

ECHS BY- LAWS

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CHAPTER –1

EXPLANATIONS AND OBJECTIVES

1. Name of the Society

- a. The Society shall be called “Engineers Cooperative Housing Society, (ECHS) Islamabad”. Its head office’s present address shall be G-8/1 (I&T Centre) Islamabad.
- b. Any change in address will be communicated to Registrar Cooperative Societies Departments ICT Islamabad under proper receipt and all members within 30 days.

2. Definitions. In these by-laws unless there is any thing repugnant in the subject or context:-

- a. Member means “Member” for the purposes of the instant rules, means a member of a Society who is either a plot holder in the Society or has deposited at least one installment for a plot in the Society.(Rule 2 (I) (g) of Election Rules 2004).
- b. Society" means the Engineers Cooperative Housing Society Islamabad.
- c. "Act" means "Cooperative Societies Act, 1925" and "Rules" means “Cooperative Societies Rules, 1927”.
- d. "Registrar" means a person appointed to perform the duties of Registrar under the Act and Rules, whereas, "Registrar Islamabad” means "Registrar Cooperatives, Islamabad Capital Territory, Islamabad.
- e. All other words and expressions which have been used but not defined in these bylaws shall have the same meanings as have respectively been assigned to them in the Act and Rules,

3. Area of Operation

- a. The Society will operate within the jurisdiction of the area of the Institution of Engineers (Pakistan) Rawalpindi –Islamabad Centre.
- b. It can, with the prior sanction of the Registrar, ICT Islamabad, establish its housing scheme or office in that area only.

4. Objectives. The main objectives of Society are to promote the economic interest of its members particularly: -

- a. To lay out, establish and maintain a residential Colony for its members, if need be, to extend it and take other necessary steps for this purpose.
- b. To arrange, buy or otherwise acquire land, houses, buildings or other property, whether movable or immovable by purchase, lease, mortgage, acquire under Land Acquisition Act or otherwise for the purpose of carrying out the objects of the society provided that:-
 - (1) Prior approval of Registrar, ICT Islamabad will be necessary for all these activities.
 - (2) Determination of site for housing scheme will be with the prior approval of General Body and Registrar, Islamabad.
 - (3) Any amendment or alteration/ change in the housing scheme will be similarly

subject to the decision of General Body and Registrar, ICT Islamabad.

- c. To bring into existence and to construct, manage and maintain works, services and other institutions of various kinds for the benefit and convenience of the members residing in the Colony with particular stress on following:-
- (1) Minimum one Primary School, which will subsequently be up-graded to High School.
 - (2) Minimum one Mosque, Library-cum-Reading Room and Community Center.
 - (3) One Free Dispensary. In addition the Society shall provide facilities to a private medical practitioner for the establishment of well-equipped hospital within the colony.
 - (4) Provision of transport facilities for the members.
 - (5) Provision of Post, Telegraph and Telephone facilities within the colony.
 - (6) To construct independent markets in all residential blocks of the colony and to sell or lease out the business premises therein to the members. In addition, the Society shall provide facilities for the establishment of a Main Shopping Center, Poultry, Dairy and Fish Farms at suitable sites in or around the colony.
 - (7) To regulate the construction and maintenance of all buildings, roads (all to be metalled), underground sewerage, water supply system, electric distribution lines and running gas supply.
- d. To sell, mortgage, give on lease, land, houses, house sites, buildings and other properties of the society, movable or immovable for the common benefit of the members, subject to the approval of General Body and Registrar, ICT Islamabad as may be necessary. The approval of Registrar will not be required for allotment /registration/lease of plots in favour of members.
- e. To construct buildings for public use and to undertake other utility projects for the convenience of members.
- f. To allot plots to members as per approved Master Plan. Allotment of plots will not be made till the approval of Master Plan of the housing scheme from the concerned Authority. When once the allotment is so made, the allotted plot or its site or its area shall not be changed without the prior consent of affected members. If any change is otherwise inevitable, the approval of the General Body Meeting and Registrar, ICT Islamabad will be compulsory.
- g. At the time of registration, the society shall submit an action plan/feasibility report in which following information shall be given:-
- (1) Proposed site of the society.
 - (2) Proposed size of land to be purchased by the society.
 - (3) Proposed number of plots, size wise.
 - (4) Total number of members to be enrolled. This number shall not be allowed to exceed the number of plots, at any cost.
 - (5) Any other relevant information considered necessary by the Circle Registrar.
- h. To do generally all such incidental things or acts as may be considered necessary for or conducive to all or any of the aforesaid objects.

- j. To adopt other measures designed to encourage among members the spirit and practice of thrift, self-help and mutual help**

CHAPTER –II

MEMBERSHIP – ELIGIBILITIES, LIABILITIES & FINANCES

5. **Membership.** The members of the Society shall be member of Institution of Engineers Pakistan with B.Sc. (Graduate Engineer) as basic qualification. The membership shall consist of:-
- a. Persons who join in the application for registration.
 - b. Persons admitted in accordance with the by-laws.
 - c. One nominee of Registrar, Cooperatives, and ICT shall be ex-officio member of the society without holding a share or incurring any liability.]
6. **Eligibility.** Terms and conditions for membership of the society shall be as under:-
- a. Corporate Engineer members of the Institution of Engineers (Pakistan) are eligible to apply.
 - b. 10% quota for Non-Engineers. (For allotment of plots only).
 - c. Non-Engineers, regular employees of ECHS with more than 5 years service, are eligible to apply for balloting. They shall be considered at par with engineer member for balloting and allotment of plot but shall not be entitled to contest election or cast vote.
 - d. Every Member of the Society must be:-
 - 1) Of good character.
 - 2) Of not less than 18 years of age except in case of a minor legal heir of a deceased member.
 - 3) Holder of at least one commercial/residential plot in the Society.
 - e. Application for membership shall be in writing on the prescribed form. Such application will form part of register of members. Every member on admission shall pay the share money specified in the by-laws, which will be non-refundable. He will also pay Rs.500/- as admission fee, which after approval of membership, shall not be refundable.
 - f. On admission, each member will be issued a membership certificate which will be on prescribed form. In case it is misplaced or lost, a duplicate certificate will be issued on payment of a prescribed fee i.e. Rs. 500/-
7. **Termination.** Membership shall be terminated in the event of:-
- a. Death of a member.
 - b. Ceasing to hold at least one full share.
 - c. Withdrawal after six months notice to the Secretary, provided that the member in question is not indebted to the Society and is not a surety for an unpaid debt.
8. **Expelling.** A member may be expelled for:-
- a. Failure to pay the share money, development charges or debt from him to the society in accordance with these Bye laws.
 - b. Insolvency or application for insolvency.
 - c. Becoming persistent defaulter or intentionally doing any act detrimental to the interests of the Society or willfully disobeying any bye laws or decision of the Society (of

Managing Committee or General Body) or of any properly appointed officer of the society.

