

Bye Laws No. 76

Flat purchased is deemed to have been allotted

- (a) The member, person/firm who had purchased the flat under an agreement under Section 4 of the Ownership Flats Act, or acquired interest in the flat on transfer of the same by existing member with previous permission of the society, shall be deemed to have been allotted the same flat by the society subject to the terms and conditions set out in the letter of allotment in the prescribed form, including subsequent modifications made by the society to it.

Change of user not permissible without the sanction of the Committee.

- (b) No member of the Society shall use the flat deemed to have been allotted to him under (a) above, for a purpose other than that mentioned in the letter of allotment, without the previous consent in writing of the Committee.

OR

(APPLICABLE FOR PLOT-PURCHASED TYPE SOCIETY)

Policy for allotment of flats

- (a) The allotment of flats in the building/buildings of the society shall be made to its members on the basis of (i) the first come first served, (ii) full payment of the demands, made by the society from time to time or (iii) by drawing lots as may be decided by the General Body Meeting. The Secretary of the society shall issue letters of allotment of flats in the

prescribed form to the respective members and obtain confirmation letters from them

(b) **Handing over possession of flats.**

- i. No member shall be eligible to get possession of the flat allotted to him unless he has made full payment towards shares, cost of construction, repayment of the loan installments, which have fallen due and/or any other charges demanded by the society, under these bye-laws.

To obtain certificate of possession from the allottee members

- ii. The committee shall, after getting occupation or completion certificate from the local authority, scrutinise the allotment register from time to time and issue instructions to the Secretary of the Society to hand over possession of flats to the respective members who have complied with the provisions of the bye-law.

Cancellation of allotment of flats.

- (c) Where any member fails to pay any calls made by the society under the bye-law No. 76(a), within the time allowed to him by the committee the allotment of flat made in his favour, shall stand cancelled and the Secretary of the society, under instructions from the Committee, shall inform the member accordingly. Where such cancellation has been made, the flat may be allotted to other applicant approved by the committee, if a member, whose allotment is cancelled, makes payment of the calls and Committee at its meeting may

consider the matter regarding re allotment of any other flat to him if it is available for allotment.

Change of user not permissible without the sanction of the Committee.

- (d) No member of the Society shall use the flat deemed to have been allotted to him under (a) above, for a purpose other than that mentioned in the letter of allotment, without the previous consent in writing of the Committee.

Note on this Bye-laws :-