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No Apartment owner shall be entitled to vote on the questions of the election of the members of the Board or the President, Secretary, Treasurer or any other Office bearer or to be entitled to stand for election to such office, if he is in arrears if any sum due from him in respect of his contributions for common expenses for more than sixty days on the last day of the year preceding the years in which the elections to the Board would take place.

## CHAPTER II

### VOTING QUORUM AND PROXIS

#### 9] VOTING :-

Voting shall be on a percentage basis and the percentage of vote to which the owner is entitled is the percentage assigned to the family unit or units in the declaration.

#### 10] QUORUM :-

Except as otherwise provided in these bye laws the presence in person of a majority of owners shall constitute a quorum.

#### 11] VOTE TO BE CASE IN PERSON :-

Votes shall be case in persons.

## CHAPTER III

### ADMINISTRATION

#### 12] POWERS & DUTIES OF THE ASSOCIATIONS:-

The Association shall have the responsibility of administration of the ARYA APARTMENT Condominium approving the annual budget establishing and collecting monthly assessment and arranging for the management of the condominium in an efficient manner except otherwise provided, resolutions of the association shall require approval by a majority of the owners casting votes in person.

#### 13] PLACE OF MEETINGS :-

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Meetings of the Association shall be held at suitable place convenient to owners as may be from time to time be designated by the Association.

**14] ANNUAL MEETINGS :-**

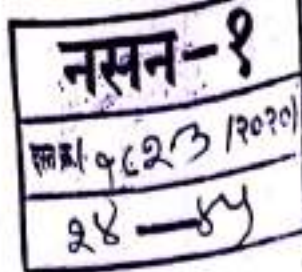
The first annual meeting of the Association shall be held within a period of two months from the date of registration of the declaration. Thereafter the annual meetings of the association shall be held on the 1<sup>st</sup> day of May of each succeeding year. At such meetings there shall be elected by Ballot of the apartment owners a board of Managers in accordance with the requirements of bye -laws. The owners may also transact such other business of the association as may properly come before them.

**15] SPECIAL MEETINGS :-**

It shall be the duty of the president to call a special meeting of the Apartment owners as directed by the resolution of the board or upon a petition signed by a majority of the owners and having been presented to the Secretary, or at the request of the Housing Commissioner, or as the case may be the Registrar, or any officer, duly authorised by him in his behalf. The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No other business shall be transacted at a special meeting except as stated in the notice without the consent of four/ fifths of the owners present in person.

**16] NOTICE OF MEETING :-**

It shall be the duty of the secretary to mail or send a notice of each annual or special meeting, stating the purpose thereof as well as the time and place where it is so held, to each apartment owner at least 4 but not more than 7 days prior to such meeting, the mailing or sending of a notice in the manner provided in this bye laws shall be considered notice served. Notice of all meetings shall be mailed or sent to the Housing Commissioner or as the case may be the Registrar.



#### 17] ADJOURNED MEETINGS :-

If any meetings of any owners can not be organized because of quorum has not attended the owner who are present may adjourn the meeting to a time not less than 48 hours from the time the original the meeting was called. If at such adjourned meetings was called. If at such adjourned meetings also no quorum is present the owners present in person been not less than two shall form a quorum.

#### 18] ORDER OF BUSINESS :-

The order of business at all meetings of the owners of units shall be as follows ;

- A] Roll Call.
- B] Proof of notice of meeting or waiver of notice.
- C] Reading of minutes of preceding meeting.
- D] Report of Officers.
- E] Election of Board of Managers.
- F] Unfinished business, if any,
- G] New Business.

### CHAPTER IV

#### BOARD OF MANAGERS

#### 19] MANAGEMENT OF ASSOCIATION :-

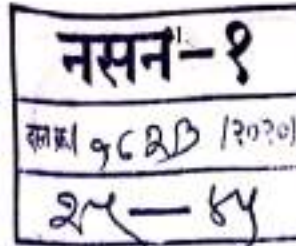
The affairs of the association shall be governed by the Board of Managers.

