

BYE-LAWS

I. PRELIMINARY

¹1. The name and address of the Society shall be the Central Government Employees Cooperative Housing Society Limited Karachi and its registered address is Room No.406,4th Floor, Al-Amin Tower, Near NIPA main University Road Gulshan-e-Iqbal Block-10, Karachi. Postal Code.75300 Karachi.

²1(a).The electronic address of the Society shall be the G-Mail Add- cgechs1971@g.mail.com & Web add: www.cgechs-khi.com.

2. The objects of the Society shall be to carry on the trade of building, and of acquiring, buying, selling, hiring, letting and developing land in accordance with Co-operative principles and to establish and carry on social, re-creative and educational work in connection with its tenants and the Society shall have full power to do all things it deems necessary or expedient for the accomplishment of all objects specified in its bye-laws including the powers to purchase, hold, sell exchange mortgage, rent, lease, surrender of lease and deal with lands of tenure and sell by installments subject to any terms or conditions and to make andadvances to members for building or purchasing property and to erect, pull down, repair, alter or otherwise deal with any building thereon.

II. FUNDS AND INVESTMENT

3. (1) Funds may be raised in any or all of the following ways:-
- (a) by entrance fees,
 - (b) by Shares,
 - (c) by raising loans including debentures and loan stock,
 - (d) by deposits,

¹ Amended through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

² Inserted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

- (e) by donations, and
- (f) by contributions towards the cost of houses and land.

(2) Provided that the total amount under (b) shall not at any one time exceed four lac without the sanction of General Meeting of the Society, and the total amount obtained under (c) and (d) shall not at any one time exceed eight times the paid up share capital plus the Reserve Fund but not lender member or other person dealing with the Society shall be concerned to see or enquire whether these limits are or either of them is observed.

4. Deposits:- Any General Meeting may determine the restriction upon taking deposits and until such restrictions are so determined and thereafter subject thereto the committee may receive deposits not exceeding eight time paid up share Capital plus reserve fund under bye-law 3 (1) (d) at interest which may not exceed..... per cent, per annum without the sanction of such Meeting.

5. A Registered Society may invest of deposit its fund:-
- (a) in the Government Saving Bank, or
 - (b) in any of the securities specified in section 20 of the Indian Trust Act 1882 or
 - (c) in the shares or on the security of any other registered society, 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.

6. The society shall become a member of the Karachi Co-operative Institute Limited, Karachi and pay the sums from time to time payable to that institute under the rules thereof. The Society shall also become a member of the Karachi Central Co-op. Bank Ltd.

III.MEMBERSHIP

³⁷. All persons who have signed the application for registration are original members, other members shall be elected by the committee provided that all members shall be residents of Karachi. Two adverse votes are sufficient to exclude an applicant. Every person shall pay Rs.50/- on applying

³ Amended through Memorandum of Deputy Registrar Cooperative Societies bearing No.DRCS-G-1-(22)/48/1985 dated 03.01.1985 followed by Approval in AGBM of CGECHS held on 14.09.1984.

for admission in case where the applicant is refused the entrance fee be returned.

⁴(a) The membership of the Society shall be restricted to the Central Government Employees, its retired Govt. servants, and their relatives, and persons who have acquired all interest in the immovable property in the Society from its allottee / transferee/ member in terms of Transfer of Property Act 1882, as well as Sindh Cooperative Societies Act & Rules 2020, shall be enrolled as a member in compliance with Section 24 of the Sindh Co-op. Societies Act. 2020.

Provided that only the members who are allottees / transferees of plot in the Society shall be eligible to co-opt in terms of Bye-Law no 48 (b) and contest/ participate in the election of the Society.

Further, Provided the person(s) who acquired property rights through Sub-Lease(s) from Lessee shall not be admitted for membership of the Society and similarly, they are not entitled to claim benefit(s) of Section 24 of the Sindh Co-op. Societies Act. 2020.

8. A person may be admitted as nominal member of payment of Rs.50/- only as entrance fee. A nominal member is one who is admitted as such for the purpose of joint holding of shares along with an ordinary member and shall exercise no right or receive no advantages as a nominal member unless otherwise specially provided for under these bye-laws.

⁵8-A. The total strength of members shall not exceed the limit of plots/premises as available for allotment with the Society and members found to be in excess thereof shall be refunded, their share money/payments made to the society after serving them due notices and thereafter they shall cease to be the member of the society.

⁴ Amended through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

⁵ Substituted through Memorandum of District Officer, Cooperative Societies bearing No.DOC/GEN/812/of 2002, dated 23.04.2002 followed by Approval in AGBM of CGECHS held on 11.11.2001.

