

# Bangalore Apartments' Federation

## Consolidated BYE-LAWS

1. Original bye-laws of BAF Regn. No. SOR / GNR / 02 / 2014-15 were registered and approved by societies registrar on 04/04/2014

2. Dates of subsequent amendments to BAF byelaws

Date	Meeting
13 <sup>th</sup> August 2023	Special general body meeting (SGM)

The below document is a consolidation of both for easier reading and understanding. All the 3 documents are available in the BAF website.

Byelaw No	Title	Byelaw
1	<b>Name of Federation</b>	Bangalore Apartments' Federation (hereinafter referred to as Federation or BAF)
2	<b>Address of Federation</b>	S 712, South Block, Manipal Centre, 47, Dickenson Road, Bangalore, 560042
3	<b>Jurisdiction</b>	Bangalore
4	<b>Aims and Objects</b>	<ol style="list-style-type: none"> <li>To serve as a common platform for apartment owners associations and resident welfare associations in Bangalore</li> <li>To address the common problems of member associations in a consolidated manner</li> <li>To promote, unity, cooperation and coordination and to take decisions on common concerns, compliance, facilities and requirements from Government and other Organisations</li> <li>To protect rights and interests of the member associations</li> </ol> <p>To collaborate with member associations, institutions on projects or initiatives promoting the common interests</p>
5	<b>Income</b>	Income of the Federation by whatever means shall be utilised for the objects of the Federation and shall not be distributed among its members or anybody
6	<b>Correspondence</b>	The President of the Federation is authorised to correspond with the Registrar of Societies
7	<b>Membership</b>	<p>1 (a) All apartment owners associations and resident welfare associations within the jurisdictional area of the Federation can become members of the Federation</p> <p>(b) The Federation shall have following types of memberships</p>

		<p><b><u>MEMBERS WITH VOTING RIGHTS</u></b></p> <p>(i) <b>General Member:</b> Members who pay subscriptions annually or multiples thereof and come under territorial jurisdiction of any cluster</p> <p>(ii) <b>Associate Member:</b> Regular members whose geographical location does not come under territorial jurisdiction of any of the clusters of the Federation.</p> <p>(iii) <b>Affiliate Member:</b> Organisations within Karnataka but from areas outside territorial jurisdiction of the Federation having apartment owners associations or resident welfare associations as members and registered under Karnataka Society Registration Act 1960 may be affiliated to the Federation on terms and conditions to be mutually decided upon and approved by Executive Council</p> <p><b><u>MEMBERS WITHOUT VOTING RIGHTS</u></b></p> <p>(iv) <b>Expert Member:</b> Individuals with expertise in legal framework, compliances, conservation of natural resources or any other matters concerning residents of apartments, apartment associations or other resident welfare associations may become members of Federation with approval of Executive Council and have such privileges (other than that of receiving notices of meetings or of voting or of holding office) as may from time to time conferred on them by the Executive Council</p> <p>(c ) General Members and Associate Members shall pay a initial registration fee as decided by the Governing Council from time to time</p> <ol style="list-style-type: none"> <li>Each Association which is a member of the Federation will nominate a specific individual to represent respective association.</li> <li>All members of the Federation with voting rights are eligible to vote and to contest for membership of the Governing Council or Executive Council in the General Body Meeting.</li> <li>If the subscription of a member is in arrears for more than 2 (Two) years without a satisfactory explanation to the General Secretary, such membership may be terminated. However, the Governing Council may consider such members application for readmission.</li> <li>Membership fee shall be as decided by the</li> </ol>
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		<p>Governing Council of the Federation.</p> <ol style="list-style-type: none"> <li>Members shall renew their membership by remitting fee as applicable</li> <li>Governing council shall have the right to change the fee amounts of various fee payable by members, from time to time.</li> <li>The Governing Council may decide and charge any additional fees on members from time to time</li> <li>All members may take part in the proceedings of General Body Meetings</li> </ol>
8	<b>Constitution of the Federation</b>	<ol style="list-style-type: none"> <li>(a) The General Body shall consist of all the Members of the Federation. The General Body shall be empowered to elect or nominate members of the Governing Council.  (b) Governing Council is the "governing body" defined in subsection 'a' of section 2 of the Karnataka Societies Registration Act 1960</li> <li>Voting shall be conducted by show of hands or secret ballot, if requested by the member</li> </ol>
		<ol style="list-style-type: none"> <li>(a) The federation shall consists of <ol style="list-style-type: none"> <li>Governing Council</li> <li>Executive Council</li> <li>Cluster Council</li> </ol> </li> <li>(b) Governing Council shall consist of <ol style="list-style-type: none"> <li>President (One number)</li> <li>General Secretary (One number)</li> <li>Treasurer (One number)</li> <li>Vice President (One number)</li> <li>Joint Secretary (One number)</li> <li>Governing Council Members (Sixteen numbers)</li> </ol> </li> <li>(c) Executive Council shall consists of</li> </ol>

