

The DCS Act 2003

Section 74 - In this Chapter, unless the context otherwise require

(a) "allottee" means a member of a co-operative housing society to whom a plot of land or a site, or a flat in a building or complex held by it, is allotted by the co-operative society; (b) "apex" means the Delhi Co-operative Housing Finance Corporation Ltd; a co-operative society registered to provide long term finances for construction, development of infrastructure, bridge loan for land etc., against certain securities or sureties for construction, purchase of land, etc.; (c) "building fund" means a fund created by the collection of contributions from members for - (i) the purchase and or acquisition of land; or (ii) the land development; or (iii) the construction of dwelling units in a complex or buildings; or (iv) for the purpose of providing any other common amenities to achieve the objectives of the co-operative housing society; (d) "building maintenance fund" means a fund created by collection of the contribution from its members at such rate as may be determined by the general body meeting of the members annually as a part of budget provision for carrying out repairs or structural additions, improvements or alterations to the property of the co-operative housing society which is likely to increase the life of such property and to maintain the property of the said society in good and habitable conditions at all times; (e) "co-operative housing society" means a co-operative society - (i) registered or deemed to be registered as a co-operative housing society under this Act; (ii) the principal object of which is to provide its members open plots under plot housing, dwelling units or flats (whether in a multi-storeyed building or otherwise) in a complex under group housing and in case where open plots or dwelling units or flats are already acquired to provide its members common amenities and services including services relating to the arrangement of finances for facilitating construction of dwelling units in order to solve their needs of dwelling units through mutual-aid in accordance with the co-operative principles, and includes a house building, co-partnership, co-ownership housing society, co-operative housing maintenance society, multipurpose co-operative housing society and any other co-operative society of like nature and purpose; (iii) "co-operative housing maintenance society" means a co-operative society formed by the owners of dwelling units in a building for the purpose of maintenance of the building and provisions of common amenities, services, etc; (iv) "co-ownership co-operative housing society" means a co-operative society known as "house building" or plotted society in which the land is held either on lease-hold or free-hold basis by the co-operative society and the houses constructed on it are owned or to be owned by its members; (v) "co-partnership co-operative housing society" known as group housing means a co-operative society in which land and buildings are held by the co-operative society on lease-hold or free hold basis and members are allotted flats or such other premises in such buildings with a right to occupy the same in accordance with terms of lease, Government's guidelines and the bye-laws of such group housing; (vi) "multi-purpose co-operative housing society" means a society formed with the object of undertaking multifarious activities for the economic and social development of its members, particularly of slum dwellers and economically weaker sections of the people, in addition to providing better housing accommodation and better environment to improve their quality of life; (f) "dwelling unit" includes a house, flat and apartment for the purpose of dwelling; (g) "external repairs" means all structural repairs and repairs required to be carried out to the property of the co-operative society the use of which is common to two or more members, and includes repairs of common walls, external walls, roads, lifts, water tanks, electric pumps, staircases, terraces and parapet walls, roofs of flats, street lights, electric lines, all leakages of water, water pipelines, compound walls, septic tanks, fencing, drainage, gates and other like common amenities; (h) "internal repairs" means such repairs as are not external repairs; (i) "maintenance fund" means periodical payments which are made by the members or occupants of house or flat to meet the expenditure incurred by a housing co-operative society towards providing of cleanliness, watch and ward, landscape, water supply, lifts, maintenance services for sanitary, electric fittings, drains, fire fighting system, generation sets, intercom systems, etc. within the complex fixed annually by the general body meeting of the members as a budget provision; (j) "National Housing Bank" means the National Housing Bank established under the National Housing Bank

Act, 1987 (53 of 1987);(k) "occupancy right" means the right of an allottee to possess and use the plot of land, site or dwelling unit or flat allotted to him with power to give it on hire or on lease and licence or to mortgage it or to donate or to gift or to transmit it by will or by inheritance or to transfer it after paying the transfer fee;(l) "outgoings" means ground rent, if any, municipal and other local taxes, cesses, charges, water charges, electricity charges, revenue assessments, expenses of management and maintenance, repairs to or replacement of any property, insurance premium, other like expenses in respect of the co-operative housing society on recurring or non-recurring basis;(m) "sub-allottee" means an individual or body of persons, whether incorporated or not, in whose favour the possession of the dwelling unit or part thereof is transferred for a period of not less than ninety days, and includes a tenant, licensee, paying guest and caretaker thereof;(n) "transfer fee" means fee payable to transfer the membership of a member to another person in a co-operative housing society as provided in section 91; (o) words and expressions defined in this Act and used, but not defined, in this Chapter, shall have the same meanings, assigned to them in this Act. Section 75 - Limit on membership

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com