

## MEMORANDUM OF ASSOCIATION


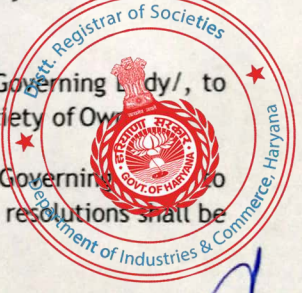
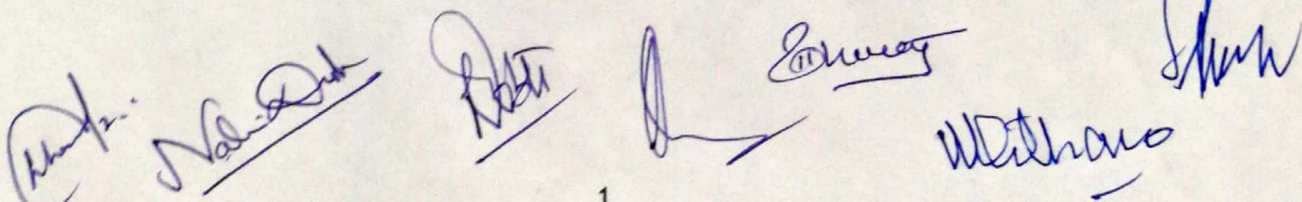
1.	Name of the Society:	EMERALD FLOORS PREMIER RESIDENTS WELFARE ASSOCIATION
2.	The Registered Office of the Society shall be at:	EFP-15-0101 , EMERALD FLOORS PREMIER , SECTOR 65 , GURGAON, Pin 122018.
3.	Jurisdiction:	The Society shall work within Gurgaon District of the State of Haryana.

#### 4. Aims and Objects of the Society:

ASSOCIATION, (hereinafter referred to as the "Society") shall have aims and objectives, as enlisted and explained herein below:

To be and act as the Society of Owners, (hereinafter referred to as the "Owners"), of the "Emerald Floors Premier" (hereinafter referred to as the "Complex") for operation in area of Gurgaon, Haryana and for which purpose the Owners submit to the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and The Haryana Apartment Ownership Act, 1983 (hereinafter referred to as the "Act");

- (ii) To invest or deposit money (ies);
- (iii) To provide for the maintenance, repair and replacement of the common areas and facilities by contribution from the Owner, and if necessary by raising loans, for that purpose;
- (iv) To retain and rent or license suitable portions of the common areas to outsiders for commercial purposes and to accumulate the common profit for Society up a reserve fund;
- (v) To provide for and/ or to do all or any of the following matters:
  - (a) the election of the Governing Body from among the registered members of the Society, outlining the number of members constituting the same, the tenure of such Governing Body, the procedure for appointment and removal from the office of The President, Vice President, Secretary, Joint Secretary or Treasurer or Members outlining the powers and duties of the Governing Body and specifying which of the powers and duties available to the Governing Body/ may be delegated by the Governing Body to any or all of the members;
  - (b) the method of calling/ conducting meeting of the Governing Body or of the Owners under the prescribed norms of quorum and voting;
  - (c) the election of the President from among the members of the Governing Body/ to preside over the meetings of such Governing Body and of the Society of Owners;
  - (d) the election of a Secretary from among the members of the Governing Body to maintain minutes book wherein the minutes of the meetings and resolutions shall be recorded;
  - (e) the election of a Treasurer, to keep the financial records and books of accounts;

**List of Members of Governing Body of ASSOCIATION**

S. No.	Name	Father's / Husband's Name	Occupation	Date of Birth	Address	Designation	Signature
1	NALIN DUTT	DHARM PAL DUTT	Private Job	01.10.1968	EFP-15-0101 , Emerald Floors Premier , Sector 65, Gurgaon.	President	
2	SHARAD GUPTA	PREMCHAND GUPTA	Private Job	20.10.1975	EFP-52-0301 , Emerald Floors Premier , Sector 65, Gurgaon.	Vice President	
3	RITU RAJ TIWARI	SUNIL KUMAR TIWARI	Private Job	29.08.1986	EFP-17-0302 , Emerald Floors Premier , Sector 65, Gurgaon.	General Secretary	
4	CHHANDOLI PI BASU	SUBHENDU BOSE	Private Job	26.11.1978	EFP-10-0101 , Emerald Floors Premier , Sector 65, Gurgaon.	Joint Secretary	
5	RAJEEV SOBTI	RAMKRISHAN SOBTI	Private Job	24.08.1963	EFP-10-0001 , Emerald Floors Premier , Sector 65, Gurgaon.	Treasurer	
6	NARENDER KUMAR	SUMER SINGH	Retired Army Officer	20.05.1962	EFP-29-0302 , Emerald Floors Premier , Sector 65, Gurgaon.	Executive Member	
7	MANOJ ASTHANA	MAHENDRA NATH ASTHANA	Retired Army Officer	07.08.1952	EFP-37-0402 , Emerald Floors Premier , Sector 65, Gurgaon.	Executive Member	

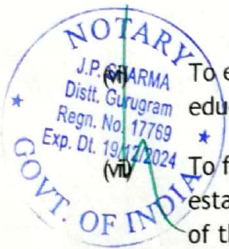
MANOJ SHARMA  
Distt. Gurugram  
Regn. No. 17769  
Exp. Dt. 19/12/2024  
OF INDIA

**ATTESTED**

**(J.P. SHARMA)  
Advocate & Notary  
GURUGRAM**



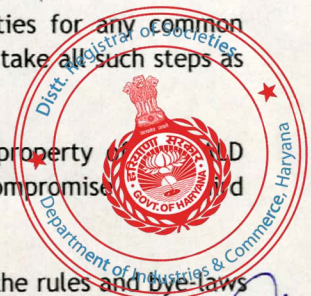
- (f) the maintenance, repair and replacement of the common areas and facilities and payments therefore;
- (g) the manner of collecting funds, from the Owner towards common expenses;
- (h) the appointment and removal of persons employed for the maintenance, repair and replacement of the common areas and facilities;
- (i) such restrictions on the requirements respecting the use and maintenance of the Units and the use of the common areas and facilities not set forth in the declaration, as are designed to prevent unreasonable interference with the use of their respective Units and of the common areas and facilities by the Owners;
- (j) the percentage of the votes required to amend the bye-laws of the Society and the procedure for such amendments;



To establish and carry on, on its own account and / or jointly with individuals or institutions, educational, physical, social and recreation activities for the benefit of the Owners;

To frame rules of the Society and after obtaining due approval from the competent authority, establish a provident fund and gratuity fund, if necessary, for the benefit of the employees of the Society;

- (viii) The income and property of the Society shall be applied solely towards the promotion of the objects of the Society as set forth in the Memorandum of Society and no portion thereof shall be paid or transferred directly or indirectly, to the members of the Society;
- (ix) No member of the Governing Body shall be appointed to any salaried office of the Society, or any office of the Society paid by fee, and no remuneration shall be given by the Society to any member of such Governing Body except repayment of out of pocket expenses;
- (x) The Society by its constitution is required to apply its profits or other income, if any, in promoting its objects;
- (xi) If upon the winding up or dissolution of the Society, after satisfaction of all its debts and liabilities, there remains any balance whatsoever, the same shall not be paid to or distributed among the members of the Society, but shall be given or transferred to any other institution having objects similar to the objects of the Society, to be determined by the members of the Society at or before the time of dissolution;
- (xii) To do all things necessary thereto for the attainment of the objects specified in the Memorandum and Bye-Laws of the Society
- (xiii) To represent the association before government and other authorities for any common purpose which may impact the members monetarily or otherwise and take all such steps as may be necessary in this regard.
- (xiv) To represent the association in all matters pertaining to common property of the FLOORS PREMIER and to negotiate, carry on litigation, settle or compromise with parties any matter affecting the common rights and Properties.



5. The names of the members of the Governing Body of the Society to which the rules and bye-laws of the management affairs is entrusted are as under:

*(Handwritten signatures in blue ink)*

S. No.	Name	Father's / Husband's Name	Occupation	Date of Birth	Address	Designation	Signature
1	NALIN DUTT	DHARM PAL DUTT	Private Job	01.10.1968	EFP-15-0101, Emerald Floors Premier, Sector 65, Gurgaon.	President	
2	SHARAD GUPTA	PREMCHAND GUPTA	Private Job	20.10.1975	EFP-52-0301, Emerald Floors Premier, Sector 65, Gurgaon.	Vice President	
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The above named persons have signed in our presence.

Witness No. 1

Signature:

Name and Address: \_\_\_\_\_

Maj Gen P Malhotra  
EFP-16-201

Occupation: Retired

Date: 05 Jul 22

Place: Gurgaon

Witness No. 2

Signature:

Name and Address: SISHIL KR BHATIA

EFP-24-101

Occupation: BUSINESS

5.7.2022 GURGAON



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**BYE – LAWS  
OF  
EMERALD FLOORS PREMIER RESIDENTS WELFARE ASSOCIATION (EFPRWA)  
REGISTERED OFFICE-- EFP-15-0101,  
EMERALD FLOORS PREMIER  
SECTOR 65, GURUGRAM -122101, HARYANA**

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ASSOCIATION NAME APPROVED AS "EMERALD FLOORS PREMIER RESIDENTS WELFARE ASSOCIATION"  
vide Memo no 2022-05-002568 dated 07-06-2022.

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*Nalin Dutt*  
*Sh*

*MOA*

*Sharma*

*h*





EMERALD FLOORS PREMIER RESIDENTS WELFARE ASSOCIATION  
GURUGRAM (HARYANA)

BYE- LAWS:

CHAPTER - I

**(1) Short title and Application:**

1.1 These Bye –Laws may be called Bye –Laws of the Emerald Floors Premier Residents Welfare Association (EFPRWA) Society, Gurugram.

1.2 These Bye- Laws shall apply to members of the apartment owners of the Emerald Floors Premier, a residential complex situated at sector 65, Near World Mark, Gurugram, Haryana.

1.3 All present owners ( Apartments / Commercial shops), their successors-in-interest, tenants, future tenants or their employees or any other person who may use the facilities of the Complex in any manner shall be bound by the provisions set forth under these Bye- Laws.

1.4 The acquisition of ownership or rent of any independent dwelling unit (herein after referred to as "Dwelling Unit" of the complex) or act of occupancy of any of the said units will signify that these Bye- Laws are accepted, ratified and will be complied with.

1.5 Registered office address: EFP-15-0101, EMERALD FLOORS PREMIER, SECTOR 65, GURGRAM - 122101, HARYANA.

**(2) Definitions:**

2.1 Unless otherwise specified, all words and phrases used in these Bye-Laws shall have the same meaning as ascribed to them under the Haryana Registration and Regulation of Societies (HRRS) Act 2012 and the Haryana Apartment Act, 1983.

2.2 EFP means Emerald Floors Premier Complex situated at sector 65 Gurgaon.

2.3 Owner or Apartment owner means the person owing a flat in EFP with car park space.

2.4 Society means persons who own a flat in the EFP.

2.5 Member means an owner having full voting rights.

2.6 EFPRWA means the Emerald Floors Premier Residents Welfare Association constituted by flat owners of Emerald Floors Premier for the purpose of carrying out objectives of the association as provided in clause 4 of these Bye- laws.

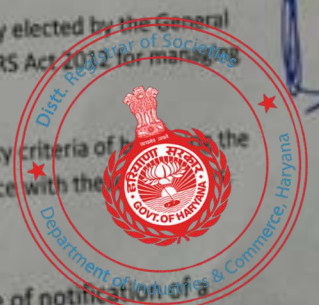
2.7 General Body means the body of all members of EFPRWA.

2.8 BOM means "BOARD OF MANAGERS" which stand for Governing body elected by the General Body in accordance with these Bye –Laws and in compliance with the HRRS Act 2012 for managing day to day affairs of the association.

2.9 Member means an owner having full voting rights, fulfills the eligibility criteria of the member of association and has been admitted as a member in accordance with the bye-laws of the association.

2.10 Memorandum means Memorandum of Association of EFP.

2.11 "Member Entitled to vote" means a member who, on the date of notification of a meeting of General Body is not in arrears of payment of maintenance charges for more than one calendar quarter.



2.12 Premises means an Affordable flat in Emerald Floors Premier residential complex.

2.13 RO means Returning Officer appointed by the District Registrar.

(3) Haryana Apartment Ownership Act 1983:

The residential complex Emerald Floors Premier at sector 65, Gurugram is submitted to the provisions of the Haryana Apartment Ownership Act 1983 and the rules made there under.

**(4) Aims and Objects of the EFPRWA:**

4.1 To be and to act as association of Apartment Owners (herein after referred as Owners) of the group housing building complex called EMERALD FLOORS PREMIER (here after called complex) at sector 65, Gurugram and for which purpose the Owners submit to the provisions of the Haryana Registration and Regulation of Societies Act 2012.

4.2 To receive contributions and other moneys due to the society and invest or deposit them.

4.3 To ensure that the Complex is properly managed, maintained and administered in a democratic manner, transparent and compatible with the standard and expectations of the apartment owners.

4.4 To provide for and / or to do all or any of the following matters –

- To regulate, facilitate, maintain, provide, organize, supervise, control and manage essential services for the residents of Emerald Floors Premier , such as power (including power back up), water supply, security, horticulture, community and common areas, including roads, parks, street lighting, sewers, water tanks, water recycling plants and water harvesting pits , firefighting and fire alarms , CCTVs , safety & security and all other civic facilities, amenities and services, whether through third party providers or in coordination with MCG or any other governmental authority.
- To frame and enforce guidelines for third party service providers
- To promote social welfare, brotherhood and cooperation and cater to the common interests and ends of the residents.
- To take all necessary steps for the safety, security and welfare of all residents in Co-ordination and liaison with governmental authorities, as necessary.
- To frame and amend, in accordance with the rules framed under the Act, Bye-laws as required to manage the affairs of the Association.
- To acquire and hold assets, rights and privileges within its jurisdiction/area and raise/utilize income/inflow therefrom for common benefit of the Association and its members.

4.5 To provide for the maintenance, repair and replacement of fittings, fixtures, appliances or other property requiring maintenance, repair and replacement comprised in common areas & outer walls of the apartments and facilities by contribution made by the apartment owners and if necessary, by raising loans for that purpose.

4.6 To retain and permit use of central green common area only to outsiders against a charge for community celebrations ( like erecting stalls on functions like Diwali , ) and appropriate such income for the objects of the EFP society or its credit to a reserve fund. It is further clarified that Club facilities e.g. Party hall, Theater, Gym, Swimming pool shall not be permitted to outsiders against any charge.

4.7 To establish and conduct educational, physical, social, and recreational activities for the benefits of the apartment owners on its own account or jointly with individuals or institutions.

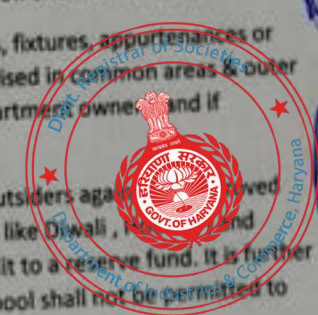
*Nalin Datta*

*M*

*CB*  
*Chandray*

*ABH*

*NGR*



4.8 To invest or deposit moneys to the advantage of the owners, notwithstanding, the profits and income derived from the above objects shall be utilized for the development and improvement of the association and shall not be distributed among the members.

4.9 In furtherance of the above aims and objects, the association is fully empowered to take over all or part of any service being provided by any third party at any relevant time as it may, in its sole discretion, deem necessary for the general welfare of the residents of EFP. Any such action may be taken by the BOARD OF MANAGERS (as defined in the Bye-laws) if so authorized by an appropriate resolution of Members duly passed at a meeting of the General Body.

4.10 To represent the association before government and other authorities including HSVP, DHVBN, DTCP /STP, MCG, GMDA, Fire Department, Police, DC Gurgram, DCP Traffic etc for any common purpose, which may impact the members monetarily or otherwise and take all such steps as may be necessary in this regard.

4.11 To represent the association in all matters pertaining to common property of EMERALD FLOORS PREMIER and to negotiate, carry on litigation in the appropriate legal forum, settle or compromise with third parties any matter affecting the common rights and properties.

4.12 Society shall not act beyond the scope of its objects without suitably amending the provisions of these Bye- Laws for the purpose.

**(5) Affiliation:**

Should there be any Federation of Apartment Owners in the locality in which the Complex is situated, the Society may become a member thereof and pay the sums from time to time payable to such Federation under the rules thereof.

**CHAPTER - II**

**MEMBERSHIP AND THE SOCIETY OF APARTMENT OWNERS**

**(6) Terms of admission of Members & their right to vote:**

Emerald Floors Premier residential complex is having 654 affordable flats.

**(a) ELIGIBILITY :**

Any person or persons, HUF, Firm, Association of persons and /or company who / which has purchased an affordable flat out of 654 affordable flat units in the complex EMERALD FLOORS PREMIER is eligible to become the member of EFPRWA if He / She

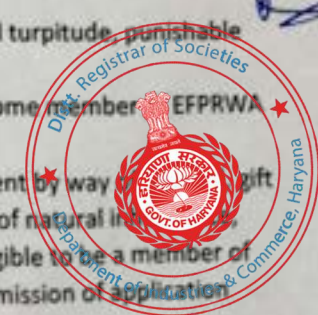
- Is 21 years of age on the date of admission.
- Subscribe to the aims and objects of the EFPRWA.
- Has deposited the membership fee as defined in clause 6(c) of these Bye-laws.
- Is not insolvent or of unsound mind and
- And has not been convicted of an offense involving moral turpitude, punishable with imprisonment of one year or more.
- An owner should be a Primary flat owner of a flat to become member EFPRWA or complying clause 7 of these Bye-Laws.
- Upon any apartment owner transferring his/her apartment by way of gift or an apartment becoming liable to transfer on account of natural inheritance the successor-in-interest shall automatically become eligible to be a member of the EFPRWA and shall be admitted as a member on submission of application without paying any membership fee.

