

JAIN GLEN OAKS ALLOTTEES WELFARE ASSOCIATION (JAWA).

1. Name

The Association shall be known as

JAIN GLEN OAKS ALLOTTEES WELFARE ASSOCIATION (JAWA).

The date of formation of the Association is 01st **March, 2012.**

1. Registered Office :

1. The Association shall function at
Jain Glen Oaks Apartments, Plot No 8 &13, Professors colony, East Tambaram, Chennai - 600059.
2. The working hours of the Association shall be from 9 a m to 11 a m in the morning and 4:00 p m to 6:00 p m in the evening on week days & from 10 a m to 12 Noon on Saturdays, Sundays and National holidays.

3. Character :

The **JAWA** shall function as a non political, non communal and secular association which is a service oriented welfare organization, free from party/ group/provincial and linguistic affiliations.

4. Aims & Objectives :

- 4.1. To promote the welfare of Allottees of **Jain Glen Oaks Apartments**
- 4.2. To safeguard and maintain the existing common facilities provided by the Jain Housing & Constructions at Professors colony, East Tambaram , Chennai – 59
- 4.3. To encourage and promote social and cultural welfare programmes for the benefit of the members.
- 4.4. To affiliate with one or more State /National Associations functioning for the welfare of the Allottees/ owners of apartments.
- 4.5. To provide additional facilities, found necessary for the common welfare of all the members of the Association, from time to time.
- 4.6. To raise funds/collect donations to fulfil the objectives of the Association by way of collection from Members or Tenants or from reputed outside organisations, by sponsorship.

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- 4.7. To maintain tidy environment in apartment premises by disposing the garbage in appropriate places and by carrying out necessary repair and maintenance work.
- 4.8. To create additional infra structure facilities as required from time to time

5. Suits :

The Association shall sue or shall be sued in the name of the President.

6. Activity Directions :

The President / General Secretary is empowered to give direction regarding the activities and services of the Association

7. Membership:

7.1 Eligibility:

- 7.7.1. **All allotted owners** of the Jain Glen Oaks Apartments or any member of his family shall be the members of the Association.
- 7.7.2. In the unfortunate event of the demise of the allotted owner, the membership shall pass on to **his/her surviving legal heirs** automatically.
- 7.7.3. In case of **Power of Attorney holders, and holders of other registered documents** through which he/she claims the legal title to the property situated in Jain Glen Oaks Apartments, the membership shall pass on to them.
- 7.7.4. **Spouse of the allotted owner or Son /Daughter/Father / Mother/brother/sister of the allotted owner** can become the member on the written request of the allotted owner.
- 7.7.5. "Members of family" in relation to a member include the wife or husband, son or daughter, parents, brothers or sisters or any person related to any of them by blood or marriage, whether they are dependent on the Member or not.
- 7.7.6. **In-laws** of the allotted owner can become the member based on the written request of the allotted owner.
- 7.7.7. **Any member of the family residing in Jain Glen Oaks Apartments on monthly rental/lease** is eligible to be an

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Associate member of the association provided the owner of the flat gives a written request for the same

7.7.8. Only one individual is entitled to become a member in respect of each flat.

7.2. Ineligibility:

7.2.1. Any person below the age of 18 years

7.2.2. Any person who is not covered under any of the clauses from 7.1.1 to 7.1.5

7.2.3. Any person adjudged insolvent by court

7.2.4. Any person finally convicted of any criminal offence involving moral turpitude carrying a punishment, either a fine of not less than Rs. 2000/- or simple Imprisonment of not less than one month.

8. Membership and Subscription :

Application of membership shall be made in the prescribed form addressed to the Secretary of the Association, along with payment of Rs. 100/- as admission fee.

9. Source of Fund of the Association :

The Association shall ordinarily obtain funds from the following sources:

9.1. Admission fee of Rs. 100/- (one hundred only) from member subject to revision by EC/GB.

9.2. Monthly Maintenance from member/tenant of the flat in Jain Glen oaks collected quarterly/half yearly/annually.

9.3. Contribution towards specific purpose as agreed to in the General Body meeting / EC meeting.

9.4. Contribution if any, from common properties pertaining to the association.

9.5. Corpus fund and Interest accrued from Bank deposits.

9.6. Miscellaneous charges if any, to be collected from member/tenant.

9.7. Donations and sponsorship

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10.General Body :

- 10.1.All eligible members of Glen Oaks apartment are the members of the General body.
- 10.2.General body shall be conducted once in year. It is the final authority for the affairs of the association.

