

**THE BYE-LAWS**  
**OF**  
**The .....Co-operative House**  
**Building Society Limited**

**NAME, ADDRESS AND AREA OF OPERATION**

1. The society shall be called the .....Co-operative House Building Society Ltd. It shall be referred to here-in-after in these bye-laws as the society.
2. The registered address of the society shall be the ..... Co-operative House Building Society Limited ..... Post Office ..... Tehsil.....District.....
3. The area of the Society shall be.....

**3-A. Definitions.**

- (i) " Act" means the Punjab Co-operative Societies Act, 1961.
- (ii) "Rules" means the Punjab Cooperative Societies Rules,1963.
- (iii) "Registrar" means the Registrar Co-operative Societies Punjab.
- (iv) "Housefed" means the Punjab State Federation of Cooperative House Building Societies Ltd.
- (v) "Committee" means the Committee of the society.

**OBJECTS**

4. The objects of the society shall be :-
  - (i) To purchase, take on long lease or acquire by exchange or other-wise land for construction of houses or housing colonies.
  - (ii) To construct, hire or acquire buildings for the individual and collective benefit of the members.
  - (iii) To sell or to exchange house sites with members, rent out or lease buildings for common use, surrender or accept surrender of houses of house sites.
  - iv) To purchase and sell to members requisite material for construction and repair of houses.
  - (v) To establish and carry sanitary, social, educational and recreation all activities for the benefit of the members.
  - vi) To raise funds, and to give loans to members for the construction of houses by themselves or on their behalf.
  - vii) To prescribe house plans.

- viii) To undertake measures to spread knowledge of co-operative principles and practices.
  - ix) To undertake other such activities as are conducive to the attainment of the above objects.
5. Subject to the provisions be eligible for admission as a member of the Society, if he is.
- (i) over 18 years in age and of sound mind ;
  - (ii) Ordinarily resident in the Punjab.
  - (iii) of good character ;
  - iv) intends to build a house for his own use in the area of operation of the Society.
6. No individual shall be eligible for admission as members of the society, if:-
- (i) he has applied for bankruptcy.
  - (ii) he has been declared as an insolvent; or
  - (iii) he has been sentenced for any offence involving dishonesty or moral turpitude within 5 years preceding the date of his admission as a member :
- 6A After Registration it will be compulsory for the cooperative housing society to become a member of Housefed before it starts functioning.
7. After registration of the society the President of the Committee shall be competent to admit new member of the society subject to the approval of an authority as may be prescribed by the Registrar Co-operative Societies Punjab. Final approval of such member shall be obtained from the committee in its meeting. If the Committee refuses to admit a person, it shall record its reasons for such refusal and communicate them to the person concerned. Any person who has been refused admission, shall have the right of an appeal to the Registrar within 60 days of the date of communication of refusal.
- 7A No Cooperative Housing Society shall ordinarily refuse to grant to its member permission for transfer of his occupancy right in the property of the cooperative housing society unless the transferee is otherwise not qualified to be a member :
- Provided that nothing contained in any agreement, contract or the bye-laws regarding eligibility for membership stipulated therein shall apply to a nominee, heir or legal representative of the deceased member for his admission to membership of the cooperative housing society.
- Provided further that aforesaid transfer in case of leasehold land shall be governed by the provisions of the perpetual lease of land.
- Provided further that General Body of the Society may impose any other conditions regarding such transfer by a majority of not less two third of its members present and voting.

A person on transfer of flat/plot from an existing member will step into his shoes subject to the provisions of Bye-laws and such other conditions that can be imposed in pursuance of the provisions mentioned herein above. All such transfers would be approved in the meeting of the Executive committee of the Society to be held from time to time. All transfers of membership would thereafter be incorporated in the register of members of the Society.