- d. Gravely misusing any dwelling occupied by him in the Society or habitually acting in disgraceful manner or in a manner which causes serious offence to his neighbors.
- e. Conviction for a criminal offence involving, dishonesty or moral turpitude and resulting in imprisonment for 6 months or more.
- f. Membership shall cease for violating the Bye-laws of the ECHS as enacted from time to time.
- g. Expulsion by the Registrar, Cooperative Societies ICT Islamabad, under the rules.
- h. If a member is expelled from the society, the value of his share or interest shall be paid to him after two years, after deducting the amount of society dues against him.

Note: In case of sub-sections given above, the member shall be served with a show cause notice at the given address and reply received in time will be taken into consideration before final decision by the Managing Committee.

9. **Liability.** On liquidation, to make up any deficit in the assets of the society, the liability of the members shall be limited to ten times of the value of shares purchased.

10. **Capital and Finances** The capital and finances shall consist of :-

- a. An undetermined number of shares of the value of Rs. 100/- each but not more than 10 shares in the name of a single member.
- b. Development of land charges as assessed by the competent authority.
- c. Loans, gifts, donations and grants from Government or other agencies.
- d. Supervisory, storage or other charges.
- e. Realized profits.
- f. Deposits from members without interest.
- g. Donation from members and non-members.
- h. Fees, fines, penalties, damages etc., which are previously approved by the Registrar.
- j. Income received from movable and immovable properties.
- k. Such contribution and charges from members which are passed in the General Body Meeting and are approved by the Registrar Cooperatives ICT Islamabad.

11. **Loan Acceptance.** The acceptance of loans from non-members shall be subject to such restrictions as the Registrar may impose from time to time.

12. **Application for Membership.** Application for membership will be in writing on the prescribed form, will be considered after ascertaining that the members fulfill all the stipulated conditions. Every member on admission shall pay Rs. 500.00 as Admission Fee which shall not be refunded in any case and Membership/Registration Fee Rs. 1,000/- which is non-refundable.

13. **Shares.**

- a. Every member will have to purchase at least one full share amounting to Rs.100/-, which will be paid in lump sum at the time of admission which is non refundable.

- b. Members desiring to have residential plots will have to purchase shares at the following rates:-

	<u>Size of plot.</u>	<u>Shares to be purchased</u>
(1)	Upto 5 marlas	One share
(2)	6 to 10 marlas	Two shares
(3)	11 marlas to one Kanal	Four shares
(4)	More than one kanal but less than two kanals.	Eight shares
(5)	Two kanals or more	Ten shares

- c. Members desirous to have commercial plots will have to purchase shares at the following rates:-

	<u>Size of plot.</u>	<u>Shares to be purchased</u>
(1)	Upto 3 marlas	Two shares
(2)	Above 3 marlas to 5 marlas	Three shares
(3)	More than 5 marlas	Five shares.

14. **Transfer of Share.** A member or nominee or successor of a deceased member may transfer his/her share to another member or to an applicant qualified for admittance under the bye laws and approved by the Managing Committee. Application for transfer of shares shall be on the prescribed form and accompanied by the share certificate concerned unless the Managing Committee dispenses with this condition. The Managing Committee may refuse to transfer any share without assigning any reason.

15. **Share Holding.** No individual members shall hold shares, the value of which exceeds Rs. 20,000/- or 1/5th of total share capital of the society which ever is less. If any individual member by inheritance or otherwise becomes possessed of more than the maximum holding permitted by this rule, the Managing Committee shall have the power to sell the excess number of shares and to hold the proceeds at its disposal.

16. **Share Disposal.** Share shall not be withdrawn, repaid or transferred other than as provided in clause 14, & 15 above.

17. **Allotment of Plots.** Maximum one residential and one commercial plot can be allotted to a member, through ballot. However, it does not limit the number of purchased plots.

18. **Penalty For Non Payment of Dues.** If a member of the society fails to pay the money due from him/her within the prescribed period/time, the society shall proceed as under:-

- a. 1% of due amount per month for 24 months not compounding the penalty, shall be charged against all late payments dues.
- b. After 24 months, 15 days notice shall be served for the payment, thereafter plot allotment shall be cancelled.
- c. For compassionate cases, Managing Committee has the powers to reduce penalty up to 50% and extend due date up to 30 days, which shall be last and final. After given relaxation, plots of the failure, shall be cancelled without any further notice.

COMMITTEES & MEETINGS

General Body Meetings

19. The supreme authority shall vest in the General Body, meeting of which shall be held at least once a year within 3 months of annual audit or as soon thereafter as may be found practicable or at any other time when summoned by the President or by the Managing Committee of their own motion or at the written request of not less than 1/5th of the total members.

20. The General Body Meetings and Meetings of the Managing Committee shall be held at the registered address of the society or at places which the President may like to select. The President and in his absence the Vice-President shall preside over the deliberations of the meeting. In their absence, any member elected by a majority of the present members shall preside.

21. At least 15 days notice of the General Meeting shall be given through any of the leading national newspapers and to all members at their latest address available in the society's record, under postal certificate. Such notice shall specify the date, time and place of the meeting and shall contain summary of the agenda to be considered. No matter will be discussed in the General Meeting which is not included in the agenda.

22. Amendment of bye laws shall be only carried out by 2/3rd of the members present. All other matters shall be decided by majority of votes in a normal meeting. If the votes are equal, the President shall exercise the casting vote to decide any matter.

23. Each member shall have only one vote, no proxies shall be allowed. No member shall have the right to vote if any of the society's charges are due from him.

24. All business discussed or decided shall be recorded and signed by the President or Secretary of that meeting and may be sent to the members.

25. No matter shall be discussed which has not been included in the agenda, provided that the President may in case of emergency, permit the discussion of such fresh matters when the majority of present members so desire.