*Nalini Datta*  
*CS R*  
*Chauhan*

*[Handwritten signature]*

*[Handwritten initials]*

*[Handwritten signature]*



Provided that any transfer of the apartment by way of sale to a third party, other than those involving family transfers, shall require prior approval and No Dues Certificate obtained from the EFPRWA.

Further provided that wherever the EFPRWA permits any such transfer, the seller/transferor or the buyer/transferee, as mutually settled between the parties, shall be liable to pay a onetime transfer fee to the EFPRWA as may be fixed from time to time.

- On the death of an apartment owner, the apartment shall be transferred to the person or persons to whom the owner bequeaths the same by his/her nomination or Will or to the legal heirs of his/her estate, in case he or she has not made any specific request of the apartment without paying any membership fee.
- Where the registered owner of a Premises is a partnership firm or Body Corporate, it shall be entitled to nominate a partner or member or shareholder to be a Member of EFPRWA. If nominated, such nominee, if he/she fulfills the eligibility criteria, shall be admitted to membership after following the prescribed procedure. The nomination of partner or member or shareholder shall be made through a resolution of the Board of Directors or any other process prescribed in the constitutive document of the partnership or body corporate.

(b) TYPE OF MEMBERSHIP:

All members of EFPRWA are general members. There is no founder member or any other type / category of the member of EFPRWA under these Bye laws.

(c) MEMBERSHIP FEE :

Each member shall pay Rs 500 – (Rs Five hundred only) or such amount as is decided by the governing body from time to time towards as admission fee. Membership fee to be paid through a bank instrument (DD/Pay Order/Cheque/NEFT/IMPS/RTGS) in favor of bank account of EFPRWA. This amount shall be payable at the time he / she applies for the membership of EFPRWA.

(d) PROCEDURE OF ADMISSION :

- A person eligible to be a Member shall submit to the Secretary an application, duly filled in and signed, in the form (Annexure 1) prescribed under the Act and the Rules, along with supporting documents. The Secretary shall examine the application and place it before the BOM.
- The BOM shall not ordinarily reject the application of any person if he/she fulfills all the eligibility criteria and his/her application is otherwise in order. In the event that the BOM rejects an application, it shall give reasons for the same.
- The decision of the BOM shall be intimated by the Secretary to the applicant within 10 working days of the application being submitted.
- EFPRWA will issue membership number to each applicant after acceptance and approval of the membership application.

(e) RIGHTS OF MEMBERS :



- All the primary members of the Apartment owners or authorized joint members as defined in clause 7 are eligible to vote to managing committee in the General Body Meeting.
- Only Primary members are eligible for contesting elections of Governing Body.
- Each member shall receive a copy of the bye laws in electronic form for their reference.
- Where any legatee is a minor, the apartment owner shall appoint a guardian of such minor to exercise powers and perform the functions required under these bye – laws.

(f) Suspension & Expulsion of member –

SUSPENSION OF MEMBERSHIP

6. f. 1. A Member shall be deemed to have been suspended from membership if she / he has not paid maintenance charges for two consecutive quarters, or any other continuous period that may be decided by the General Body.

6. f.2. Such suspension shall be communicated to the Member by the Secretary within a week of the suspension and She /He shall have the option of getting the suspension revoked upon payment of the outstanding amount along with penalty as decided.

6. f. 3. During the period of suspension of membership, the Member's access to facilities and services provided or arranged by EFPRWA in lieu of the maintenance charges shall be withdrawn like DG Power, Collection of Garbage, other civic facilities etc.

6. f. 4. In addition, Members shall, during the period of suspension, lose the right to vote and/or to contest elections. Even upon revocation of suspension, the right to vote and/or to contest elections shall remain suspended for the remainder of the financial year in which the suspension is revoked.

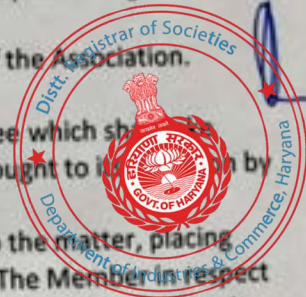
EXPULSION FROM MEMBERSHIP-

6. f. 5. A Member shall be expelled from membership of the Association in the following events:

- upon his/her or any of his/her family members residing with him/her acting contrary to the aims and objectives of the Association;
- upon his/her or any of his/her family members residing with him/her acting in violation of the Code of Conduct set out in these Bye-laws;
- upon his/her being found guilty of misappropriation of funds of the Association.

6. f. 6. For inquiring into such cases, there shall be an Ethics Committee which shall be in cognizance of the case either suo-moto or upon the matter being brought to its attention by members of the Association.

6. f. 7. The Ethics Committee shall proceed to conduct an inquiry into the matter, placing reliance upon all records and documents pertinent to the inquiry. The Member in respect of whom the inquiry has been initiated shall be issued a Show Cause Notice (Annexure 3), and she / he shall be given a reasonable opportunity to be heard. In concluding its findings,



the Committee shall give due regard both to the gravity of the violation, all the available records at its disposal as well as its persistence.

6. f. 8. Upon conclusion of its inquiry, the Committee shall record its findings and make recommendations, including suspension from membership till the Member takes such remedial action as is directed, or expulsion from membership if the gravity of the offending act so warrants.

6. f. 9 The recommendations of the Ethics Committee shall be placed before the General Body for acceptance and further escalation to the General Body for implementation.

6. f. 10. In cases that involve misappropriation of the funds of the Association, the Committee's findings shall also be communicated by the BOM to the General body, for initiating appropriate action under criminal law.

(g) Re-admission of expelled/suspended member-

- Any ceased member convicted of an offence amounting to moral turpitude or who has been removed from the membership on the directions of District registrar /Registrar general for any misconduct shall not be re-admitted in EFPRWA.
- A member can be readmitted after expulsion, only by passing a resolution by general body of EFPRWA.

(7) Joint Apartment owners:

Where an apartment has been allotted in favor of two or more persons jointly, they may be jointly entitled to the ownership of the apartment. However, the person whose name stands first in the registered conveyance/sale deed shall have right to Vote.

Provided that such person, whose name stands first in the registered Conveyance /sale deed, may transfer such rights to vote to any one of the other joint owners.

In case of a Registered Company having an apartment in EFP the voting right shall be to its authorized director or any officer duly authorized by the board of directors of the company in its resolutions.

(8) Disqualification:

(1) No apartment owner shall be entitled to vote or be entitled to stand for election of members of the Board or the President, Secretary, Treasurer or any other office bearer, if he or she is in arrears of any payment to the society on account of common maintenance charges, utility bill payments, common area user charges, special levies, subscriptions or other charges, contributions towards funds etc. or the first day of the month of election for more than 60 days.

(2) Any joint member of EFP apartment owners is not eligible to contest for election of governing body.

(3) EWS flat owners are not the member of this association and can form RWA.

(9) Powers, Functions and Duties of Association (EFPRWA):



(9.1)The association ( EFPRWA) will be responsible for complete administration of the common facilities and services of the complex and shall be competent to exercise all powers in this behalf e.g. preparation and approval of the annual budget , determination and collection of monthly contribution from the members, placing demand for any additional occasioned by any unforeseen liability , interacting with all government or semi government agencies etc. in furtherance of the overall management of the complex in an efficient manner. The EFPRWA shall be a non –profit organization.

(9.2)Except otherwise provided, resolutions of the EFPRWA shall require approval by a majority of owners, present and voting, casting their votes in the manner provided in clauses 17 and 18 of the Bye –Laws.

(9.3)EFPRWA General Body will not be responsible for any loss caused to members they might have suffered by act of God like earthquake, flood, fire, riot, pandemic or willful act of any member personally.

(9.4)In emergent situation the President and in his absence Vice President, Secretary and in his absence Joint Secretary, Treasurer and in his absence any executive member, a combination of three above can take decisions which may be even outside the purview of Bye- laws but will seek ratification for such decisions from the BOM in a special resolution meeting of general body within 45 days  
Such special meetings for passing the special resolutions to be initiated by the secretary of BOM complying clause 10, 12, 13, 14, 15, 16 & 17 requirements.

**(10) Place of meetings:**

Meetings of the EFPRWA shall be held either at the EFP Club or EFP central Park or any suitable place convenient to the owners as designated by the association.

**(11) Annual General Meeting:**

The first General Body meeting of the EFPRWA shall be held within one month of date of registration of the Association to consider and approve these Bye- Laws as per HRRS 2012.

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- (1) A general body meeting of the members of the EFPRWA will be held within one month from the date of Registration of the Association to consider and approve these Bye Laws.
  - (2) The Annual General meeting of the EFPRWA shall be held every year any time during the second quarter of the financial year (July to September) so as to consider, approve and adopt the annual accounts of the Association and transact all such business as it may be required to do.
- CS*  
*Ed. V. 2017*

**(12) Extra –Ordinary or Special General Meetings:**

- (1) EFPRWA may hold its extra –ordinary or special general meetings as and when required. Provided that the Board of Managers shall convene a special or extraordinary general meeting of EFPRWA upon a requisition signed/sent by emails from their registered email IDs to secretary by 1/3<sup>rd</sup> of the association members, or as & when so directed by the



District Registrar of Societies or the Housing Commissioner or any other officer duly authorized by them under the relevant statutes in this behalf.

- (2) The notice of any special meeting shall state the date, time and place of such meeting and the purpose thereof.

**(13) Notice of Meetings:**

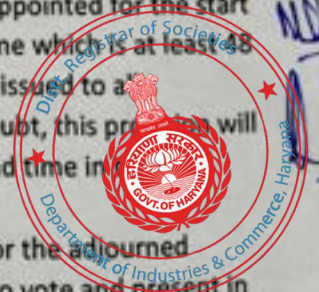
- (1) A notice of 14 days, indicating the time, date and venue shall be given to the members for any general meeting.  
Provided that such notice may be of a shorter duration if not objected by at least 1/3<sup>rd</sup> of the members.
- (2) The notice of any general meeting sent by the electronic mail to the registered email ID of the members shall be an accepted mode of service of such notice.
- (3) A copy of the notice of every general meeting, annual or special, shall also be endorsed to the office of the District Registrar electronically through an email

**(14) Quorum and Voting:**

- (1) The quorum for any General meeting, annual or special shall be 40% of the members of EFPRWA.  
Explanation: No resolution shall be voted upon in a GBM unless the total number of Members who comprise the quorum are present at the time of voting.
- (2) There shall be one Vote for each apartment which may be exercised by the joint member on authority given by the member.
- (3) Every vote, be it exercised, by the member or by the duly authorized joint member, shall be cast in person.  
Provided that the member may communicate such authority in favor of the joint member through electronic mail with a copy thereof duly endorsed to the secretary of EFPRWA.
- (4) Voting can be either by a show of hands or by poll. For sensitive matters, if the presiding officer or a majority of members so feel, voting shall be by secret ballot.  
The record of proceedings of a meeting of the General Body shall indicate the total number of votes cast, the number cast in favour and the number opposing the resolution.
- (5) In consultation with the IT Committee, arrangements for electronic voting may be made as soon as possible.

**(15) Adjourned Meetings :**

- (1) If the quorum is not present within forty-five minutes of the time appointed for the start of the meeting, the meeting shall stand adjourned to a date and time which is at least 48 hours later. A proper notice of such an adjourned meeting shall be issued to all members concerned, including the District Registrar. For the avoidance of doubt, this provision will also apply to a meeting which requires to be adjourned for a second time in accordance with Clause 15.2 below.
- (2) In case of a meeting adjourned for want of quorum, the quorum for the adjourned meeting shall not be less than 25% of the total members entitled to vote and present in person.





In case such meeting is adjourned for the second time for want of reduced quorum of 25% , the quorum for such adjourned meeting shall be 15 % of the members entitled to vote and present in person subject to minimum of 25.

- (3) The General Body shall be competent to transact all business in such adjourned meetings. A Special Resolution can be passed in an adjourned meeting only if at least 25% of the total Members entitled to vote are present and the resolution is approved by three-fifths of the members so present and voting.
- (4) It shall be mandatory for the Board of Managers to convene an adjourned general meeting after a gap of not less than 48 hours of the meeting first convened and adjourned.

#### (16) Order of Business & Record of Proceedings:

(16.1) The order of Business of any general meeting, annual or special, may be decided by the Board of Managers or the members as deemed appropriate.

(16.2) The Association shall maintain, in the book of proceedings separately maintained for this purpose, a record of the minutes of proceedings of every meeting of the General Body. The minutes shall contain a fair and correct summary of the proceedings. Each page of the book shall be initialed and the last page signed by the President and Secretary.

(16.3) The minutes of every meeting of the General Body shall be drawn up and signed by the Secretary and the President, and uploaded on the EFPRWA web site / communication platform within a week of the meeting.

(16.4) An AV recording of every meeting of the General Body shall be made and it shall be uploaded on the EFPRWA website / communication platform.

(16.5) The minutes of every meeting of the General Body shall be placed for confirmation in the succeeding meeting of such body as the first item of Agenda of that meeting.

(16.6) Every Member shall have the right to inspect the books containing the minutes of the meetings of the General Body on any working day, after giving a reasonable notice.

(16.7) Decorum shall be maintained at all times during the meeting of the General Body. A Member who disrupts the proceedings in any manner shall be liable to be removed from the meeting and his membership of the Association suspended, the decision in this regard being taken by the President, or such person who is presiding over the meeting.

(16.8) Any resolution passed by the General Body which is not consistent with the provisions of the Act or the Rules or the Bye-laws shall be invalid.

(16.9) Resolutions should be formally worded. There should be separate resolutions for separate matters.

#### (17) Special Resolution:

17.1 Any matter required to be resolved through a Special Resolution may be decided by the General Body at any general meeting, annual or special, which is attended by at least 40% of the total members entitled to vote and present and the proposal is approved by 3/4 of the members present and voting.



17.2 If the quorum is not present in the general meeting to pass a special resolution, it can be passed in an adjourned meeting only if at least 25% of the total Members entitled to vote are present and the resolution is approved by three-fifths of the members so present and voting.

### CHAPTER -III

#### **(18) Board of Managers, Office Bearers of the Association, tenure and their Election:**

18.1 There shall be 7 Board of Managers (BOM), who shall be elected from the association by ballot/or in general body meeting among members in accordance with the requirement of these Bye-Laws. The office bearers of the society from the Board of Managers shall consist of a President, a Vice President, a Secretary, Joint secretary and a Treasurer and two executive members.

18.2 The BOM shall be elected every three years directly by the EFPRWA members in its General Body meeting.

18.3 Election of the Board of managers (BOM) & Term of Office:

- a) The first election of the BOM will be convened within 6 months or as stipulated.
- b) Further onwards, the term of the BOM shall be 3 years from the date of the approval of its election by the District Registrar.
- c) Any member of EFPRWA is eligible to get elected and become an office bearer subject to following terms:
  1. He /She should be physically living in the Society.
  2. He /She should be able to devote sufficient time as required by the EFPRWA for EFP society issues and should be available to attend all AGMs and GB meetings of EFPRWA on regular basis. Exception to absence from meeting can be accepted for not more than 2 occasions or any personal exigency during his/her term and with appropriate communication to the GB in advance via email.
  3. In case of joint ownership of the apartment the person whose name stand first in the registered conveyance /sale deed shall have the right to get elected.

d) An RO will be appointed by ROS on request of BOM to get the newly elected governing body by the general body. BOM will request an appointment of RO to ROS three months in advance prior to due date. RO will get the election done after procedure defined by the ROS.

18.4 Duties, Roles & Responsibilities of BOM members are defined in clause 18.3 of these Bye-Laws.

#### **(19) Resignation, Suspension and removal of Board of Managers:**

- (1) An office bearer of the Society may, of his/her own volition, resign from such position at any time.  
Provided that the BOM may, if considered unavoidable, require such board of manager to continue to discharge his/her functions till such time his/her substitute is duly elected at a general meeting of the society.
- (2) In case a majority of the Board of Managers express their lack of confidence in any office bearer for non-fulfilling his / her role & responsibilities as defined in clause 20, 21,22,23,24 or violate clause 27 of these Bye laws or convicted of an offence amounting to moral turpitude, has not attended three consecutive meetings of the committee without giving any valid reason or who has been removed from the membership on the directions of District registrar /Registrar general for any misconduct, BOM shall be competent to suspend such office bearer from office till such time the matter is considered at the general meeting of EFPRWA for his/her removal and so resolved. Provided that the Board of Managers shall convene a meeting of EFPRWA as soon as possible but not later than 45 days of such decision, to consider the removal of such office bearer.
- (3) The successor of any office bearer so removed from the office shall be elected at the same general body meeting of the association.

**(20) President:**

- a) The president shall be one of the office bearer of the Society and shall preside over all meetings of the Society and of the BOM with defined quorum as per clause 32.
- b) The President shall have all the general powers and duties which are usually vested in any Office Bearer of an Association. He/ She along with at least one more office bearer may dispose of such important and urgent matters which for want of time cannot be put up to the BOM members immediately and get it ratified with BOM members approval / consent on e-mail.

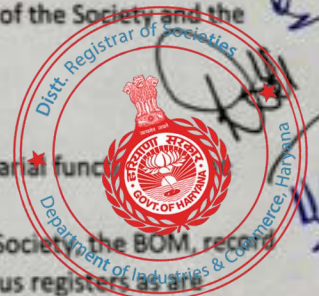
Any general decision of the president is subject to the approval / consent of minimum 50 % of the office bearer.

**(21) Vice President:**

- a) The Vice President shall perform such functions as are assigned to him by the BOM from time to time.
- b) Officiate as the president and preside over the meetings of the Society and the BOM during any temporary absence of the President.

**(22) Secretary:**

- a) The Secretary shall be the overall in charge of the secretarial functions of the Society and the BOM.
- b) The Secretary shall issue notice for the meetings of the Society, the BOM, record the proceedings of all such meetings and maintain various registers as are required to be maintained in this behalf.



- c) The Secretary shall be the custodian of all such books and records of the Society and the BOM, as the BOM may direct.

**(23) Joint Secretary:**

The Joint Secretary shall assist the Secretary of the Association in discharge of his/her duties and responsibilities.