- 7 C (i) An appeal against the orders/decision of the Co-operative housing society refusing permission for transfer shall lie with the Registrar, Cooperative Societies within thirty days from the date of refusal.
8. No member shall be admitted during 15 days preceding the date fixed for any general body meeting of the society at which office-bearers are to be elected.
9. Every member on admission shall sign his name or make his thumb-mark in the register of members and shall pay an admission fee of Rs.10/-
10. (i) Every member of the society shall nominate a person to whom his share or interest or such sums out of share or interest as may be specified by the members, shall on the death of the member be transferred or paid as laid down in these bye-laws.
- (ii) Such nominations may, from time to time, be revoked or modified by the member.
- (iii) The number of persons who may be nominated by a member shall not exceed the number of shares held by the member.
- iv) When a member of the society nominates more than one person, he shall as far as practicable, specify the amount to be paid or transferred to each nominee in the terms of whole shares and the interest accruing thereon.
- (v) The record of nomination shall be kept by the society in such manner as may be laid down by the Registrar from time to time.
- (vi) The value of the share or interest transferred or paid to a nominee or nominees shall be determined on the basis of the sum actually paid by the member to acquire such share or sum interest.
11. (a) A member may be expelled for one or more of the following reasons.
- (i) ceasing to possess qualification laid down in bye law no.5.
- (ii) ceasing to reside in the area of operation of the society ;
- (iii) failure to pay the share-money or amounts due from him to the society ;
- (iv) conviction of a criminal offence involving dishonesty or moral turpitude ;
- (v) applicant for bankruptcy ;

(vi) an action which may be held by the general body to be dishonest or contrary to the interests reputation and stated objects of the society.

(b) No member shall be expelled except by a resolution passed by 2/3 majority in the general meeting at which not less than half the members are present and vote.

The member so expelled shall have the right of appeal to the Registrar against the decision of the general body within one month of the date of such decision.

12. A person shall cease to be a member of the society/committee of the society in one or more of the following circumstances :

(i) Death ;

(ii) Ceasing to hold at least one share ;

(iii) Withdrawal in accordance with the procedure laid down in bye-law No. 18 of these bye-laws.

(iv) Permanent insanity ;

(v) Declaration of bankruptcy.

(vi) Who sells his/her houses/dwelling Unit/plot allotted by the society or transfer his/her interest share to some other person.

Declaration of cessation shall be made by the Assistant Registrar Co-operative Societies concerned after making inquiry.

12. A After completion of allotment of land/flat to the members of the society at a particular site, the non-allottee members of the society would exercise one of the following two options :

(a) If the majority of the non allottee members so desire by an application duly signed by them, the society will be bifurcated into two societies having the same name and followed by words (First and Second) All contributions made by these non-allottee members to the society including their share will be transferred to the new society of non-allottee members within a period of three months from the date of Bifurcation; or

(b) In case of non-allottee member do not exercise the options (a) above within three months from the date of completion of allotment of land/flats to the members of the society at a particular site, he will automatically cease to be a member of the society and the society will refund all his dues and contributions.

#### **LIABILITY**

13. The liability of a member for deficit in the assets of the society, in the event of being wound up, shall be limited to five times the value of the share capital subscribed by him.

## **FUNDS**

14. The society may raise funds by :-

- (i) issuing of shares of value of Rs.100/- each;
- (ii) acceptance of deposits from members and non-members ;
- (iii) raising of loans ;
- (iv) accumulation of profits;
- (v) Reserve and other funds ;
- (vi) Grants and subsidies.

15. Each member shall take atleast one share of the value of Rs.100/- at the time of admission, payable in lumpsum, cooperative.

16. No member shall hold shares of which the nominal value exceeds Rs.10,000/- or 1/5th of the total share capital actually subscribed whichever is less. If any member by inheritance or otherwise becomes possessed of more than the maximum holding permitted by this rule, the managing committee shall have power to sell the excess number or buy them on behalf of the society and to hold the proceeds at his disposal.

17. If the payment due on account of shares remains unpaid, for more than 3 months, the managing committee may declare such shares forfeited together with all payments made thereon and the rights of membership attaching to those shares shall thereupon be extinguished. The committee may allow such shares to be restored provided :-

- (i) that all arrears together with such interests as the committee may demand are paid up, and
- (ii) that such payment is made within three months of the date of forfeiture.

18. No member of the Society shall ordinarily be permitted to seek withdrawal of refund of his share. But the Managing Committee of the Society may, after creating share transfer fund out the net profits of the Society may, after creating share transfer fund out the net profits of the Society, allow withdrawal of shares provided that such withdrawal shall not, at any time, exceed 5% of the aggregate paid up shares capital of the Society, excluding Government contribution if any as it stood on the 30th June of the preceding year.

