



REGN. NO. 46818(M)

Dated 29-9-2014

**THE
DRAFT REPORT
PROCEDURE FOR CONDUCTION
OF
AOA BUSINESS**

AUGUST, 2015

BACKGROUND

A committee for preparation of document on **“Procedure for conduction of AOA Business”** was constituted in the 4th GBM held on 30.11.2008. The draft report was put up in the 5th GBM as agenda item no. 5.8 for consideration and adoption. The 5th GBM again formed a committee to suggest the suitable modifications in the Bye-Laws of KV-II. During the 7th GBM held on 17.03.2013, it was decided that the **“Procedure for Conduction of AOA Business”** may be notified by the EC, except the points of contradiction raised in the 5th GBM and the committee was continued for looking into the points of contradiction.

However due to change in the Bye-Laws of KV-II, AOA, amended as per the U. P. Apartment Owner's Act 2010, the report could not be notified by the EC as lot of changes were required in view of new Bye-Laws. The Board of Management vide its letter no. KV-II/BOM/2015-16 dated 15.05.2015 formed a new committee of following members to update **“Procedure for Conduction of AOA Business”**.

1. Dr. G.L.Jambhulkar
2. Shri Mrityunjay Jha
3. Shri O.P.Goyal
4. Shri D.P.Singh

The committee convened altogether 18 meetings of its members to discuss and deliberate upon the various issues. The valuable suggestion / comments from members of KV-II were also invited and considered in the report.

The following has been considered for preparation of draft document:

- (i) Draft Report on **“Procedure for Conduction of AOA Business”** dated October 2009 as base document.
- (ii) Registered Bye-Laws of KV-II, AOA (Registered on 29.09.2014) as guiding document.
- (iii) Interaction with resident members of KV-II.
- (iv) Inputs taken from procedures being adopted by the BOM.
- (v) Decisions taken in previous GBMs.

The final draft document is enclosed for consideration of members by posting on AOA website and adoption in ensuing AGM.

Since this draft document contains election related issues for which no prescribed procedure is available in the Bye-Laws, it is proposed that the BOM may like to consider holding of election accordingly.

The committee expresses sincere thanks to members for their valuable and positive suggestions, which helped the committee at great extent to prepare and finalize the draft document. Further, the committee also expresses its sincere thanks to the BOM for their cooperation extended to this committee from time to time.

Encl.: Procedure for Conduction of AOA Business (P-CAB)

Sd/- Sd/- Sd/- Sd/-
(Dr. G.L.Jambhulkar) (Mrityunjay Jha) (O.P.Goyal) (D.P.Singh)

Dated: 09/08/2015

Procedure for Conduction of AOA Business (P-CAB)

1. Subscription Related Issues: (Refer Bye-Laws 25(b) and 35).

- (i) The rate of monthly subscription (assessments) towards maintenance of KV-II campus i.e. common areas and services for a period of one year shall be notified by the Board of Management as decided by the Association in its Annual General Meeting (AGM). As the AGM is to be held in the first quarter of each financial year (Refer Bye-Laws 26(i)), the rates of monthly subscription shall be applicable w.e.f. 1st July of the year.
- (ii) The subscription shall be deposited by the member of AOA on monthly basis on or before 15th of every month. If the 15th day of the month happens to be a holiday, the subscription can be deposited on next working day. Payment of subscription after due date will attract late fees as decided by the Association. In no case, the late fee can be waived off.
- (iii) The subscription can be paid in advance also. On payment of advance subscription for a minimum one year period, rebate, if any, as decided by the Association shall be given to the member.
- (iv) If a member fails to deposit the monthly subscription for more than six months continuously, a notice shall be served to the member at his/her dwelling unit. A list of members not paying subscription for more than six months continuously shall be displayed at KV-II Notice Boards every month and also posted at AOAKV-II web-site.
- (v) In case the subscription is not received from member even after two reminders, appropriate action such as withdrawal of the services provided by the AOA to the member / resident, suspension of membership etc. shall be initiated by the Board of Management and the matter will be placed in the next AGM for final decision.

2. Meeting Related Issues

(A) Annual General Meeting (AGM) of the Association:

- (i) The Annual General Meeting (AGM) of the Association shall be conducted as per provision mentioned in CHAPTER-III, Clause No. 11-17 of Bye-Laws of KV-II Condominium.