26. **Quorum** To decide any matter, following quorum shall be required:-

	<u>No of Members</u>	<u>Quorum Required</u>
a.	Upto 100	30%
b.	101 to 200	40 members
c.	201 to 500	20%
d.	501 to 700	100 members
e.	701 to 1000	15%
f.	1001-1500	150 members
g.	1501 to 2000	10%
h.	2001 and above	250 members

27. Following business shall be transacted only in General Body Meeting:-

- a. Amendment of by-laws which will take effect after approval/registration by the Registrar.
- b. Election, suspension and removal of President, Vice President, Treasurer and other members of the Managing Committee.

- c. Fixing of maximum liability to be incurred from the nonmembers, subject to the approval of Registrar.
- d. Affiliation to any other cooperative institution and purchase of its shares. The society will not affiliate with any non-cooperative institution unless it is so permitted by the Registrar.
- e. Consideration of annual reports, inspection notes of the Registrar, Inspector and Audit Report of Auditor and taking necessary action thereon.
- f. Admission and expulsion of members and transfer of shares under the provisions of these by-laws.
- g. Consideration of all account matters and approval of budget and allotment.
- h. Prescription of T.A. scales and meeting allowance for the members of Managing Committee subject to the approval of the Registrar.
- j. Approval to the appointment of the employees as required under the by-laws.
- k. Consideration of any other matter referred to it by the president, managing Committee or the Registrar.
- l. Disposal of profits and creation of funds according to the Act, Rules and By-laws of the Society.
- m. Framing of rules and regulations to ensure the achievement of stated objects of the society and its efficient working especially in respect of: -
 - i. Building Bye-laws.
 - ii. Service Rules.
 - iii. Business Rules.
 - iv. Elections of the Managing Committee will be conducted as per ICT Cooperative Societies Election Rules, 2004.
- n. Doing other acts as required under these by-laws specially approval of site of colony, decision for purchase of land and sale of immoveable property. Approval of Master Plan of colony and later changes in it.

28. **Managing Committee (MC)**

- a. The business of the society shall be carried out by a Managing Committee consisting of 9 to 15 members above the age of 21 years including a President, a Vice President, a Secretary, a Treasurer and other person nominated by Registrar from amongst the members or officers of the department. The nominee of Registrar should have expertise in technical or administrative matters provided he is not loser in elections of Managing Committee.
- b. The above office bearers of the Managing Committee shall hold office on honorary basis and no honorarium or remuneration shall be paid to them. They shall, however, be eligible for payment of transportation charges etc for conducting business of the Society, if transport is not provided by the Society.
- c. The Managing Committee shall be elected for a term of three years. However, members of committee will not be eligible to hold office for more, than two consecutive terms. An individual member may be allowed to contest for the third term with the approval of Registrar, for which the society member will give detailed justification.
- d. If the new election is not held within the fixed time, the committee will be deemed to have been dissolved and all decisions made after that date will be illegal. Registrar will appoint a care-taker committee comprising of five members or an Administrator who will have all the powers of Committee. Administrator or care-taker committee shall hold election for the new committee within 60 days or such other time as is fixed by the Registrar.

- e. Election will be held as per Cooperative Societies Election Rules, 2004.
- f. Registrar shall have the powers to suspend the Committee on account of dishonesty, creating hindrance in the business of the society or due to any other causes e.g. Non-implementation of decisions of Registrar, delay in completion of housing project etc, and appoint one or more person (s) in its place as Administrator who will have all the powers of the Managing Committee provided that Registrar will provide a chance to explain their position by issuing show cause notice to the Managing Committee before issuing such order.

29. **Conditions and Responsibilities.** The members of Managing Committee are to be elected in General Body Meeting. Conditions and tenure will be governed under following requisites:-

- a. Only Engr members can contest election for Managing Committee Membership.
- b. Tenure of each elected member will be 3 years.
- c. Regular attendance of MC meetings shall be obligatory for every MC member, except for extreme emergency cases with prior permission of President / Honorary Secretary.
- d. Three consecutive absentees without permission, shall make the member liable to cease his membership of Managing Committee.
- e. Attendance record of MC Meetings shall be maintained by the Head Office duly signed by Hon Secy & President.
- f. In the case of co-opted member or a member elected in place of another member after the annual election seniority shall count from the date of the annual election on which the member whose place has been filled up either by co-option was originally elected.

30. **Disqualification.** A member of the managing committee shall cease to hold office:-

- a. On disqualification under the bye-laws.
- b. On his not attending three consecutive meetings without permission of the President / Hon Secy or without sufficient cause being shown to the satisfaction of the committee.
- c. If he resigns and his resignation is accepted by the Managing Committee.
- d. Expulsion by a resolution passed in an Annual General Body Meeting by 2/3rd majority of the present members.

31. **Meetings & Attendance.**

- a. Meeting of the Managing Committee shall be held whenever necessary preferably once a month.
- b. The attendance of at least 1/3rd of the Managing Committee Members shall be required for disposal of business.
- c. The President or Vice-President or in their absence one of the other members elected by a majority of those present shall preside.
- d. Each member shall have one vote while the President shall have the casting vote.

32. **Powers of Managing Committee.** The Managing Committee shall exercise all power of the Society except those reserved for the General Body. It shall in particular have the following powers and duties:-
- a. Prescription of pay and TA scales for the employees of the Society and working members.
 - b. Approval of the appointment of the employees.
 - c. Observe in all its transactions, provisions of the bye-laws of the society.
 - d. Keep true and accurate accounts of all the assets and liabilities of the society including money received and spent.
 - e. Admit new members and to keep a register of members correct and upto-date.
 - f. Prepare and lay before the General Body Meeting a profit and loss account, audited balance sheets and the budget.
 - g. Examine accounts, sanction contingent expenditure upto the limit laid down by the General Body and supervise the maintenance of registers.
 - h. Consider the audit and inspection reports of the Auditors.
 - i. Sell mortgage, loan or otherwise dispose of immovable property belonging to the society with the approval of the General Body.
 - j. Fix the amount of imprest money to be kept by the President/Secretary or the Treasurer.
 - k. Enter into agreements or contracts in furtherance of the objectives of the Society.
 - l. Appoint sub-committees from amongst its members or other members of the Society and to delegate any of its powers to them.
 - m. Issue new and transfer old shares.
 - n. Summon General Body Meetings whenever required.
 - o. Sanction posts and employment of person (s) for smooth running of the business with consultation of the President.
 - p. Levy taxes etc for the provision of amenities in the colony.
 - q. Fill vacancies occurring in the Managing Committee before the next General Body Meeting.
 - r. Carry on the business of the Society in the absence of the Treasurer.
 - s. Remunerate any member of the Society other than a member of the Managing Committee for any service rendered or to be rendered to the society.
 - t. Check that the resolutions passed at General Body Meeting are given due effect.
 - u. Accept or reject resignations of its members.
 - v. Prepare a master plan for the development of the colony to assess and collect the development charges accordingly and to carry through its execution properly.