19. The value of shares transferred shall in no case be more than the sum received by the Society in payment thereof.

## **MAXIMUM CREDIT LIMIT**

20. The maximum credit limit of the society shall be fixed by the General Body in accordance with the instructions laid down by the Registrar from time to time. The limit thus fixed shall be subject to the approval of the Registrar who may, at any time, reduce it.

#### **GENERAL BODY**

21. All the members of the society on a given date shall meet constitute the general body of the Society.
22. The general body of the members of the Society shall meet from time to time and at least once a year. A meeting of the general body shall be convened by the Secretary of the Society under the direction of the Managing Committee. A general meeting shall be convened, if the requisition for such a meeting signed by not less than one fifth of the total members, is received by the Managing Committee. If on the receipt of the requisition the Managing Committee fails within 30 days time to convene the general meeting the signatories to the requisition may refer the matter to the Registrar who may, if he thinks fit, summon the general meeting. The Registrar, may on his own motion, at any time, summon a general meeting of the society.
23. At least a fifteen days clear notice specifying the date, place, time and agenda of the General meeting shall be given :-
- (a) by affixing a copy of the notice at the office of the Co-operative Society.
  - (b) (i) by circulation of the notice book and getting signatures of members on it.
  - (ii) by sending the notice to the members by post under postal certificate ; or
  - (iii) by beat of drum in the area of operation of the Co-op. Society provided that the area of operation consists of one village only.

The quorum for the general meeting shall be one-fourth of the total number of members of 500. Whichever is less. If, at the hour fixed for a general meeting, the quorum is not forthcoming the Chairman of the meeting shall, if the meeting has been called on the requisition of the members, adjourn it and no further general meeting shall be convened on the strength of the requisition. If the general meeting is convened otherwise than on requisition of the Chairman shall postpone the meeting to a further date. A fresh notice for the subsequent general meeting shall be given to all members. The business at the subsequent general meeting may be transacted with the number of members present.

24. The president or, in his absence. The Vice President shall preside over meetings of the General Body; when both of them are absent the members present shall elect a Chairman for the meeting.
25. Every member of General body shall have one vote. Voting by proxies shall not be allowed at the General Body unless otherwise provided in these bye-laws, all questions shall be decided, by a

majority of votes of the members presents. When the votes are equal, the Chairman for the general body shall have a casting vote.

26. Unless otherwise provided in these bye-laws the ultimate authority in all matters relating to the administration of the society shall vest in the General body.
27. Without prejudice the general provisions of the proceeding bye-laws, the General body shall have the following powers and duties:-
  - (i) The election of the elected members of the Managing Committee.
  - (ii) The consideration of the annual report of the society. Its audited balance sheet and profit and loss account and the inspection notes.
  - (iii) disposal of profit ;
  - (iv) the fixation of the maximum credit limit of the society consistent with these bye-laws, subject to the approval of the Registrar ;
  - v) The fixation of the maximum credit for each member provided that such limit shall not be more than that laid down in the Registrar's instructions, this limit may be exceeded with the special sanction of the Registrar in each case.
  - (vi) Amendment of bye-laws as per law and rules.
  - (vii) Sanction of the plan of construction of house in common use of the society, and of general lay out of the housing plans and streets, roads and drains;
  - (viii) To sanction contribution and levies of members for common services rendered by the Society.
28. Each member present shall be entitled to exercise one vote only. In case of equal votes the President shall have a casting vote.
29. All business discussed or decided at the general meeting shall be recorded in a proceedings book which shall be signed by the Chairman of the meeting.

#### **MANAGING COMMITTEE**

30. The managing Committee of the society shall consist of not more than 7 members of the society.
- 30-A. The 1st Managing Committee should be nominated by the Registrar, Co-operative Societies, Punjab.
31. No person shall be eligible for election as a member of the Managing committee of the society if he :-
  - (a) is below 21 years of age or ;

- (b) is a paid employee of the Society or the financing Bank ; or
- (c) is convicted of any offence involving dishonesty or moral turpitude and a period of 5 years has not elapsed since his conviction ; or
- (d) has applied for insolvency ; or is declared insolvent ; or
- (e) is of unsound mind ; or
- (f) is in default in the payment of the sum due to this or any other Co-operative Society for a period exceeding three months from the date on which the payment fell due ; or
- (g) holds any office of profit under society or recovered by honorarium ; or
- (h) is interested directly in any contract with the Society in any sale or purchase made by the Society privately or in auction.