#### 20] POWER & DUTIES OF THE BOARD:-

The Board of Managers shall have the powers and duties necessary for the administration of the affairs of the association and may do all such acts and things as are not by laws or these bye laws directed to be exercised and done by the owners.

#### 21] OTHER DUTIES :-

In addition to duties imposed by these bye laws or by the solution of the association the board shall be responsible for the following i.e. to say;



- I] Care, upkeep and surveillance of the **ARYA APARTMENT** Condominium and the common areas and facilities and the restricted common areas and facilities.
- II] Collection of monthly assessment from the owners.
- III] Designation, employment, remuneration and dismissal of the personnel necessary for the maintenance and operations of the **ARYA APARTMENT** Condominium and the common areas and facilities and the restricted common areas and the facilities.
- IV] To provide for the manner in which the audit and the account of the association shall be carried out.
- V] To inspect the accounts kept by the Secretary and/or the Treasurer and examine the registers and account books and to take steps for the recovery of all sums due to the Association.
- VI] To sanction working expenses, count cash, balance and deal with other misc. business.
- VII] To see that cash written up promptly and is signed duly by one of the members of the board authorized in this behalf.
- VIII] To hear and deal with complaints.

22] MANAGER :-

The board may apply for the association a manager at a compensation determined by the Board to perform such duties and services as the board shall authorize including but not limited to the duties listed in the bye laws.

23] ELECTION & TERM OF OFFICE :-

At the first annual meeting of the association the term of the office of two managers shall be fixed for three years. The term of office

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of two managers shall be fixed at one year. At the expiration of the initial term of the office of each respective manager, a successor shall be elected to serve a term of three years. The manager shall hold office until their successors have been elected and hold their first meeting (if a larger Board is contemplated the terms of office shall or should be established in a similar manner so that they will expire in different years).

#### 24] VACANCIES :-

Vacancies in the Board caused by any reason other than removal of manager by a vote of the association shall be filled by vote of the majority of the remaining managers even though they may constitute less than quorum and each person so elected shall be a manager until a successors is elected at the next annual meetings of the association.

#### 25] REMOVAL OF MANAGERS :-

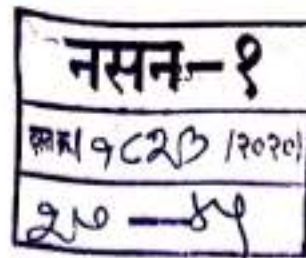
At any regular or special meeting duly called any one or more of the managers may be removed with or without caused by a majority of the apartment owners and successors may then and there to fill the vacancy thus created. Any manager whose removal has been proposed by the owners shall be given an opportunity to be heard at the meetings.

#### 26] REGULAR MEETING :-

Regular meeting of the Board may be held at such time and place shall be determined, from time to time by a majority to managers, but at least two such meetings shall be held during each year. Notice of regular meetings of the Board shall be given to each manager personally or by mail or by telegraph, at least three days prior to the day named for such meetings.

#### 27] ORGANISATION MEETING :-

The first meeting of a newly elected Board shall be held within 10 days of election at such place as shall be fixed the managers at the meeting at which such managers were elected and no notice shall be



necessary to the newly elected managers, in order legally to constitute such meetings provided a majority of the whole board shall be present.

**28] SPECIAL MEETINGS :-**

Special meetings of the board may be called by the president on three days notice to each manager, give personally or by mail or telegraph which notice shall state the time, place (as herein above provided) and purpose of the meeting special meetings of the Board shall be called by the President or Secretary in like manner and on like notice on the written request of at least three managers.

**29] WAIVER OF NOTICE :-**

Before or at any meeting of the Board any manager may in writing waiver notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice, attendance by a manager at meetings of the board shall be a waiver of notice by him of the time and place thereof. If all the managers are present at any meetings of the Board no notice shall be required and any business may be transacted at such meeting.