- w. Assist the inspection or audit of books and documents of the society by an authorized person/agency.
- x. Make provision for the inspection of books and accounts of the Society by its members.
- y. Re-allotment /relocation of plots due to changes in Town Plan, if necessitated.

33. In their conduct of the affairs of the Society the members of the Managing Committee shall exercise the prudence and diligence of ordinary men of business and shall be personally responsible for any loss sustained through their gross negligence or through breach of any By -Laws.

34. The proceedings of the Managing Committee shall be recorded in the minutes book of the society and shall be signed by all the members present.

35. To allot residential plot to members through draws in a general meeting and to auction, commercial plots in the presence of a representative of Registrar and on contravention of conditions of allotment, take them back, with prior approval of Registrar. Change of plot if so agreed by members and approve sub-division or plots if allowed under CDA/Local Body Rules.

36. For reason to be recorded, the Registrar may suspend the execution of any resolution or order if illegal or is likely to waste or damage society's fund or property or such proceedings are against Act, Rules or By-laws or against the collective interest of its members. The General Meeting or the Managing Committee may move the Registrar to reconsider his decision.

37. Registrar will be empowered to take punitive measures in case or wrong acts and omissions of the, society or its committee or Secretary or any officers regarding non-compliance of the provisions of Act, Rules or By-laws or directives of the Registrar. These punitive measures will include actions under Section 44-C and 63 of the Act & and Rule 48 or imposition of fines upto any extent.

CHAPTER-IV
DUTIES / RESPONSIBILITIES

Honorary Secretary

38. The Secretary, assisted by a Joint Secretary, shall work under the supervision of the President. Subject to the general and special control of the Managing Committee, the Secretary shall exercise following powers and perform following duties:-

- a. To exercise all powers and all duties as defined by the Managing Committee throughout the tenure or till such time these powers/duties or delegated to any other office bearer by the Managing Committee.
- b. To appoint any person with the consultation of the President for full time or part time for the smooth running of the office and field work of the society.
- c. To look into the proper running of the head and site offices and to take care of the entire works of the society.
- d. To summon with the consent of the President and attend all General Body Meetings, meetings of the Managing Committee and of Sub-Committees and to record the proceedings of all such meetings and get them confirmed in accordance with these Bye Laws.
- e. To carry out the resolution adopted at the meetings and to prepare statements called for by the Registrar, General Body, Managing Committee or Sub-Committees.
- f. To see to the proper execution of all receipts, discharges, acknowledgements, contracts and other documents and to keep such documents in safe custody.
- g. To enter into all agreements and contracts for and on behalf of the society in accordance with the terms settled or approved by the Managing Committee, provided that the Secretary shall have the powers to settle the terms of petty contracts.
- h. To suspend any members of the staff subject to the subsequent approval of the Managing Committee.
- i. To certify copies of entries in books subject to the directions/ instructions of the Committees.
- j. Can sanction an amount not exceeding Rs. 25,000/- at a time, for routine expenditures.
- l. Generally to conduct the business of the society according to its bye laws and the resolutions adopted in General Body Meetings and meetings of the Managing Committee or Sub-Committee.

Treasurer

39. The Managing Committee shall elect one of its members as Treasurer to keep the society's money in his custody and spend the same under its directions subject to the general or special control of the Managing Committee, the Treasurer will perform the following duties:-

- a. Shall receive all the money for and on behalf of and in the name of the society and to give receipts and other effectual discharges in respect of such money and to deposit the same in the Bank.
- b. Shall make payments through imprest money or crossed cheque against vouchers, bills etc, countersigned and attested by the Secretary and duly passed by the President.
- c. To be responsible for the safe custody of banks cheque books, withdrawals, from banks as and when needed under the provisions of these bye laws.
- d. To be responsible for the safe custody and proper accounts of the imprest money.

- e. To prepare and draw up yearly balance sheets, statements of profit and loss and the yearly report.
- f. To complete accordingly all the accounts registers as prescribed in these bye-laws and present the same to the Secretary for countersignatures on the days an entry is made. The register will be presented to the President for check in a manner to be decided by the Managing Committee.

40. Accounts & Money

- a. All money received for and on behalf of the Society shall be deposited in the bank approved by the Managing Committee of the society. All payments shall be made either by cheque or in cash out of the imprest.
- b. The bank account shall be operated jointly by the President / Secretary and the Treasurer. All charges or other instruments executed on behalf of the bank except receipts shall bear the signature of the Secretary.

41. Registers and Ledgers. The following registers and paper shall be maintained and open to inspection of member, interested in the affairs of the society: _

- a. A register of members showing the name, address and occupation of every member, the date of his admission to membership and the nominee appointed by him.
- b. A cash book showing income, expenditure and balance on each day on which any business of the society is done.
- c. A minute book.
- d. A register showing plots held by the society.
- e. A register showing the development schedule and its timely execution.
- f. Any other accounts book or register prescribed by the Managing Committee or the President/Secretary.

42. Safe Custody of Ledgers. The Managing Committee shall appoint one or more of its members as office bearers to take, hold and keep in safe custody all registers and documents prescribed in the bye laws.

43. Audit

- a. The accounts of the society shall be audited at least once a year by an auditor appointed by the Registrar, ICT as stipulated in Clause f (13), of the Co-operative Societies ACT 1925.
- b. Upkeep and maintenance of the Accounts and Audit requirements, is the sole responsibility of Managing Committee.