		<ol style="list-style-type: none"> <li>1. All members of Governing Council</li> <li>2. Presidents and Secretaries of all Cluster Councils</li> </ol> <p>(d) Cluster Council shall consists of</p> <ol style="list-style-type: none"> <li>1. President (One number)</li> <li>2. Secretary (One number)</li> <li>3. Cluster council members</li> </ol> <p>(e) Members of Federation are organised into clusters from time to time based on geographical and other parameters as decided by EC.</p> <p>(f) Number of cluster council members shall be proportional to number of members in a cluster. Ratio of proportion shall be decided by the Executive Council from time to time.</p> <ol style="list-style-type: none"> <li>4. Members of Governing Council and other members of Executive Council will be office-bearers of the Federation.</li> <li>5. General Body Meetings can be conducted once in a period of twelve months.</li> <li>6. The Governing Council, Executive Council and Cluster Councils shall be elected once in two years.</li> <li>7. Office-bearers of Federation once elected, will continue in office for the full tenure irrespective of any organisational structure changes in such office-bearer's apartment owners association/resident welfare association. Member associations cannot ask for replacement of office-bearers. However, the Member may choose an alternate representative to represent it in the general body.</li> <li>8. For the purpose of delivering notices, agenda, minutes of meetings and all similar and other communications, email sent to registered email ids of members shall be deemed to be official communication and valid.</li> <li>9. A copy of the decisions taken in a Governing Council or Executive Council Meeting, regarding</li> </ol>
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		<p>policy decisions or constitution or Administrative matters shall be circulated to all the Members.</p> <p>10. The notice of the General Body Meeting, containing the date, time, venue and agenda shall be sent to all members at least 21 days prior to the meeting date.</p> <p>11. Posts of all members of the Governing council, Executive council and cluster council shall be honorary. The term of office of all members of Governing council, Executive council and Cluster Council shall be two years from the date of their election or till their successors are elected, whichever is later.</p>
<b>9</b>	<b>Notices &amp; Communication</b>	Deleted and included as sub-clause 4 of Bylaw 22
<b>10</b>	<b>Quorum</b>	Deleted and included as sub-clause 2 of Bylaw 22
<b>11</b>	<b>Voting</b>	Deleted and included as sub-clause 1 of Bylaw 22
<b>12</b>	<b>Accounts</b>	<ol style="list-style-type: none"> <li>1. The official year of the Federation shall be from 01 April to 31 March</li> <li>2. The assets and liabilities in balance sheet of the Federation shall be presented before the Annual General Body Meeting for confirmation</li> <li>3. The balance sheet and list of Governing council members shall be maintained in the registered office of the Federation</li> </ol>
<b>13</b>	<b>Powers and functions of councils</b>	<p><b>1 Governing Council</b></p> <ol style="list-style-type: none"> <li>1. To ensure and promote primary aims and objects of the Federation</li> <li>2. To Publish annual accounts and reports</li> <li>3. To manage funds and property of the Federation and to present accounts at Annual General Body Meeting.</li> <li>4. Filling up vacancies from Executive Council within</li> </ol>