**(24) Treasurer:**

- a) Treasurer shall be responsible for management of the finances and accounts of the Society, receipts and expenditures, bank accounts, maintenance of all books of account, investment of surplus funds and audit of the accounts of the Society.
- b) Treasurer shall be responsible for the deposit of all moneys and other valuables effects in the name and to the credit of the Society, in such depositories, as may from time to time be decided by the BOM.
- c) Treasurer will be responsible for preparation of Balance Sheet, Profit & Loss statement at the end of each year by due date. As also any statement/records/returns (as per format given in the Rules) required by the BOM and / or by the Registrar.

**CHAPTER – IV**

**CONSTITUTION OF THE BOARD OF MANAGERS, ITS FUNCTIONS AND POWERS**

**(25) Board of Managers and its mandate:**

- (1) The affairs of the Society shall be managed by a BOM, comprising seven members, who shall be elected by the members of the Association for a term of three years, and will be referred to as the "BOM" hereafter. However the term of first BOM after formation of EFPRWA and approval of these Bye laws will be six months only.
- (2) The office-bearers of the Board of Managers shall be the office-bearer of EFPRWA also.
- (3) The BOM shall act as the trustee of the members of the society and be responsible for the overall management of the assets of the Society, operation and managements of all its common facilities and the office complex as a whole and shall exercise all powers as are required to be exercised in the efficient discharge of its functions and responsibilities.
- (4) The BOM shall discharge its functions and duties following the principle of collective responsibility and the designations of any office bearers are not meant to create any hierarchy.
- (5) The BOM may appoint such Subcommittees of members of Society for such time as may be considered necessary with such terms as it may deem appropriate in exercise of powers and discharge of duties for administration of the affairs of the Society.
- (6) The BOM may co-opt or appoint such persons as members of any such Subcommittee who possess domain knowledge of any area to provide any expert assistance to any such subcommittee.

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- (7) Any subcommittee appointed by the BOM, with or without any expert, shall submit its report to BOM, upon which the BOM may take such action as deemed appropriate.
- (8) The BOM shall be responsible for preparation of the Annual Accounts and Annual Budget and shall present an Annual Report of its activities before the Society in its Annual General Meeting.
- (9) Power of BOM is limited to the management of common facilities & services of the EFP. Any major policy decision or total spends more than Rs 5 lakh in a single head need approval through a special resolution by the majority of members in a special general meeting under clause 17. Such special meetings for passing the special resolutions shall be initiated by the secretary of BOM complying clauses 10, 12, 13, 14, 15, 16 & 17 of these Bye-Laws.
- (10) Any decision taken by the majority of BOM members which is not Consistent with the provisions of the Act or the Bye-laws or the resolutions passed by the General body in previous meetings shall be invalid.

**(26) Duties, Functions and Powers of Board of Managers:**

The BOM shall, in addition to the duties and responsibilities assigned under these Bye laws or by resolution of the society, be responsible for the following, among other duties:

- (1) The care, upkeep and surveillance of the complex, the common areas and facilities.
- (2) Determination and collection of the monthly maintenance charges from the apartment owners.
- (3) Raise bills, receive the amount and deposit the same with the appropriate authority on account of monthly water and electricity bills / or any other charges payable to any authority or association.
- (4) Levy and collection of user charges for use of restricted common facilities as may be decided by the Association from time to time.
- (5) Designation, employment, payment of remuneration and dismissal of personnel or service providers necessary for the maintenance and operation of the Office Complex, its common areas and facilities and the restricted common areas and facilities.
- (6) Laying procedures for maintenance of the accounts of the association and its audit.
- (7) Inspect and examine the records and accounts kept by or under the supervision of the Treasurer so as to ensure that these are maintained in the manner prescribed. BOM is eligible to audit EFP accounts maintained by any other organization over and above treasurer.
- (8) Take steps for timely payment of all obligations and the recovery of all sums due to the Society.
- (9) Approve or sanction working expenses, maintenance of cash balance and deal with other miscellaneous business.
- (10) Ensure that the cash book is written promptly and is signed daily by one of the members of the BOM authorized in this behalf.

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- (11) Appropriately deal with the complaints concerning the above.
- (12) Perform all other functions as may be decided, from time to time by the EFPRWA for the maintenance, repair and replacement of the fittings, fixtures, appurtenances or other property requiring maintenance, repair and replacement comprised in common areas and facilities and the restricted common areas and facilities.

**(27) Restrictions for an Office bearer or member from receiving any benefits:**

No office bearer or member of the Association shall be appointed to any salaried office of the Society and shall not be paid any fees or reimbursement for the services rendered by him. Provided that the office bearers and /or the members shall be entitled to claim reimbursement of actual travel and out of pocket expenses incurred by them in connection with any work related to the Society and interest accrued thereon if not reimbursed in time.

**(28) Vacancies in the BOM:**

Any vacancy in the BOM caused by any reason other than the removal of an office bearer, may be filled up by the remaining office bearers of the BOM by nominations as an intervening measure, which shall be placed before next general body meeting of the Association for ratification of election of such office bearer.

**(29) Engagement of Agencies, Service Provider, Estate Manager and other officials:**

29.1 The BOM may engage one or more service providing agencies for performance of such functions or delivery of such services and for such compensation as it may determine for the purpose.

29.2 The BOM may engage or employ individuals, on full time or part time basis in the employment of the society, for a remuneration or compensation as determined by the BOM and performance of such duties and services as may be decided by the BOM.

29.3 The BOM may require all or any of the employees of the Society to furnish a fidelity bond.

29.4 There shall be all the time following EFPRWA staff appointed by the BOM –

- ESTATE MANAGER
- TECHNICAL MANAGER
- ACCOUNTANT
- SECURITY MANAGER

The duties and responsibilities of the EFPRWA staff shall be as follows:

29.4.1. Estate Manager:

- To ensure regular updating and safe storage/ custody of EFPRWA records/ documents
- To make EFPRWA records/documents available to members for inspection, as



per the provisions of the Bye-laws.

- To make adequate arrangements for meetings of the General Body, BOM.
- To liaise and maintain a working relationship with GMDA, MCG, DTCP, DC's office, local Police Station and other offices of local administration or any such agencies/body as may be required
- To liaise and maintain a working relationship with licensed developer, and with RWA's in the neighborhood, such as Emerald Hills Plot Owners, M3M, Emerald Estate etc.
- To liaise and maintain a working relationship with the Municipal Councilor.
- To be the first point of contact for residents on matters to do with membership, EFPRWA dues, inspection of documents/records etc.
- To monitor the day to day work of the vendors responsible for Facilities Management.
- To escalate to the BOM such matters as are not satisfactorily attended to by the Facilities Management team.
- To be the point of contact when residents' complaints are not satisfactorily attended to by the Facility Manager even after being escalated.
- To be the point of contact for all issues that are outside the purview of the maintenance agency/vendor.

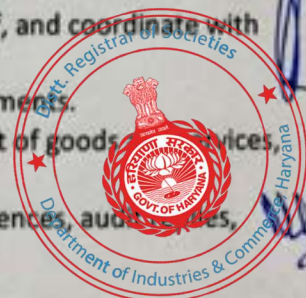
#### 29.4.2 Technical Manager:

To monitor/coordinate the day to day as well as scheduled work of the Facility Manager to do with the operation, maintenance and repair/replacement of the following:

- Potable water storage, pumping and distribution systems
- DG sets
- Power distribution panels
- Pressure pumps and pipelines bringing STP water to EFP.
- Boom barriers
- CCTVs, etc.
- To liaise with DHBVN (power supply) and with GMDA and MCG (Potable water, sewer, roads, street lights etc.)

#### 29.4.3 Accountant:

- Assist in all accounting and book keeping related to the accounts of the Society, and maintain a track of such Accounts in the relevant Software and update all accounts related to receipts and expenditure on a routine basis.
- Process timely payments of vendors, travel and other claims of staff, and coordinate with vendors, outsourced maintenance agency and EFPRWA staff.
- Keep track of all project contracts, purchase orders and related payments.
- Assist in preparation of documents for contracting and procurement of goods and services, including maintenance and physical verification of assets.
- Within the assigned area of responsibility, draft letters/ correspondences, audits, etc.
- Prepare and submit expenditure and budget status reports.
- Monitor project activities, budget and financial expenditures and maintain proper record of approved budgets and their revisions.
- Follow-up on timely disbursements.
- Account for and prepare the receipts from members as well as non-members and keep the statement of receivables at regular intervals.



- Keep custody of bank records, preparation and signature of vouchers and cheques by authorized office bearers of EFPRWA. Bank reconciliation statement and liaison with banks on a regular basis.
- Keep close coordination with Auditors as well as outsourced CA services.
- Compliance with tax requirements, GST, TDS and other related work in close coordination with outsourced CA services as mentioned above.
- Preparation of MIS for EFPRWA officials as well as Governing Body on a case to case basis as required.
- Liaison with Government Authorities related to Taxation, Accounts and Audit.

29.4.4 As far as possible, EFPRWA shall engage an Estate Manager who is keen to learn, energetic and possess excellent oral and written communication skills since a large part of his work involves liasoning with different organizations. Also, he must demonstrate proper knowledge of EFPRWA Bye-laws and the Acts, rules and regulations that are applicable in his/her areas of work.

29.4.5 The telephone numbers/email ids/mobile app provided by the Estate Manager to residents to lodge complaints shall be the first point of contact and a serially numbered Complaint ID shall be generated in respect of each complaint.

29.4.6 If the complaint is not satisfactorily disposed of, it shall be escalated as per the Escalation Matrix within the Estate Manager's organization and lastly, to the members of the BOM, as per their specific responsibility within the Committee.

29.4.7 The Escalation Matrix shall be prominently displayed in the EFPRWA office, EFPRWA website and appended below the signature line of the EFPRWA email address.

29.4.8 Security Manager will look in to all aspects of safety and security matters of EFP and will report to BOM.

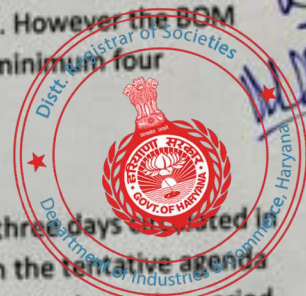
## CHAPTER-V

### **(30) Meetings of the Board of Managers – Notices, Agenda, Quorum and Proceedings:**

- (1) The first meeting of the newly elected BOM shall be held within the thirty days of such election at such place as decided by the BOM.
- (2) The meeting of the BOM will be held as and when required. However the BOM shall meet at least once in every quarter and there will be minimum four meetings of the BOM in a financial year.

### **(31) Notice for the Meeting of BOM:**

Every meeting of the Board shall entail a notice of at least three days in electronic or physical mode, as the case may be, along with the tentative agenda of the business to be transacted at such meeting, Provided that the notice period may be waived in emergent circumstances if a majority of the office -bearers agree to hold the meeting at a shorter notice.





**(32) Quorum:**

- (1) At least 40% of the members of BOM shall constitute the quorum for any meeting on routine matters like Annual Plan, Budget, Annual statement of accounts, and any other item which is to be placed before the GBM and required to be approved by Special Resolution.
- (2) At least 60 % of the total members of the BOM shall constitute the quorum for taking policy decisions and decision on high expenditures, subject to a minimum of 4 members. In all matters such as maintenance of roads/sidewalks/parks, upgrading of society complex with construction, running/management of Community Centre, refund of IFMS deposit etc., which have long term, recurring implications for the community and require the BOM to engage with MCG/ GMDA and with EMAAR, the BOM proposed course of action shall be placed before the General Body and its approval obtained.
- (3) In case quorum is not present the meeting shall be adjourned to another date for which a proper notice shall be issued.

**(33) Proceedings of the meetings:**

- (1) The proceedings of every meeting of the BOM will be recorded and minutes of the meetings will be kept in a file separately to maintain the records. Such minutes shall be signed by the Chairman of the meeting and the secretary of the society. In case the chairman or the secretary is not available to sign the minutes, these will be signed by any two members present in the meeting as may be authorized by the BOM. The minutes shall contain a fair and correct summary of the proceedings. The names of the members consenting and dissenting shall be stated.
- (2) The minutes to be circulated amongst the BOM members including those who were not present and EFPRWA members by electronic mode/ electronic media and hard copies there of shall be endorsed to concerned authorities as required.

**CHAPTER VI**

**FUNDS, ACCOUNTS AND AUDIT**

**(34) Management of Assets and Funds of the Society:**

The BOM shall be the sole custodian of all the funds and assets both immovable & movable, of the association.

BOM shall be responsible for maintaining proper records of all the assets and funds of association and exercising adequate control to ensure their safe keeping.

**a) The sources of income of the society will include**

- Receipts on account of membership fee
- Annual subscription, rent from property/assets, consultation fees.
- Monthly maintenance charges
- Subscription to any Corpus Fund or Special Purpose Fund or Festival Fund
- Interest on deposits
- Donations/ Gifts/ Grants or Sponsorship's / Stall Rentals on Festival Celebrations



- Any other source as may be approved by the General Body to augment the Association's resources.
- Borrowing: In the event of paucity of funds, the Association may raise funds through interest free short term loans from members or interest bearing loans from scheduled banks, provided the same is approved by the General Body. Loan from the scheduled bank will be taken only for purchase or creation of capital assets and not for meeting any recurring revenue expenditure under any circumstance.

b) The BOM will prepare and approve a detailed Annual budget of the society on the basis of its estimated revenue and capital income & expenditure on Common areas/items during the first quarter of financial year and shall also place a copy thereof before the Association in its Annual General meeting for approval. An illustrative (but not exhaustive) list is as follows:

- Salaries of staff of Facility Management, Security, Housekeeping, MEP services, Horticulture, Club, Professional consultancies.
- Annual maintenance contracts of DGs, Lifts, HT & LT cable and panels, Transformers, STP, CCTV, Boom Barriers, FAS & Fire Extinguishers, Electricity Meter, Apna Complex App, Compost plant, Electricity Meter, Swimming Pool and Pest control.
- Spares & Consumables of MEP systems, Batteries & HK consumables.
- Electricity DHVBN bills of society for common areas.
- Water expenses
- Diesel expenses
- Club, Gym maintenance & property tax, swimming pool license expenses.
- Maintenance of the 24 meter road expenses.
- Maintenance of Underground water storage tank, and pumps, pipelines etc.
- Facility Office expenses.
- Tank cleaning, Rainwater pit cleaning,
- Maintenance of STP pipelines
- Maintenance of Entry & Exit Gates
- IT cost & data processing costs
- Audit Fees (Tax, Statuary and GST)
- Travelling & communications
- Licenses and renewals fees
- Legal expenses etc.
- Kids Park items maintenance
- Protection paint of Fire exit staircases from corrosion.
- Depreciation
- Beautification of Entry & Exit gates.

c) While preparing the budget, the BOM and the subcommittees may consider and accept a contingency factor not exceeding 10 % of the estimated income.

d) Each subcommittee shall give its respective budget to the BOM not later than February 28<sup>th</sup> of each year. The BOM shall then draw up a consolidated budget and present it to the General Body before March 31<sup>st</sup> of each year.



- e) The consolidated Annual Budget shall incorporate and state the following:
- i) Revenue Budget – The Consolidated Budget shall comprise and provide details of all the proposed Expenses and Revenue receipts for the year, along with sub committees and Common area budgets.
  - ii) Capital Budget - The Consolidated Budget shall comprise and provide details of all the proposed Capital Expenditure for the year, along with sub committees wise and Common Area budgets.
- f) The Annual Budget shall be approved by the General Body through a Special Resolution and all expenses shall thereafter be incurred strictly in accordance with the budget.
- g) A supplementary budget may be prepared by the BOM and the General Body's approval obtained if, due to exigent circumstances, additional expenses to that budgeted in the Annual Budget are required to be incurred.
- h) Any expenditure that is not provided for in the Annual or Supplementary Budget and is in excess of the limits mentioned in Clause 37.1 shall be deemed to have been undertaken without proper authority and shall invite appropriate action by BOM & General Body, including recall of the office bearers under the relevant clauses of the Bye-laws.
- i) The bank account of the society will be jointly operated by such executive members /office bearers in accordance with the procedures prescribed by the BOM for delegation of financial authority as defined in the Clause 37.1.5 of the Bye Laws.
- j) All assets and funds will belong to the Society and vest in the Society.
- k) Subject to the provision of clause 37 (ii), all receipts and payments of the society shall be made through Bank instruments (i.e. DD/Pay Order/Cheque/online bank transfers (IMPS/NEFT/RTGS) including all receipts towards the membership fees and the annual subscriptions or periodical charges from the members.
- l) Creation of Other funds:

In order to ensure robustness of its finances, the Association shall maintain a Corpus Fund.

The Corpus Fund shall be credited with all or any of the following amounts, as may be decided by the General Body:

- i. Contributions from Residents;
- ii. Surplus of income over expenditure;
- iii. Any Donation or Grant received towards the Corpus;
- iv. Any other amount as may be decided.

With the approval of the General Body, and due provision having been made in the Annual Budget, the Corpus Fund may be utilized for the following:

- i. For acquiring Capital Assets (additional or replacement);
- ii. To meet deficit of income over expenditure as may be decided by the General Body;
- iii. To undertake any special projects for the welfare of the Residents.

The society shall maintain a corpus fund and operate these in accordance with the following general principles:

1. The Funds shall be created only on specific approval thereof by the General Body, based on an evaluation of requirements and value estimation. Distinction shall be made between funds for routine charges or emergency charges.

2. Approval of each Fund shall include full particulars as to its purpose, duration, monetary limit, sources and rate of contribution, as well as its utilization.
3. Contributions to and usage from the Funds shall be in accordance with such approval.
4. Funds to the extent unutilized, must be represented by liquid assets available under the head "Investments "or "Bank Balances ".
5. The annual accounts must contain a report on the status as to the sources and application of these Funds, along with the reasons of any deviations.
6. BOM shall be entitled to carry out all routine expenditures, however the above funds would be created and expended in terms of the approval of the General Body of the Association.
7. The Society by its constitution, is required to apply profits, if any or other income in promoting its objects subject to in principle approval of the association.