CHAPTER- V

BUSINESS RULES

44. The society will prepare detailed rules to regulate the business of the society, and get them approved from the Registrar otherwise it will not be competent to do any sort of business. These will include purchase/acquisition of Land and its development to provide infra-structure in the colony in the form of roads, water supply, sewerage, electrification, gas telephone etc. It will also prescribe allotment/auction procedure regarding residential and commercial plots and their handing over to the allottees, Generally the following procedure will be followed: -

- a. All members shall agree in writing at the time of admission to abide by all the by-laws and regulation of the society and all amendments and modifications there of which may be made from time to time.
- b. The society will arrange land for the colony and develop it. The land will then be allotted to the members of the society on the basis of their seniority and in accordance with the approved layout plan. The very moment a bargain is struck by the society, a call will be given to its members for the deposit of the amount regarding the price of land, In the case, of acquisition/purchase of non-developed land it will be followed with the call for the deposit of development charges. It will be imperative upon the members to deposit the stated amount within the time limit. If a member of the Society fails to pay any money due from him/her within the prescribed time, the Managing committee may impose a fine up to 10% of the amount due till a period of three months, after which the Managing committee shall have the powers to cancel the allotment of plot and dispose of the interest of the member after deducting the debt from him/her and the expenses incurred in this connection provided that a previous notice of not less than one month is given to the member in this respect.
- c. The society may decide to impose an extra rate for the corner plots in the residential area, The commercial plots in the colony will be given in open auction and will not be allotted as such.
- d. All plots in the colony as shown in the master plan shall be indivisible and only one building plan shall be approved, for each plot. Sub-division will be allowed in rare cases and that also subject to rules of CDA/local body/authority. Irrespective of the number of genuine owners of any plots, only one person shall become the member of the Society and in case of a deceased member only the unanimously agreed sole, representative of all successors at law will have the right to become members.
- e. All constructions or editions/alterations thereto in the colony shall be subject provisions of the Building By-laws which will be prepared by committee and duly approved by the general meeting and Registrar.
- f. Allottee members shall have proprietary rights of the plots after full cost including development charges have been paid and agreements executed.
- g. An allottee member from the date of possession of plot is taken shall be liable to pay all taxes and impositions whatsoever, which may here-in-after be charged or imposed upon or be payable in respect of the said plot or building construction thereon.

45. **Liquidation.** The Society shall be liquidated only by the orders of the Registrar, ICT. After discharging the liabilities of the Society, any surplus funds shall be applied to such local objects of public utility as may be recommended by the majority of members and or Liquidator if appointed. It will only be done as specifically laid down in Chapter VIII of the Cooperative Societies Act 1925.

46. **Funds.**

a. **Reserve Fund.**

- (1) The Society hereby proceeds to establish Reserve Fund for the furtherance of its purpose. It will be utilized for expenditure on maintenance, repair and renewal of the building of the Society. At least 10 % Net Profit of the Society each year including Accumulated Profits, here-to-fore, shall be carried to the Reserve Fund and such Reserve Fund may be used in the business of the Society or may be invested, subject to the provisions of Section 37 or as the Registrar Cooperative

Societies may, by general or special order direct or may, with the previous sanction of the Registrar, be used in part for some public purpose likely to promote the objectives of the Society.

(2) The General Body in their annual Meeting, every year will decide the exact amount of the Net Profit but not less than its ten percent to be carried to Reserve Fund.

b. **Building Fund.**

(1) If Society proceeds to establish building fund for the purpose of constructing Society Buildings on the priority decided by the General Body, at least fifty percent of its annual Net Profit will be carried to this fund after prescribed statutory contribution have been made to the Reserve Fund.

(2) General Body in their meeting every year will earmark the exact proportion of the Net Profit but not less than 50 percent, to be carried to building fund.

47. **Investment of Fund.** In accordance with Section 37 of the Co-operative Act 1925, the Society may invest or deposit its funds:-

a. In the Govt Savings Banks, or

b. In any of the securities specified in Section 20 of the Trusts Act, 1882, or.

c. In the shares or on the security of any other society, provided that no such investment shall be made in the shares of any society other than one with limited liability, or.

d. With any bank or person carrying on the business of banking approved for this purpose by the Registrar , or.

e. In any other mode permitted by the rules.

CHAPTER – VI

BALLOTING, ALLOTMENT AND TRANSFER PROCEDURE

Balloting/Allotment

48. Balloting Procedure. Endeavors will be made to keep the balloting as transparent and systematic as possible .Procedure as laid down, shall be followed by all concerned:-

- a. Work out the plots available for allotment.
- b. Seek approval of the Managing Committee.
- c. Prior approval by Registrar before announcement in the News Paper.
- d. Terms & Conditions to be clearly mentioned on the Application Form.
- e. Forms for ballot duly machine numbered be issued under strict check.
- f. Terms & Condition for Engrs/Non Engrs be also clarified.
- g. After receipt of Application Forms and compilation , balloting be arranged by the Society, date, time and place be announced through News Papers.
- h. Board for arrangement of Ballot to be detailed by MC.
- j. Ballot will be held and announced in presence of representative of Circle Registrar as well as all applicant members., who desire to be present.

49. Allotment Procedure After compilation of results of ballot, allotment letters be prepared in quadruplicate, i.e. one copy each to the individual concerned, Circle Register, Revenue Officer, and Office Copy having clear conditions/schedule of payment to be approved by MC and issued to all successful members.

Transfer Policy

50. Procedure for Transfer of Plot. To apply for transfer of plot, following documents are required to be submitted:-

- a. Covering letter requesting for transfer of a plot with additional three signatures for signing in the presence of designated officer of Engineers Cooperative Housing Society Islamabad.
- b. Affidavit on Rs. 30/- Stamp Paper (Specimen Annex 'A') duly attested by an Oath Commissioner/First Class Magistrate along with two Photostat copies of this affidavit.
- c. Original Allotment Letter/Transfer Letter.
- d. Photo copy of National Identity Cards of both parties duly attested.
- e. Undertaking regarding loan/mortgage of plot on Stamp Paper value Rs. 30/- duly attested. (Specimen Annex 'B').
- f. In case of Transfer of plot in the name of more than one owner, a consent letter from all the co-sharers is required to be attached, indicating / mentioning the name of the co-sharer with whom the correspondence is to be made (Specimen Annex 'C').
- g. Ensure all dues including Surcharge and Transfer Fee against the plot are cleared.
- h. After 'Sign Before' on the Transfer Documents, the Designated Officer will return the documents to the transferor.

- j. Once Transferor and the buyer (Transferee) have completed transaction for whatever consideration, then the papers may be handed over to the Buyer (Transferee).
- k. The Transferee to pay the transfer fee in the Society's Office. The account branch will make necessary endorsement on the covering letter.
- l. The Transferee to deposit the Transfer Documents in the Society's Office and obtain receipt. The receipt will indicate the date of collection of Transfer Order, which shall issued on 21st day after issue of receipt. In urgent cases transfer can be effected in 3 working days on payment of urgent fee amounting to Rs. 5,000/-.

