

78



NEW DELHI HOUSE FLAT OWNERS
ASSOCIATIONS (Regd.)
NEW DELHI



(Registration No. 40272 of 2001)

MEMORANDUM OF ASSOCIATION
AND
RULES & REGULATION
SEPTEMBER, 2001

C

[Handwritten signature]
4/1/2001
b/w Court to ...

48

NEW DELHI HOUSE FLAT OWNERS ASSOCIATION
MEMORANDUM OF ASSOCIATION

1. THE NAME OF THE SOCIETY : New Delhi House
Flat Owners
Association
2. The Registered Office of the Society shall be in
Union Territory of Delhi and at present is
located at New Delhi House, 27 Barakhamba
Road, New Delhi - 110001.

3. AIMS AND OBJECTS

The Objects for which the Society is established
are as under :

- a) To look after the welfare and safe guard the
interest of the Flat Owners in all matters such
as Security, Water, Electricity, Fire Fighting,
Roads and Passages, cleanliness and unkeep;
day to day maintenance of building and
equipment fitted therein, including Lifts, and
to make suitable arrangements for proper
functioning of these tasks.
- b. As and when it becomes necessary to attend
to major works such as structural defect to
the building and then to have done by
appropriate agency under supervision of
Qualified Body, and collect funds for such work
from the members and occupiers of
miscellaneous areas, on perorate basis, and
keep account there to.

C
V/E
14/12/13

c. To extend Co-operation to the New Delhi Municipal Council, Delhi Administration, Central Government, and other Govt. Departments and undertakings, for promoting the Aims and Objects of the Association.

d. To collect funds from the Members and other agencies to carry out aims of the Association.

All the income earnings, movable, immovable properties of the society shall be solely utilised and applied towards the promotion of its aims and objects only set forth in the Memorandum of the Association and no profit on thereof shall be paid or transferred in any manner whatsoever to the present or past member of the Society or to any persons claiming through any one or more of the present or past. No members of Society shall have any personal claim on any movable or immovable properties of the Society or make any profit, whatsoever by virtue of his membership.

4. GOVERNING BODY :

The names, addresses, occupations and designations of present members of the Governing Body to whom the management of affairs of the Society are entrusted as required under section 2 of the Societies Registration Act XXI of 1860 (Punjab) amended Act 1957, as extended to the National Capital Territory of Delhi are as follows :

C
1/4/12/13



S. No.	Name	Address	Occupation	Designation
I.	Maj. Gen. K.K. Mehta	D-304, Defence Colony New Delhi	Retired	President
II.	S.C. Sabharwal	B-5/7, Vasant Vihar New Delhi - 110 057.	Business	Secretary
III.	Lalk Kapoor	G-2, Bhagwan Das Nagar East Punjabi Bagh New Delhi - 110 026.	Profession	Treasurer
IV.	P.S. Mangla	G-6/61, Safdarjung Dev. Area, New Delhi	Business	Member
V.	R.N. Sood	49/4, Rajpur Road, Civil Lines, Delhi.	Business	Member
VI.	R.J. Sanger	43, Salekh Farms Ashoka Avenue New Delhi - 110 062	Business	Member
VII.	Pardeep Gandhi	25/13, East Patel Nagar New Delhi - 110 008.	Business	Member

5. We the undersigned are desirous of forming Society named New Delhi House Flat Owners Association under the Societies Registration Act, XXI of 1860 (Punjab) amended Act 1957 as extended to National Capital Territory of Delhi in pursuance of this Memorandum Of Association.