- (ii) The AGM of the Association shall be held in the first quarter of each financial year as per Clause No. 26(i) of Bye-Laws.
- (iii) The Secretary shall issue notice of AGM stating the date, time and venue along with the agenda of the meeting to each apartment owner who are members of the Association as well as to the competent authority seven days prior to such meeting as per Clause 15 of Bye-Laws.
- (iv) The presence of 30 percent of owners shall constitute a quorum. (Refer Clause 9 of the Bye-Laws). If the quorum is not present, the members who are present may adjourn the meeting to a time not less than 48 hours from the original time of the meeting. If at such adjourned meeting also no quorum is present, the owners present in person being not less than two shall form a quorum as per Clause 16 of the Bye-laws.
- (v) The Notice of the AGM to the members of the Association shall also include the date and time on which the adjourned AGM will be held in case the meeting is adjourned due to incomplete quorum on the scheduled date and time.
- (vi) The order of business of AGM shall be as below (Refer Clause 17 of Bye-Laws).
 - a. Roll Call
 - b. Proof of notice of meeting or waiver notice
 - c. Confirmation of minutes of the preceding meeting including the ATR thereof.
 - d. Reports of the Officers (*Board of Management*)
 - e. Report, if any of competent authority
 - f. Report of Committee, *if any, formed by AGM*
 - g. Approval of Annual Budget and deciding monthly subscription applicable w.e.f. 1st July of the year (Refer Clause 11 of Bye-laws).
 - h. Appointment of Auditors for audit of the accounts of the Association prepared by the Board (Refer Clause 51 of Bye-laws).
 - i. Presentation of un-audited financial statements prepared by the Board for the current Assessment Year (A.Y.) and presentation of audited accounts for the preceding A.Y. for approval by the AGM.

- j. Decision on the date of next AGM (as per Clause 13 of Bye-laws)
 - k. Election of Board of Management
 - l. Unfinished business, if any
 - m. New Business (any other agenda item)
- (vii) Members authorized to participate in the AGM will be as per the Clause 4 and Clause 7 of Bye-laws.
- (viii) Any member of the Association can authorize any person of his family as proxy. The proxy will have the right to vote (as per Clause 10 of Bye-laws) but will not have the right to participate in the discussion during AGM. The name of Proxy should be sent to the President, AOA at least two days in advance of AGM. The format for 'Proxy' is enclosed as **Annexure-A**. Proxy may be provided with identification badge.
- (ix) **The minutes of AGM** will be prepared by the Secretary of outgoing BOM (as per Bye-Laws 21). The minutes would include the decisions and action points deliberated and also the number of members who participated in AGM. The draft minutes so prepared and duly approved by the outgoing Board will be circulated among the members of the Association through Notice Boards and AOA website within 3 days from the AGM. The observations/ comments (item wise), if any, shall be given in writing by the member of the Association to the Secretary within 15 days from issue of the draft minutes. The observations/ comments so received from the members will be discussed in the next meeting of New Board of Management and final approved minutes after amendment, if any, will be issued through Notice Boards and AOA website within one month of holding of AGM by the Secretary of newly appointed BOM.
- (x) The term and references of the committees constituted in AGM shall be clearly defined. The reports / recommendation of such committee shall be submitted by the Board in the next AGM for consideration.

(B) Special Meeting of the Association:

- (i) The Secretary shall issue notice of Special Meeting stating the date, time and venue along with the agenda of the meeting to

(C) Regular Routine Meeting of the Board (as per Bye-Laws Clause No. 30)

- (i) **Notice:** The notice of regular meetings of the Board will be given by the Secretary to each office bearer personally at least three days prior to the date of such meeting. The notice shall contain **date, time & venue** along with agenda of the meeting. The '**Action Taken Report (ATR)**' / Draft minutes of previous meeting shall be the part of above notice. In case the premises of member is found locked, the concerned member would be informed over phone about such meeting. Further, the notice of the meeting shall also be sent to members by e-mail by the Secretary.
- (ii) **Quorum:** The quorum for the meeting shall be 1/3 of the total strength of the Office bearers i.e. not less than three (as per Bye-Laws 33).
- (iii) **Attendance sheet** would be circulated for signature of Office bearers present in the meeting.
- (iv) **The Minutes of Meeting (MOM)** will be prepared by the Secretary (as per bye-law 21). The minutes would include the decisions and action points with name of Department / Office Bearer responsible for its implementation. The action taken on the decisions of BOM/AGM should be a part of the next minutes of meeting of BOM. The draft minutes so prepared will be circulated among the Office Bearers within a week from the date of holding the meeting. The observations / comments, if any, shall be sent in writing by the Office Bearers to the Secretary within 2 days from receipt of the draft minutes. If no observations / comments are received from the Office Bearers within the stipulated time period, it would be presumed that there is no observation/comment from the member. The observations / comments so received from the members will be discussed in the next meeting and minutes will be approved after amendment, if any. The copy of minutes so approved would be displayed on notice boards in KV-II and also be made available at KV-II web site.