**30] QUORUM :-**

At all meetings of the Board  $\frac{1}{3}^{\text{rd}}$  of the total strength of the managers shall constitute a quorum for managers present at the meeting at which a quorum is present shall be the acts of the Board. If at any meetings of the Board there shall be less than a quorum present, the majority of those present may adjourn the meeting, from time to time any business which might have been transacted at the meeting as originally called may be transaction without further notice provided there is a quorum present.

**31] FIDELITY BONDS :-**

The board may require that all officers and employees of the Association handling or responsible for association funds shall furnish adequate fidelity bonds. The premium on such bonds shall be paid by the Association.

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## CHAPTER V OFFICERS

### 32] DESIGNATION :-

The principal officers of the Association shall be a President, a Vice President, a Secretary and a Treasurer all of whom shall be elected by and from the Board. The Board may appoint an assistant Treasurer and an assistant Secretary and such other Officers as in their judgement may be necessary. In case an association of one hundred owners or less the officers of Treasurer and Secretary may be filled by the same person.

### 33] ELECTION OF OFFICERS :-

The officers of the Association shall be elected annually by the Board of the Organization meeting of each new board and shall hold offices at the pleasure of the board.

### 34] REMOVAL OF OFFICERS:-

Upon an affirmative vote of a majority of the members of the board any officer may be removed either with or without cause and his successor elected at any regular meeting of the board or at any special meeting of the board called for such purpose.

### 35] PRESIDENT :-

The President shall be the Chief Executive officer of the Association. He shall preside at all meetings of the association and of the Board. He shall have all of the general powers and duties, which are usually vested in the office of the President of an association including, but not limited to the power to appoint committees from among owners from time to time as he may in his discretion decide to be appropriate to assist in the conduct of the affairs of the association.

### 36] VICE PRESIDENT :-

The Vice President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board shall appoint some other member of the Board so to act on an

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interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed upon him by Board.

### 37] SECRETARY :-

The Secretary shall keep the minutes of all meetings of the Board and the minutes of all the meetings of the Association, he shall have charge of such books and prepare as the Board may direct and he shall in general, perform all the duties incidental of the office of the Secretary.

### 38] TREASURER :-

The Treasurer shall be responsible for Association funds and securities and shall also be responsible for keeping full and accurate accounts of all the receipts and disbursement in books belonging of the deposit of all moneys and other valuable effects, in the name and to the credit and the association in such depositaries as may from time to time be designated by the Board.

## CHAPTER VI

### OBLIGATIONS OF THE APARTMENT OWNERS

#### 39] ASSESSMENTS :-

All owners are obliged to pay monthly assessment imposed by the Association to meet all expenses relating to **ARYA APARTMENT** Condominium which may include an insurance premium for a policy to cover repair work and reconstruction work in case of hurricane, fire earthquake, or other hazardous or calamity. The assessment shall be made prorata according to the value owned as stipulated in the declarations. Such assessments shall include monthly payments to a general operating reserve fund and a reserve fund for replacements.

#### 40] MAINTENANCE AND REPAIR :-

- 1) Every owner must perform promptly all maintenance repair work within his own unit, which if omitted would affect the **ARYA APARTMENT** condominium in entirely or in part belonging to other owners being expressly responsible for the damages and liabilities that his failure to do so may endanger.

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2) All the repair of the internal installation of the unit such as water, light, Gas, power, sewage, telephone, Air conditioners, sanitary installations, doors, windows, lamps and all other accessories belonging to the unit area shall be at the expense of the apartment owner concerned.

3) An owner shall reimburse the Association for any expenditure incurred in repairing or replacing any common areas and facility damaged through his fault.