11.Executive Committee :

- 11.1.The Executive Committee shall consist of the following:

1. President	- One
2. Vice President	- One
3. General Secretary	- One
4. Joint Secretary	- One
5. Treasurer	- One
6. Members	- Six

- 11.2.All Executive Committee members shall be elected at a General Body Meeting and the committee shall hold office for a term of two years only.

- 11.3.The Executive Committee shall meet at least once in a quarter and the quorum for such meeting shall be 5 members. And the notice for the executive meeting shall be issued 3 days before the meeting through e mail/ SMS/Circular.

- 11.4.Emergency meetings of EC can be held with a notice of 4 hours.

- 11.5.Any vacancy in the committee shall be filled by the Executive Committee.

12.Elections :

- 12.1.EC shall finalise the Voters list/Electoral roll of the members. Members who are in arrears of any payment to JAWA are not eligible to vote

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- 12.2.The finalised Voters list shall be displayed in the Notice board 1 month before the proposed Date of Election.
- 12.3.EC shall appoint a Returning Officer and an Assistant Returning Officer from among the voters. one month in advance of the General Body meeting in which Election of office bearers are to be conducted. The written consent of the member should be presented to the EC at the meeting at the time of finalising the names of the Returning/Assistant Returning Officers.
- 12.4.The Returning Officer can neither contest for any post nor vote in the elections for which he/she is the returning officer
- 12.5.The Assistant Returning Officer can vote but cannot contest for any post In the elections.
- 12.6.Returning officer shall announce the Date of Election , call for the nominations for all the posts and conduct the elections as per norms prescribed by the EC and as per the statutes in the Bye Laws.
- 12.7.Nominations shall be made in the prescribed forms, duly proposed and seconded by the members in the Voters list
- 12.8.In case of tie for any post /posts, the returning officer shall have a casting vote which he/she may or may not exercise or decide for re-election
- 12.9.On completion of Election process ,the Returning officer shall announce the results and install the new set of Office Bearers and EC members.
- 12.10.One member can contest only one post. However he can make any number of nominations for multiple posts.
- 12.11. In one nomination form, a member's signature can be in only one place either as a Proposer or as a Seconder or as a Candidate for the post. For the post of President/Vice President/General Secretary/Joint Secretary/Treasurer a member's signature can be in only one nomination form for each post. However a member's signature can be in one place in every nomination form, provided the total number of signatures by a single member does not exceed the total number of posts for which elections are held,

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failing which, all the nominations bearing the signatures of the said member shall be declared “rejected” by the Officer.

12.12. Postal voting or Email voting or proxy voting shall not be allowed. However any person eligible as per clause 7.1 is entitled to vote on behalf of the member

12.13. Only members residing in Glen Oaks are eligible to contest elections for the various posts in JAWA.

12.14. The nomination form shall contain a declaration by the contestants that in the event of their election to EC, they shall hand over office to the next incumbent properly by handing over assets of the Association like files, documents etc either on completion of their term or on resignation or dismissal from the posts held by him.

13. Power and Functions of Elected Office Bearers :

13.1. President

13.1.1. The President shall preside over all the administrative, Executive Committee & General Body meetings and shall supervise and control the activities of the Association in accordance with the objectives and aims of the Association.

13.1.2. The President may, at any time advise the Secretary to convene the meetings of any committee or sub-committee/EGM/AGM.

13.1.3. The President shall have a casting vote whenever there is a tie in any of the meetings of the Association.

13.1.4. The President may invite any person/s as a special invitee to any of meetings.

13.1.5. The special invitee shall not have voting rights in the meetings

13.2. Vice President

The Vice President shall assist the President in all his Duties and Responsibilities and have all the powers of the President during the latter's Absence / Resignation

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13.3.General Secretary(GS)

- 13.3.1.The General Secretary shall look after the day to day affairs and correspondence of the Association.
- 13.3.2.He shall record / cause to be recorded the minutes in the minute books of the Association the proceedings of Committees Sub-committees of the Association and the AGM/EGM.
- 13.3.3.He represents the Association in all legal proceedings and is empowered to sue in the name of the President.
- 13.3.4.He represents the Association in all dealings with the outsiders.
- 13.3.5.He is eligible to be vested with a contingent amount Rs. 5,000/- at a time to defray urgent expenses and he shall submit receipts before the next Executive Committee meeting.
- 13.3.6. General Secretary shall maintain in safe custody all the records and property related documents of JAWA.

