

Bye Laws No.43

43(1) [Sub-letting etc. not permissible except under the society's permission.]

A member may, apply to the society, of his intention of sub-letting of his permission in writing of the committee, subject or give on leave and license basis or care-taker basis his flat or part thereof or part with its possession in any other manner under the following circumstances:

- (i) Where the member is required to go out of the area of operation of the society for a long duration on account of exigencies of service or business or on account of the prolonged illness.
- (ii) Where the member is unable to occupy the flat owing to absence of facilities for education of his children or is unable to secure admission to the school in the locality for them.
- (iii) Where the employer, with a view to ensure efficient discharge of duties, requires him to stay in the accommodation allotted to him by his employer.
- (iv) Where a member satisfies the committee about his inability to occupy or continue the flat for any other genuine reasons.

Application for permission to sub-let etc.

43(2) No member shall be allowed by the Committee, to sub-let, give on leave or license basis or care-taker basis his flat or any part thereof or part with its possession in any manner unless:

- (i) he has made an application in the prescribed form.
- (ii) he has furnished the application for nominal membership of the

proposed sub-lettee, licensee, care-taker in the prescribed form;

(iii) His application contains the undertaking that-

- a) he shall, by joining the society as a party to the proceedings initiate necessary legal proceedings against the sub-lettee, licensee, caretaker, on his failure to get vacant possession of the flat or part thereof on expiry of the period of sub-letting, giving on leave and license or care taker basis the flat or part thereof or parting with his possession in any other manner and meet the cost of the legal proceedings required to be incurred by the society.
- b) he shall pay the charges of the society every month during the period of sub-letting, license etc.;
- c) He shall pay non-occupancy charges to society. Non-occupancy charges shall be charged in accordance with the circular issued by the Government of Maharashtra and the Commissioner for Co-operation from time to time and shall not be levied if the flat is occupied by the "Family" of the member as defined under these bye-laws
- d) Provided that while permitting sub-letting, giving on leave and license or care-taker basis the flat or part thereof or permitting parting with its possession in any other manner, the Committee shall restrict the period thereof to 11 months or for more period as desired by the Managing Committee which may, on the request of the member be extended for similar period or part thereof from time to time.
- e) Non-occupancy charges shall not be levied to the flat purchaser who is intending to become a member and who

submits the documentary evidence thereof.

Note on this Bye-laws :-