32. The committee shall be elected in the manner laid down in the Act, the Rules and the instructions issued by the Registrar in this regard from time to time. The Committee shall hold office for 5 years. An interim vacancy caused by resignation or otherwise shall be filled by re-election for the un-expired period of the term of the Committee.

33. A member of a Committee shall cease to hold office if he :-

- (i) ceases to be a share-holder of the society ; or
- (ii) applies for insolvency or is declared insolvent ; or
- (iii) is convicted of any offence involving dishonesty or moral turpitude ; or
- (iv) holds any office or office of profit under the Society or received any honorarium from the Society ; or
- (v) resigns and his resignation is accepted by the committee ; or
- (vi) absents himself from three consecutive meetings of the Managing Committee; or
- (vii) defaults in the payments of his sums due to this or any other Co-operative society for a period exceeding 3 months from the date on which the payment fell due ; or
- (viii) becomes a paid employee of society or of the financing bank ; or
- (ix) acquires an interest directly or indirectly in any contract with the Society or in any sale or purchase made by the Society privately or in auction.

Note :- A member of Managing Committee shall be ceased through a declaration made by the Registrar on this behalf issued after satisfying himself that the member is liable to be ceased under the

bye law, the Act and the Rules and after giving the member concerned due opportunity to explain his position.

34. The members of the Managing Committee shall elect from amongst themselves the President and the Vice-President, whose term shall be coterminous with the term of the Committee.
35. The Meeting of the Managing Committee shall be held when necessary. Three members shall form a quorum. The President or the Vice-President or in his absence a member elected by those present in a meeting shall preside. Unless otherwise provided in these bye-laws, all questions shall be decided by a majority of votes. Each member shall have one vote. In case of equal votes, the Chairman shall have a casting vote.
36. The Managing-Committee shall exercise all the powers and discharge all the duties of the society except those reserved for general body subject to any regulations or restrictions duly laid down by the society in general meeting or in the bye-laws. In particular the Managing Committee; shall have the following powers and duties :-
  - (i) To observe in all their transactions, the Act the notified rules and the bye-laws ;
  - (ii) To maintain true and accurate accounts of all money received and expended and stock brought and sold;
  - (iii) To keep a true account of the assets and liabilities of the society ;
  - (iv) To keep a register of member correct and up-to-date;
  - (v) To prepare and lay before the annual general meeting a profit and loss account and audited balance sheet ;
  - (vi) To examine the account, sanction contingent expenditure and supervise the maintenance of the prescribed register ;
  - (vii) To consider inspection notes of the Registrar and his staff and the audit notes of Chief Auditor and his staff and to take necessary action.
  - (viii) To elect new members, to issue new and transfer old shares ;
  - (ix) To arrange for the recovery of shares installments and interest on overdue installments ;
  - (x) To give directions to Secretary to summon general meeting in accordance with these bye-laws;
  - (xi) To contract loans subject to any restrictions imposed by the general body or by the Registrar ;
  - (xii) To decide the terms on and periods for which the loans are to be given, approve or reject the security, to arrange for the recovery of loans and interest and to sanction renewals when necessary.