		<p>60 days</p> <ol style="list-style-type: none"> <li>5. To ensure utilisation of income towards promoting objects of the Federation</li> <li>6. To expel an office bearer or a cluster council Member of the Federation in case such Member is convicted by any court of any criminal offence.</li> <li>7. (a) To appeal and raise funds and fulfil formalities incumbent upon it. (b) To authorise cluster councils to appeal or raise funds on behalf of Governing Council.</li> <li>8. To appoint committee, sub-committee and grant them such powers commensurate with the objectives.</li> <li>9. (a) To invite to its meetings specialists/experts who may be non- members of the Federation whose presence in the deliberations is considered useful. (b) To engage with other organisations through an MoU.</li> <li>10. Delete from GC</li> <li>11. To make or amend the rules for the Federation</li> <li>12. At any meeting of the Governing Council, each member of the Governing Council will have one vote. Voting may be by show of hands or by secret ballot, if requested by any Governing Council Member.</li> <li>13. To make decisions to meet any exigencies.</li> </ol> <p><b>2 Executive Council</b></p> <ol style="list-style-type: none"> <li>1 Coordinate and supervise activities of clusters</li> <li>2 Implement decisions and initiatives of Governing Council</li> <li>3 Provide feedback and suggestions to Governing Council</li> <li>4 All decisions in EC shall be taken by either</li> </ol>
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		<p>unanimously or vote by majority of attendees</p> <p>5 If EC is unable to make any decision on any given topic that came for its consideration, it shall refer the matter to Governing council for deliberation and appropriate decision</p> <p>6 Establish and administer grievance redressal system</p> <p>7 Constitute a disciplinary committee to examine allegations of misconduct such as violation of bylaws/code of conduct and take decision such as expulsion/suspension/ warning or dismiss the allegations, based on the report submitted by such committee</p> <p>8 To appoint a committee, sub-committee and grant them with such powers commensurate with the objectives.</p> <p>9 To invite to its meetings specialists/experts who may be non- members of the Federation whose presence in the deliberations is considered useful</p> <p>10 To publish Federation journals/newsletters/documents it considers fit for the furtherance of its objects.</p> <p>11 Form, dissolve, bifurcate or amalgamate clusters</p> <p>12 Frame selection process of cluster council members from cluster members</p> <p>13 Any decision taken by executive council shall be communicated to all cluster councils</p> <p><b>3 <u>Cluster Council</u></b></p>
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		<p>Cluster Councils enable the governance and effective administration at the local level in a predefined geographical area as decided by the Executive Council</p> <p>2 To appoint a committee, sub-committee and grant them with such powers commensurate with the objectives.</p> <p>3 To invite to its meetings specialists / experts who may be non- members of the Federation whose presence in the deliberations is considered useful.</p> <p>4 Report activities in a predefined format to Executive Council whenever convened or as required by General Secretary</p> <p>5 Filling up cluster council members from members of respective cluster as per process defined by EC. To form sub groups as necessary</p> <p>7 Provide feedback and suggestions to EC.</p>
<b>14</b>	<b>Powers and functions of President</b>	<p>1 The President shall preside over all Meetings of the Governing Council ,Executive Council and the General Body. The President shall also discharge duties of an Administrative head</p> <p>2 The President shall execute all decisions taken by the Governing Council and Executive Council</p>
<b>15</b>	<b>Powers and functions of Vice President</b>	<p>1 Vice President shall assist the president in execution of decisions taken by the Governing Council as well as Executive Council</p> <p>2 Vice President shall preside over the meetings and discharge duties and responsibilities of President, in absence or non-availability of President</p>
<b>16</b>	<b>Powers and functions of General Secretary</b>	<p>1. The General Secretary shall assist the President in the Administrative duties of the Federation and shall call for meetings, on his/her own decision or on the written request of at least 1/3 members of the Governing Council or executive council</p>