51. **Contemplations.** Following shall take effect as and when required:-

- a. All fees are subject to change without notice.
- b. Before making out a Pay Order/Bank Draft outstanding dues and current rates of fees be find out from Accounts Branch of the ECHS and clearance certificate be obtained from the Accounts Branch.
- c. Affidavit executed outside Islamabad should be attested by First Class Magistrate (within Pakistan). In case the Affidavit is executed abroad then it should be verified by the designated officer of the Embassy of Pakistan (Abroad). Documents will become valid only after countersignatures from Foreign Office and approval of the District Administration.

52. **Transfer of plot in case of death of a member.**

- a. To apply for transfer to Legal Heirs following documents are required to be submitted:-
 - (1) The Legal Heirs apply for the transfer by giving an application and affidavit (**Specimen Annex 'D'**) on Rs. 30/- Stamp Paper. This should be executed by (Senior) Legal Heir and should be signed by Him/her. For minors their guardians shall sign on their behalf.
 - (2) Attested Copy of Death Certificate.
 - (3) Original title document or application for CTC of Transfer Order etc (which will not be issued to the Legal Heirs but will be attached to the Legal Heirs documents).
 - (4) Fingerprints and specimen signatures of all Legal Heirs on plain paper.
 - (5) Two attested photographs of each Legal Heir.
 - (6) Two attested photocopies of NIC of each Legal Heir.
 - (7) Heir ship Certificate / Inheritance Certificate, issued by District Administration.
 - (8) In case of more than one Legal Heir, a consent letter from all the co-sharers be attached, indicating / mentioning the address on which the correspondence is to be made.
- b. Once the legal heirs' documents have been accepted by the Designated Officer, Legal Heirs should clear the dues and obtain clearance certificate from Accounts Branch of the ECHS.
- c. After clearing the dues, Transfer Documents be deposited with designated officer and a receipt obtained, showing the date of issue of Transfer letter.

NOTE.

- a. After the requirements given above are met, ECHS would scrutinize the papers and hand over / post, draft Press Publication to the Legal Heir for necessary publication in the Newspapers published from Islamabad and the city/province of residence of the member.
- b. Press publications may be published in any of the following newspapers Dawn, The News, The Nation, Jang, and Nawa-i-Waqt. Complete page of the newspaper containing the advertisement be provided to the Society's Office with other documents.
- c. Affidavit executed outside Islamabad should be attested by First Class Magistrate (within Pakistan). In case the Affidavit is executed abroad then the designated officer of the Embassy of Pakistan (Abroad) should verify it.

53. Transfer Procedure where there are more than one plot and more than one legal heirs.

a. For Transfer of First Plot.

- (1) Transfer fee to be charge one time only.
- (2) Membership fee, to be charged from all as they all would become member of the society.
- (3) Community funds, one time only.
- (4) Mosque fund one time only.
- (5) Share money, to be shared by all legal heirs.
- (6) Admission fee, all to pay.

- b. For remaining plots, since they have already become the member by virtue of transfer of First plot, only transfer fee, community fund and mosque fund to be charged one time only for each plot.

54. Where there is only one plot and more than one legal heir. Rule 61 a. above, shall be adopted.

55. Transfer to Legal Heirs of Deceased Member. The transfer of plots is first to be done in the names of all the legal heirs of the deceased member. After that the shares of various members, i.e. legal heirs can be transferred to one or more nominated members for which they have to appear before the Authorized transfer officer as per standard transfer procedure. In case of legal heirs being abroad his/her/their original power of attorney authorization affidavit has to be endorsed by the competent officer of Pakistan Mission in respective country.

56. Transfer in Case of General Power Attorney (Live Member). The members residing in Pakistan and intending to transfer their plot to someone have to personally appear for signing required transfer documents. In case the member is residing Ex-Pakistan and intends to transfer through GPA. His GPA has to be attested at Pakistani High Commission/Embassy of Foreign Affairs Pakistan. Further the GPA shall be sent by ECHS to Ministry of Foreign Affairs for confirmation of their verification after which the plot transfer shall be preceded. If Foreign office does not confirm GPA verification then the same shall be sent to respective Pakistani Embassy / High Commission for their verification.

57. Procedure for Plot Transferring Members who are Unable to Appear Before Plot Transferring Authority/Authorized Officer. Members intending to transfer their ECHS plot who are unable to appear before plot transferring authority or an authorized officer due to illness or any other valid reason, the authority or authorized officer shall personally go to get the transfer papers signed in

his presence subject to payment of Rs. 5,000/- fee to ECHS along with payment of TA/ DA of ECHS transfer authority/officer.

58. **Transfer Instructions.** Detail Transfer Instructions will be provided to all desirous members as guidance. These shall be available in the Transfer Branch of the Head Office in shape of a printed Form. **Specimen attached as Annex 'E'.**

59. **Documents Required for Possession of Plot.** Following are required at the time of handing over possession of plot:-

- a. Copy of National Identity Card duly attested.
- b. Copy of allotment Letter.
- c. Possession Form (2 copies) **(Specimen Annex 'F')**
- d. Prescribed dues **(Annex 'G')**
- e. Application for the provision of Site Plan/ Possession (To Hon Secy ECHS).
- f. Handing over Possession Fee Rs. 5,000/-

60. **Documents Required for Approval of Drawings.**

- a. 5 x Sets of Drawings prepared by the approved Architect.
- b. Copy of allotment letter.
- c. Copy of Site Plan.
- d. Copy of ID Card.
- e. Prescribed dues.
- f. Bearing Capacity report.
- g. All these documents are to be deposited with the Society.

61. **Documents required for issuance of Duplicate Allotment Letter.**

- a. Application for issuance of Duplicate Allotment Letter by the allottee on plain paper.
- b. Affidavit on Stamp Paper valued Rs. 30/- (duly attested by Notary Public).
- d. Indemnity Bond on Stamp Paper valued Rs. 30/- (duly attested by Notary Public).
- e. Photo copies of NIC of applicant and two witnesses (duly attested).
- f. Advertisement for loss of original allotment letter in the Daily Jang, Nawa-I-Waqt (Complete News paper).
- g. Bank Draft for Rs.500/- per plot in favour of ECHS.