- (xiii) To decide the terms on, the period for rates of interest at which deposits are to be received and to arrange for the payment or return of deposits.
- (xiv) To watch that loans are applied to the approved purpose for which they are made.
- (xv) To assist the inspections of the books by any person authorised to see them ;
- (xvi) To appoint, suspend, dismiss or punish employees subject to any conditions laid down by the Registrar from time to time and to take proper securities from them as determined by the Registrar ;
- (xvii) Through any member, or officer, or employee of the society or any other persons specially authorised to institute, conduct defend compromise refer to arbitration, or abandon legal proceedings by or against the society or committee or officers or employees concerning the affairs of society ;
- (xviii) to acquire on behalf of the society shares in other registered Cooperative Societies ;
- (xix) To arrange for the safe custody of books and appoint one of its members or one of the officers of the society resident in the village to take charge of the registers and papers prescribed in these bye-laws and send the original charge report on this behalf to the office of Assistant Registrar.
- (xx) To appoint one of the members of the committee to take charge of all money received and generally to carry on the duties of a appointed shall handover the money thus received to the treasurer immediate on his return ;
- (xxi) to accept or reject the resignation from the Committee
- (xxii) To invest the surplus funds of the society in accordance with the Co-operative Societies Act or Rules framed there under ;
- (xxiii) To purchase or acquire land by exchanges, lease or otherwise for the construction of the house.
- (xxiv) To sell, let out or lease house sites to members for the construction of the house.
- (xxv) To lay out roads and drains and arrange other utility service as water supply and electricity etc. subject to sanction of the general body.
- (xxvi) To purchase and sell material for construction and repair of houses.
- (xxvii) To assess contributions and impose levies for common services rendered by the Society subject to the confirmation of general body.
- (xxviii) To sanction house plan.
- (xxix) Generally to carry on the business of the society.

37. It shall be competent for the Managing Committee to frame subsidiary rules for the conduct of the business of the Society consistent with these bye-laws. Such subsidiary rules shall be entered in the minute book of the society and shall take effect only after their approval by the Registrar.
38. The Managing Committee may constitute an executive consisting of not more than 5 Managing Committee members and delegate it such of its powers and functions as it considers fit.
39. In the conduct of the affairs of the Society the members of Managing or Executive Committee shall exercise the prudence and diligence of ordinary men of business and shall be responsible for any loss sustained through Acts contrary to the laws, the bye-laws, and the stated objects of the Society.
40. All business discussed or decided at a meeting of the managing or Executive Committee shall be recorded in a proceeding book which shall be signed by the Chairman of the meeting and all the members of the committee present.

#### **SECRETARY**

41. The secretary of the society shall be appointed by the Housefed, but he will work under the supervision and control of the Committee of the society. The powers and duties of the secretary shall be .
  - (i) To maintain correctly and up-to-date the prescribed papers and registers ;
  - (ii) To procure from borrowers the due execution of bonds with security when required under these bye-laws;
  - (iii) To prepare all receipts, vouchers and documents required by the Rules or the bye-laws or called for by the Committee;
  - (iv) To sign on behalf of society and to conduct its correspondence ;
  - (v) To summon and to attend General meeting.
  - (vi) To record the proceedings of such meetings and have them duly signed;
  - (vii) To prepare the annual statements and submit them to the Registrar within the period prescribed by him ;
  - (viii) To control the staff under him ;
  - (ix) To certify copies of entries in the books under the Co-operative Societies Act;
  - (x) To incur contingent expenditure within limits fixed by the Managing Committee.

- (xi) Generally to conduct the current business of the Society and perform all duties entrusted to him by the Committee.

#### **TREASURER**

- 42. Treasurer shall be elected by the Managing Committee out of its members and he shall take charge of all money received by the Society from any source shall take disbursement in accordance with the directions of the Committee. He shall sign the cash book in taken of its corrections and produce the cash balance whenever called upon to do so by the President. Committee or Auditor or any office of Cooperative Department. The treasurer shall be required to furnish a cash security and tangible security as may be prescribed by the Registrar.

#### **REGISTERS**

- 43. The following books and papers shall be maintained:-
  - (i) A register of members.
  - (ii) Cash book.
  - (iii) Ledger account for each member, depositor, miscellaneous and contingent income and expenditure and purchase and sale of any goods etc.
  - (iv) Qishtbandi.
  - (v) Proceedings book.
  - (vi) Share list or register of shares.
  - (vii) A register of sureties.
  - (viii) A register showing maximum credit of such member.
  - (ix) A Stock Register.
  - (x) A pass book for each member and depositor.
  - (xi) Any other register prescribed by the Registrar or by the transport authorities or required by the society for its business.
- 44. The books of the society shall be open to inspection to any interested in the funds of the society except that no one shall be allowed to see the deposit account of any person with that person's consent in writing, Copies of bye-laws and the balance sheet shall be supplied free on demand to any member.
- 44 A The society intending to undertake the purchase of land for construction of flats/distribution of plots to its members will prepare triplicate set of record particularly of Register of members, Proceeding

book and Cash book and send a copy of the same to the concerned Assistant Registrar, Cooperative Society and District Manager, Housefed on monthly basis.

