

**COOPERATIVE GROUP HOUSING SOCIETIES IN HARYANA**  
(Do's and dont's for members and managing committee members of Group Housing Societies)

There are large number of Co-operative Group Housing Societies functioning in different town of Haryana and are catering to housing needs of its members. The working of these societies is governed by the Haryana Cooperative Societies Act, 1984, the Haryana Co-operative Societies Rules, 1989, the registered Bye-laws of the society and various Rules of HUDA. The basic principle for smooth working of the Co-operative Group Housing Society is that there should be transparency in its working and member's participation in decision making process. The following is an attempt to educate Committee Members and members of Co-operative Group Housing Societies about DO's AND DON'Ts for smooth working of their societies. **The following must be read in the context of Haryana Cooperative Societies Act,1984, Rules 1989 and Bye-laws of the Cooperative Group Housing Societies.**

Do's

**(1) MEMBERSHIP AND ADMISSION PROCESS:**

- Aspirant member should apply to the President / Secretary of the society in prescribed proforma available in the Bye-laws;(Model Bye-laws No.4)
- An affidavit shall be taken to the effect that the applicant fulfills all the conditions of Act, Rules, Bye-laws and HUDA;
- Admit only those persons as members having required qualifications i.e. of 18 years of age, is of sound mind and fulfills all conditions prescribed in the Bye-laws of the society and as well as in the scheme of HUDA; (Model Bye-laws No.3)
- Obtain colored photograph of the person applying for membership;
- Only Managing Committee can admit member by passing valid resolution and shall dispose of the application for admission as member within 30 days and agenda for such meeting where new member is to be enrolled should invariably be sent to all Committee Members including RCS nominee. (Model Bye-laws No.4)
- The admission of a member shall be made in compliance with instructions issued by RCS, Haryana vide letter No. 10/5/05/Gen-I/214-50 dated 18-01-2011.
- Communicate the decision of acceptance or refusal of membership and if it is refused then record the reasons in the resolution and communicate to the applicant. (Model Bye-laws No.4)
- Admit members only to the extent of plots/tenements/dwelling units/flats available in the society. (Model Bye-laws No.4)

- Obtain permanent & postal address of the applicant member alongwith proof of residence and communicate the list in this regard to the concerned ARCS;
- Communicate every change in permanent or postal address of members to the concerned ARCS within 15 days of such change;
- Entries in Membership Register alongwith addresses and signature of members shall be made on admission;
- Admission fees and requisite shares shall be taken at the time of admission;
- Issue share certificates to members as early as possible and not later than 6 months;

**(2) TRANSFER OF SHARES:**

- While transferring the shares from one member to other, no refund of share money be given.
- No transfer of shares shall be allowed unless such shares have been held by the member for at-least two years.(Section 22 of HCS Act,1984)
- While transferring shares, conditions stipulated in the bye-laws and as well as in the policy framed by HUDA shall be followed.
- The cases of deletion/addition in the original membership, the proposal of such change shall be got approved in the General Body Meeting of the society by issuing notice to all the members alongwith detailed agenda notes and shall also specify any change in size and construction of flats. The approval of Registrar, Cooperative Societies, Haryana, Panchkula shall be necessary in this regard.(Letter dated 18.01.2011)
- The approval of the committee (comprising of concerned ARCS and DRCS) constituted by RCS, Haryana shall be necessary for addition, deletion, resignation or expulsion of membership in the Society. (Letter dated 18.01.2011)
- In case of change of any membership through mutual consent then prior approval of Assistant Registrar, Cooperative Societies shall be necessary and such cases shall be disposed of within 15 working days positively in accordance with the instructions issued by the RCS, Haryana vide letter No. 10/5/05/Gen-I/214-50 dated 18-01-2011.

**(3) EXPULSION OF MEMBERS:**

- A member shall be expelled only by following the due procedure as prescribed in the Bye-laws of the Society and instructions issued time to time by RCS, Haryana.(Bye-laws No.9 & Circular dated 18.01.2011)
- Managing Committee shall recommend the case of expulsion of a member to General Body of the society by passing a valid resolution.
- The resolution of expulsion shall be passed by not less than three-fourth (3/4) of the members present and voting at a General Meeting of the society. (Bye-laws No.9 )

- Members shall be expelled only on the basis of reasons prescribed in the Haryana Co-operative Societies Act, 1984, Haryana Co-operative Societies Rules, 1989 & Bye-laws of the society.
- The clear 30 days detailed agenda note for expulsion shall be sent through registered post to all members of the society by the Managing Committee.
- Some few grounds also for expulsion of member are as under: (Bye-laws No.9 )
  - (i) deceived the Society by giving false statements;
  - (ii) declared insolvent/applied for insolvency;
  - (iii) convicted of an offence involving moral turpitude;
  - (iv) defaulter in payment of installments of contribution towards cost of land/buildings for more than 3 months.
- In addition to above, a member can also be expelled for his/her acts which are detrimental to the interests or proper working of the society.(Rule-19)
- Above such resolution shall be effective only after obtaining the approval of Registrar, Cooperative Societies, Haryana, Panchkula. (Bye-laws No.9 )