4. Joint Secretary

Joint secretary shall assist the Secretary in all Duties and Responsibilities and shall have all the powers of the Secretary during the latter's Absence / Resignation.

5. Treasurer

- 5.1. *The Treasurer shall* receive all payments on behalf of the Association and issue receipts and deposit them in a bank
- 5.2. Bank Account shall be jointly operated by him and the Secretary/President.
- 5.3. *The Treasurer shall issue* cheques and disburse cash with the concurrence of the General Secretary or the President in his absence.
- 5.4. The Treasurer shall monitor the expenses of the association, advise EC/AGM on fund position and provide financial analysis.
- 5.5. *He shall* cause to prepare an audited report of receipts and expenditures of the Association by the Auditor and place it before the Executive Committee/ Annual General Body.

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5.6. *The* Treasurer shall maintain in safe custody all the records pertaining to Accounts and Finance.

14.Powers of Executive Committee(EC) :

The Executive Committee shall

1. Be responsible for the implementation of the decisions and policies of the General Body.
2. Take measures for the promotion of the aims and objects of the Association including raising of funds.
3. Place the following before the Annual General Body Meeting after the end of every financial year:

- 3.1. An Annual Report on the working of the Association
- 3.2. An audited statement of accounts for that financial year.
- 3.3. Seek approval of the Annual General Body Meeting for the budget for the ensuing financial year.
- 3.4. EC shall have full powers to incur expenditure against budget allotment/sanctioned items
- 3.5. EC shall have powers to remove a member from Executive Committee for non-attendance for three consecutive meetings without leave of absence.
- 3.6. EC shall have powers to constitute sub-committees with members of the Association as well as non-members on a honorary basis for the study and implementation of any programme or plan of action proposed by it.
- 3.7. EC shall have powers to call for the Extra- Ordinary General body meeting to transact urgent or special business.
- 3.8. EC shall decide on special expenses depending upon the exigencies of service through a Sub committee
- 3.9. EC shall decide on the use of common premises in the Apartment as approved in the Annual General Body meeting.
- 3.10. EC shall frame rules, regulations from time to time, consistent with the objectives and incidental to the smooth administration of the day to day affairs of the Association.
- 3.11. EC shall have the powers to frame rules on all matters on which the Bye Laws are silent or in order to supplement it. The rules so framed shall be placed before the Annual General Body for post-approval.
- 3.12. EC shall appoint an Auditor for the Association to audit the accounts of the association.

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15. Governing Committee (GC):

- 15.1.GC shall comprise the Office Bearers of the Association namely the President, Vice President, General Secretary, Joint Secretary and Treasurer
- 15.2.GC shall meet at least once in 15 days to plan the implementation of the decisions of the EC

16.Responsibilities of Residents :

- 16.1.Abide by the Rules & Regulations and By laws of the Association
- 16.2.Shall not use the flats for any commercial activities or non-residential purposes.
- 16.3.Shall not have pet animals in the flats
- 16.4.Shall maintain tidy environment in apartment premises by disposing the garbage in appropriate places.

17.Preparation and Filing of Returns :

The necessary returns under Sec. 16 (3) (b) register, records and statements required to be filed with the Register concerned, shall be prepared and filed by the General Secretary.

18.Accounts and Audits :

- 1. The financial year of the Association shall be from April to March.
- 2. The Association shall maintain the register of the accounts of the Association, the list of members and other records in accordance with rule 18 of the act and these will be kept for inspection by members, free of charge.
- 3. Qualified Auditors to audit the accounts of JAWA will be appointed at the Annual General body meeting and remuneration will be fixed by the General body.

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19. Supply of copies of Bye Laws .

Members are entitled to get the copy of the bye law of the association on written request to the Secretary.

20. Funds earmarked specifically for the dependent of the Association

No funds will be earmarked for the dependents of the deceased or disabled Members of the Association.