**45. CONSTRUCTION OF HOUSES.**

- (i) The construction of houses shall be undertaken, by the members themselves, but if the members so desire, the Managing Committee may undertake construction at the expense and risk of the members. When the Managing Committee undertake construction of houses it shall require the member concerned to pay to the Society in advance the whole of estimated cost whether in lump sum or in such installment as the Managing Committee may require. If a building is to be constructed out of a loan or loans taken from the Society, the borrowers concerned shall execute the necessary bond or bonds and authorise the Managing committee to draw the money from the Society from time to time as work progress.
- (ii) The construction of a building, for which a loan is given to a member shall be commenced within two months and completed within 15 months from the date of disbursement of the first installment of loan. If any member fails to complete or completes the construction in its own hands and complete it, debiting the expenditure to the loan account of member concerned provided the member is unable to establish to the satisfaction of the Managing Committee that the delay was due to circumstances beyond his control.
- (iii) The houses constructed by the members out of loan received from the Society shall be liable to periodical checking by the Managing Committee as to its construction valuation as may be determined by it.
- (iv) Allotment of plots/flats will be only made in the presence of Registrar, Cooperative Societies, Punjab or his nominee.

**46. BAR AGAINST ALIENATION**

No member shall alienate any house site bought or house constructed with the help of loan taken from the Society except to a member of the Society. Such alienations will be under conditions as may be laid down by Managing Committee.

**47. REPAIR OF BUILDING**

Every building shall, until the amount due their on to the Society is paid in full, be kept up on good repair by the owner. The Managing Committee shall have power to cause any repair by the owner. The Managing Committee shall have power to cause any repair to be carried out if they are of the opinion that for want of such repair the Society is likely to suffer loss and shall debit the amount to the loan account of the member concerned.

**LOANS**

- 48. Applications for loans shall be made to the Society. Such application shall be sanctioned by the President of the Committee, the loan will be disbursed after obtaining the final sanction of the Managing Committee.
- 49. No loan shall be given except for the construction of new dwelling houses.

**DISBURSEMENT OF LOANS**

- 50. Loans granted for the construction of new houses shall be disbursed only in installments as the work of construction progress. The second and subsequent installment shall be given only after the Managing committee has satisfied itself that the installment or installments already drawn have

been properly utilised that the work actually done together with the value of the land brought upto date represents expenditure exceeding by atleast 25 percent of the actual amount already drawn from the loan sanctioned for the work.

51. Loan and cash credit shall be given only to members. No person shall claim a loan or cash credit as a matter of right. No loans shall be advanced to a member who is in arrears of his share installment or is a persistent defaulter.

**52. SECURITY FOR LOANS**

- (i) Loans shall given on the security of the site or sites belonging to the borrower together with any building or other appurtenances thereon whether they exist at the time of the loan or/are constructed during the currency of the loan, where necessary the managing committee shall take additional security either in the form of personal sureties or other immovable property.
- (ii) Only the first mortgage of the house sites or house buildings shall constitute the security.
- (iii) Houses given in security shall be insured against fire for their full value. The insurance premium shall be paid by the borrower failing which the Society may pay and debit the amount to the concerned member.

**53. REPAYMENT OF LOANS.**

- (i) Every member who has taken a Loan from the Society shall repay the amount together with the interest due thereon by equated monthly installments. The monthly payments shall be paid on or before the 15th of the month succeeding that to which it relates. The maximum period of repayment shall in no case exceed 20 years.
- (ii) It shall be open to the borrows to repay a large payment of whole loan borrower from the society at any time.
54. If a loan is not applied to the purpose for which it is borrowed the Managing Committee shall be competent to recollect immediately. All loans shall be issued subject to the right of the society to recall them without notice when any loss is apprehended through a weakening of the borrower's financial position.
55. The rates of interest on loans to be charged by the Society shall be fixed by the general body. Such rate or rates shall come to force after they are approved by the Registrar. The Registrar may, on his own motion direct the Society to vary its rate of interest and such direction shall be binding on the society.
56. With the previous approval of the Registrar the Society may have more than one rate of interest in respect of loans for particular object. but no discrimination shall be exercised in the rate of interest for the loans advanced for the same purpose at the same time.
57. The Society may with the prior approval of the Registrar fix, penal rate of interest to be charged in respect of loans in whose repayment there is a default