- ⁶8-B. **Condition of Allotment of Plot: (1).** No person shall be allotted a plot by the Society if he or his wife husband in case of female, minor child or any dependent , owns or has at any time owned plot, in the district where the Society is registered . An under taking in this regard shall be furnished by each member and in case of false information the plot allotted to him Shall stand cancelled
- 8-C. The society prior to issue an allotment shall obtain declaration in writing from the members in this regard.
- 8-D. Who-so-ever obtain allotment of false declaration shall be liable for criminal legal action as well as the plot or plots thus allotted shall be liable to be forfeited by the Society at the cost and risk of such allottee.
9. Every application for admission must be made in writing and signed by the applicant and shall considered by the Committee at its first meeting after the application is received or as soon thereafter as is practicable.
- ⁷10. Every member must hold at least one share of Rs. 100/- in the Society.
11. A person all or whose shares have been transferred, repaid, forfeited or cancelled shall cease to be a member.
12. No. member of the society shall exercise the rights of a member unless and until he holds not less than one fully paid share in the society.
13. (1) A member may be expelled from the Society by the vote of not less than two thirds of the members present and voting at a General Meeting of the society on a motion (which shall be final and conclusive) that in the opinion of the Meeting such member has.

⁶ Amended through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

⁷ Amended through Memorandum of Deputy Registrar Cooperative Societies bearing No.DRCS-G-1-(22)/48/1985 dated 03.01.1985 followed by Approval in AGBM of CGECHS held on 14.09.1984.

- (a) been a persistent defaulter.
- (b) Willfully deceived the society by false statements.
- (c) Been bankrupt or legally disabled.
- (d) Been criminally convicted.
- (e) Intentionally done any act likely to injure the credit of the Society.
- (f) gravely misused the dwelling rented by him from the Society or habitually acted in it in a disgraceful manner or a manner which has caused serious offence to his neighbors, or
- (g) willfully disobeyed any decision of the Committee or any properly appointed officer of the Society.

(2) The Committee shall give a member 15 days' written notice of the proposal to expel him.

(3) To a member so expelled shall be refunded the amount (less a deduction there from of 5 per cent.) received by the Society in respect of the shares held by him at the date of the resolution for his expulsion.

(4) **Re-admission of expelled Members-** No expelled member shall be re-admitted except by a vote of two-thirds of the members present and voting at any General Meeting on a motion of which notice has been given.

14. The liability of a member shall not exceed the amount (if any) unpaid on the shares in respect of which he or his estate is liable.

15. **Transmission of interest: -**

- (1) **How Nomination is to be made-** A member may, by writing under his hand deposited with Society during his lifetime or by a statement made in any book kept thereat, nominate any person to whom under section 27 or the Act his share of interest in the Society or so much thereof as is specified in such nomination shall be transferred at his decease or the money referred to in section 27 of the Act or so much thereof as is specified in such nomination shall be paid.

- (2) **How it is to be revoked or varied-** A nomination so made may be revoked or varied by any similar writing or statement under the hand of the nominator deposited or made as aforesaid.
- (3) **Fee on Nomination or Revocation-** A nomination made at the time of applying for membership shall be recorded free or charge. But for recording of every nomination subsequently made or of a revocation or variation fee of Re.1/- shall paid.

16. **Proceeding on Death of a Member-**

- (1) **If Nomination made-** On receiving satisfactory proof of the death of member the Society may transfer the share or interest of the member to the person nominated in accordance with the rules made in this behalf or if there is no person so nominated to such person as may appear to the committee to be the heir or legal representative of the member or pay to such nominee, heir or legal representative a sum representing the value of such nominator's share or interest as ascertained in accordance with the rules or bye-laws after deducting all sums due to the Society from the nominator. Provided that the Society shall transfer the share or interest of the nominator to such nominee, heir or legal representative as the case may being qualified in accordance with the rules and these bye-laws for membership of the Society or on his application within one month of the death of nominator any person specified in the application who is not qualified.

“Provided further that there are more than one nominee, heir, or legal representative, one of them may be admitted as an ordinary, member, others being nominal members admitted as per bye-laws No. 7, the question as to who should be the ordinary member exercising the rights of membership shall be decided among themselves by the nominees, heirs: or legal representatives as the case may be and their decision shall be communicated to the Managing Committee in case they fail to do so within a responsible time the matter shall be decided by the Managing Committee and their decision shall be final”.

- (2) The Society may pay all other moneys due to the nominator from the Society to such nominee, heir or legal representative as the case may be.
- (3) All transfer and payments made by the Society in accordance with this bye-law shall be valid and effectual against any demand made upon the Society by any other person.

IV. SHARES.

⁸17. The share capital of the society shall be raised by shares of the nominal value of Rs. 100.00 each and shall be held entirely by members of the Society.

18. (1) The full amount of all shares shall be payable on allotment or by such installments as may from time to time be fixed by the Committee.

- (2) **Failure to pay calls:-** If member fails to pay the amount of any call on a share within 30 days after notice thereof the Committee may forfeit the share. A forfeited share shall become the property of the society.

19. **Limit to member's Shares holding: -** No member shall have claim or any interest in the share of the Society exceeding Rs. 5,000/-.

20. (1) Any share held by a member of Society may, subject to Bye-law 20, be sold to any other member provided that no such sale may take place without the previous sanction of the Committee, who shall have full direction in granting or withholding such sanction, Transfers may be in the form set out in the byelaws or in any other form approved by the Committee.