100001
14/1/17
REGD.
Dist. Court 25.11

S.N.	Name	Address	Occupation	Signature
I.	Maj. Gen. K.K. Mehta	D-304, Defence Colony New Delhi.	Retired	Sd/-
II.	S.C. Sabharwal	B-5/7, Vasant Vihar New Delhi - 110 057.	Business	Sd/-
III.	Lalit Kapoor	C-2, Bhagwan Das Nagar East Punjabi Bagh New Delhi - 110 026.	Profession	Sd/-
IV.	P.S. Mangla	C-6/61, Safdarjung Dev. Area, New Delhi.	Business	Sd/-
V.	P.N. Sood	49/4, Rajpur Road Club Lane, Delhi.	Business	Sd/-
VI.	K.J. Sanger	43, Sairoh Park Ashoka Avenue New Delhi - 110 002.	Business	Sd/-
VII.	Fardeen Qandhi	25/13, East Patel Nagar New Delhi - 110 008.	Business	Sd/-

Witness Sd/-

Witness Sd/-

C

14/12/17

**RULES & REGULATIONS OF
NEW DELHI HOUSE FLAT OWNERS ASSOCIATION**

1. The name of the Society is New Delhi House Flat Owners Association.

2. **MEMBERS**

The owners of Flat in New Delhi House, 27 Barakhamba Road, New Delhi shall be the member of the society.

3. **ADMISSION AND QUALIFICATION FOR MEMBERSHIP**

Every flat owner (or Spouse) in the said New Delhi House multi-storeyed building will be a member. If the flat is owned by corporate body / firm, one authorised person will be a member. If owned by a Trust, one of the Trustee will be a member of the Association. In case flat is jointly owned by persons any one of the joint owner (or spouse) will be member of the Association.

The executive Committee may elect upto 4 members by a 2/3rd majority for one year as honorary members from persons of distinction.

4. **SUBSCRIPTION**

The Committee may from time to time fix the rates of subscription and admission fee for members. Present admission fee is Rs. 100 and annual subscription is Rs. 500 to be paid in April of every year.

5. **CESSATION OF THE MEMBERSHIP**

Any member who ceases to be owner of flat in

C

1/11/2017

New Delhi House shall cease to be member of the Association.

If any member refuses or neglects to comply with the provisions of the Society or is guilty of such misconduct as the Committee deems likely to endanger the interests of the Association, such member shall be liable to expulsion or suspension for such period as the committee may fix by a resolution provided that not less than 2/3rd of the committee present at such meeting shall have voted in favour of the same. There upon at least fourteen clear days notice of such a resolution of expulsion or suspension shall be given in writing to the party who shall be at liberty to give an explanation to present defence in writing within 30 days of the resolution being served upon him. Refusal to accept the service of notice shall be regarded as service of that notice. The explanation of defence in writing if any, shall be considered in another meeting of the committee and if 3/4th of the members of the committee present at such meeting vote in favour of expulsion than the resolution will be considered as adopted. On the adoption of such resolution the member shall forthwith cease to be member of the Association and shall not have any claim against the Association.

6. RE ADMISSION

A member removed from the list of membership under rule 5 may be re-admitted by the committee by a 3/4th majority of the members of the committee present at the meeting.

COPY TO COPY

Dr. _____

4/4/12/17

P.H. Court



64

7. RIGHTS AND PRIVILEGES OF MEMBERSHIP

To receive the notices for General Meetings along with Annual Report and Accounts of the association.

To vote and elect or get elected to Executive Committee of the Association.

8. GENERAL BODY

The Annual General Meeting of the Association shall be held not later than 9 months from the closing of Annual Accounts. The Secretary shall give not less than 10 days notice of the meeting to all the members and shall circulate with the notice copy of the agenda and annual accounts. The business transacted at the meeting shall include:

- i) The adoption of the Annual Report.
- ii) Passing of the Audited Statement of Accounts.
- iii) The election of office bearers and members of the executive committee.
- iv) Appointment of Auditors.
- v) Any other matter with permission of the chair.