**(35) Investments: The society may invest or deposit its funds in one or more of the following:**

- (1) In a scheduled Bank or a Post office saving accounts.
- (2) In any of the securities specified in section 20 of the Indian Trust Act 1982.
- (3) In any other manner as resolved by Society.

**(36) Deployment of Fund:**

The income and property of the society shall be applied solely towards promotion of the aims and objects of the Society as set forth in the Memorandum of Society & these Bye Laws and no portion thereof shall be paid or transferred directly or indirectly to the members of the society.

**(37) Maintenance of Accounts:**

- (1) The society may open separate bank accounts for separate purposes and maintain proper record of each such account.

**EXPENSES:**

The BOM shall be empowered to approve and incur expenditure, on behalf of the Association, on revenue and capital items, as per the Annual Budget approved by the General Body.

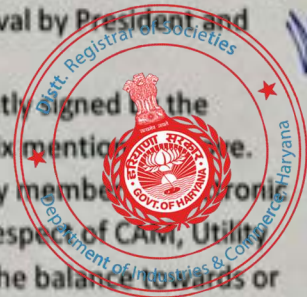


The matrix for approving and incurring expenses shall be as follows:

Revenue items , Approved under annual budget	All expenses up to INR 50,000	Jointly by any of the two office bearers from among the Treasurer , Secretary and President
	All expenses above INR 50,000	Jointly by Treasurer , Secretary and President
Capital items approved under capital budget	All expenses up to INR 100,000	Jointly by any of the two office bearers from among the Treasurer , Secretary and President
	All expenses above INR 100,000	Jointly by Treasurer , Secretary and President
Non budgeted	All expenses up to INR 25,000	Jointly by any of the two office bearers from among the Treasurer , Secretary and President
	All expenses between INR 25,000 and INR 100,000	Jointly by Treasurer , Secretary and President

- No expenditure exceeding the amount of INR 1,00,000/- (Rupees one lac only) shall be incurred by the BOM unless such expenditure has been approved by the General Body under the annual or supplementary budget.
- The aforementioned limit of INR 1,00,000/- (Rupees one lakh only) is per item of expenditure. Any recurring expense will be regarded as a single item for this purpose and will be aggregated. The cumulative total of all such single items of expenditure will not exceed INR 5,00,000/- (Rs. Five lakh only) unless prior approval is accorded by the General Body.
- A proposal to approve and incur expenses on behalf of the Association shall be considered by the BOM only if it has no more than 30 % vacant seats.
- The BOM shall not, after the date of expiry of its term of office, make or authorize any withdrawal from the accounts of the Association, nor shall it make any investment, unless the same has been authorized by the General Body.

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- (2) Treasurer will keep an amount of INR 5000/- as petty cash for the items for which payments may not be feasible through bank instruments. Approval by President and Secretary is essential for such expenses.
- (3) All payments, in so far as possible, shall be made by cheque jointly signed by the signatories as authorized by BOM as per expense approval matrix mentioned above.
- (4) The BOM shall maintain a pass book or ledger in respect of every member from which form containing particulars of amount due from a member (in respect of CAM, Utility bills, User charges or any other demand), the payments made, the balance towards or against the member/ Association, as the case may be. Copies of the accounts so maintained shall be made available to the members on demand during the Annual General Meeting of the Association or any stage, for which the Association may or may not determine a fee.



(5) BANKING & CASH :

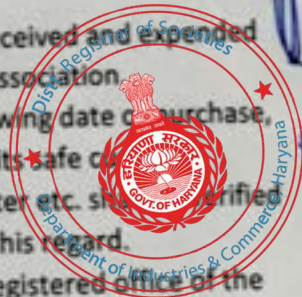
- Authorized Signatory : - The bank accounts of the Association shall be jointly operated by the following office bearers as defined in Matrix under Clause 37.1:

- i. Treasurer
- ii. Secretary
- iii. President

- In the absence of any of the above office bearers, the Vice President shall substitute for the President and the Joint Secretary shall substitute for the Secretary. Authorized signatory for signing the cheques shall be any of the Office Bearer accordingly. Any purchase cheque shall be processed by the treasurer for signing of authorized signatories with all the necessary back up documents attached and strictly in line of approval of expenses as per matrix defined in clause 37.1
- All receipts of the Association shall only be through bank instruments (e.g. DD/ Pay Order/ Cheques/ Bank Transfers) including receipts towards membership fees, maintenance charges, subscription charges, if any, etc,
- Other than petty expenses, not exceeding INR 5,000/-, all payments of the Association shall only be made through bank instruments (e.g. DD/ Pay Order/Cheques/ Bank Transfers).
- To meet petty expenses, the Treasurer shall be empowered to hold a cash imprest of up to a maximum of INR 5,000/- at any given time. All receipts and payments of the Association shall be entered daily/upon occurrence in the relevant records and signed by the Accountant. Such records shall be reviewed by the Office Bearers on a monthly basis, and signed as a token of such review having been carried out.

(38) ANNUAL ACCOUNTS:

- (1) The BOM shall prepare annual accounts of the society at the end of a financial year, as soon as possible, but in any case, on or before the 30<sup>th</sup> June of the following year.
- (2) The BOM, and specifically, the Treasurer, shall be responsible for maintaining proper books of accounts (cash book, ledger etc.) in respect of the Association's financial transactions and ensuring the accuracy of accounts at all times.
- (3) Proper records shall be maintained in respect of all sums of money received and expended by the Association, and in respect of the assets and liabilities of the Association.
- (4) An inventory of fixed assets (Asset Register) shall be maintained, showing date of purchase, cost of purchase and person (name and designation) responsible for its safe custody.
- (5) At least once in every six months, the books of accounts, Asset Register etc. shall be audited and signed by at least two office bearers, authorized by the BOM in this regard.
- (6) The books of account and other records shall be maintained at the registered office of the Association, and shall be open to inspection during business hours by the Registrar General, Registrar, District Registrar or any officer authorized by them and by any member of the Association, after reasonable notice.
- (7) Annual Financial Statements :



- The Association's annual financial statements, duly audited and signed by the President, Secretary and Treasurer, shall be presented by the BOM at its Annual General Meeting for obtaining the approval of the General Body.
- The Annual Financial statements shall include
  - I. Balance Sheet
  - ii. Income and Expenditure for the year
  - lii. Fund Flow statement
  - iv. Comparison with Budgeted Receipts and Expenses
  - v. Annual Statement explaining the Budget Variances
  - vi. Audit Report
  - vii. Internal Audit Report
  - viii. A statement explaining action taken vis-a-vis adverse audit findings, if any
  - ix. The receipts and expenditure statement of the previous financial year, surplus or deficit account.
  - x. A summary of the property and assets & liabilities of the common areas and facilities 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.

**(39) Audit of Accounts:**

- a) The Annual Accounts shall be submitted for Audit by a Chartered Accountant engaged by the BOM, such Chartered Accountant not being a member of the society or close relative of any of the members.
- b) The audited financial statements shall be open to inspection by any member of the society during office hours and in the office of the Society and a copy thereof shall be placed before the Annual General Meeting for its approval and adoption by not later than 31st August of every year.
- c) Every financial statement shall be accompanied by a complete list of the apartment owners, along with the amount received from or payable to the members.
- d) A copy of the Annual Audited Accounts shall be filed in the office of the District Registrar as well as other authorities in the form and manner prescribed under the relevant law.

**(40) Appointment of Auditor and related matters:**

- (1) The Association shall appoint a registered Chartered Accountant or a firm of chartered accountants as the auditor at its Annual General Meeting along with the determination of the remuneration thereof.
- (2) The BOM shall extend full assistance to the Auditor and make all such documents and records available to him as may be required for the same.
- (3) The auditor shall conduct the audit of the accounts of the society independently in accordance with the accepted accounting standards.
- (4) The auditor shall be entitled to call for and examine any paper or document belonging to the society covering the complete scope of activities of the Society.



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## MORTGAGES

### **(41) Notice about Mortgage and related information:**

- (1) A member, who mortgages his/her apartment in favor of any financial institution, shall notify the Society through its Secretary, the name and address of his/her mortgages, and the Society shall maintain such information in a book entitled "Mortgages of Units"
- (2) The member shall also notify the society about the status of mortgages of the apartment, and its vacation.
- (3) The Society may, at the request of the Mortgagee of a unit, report any unpaid assessments or charges due from the owner of such unit.

## CHAPTER -VII

### DETERMINATION OF CONTRIBUTIONS FROM MEMBERS FOR COMMON MAINTENANCE OF FACILITIES, USER CHARGES AND UTILITY PAYMENTS

### **(42) Members to contribute for various charges:**

- (1) The society member shall contribute towards charges on account of all or any of the following maintenance of facilities :
  - a) Charges for the maintenance of common areas and facility e.g. security, cleaning, garbage disposal, horticulture, ventilation, air conditioning, plumbing services, AMCs of various facilities e.g. Gen Set, Lifts, STP, WTP, Transformers, CCTV, Boom barriers, Fire Extinguishers, Electricity meters, LT-HT panels etc.
  - b) Charges for use of common facilities e.g. Gym, indoor games, swimming pool, lounges, terrace with lounge, common kitchen area, lawns, spares & consumables etc.
  - c) Utility charges ie. Electricity bills of individual apartment and the individual contribution towards the cost of providing electricity through generators along with diesel and water charges etc.
  - d) Contribution to the Reserve Fund for meeting major repairs & maintenance and renovation works required for the common areas of the complex or for any upgradation of the society as approved by General Body in AGM.
  - e) Costs towards payment of insurance premium to cover the risk against various eventualities e.g. fire, earthquakes, natural calamity, strike by any terrorist action, pandemic etc.
  - f) Any taxes or fees or cess payable to the local Municipal Corporation.
  - g) Hiring / purchase of any software e.g. Apna Complex, IBMS, for security maintenance / supervision of the routine operations & services of the 24 meter road
  - h) Charges for electricity of common areas of EFP including lighting of 24 meter road outside the exit / entry gates.
  - i) Any other charges not specifically covered under the above.

It is further defined that -

- Charges covered under clause no a, b, e, f and g above are termed as "CAM" charges which means common area maintenance charges and shall be paid mandatorily by the





each Premises owner/ tenant quarterly against the invoice raised by the BOM appointed Estate Manager or on his behalf by his team.

- Charges under clause "c" is termed as Electricity Bill charges for individual unit of EFP and shall be paid in advance by the owner / tenant to BOM which gets reflected in the prepaid meter of the unit. Alerts for the low balance at Rs 500 and at Rs 300 will be sent by SMS to the registered mobile number of the owner / tenant by the BOM appointed Estate Manager or on his behalf by his team.
- Charges under clause 'h' are termed as "CAE" charges which means common area electricity charges and shall be paid mandatorily by each Premises owner / tenant quarterly against the invoice raised by the Estate Manager or on his behalf by his team.
- Charges under clause 'd' are termed as "Corpus Funds" and shall be collected by BOM appointed Estate Manager or on his behalf by his team after a special resolution passed by the General Body for the same.
- A quarterly (or such other period as may be approved by the General Body) invoice for CAM, CAE and other charges shall be issued by EFPRWA and delivered to owners via e mail and by post, at their known addressee. Owners who opt out shall not be sent the invoice by post.
- An effort will be made by BOM with MCG to reduce the cost of burden on residents for 24 meter wide road lighting as it is a government owned road. Till than EFPRWA will continue to maintain lighting on this road for convenience of the residents.

(2) All expenditure incurred on the maintenance of the common facilities and services of the complex shall be recovered from the members on the basis of total expenditure incurred divided by total number of units in the complex. EWS contribution of CAM charges shall be dealt as per Govt guidelines on the subject.

(3) A complete list of the public areas & physical assets of the Association and the facilities/services provided by the Association as on date is contained in Annexure 4. These may be reviewed and updated/revised/modified by a Special Resolution of the General Body.

(4) Power to determine Maintenance Charges :

The BOM shall be empowered to determine Maintenance Charges and the methodology for such determination shall both be justifiable and bear a nexus with the Association's estimated income and expenditure. The methodology and rates, having been determined by the BOM, shall be placed before the General Body for obtaining its approval. It will be in general prevailing terms of Rs / Square feet.

(5) Maintenance charges for EWS flats: -

Endst. No. 5977-6024 dated 10 May 2011 issued by Director General, Town & Country Planning Department Haryana and subsequent orders on the subject matter referred to arrive any decision on the same.



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## CHAPTER -IX

### OBLIGATION OF THE APARTMENT OWNERS

#### (43) Obligation to timely payment of all charges and contributions:

Each and every apartment owner & shop owner in the complex shall be under obligation at all times to pay the common maintenance charges and user charges as determined by the association from time to time and the utility bills in respect of electricity and water consumption without being in arrears.

#### (44) Observance of duties and responsibilities:

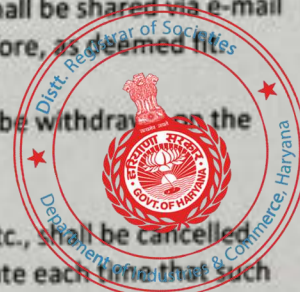
The apartment & shop owners shall be obliged to observe their duties and obligations as set out herein and any violation of the same shall make them liable to fine and / or for forfeiture of their rights as may be determined by the Association as its meeting or by any special committee appointed by them in this regard.

#### (45) Enforcement of Obligations:

In case any apartment owner or a shop owner is in arrears of payment of his/her obligations for a period of one quarter or more, the BOM shall be competent to take all measures for the recovery of such arrears of the monthly maintenance charges, monthly utility bills (electricity and related charges), fine (if any) and other user charges, including coercive measures by taking recourse to disconnection of electricity and water supply to the apartment, blocking its sewage outflow and denial of access to use common facilities including the lifts and any other services / facilities provided to apartment owners.

(45.1) Non-payment of maintenance charges for two consecutive quarters shall have the following consequences for the **Defaulter**:

- The name of the owner/resident shall be included in the list of Defaulters, which list shall be displayed on the EFPRWA Notice Board and the EFPRWA website, and shall be shared via e-mail with all residents after the end of every quarter and financial year or before, as deemed fit.
- The services of DG power backup and Household Waste Collection shall be withdrawn on the day succeeding the last due date of payment of CAMS charges.
- The Entry Passes of all domestic help, including, driver, gardener, cook etc., shall be cancelled and the Premises owner shall escort the domestic help from the entry gate each time that such domestic help enters.
- New entry Passes shall not be issued to painters, carpenters, masons, and other tradesmen who may be engaged by such owner to carry out any job at his/her residence. However for existing engaged workers he/she shall be required to escort them to/from the Entry Gate.



(45.2) An owner who does not pay maintenance charges for three or more consecutive quarters shall be categorized as a **Chronic Defaulter**. The following action (in addition to Clause 45.1 above) shall be taken by EFPRWA in respect of Chronic Defaulters:

- A Notice (Annexure 5) shall be sent to the defaulter, informing him that a suit for recovery shall be filed in a competent court if he does not clear the dues within a period of 30 days.
- Upon the expiry of said notice period, if dues have not been paid, EFPRWA shall proceed to expeditiously file a suit for recovery.
- If, during the said period, a reply to the Notice is received but dues are not paid, EFPRWA shall refer the matter to the Ethics Committee whereupon the Committee shall afford the defaulter an opportunity to be heard in person. Within 45 days of the matter having been referred to it, and having examined all relevant records, the Ethics Committee shall record a finding.
- If the Ethics Committee finds its ruling in favour of EFPRWA, then a suit for recovery shall immediately be filed in the competent court.
- In order to effectively pursue its case, BOM of EFPRWA shall consult with residents who are reputed lawyers and upon their recommendation, draw up a panel of 3 lawyers who have a reputation for honesty and have had success in similar cases. The suits for recovery of outstanding dues shall be filed and pursued by any one of these lawyers.

(45.3) In respect of owners whose whereabouts are not known to EFPRWA, the following measures shall be taken within one (1) month of the coming into effect of these Bye-laws:

- A serially numbered list shall be drawn up of all Premises (residential and commercial) within EFP, wherein SI No. 1 shall be for EFP apartments, followed sequentially by all the numbered Premises in EWS then the numbered shops of the complex.
- Against each SI No., the name of the owner, his/her last known permanent address, and current status of payment of maintenance dues shall be noted.
- Chronic Defaulters may be assumed to be either not residing at the known permanent address, or knowingly ignoring EFPRWA invoices. EFPRWA shall engage a lawyer to ascertain the facts by running the known details through Land Revenue records, MCG's property tax database etc.
- Once the correct address has been obtained, and contact established with the owner, the process set out in Clause 45.2 above shall be followed.

(45.4) The payment of interest on dues paid after the due date deters future default and reduces the moral hazard involved in such conduct. Waiver of interest serves to defeat both objectives and signals to the community that timely payment of dues is not an imperative component of the owner's relationship with EFPRWA. Therefore, under no circumstance shall any amount payable to EFPRWA, including interest on account of late payment, be waived by EFPRWA, except on a case-to-case basis, with the approval of the General Body, obtained via Special Resolution.

(45.5) When a Chronic Defaulter seeks to obtain a No Objection Certificate (NOC) from EFPRWA in order to begin construction at any Premises he owns, his application shall only be considered once he has cleared all dues in full. For removal of doubt, it is clarified that the entire amount due from such person shall be recovered by EFPRWA and no part of the amount can, under any circumstances or for any reason, be waived.

(45.6) Further, outstanding dues (including interest on late payment) and the recovery of such outstanding amounts shall be separately recorded in the books of accounts, which shall also contain an ageing report of the outstanding dues.



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S. Kumar

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Rishi

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(45.7) The BOM shall maintain a register in respect of every Member in both electronic and physical form, containing particulars of the amount due from the Member (in respect of maintenance charges, utility bills, user charges, or any other demand), payments made, and balances towards or against the Member and/or the Association, as the case may be.

(45.8) The amount payable on account of interest, if any, shall be separately mentioned.

(45.9) Copies of the accounts so maintained shall be made available to the Member concerned on demand.