21. Fine/Action to be taken on members who violated Bye laws or rules

1. Members found guilty of violation of all or any of the bye laws of the Association or rules framed by executive committee will be suspended from the Association by resolution passed by the Executive Committee.
2. For Financial violations suitable fine shall be imposed on the defaulting member as decided by Executive committee

22. Day to day transaction of the Association.

- 22.1. The General Secretary shall monitor and guide the day to day activities on behalf of the Executive committee
- 22.2. The General Secretary in concurrence with EC has the power to appoint staff for executing work of the Association and also to frame service rules to such staff.
- 22.3. The Treasurer is authorised to have sum not exceeding Rs. 5000/ for day to day transaction and General Secretary can have liquid cash of Rs.5000/ for any emergency maintenance.

23. General Body Meetings (GB):

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23.1. Notice of every such General body meeting shall be given to all members 21 days before the meeting. The notice shall contain the day, hour, venue and agenda of the meeting.

23.2. The quorum for General body meeting shall be 25% of the resident members

23.3. The President is authorised to convene a meeting of the Associate members or a joint meeting of members and associate members. The decision/s of these meetings are only recommendatory and not binding on the EC or Office Bearers)

23.4. If 25% of the members jointly give a request for GB, the same shall be convened by the President within 30 days

24. Special Resolution :

24.1. To address a special situation an Extra ordinary General Body Meeting (EGM) shall be convened.

24.2. The quorum for EGM shall be 33% of the resident members

24.3. Special resolution is a resolution passed by a majority of not less than two third of the members present in the meeting.

24.4. Notice for EGM shall be given 21 days in advance specifying the intention and the purpose of the resolution.

24.5. Provided that if all the members entitled to vote at any such meeting agree to the resolution, the same may be passed as a special resolution by giving a notice of not less than 21 days.

24.5.1. To amend the bye law of the Association

24.5.2. To amend the objects relating to the memorandum of Association for the objects mentioned under Sec.12 of the Act.

24.5.3. To change the name of the Association.

24.5.4. To amalgamate the Association

24.5.5. To divide the Association into two or more societies

24.5.6. To dissolve the Association

25. Exhibition of Registers :

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25.1. Members willing to inspect the Registers, Minutes book and Books of accounts shall give a requisition in writing addressed to the President / General Secretary

25.2. The Registers, Minutes book and Books of accounts shall be kept at the Registered office of the Association for inspection by member and at prescribed time.

26. The funds of the Association :

26.1. The funds of the Association shall be invested in a Scheduled Commercial Bank as decided by the Executive committee and such accounts shall be operated jointly by Treasurer and President/General Secretary.

26.2. The Corpus funds of the Association in the form of Fixed deposits shall not be utilised to meet the expenses of the Association. However an amount up to 20% of the Corpus fund can be withdrawn as a 'LOAN' to deal with an emergency.

26.3. EC and GB shall devise judicious method to augment the Corpus Fund to offset the escalation in cost.

27. Adjournment of meeting :

27.1. If required quorum is not present at the prescribed hour, the meeting shall be adjourned for half an hour.

27.2. If required quorum is not present after half an hour the meeting shall be adjourned for another day as decided by the members present and notice shall be given to all members about the adjourned meeting.

27.3. For meetings adjourned on application of Rule 27.2, the members present will constitute the quorum

27.4. When the meeting is called on requisition from the members it shall stand dissolved, if quorum is not present at the appointed time.

28. Removal of Membership :

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- 28.1. Any member who does not abide by the By Laws and Rules and Regulations of the association will be liable to be removed from the Association
- 28.2. In such cases aggrieved person will have a right to appeal to the General body and the decision of the General body will be final and binding on all
- 28.3. If any of the Committee members or office bearers does not attend three consecutive meetings without any written intimation, the member will automatically cease to be a member of the committee.
- 28.4. For matters not specifically mentioned in this Bye Laws, the provision of the Tamilnadu Societies Registration Act 1975 and Rules made there under will apply.

29. Dissolution :

- 29.1. The Association may by special resolution determine that it shall be dissolved and there upon the Association shall be dissolved forthwith.
- 29.2. If upon the dissolution of the Association, there shall remain after the settlement of all its debts and liabilities any property whatsoever, the same may be given to some other registered Association, as decided by EGM of the Association. The Association shall stand dissolved as per procedures laid in Section (41) & (42) of the Tamil Nadu Societies Registration Act 27 of 1975.

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Bye Laws