#### 41] USE OF FAMILY UNITS INTERNAL CHANGES:-

- 1) All units shall be utilized for residential purposes only.
- 2) An owner shall not make any structural modifications or alterations in his unit or installations located therein without previously notifying the association in writing through the president of the Board if no manager is employed. The association shall have the obligation to answer within thirty days and failure to do so within the stipulated time shall mean that there is no objection to the proposed modifications, alterations or installations.

#### 42] USE OF COMMON AREAS AND FACILITIES & RESTRICTED COMMON AREAS & FACILITIES:

An owner shall not place or cause to be placed in the lobbies vestibules, stairways, elevators and other areas of ARYA APARTMENT Condominium and facilities of a similar nature both common and restricted any furniture, packages or objects of any kind such areas shall be used for no other purpose than for formal transit through them.

#### 43] RIGHT OF ENTRY :-

- A) An owner shall grant the right of entry to the manager or to any other person authorized by the Board or the Association in case of

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any emergency originating in or treating his unit whether the owner is present at the time or not.

- B) An owner shall permit other owners, or their representatives when so required to enter his unit for the purpose of performing installations, alterations or repairs to the mechanical or Electrical services provided that requests for entry are made in advance and that such entry is at a time convenient to the owner. In case of an emergency such right of entry shall be immediate.

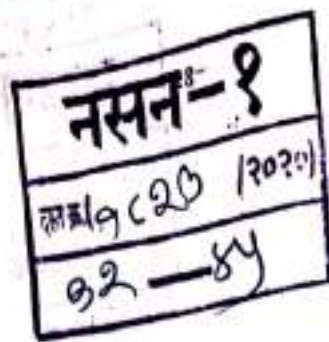
#### 44] RULES OF CONDUCT :-

- 1] No resident of the ARYA APARTMENT Condominium shall post any advertisement or posters of any kind in or on the building except as authorized by the Association.
- 2] Residents shall exercise extreme care about making noises or the use of the musical instruments, radios, Televisions and amplifiers that may disturb other residents keeping domestic animals shall abide by the Municipal Sanitary bye laws or regulations.
- 3] It is prohibited to hang garments, rugs, etc. from the windows balconies or from any of the faces of the ARYA APARTMENT Condominium.
- 4] It is prohibited to throw garbage or trash outside the disposal installations provided for such purposes on the service areas. If such installations are not provided all garbage or trash shall be collected in a vessel and thrown in the Municipal dust-bin.
- 5] No owner resident or lessee shall install wiring for electrical or telephone installations, televisions, Antenna, Machines or Air conditioning units, etc. on the exterior of the ARYA APARTMENT Condominium or that protrude through the walls of the roof of that condominium except as authorized by the Association.

### CHAPTER VII

#### FUNDS AND THEIR INVESTMENTS

#### 45] FUNDS :-



Funds may be raised by the association in all or any of the following ways namely;

- A] By Shares.
- B] By contributions & donations from the apartment owners.
- C] From common profits which shall from the nucleus of the reserve funds.
- D] By raising loans, if necessary subject to such terms and conditions as the associations with the approval of the competent authority may determine in his behalf.

**46] INVESTMENTS :-**

The association may invest or deposit its funds in one or more of the following;

- A] In the Central Co.Op. Bank or in the State Co.Op. Bank or any other Scheduled Bank decided by the meetings.
- B] In any of the securities specified in Sec.20 of the Indian Trusts Act 1882.
- C] In any Co.Op. Bank other than those referred to in clause (a) of this bye laws or in any banking company approved for this purpose by the association.

**47] AFFILIATION :-**

Should there be any federation of apartment owners in the locality in which the ARYA APARTMENT Condominium is situate the association may after consulting the competent authority become a member thereof any pay the sums from time to time payable to such federation under the rules thereof.

**48] ACCOUNTS:-**

- 1] A banking account shall be opened by the Association into which all moneys received on behalf of the Association shall be paid, provided that the Secretary may retain in his personal custody, an amount not exceeding Rs. 100/- shall be made by cheque signed by the Secretary and one member of the Board.