**(46) Maintenance and repairs of individual Apartment:**

- (1) All repairs, renovation and replacement of internal installations within the area of the individual apartment e.g. water, light, gas, power, sewage, telephones, air conditioners, sanitary installations, doors, windows, lamps, internet or DTH cables and all other accessories belonging to the unit area shall be carried out by the apartment owner at his/her own expense.
- (2) Every apartment owner shall promptly undertake the maintenance and repair work in respect of any installation within his/her own apartment which is not attended promptly may have an adverse effect on the apartment of other members or the common areas of the office complex.
- (3) Should there be caused any damages to the common areas or facilities in the process of internal works in any apartment, the owner shall either get the same restored to its condition at his/her own expense or be liable to pay and reimburse the expenditure incurred by the Society on getting such damages repaired.
- (4) The apartment owner "A" shall either reimburse and compensate the owner of another apartment "B" for any damages or injury caused to his/her (B's) apartment in the process of repairs carried out in his/her (A's) apartment or get the same repaired at his/her own cost to the satisfaction of the affected owner.
- (5) No apartment owner shall make any structural modifications or alterations in his/her / her unit or installations located within the apartment without previously notifying the society in writing through the secretary, and securing prior permission of the managing committee for such modifications and alterations. Provided that the elevation and engineering structure of the building will not be changed under any circumstances. Provided further that any change affecting any other apartment will not be permitted.
- (6) The BOM shall respond to any request under sub-clause (5) above at the earliest but not exceeding 30 days. It shall be deemed that there is no objection to the proposed modification, alteration or installation.
- (7) **Prior Approval of EFPRWA :**  
Before the commencement of any alteration / modifications and renovation of any premises, the Resident /owner shall submit to EFPRWA a copy of the building plan sanctioned by the District Town Planner/State Town Planner, or any other relevant plans even if the changes do not require District Town Planner's approval.
- (8) The plan will be scrutinized in order to ascertain that (a) It comply the requirements of the Haryana Apartment Ownership act 1983 which says -Structural addition or alteration after



Occupation Certificate (OC) are not allowed. (b) Its impact, if any, on neighboring flats & buildings.

Columns, Beams and load bearing walls cannot be demolished for any alteration / modifications purpose by any apartment owner in any case.

(9) Any demolition of non-load bearing wall can commence in the apartment only when the EFPRWA has issued a No Objection Certificate (Annexure 6).

(10). Directions of Supreme Court/NGT/EAC/Local Bodies: On the subject of construction/demolition, the directions issued by the Supreme Court, NGT etc. shall be circulated by EFPRWA and these shall be binding upon the owners of the apartments, shops at which construction/demolition is being carried out. The NOC issued by EFPRWA is subject to strict adherence to such directions.

(10) Refundable Security Deposit of Rs. 10,000/- for Renovation, and Rs. 10,000 shall be deposited with the EFPRWA at the time of obtaining the NOC. The Security Deposit may be adjusted against any cost incurred by EFPRWA to make good any damage to public areas resulting from the construction/renovation, in which event, the EFPRWA shall be entitled to demand additional payment of security to cover the balance.

(11) Following to be complied after commencing the alteration / modification works inside any apartment –

- No labour work involving pounding, hammering, cutting of stones, grinding etc. which results in the emission of loud noise may be carried out at any time on a Sunday or public holiday, and after 6 pm on any other day. Entry passes to be get issued for labour and supervisors before commencing the works by the apartment owner from Security staff.
- Works can be carried out between 9.00 AM to 6 PM only. No labour is allowed to stay overnight in any apartment and in the complex
- All construction waste shall be removed from the premises in Malba Bags on a daily basis without causing any damage/ obstruction to any common areas.
- There will be no sound works like drilling etc by the labour between 12 PM to 2 PM inside any apartment.

*Nalanda*

(47) Use of Independent units and liability for violation:

- (1) All the apartments shall be used for the purpose of being used as apartment only as permissible under the regulations of the competent Authority from time to time
- (2) Any financial or other liability arising out of violation of the usage condition shall be borne by the apartment owner who violate this/her condition.



(48) Use of Common Areas and facilities and restricted common areas and facilities:

- (1) No member shall place or cause or allowed to be placed any furniture, packages or objects of any kind in the lobbies, vestibules, stairways and other areas of complex and facilities of a

similar nature both common and restricted, that may impede or expected to impede the smooth movement of persons or goods or may cause inconvenience to the apartment owners.

- (2) The common or restricted areas like common area terrace shall not be used for any purpose e.g. storage or construction work, except where specifically authorized by the Society, other than for normal transit and circulation.
- (3) The complex has provision of 57 elevators earmarked for the use of apartment owners / tenants and their guests / domestic helpers and for shifting of house hold packages within the lift size and weight carrying capacity.
- (4) Owners, tenants and their workmen shall not use the lifts for carrying their construction materials, construction debris, furniture and goods bigger than lift size or any such objects which may affect the Lift or Lift passengers during shifting to their respective apartment. Staircase to be used for such materials shifting. The users shall exercise due care and caution and ensure that no damage or defacing is caused to any of the lifts during the use thereof.
- (5) Rear fire emergency exit staircase shall be kept always clear for any emergency exit by all the apartment owners and it will never be occupied by any materials, Plants, Flower Pots, Cloths and objects of any apartment owner.
- (6) For usage of swimming pool areas by the residents and their guests a detailed guide line will be issued by the BOM duly approved by the majority of the members of EFPRWA and the same shall be complied by all the users.

**(49) Right of access and entry in emergency and normal conditions:**

- (1) Every apartment owner shall ensure unhindered access to the manager or any workmen employed by the Managing committee to attend to any emergent situation arising from electrical installations or any such thing which might threaten the safety of his/her apartment weather in his/her presence or absence.
- (2) An owner shall permit other owners or their representative when so required to enter his/her apartment for the purpose of installation, alteration, or repairs to the mechanical or electrical services, provide, that requests for entry are made in advance and that such entry is at a time convenient to the apartment owner, but in case of emergency such rights of entry shall be immediate.

**(50) Code of Conduct for the apartment owners:**

The residents of EMERALD FLOORS PREMIER shall, at all times, comply with the rules of conduct contained in this clause. Membership of EFPRWA is contingent upon the owner/resident affirming that he/she unconditionally subscribes to the aims & objects of EFPRWA, contribute towards attainment of the same, and shall abide by its Bye-laws, as amended from time to time.

The rules of conduct may be amended by the General Body, through Special Resolution, as and when the need arises.

Failure to comply with the rules of conduct shall result in the imposition of any or all of the penalties that are provided for in the relevant provisions of the Bye-laws. Prior to the imposition



of penalty, every attempt shall be made by the Governing Council to persuade the resident to take remedial action. If such efforts do not yield results, the offending act shall be reported to the members of EFPRWA by the Governing council by group email communications for imposition of penalty.

Where an act of omission or commission results also in the violation of the relevant laws, rules, regulations and orders of the Central or State or local government or judicial or quasi-judicial authorities, such act of omission or commission shall be reported, within 7 days of its being brought to the knowledge of the Governing Council, to the government agency charged with the responsibility of enforcement. For such purpose, the letter as contained in Annexure 2 shall be used by the Governing Council, which shall also pursue the matter and ensure that necessary action is taken by the government body concerned.

All the apartment owners of the EFP including their tenants, guests and domestic helps shall ensure that:

- they comply with all rules/guidelines/policies enacted from time to time, in advancement of the aims and objectives of the Association.
- their Premises are not used for any unlawful, illegal, immoral or anti national activity.
- they maintain civility at all times in their interactions with other residents, including while communicating through emails.
- wholesome family environment in the complex is maintained by them.

Residents every owner of a Premises shall, before letting out his/her Premises, ensure the following:

The laws, rules and instructions of the police and or any law enforcement agency regarding verification of their tenants and foreign nationals are duly complied with.

- A declaration from the prospective tenant that he shall abide by these Bye-laws and the various policies/guidelines issued here-under, make timely payment of EFPRWA dues (if the lease/rent agreement provides for payment by tenant), not put the Premises to commercial use and vacate the Premises on date/time as per agreement with owner;
- The lease agreement contains specific clauses regarding the aforesaid obligations of the tenant.

Every owner of a Premises shall, before handing over the possession of his Premises to a tenant, provide all such details of the tenant to the Association as may reasonably be asked of by the Association.

A tenant shall have to take written permission of the Secretary prior to vacating the Premises and leaving EFP. The Secretary / President shall grant permission once dues to the Association have been cleared.

**Residents shall**

- get his / her domestic staff, such as, drivers, cleaners, cooks, dog walkers, and all other domestic help, whether engaged part time or live in ("Domestic Staff") registered with the local police and shall submit a copy of the registration document to the EFPRWA office. This function shall be undertaken in collaboration with the EFPRWA office.
- Entry into EMERALD FLOORS PREMIER may be denied to Domestic Staff not so verified.



- ensure that their Domestic Staff do not make use of any Public Area for their recreation, nor assemble in a manner that causes nuisance to the residents.
- ensure that the domestic pets, if any are kept strictly following the safety & sanitation norms and managed & maintained as per the municipal bye-laws & regulations and guide lines issued by the EFPRWA for the same.
- ensure not throw or drop any garbage or trash or litter outside the disposal installations provided for such purpose in the service areas or any water from the windows / balconies etc.
- ensure handover daily waste to housekeeping staff coming for collections to the apartment door step.
- provide to the EFPRWA office the names and other particulars of his/her Domestic Staff. The office shall issue identity cards that must be carried by the Domestic Staff while inside the residential part of EFP.

#### Residents shall not

- and shall ensure that none of their guests or dependent, cause damage to grass, shrubs, trees, and flowering plants in the Public Areas, including, by playing ball games or otherwise;
- damage the property, assets, service or part of service equipment of the complex in any case. Damage charges to Boom Barrier by any owner, tenant or his guest will be paid by the owner / tenant within 3 days failing which BOM will get it repaired and the cost will be added in respective units CAM bill.
- dispose of or leave any waste at any place other than the areas and installations earmarked for such purpose.
- post any advertisement or posters of any kind in or on the Public Areas except as authorized by the Association;
- lay or install, or cause to be laid or installed any wiring for electrical or telephone installation, television antennae, machines or air conditioning units, chucks or sunshades etc. on the exterior or their Premises such that these protrude onto Public Areas excepts as authorized by the Society.
- on termination of the employment of any member of their Domestic Staff, shall forthwith inform the EFPRWA office and shall return the identity card.

#### PROHIBITED & RESTRICTED TASKS INSIDE THE EFP COMPLEX FOR RESIDENTS, THEIR GUESTS & DOMESTIC HELPS:

- Consumption of alcohol or any intoxicants by the residents, their guests, and domestic staff in the Public Areas is strictly prohibited. Consumption of alcohol or any intoxicants by the apartment owner and /or their guests and domestic staff in common areas and smoking in the lifts is strictly prohibited except as prescribed by the Society including but not limited to the community functions and cultural programs organized by the Society or as permitted by the competent authority
- No owner/resident shall use, or permit the use of, their Premises for any commercial/quasi commercial activity, including, guest house/hotel/motel, medical/dental clinic, advertisement office, taxi/car rental agency, yoga classes, music or dance classes, or any such activity which involves entry of outsiders on a regular basis for





professional/commercial purposes, the exceptions being non-nuisance resulting/creating professional consultancy services to the extent and in the manner permitted by the Haryana Building Code, 2017 and other related law/rules/regulations.

#### OTHER RULES FOR THE RESIDENTS, TENANTS, And THEIR GUESTS & DOMESTIC HELPS:

- Any sound caused in or emanating from their Premises from any source, including by use of musical instruments, radios, television, amplifiers, and any other devices, maintenance and repair, any construction is contained within their Premises such that other residents are not disturbed in peaceful enjoyment of their privacy.
- Any employee of a vendor who has access to the residential part of EMERALD FLOORS PREMIER, especially, security guards, shall also require prior police verification.

#### (S1). PARKING OF VEHICLES:

EFP has 654 Flats. EFP has dedicated basement car parking one for each flat and the allotted basement parking number has been recorded in the conveyance deed of each unit. There are 378 surface car parking out of which 55 are Visitor car parking and rest 323 are allotted to the apartment owners by the builder as per their builder buyer agreements and the same has been recorded in their registered conveyance deed also. The existing car park allotment by the builder will be continued until unless any change made by the majority of members of EFP RWA in an AGM.

There are two type of entries at entrance gate of the EFP for the Cars / vehicles –

1. RESIDENTS SIDE – monitored and controlled by RFID system & manually override by the Security in case of a RFID failure.
2. VISITORS SIDE – monitored and controlled by Security manually. RFID or EFP Sticker is not required for such vehicles entering inside the EFP.

The apartment owners / residents / tenants shall follow the following guidelines in this behalf:

- (1) Parking sticker shall be issued for each apartment having car and two wheeler parking slot for regular overnight parking of vehicles inside the building complex by BOM. These stickers will be displayed on the front windscreen of the cars of the apartment owners. Vehicles without valid car stickers are prohibited within the EFP premises. Visitor parkings are limited and shall be available to visitors based on the availability at that time. Visitor Parking will be exclusive for the use by visitors only and shall not be used by the owners / tenant in any conditions. Each visitor car will be issued by BOM at the entrance gate for the day if it is vacant at that time. The visitor parking sticker must be displayed on the dashboard at all times during parking of the vehicle within the visitor parking facility. In the absence of Resident his/her visitor will not be allowed to enter and park the car in EFP. Any vehicle driven by the guest of an owner or tenant which is parked in a space that is not designated as a Visitor Parking's shall be subject to immediate clamping and penalty as applicable.



- (2) Entrance and Parking of any additional vehicle on a regular basis of any apartment inside the Complex will be regulated by the BOM. It is the responsibility of resident owner / tenant to purchase / hire additional parking for his/her additional car and get a sticker issued from BOM for the same.
- (3) It is expected that every apartment owner / resident shall park his/her car at the assigned parking slot specifically allotted to an apartment in a proper manner without obstructing the path of other vehicles.
- (4) All the apartment owners are expected to ensure that their vehicles or taxis are not parked in the main drive way except for drop and pick up facility of the passengers. Parking at non -designated areas like play area, parks, standalone trees, fire zones, visitor parking etc. is strictly prohibited.
- (5) The visitor parking's of the complex may be used as the floating car parking space during the day time only. For any overnight stay of a guest of the resident /tenant for a short duration of one or two days visitor parking may be permitted by the BOM. However such permission will not be repeated more than twice in a month.
- (6) No apartment owner shall park or allow his/her vehicle to be parked in the drive ways / pathways demarcated for the movement of vehicles in the basement or park two wheelers in the area earmarked for four wheelers. Parking slots shall be appropriately used without causing any obstacles to apartment owners. In case of misuse / wrong use BOM shall take action as deemed fit.
- (7) The residents will be issued EFP stickers by the BOM for their two wheelers and shall be allowed to enter from Resident side of the entrance gate by the security with manual operation of RFID barrier by the guards.
- (8) Owners can allow their extra owned parking slot for use by their guest if VP is full and inform to security for the same.

**(52) Domestic staff (servants, drivers, cleaners, cooks and domestic workers etc.)**

- (1) Apartment owners are required to get the servants , drivers , cleaners , cooks and domestic workers ( henceforth to be referred as the domestic staff ) employed by them verified by the local police and to submit a copy of the police verification to the BOM. Entry to the complex may be denied to the domestic staff if not verified by the local police.
- (2) The name and other particulars of the servants, drivers and domestic staff employed by the apartment owners should be given by them to the BOM. The BOM shall issue identity cards to them and the same must be carried by the domestic staff while in the complex. On termination of the employment of any member of domestic staff it shall be the responsibility of the apartment owner to inform the BOM and to return the identity card to the BOM.
- (3) The domestic staff is prohibited from using the common areas for recreation or sitting unless accompanied by the apartment owner.



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CHAPTER -X

OTHER GENERAL MATTERS

**(53) Compliance:**

These bye laws are set forth to comply with the requirements of the Haryana Registration and regulation of Societies Act 2012 read with the provisions of the Haryana Apartment Ownership Act 1983 and the rules framed there under. In case of any inconsistency between these bye-laws and the provisions of the said acts, the provision of the Acts will apply.

**(54). Seal of the Society:**

The Society shall have a common seal which shall be used only under the authority of a resolution of the BOM and every deed or instrument to which the seal is affixed shall be attested for or on behalf of the society by two members of the BOM and the secretary or any other person authorized by the Society in that behalf.

**(55) Amendment of the Memorandum and / or Bye- laws of the Society:**

The Memorandum of Society or the Bye –laws may be amended through a special resolution passed in a general meeting of the members of the Society by 3/5<sup>th</sup> of the members present in voting. Provided that where a member is unable to attend the meeting in person, he may communicate his/her concurrence or reservation to the amendments to the memorandum or the Bye –laws as the case may be, by electronic means or letter at least one day prior to the date of the meeting which shall be read out by the Secretary in the meeting.

**(56) Amalgamation or Dissolution of the Society:**

The society may amalgamate itself with any other Society with identical aims and objects through a special resolution passed in a general meeting of the Society and approved by at least 3/5<sup>th</sup> of the members present and voting.

**(57) SUB COMMITTEES:**

57.1 Under the provisions of clauses 25.5, 25.6, 25.7 of these Bye laws the BOM shall appoint sub committees to utilize available special knowledge, skills and experience of the volunteer residing members of EFP for the welfare of EFP residents. To give larger participations and valuable contributions of the resident's skill and time in the welfare of society.

57.2 These subcommittee appointed as per relevant clause of these Bye - laws shall submit its report to BOM, upon which it may take such action as deemed appropriate.



57.3 These sub committees will help and assist BOM in performing its role, duties , function and responsibilities which are well defined in clause 18,19,20,21,22,23,24,25 ,26 and 27 of these Bye laws.

57.4 Each of these sub committees shall comprise volunteer resident member who possess domain knowledge and experience relevant to the subject.