		<ol style="list-style-type: none"> <li>The General Secretary shall call for meetings upon request from members constituting at least 15% of the total member strength of the Federation</li> <li>The General Secretary shall maintain all records of the Federation and shall submit annual report to the General Body. General Secretary is also empowered to sign communication on behalf of the Federation, cheque, receipts, bills and any such necessary documents</li> <li>The General Secretary shall issue notices of all meetings, including the General Body meeting.</li> </ol>
<b>17</b>	<b>Powers and functions of Joint Secretary</b>	Joint Secretary shall carry out duties entrusted by the General Secretary and assist the General Secretary in all duties and functions of the Federation
<b>18</b>	<b>Powers and Functions of the Treasurer</b>	<ol style="list-style-type: none"> <li>Treasurer shall be and act as the custodian of all financial matters of the Federation.</li> <li>He/she shall be empowered to sign cheques jointly with the President/General Secretary. The Treasurer shall be a compulsory signatory in all bank accounts maintained by the Federation.</li> <li>The Treasurer shall have the powers to check or supervise financial matters, regarding receipts, payments, income and expenses.</li> <li>The treasurer shall be responsible for maintaining the books of accounts and statements as required by the auditors, shall coordinate with auditors for annual auditing of accounts of the Federation.</li> <li>The treasurer shall be responsible for preparation and submission of audited statement of accounts and such other statements/explanations to the General Body and any statutory authorities.</li> </ol>
<b>19</b>	<b>Bank Account of the Federation</b>	<ol style="list-style-type: none"> <li>The Federation shall open and operate a bank account with any nationalised banks in the city of Bangalore, in the name of "Bangalore</li> </ol>

		<p>Apartments' Federation"</p> <ol style="list-style-type: none"> <li>2. Bulk of the Federation's funds to be placed in such nationalised banks</li> <li>3. In addition, Governing council may decide to open additional bank account in any private or nationalised bank for ease of operation</li> <li>4. The bank account shall be operated by authorised members of Governing Council which include the President or General Secretary with Treasurer.</li> <li>5. The Governing Council shall authorise to place the funds of the Federation in Fixed deposits, bonds, financial debt instruments including government securities and manage the proceeds as decided by the Governing Council.</li> </ol>
<b>20</b>	<b>Amendment to these bye laws</b>	Any section or part of these bye laws may be amended by a Special General Body Meeting convened for the purpose of amending bye laws of the Federation
<b>21</b>	<b>General Matters</b>	All communications sent through email to the address of the Federation or any other member shall be deemed to have been communicated as on the date of dispatch of such electronic mail
<b>22</b>	<b>Meetings</b>	<p><b>Voting</b></p> <ol style="list-style-type: none"> <li>1 Every member in the categories of General Member, Associate Member and Affiliate Member are entitled to exercise one vote in any meeting of the Federation</li> <li>2 Voting may be by               <ol style="list-style-type: none"> <li>a) show of hands or by a secret ballot in the case of in-person meetings</li> <li>b) online poll in the case of online meetings</li> <li>c) In the case of hybrid meetings, (a) for members attending in-person and (b) for members attending online if requested by any Member.</li> </ol> </li> <li>3 The voting will be done by the person nominated by the Member or someone specifically authorised by the</li> </ol>