62. **Registration and Transfer Fees.**

a. **Members . Categories & Respective Registrations Fees.**

- (1) Category 'A' (Engineers registered with IEP/PEC) – Rs. 2,000/-
- (2) Category 'B' (Non Engineers) – Rs. - 10,000/-
- (3) Category 'C' (Gift to Wife/Husband, Children and Parents only, inheritance to legal heirs) – Rs. 1,000/-

- (4) Category 'D' (ECHS Employees) - Rs. 1,000/-
(5) Mosque Fund (All Categories) - Rs. 500/-

b. **Plot Transfer Fees.**

- (1) Category 'A' & 'D' - Rs. 20 /- per sq yd
(2) Category 'B' - Rs. 30/- per sq yd
(3) Category 'C'
i. Gift hiba - Rs 5/- per sq yd
ii. Death case - Rs 2/- per sq yd

Note: These Fees can be changed without advance notice as and when necessary after approved by the Management Committee.

63. **Construction & Buildings Bye Laws- ECHS.** All construction in the Society by the members shall be governed by the Construction & Buildings Bye Laws of ECHS, to be formulated on the lines similar to "CDA Building Bye-Law".

64. **Fee & Charges.** All fees and charges are subject to change as and when approved by Management Committee.

65. **Savings.** Any change in the by-laws, as and when necessitated, can be recommended by the Managing Committee for approval by Annual General Body Meeting and shall be incorporated accordingly.

Note:- "Previous bye-laws will remain valid till date. These bye-laws will govern from the date of Registration/issue.

RATIFICATION

We, the mentioned below members of the Managing Committee, have gone through the updated Bye laws of ECHS and found them appropriate. These bye-laws are recommended for registration by the Circle Registrar Cooperative Societies Deptt, ICT, Islamabad subject to approval by the Annual General Body Meeting :-

1. Signature _____
Name _____

2. Signature _____
Name _____

3. Signature _____
Name _____

4. Signature _____
Name _____

5. Signature _____
Name _____

6. Signature _____
Name _____

7. Signature _____
Name _____

8. Signature _____
Name _____

Recommended for Approval

(Engr Col (R) Inayat Elahi , Hon Secy)

APPROVED BY

(Maj Gen (R) Hidayat Ullah Khan Niazi, President ECHS)

Annex-'A'

ON STAMP PAPER WORTH RS 30

By the Seller

I _____ NIC No _____ S/D/W of _____
of adult, Muslim / _____, resident of _____,
do hereby
solemnly affirm and undertake as under:-

1. That I am the present allottee of Plot No _____ Sector _____ Street No _____
Size _____ in Engineers Cooperative Housing Society Islamabad vide allotment letter No _
dated _____.

2. That I have transferred my rights of the above mentioned plot to _____
NIC No _____
S/O _____ Resident of _____
on _____.

3. That I have delivered rights of the above mentioned plot to transferee, who has accepted the
same in his favour and has taken over the rights of the plot No _____ Sector _____,
Engineers Cooperative Housing Society Islamabad with effect from _____.

4. That whatever is stated above is correct and true to the best of my knowledge and belief.

In witness whereof I have hereunto set and subscribed my hands at Rawalpindi/Islamabad on _____
day of _____ 2005.

Signature _____
Name _____
NIC No _____
S/O _____
R/O _____

Witness No. 1

1. Signature _____
Name _____
NIC _____

Witness No. 2

2. Signature _____
Name _____
NIC _____

Annex 'B'

UNDER TAKING FOR

LOAN MORTGAGE OF PLOT
IN ENGINEERS COOP HOUSING SOCIETY ISLAMABAD

I _____ SO /D/W of _____ NIC _____
adult, Muslim _____ resident of _____ do hereby
solemnly affirm and undertake as under:-

1. That I am the present allottee/transferor of Plot No. _____ Street _____/Lane _____ Size _____ or thereabout, situated in Engineer Cooperative Housing Society Islamabad and the same are still subsisting.
2. That I have not been issued No Objection Certificate for Mortgage or sale or plot.
3. That I have not drawn any loan against the plot or Mortgaged the plot.
4. That whatever is stated above is correct and true to the best of my knowledge and belief.

IN WITNESS WHERE OF I have here unto set and subscribed my hands at Islamabad on _____ 2005.

Deponent

Signature _____
Name _____
NIC _____
S/O _____
R/O _____

Witnesses No.1

1. _____
(Name _____)
NIC _____

Witness No. 2

2. Signature _____
Name _____
NIC _____

Annex 'C'

ENGINEERS COOPERATIVE HOUSING SOCIETY – ISLAMABAD
SPECIMEN AFFIDAVIT

(To be typed on Rs 20/- Non Judicial stamp paper)

I/We _____ s/o _____ d/o _____ w/o

_____ Muslim, adult, resident of

_____ in possession of my full faculties and by my
own free will and without any coercion or duress, do hereby solemnly affirm and declare as under: -

1. That We/I am duly registered in Category “ _____ ” with the Engineers Cooperative Housing Society, Islamabad, vide registration No. _____ and we/I was allotted/transferred a plot of land bearing No. _____ measuring _____ in the said Society.

2 That on account of natural love and affection which we/I bear to my minor son/daughter namely Miss/Master _____ we/I, _____ on _____ in the presence of have gifted away the whole/ _____ share in the above said plot to my/our said minor son/daughter who is now owner of the same.

3. That we/I have also handed over complete possession of my said plot through his/her father/mother Mr/Mrs _____ r/o _____ who is also natural guardian of the minor on the same date i.e. _____ alongwith all relevant documents pertaining to the plot.

4. That the said gift had been accepted with possession thereof on behalf of the said minor on the said date in the presence of the witness above named and since then the ownership of the whole/ _____ share of the said plot has been vested in the name of the said minor.

5. That the name of the said minor (Donee) Miss/Master _____ should be accordingly entered in the records of The Circle Registrar and the Engineers Cooperative Housing Society – Islamabad, as owner/co-owner to the extent of his/her share in the said plot.

6. That we/I have No right, title or interest in the whole/ _____ Share of the plot as gifted by me/us, and Miss/Master _____ is the owner of the same since _____

7. The we/I understand that having transferred by way of oral gift the said plot/share in the said plot, we/I cannot claim another/or a second allotment of plot in the said Society.