57.5 These Sub Committees shall be responsible for the day to day monitoring of the service levels in their domain, devising procedures/checks and balances/reports / troubleshooting and making recommendations to the Executive BOM.

57.6 The BOM shall consult these Committees while inviting tenders and awarding the contract for maintenance of physical assets and provision of services to the residents of Emerald Floors Premier complex.

57.7 The Sub Committee, in turn, shall be guided by the subject specific policies/rules laid out in the Bye-laws, and may, if required, invite domain experts who are not residents of EFP to provide inputs.

57.8 There shall be a Bye-laws Review Committee which shall be responsible for carrying out an annual review of the Bye-laws so as to ensure that amendments in applicable laws, executive orders etc., are not inadvertently overlooked , and that the Bye-laws comply with the law and also reflect the aspirations of the community.

57.9 There shall be an Ethics Committee to which residents shall refer their grievances against the BOM. The objective of such Committee is to resolve grievances/ complaints within the community and prevent their escalation to the District Registrar, courts, quasi-judicial authorities, police etc.

**57.10 LIST OF PLANNED SUBCOMMITTEES:**

1. Ethics Committee
2. Internal Audit Committee
3. Horticulture Committee
4. Solid Waste Management Committee
5. Safety & Security Committee
6. Water Resources Committee
7. Festivals Committee
8. IT Committee
9. Bye-laws Committee

**58. ETHICS COMMITTEE:**

58.1 There shall be an Ethics Committee to which residents shall refer their grievances against the BOM and the objective of such Committee being to resolve grievances/ complaints within the community and prevent their escalation to the District Registrar, courts, quasi-judicial authorities, police etc.

58.2 A grievance may be broadly defined as any matter in which a resident has requested the BOM for specific action or information or clarification or access to records but has either not received a response or has been given an inadequate response.



58.3 The Committee shall there upon inquire into the matter, and during the course of such inquiry, the BOM shall extend its complete cooperation.

58.4 Having heard both the aggrieved member and the respondent, and having examined all the relevant documents, the Committee shall issue a speaking order, containing such direction as it deems appropriate in the facts and circumstances of the case.

58.5 The order shall be issued not later than four (4) weeks from the date on which a matter is referred to it.

58.6 The order of the Ethics Committee shall be binding upon the aggrieved member as well as on the BOM.

58.7 If the aggrieved resident is dissatisfied with the order and elects to take the matter to the District Registrar or the court, the Association may engage legal experts to defend its case, and the expense incurred thereon shall be debited to the Association's revenue account.

58.8 If the order of the Ethics Committee is not complied by the BOM and the aggrieved resident approaches the District Registrar or the court for relief, the expense incurred by the Association on engaging legal experts to defend its case shall not be debited to the Association but shall be borne by the members of the BOM in their individual capacity, unless the General Body decides otherwise by Special Resolution.

58.9 The Ethics Committee panel shall constitute 10 members of residents, one from each block, who possess an impeccable reputation within the community and have domain knowledge/experience in any of the following fields: Law, Finance, Administration, Horticulture, Construction, Security, Solid waste Management, Social Work etc. As far as possible, representation of retired defense personnel and women shall be encouraged.

58.10 Whenever a matter needs to be considered by the Ethics Committee, any 3 to 5 members in the panel from which the Ethics Committee can be constituted, and who possess knowledge/experience relevant to the subject at hand, shall comprise the Ethics Committee with reference to that matter.

58.11 Nominations to the panel referred to in Clause 58.9 shall be invited from residents, and the panel so constituted shall be ratified in the first GBM held thereafter.

58.12 In the event that a resident(s)' nomination is objected to by another resident, the latter shall be asked to place before the panel any material that (s)/he has in support of his contention and the panel shall then take the final decision in the matter.

58.13 Vacancies may be filled up by the members of the panel, or nominations invited from the community, with each such filled position being ratified at the next GBM.

58.14 All records pertaining to the matters inquired into by the Committee and its findings and recommendations thereon shall be stored in EFPRWA's central repository of digital records and, upon receipt of a written request, be made available for inspection by the members. As soon as the Ethics Committee is constituted, all cases filed by residents of EFP against the EFPRWA in all forums (including the courts) shall be referred to the Committee, which shall inquire into these matters and make good faith attempts to mediate between the parties concerned with a view to arrive at an amicable settlement and final disposal of the cases.

#### 59 INTERNAL AUDIT COMMITTEE:

59.1 A Committee called the Internal Audit Committee shall be constituted from amongst the members of the Association.

59.2 It shall comprise 3 to 5 members, being residents who volunteer for and possess knowledge and experience relevant to the task.

59.3 The Committee shall, every year, conduct an internal audit of all the operations and accounts of the association and shall present a report to the members of the association which shall be tabled at the Annual General Meeting, along with the report of the external auditors.

59.4 The Internal Audit Committee shall have a term of three (3) years, which may be extended by two (2) years by the General Body.

#### 59.5 Internal Controls

In consultation with the Internal Audit Committee, the BOM shall draft internal control procedures for:

- i. Purchases and Procurement, including the procedure for tendering for and awarding works contracts
- ii. Hiring of EFPRWA staff
- iii. Raising Bills
- iv. Recording of expenses
- v. Maintenance of stores
- vi. Asset Register
- vii. Any other, as required

59.6 The procedures drafted shall be placed before the General Body and its approval obtained within 3 months of the coming into effect of these Bye-laws. Once approved, the procedures for internal controls shall be scrupulously adhered to by the Executive Committee.

#### 59.7 SURPLUS /DEFICIT

59.7.1 Any surplus of income over expenditure of the Association shall not be distributed or transferred, directly or indirectly, by way of dividends, bonus, profits, or in any manner whatsoever to or amongst its members.

59.7.2 Subject to the approval of the General Body, the BOM shall transfer to the Corpus Fund such portion of the surplus as may be determined.

59.7.3 The balance amount, after any such transfer, may be retained by the BOM to meet future exigencies. In case of deficit in a particular year, the Association may utilize the surplus available of an earlier year or seek additional contributions from its members.

59.7.4 The BOM is empowered to invest any surplus funds in accordance with the

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Act or any other applicable laws and these Bye-laws. The Association shall however, refund any surplus contribution received from its members for specific projects which remain unutilized for any reason.

#### 60 Management of Horticulture & Horticultural Committee:

60.1 A Horticulture Committee, comprising 5 to 7 members, from among residents who possess experience in and knowledge of urban horticulture (including as demonstrated by flourishing home gardens) or allied fields like waste management, ecology, water conservation, bio diversity and who volunteer for the task shall be constituted by EFPRWA every 5 years. Vacancies on account of resignation or any other reason shall be filled up as quickly as possible.

• The Committee shall:

- i. Act as advisory committee to EFPRWA on all matters covered under this policy.



- ii. Train ground staff.
- iii. Monitor the groundwork.
- iv. Submit reports and feedback to EFPRWA
- v. Be consulted while engaging third party vendors for maintenance of parks and other green areas.
- vi. Regularly conduct and submit the MOMs to EFPRWA.
- vii. Create and update the documents to do with procedure, SOP's and SLA's.

60.2 In any critical matter to do with horticulture, if there is a difference of opinion between the Horticulture Committee and BOM of EFPRWA then the former, being a body of experts shall prevail.

60.3 The value of EFP green cover lies in its landscape, central park, park at entrance gate, park at exit gate, plantation along with boundary wall, pedestrian side green belt on 24 meter road, green patches planned and developed by the licensed developer who is maintaining it till the handover.

60.4 A single integrated document covering detailed procedures for all the environmental factors and horticulture components mentioned in this policy shall be generated by the Horticulture Committee, and based on that document, SOPs and SLAs shall be generated.

60.5 All residents and the third parties engaged by EFPRWA for Facility Management shall adhere to the provisions of this document as well as the documents spelling out Procedures, SOPs and SLAs

60.6 Immediately upon the coming into effect of these Bye Laws, a comprehensive audit of all the green areas shall be conducted based on OC drawing from the licensed developer. The report of such audit (First Audit Report) shall be used as the base line for all future green audits.

60.7 No soil area should be paved ever, temporarily or permanently, other than the existing paved portions of the areas marked as 'GREEN' in the above referred drawing.

#### 60.8 SCOPE :

The policy is applicable to all the horticulture elements of the areas:

- A) Marked as "GREEN" in OC drawing signed by the authorities - DTP, STP, CTP and DTCP.
- B) The green development along the 24m road marked in the above referred drawing.

60.9 The stake holders are as follows:

- i. EFPRWA
- ii. Residents
- iii Third party vendors engaged by EFPRWA.

60.10 The policy shall form the basis of an integrated Horticulture Procedures policy shall be reviewed every 3 years.

60.11 The policy is built around 6 Core Values, viz.

- i. Conservation of natural as well as developed landscapes;
- ii. Soil conservation and enrichment;
- iii. Water conservation and water recycling;
- iv. Prevention and management of air pollution;



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- v. Conservation of Biodiversity; and
- vi. Residents' welfare.

## 60.12 Conservation of landscapes

### 60.12.01 TREES:

Tall trees: There is very little possibility of tall trees in our society because of Basement.

Medium height trees, Shrubs, Hedges: Champa, Silk floss, Bottle brush, Caesalpenia, Murraya, Bougainvillae, Tecoma, Hamelia, Galphamea, Hibiscus, Chandni, Duranta etc.

### 60.12.02 Climbers:

Madhu malati, Alamonda, Clerodendron, Begonia etc.

### Existing:

- Regular audit shall be carried out of all the existing trees, shrubs and climbers.
- Each tall tree shall be marked with a serial number, age, and it's scientific and common name.
- At least one of the medium height trees/shrubs/climbers in a park or other planned area shall be marked with its scientific and common name.
- The labels shall be maintained continuously.
- Trunks of tall tree shall be regularly coated with lime based, suitable paint up to at least 3 feet of height from the ground.
- All trees/shrubs/hedges/climbers shall be:
  - Regularly watered, and manured, with organic manures like well-rotted dung manures and EFP compost.
  - Regularly pruned as per the applicable guidelines of Urban Horticulture issued by MCG/HUDA/DTP/Forest department etc.
  - washed with water showers/ mist during (1) heat waves and (2) spells of peak air pollution as announced by the government.
  - treated with preferably natural preventive sprays and curative sprays of insecticides and pesticides with highest safety levels for humans and pets.

New.

New plantation shall be undertaken, in consultation with the Horticulture Committee, to fill the gaps created by the dying away of existing trees, shrubs and hedges. The following rules shall be strictly adhered to in connection therewith:

- New plantation shall be undertaken during the monsoon season immediately succeeding the date of uprooting of dead plants.
- The type of tree/shrub/hedge shall be selected from the types in the immediate vicinity of the dead plant, and the surrounding area. New tree types shall not be introduced in the existing plan.
- Saplings of suitable age and height shall be selected, minimum stipulated distance maintained, proper pit preparation undertaken prior to the plantation, and suitable plant





guards and stakes installed at the time of the plantation, which shall be maintained in place for at least 3 years from the date of plantation.

#### 60.12.03 Ground Cover:

Abundant ground cover, with as much variety as possible, shall be maintained throughout the year, in the following areas:

- planters under trees, shrubs and hedges
- rows between trees and any other areas where soil is barren/without mulch.

Selection of ground cover plants shall be as per existing scheme of plantation.

Where there is no existing scheme or complete loss of ground cover, the selection of plants shall be made only in consultation with the Horticulture Committee.

#### 60.12.04 Lawns

- Lawns shall be maintained through proper feeding, watering and mowing.
- Special care shall be taken during frosting season and peak monsoon season to prevent water logging.
- Lawns shall be watered using sprinklers and not by the method of flood irrigation.

#### 60.12.05 Seasonal Plants

- Seasonal plants of flowers and foliage shall be planted in containers as well as in the ground at entry gates, in parks, and along internal roads.
- As far as possible, seeds and saplings from the Nirvana nurseries shall be used.

#### 60.13 Soil conservation and enrichment

- Soil in the areas of plantation should be regularly enhanced with organic manures like dung manures, composts and sludge manures, oil cakes etc. to constantly improve its texture, structure, fertility and soil life diversity.
  - Use of chemical fertilizers should be restricted, and should be used only need based, and only in consultation with the horticulture committee.
- The soil in plantation area should always be mulched with organic components like dry leaves, wood chips, wood husk, brick pieces, gravels, ground cover plants, etc.

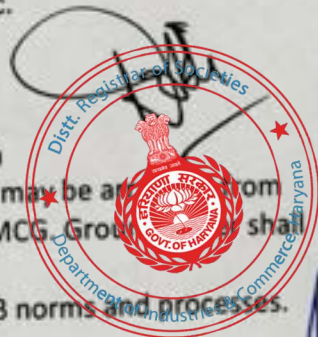
#### 60.14 Water conservation and water recycling

- For all horticulture related use, only STP water, which complies with NGT\_Order\_30.04.2019\_Sewage\_Disposal\_Norms, shall be used and may be also from residential/commercial campuses in the vicinity or Govt. bodies like MCG. Ground water shall only be used in case of unavailability of STP water.
- The rain water harvesting pits shall be regularly cleaned as per CPCB norms and processes.

#### 60.15 Prevention and management of air pollution:

The following activities shall be undertaken for prevention and management of air pollution during the period of peak pollution:

- Roads and barren soil surfaces shall be watered regularly for the dust to settle down
- Soil surfaces in the green areas shall be mulched



- Instead of sweeping roads, parks and common areas, solutions like lifting dry leaves by suitable automated equipment's shall be used
- Trees and hedges shall be washed/ bathed with suitable shower/mist systems.

#### 60.16 Conservation of Bio-Diversity:

- Saplings from natural propagation (dispersal of seeds, spores etc.) of the landscaped plants shall be transplanted into nursery bags at the earliest and in suitable weather and either used for transplantation elsewhere or for donation/ sale to residents.
- Invasive plant species (if sighted in EFP: Amar Bel, Congress grass/ Gajar Ghas and Subabool) listed by the National Bio-diversity Authority shall be uprooted at their first sight and disposed of as per prescribed rules.

#### 60.17 Nursery:

Nurseries at appropriate places shall be developed in order to:

- Ensure year-round supply of saplings, seeds, manures etc.
- reduce recurring expenses
- Provide a home to residents' plants and plants left behind by residents who shift out of Emerald Floors Premier.

#### 60.18 Horticulture tools and equipment:

Proper inventory of EFPRWA owned horticultural tools and equipment and safety gear shall be acquired and maintained at all times, including:

- Ladders, rakes, khurpis, trimmers, spades etc.
- Battery operated equipment such as thick branch cutters, lawn mowers, hedge cutters, trimmers, leaf suckers, leaf and bark shredders etc.

#### 60.19 Horticulture waste management:

To optimally use all the horticulture waste generated inside Emerald Floors Premier, proper facilities for storage and processing of fallen leaves and twigs, grass trimmings, branches etcetera shall be augmented.

All such horticulture waste shall be used, after shredding:

- in kitchen waste composting
- as mulch

#### 60.20 Roles and Responsibilities:

##### 60.20.01 EFPRWA shall:

- make appropriate annual budget allocation separately for Horticulture based on accurate calculations and the annual expenditure on Horticulture incurred by EFPRWA since take over from licensed developer, the current state of all the elements of horticulture as spelled out in the preceding paragraphs, and the amendments required to be made.
- facilitate meetings of the Horticulture Committee maintain records and all documents submitted by the Horticulture Committee
- Ensure proper upkeep of EFPRWA inventory of tools and equipment
- Report anomalies to the Horticulture Committee.



## 61 SOLID WASTE MANAGEMENT COMMITTEE:

61.1 All household waste shall be segregated by residents at source into the following categories:

- Kitchen waste
- Dry, recyclable waste
- Reject waste
- Horticulture waste
- Electronic waste

61.2 A subcommittee named as "Solid Waste Management Committee" shall be formed by BOM under clause 25 (5) and 25(6) of these Bye- Laws. This subcommittee shall comprise resident member who volunteer for the task and possess knowledge and experience relevant of the subject. Detailed guidelines regarding the nature of household waste that falls into each of these categories shall be periodically circulated among residents by the Solid Waste Management Committee.

61.3 Household waste, segregated by residents, shall be collected on the designated days, as communicated from time to time by the SWM Committee.

61.4 Under no circumstances shall mixed/unsegregated household waste be deposited by any resident for collection within EFP; and it shall be the resident's responsibility to dispose off mixed waste at a site approved by the Municipal Corporation, Gurugram.

61.5 As far as possible, garbage bags shall not be used. The use of large, reusable bags for dry, recyclable waste and of closed lid buckets (which can be rinsed and cleaned) for kitchen waste is encouraged.

61.6 Kitchen waste shall, as before, be composted at the Emerald Floors Premier Composting Plant.

61.7 The composting plant to be prepared and handover to EFPRWA by the licensed developer Emaar in EFP. An area contiguous to the Composting Plant, shall be earmarked for the processing of Horticulture Waste, including dry leaves, grass trimmings, small tree branches etc.

61.8 A manpower complement of 2 workers shall at all times be made available by EFPRWA to operate and maintain the Composting Plant and the sites for processing Horticulture waste.

61.9 EFPRWA shall make budgetary provision, under a separate sub head, for the maintenance and repair of the sheds, machinery, equipment, potable water supply etc. of the Composting Plant and the site(s) for processing of Horticulture Waste. The amount contributed by residents to use of compost over and above the quantity supplied periodically to all residents shall be provided for under the SWM sub head of the budget and applied only for SWM related items of expenditure.

61.10 All matters to do with collection of household waste and horticulture waste, the transport of such waste to the Compost Plant or to the Transit Point, and the operation and maintenance of the Composting Plant and the Horticulture waste sites, shall be decided with the approval of the SWM Committee.



*Nali-Dubh*

*Chharya*

*Rita*

*MD*

# Waste Segregation Guidelines

EMERALD FLOORS PREMIER

Please avoid the use of bin liners. Bins can be washed regularly to avoid more plastic filling our city.