⁸ Amended through Memorandum of Deputy Registrar Cooperative Societies bearing No.DRCS-G-1-(22)/48/1985 dated 03.01.1985 followed by Approval in AGBM of CGECHS held on 14.09.1984.

- (2) **Registration of Transfers:-** Until the transfer of a share is registered no right shall be acquired against the Society by the transferee, nor shall any claim of the society upon the transferor be effected.

21. The Committee shall keep a share register in which there shall be entered the name, occupation and address of the member to whom each share was originally allotted and of each successive holder of the share with the dates of sanction of transfer under Bye-law 21 and when the share is repaid, forfeited or cancelled, the date of such repayment forfeiture of cancellation.

⁹22. Upon each transfer of any share there shall be paid to the Society a sum of Rs. 10/=

¹⁰22(a). *Deleted.*

V. RECOVERY OF DEBTS DUE TO SOCIETY

23. The Society shall have a charge upon the share or interest in the capital and on the deposits of a member or past member and upon any dividend, bonus or profits payable to a member or past member in respect of any debt due from such member or past member to the Society and may set off any sum credited or payable to member or past member in or towards the payment of such debts.

24. **Set off in respect of Shares or Interest of Member:-** If a debt of any member or past member shall at any time be equal to or exceed the amount credited or payable to such member or past member the Committee may serve a notice upon such member or past member requiring him to pay the sum within 14 days from the service of such notice at a place to be named in the notice. If the requirements of such notice are not complied with the Committee may set off the shares or interest, deposits, dividend, bonus or profits of such member or past member specified in the notice in or towards

⁹ Amended through Memorandum of Deputy Registrar Cooperative Societies bearing No.DRCS-G-1-(22)/48/1985 dated 03.01.1985 followed by Approval in AGBM of CGECHS held on 14.09.1984.

¹⁰ Deleted through Memorandum of Registrar Cooperative Societies bearing No.RCS/KYC/461/2010 dated 16.04.2010 followed by Approval in AGBM of CGECHS held on 31.01.2010.

the payment of any such debt and all sum credited or payable to such member or past member and any dividend and interest declared but not paid shall upon being thus declared by the Committee as set off become the property of the Society and a statement to this effect shall be included in the notice. The Secretary shall give notice of such set off to the member or past member concerned whose shares or interest, deposits, dividend bonus or profits are set off. The Committee may at any time within one calendar month from the date of the meeting at deem sufficient, annual the set off and reinstate the member or past member in the possession of his set of rights.

25. Liability of Member after Share or Interest has been set off:- If after any rights of a member or past member have been set off as stated in bye-law 24 and the amount paid or credited thereon and the dividend, if any, has been credited to the Society there shall remain any sum due from such member or past member or past member to the society the member or past member shall be liable to pay such balance as debt due to the society and the Committee may take such step they deem necessary to enforce payment thereof.

26. For the purpose of enforcing the lien of the Society, the Committee may instead of forfeiting the forfeited rights under Rule 25, sell such forfeited rights or any of them in such manner as they shall think fit, but no sale shall be made until such time as the moneys are presently due and until a demand and notice in writing stating the amount due and demanding payment and giving notice of intention to sell in default of payment shall have been sent by registered post to the registered address of such member or past member or the person (if any) entitled by transmission to the forfeited rights and default in payment shall have been made by him or them for seven days after such notice.

27. Upon any sale for enforcing a lien in purported exercise of powers herein before given the Committee may cause the purchaser's name to be entered in the register in respect of the forfeited rights sold, and the purchaser shall not be bound see the regularity of the proceedings or the application of the purchase money, and after his name has been entered in the register in respect of such forfeited right the validity of the sale shall be in damage only and against the society exclusively.

28. The net proceeds of any sale shall be applied towards satisfaction of the amount due to the society and the residue (if any) paid to the member of past member.

VI. REPAYMENT OF SHARES AND LOAN STOCK

29. Subject to the payment of or a sufficient provision for all subsisting claims on the Society the Committee may from time to time apply any moneys which in their opinion they cannot profitably invest for the purpose of the business of the Society or the benefit of the members in paying off pro rata the loan stock for the time being outstanding and after the repayment of the loan stock in paying off pro rata the excess of shares held by any member beyond any limit fixed by the Committee from time to time.

30. Subject as in Bye-law 29 mentioned the Committee, may on the application of the holder of any share of loan stock, repay any sum not exceeding the amount the credited, thereon.

31. When a member ceases to be tenant the Committee shall have the right any time to pay off the amount paid on his shares less a deduction there from of five percent but in the event of the Committee being unwilling to exercise his right, the holder shall have the power of transferring them subject to Bye-laws 20 and 21.

32. The Secretary shall give to the holder notice of the resolution of the Committee determining to repay the amount paid upon any share or such holder (less such deduction as aforesaid) and shall state in such notice the time and place when and at which such repayment will be made and thereupon the holding in respect of which such notice is given shall be extinguished. The holder shall not be entitled to any dividend or interest on moneys credited on such share after the date for repayment mentioned in such notice.

