

Annexure 7
(Refers to Clause 39, 40 of the Bye-laws)

RULES OF ELECTION OF THE EXECUTIVE COMMITTEE

1. **Name.** These Rules shall be called the Rules of Election of a Member of the Executive Committee of the PIYUSH HEIGHTS RESIDENTS WELFARE ASSOCIATION. These Rules shall be deemed to have come into force from the date of registration of the Association by the Registering Authority.
2. **Elections to be held before Expiry of Term.** Every Executive Committee shall hold elections before expiry of its term.
3. **Notice of Elections.** The Executive Committee shall notify the proposed date of elections to the new Executive Committee **Forty Five days clear days** prior to the first day of the month in which the election is proposed to be conducted.
4. **Cut-Off Date.** The date, which is **Forty Five days clear** prior to the first day of the month in which the election is proposed to be conducted, shall be termed the Cut-Off date for all purposes connected with the elections to the Executive Committee of the Association. For example, if the election is scheduled for 21st July, 15th May shall be the Cut-Off date.
5. **Register of Members.** The members of the Association as appearing in the Register of Members as on Cut-Off date, shall be eligible to vote in the election to the Executive Committee of the Association.
6. **Provisional Voters List.** The provisional list of members eligible to vote shall be prepared by the Executive Committee as per Rule 5 above and shall be notified on the Notice Board of the Association within **ten days clear** of the Cut-Off date, inviting suggestions and objections in respect of this provisional list of the members, within a period of **twenty days clear** of the Cut-Off date.
7. **Final Voter List.** After considering the suggestions and objections, if received, and applications nominating an Associate Member, the Executive Committee shall publish a final list of members eligible to vote, within **thirty days clear** of the Cut-Off date. The list shall contain the name of the Primary Member/Associate Member eligible to vote and his/her apartment number.
8. **Appointment of Returning Officer.** The Executive Committee shall appoint as Returning Officer from amongst the members who are not candidates for election or who have neither proposed nor seconded candidature of any member, or any other person. However, before making such appointment, the Executive Committee shall obtain from such member, being appointed as Returning Officer, an undertaking to the effect that he will not contest the election nor propose or second any candidate. The Returning Officer shall have authority to appoint such polling staff as he deems necessary. The Returning Officer shall be appointed after publication of the final voters list but within **Thirty days clear** of the Cut-Off date.

Appointment of Returning Officer by the District Registrar. Where the Executive Committee has failed to appoint a Returning Officer, the District Registrar shall appoint a

Bohlerneal *Saurabh Jain* *Amey*

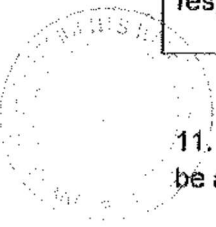
Returning Officer and polling staff. The cost of the Returning Officer and Polling Staff shall be borne by the Association.

10. **Election Programme.** The Returning Officer shall draw and declare an Election Programme of various stages of election, on the Notice Board of the Association, as indicated herein below, not later than seven days of his appointment as the Returning Officer:-

(a)	Last date and time for filing nominations	Within 30 days clear of the Cut-Off date. Last time for filing nominations shall be 5 p.m.
(b)	The date of publication of list of nominations received.	On the last date and after the expiry of the time for filing of nomination.
(c)	Date of scrutiny of nominations	Next date of the last date for making nomination.
(d)	Date of publication of list of valid nominations	Next day after the date of completion of scrutiny of nominations.
(e)	Date by which candidature may be withdrawn	After 5 days clear from the date of scrutiny.
(f)	Date of publication of final list of contesting candidates	The date next succeeding the last date fixed for withdrawal of candidature.
(g)	Date, and time during which and the place at which the poll shall be taken.	Normally date of AGM as provided in the Bye-laws. The Place and time shall be fixed by the Returning Officer. Returning Officer shall also prescribe the time voting shall close.
(h)	Date, time and place for counting votes	Immediately after polling is over. The Place and time shall be fixed by the Returning Officer.
(i)	Date of declaration of results of Votes	Immediately after counting of votes is over
Explanation :- If the last date in reckoning dates as specified in the above cases is a National holiday or not convenient to conduct, the next succeeding day shall be fixed for the respective events.		

11. **Functions of the Returning Officer.** The functions of the Returning Officer shall be as under:-

(a) To draw up a detailed programme of election to the Executive Committee of the Association, after taking into consideration the various stages of election process, as enumerated in 10 above.



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(b) To invite nominations, to receive and scrutinise the same to exhibit list of valid nominations and list of final nominations remaining after withdrawal of nominations, if any.

(c) To arrange for election by ballot in accordance with the provisions of the Rules of Election.

(d) To furnish the result of election to the President of the Association for being declared at the General body meeting/Special general body meeting of the Association.