## 1. Organic/Wet

(Goes to compost plant)

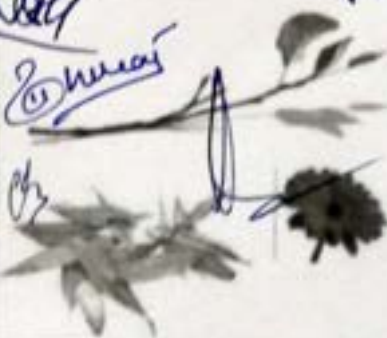
### Kitchen Waste

Vegetable / fruit peels  
Egg shells  
Chicken / fish bones  
Not fresh fruits / vegetables  
Tea bags / Coffee grinds  
Leaf / patta plates  
Cooked food / Leftovers  
(should not be wet, drain water or liquid)



### Garden Waste

Fallen Leaves / twigs  
Puja flowers / garlands  
Garden trimmings



## 2. Dry

(Can be recycled)

### Plastic

(Must be rinsed if soiled)  
Plastic covers / bottles / boxes / items  
Plastic cups  
Milk / Curd packets



### Paper

Newspaper / Magazines  
Stationery / Junk mail  
Cardboard cartons  
Pizza boxes  
Tetrapaks



### Metal

Tin boxes, covers  
Metal cans



### Glass

(Handle with care)  
Unbroken and broken glass, bottles



### Other dry waste

Rubber / Thermocol  
Old mops / Duster / sponges  
Wooden Chips,  
Coconut shells



(Broken glass should always be kept in the separate plastic bag and kept over the waste bin)



## 3. Domestic hazardous/Rejects

(Goes to the landfill)

### Sanitary/hazardous waste

(Use a newspaper for wrapping)  
Diapers / Sanitary napkins  
Bandages  
Condoms  
Nails, hair  
Used tissues  
Expired Medicines  
Swept dust  
Cosmetics  
Paints  
Used and dirty single-use disposables



**Sharps** (small quantities only; wrap in newspaper and hand over to waste picker)  
Razors / Blades  
Used syringes  
Injection vials



## 4. Construction & Demolition (C&D)

(Locations on L&PS, MCG website)  
Rubble / construction waste  
Cement powder  
Bricks  
Flower pots  
Ceramics



## 5. E-waste (we do a quarterly drive, but drop off bulbs and tubelights in the e waste drop box outside the RWA office)

## 62. SAFETY & SECURITY COMMITTEE:

62.1 A Subcommittee called the Safety & Security Committee shall be constituted from amongst the members of the Association.

62.2 It shall comprise 3 to 5 members, being residents who volunteer for and possess knowledge and experience relevant to the task. People from defense background or having experience of similar nature of works shall be given preference. Volunteers shall give their names to BOM and BOM will constitute this subcommittee under provisions of clause 25(5) & 25(6) of these Bye-Laws.

62.3 The Committee shall, assess the requirements of the number of guards, safety supervisors, lady guards, safety equipment, in the complex to meet the safety and security requirements of the complex and shall present a report to BOM every year in the first month. BOM shall take necessary provisions in the budget accordingly and share the report of safety & security committee to the members of the association which shall be tabled at the Annual General Meeting as a substantiating document of budget.

62.4 The safety & security committee will assist BOM in controlling and issuing RFID tags, EFP stickers of the vehicles, traffic directions & control within the society and in maintaining the discipline of car parking inside the EFP complex.

62.5 Safety & Security committee will guide people for any incident occurred for necessary further action to be taken by them.

62.6 The safety and security committee will monitor CCTV footages on regular basis to keep the safety and security of EFP up to mark.

## 63. WATER RESOURCES:

- Potable water being a scarce and precious resource, it shall be the endeavor of all residents to use it prudently.
- Potable water shall under no circumstances be used for carrying out any activity related to construction/renovation of any Premises within EFP.
- Any such instance shall invite appropriate action including cancellation of the Entry Passes of the site labour/supervisors etc., prohibiting the entry of material for said activity, and disconnecting the supply of potable water, in accordance with the directions of the National Green Tribunal and the directions of GMDA on the subject, communicated vide letter No. EIC II 202001(09)/1/2019-SE Infra II Dt.18.06.2019.
- The use of potable water for horticulture in EFP public areas shall gradually be completely stopped and priority shall be accorded to the task of bringing STP water via pipes to the areas that are currently not served.
- Residents shall not use piped water to wash automobiles or paved yards nor let piped water run unsupervised in the green belt. Any such instance shall be punishable by such penalty as is prescribed by MCG/GMDA from time to time.
- As far as possible, residents may adopt the use of water saving faucet aerators that are specifically designed to conserve the use of water.
- Periodic test of the quality of potable water supplied to residents shall be conducted and the test reports shared with residents, along with an advisory (based upon National Green Tribunal order of May, 2019, banning the use of Reverse Osmosis water purifiers where TDS is 500 mg per liter) regarding the necessity or otherwise of using RO water purification systems.
- Washing machine discharge not to be connected in rain water pipes of the complex. It will spoil the potable water reserve of the area below ground.
- Immediately upon the coming into effect of these Bye-laws, a Water Resources Conservation Committee shall be constituted under clause 25 (5) & 25(6) of these bye laws by BOM , with 1 representative from block 1,2,3,4,5,6,8,9,10,& 11 to take stock of the supply of potable water to



EFP, estimate the quantity available and quantity used (on a monthly basis) and recommend action that is required to be taken to augment said supply, if need be. Volunteers shall give their names to BOM and BOM shall constitute this subcommittee.

#### 64. COMMUNITY CELEBRATIONS:

64.1 The following festivals/events are usually celebrated together by the residents of Emerald Floors Premier:

- New Year,
- Holi,
- Diwali,
- Independence Day,
- Republic Day.

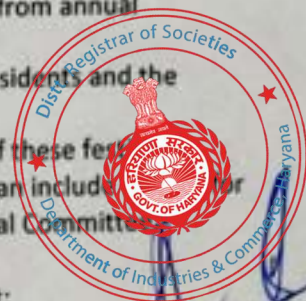
64.2 These community celebrations shall be organized in the following manner:

A festival committee shall be constituted for organizing the above five festivals in the society every year. 5 to 7 Volunteers shall give their names to BOM and BOM will constitute a subcommittee named as Festival Committee clause 25 (5) & 25(6) of these bye laws. Separate Festivals Account shall be maintained by EFPRWA for community celebrations.

- All residents, including tenants, shall be invited to become Festival Celebration Members and a nominal membership charge of Rs. 2,000/- annually per House hold shall be collected. Other collections for the expenses of community celebrations shall be collected by renting stalls under clause 4.6 of these bye- laws.
- Celebrations of New Year, Holi and Diwali shall be ticketed events.
- As far as possible, sale of tickets shall be made via web-enabled platforms. The details of the number of tickets sold and the number of complimentary tickets issued shall be uploaded on the EFPRWA website.
- Residents who are current on their annual dues (of the Festivals Account) would be allowed to attend these three festivals at the Member's charge and would be allowed to bring guests at the Guest charge.
- Residents who choose not to become members for the year would pay the Guest charge for each event they want to attend and would be limited to four tickets per household. Further, they will not be allowed to bring their own guest.
- Tickets for the events shall be charged in such a manner that the events pay for themselves out of ticket collections and sponsor charges. If the cost for an event runs over, the excess expenditure shall be made from the Festivals Account (which gets replenished each year from annual subscriptions).
- Events like Republic Day and Independence Day shall remain open to all residents and the expenditure thereon shall be incurred from the general pool.
- Festival Committee shall prepare a detailed report for the arrangements of these festivals and submit to BOM every year in January month so that BOM can include these celebrations as explained above and give further instructions to Festival Committee.

64.3 While organizing these community celebrations, it shall be ensured that:

- All the requisite permissions / NOCs are obtained from civic authorities
- Single use plastic (plates, glasses, cutlery, straw pipes etc.) is not used



- The level of noise does not exceed the standards prescribed under the relevant laws, including the Noise Pollution (Regulation & Control) Rules, 2000

**65. Digitization of EFPRWA records and IT/web enabling EFPRWA Processes & Services:**

65.1 Within 6 months of the coming into effect of these Bye-laws, all EFPRWA records that are currently held/stored in physical form shall be digitized.

65.2 The digital records shall be stored in a secure repository to which role-based access shall be defined and provided, in consultation with domain experts who volunteer for the task. Such domain experts, 4 to 5 in number, shall comprise the IT Committee which shall, inter-alia, ensure that the proposed solutions for the digitization of records and IT/web enabling of EFPRWA processes and services are compliant with the requirements of the relevant laws regarding data security and privacy and are user friendly, scalable and as far as possible, available off the shelf.

65.3 Clear rules in this regard shall be prescribed, and placed before the GBM for obtaining its approval.

65.4 EFPRWA records shall include:

- i) Documents, maps, drawings, correspondence, licenses, permissions, registrations, certificates etc. handed over by the developer, EMAAR, to EFPRWA;
- ii) All correspondence, licenses, permissions, registrations, certificates, notices, orders, judgement's, etc. between EFPRWA and MCG, GMDA, DHBVN, DTCP, Registrar of Societies, police authorities, courts, Income Tax authorities, GST authorities, any other government agency/authority;
- iii) All complaints, grievances etc. addressed by residents, and all requests for information made under the RTI Act, 2005;
- iv) General Body minutes of the meetings and BOM minutes of the meetings and minutes of the meetings of any other Subcommittee/Task Force set up for a specific purpose.
- v) All Audit Reports, Annual Reports, Income Tax returns, GST returns, and other statutory reports.
- vi) Provision of telecommunications services, CCTVs etc. and all the facility management contracts.
- vii) All orders, instructions, etc. issued by EFPRWA, whether with GBM and/or EC approval;
- viii) Audio video recordings of all meetings of the General Body and BOM.
- ix) Any other documents that may be listed by the Task Force referred to in Clause 65.3.

65.5 The records displayed on website of EFPRWA shall be updated at a frequency prescribed by the IT Committee, and the President shall record the fact of updating on the EFPRWA website.

65.6 Further, within the time period recommended by the IT Task Force, the following processes shall be completely IT enabled, such that the necessity of visiting the EFPRWA office and/or submitting physical copies of documents is completely obviated:

- i. Obtaining membership of EFPRWA
- ii. Updating of Membership Register
- iii. Registering complaints about plumbing, electricity, horticulture, security, and other services/facilities provided by EFPRWA
- iv. Obtaining information under the RTI Act
- v. Registering grievances with the Ethics Committee
- vi. Issue of NOC prior to commencement of construction/renovation
- vii. Purchase of entry tickets for community celebrations



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*Handwritten signature in blue ink, possibly 'Sankar'.*

65.6 Within 3 months of the coming into effect of these Bye laws, the Internal Audit Committee and the IT Committee shall identify an appropriate budgeting software so that Budgets/Statements can be easily and efficiently (i) shared with members of the General Body, and (ii) consolidated into an EFPRWA budget/Annual Statement of Account. Thereafter, Budgets/ Statements of Accounts shall only be prepared by employing the said software.

65.7 Use of "APNA COMPLEX" APP SOFTWARE:

The apartment owners may invite guests on the software Apna Complex which is in use presently by the residents of EFP in their mobile phones & laptops. The guests, visitors, delivery boys and maintenance workers etc. are required to sign the visitors register at the entrance gate or communicate OTP code of "APNA COMPLEX" invitation to security at gate. Apartment owners may utilize software "APNA COMPLEX" for the purpose of services complain, online permission approval of their visitor /Guests, Association due payments, raising guest invitations, reading notices etc. Apna Complex directory is reflecting owners & their family members, tenants & their family member's names & unit numbers for a good community living.

APNA COMPLEX has already been implemented in EFP however lot of its features has not been initiated yet.

IT Committee will look in to it with the Apna Complex staff to improve it and submit a report to BOM.

65.8 Display of Information in the EFPRWA office:

The following information shall, at all times, be prominently displayed in the EFPRWA office and on the homepage of the EFPRWA website:

- Name and contact details of current office bearers.
- Name and contact details of the current PIO.
- Name and contact details of the current members of the Ethics Committee
- Telephone Numbers & Email addresses of current Estate Manager, Facility Manager, and EFPRWA Office, Security Officer, Entry Gates and 24 x 7 Helpline.
- A current copy of the updated Bye-laws shall be available on EFPRWA website.

65.9 The information shall be updated by the Estate Manager as and when there is a change in the names/contact details of the incumbents.

Need  
65.10 Emerald Floors Premier Residents Google Group

Praveen  
CS  
65.10.01 The Emerald Floors Premier Residents Google group efp-residents@googlegr... is already existing there with 360 members. It has 3 Administrators and 3 Moderators, who are being invited for the tasks. It will be converted in to the EFPRWA member's google group within 3 to 4 months by expediting the EFPRWA membership drive. The 3 administrators and 3 Moderators shall be selected by the Ethics Committee from among the panel of volunteers, with at least one-third of the incumbents being changed every 12 months.

65.10.02 The Google Group efp-residents@googlegroups.com shall only be used to:

- MS  
MS  
i) Share thoughts, opinions, facts, information by residents for the benefit of other residents





- ii) Request for help/support/recommendations from other residents
- iii) Provide general feedback/questions on governance

65.10.03 The Google group shall NOT be used for the following:

- i. Request for specific action by EFPRWA, which requests should be directed to the EFPRWA office/helpline at the EFPRWA email address
- ii. Requests for specific data/information which should be directed to the EFPRWA office at the EFPRWA email address, or, if need be, to the PIO.
- iii. Sharing specific feedback on governance, which should be directed to the EFPRWA office at the EFPRWA email address, or, if need be, to the Ethics Committee.

65.10.04 The following are strictly prohibited:

- i. Threats, name calling, accusations (personal/general).
- ii. Sharing any content that is contrary to the community's standards of good moral values.
- iii. Sharing any content that is overtly political in nature, and meant to promote a particular ideology/political party.
- iv. Unreasonably high number of emails by a resident, essentially spamming and flooding the residents' in-boxes.
- v. Commercial Mails directly sent, bypassing the requirement of routing such mails through the Marketing ID via RWA Office.
- vi One to one correspondence/ discussions in length.

65.10.5 Emails that fall in any of the Clause 65.10.3 above shall trigger a warning to the resident, and a repetition of the same may invite appropriate action, depending upon the severity of the infraction.

65.10.6 Emails that fall in any of the Clause 65.10.4 above shall immediately trigger appropriate action, depending upon the severity of the infraction.

65.10.7 Penal Actions:

- Level 1: Barring from group for 1 week
- Level 2: Barring from group for 1 to 3 months
- Level 3: Barring from group for 6 months
- Level 4: Barring from group for 1 year

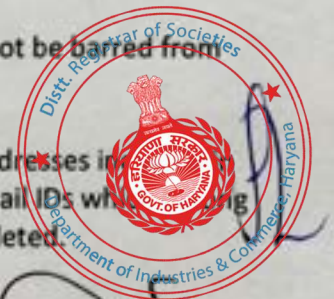
65.10.8 Unless a resident is expelled from EFPRWA membership, she/he shall not be barred from the Google group for an indeterminate period.

65.10.9 At least once a year, an exercise to identify the owners of the e-mail addresses in the Emerald Floors Premier Residents Google Group shall be carried out. All email IDs which are not linked to persons who are not Emerald Floors Premier owners or residents shall be deleted.

65.10.8 E MAIL ADDRESS OF EFPRWA:

Following email address is an official e-mail address of EFPRWA:  
efp.rwa@gmail.com

It is jointly operated by the office bearers of EFPRWA with a common shared password.



*Handwritten signature: Nalini Datta*

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*Handwritten signatures: Rishi, Sonu*

## 66. BYE LAWS COMMITTEE:

There may be need of amendments in MOA and Bye Laws of the EFPRWA in future for various purposes in the interest of welfare of the community therefore there shall be a Bye-laws Review Committee formed under the provisions of clause 20.b and 25.5, 25.6 and 25.7 of these bye laws which shall be responsible for carrying out an annual review of the Bye-laws so as to ensure that amendments in applicable laws, executive orders etc., are not inadvertently overlooked, and that the Bye-laws comply with the law and also reflect the aspirations of the community.

The necessary amendments in MOA & Bye Laws will be done by the BOM on recommendations of bye laws committee under provisions of clause 55 of these bye laws.

The members of bye laws committee will be 5 to 7 volunteers of EFPRWA having vast knowledge in RWA matters of societies and have sufficient time for this task and ready to work with other Subcommittees of EFPRWA for necessary co ordinations and getting inputs to incorporate in amended bye laws, MOA and related other society documents.

## 67. Management of Street Dogs:

The following principles underlie the guidelines for management of street dogs in Emerald Floors Premier:

- Securing the physical safety of residents, including children and senior citizens
- Treating stray dogs with compassion and, to the extent possible, providing them with food and veterinary care.
- According respect to the residents who are care givers for EFP's street dogs.
- Resolving conflicts between residents and care givers through a 5 or 7 member group of volunteers

### Advantages

- Since dogs are territorial, a stable population of street dogs in and around Emerald Floors Premier ensures that street dogs from elsewhere do not enter the neighborhood, and dogs well acclimatized to Emerald Floors Premier peacefully coexist with residents.
- To those residents who wish to serve all sentient beings, feeding and otherwise taking care of street dogs provides an opportunity of service.
- If and when resources permit, street dogs can be trained to accompany security guards on guard duty, offer companionship to senior citizens living on their own, and alert the community in case of an emergency, etc.

### Risks

- Well-fed street dogs that feel secure in their habitat do not usually chase or attack people in their vicinity. However, even playful behaviour may induce fear in some residents who, in the attempt to escape the dog, may get injured. This is especially true of young children and senior citizens.
- If stray dogs venture into parks and it becomes the venue of their play, a similar threat as above may arise.
- Further, confrontations between stray dogs and pet dogs, particularly in cases where the pet dog is not securely leashed and breaks free, could trigger fear, anxiety, and even injury among passersby.
- If a stray dog bites a resident, the dog's inoculation record may not be available, creating the necessity of the resident undergoing the full course of anti-rabies treatment.



