2) of MSCS Rules, 2002]:</p> <p>a). A society, with a membership exceeding 1000, may provide for the constitution of a smaller body of delegates of Members of the society, elected or selected in the manner given below:</p> <ol style="list-style-type: none"> 1. <u>A member should hold at least shares of five lacs and</u> 2. <u>should have used services of amounting to Rs. Five lac per year for regular two years.</u> <p>b) This smaller body shall exercise the following powers of the General Body: (details to be filled by the society)</p> <ol style="list-style-type: none"> 1 shall do all acts as authorized by general body. 2. Creation of specific reserve and other fund. 3. Amendment of bye-laws of society. <p>c.) The smaller body General Body may exercise its powers subject to the following restrictions: (details to be filled by the society)</p> <ol style="list-style-type: none"> 1. Shall do all acts as authorized by general body/Board of Directors. 2. Creation of specific reserve and other fund. 3. Amendment of bye-laws of society. |
| 68 | New Addition | <p>BYE LAWS NO 68 : Chief Executive [Section 51 of MSCS Act, 2002]:</p> |

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| | | <p>The Chief Executive is called Managing Director (the designation to be specified) and he/ she shall be appointed by the Board as per the MSCS Act, 2002, the MSCS Rules, 2002 and any other norms issued by the Central Government in this regard. The Chief Executive shall aid and assist the Board in its functions. He shall be Member of all the committees, sub-committees of the Board as may be constituted.</p> |
| 69 | New Addition | <p>BYE LAWS NO 69 :</p> <p>Elections for Members of Board [Section 45 of MSCS Act, 2002]: (a) The Chairperson and the Chief Executive of the society shall inform the Co-operative Election Authority, six months before the expiry of the term of the existing Board, to conduct the elections within time, and shall provide all necessary support to the Authority to conduct elections for the society. (b) The society shall bear all expenses related to the elections & follow all the directions of the Cooperative Election Authority in this matter. (c) No person shall be eligible to be elected as a member of the board or office bearer of a Home Multi-State Co-operative Housing Society, unless he is an active member of the general body of Home Multi State Cooperative Housing Society.</p> |
| 70. | New Addition | <p>Filing of Annual Returns [Section 120 of MSCS Act, 2002]: Bye Law No. 70</p> <p>(a) Every year within six months of the closure of the accounting year, Society shall file the following returns with the Central Registrar, namely-</p> <p>(i) annual report of the activities including details of Board decisions which were not unanimous; (ii) audited statements of accounts; (iii) plan for surplus disposal as approved by the General Body; (iv) list of amendments to these bye-laws; (v) declaration regarding date of holding of General Body meeting and</p> |

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| | | <p>conduct of elections where due;</p> <p>(vi) Disclosure regarding employees who are relatives of Members of Board;</p> <p>(vii) declaration of any related party transactions by the Board ; and</p> <p>(viii) any other information required by the Central Registrar in pursuance of any of the provisions of this act.</p> |
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