33. Any amount expended in the repayment of any shares shall not exceed any sum placed at the disposal of the Committee from time to time for that purpose by the General Meeting of the Society and shall be regularly stated in the accounts of the Society.

VII. LOANS AND LOAN STOCK

34. (a) The Committee may from time to time obtain advance of money for the purpose of the society from any person whether a member of the Society or not, with or without security upon such terms and conditions as they may think fit, provided that the rate of interest shall not exceed 6% per cent, per annum.
- (b) A separate register shall be kept of all mortgages and charges on any land of the Society.
- (c) Any bond of the Society may be made a specific charge upon any land of the Society specified therein or in any schedule annexed thereto.
35. Loan stock under Bye-law 3 (c) may be issued by the Committee to members and other persons subject to the following conditions, viz: -
- (a) The stock shall be payable by installments or otherwise as may be fixed from time to time prior to the issue thereof, by the Committee.
- (b) It shall carry interest (payable quarterly) at such rate not exceeding 6% per cent per annum as may be fixed from time to time prior to the issued thereof by the Committee.
- (c) It shall not confer a right to demand payment of principal from the Society unless the interest aforesaid is in arrear for two consecutive years or in the event of liquidation of the Society.
- (d) It shall be secured by certificates of in datedness under the hands or two members of the Committee and the Secretary stating the amount of loan stock standing to the credit of the respective holders.
- (e) The Committee shall keep a register of the holder of loan stock for the time being.

VIII. GENERAL MEETINGS

36. The first meeting of members shall be held within three calendar months or such further time as the Registrar may allow after the registration of the Society at which meeting the Committee shall retire but shall be eligible re-election. The Committee shall lay before this meeting a statement of accounts made up to 14 days before the meeting and report on all transactions then entered into. The General meeting under this rule shall elect the Committee and Auditor and any other officer whose appointment is not vested in the Committee and may deal with the accounts or matters arising on the Committee's report. Notice of this meeting shall be given as provided for notice in Bye-law 41 and also to the registrar in writing 14 days before the holding of the meeting.

37. The Annual General Meeting shall be held within a period of three months after the date fixed for making up the Society's accounts for the year. Its duties are: -

- (1) To frame bye laws for the Society or to add to them or to alter or rescind them.
- (2) To elect a President, Committee, Auditor and other officers (except those whose appointment is vested in the Committee) and determine their remuneration (if any).
- (3) To receive from the Committee a report of the preceding year's working of the Society together with statements showing the receipts and expenditure, assets and liabilities and profits or loss for the year.
- (4) To consider the audit memorandum and any other communication from the registrar.
- (5) To perform such duties laid upon the Society in these bye-laws as may from time to time arise.

- (6) To consider any other business laid before it by the Committee or of which notice shall have been given to the Committee not less than 14 days before such meeting.

38. At a General Meeting all questions shall, subject to any special direction in the Act, the rules or these bye-laws, be decided by simple majority of those present and voting the voting being by a show of hands. The president shall have a casting vote in addition to his ordinary vote, on a vote by show of hand or a ballot, if on before the declaration of the result of the voting three members demand a ballot, such be at once taken by means of voting papers. Each member shall, notwithstanding the amount of his interest in the capital, have one vote only as a member in the affairs of the Society.

39. Special general meeting shall convene Ned by the secretary either on order form the Committee or upon a requisition signed by one-fifth of the members of the society or from the Registrar and shall be held as soon as possible after the receipt of such order or requisition and at the place and time of the General Meeting of the Society unless the Committee fix any other place or time of meeting. A Special General Meeting shall not transact any business other than mentioned in the notice convening the meeting.

40. Notice Convening every General Meeting shall state the time and place thereof and the officers, if any, to be elected thereat and every purpose for which it is being convened and shall be posted or sent to the registered addresses of the members in the case of a Annual General Meetings not less than 10 days before the date of the meeting and in the case of a special General Meeting not less than 5 days before the date of the meeting unless in the case of an emergency the Committee unanimously direct shorter notice to be given. No General Meeting shall be invalidated by the non-receipt of any notice thereof by any member.

IX. PROCEEDING AT GENERAL MEETING

41. No business shall be transacted at any General Meeting except the declaration of a dividend or the adjournment of the meeting unless a quorum of members is present at the time when the meeting proceeds to business and quorum for any General Meeting shall be 3/5th of the total number of members of the Society for the time being or 20 members of the

Society whichever number is the lesser. No meeting shall become incompetent to transact business for the want of a quorum arising after the chair has been taken.

42. If within half an hour the time appointed for the meeting quorum is not present the meeting is convened upon the requisition of numbers shall be dissolved. In any other case it shall stand adjourned to the same day in the next week at the same time and place and if at such adjourned meeting a quorum be not present those members who are present shall be deemed to be a quorum and may do all such business which a full quorum might have done.

43. The President shall preside as Chairman at every General Meeting of the Society. If there be no such President, or if at any meeting the President be not present or if present, he be unwilling to preside, the Chairman of the Committee shall preside and in his absence or unwilling to preside the members present shall choose one of the members of the Committee present to be Chairman or if no member of the Committee shall be present, and willing to take the chair, the members present shall choose one of their members to be the Chairman.