**(4) GENERAL BODY MEETING:**

- Annual General Meeting shall be held within a period of six months of close of the Financial year for the purpose as prescribed in section 25(3) of the Haryana Co-operative Societies Act, 1984 and Bye-Laws of the society.
- Every member shall exercise his/her vote in person and no member shall be allowed to vote by proxy. (Section 21)

**(5) MEETINGS OF MANAGING COMMITTEE:**

- The meeting of Managing Committee shall be held regularly and frequently as possible. The detailed agenda note for the meeting alongwith date, time & venue shall be sent to all Committee Members through registered post. Such agenda shall be of clear 15 days excluding the date of issuance of agenda and date of meeting.
- All decisions shall be taken by the Committee by passing a valid resolution as prescribed in the Act, Rules and Bye-Laws of the Society.
- In case of equality of votes, Chairman of the meeting shall have a casting vote. (Section 20)

**(6) ELECTIONS:**

- Outgoing Managing Committee shall arrange to hold the election of Managing Committee as per provisions of Section 28 of HCS Act,1984 and Rule 25 of HCS Rules, 1989 and the number of elected members shall be as per provisions of the Bye-laws;
- At least one member belonging to S.C., two women member and one member belonging to B.C. category if there number is 10 percentum or more of the total membership of the society shall be elected in the Managing Committee; (Section 28)

- The tenure of the Managing Committee shall be 05 years from the date of its election as per provisions of Section 28 of HCS Act,1984.
- Election of office-bearers i.e. President and Vice-President shall be held under the Chairmanship of the Presiding Officer appointed by concerned ARCS.(Rule 30,App 'A' to Rule 25)

**(7) CUSTODIAN OF BOOKS: (Bye-laws-36)**

- Custodian of records shall be appointed by the Managing Committee.
- Receipt of books/assets shall be taken every year from the custodian and on change of incumbency.
- Send copy of receipt to Registrar and Central Financing Institution.
- Information of change in incumbency shall be sent to Registrar and Financing Institution.

**(8) ACCOUNTS:**

- Managing Committee shall maintain the account books and other records in such form and manner as may be directed by the Registrar by general and special order, from time to time.
- Managing Committee shall prepare annual profit & loss account , balance sheet and shall also file returns within a period of six months on close of every Financial year with the RCS, Haryana as prescribed in the section 48 of HCS Act,1984.
- Managing Committee shall get the account audited every year as per provisions of Section 95 because it is mandatory for societies and failure may invite punitive action.
- Managing Committee shall rectify the defects pointed out in the audit report.
- Managing Committee of a society shall keep a copy of HCS Act,1984, HCS Rules,1989 & its Bye-Laws and a list of its member open to inspection free of charge at all reasonable times at the registered address of the society.(Section 120)
- Managing Committee may provide access to every member to the books, information and accounts of the co-operative society kept in regular transaction of its business with such member by charging fee, if any prescribed by the Registrar. .(Section 120)

**(9) MAINTENANCE OF SOCIETY'S PREMISES**

- Facilitate the repair of dwellings of members.
- Arrange common facilities for the benefit of members.

## DONT'S

1. Do not enroll member without the written request and without passing a valid resolution in the meeting of Managing Committee/General Body.
2. Do not enroll members in excess of flats/dwelling units available in the society.(Model Bye-laws No.4(C))
3. No waiting list of members is allowed.
4. Don't allot more than one plot/dwelling unit to a member and family living with the member.( Model Bye-laws No.6)
5. Members of Managing Committee shall not file their resignations with Assistant Registrar but with Managing Committee itself.
6. Managing Committee cannot remove a member of Managing Committee. The Managing Committee shall inform the Assistant Registrar that a member has incurred disqualification as mentioned in Rule 27 of HCS Rules,1989 and as such is liable for removal from the office.
7. A member of the society can be removed in General Body meeting as per law or by Registrar on certain grounds. (Bye-laws No.9)
8. Vacancies created by way of addition of total membership or by resignation cannot be filled up without prior approval of Registrar, Cooperative Societies, Haryana, Panchkula.(Letter dated 18.01.2011)
9. Membership by mutual consent in existing number of membership can not be transferred without approval of concerned Assistant Registrar, Cooperative Societies. Model Bye-laws No.4(e)
10. Managing committee cannot charge extra money from the incoming member in the shape of development charges, maintenance contribution etc. at the time of transfer of share.
11. Do not charge differential maintenance charges from the members. Maintenance charges are to be charged uniformly. (Cooperative Principles)