9. SPECIAL MEETINGS OF THE ASSOCIATION

i) Special meeting may be called at any time by a resolution of the Committee or on a requisition in writing of a least one fourth of the members or in the discretion of the President to consider such matters as may be mentioned in the resolution or requisitioner or as may be indicated by the President. The Secretary shall give not

C

14/12/17

less than 14 days notice of such meeting to all the members and shall also circulate with the notice, a copy of the Agenda.

ii) In case of any emergency, the President in his discretion may convene a meeting at a shorter notice.

iii) Votes may be taken either by show of hands or by ballot as may be decided by the Association. All matters shall be decided by a majority of votes, provided that no amendment to the constitution shall be made unless it is carried by a majority of at least $\frac{3}{4}$ th of the members present and voting.

iv) The minutes of all the meetings of the Association shall be recorded by the Secretary. At each meeting the minutes of the previous meeting shall be confirmed after considering any objection that may be raised.

v) At all General Meetings of the Association, fifteen or $\frac{1}{4}$ th of the members on the roll of the Society, whichever is less, shall form the quorum. If at any meeting there is no quorum, the meeting shall stand adjourned at the same time and at the same place a week later. No quorum shall be necessary for the adjourned meeting.

vi) Except for want of quorum, no meeting of the Association once summoned shall be postponed or cancelled unless $\frac{3}{4}$ th of the members ask for postponement or cancellation.

vii) Notices of resolution to be brought up at the

C
19/12/13

General Meeting shall be given in writing to the Secretary not later than one month before the date of the meeting. These shall be incorporated in the Agenda or sent separately as supplementary agenda if received after the issue of the regular agenda.

10. MANAGEMENT

EXECUTIVE COMMITTEE

The affairs of the Society shall be managed by a committee called the Executive Committee (which may hereinafter be referred to as the 'Committee') which shall consist of (i) President (ii) Vice-President (iii) General Secretary (iv) Treasurer (v) Joint Secretary and not less than two and not more than six members elected from year to year by the Society in a General Meeting by vote, which shall either be by ballot or show of hands as may be decided by the majority of the members present at that meeting. Each member shall have one vote.

All the above appointments shall be in an honorary capacity and no honorarium shall be paid but they will be reimbursed in full for all out-of-pocket expenses incurred by any of them in furtherance of management of the Society. All the office bearers will remain in office till the election of new Executive Committee.

In the event of any casual vacancy in the membership of the executive committee, the remaining members of the committee may fill that

COPY TO COPY

14/12/17
P.H. Court

vacancy by nomination. The person so nominated shall hold office till the next annual general meeting.

If any member of the committee absents himself from three consecutive meetings of the executive committee for a continuous period of six months, whichever is longer, without leave of absence, the committee may declare his office vacant and appoint another member in his place. This will be deemed to be a casual vacancy.

The executive committee shall be elected every year but any outgoing member shall be eligible for re-election.

II. POWER AND DUTIES OF EXECUTIVE COMMITTEE

The executive committee shall exercise the following powers :

a) All the affairs of the Association shall be conducted by the Executive Committee and it shall be the duty of the Executive Committee to see that the General Provisions of the constitution and the regulations and the bye-laws of the Association are complied with in all respects.

The Executive Committee shall sanction and control expenditure and shall generally supervise and conduct the business of the Association.

c) The Executive Committee shall hear and decide all questions submitted to it. All its decisions shall be complied forthwith; but an appeal therefrom may be filed with the Association by any member who is dissatisfied with the decision of the Executive Committee, which shall be

COPY TO GOVT
Dt. 14/12/13

Examined
DU COURT

decided by the General Body with 3/4th majority by votes in person or proxy.

The Executive Committee shall meet not less than three times in a year and shall meet at least once in four months.

e) Time and place for such meetings shall be fixed by the President and a notice shall be issued by the General Secretary to each member of the Executive Committee at least 5 days before the date fixed for such a meeting. The Agenda for the meeting shall be sent along with the notice of the meeting.

Three members present shall form a quorum in the meetings of the Executive Committee.

f) To admit to membership of the Association persons, firms corporate bodies applying for membership in accordance with rules of the Association.

g) To fix from time to time the rates of subscription and admission fee for the members.

h) To elect standing committee as it may think necessary for carrying on the work of the Association.

i) To appoint adhoc committee as when it is deemed necessary.

j) To prepare the Annual Report for submission to the General House.

k) To prepare the Audited Statement of Accounts for submission to the General House.