44. The Chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place, to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjourned took place. When a meeting is adjourned for twenty-one days or more notice of the adjourned meeting shall be given as in the case of an original meeting. Same as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

45. (a) No resolution can be brought at a general meeting disturbing the election of the office-bearers within 6 months of the date of such election.
- (b) resolution can be brought for canceling a previous resolution of the general body unless 6 clear months have expired after the passing of the original resolution..

X. COMMITTEE

¹¹46. The President and committee shall from the date of registration of the Society be the person appointed as president and members of the Committee by the General Body and the Committee shall be appointed under by-law no- 38 to consist of not more than 06 members. Out of them 04 committeemen shall be from amongst the members who are allottees/transferees of sectors no-1 and 02 situated at Revenue Survey No-43.44/1 Gulshan-e-Iqbal block 10/A & Revenue Survey No-52 Gulistan-e-Jouhar block-19 respectively and 02 from Sector no- IV situated at Sector-11/A K.D.A. Scheme No.33 Karachi.

Provided that the President of the Society shall contest the election of the Society amongst whole members of the Society.

Further, provided that committeemen shall be elected by the members through a vote of the respective areas/sectors whose seat committeeman is/are contesting.

Further, provided that only the members holding ownership of the plot in the Society shall be eligible to participate in elections of the society.

Further, provided that the defaulter of the dues of the Society and without certified documentary evidence of source of income shall Not be eligible to contest/ participate in the election of the Society & co-opt in terms of Bye-Law no 48 (b) of the Society.

Further, Provided that 1/3rd of committeemen shall be retired every Year at the General Body meeting convened for election, The ratio of retirement shall be 01 committeemen from allottees/transferees of sectors no-1 and 02 situated at Revenue Survey No-43.44/1 Gulshan-e-Iqbal block 10/A & Revenue Survey No-52 Gulistan-e-Jouhar block-19 respectively and 01 from Sector no- IV situated at Sector-11/A K.D.A. Scheme No.33 Karachi.

¹¹ Substituted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

47(a)¹².The Election of the Society shall be held every year for the post of one president and 1/3rd of the Managing Committee.

Provided that election of the Society shall be held in accordance with Election Rules duly framed and approved by the Registrar in accordance with Rule 9 (6) of the Sindh Cooperative Rules 2020.

¹³ (b) No one shall be eligible to contest the election to any office of the managing committee for consecutive more than two times, However after a gap of one year such members will be eligible to contest the election for next two time.

¹⁴(c) Nominations for president and the committee must be in writing and received at the registered office of the society not less than 30 days before annual General Meeting. Every nomination must state clearly the full name, address and occupation of every member nominated and be signed by two members who nominated him and the member nominated shall also signify his/her willingness to act as president or committeeman.

(d) The Committee shall at their first meeting after the registering of the Society and at their first meeting after the General Meeting and at their first meeting subsequent to each Annual General Meeting, elect a chairman from among their own member. He shall during his term of office be removable by a vote of two-thirds of the committee present at a special Meeting called for that purpose.

48. (a) If a vacancy caused by the retirement of any Committeemen is not filled by the meeting at which is ought to have been filled under the bye-laws the vacancy may be filled by the Committee.

¹² Substituted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

¹³ Substituted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

¹⁴ Amended through Memorandum of District Officer, Cooperative Societies bearing No.DOC/GEN/812/of 2002, dated 23.04.2002 followed by Approval in AGBM of CGECHS held on 11.11.2001.

(b) A casual vacancy on the Committee may be filled up the Committee and the member so appointed shall hold office for the unexpired of office of the member whose place he fills.

49(a). No person other than a member of the Ist Committee who shall acquire his qualifications within one calendar month after the registrations of the Society shall be a Committee Man who holds less than five fully paid up shares.

50. The office of Committeemen shall be vacated if he becomes bankrupt or compounds with his creditors or becomes of unsound mind or is found a lunatic or is convicted of an offence punishable by imprisonment for not less than six calendar months or ceases to hold the necessary qualification or absents himself for a period of three calendar months from the meetings of the Committee without special leave of absence from the Committee or gives the Committee one month's notice in writing that he resigns the office, or is concerned in the profits of any contract made by the Society except as a director or Committeeman, Officer, servant or member of any Society or Company or firm of bankers which contract with or does work for the Society, in which case the Committeeman shall not be accountable for the profit he receives but any act done in good faith by a Committeemen whose office is vacated aforesaid shall be valid unless prior to the doing of such act written notice has been served on the committee and an entry has been made in the Committee's Minute Book stating that such Committeeman has ceased to be a member of the Committee.

51. The committee may act, notwithstanding any vacancy in their body, but if and so long as the number of committeemen is reduced below the number fixed by or pursuant to the regulations of the Society as the necessary quorum of Committeemen the continuing Committeemen may act for the purpose of increasing the number of Committeemen to that number or of summoning a General Meeting of the Society but for no other purpose.