(e) To take such other actions as are necessary for and incidental to the election to the Executive Committee of the Association.

12. **Nomination Form.** The nomination forms shall be as per the "Appendix A" appended to these Rules.

13. **Eligibility to Vote and to Contest in Elections.** No member of the Association shall be eligible to contest in the election as a candidate or vote in the election of the Executive Committee of the Association, if:-

(a) He is in arrears in respect of any charges and any other amounts due to the Association as on the first day of the month of the election for more than sixty days;

(b) He has incurred any of the disqualifications as mentioned in The Haryana Registration and Regulation of Societies Act, 2012, and the Rules made thereunder, and the byelaws of the Association.

14. **Re-election of Retiring Collegium / Executive Members.** The retiring Collegium / Executive Committee Members, if not disqualified, shall be eligible for re-election.

15. **Scrutiny of Nominations.** The nomination received till the last date and hour fixed for receiving nominations shall be scrutinized by the Returning Officer on the date fixed for scrutiny of nominations, in the presence of the candidates or their duly authorised representatives and the list of the valid nominations shall be published on the Notice Board of the Association as per election programme. The candidates whose nominations are rejected shall be informed by the Returning Officer, in writing, with the reasons for rejection of their nominations on the same day, in form at Appendix A.

16. **Withdrawal of Nomination.** The candidates, whose nominations have been declared valid shall be allowed a time of 5 days clear from the date of publication of the list of valid nominations, to withdraw their candidature by means of a letter handed over to the Returning Officer.

17. **Final List of Candidates.** Immediately after the expiry of period allowed for withdrawal of candidature, a final list of the candidates contesting the election shall be notified on the notice board of the Association.

18. **Secret Ballot.** The Voting at the election shall be Secret Ballot.

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19. **Ballot Paper.** The ballot paper shall be in the form of "Appendix B" appended to these Rules. Each ballot paper shall bear the seal of the Association and the counterfoil thereof shall bear the initials of the Returning Officer.

20. **Listing of Names in the Ballot Paper.** The names of the candidates in the ballot paper shall be arranged in alphabetical order with surname appearing first.

21. **Date, Time and Place of Polling.** The date, time and place of voting shall be declared in the election programme.

22. **Design of Ballot Box.** The ballot box shall be so constructed that ballot papers could be conveniently put into it but cannot be taken out, without the box being unlocked.

23. **Show and Sealing of Empty Ballot Box.** On the date of the polling, the empty ballot boxes shall be shown to the candidates or their authorised agents, if any present 15 minutes before the time fixed for commencement of the poll and shall be locked and sealed in their presence.

24. **Authentication of Identity of Voter.** Each member-voter shall be supplied with an authenticated ballot paper, after satisfying his identity and obtaining his signature on the counterfoil of the ballot paper.

25. **Casting of Vote after close of Voting Hours.** Member-Voter coming to the polling station after expiry of the time allowed for voting shall not be allowed to vote.

26. **Sealing of Ballot Box after Voting.** Immediately after the completion of voting, the ballot box shall be sealed in the presence of the candidates or their authorised representatives, if present.

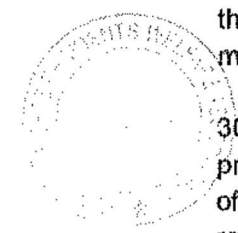
27. **Counting of Votes.** The counting of votes shall be done immediately after the polling is over.

28. **Submission of Results.** The Returning Officer shall submit to the President of the Association a report indicating the number of voters, who voted, number of valid and invalid votes, and the number of votes secured by each candidate alongwith his certificate that the polling was peaceful and accordance with the Rules of Election.

29. **Announcement of Results.** The names of the candidates along with the number of votes secured by each of them shall be put on the Notice Board of the Association after conclusion of the counting of votes. The final result of the election shall be declared in the ensuing Annual General Body Meeting or Special General Body Meeting. In the case may be, by the Returning Officer.

30. **Preservation of Records.** All the records pertaining to the election shall be carefully preserved in a box duly locked and sealed by the Secretary of the Association for a period of 3 months and destroyed thereafter. However, if the result of the election is disputed, the records pertaining to election shall be preserved until the final decision of the dispute.

31. **First Elections of the Association.** The first election of the Executive Committee of the Association shall be held within the period as provided for in the Bye-laws of the Association. The time period for various events enumerated in these Rules of Election may



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- A large signature on the left, possibly "Ramesh".
- A signature in the middle, possibly "Bhupendra".
- The text "Source: Jait" written below the middle signature.
- A signature on the right, possibly "Anurag".



Piyush Heights Residents Welfare Association
Sector 89, Faridabad

be shortened to enable enrollment of maximum members to participate in the first elections
as well as participation as candidates in the first election.

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Suresh Jain