(D) **Special Meeting of the Board (Refer Bye-Laws No. 31)**

- (i) Special meetings may be called by the President on three days' notice to each Office Bearer personally.
- (ii) Special meetings shall also be called on a written request of at least three Office Bearers.
- (iii) **Notice:** The notice of special meetings of the Board will be given by the President or Secretary to each Office Bearer personally at least three days prior to the date of such meeting. The notice shall contain **Date, time & venue** along with agenda of the meeting. The '**Action Taken Report (ATR)**' / Draft minutes of previous meeting shall be the part of above notice. In case the premises of member is found locked, the concerned member would be informed over phone about such meeting. Further, the notice of the meeting shall also be sent to members by e-mail.
- (iv) **Quorum:** The quorum for the meeting shall be 1/3 of the total strength of the Office bearers i.e. not less than three (as per Bye-Laws 9 & 33).
- (v) **Attendance sheet** would be circulated for signature of Office Bearers present in the meeting.
- (vi) **The minutes of meeting** will be prepared by the President or Secretary or the Office Bearer designated for the purpose. The minutes would include the decisions, action points with name of Department / Office Bearer responsible for its implementation. The action taken on the decisions of BOM/AGM should be a part of the next minutes of meeting of BOM/AGM. The draft minutes so prepared will be circulated among the Office Bearers within a week from the meeting held. The observations / comments, if any, shall be sent in writing by the Office Bearer to the issuer of the minutes within 2 days from receipt of the draft minutes. If no observation/comment is received from the Office Bearers within the stipulated time period, it would be presumed that there is no observation / comment from the member. The observations / comments so received from the Office Bearers will be discussed in the next meeting and minutes will be approved after amendment, if any. The copy of minutes so approved would be displayed on notice boards in KV-II and also be made available at KV-II web site.

3. Election Related Issues and Constitution of Board of Management:

- (i) The Board of Management shall comprise of 10 persons to be constituted and elected by the members of the association by simple majority in the AGM (Clause 18 & 26 of Bye-Laws). Those 10 elected persons shall be members of the Board and shall constitute the Board. The Board shall elect 4 principal office bearers viz. President, Vice President, Secretary and Treasurer. Remaining 6 members of the Board shall be Office Bearers in terms of clause 18 to 34 of the Bye-Laws wherever the term 'office bearers' or 'members of the Board' has been used.
- (ii) The voter list shall be notified by Secretary one month before the date of election. Any member who has not paid his monthly subscription till 31st January of the year will not be eligible to contest or vote in the election being held in that year (Refer Clause 7 of Bye-Laws). Any appeal by a member of the AOA against this list within 7 days of its notification will be heard and decided in accordance with Bye-Laws by the Board of Management.
- (iii) The Board of Management shall appoint Returning Officer (RO) who shall notify and conduct the election to elect 10 members consisting of 4 Principal Office Bearers and 6 Office Bearers of the Board of Management. Election for Board of management shall be conducted during AGM.
- (iv) Notice for the Election of Board of Management shall be issued by the RO, seven (7) days prior to the date of election.
- (v) After notification of election for Board of Management, no major decisions shall be taken by the Board of Management.
- (vi) The procedure for casting the vote by members of the AOA will be the same as followed in electing 10 persons during the election held in the year 2014 to elect persons of the Board.
- (vii) Election for Principal Office Bearers of the Association shall be held within 24 hours under the supervision of Returning Officer (RO) through secret ballot in accordance with the decision taken in 6th GBM held on 04.12.2011.

(viii) Procedure for electing 4 Principal Office Bearers by the RO shall be as follows:

a. Elected members will not be allowed to propose name(s) of any other member openly for any principal office bearer(s).

b. The RO will provide a typed list of elected members to all the members and will ask them to indicate their respective choice of names for all the posts of principal office bearers. Suggestive list is enclosed at **Annexure-B**.

c. Each member will indicate (✓) in ink, his/her choice for all the posts of principal office bearers (only one choice for each post) through a secret ballot.

d. Once all the members have indicated their choices, the RO will make a count and declare the names of principal office bearers with highest number of votes in respect of all the posts of principal office bearers.

e. In the event of a tie for any post, the same exercise, of obtaining the choice (through secret ballot) on a fresh sheet of list of members, as above at b) will be repeated (maximum three times) in respect of that post(s) without disclosing the names involved in the tie.

f. In case of tie, if even after three attempts, the name(s) of principal office bearer for the post(s) is not finalized, the person who has got maximum votes during the election held for electing 10 persons shall be declared as elected. In case the number of votes by the members during the election held is also the same, the person appearing first in the alphabetical order shall be declared as elected for that post.

g. In case the member getting highest number of votes for a principal office bearer's post declines to accept the post, the election for that post of principal office bearer will be redone. In this case, the member who declined the said post of Principal Office Bearer shall neither be eligible to cast his/her vote nor will he/she be considered for that post.

h. On conclusion of above steps, any member, if he/she so demands will be given opportunity by the RO to verify the counting of each stage of the process.

i. After members are satisfied of the correct counting of the choices given, the RO will announce the names of Principal Office Bearers then and there.