XI. POWER OF COMMITTEE

52. The management of the business of the Society shall be vested in the Committee who in addition to the powers and authorities by the rules and these bye-laws or otherwise expressly conferred upon them may exercise

all such powers and do all such acts and things as may be exercised or done by the Society, and are not hereby or by statute expressly directed or required to be done by the Society in General Meeting but subject nevertheless to the provisions of the Act, the Rules, the bye-laws and to any regulations from time made by the society in General Meeting provided that no regulation so made shall invalidate any prior act of the Committee which would have been valid if such regulation had not been made.

53. Without prejudice to and not so as to limit or restricted general power conferred by the last preceding bye-law and the other powers conferred by the rules and these bye-laws it is hereby expressly declared that committee shall have the following powers that is to say, power.

- (a) to dispose of application for membership:
- (b) to check the account of the Secretary or treasurer and to examine the register and account books and to take steps for the recovery of sums due to the Society.
- (c) to sanction working expenses, Account the cash balance and deal with other miscellaneous business:
- (d) to see that the cash book is written up promptly and is signed daily one of the members of the Committee.
- (e) to hear deal complaints:
- (f) to deposit the funds of the Society in any bank or banks approved by the Registrar and to authorize by a written resolution members of their body not exceeding two to draw upon the accounts, either jointly or severally as may be laid down in the resolution;
- (g) to appoint, suspend, remove or discharge all officers (except the author), solicitors, managers, architects, surveyors, accountants, agents, servants and employees of every description and fix their duties and remuneration and required thereto given security to the approval of the Committee.

- (h) To enter into all contracts for the Society and settle the terms thereof;
- (i) ¹⁵to make, revoke and after from time to time and all times enforce such regulations, terms and conditions relating to the tenants of the Society and the Property of the society and the letting (including restrictions as to subletting) and sale thereof (including making and guaranteeing advances to members) as the Committee think fit, provided that all such regulations, terms and conditions and any alterations thereof or addition shall be previously approved in writing by the Registrar and shall not be acted on until so approved.
- (j) To compromise and settle or fight either in a court of law or by arbitration any suit, debt liability or claim by or against the society, provided the sanction of General body is obtained with regard to claim above Rs.50,000/- (Rupees Fifty Thousand only).
- (k) to convene all meetings of the Society according to the bye-laws thereof subject to the provisions herein before contained as to Special General Meeting.
- (l) to provide proper books for entering the accounts of all business carried on behalf of the Society and the minutes of all meetings thereof and of their own proceeding and for making all such entries as are hereby required or as any General Meeting may direct;
- (m) to provide such forms as are necessary, in consequence of the provisions of the rules or the bye-laws and for the same being kept, made up or used in such manner as in their discretion they think desirable;
- (n) to borrow, raise or secure the payment of money in such manner as the Committee may think fit, and to redeem or pay off any such securities;

¹⁵ Amended through Memorandum of District Officer, Cooperative Societies bearing No.DOC/GEN/812/of 2002, dated 23.04.2002 followed by Approval in AGBM of CGECHS held on 11.11.2001.

- (o) to suspend any officer appointed under Bye-law 37(2) recommend his dismissal to the General Meeting and appoint a substitute pending the final decision;
- (p) to do all such acts things as are incidental to or which the Committee may think conducive to the attainment of the object of the Society or any of them.

XII. PROCEEDINGS OF COMMITTEE

54. The Committee shall meet at such times and places as they determine. Until the Committee otherwise determine three members shall be quorum. A meeting of the Committee for the time being at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions by or under the rules or the bye-laws of the Society for the time being vested in or exercisable by the Committee Generally.

55. If the Chairman of the Committee be absent from a meeting or if present and unwilling to preside, those members of the Committee present shall elect one from their member to be the Chairman for the occasion. The majority of the votes shall decide all question and in case of an equality of votes the Chairman shall have second or casting vote.

56. A Special Meeting of the Committee may be called by a notice in writing given to the Secretary by the Chairman of the Committee or by two members of the Committee specifying the business to be transacted there at. The Secretary shall communicate every such notice to all members of the Committee as soon as possible after the receipt thereof and the meeting shall be held at the ordinary place for meeting of the Committee not earlier than two clear days and not later than four clear days the receipt by the secretary of such notice and no other business shall be done at the meeting than the business name in the side notice.

57. The Committee may delegate any one of the powers hereby to it one or more sub-committee of its own members who shall in the functions entrusted to them conform in all respects to the instructions and regulations given them by the Committee and the meeting and proceeding of such sub-Committee consisting of two or more members shall be governed by the provisions here in contained for regulating the meeting and proceeding of the

Committee so in contained for regulating the meeting and proceeding of the committee so for as the same are applicable there to and are not superseded by any regulations made by the committee under this bye-law.

58. All acts done by any meeting of the Committee or of any sub-Committee thereof shall not withstanding that it shall be afterwards discovered that there was any defect in the appointment of any Committeeman or Committeeman or that any one or more them were disqualified be as valid as if every committeeman had been duly appointed and was duly qualified to be Committeeman.