8. That whatever is stated above is true and correct to the best of my/our knowledge and belief.

DEPONENT

Annex 'D'
SPECIMEN AFFIDAVIT

ENGINEERS COOPERATIVE HOUSING SOCIETY – ISLAMABAD
LEGAL HEIRS

I/We _____Widow /Father/Mother/Son/Daughter
etc _____

of Late _____

R/O _____ do hereby state on solemn affirmation as under:-

That late _____ was a bonafide member of the Engineer Cooperative Housing Society – Islamabad Membership No _____ and was allotted/Transferred a plot No _____, Street _____ Sector _____ Measuring _____ Sq Yds , He /She being a SUNNI/SHIA Muslim died on _____, a Death Certificate is enclosed. He/She left behind the following legal heirs under SUNNI/SHIA Muslim Law:-

1. _____ F/O _____ Age _____ Years
(Name of Deceased Father) (Name of Deceased Member)
2. _____ M/O _____ Age _____ Years
3. _____ W/O _____ Age _____ Years
4. _____ S/O _____ Age _____ Years
5. _____ S/O _____ Age _____ Years
6. _____ B/O _____ Age _____ Years
7. _____ D/O _____ Age _____ Years
8. _____ Sister/O _____ Age _____ Years

That whatsoever is stated is true to the best of my/our knowledge and belief.

DEPONENT

Annex 'E'
TRANSFER OF PLOT
(INSTRUCTION SLIP)

1. To apply for transfer of plot following documents are required to be submitted: -
 - a. Covering letter requesting for transfer of a plot with additional tree signatures for signing in the presence of Engineers Cooperative Housing Society, Islamabad (Specimen attached).
 - b. Affidavit on Rs. 30/- stamp paper (Specimen attached duly attested by an Oath Commissioner/First Class Magistrate alongwith two photo sate of this affidavit.
 - c. Original Allotment Order/Transfer Order/Division Order.
 - d. Photocopy of National Identity Cards of both parties.
 - e. Undertaking regarding loan/mortgage of plot (specimen attached).
 - f. In case only intimation Letter has been issued, transfer of plot can be undertaken through an application for issuance of Allotment Order and Cancellation in name of new owners.
 - g. In case of Transfer of plot in the name of more than one owner, a consent letter from all the co-shares is required to be made (Specimen attached).
2. Ensure all dues on the plot are cleared.
3. After 'Sign Before' on the transfer documents, the Designated officer will return the documents to the transferor.
4. Once you (transferor) and the buyer (transferee) have completed transaction for whatever consideration, then the papers may be handed over to the buyer (Transferee).
5. The Transferee to pay the transfer fee in the Accounts Counter. The Account Branch will make necessary endorsement on the covering letter.
6. The buyer (transferee) to deposit the Transfer Documents at the Reception (veranda) and obtain a receipt. The receipt will indicate the date of collection.

Note:

1. All fees are subject to change without notice.
2. Before making out a Pay Order/Bank Draft please find out the outstanding dues and current rate of Fee from Accounts Counter.
3. Affidavit executed outside Islamabad should be attested by First Class Magistrate (within Pakistan). In case the Affidavit is executed abroad then it should be verified by the designated offer of the Embassy of Pakistan (Abroad).
4. Although the sale agreement is not required to be submitted alongwith the transfer documents please ensure that a proper sale agreement is executed between the transferor and the transferee in which the agreed price is to be noted.
5. Transfer may like to indicate the mode of payment to the transferee in advance to avoid any complications at the last minute.
6. In case you desire your case to be processed on urgent basis, on payment of requisite emergent fee, please contact the Director Administration for necessary endorsement before paying the fees/submitting the documents at the counter.

Annex 'F'

ENGINEERS COOPERATIVE HOUSING SOCIETY ISLAMBAD
APPLICATION FOR POSSESSION OF PLOT

To: Honorary Secretary
Engineers Cooperative Housing Society
G-8/1 (I&T Centre) Islamabad

Subject: **DEMARICATION OF PLOT**

Dear Sir,

Please demarcate my plot No. _____ Street _____ Sector _____ Size _____ and hand over to me/my authorized Attorney. Photo copy of National Identity card duly attested and original allotment /Transfer letter are attached. Bank draft for Rs. _____ as demarcation fee is also attached.

Best regards.

Signatures _____
(Owner/Attorney) _____

Member ship No _____
Owners Name _____
Address _____
NIC _____

PART – I

Demarcate the plot and fill in the following:-

Longer dimensions (1) _____ ft bounded by _____
(2) _____ ft bounded by _____

Shorter dimensions (1) _____ ft bounded by _____
(2) _____ ft bounded by _____

Area of plot _____ Sq Yds

Standard, excess/Short by _____ Sft/Sq yd

Sub Engr

Assistant Engineer

PART – II

1. Certified that the ownership is legal.
2. All dues cleared by the applicant.
3. Possession may be handed over.

Surveyor/Assistant Engineer

Project Manager

PART – III

Hand over physically.

Project Manager

Honorary Secretary

PART – IV

Possession handed over on _____

Asstt Engr _____

Possession taken over on _____

Owner/Attorney _____

Project Manager _____

Honorary Secretary _____

COUNTERSIGNED

President _____

Annex 'G'

SUMMARY OF VARIOUS CHARGES/FEEES

<u>Sr. No</u>	<u>Description</u>	<u>Fees</u>
1.	Possession/demarcation	Rs. 5,000/-
2.	Water Connection (Water Charges at actual, monthly billing)	Rs. 1,000/-
3.	Approval of Drawings for Construction	RS. 2,500/- +(Rs. 1/- per sq.ft of covered area)
4.	Inspection Charges for each stage of construction	Rs. 500/-
5.	Temporary/Single Phase Electric Connection for Construction. (Electricity Charges as prescribed by Managing Committee)	Rs. 1,500/-
6.	Permanent Electric Connection (Three Phase) (Connection Cost at Actual as given in Demand Note)	Rs. 2,000/-
7.	Sewer Connection	Rs. 1,000/-
8.	Issuance of Completion Certificate	Rs. 1,500/-
9.	Fine for each Construction Violation ((Also, the Violation to be set right at the cost of the Owner)	Rs. 5,000/-
10.	Service charges for sewerage	Rs. 150/-
11.	Service Charges for Water Supply (Or, as prescribed by the Managing Committee, from time to time)	Rs. 350/- pm. (Or, as prescribed by the Managing Committee, from time to time)