*Nalin Dutt*

*Sohuwal*

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### 67.1 Caregivers

1. Since those who feed street dogs win their trust, they must participate in the dogs' serialization and annual vaccination program, and must help animal welfare agencies (engaged by EFPRWA from time to time) to provide health care to them.
2. Caregivers cannot feed street dogs close to residences, near children's play areas, where people take walks, and/or in crowded areas. As far as possible, street dogs must be fed at the designated spots, and the site cleaned up afterwards.
3. Updated and readily accessible sterilization and vaccination records of the street dogs should be maintained. In this task, WSOS, or other animal welfare agency engaged by EFPRWA, should take the lead, and the caregivers should offer every possible assistance.
4. Although the defecation habits of strays cannot be controlled, caregivers must participate in other solutions for maintaining cleanliness.
5. As far as possible, caregivers may ensure that street dogs are kept clean and healthy, and warm in cold weather.
6. If a street dog turns aggressive / starts biting people and other dogs for no known reason, the caregiver and WSOS (or other agency engaged by EFPRWA) must have her / him checked and treated, if possible. In case there is no remedy, then the dog must be appropriately handled but not returned to the Emerald Floors Premier neighborhood.

### 67.2 Residents

Residents must at all times remember the following:

1. Indian law prohibits beating street dogs, maiming or causing injury, driving them away, and dumping them elsewhere, or poisoning or killing them in any other manner. Such acts fall under the category of animal cruelty and are punishable by fine and imprisonment.
2. Also, any form of aggression or hostility towards dogs may render them likewise aggressive and hostile to humans, and they may resort to snapping and biting humans.
3. The law requires that after street dogs have been vaccinated and sterilized, they must be returned to their original location. (Note: Sterilization also reduces aggression as neutered dogs will not fight over females, and females without pups will obviate incidences of instinctive aggressiveness over protecting their pups).
4. There is no law that prohibits the feeding of street animals. Their feeders are in fact performing a duty of the Constitution of India – of showing compassion to all living creatures. Courts have upheld feeding of street dogs because well-fed/cared-for dogs are not aggressive, and this reduces human-animal conflict.
5. Attempts to interfere with, or harass persons looking after and feeding street dogs is tantamount to the punishable offence of criminal intimidation.

### 67.3 EFPRWA

1. As far as possible, the contract with WSOS (or other animal welfare agency) may provide for the resource persons to (a) carry out an inventory of stray dogs in EFP (b) affix collars that contain the EFPRWA serial number (and/or) name (c) get all such dogs neutered and annually vaccinated (d) maintain proper records, at a central location, of the vaccination/inoculation of all such dogs so that correlation between a dog and its health status may be quickly established, and (e) assist residents who regularly feed the stray dogs.
2. Copies of the vaccination/inoculation/sterilization records may also be uploaded, and periodically updated, on the website of Nirvana Country.



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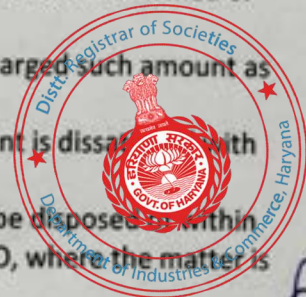
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Page (53)

3. Any incident of cruelty to street dogs or intimidation of their caregivers must be investigated and EFPRWA may initiate appropriate action against the offending person, including seeking intervention of the police authorities, if necessary.
4. In the event that a street dog chases a resident, or bites/attacks him, or causes him to fall and sustain injury, the matter must be reported to and investigated by the EFP Care Givers Team (a 5 member group, at least half of whom are care givers for street dogs).
5. The services of a well-qualified dog trainer may be engaged, on a need basis, to ascertain how best a repetition of the incident can be prevented, whether by re location of the dog to another location within EFP, or by better training, or in some other manner.
6. While a solution is arrived at, the dog shall remain within the custody of the care givers or dog trainer, and/or security guards.
7. If it is ascertained that the dog is a dangerous dog, then the matter shall be reported to the MCG, for taking action under Rule 8 (dangerous dog) of the Haryana Municipal (Registration and Proper Control of Dogs) Bye-laws 2005.

### 68 - Public Information Officer

- 68.1 In compliance with the Order dated May 2nd, 2019 of the Punjab & Haryana High Court, declaring that RWAs must be fully compliant with the provisions of the RTI Act, 2005 (as amended), a Public Information Officer(PIO) shall be appointed with the approval of the General Body.
- 68.2 PIO shall be a Member of the General Body and as far as possible, PIO shall be a person who has previous experience relevant to the role and functions of a PIO under the RTI Act. No remuneration shall be payable to the PIO.
- 68.3 The period for which a PIO is appointed shall ordinarily be 3 years but may be extended by 2 years by the General Body.
- 68.4 All information/documents/returns/registers which are required by the HRRS Act, 2012 to be made available or submitted by the RWA to the Registrar of Societies shall constitute information which can be demanded by and shall be made available to a resident.
- 68.5 Further, in compliance with the letter no. GGN/DIC/DRI/24 dated 10.01.2014 of the District Registrar (& State Information Officer), information relating to all other proceedings/working of the Association can also be demanded by a resident and shall be made available by the PIO.
- 68.6 It shall not be the responsibility of the PIO to compile information if it is not maintained or available in the form in which it is sought.
- 68.7 If the information sought is voluminous, then the applicant may be charged such amount as is required to defray the cost incurred by EFPRWA.
- 68.9 If the PIO does not reply to the request for information or if an applicant is dissatisfied with the reply of the PIO, he may appeal to the Ethics Committee.
- 68.10 All applications, whether to the PIO or to the Ethics Committee, shall be disposed of within 30 days of receipt and after making available to the applicant (and also the PIO, where the matter is before the Ethics Committee) an opportunity to be heard.
- 68.11 If the PIO does not comply with the directions of the Ethics Committee, the applicant may refer the matter to the District Registrar/State Information Officer along with a copy of the findings of the Ethics Committee, for action as deemed fit.



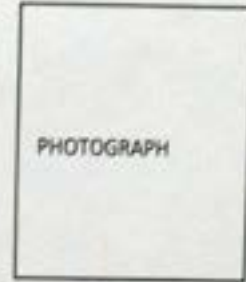
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Annexure -1

Application Form for Membership of EFPRWA

To

The President / Secretary  
Emerald Floors Premier Residents Welfare Association  
Registered office: EFP-15-0101, Emerald Floors Premier,  
Sector 65, Gurgaon -122018, Haryana.  
E mail: efp.rwa@gmail.com



Subject: Application for admission as a Member of the EFP RWA.

Dear Sir,

I wish to apply for admission as a member of EFP RWA Society. My brief particulars are as under:

Sr. No.	Subject	Particulars
1	Name of the Applicant	
2	Father's/Husband's Name	
3	Permanent Address:	
4	Correspondence Address:	
6	Date of Birth:	
7	Occupation:	
8	Phone No. with Code:	
9	Email ID	
10	PAN No. (attach self-attested copy)	



2. I certify that:

(I) I have gone through the current MOA & Bye-laws of EFPRWA. I unconditionally subscribe to the current MOA & Bye-Laws of the Society and contribute towards attainment of the same. I will abide by the Byelaws of the Society, as applicable and amended from time to time.

(II) I have not been convicted of an offence involving moral turpitude involving imprisonment.

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*Handwritten signatures and initials in blue ink.*

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3. I am enclosing herewith the following Documents:

- (i) Copy of \_\_\_\_\_ towards proof of identity.
- (ii) Copy of \_\_\_\_\_ towards proof of Address.
- (iii) Copy of \_\_\_\_\_ towards proof of date of birth.
- (iv) Copy of registered conveyance deed for proof of ownership.
- (v) DD/Pay Order/ IMPS/NEFT/Cheque No. \_\_\_\_\_ Dated \_\_\_\_\_ for Rs 500  
/- drawn in favour of \_\_\_\_\_ towards membership fee.
- (vi) DD/Pay Order/ Cheque No. \_\_\_\_\_ dated \_\_\_\_\_ for Rs. \_\_\_\_\_  
drawn in favour of \_\_\_\_\_ towards annual subscription  
for the year \_\_\_\_\_.
- (vii) Two passport size and one stamp size photographs.

4. I request you to kindly admit me as a general member of the Society.

Thanking you,

Yours faithfully

Dated: \_\_\_\_\_ Place: \_\_\_\_\_

(Signature of the Applicant)

B. Decision of the Governing Body:

Sh \_\_\_\_\_ S/o \_\_\_\_\_ R/o \_\_\_\_\_ aged  
\_\_\_\_\_ yrs

Is admitted as the general member of the society wef from \_\_\_\_\_ under  
membership no \_\_\_\_\_ vide resolution number \_\_\_\_\_ in the  
meeting of governing body held on \_\_\_\_\_.

He / She may be issued membership of the society and his/her name may be entered in the register of the  
members.



Secretary / Pres.

Date \_\_\_\_\_

Place \_\_\_\_\_

ch.

**ANNEXURE 2 - Membership Identity Card**

EMERALD FLOORS PREMIER RESIDENTS WELFARE ASSOCIATION		
MEMBERSHIP IDENTITY CARD		
CARD NO :	TYPE OF MEMBERSHIP :	GENERAL
PHOTOGRAPH	DATE OF BIRTH :	
	NAME	
	S/O , D/O , W/O	
	ADDRESS	
	MEMBERSHIP NO	
	DATE OF ISSUE	
	VALID UP TO	
HOLDERS SIGNATURE		AUTHORISED SIGNATORY

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ANNEXURE 3 - Proforma Show Cause Notice (expulsion from EFPRWA membership)

1. In pursuance of the complaint/reference received by the Ethics Committee from \_\_\_\_\_ regarding conduct that allegedly satisfies the provisions of Clause 6 (f) of the Bye-laws, it is proposed to hold an inquiry against Shri/Smt. \_\_\_\_\_ in accordance with the procedure laid down in Clauses 6.f.7 and 6.f. of the Bye-laws. The enquiry shall be conducted by \_\_\_\_\_ at \_\_\_\_\_ (name of the place where proceedings are to be conducted).
2. The imputation(s) of misconduct or misbehavior in respect of which the inquiry is proposed to be held is/are set out in the enclosed statement of (Annexure I). A list of documents by which, and a list of witnesses by whom, the imputations of misconduct or misbehavior are proposed to be sustained are also enclosed (Annexures II and III).  
A list of documents by which and a list of witnesses by whom, the imputations of misconduct or misbehavior are proposed to be sustained are also enclosed (Annexures II and III).
3. Shri/Smt. \_\_\_\_\_ is directed to submit within 10 working days of the receipt of this Show Cause Notice a written statement of his/her defense, showing cause why she / he should not be expelled from membership of EFPRWA and also to state whether (s)/he desires to be heard in person.
4. Shri/Smt. \_\_\_\_\_ is further informed that if (s)/he does not submit a written statement of defense on or before the date specified in paragraph 3 above, or does not, having asked to be heard in person, appear in person before the Ethics Committee, the inquiry against him/her may be conducted ex-parte.
5. The receipt of this Memorandum may be acknowledged.

\_\_\_\_\_  
Signed

Member, Ethics Committee

Annexure -I Statement of imputations of misconduct or misbehaviour.

Annexure - II List of documents by which the imputations of misconduct or misbehaviour are proposed to be sustained.

Annexure - III List of Witnesses by whom the imputations of misconduct or misbehaviour are proposed to be sustained.





#### ANNEXURE 4 - List of Public Areas/ Assets & Services provided by EFPRWA

##### List of Public Areas/ Assets:

- Parks
- Green Belt
- Roads/Sidewalks
- DG Sets
- Distribution Panels
- Water pipelines
- Underground water storage tanks
- Water pumping equipment
- STP pipelines
- Boom barriers at Block entry gates
- CCTVs
- EFPRWA Office
- Composting Plants
- EFP Main Entry Gates

##### List of services provided by EFPRWA:

- Power back up.
- Security.
- Sweeping of roads.
- Collection of household waste and horticulture waste.
- composting of kitchen waste.
- Maintenance of EFP parks and green belts.
- Storage and Pumping of water.
- Supply of STP water for use in horticulture.
- Domestic plumbing repairs.
- Domestic electrical repairs.

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ANNEXURE 5 - Recovery of arrears of EFPRWA dues –

Reminder, Legal Notice

Payment Reminder Notice to EFPRWA member

Ref: \_\_\_\_\_

Date:

To,

<Name of the EFPRWA member>

House no.

Block

Emerald Floors Premier

**Subject:** Maintenance Charges due from you but not paid

You are kindly requested to pay the maintenance charges for the period \_\_\_\_\_ which are due but not paid by you till date. It has been over \_\_\_\_\_ days since the payment became due and payable but has not been received by us till now. We regret to note that a number of written and oral requests have been made to you to make these payments as per your obligations as a member of EFPRWA and its Bye-laws, but to no avail.

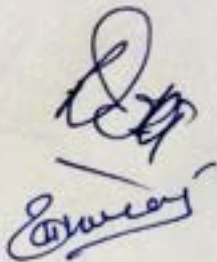
This is our final notice, calling upon you to make good, at the earliest, and the payments due and payable so as to avoid any legal measures which the Association will be advised to undertake to recover the same.

Sincerely,

Signature

(Name of EFPRWA office bearer)

Designation



03



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## Draft legal notice

Under instructions from and on behalf of my client, Emerald Floors Premier Residents Welfare Association (EFPRWA), through its authorized office bearer, I do hereby serve you with the following Legal

Notice: -

That EFPRWA is a registered society under the Haryana Registration and Regulation of Societies Act, 2012 (HRRS Act) established to manage the affairs of EFPRWA on behalf of its residents.

That EFPRWA is governed by its own set of Bye-laws as amended from time to time to regulate its various functions including its relations with the members on its rolls. It may be material to state that these Bye-laws have been approved by the competent authority under the HRRS Act and thus carry the force of law. A current copy of the updated Bye-laws is available on EFPRWA website \_\_\_\_\_ for your information. The record indicates that you are a current member of EFPRWA on its rolls.

That, as a condition for admission to the membership of EFPRWA, every member undertakes and is bound to observe and comply with the obligations and duties set out in the Bye-laws. Thus, besides the statutory sanction under the HRRS Act, each and every member is contractually bound by these Bye-laws.

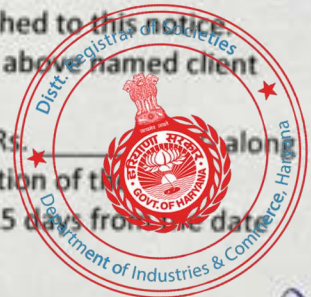
That, in pursuance of its functions under the Bye-laws, EFPRWA has been raising a number of dues including Maintenance Charges against its various members. It may be mentioned that these maintenance charges have been arrived at after obtaining the requisite consent from its members through a process of approval laid down in the Bye-laws.

It has come to the notice of EFPRWA that you have been in wilful default of payment of the applicable maintenance charges laid against you from time to time. EFPRWA has brought this default to your notice through various written and oral communications, requesting you to pay the arrears of maintenance charges within the time stipulated in the original demand.

You have not only failed to heed these requests, but have miserably failed to make payment of the said amount due to EFPRWA. Hence you are liable to pay the said CAM charges along with interest @ \_\_\_\_ % p.a. from the date these fell due and payable till actual realization of the said sum. A current statement of the charges due and payable by you is attached to this notice.

That thus you are liable to pay the total amount of Rs. \_\_\_\_\_/- to my above named client and my above named client is entitled to recover the same from you.

I, therefore, through this Notice finally call upon you to pay to my client Rs. \_\_\_\_\_ along with future interest @ \_\_\_\_ % p.a. from the date of notice till actual realization of the said amount, together with notice fee of Rs. \_\_\_\_\_/- to my client within clear 15 days from the date



*[Handwritten signatures and initials]*

of receipt of this notice, failing which my client has given me clear instructions to take civil & criminal proceedings including a suit for recovery of money in a competent court of law and in that event you shall be fully responsible for the same.  
A copy of this Notice has been preserved in my office for record and future course of action.

( \_\_\_\_\_ )

We the several persons whose name and address are subscribed hereunder certify the above to be true copy of the bye – laws of the Society.

*[Handwritten signature]*  
*[Handwritten signature]*

*es*

*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*



SIGNED BY THE BOM MEMBERS

S. No.	Name	Father's / Husband's Name	Occupation	Date of Birth	Address	Designation	Signature
1	NALIN DUTT	DHARM PAL DUTT	Private Job	01.10.1968	EFP-15-0101, Emerald Floors Premier, Sector 65, Gurgaon.	President	
2	SHARAD GUPTA	PREMCHAND GUPTA	Private Job	20.10.1975	EFP-52-0301, Emerald Floors Premier, Sector 65, Gurgaon.	Vice President	
3	RITU RAJ TIWARI	SUNIL KUMAR TIWARI	Private Job	29.08.1986	EFP-17-0302, Emerald Floors Premier, Sector 65, Gurgaon.	General Secretary	
4	CHHANDOLI PI BASU	SUBHENDU BOSE	Private Job	26.11.1978	EFP-10-0101, Emerald Floors Premier, Sector 65, Gurgaon.	Joint Secretary	
5	RAJEEV SOBTI	RAMKRISHAN SOBTI	Private Job	24.08.1963	EFP-10-0001, Emerald Floors Premier, Sector 65, Gurgaon.	Treasurer	
6	NARENDER KUMAR	SUMER SINGH	Retired Army Officer	20.05.1962	EFP-29-0302, Emerald Floors Premier, Sector 65, Gurgaon.	Executive Member	
7	MANOJ ASTHANA	MAHENDRA NATH ASTHANA	Retired Army Officer	07.08.1952	EFP-37-0402, Emerald Floors Premier, Sector 65, Gurgaon.	Executive Member	

CERTIFICATE

It is certified that all the provisions (Rule and Regulation of Haryana Registration and Regulation of Society Act, 2012 (Haryana Act No 1 of 2012) if not mentioned here will be duly complied with by the "EFP Residents Welfare Association", Gurugram in letter and spirit.