XIII. THE SECRETARY

59. Secretary:- The committee shall appoint a Secretary with the following duties:-

- (1) He shall summon and attend all meetings of the Society, and of the Committee and if any sub-committee if so required by the Committee and shall record the proceedings thereof in the Minute Book under the signature of himself and the Chairman of the meeting and in such manner as the Committee directs.
- (2) He shall make such statements relating to the business of the Society as the committee require, and shall prepare and send all returns to be made to the Registrar.
- (3) He shall have charge of the documents and other papers of the Society and shall keep the accounts in such manner as the Committee directs.
- (4) He shall keep the registers of the members, shares, debentures and loan stock and all the books relating to loans or deposits required to be kept under the bye-laws of the Society and shall receive all contributions, fines and other payments due from the members to the Society and make disbursements, under orders of the Committee, and keep the accounts thereof.

(5) He shall carry on the correspondence of the Society.

(6) He shall in all things act in the discharges of his duties under the direction and control of the Committee.

60. In the absence of the Secretary of the Committee may authorize any other person to perform his duties.

61. All documents or receipts signed on behalf of the Society shall be signed by the Secretary and one member of the Committee.

XIV. SECURITY BY OFFICERS

62. **Security by Officers:-** Every person holding any office touching the receipt or charge of any moneys of the Society shall, before entering on the execution of his office, furnish such security as the Committee require and approve for rendering a full and true account of all money received or paid by him on account of the Society.

XV. MINUTES

63. The minutes of all meetings of the Society and of the Committee and every sub-committee contained such particulars as the Committee direct from time to time shall be regularly recorded by the Secretary, and the minutes of every Annual General Meeting and of every meeting of the Committee shall be read at the next of such meeting respectively and signed by the Chairman of the meeting at which they are so read and the minutes of every Special General Meeting and every sub-committee meeting shall be read at the meeting of the committee following and signed by the Chairman of such meeting and all minutes so signed shall be conclusive as between the Society and every member thereof subject to the correction of any patent error.

XVI. TENANTS

64. No members shall be a tenant of the Society unless he holds at least five shares.

65. No dwelling offered on lease shall be taken by person who are not members of the Society unless no members is willing to take it.

66. All external repairs shall, unless otherwise determined by the Committee, be a charge on the revenue of the Society but internal repairs must be done and at the expense of the tenants to the satisfaction of the committee except in such cases as it may determine otherwise. When such repairs have in the opinion of the committee become essential, they may order them to be done, and if not paid for by the tenant may charge the cost of same against his share capital, loan stock or deposit account. In case of a tenant leaving, the same rule shall apply.

XVII. PROFITS

67. After providing for the interest upon any loans and deposits and for placing to the credit of a sinking fund a sum representing $\frac{1}{2}$ percent per annum on the total cost of the Society's building 10 per cent of the net profits of all business carried on by or on account of the Society shall be placed at the credit of Reserve Fund.

68. The remaining 90 per cent, shall be employed as follows in order, viz;

- (1) In paying a dividend not exceeding $7\frac{1}{2}$ per cent per annum upon the paid up share capital on such days as the Committee may direct.
- (2) In allocating such part of the profits as the Annual General Meeting on the recommendation of the Committee may determine to a common fund for social, recreative and educational purposes.
- (3) In allotting such part of the profits as the Annual General Meeting on the recommendation of the Committee may determine to the tenants who are members of the Society as a dividend on the amount of the rent by them respectively during the year. Such dividend shall be added to capital and placed to the

credit of the member's share account until his shares amount to Rs.5,000 and thereafter to the credit of the member's Loan Stock Account and if the member has no Loan Stock Account shall be opened for him and the rate interest thereon determined by the Committee.

- (4) The balance (if any) shall be carried forward or dealt with as the Annual General Meeting on the Recommendation of the Committee may determine.

69. **Dividend on Shares transferred:-** Dividend on shares shall be paid to the registered holder of such shares according to the books of the Society on last day of the year.

70. No interest or dividend shall be paid to any member who has defaulted more than a month in any payment to the Society after written notice given to such member requiring payment and such interest and dividend shall be the property of the society.

71. **Indivisibility of the Reserve:-** The Reserve Fund of the Society shall be indivisible so that in the event of the dissolution of the Society no member shall have any claim over it, but the fund after meeting any charges, the may then be certified by the Registrar to exist against it, shall be devoted to such object of general utility as may be determined by a General Meeting convened for that purpose and as may be approved by the registrar. The Society shall have full power to employ the assets constituting the Reserve Fund in the business of the society and that without being bound to keep the same separate from the other assets.

XVIII. ACCOUNTS

72. Every Balance Sheet of the Society shall be accompanied by a complete list of members by their numbers and not by their names showing the share capital held by each. There shall also accompany the balance a similar list of loan stock holders. The balance sheet shall state up to what date dividend and interest are included.

¹⁶73. A bank account shall be opened by the society in which all moneys received on behalf of the society shall be deposited provided that the secretary may retain in his personal custody a sum not exceeding Rs.20,000/- for petty expenses. All payment above Rs.20,000/- shall be made by the cross cheque signed by the secretary and one member of the committee.