**DISTRIBUTION OF PROFITS**

58. The net profits of the society, as per audited balance sheet shall be distributed as follows :-
- (i) Atleast 10 percent shall be carried to the Reserve Fund;
- (ii) Such proportions, not exceeding 5 percent of the net profits shall be carried to the Co-operative Education Fund to be administered in accordance with the' instructions from the Registrar issued from time to time,

- (iii) The remainder may be utilized for one or more of the following purposes:
    - (a) distribution of dividend amongst members at a rate not exceeding 10 percent per annum on the value of the shares actually paid up :
    - (b) distributions of bonus amongst employees not exceeding three month's salary:
  - (c) a sum not exceeding 5 percent of the net profits may be spent on any charitable purpose as defined in section 2 of the Charitable Endorsement Act, 1890 or be allotted to a Common Good Fund devoted to any of these purpose.
  - (d) Creation of Bad Debut Fund. Building Fund, or any other fund required by the society
  - (iv) Any surplus may be credited to Reserve Fund, or carried to the profits of the next year.
59. It shall be competent for the society to incur expenditure on such measures as are conducive to the imparting of knowledge of co-operative principles and practices. For this purpose the society shall contribute to the Punjab State Coop. Dev. Fed. Ltd. every year such amount not exceeding Rs. 10/- as may be directed by the Registrar.
60. The Reserve Fund shall be indivisible and no member shall be entitled to claim a specific share in it, provided that, in exceptional circumstances, with prior approval of Registrar, the Reserve Fund may be utilised in meeting losses.

#### **AMENDMENT OF BYELAWS**

61. Subject to the provisions of the Act and Rules no amendment to these bye-laws shall be carried out save in accordance with a resolution passed at a general body meeting of which due notice of the intention to discuss the amendments have been given;
- Provided further that model bye-laws or amendments previously approved by the Registrar may be adopted by a simple majority at a general meeting with an ordinary quorum.

#### **MISCELLANEOUS**

62. The society shall pay such audit fee as may be assessed from time to time by the authority competent to do so.
63. If the society is indebted to a co-operative central financing institutions. it shall be competent for a representative of the latter to inspect the books and record of the society and the Managing Committee of the society shall arrange the production of books and record before such representative.
64. The services of the members of the Managing Committee shall be honorary, but he may be paid travelling and daily allowance on a scale fixed by the committee and approved by the Reigstrar.
65. Should any doubt arise with regard to the interpretation on any of these bye-laws, the matter shall be referred to the Registrar whose decision shall be final.
66. (a) No person shall be employed by the society unless he satisfies the qualifications that may be laid down by the Registrar from time to time.
- (b) No person shall be employed by the Society without obtaining from him security in such form and according to such standards as may be laid down by the Registrar from time to time.
67. If any dispute, other than a dispute regarding Disciplinary action taken by the society or its managing committee against a paid servant of the society, touching construction or business of the society arises between the members and past members of the society or the persons referred to in

the relevant provisions of the Punjab Cooperative Societies Act and the Rules framed thereunder. It shall be disposed of in the manner provided in such an Act and the Rules.

68. The society shall maintain such accounts and other record connected with amounts In such form or manner as may be directed by the authority competent to do under the, Cooperative Societies Act.
- 69 The Society shall prepare and submit such returns and statement as Registrar may from time specify.
70. The society may, in the circumstance specified by the relevant provisions of the Co-operative Societies Act, be wound up and cancelled by the Registrar in accordance with the procedure laid down by such an Act and the Rules framed thereunder.
71. In these bye-laws, unless there is anything repugnant to the context, the Registrar shall include an officer subordinate to him and authorised by him on his behalf.