		<p>Member in writing (either email or written), addressed to the General Secretary.</p> <p><b>2 Quorum</b></p> <p>1 The presence of one-third (1/3rd) of the total strength of Members with voting rights, either in-person or online or both as applicable as per mode of meeting specified in the notice, as on the date of notice for such a meeting shall constitute a Quorum for a General Body Meeting.</p> <p>2 If the quorum of one-third (1/3rd) of the total strength of Members is not achieved at the scheduled date and time of the meeting, then the Members who are present may adjourn the meeting by 30 minutes from the original time given in the notice, and in such adjourned meeting, the number of Members attending the meeting in person would constitute the quorum, provided however, the scope of the adjourned meeting will include only the published agenda items.</p> <p><b>3 Place of Meeting</b> Place or mode (online/in-person/hybrid) of meeting as decided by governing council, executive council and cluster council.</p> <p><b>4 Notice and Communication</b></p> <p>1 Notice of meetings and agenda will be sent by the General Secretary or Joint Secretary using email medium to the registered email ids of the Members</p> <p>2 For the purpose of delivering notices, agenda, minutes of meetings and all similar and other communication, emails sent to the registered email ids of the Members shall be deemed to be official communication and valid.</p> <p><b>5 Minutes of Meeting</b> Minutes of Meeting shall be published and circulated among members of Governing</p>
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		<p>Council, Executive Council or Cluster Council as the case may be, with in 7 days of holding the meeting.</p> <p>Governing Council, Executive Council and Cluster Council shall maintain an attendance register for all their meetings.</p>
<b>23</b>	<b>Code of conduct and disciplinary proceedings</b>	<p>Office bearers and Members of Cluster Councils are expected to maintain high standards of ethics and responsibility keeping in mind that the image of the entire Federation is likely to be brought into disrepute if he acts contrary to the best interests of the Federation.</p> <p>The following actions are explicitly prohibited:</p> <ol style="list-style-type: none"> <li>1. Office-bearer or Cluster Council Member having any conflict of interest with the interest of the Federation</li> <li>2. Office-bearer or Cluster Council Member having conflict of interest or dispute with the Member they are representing</li> <li>3. Seeking personal profit financially from the Federation or its activities</li> <li>4. Taking any steps on behalf of the Federation including committing funds on its behalf, entering into litigation unilaterally, or committing the Federation publicly to a particular course of action without informing or when necessary the express approval, of the Executive Council or Governing Council</li> <li>5. Making Defamatory allegations against other office-bearers or Cluster Council</li> <li>6. Members in public either through communication channels of the Federation or otherwise</li> <li>7. Bringing disrepute to the Federation in any way through his/her actions.</li> <li>8. Any breach of trust to membership</li> </ol>
<b>24</b>	<b>Redressal of Grievances/ Differences</b>	<p>In case of any dispute or difference among the members of the Federation on the interpretation or implementation of the bylaws of the Federation or any other issue relating to Federation or its activities or any</p>

		other claim whatsoever, the same shall be referred to the Executive Council of the Federation for its decision before invoking any other jurisdiction. The Executive Council shall decide the matter by itself or refer the matter to a mediator. In any case the member is not satisfied with the resolution, he/she may choose to invoke any other remedies provided in the Act or any other applicable law
<b>25</b>	<b>Vacancies</b>	Any vacancy arises in the Governing council shall be filled from the Executive Council. Any vacancies arising in the Executive Council shall be filled from Cluster Council. Any vacancies arising in Cluster Council shall be filled from members of the respective clusters
<b>26</b>	<b>Election Process</b>	<p>1 Any individual from BAF members with voting rights duly proposed by the member in the form as prescribed by election officer</p> <p>2 The candidate shall not have been convicted of any criminal offence, or insanity proven or acted in contravention of the BAF Bye-Laws</p> <p>3 Candidates seeking election to declare the professional office they hold &amp; other involvement /affiliations. Periodically reporting of changes if any. As a measure to keep the GC informed about any conflict of interest.</p>
<b>27</b>	<b>Miscellaneous</b>	For All or any other matter for which provisions has not been prescribed in these bylaws, the Federation shall be governed by provisions of the Karnataka Society Registration Act 1960 and rules framed thereunder