74. Each member shall have a Pass Book in which the Secretary shall enter amounts paid to or received from such member.

75. The Society shall on or before September 30th in each year publish an Annual Balance Sheet Containing:-

- (a) The Profit and loss account
- (b) The receipt and expenditure of the previous financial year, and
- (c) A summary of the property and assets liabilities of the Society, giving such particulars as will disclose the general nature of these liabilities and assets and how the value of fixed assets has been arrived at.

The Balance Sheet shall be open to the inspection of any member during office hours and in the office of the Society and a copy thereof shall be submitted to the Registrar before the 30th of September.

76. **Appointment of Auditor:-** In addition to the Government audit the Society shall appoint at its General Meeting an auditor who shall audit the account of the society to be repaired by the Committee as therein before provided, and shall examine the annual returns, and verify the same, with the accounts relating thereto, and shall either sign the same as found by him to be correct, duly vouched, and in accordance with law, or specially report to the Society in what respects he finds it incorrect unvouched or not in accordance with law.

77. **Power of Auditor:-** The auditor shall be entitled to call for and examine any paper or document belonging to the society and shall make a special report to the society upon any matter connected with the accounts which appears to him to require notice.

¹⁶ Amended through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

78. **Publication of Account and Report:-** A copy of the last balance Sheet of the Society and of the auditor, if any shall be kept always hung up in a conspicuous place in the registered office of the Society.

XIX. ALTERATION OF BYE-LAWS

79. No bye-law shall be made, altered or abrogated unless :-

- (1) a proposal to do so has been communicated to all members ten days before hand;
- (2) the resolution is passed by not less then two-third of the members present and voting at the General Meeting; and
- (3) the meeting, alteration or abrogation is approved and registered by the Registrar.

XX. GENERAL

¹⁷80. **Interest due on Arrears:-** A member in arrear after thirty days from The date of notice shall pay interest at the rates 24% per annum on the amount outstanding.

Provided that committee shall have the power to waive off or reduce the interest rate on the amount outstanding if reasonable grounds for nonpayment of dues outstanding exist.

Further, provided that in case dues are recovered from persistent defaulters by adopting a legal course of action then the cost of legal proceedings shall be recovered from those whose conduct shall be caused for initiated legal proceedings against / by them.

Further provided that amount stands in arrear against respective plot(s) shall be treated as a loan.

¹⁷ Substituted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

Further provided that the plot shall have not been canceled from the name of the allottee/ transferee on account of due's outstanding against the plot without a declaration of the court of law having its jurisdiction.

¹⁸81. **Sufficient Notice:-** Every member shall be taken to have due notice of every meeting, resolution, or other matter of collective nature, which notice is required by the rules or the bye-laws of the Society to be given, if the same is made known by posting or sending a notice to the registered address / cell no of such member through post office / TCS/ Text message / what app courier or timely notification on the web site of the Society.

¹⁹81(a). Where it appears that the Bye-laws of the Society are contrary to the Sindh Cooperative Societies Act & Rules 2020 or are in silence in the matter then Sindh Cooperative Societies Act & Rules 2020, as well as other Laws of the land for the time being in force shall be applied and the matter shall be dealt / taken in accordance with Law *ibid*.

82. **Individual Right of Inspection:-** A member shall be allowed to inspect his own account at all reasonable hours at the registered office of the Society, or at any place where the same is kept, subject to such regulations as to the time and manner of such inspection as may be made from time to time by the Committee.

83. **The Seal of the Society:-** The Society shall have a common seal which shall be in the custody of the secretary, and shall be used only under authority of resolution of the Committee, and every deed or instrument to which the seal is attached shall be attested for or on behalf of the Society by two members of the Committee and secretary or a person appointed by the Committee in place of the Secretary.

¹⁸ Amended through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

¹⁹ Inserted through Memorandum of Registrar, Cooperative Societies bearing No.RCS/KYC/577/2024, dated 08.07.2024 followed by Approval in AGBM of CGECHS held on 01.01.2023.

XXI. INTERPRETATION

84. In the construction of these bye-laws the following words and expressions shall have respectively the following meanings unless the subject or context are inconsistent there with:-

- (a) Words importing the Singular or plural number respectively shall include the plural and singular numbers and words importing the masculine gender shall include the feminine gender.
- (c) “The Society” mean Central Government Employees Co-operative Housing Society Ltd.
- (d) “The Act” means the Co-operative Society Act VII or 1925.
- (e) “The Rule” means the rules for the time being made by the Local Government under the Act.
- (f) “The Registrar” means the person appointed under the Act to perform the duties of a Registrar of Co-operative Societies for Karachi.
- (g) “The Committee” means the Committee of Management of the Society and “Committeeman” and “committeemen” means a member or members of the Committee of Management of the society.
- (h) “He”, “Him” or “Person” include a Company or Society.

Approved
Sd/-
Registrar GoS
Dy:Registrar
Co-operative Society (Housing)
KARACHI.