COPY TO COPY

14/12/13

- 1) To file the list of Executive Committee Members with the Registrar of Societies on or before the 14th day of holding the Annual General Meeting.
- m) To hold control and administer the property and funds of the Association.
- n) To frame bye-laws in accordance with the rules of the Association.
- o) To make rules for the conduct of the business of the Committee.
- p) To consider and decide matters not covered by the rules.
- q) To collect funds for the purpose of the Association and employ the same in such a manner as may be considered desirable for the objects of the Association.
- r) To open bank accounts in any Scheduled bank with their operation jointly by any two of President, General Secretary and Treasurer.
- s) To receive, lend, borrow, grant receipts or otherwise to draw, accept negotiate cheques and/or draft, bills and negotiable instruments, cheques and open and operate accounts with bank or banks, to own, take on lease or rent land or buildings and to sub-let or relinquish the same.
- t) To appoint or dismiss employees of the Society. To remunerate any person or persons for the services rendered or to be rendered to the Association.
- u) To appoint auditors and to fix their remuneration.

COPY FILED
14/12/13

1) To take such other steps as may be necessary or re-exporting to carry into effect the objects of the Association. 1

2 OFFICE BEARERS - FUNCTIONS AND DUTIES :

a) PRESIDENT

The president shall exercise general supervision over the working of the Society. He shall preside over all the meetings of the Association and of any Committee of which he is a member. In case of equality of votes he can exercise an additional casting vote. If, in the opinion of the President, any emergency has arisen which requires that immediate action should be taken, he shall take such a action as deem necessary and shall report the same in the next meeting of the Association or the Committee whichever in the ordinary course would have dealt with the matter, and get the matter approved.

b) VICE PRESIDENT

The Vice President shall in the absence of the President shall exercise all the powers of the President

c) GENERAL SECRETARY

He shall be the Secretary of the Association & Executive Committee and of all other committee and sub-committees of the Association, unless the executive committee nominates a different Secretary or Convenor for any of its Sub-Committee. He shall carry on correspondence on behalf of the Association, and give effect to the resolutions of the Executive Committee

and the General Body. He shall issue notices of meetings and record minutes of the same and shall be responsible for the maintenance of all records. He shall also be responsible for the maintenance of other records or registers as well as the custody of all papers of the Association and for carrying out other duties that may be entrusted to him.



d) **TREASURER**

He shall exercise general supervision over the funds of the Association. He shall receive all subscriptions and donations etc. and keep regular accounts of receipts and disbursements. He shall submit to the Association at its annual general meeting a statement of the receipt & expenditure and the audited balance sheet approved by the executive committee.

13. **SUB-COMMITTEE**

The Executive Committee may appoint sub-committee(s) for specific purpose and delegate its powers to the said committee(s) as considered necessary. The composition of the sub-committee shall be from within the members of the Executive Committee.

14. **SOURCE OF INCOME AND UTILISATION**

The society shall derive income from contribution from members and occupants of flats and other areas in the building New Delhi House, 27 Barakhamba Road, New Delhi. The society shall accept donations and contributions from others.

The income and property of the Association, where

C
10/2/13
102

ever derived shall the objects of the ASSOCIATION as set forth in the objects of the ASSOCIATION, and no portion thereof shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the ASSOCIATION. Provided however that nothing therein shall prevent the payment in good faith of remuneration to any other person, in return for any services actually rendered by him to ASSOCIATION.



15. **AUDIT OF ACCOUNTS**

The accounts of the society shall be audited by Chartered Accounts annually. The executive shall appoint the auditors and fix their remuneration.

16. **OPERATION OF BANK ACCOUNT**

The association shall open bank accounts in any Scheduled bank with their operation jointly by any two of the following :

President
General Secretary
Treasurer.

17. The Executive Committee shall file the list of Executive Committee Members with the Registrar of Societies on or before the 14th day of holding the Annual General Meeting, as required under section 4 of the Societies Registration Act 1953.

18. The Society may sue or sued in the name of the President or Secretary and in default in the name of such person as shall be appointed by the Executive Committee.

C

✓
14/12/13

103