- (ix) After the above exercise, the RO shall submit the complete list of Board of Management to the President of the existing Board of Management under his hand and signature.
- (x) The outgoing president shall notify the election result for the new Board of management and the handing/taking over of the management including oath taking of new Office Bearers shall take place within 24 hours after the notification during a joint meeting of Office Bearers of outgoing and new Board of Management. The charge taking over shall be in the format enclosed as **Annexure-C** with date and signed by both designate President & outgoing President.

4. Term of Office of Office Bearers of BOM:

- (i) The term of office of the Office-Bearers of the Board shall be one year from the date of assuming office as per the clause no. 26(i) of the Bye-Laws implying thereby that next election for 10 members for reconstitution of a new BOM is to be held within a period of one year (i.e. within 365 days).
- (ii) The Board shall make an arrangement such that one third of the members of the Board i.e. 3 (rounded from 3.3) will retire annually as per the clause no. 26(ii) of the Bye-Laws. The retirement of the members will be decided in the following manner:
 - a. If any Office Bearer is not willing on his/her own to contest in the next election, his/her name shall be accepted by the Board for retirement after taking his/her consent in writing during the meeting of Board of Management held for the purpose. Rest of the Office Bearers may contest for re-election to the new BOM.
 - b. In case more than seven office bearers of the outgoing BOM are willing to, and contest the election, only up-to seven office bearers of the outgoing BOM will be declared as re-elected in accordance with descending order of votes secured in the election. Remaining office bearers of the outgoing BOM, will be treated as retired in terms of clause no. 26(ii) of the Bye-Laws, even after securing number of votes which otherwise would have entitled them to get elected.
 - c. At least three new members for the new BOM will be elected in accordance with the descending order of votes secured in the election.

- (iii) No Office Bearer including Principal Office Bearer shall hold the same post continuously for more than 2 years.
- (iv) The Office Bearers shall however hold office until their successors have been elected and hold their first meeting and charges are handed /taken over.
- (v) The Board must ensure that Office Bearers residing at KV-II campus only should hold the post of President, Vice-President, Secretary, Treasurer as well as department-in-charge.
- (vi) The vacancies of the Board caused by any reason other than the removal of him/her by the Association shall be filled by the Board preferably on the basis of number of votes cast by contestants during the election held for the Board of Management by nominating member(s) from the list of contestants arranged in descending order of number of votes polled who had not been elected to present Board. The vacancy shall be filled up positively within 15 days from the date of its occurrence.
- (vii) The tenure of nominated Office bearers shall expire along with that of elected Office bearers. If, at a point of time, the strength of total elected Office Bearers reduces to half of total strength of Board, then the Board stands dissolved and notification for fresh election may be issued.
- (viii) Continuation of Office Bearers of BOM beyond a period of one year (without holding election) will be treated as unauthorized.

5. Maintenance of various documents / registers / records

- (i) AOA, KV-II will maintain a list of its members. The list will be updated from time to time on account of transfer, buy/sell of dwelling unit, death, etc. The list of members of association will be displayed on the notice board by 10th of April every year and also be posted on association web-site simultaneously.
- (ii) The Board shall also maintain individual members' file in respect of all 2276 Flats which shall contain all records in respect of that particular flat including application for membership, handing/taking over document, NOC Copy, Copies of TM/Mutation from authority and any other document relevant to that particular dwelling unit.
- (iii) The monthly 'Receipt & Payment' statement for previous month duly approved by the Board will be displayed on the notice board

by 15th of every month in a Standard format enclosed at **Annexure-D**.

- (iv) The terms of reference of the sub-committee(s) to be constituted by the President under Bye-Laws Clause no. 19 shall be outlined clearly along with the rights of the sub-committee(s) constituted for the purpose.
- (v) A copy of the following must be kept / maintained by the Board for reference:
 - (a) Chartered Accountant Act, 1949 (amended from time to time)
 - (b) Central Government Employees Welfare Housing Organization rule
 - (c) Society Registration Act, 1860 (amended from time to time)
 - (d) U P Apartment (Promotions of Construction Ownership and Maintenance) Act, 2010 (amended from time to time).
- (vi) The details of agreement / contract executed by President on behalf of AOA shall be recorded and maintained in a register. The original documents of various agreements/contract shall be kept in the safe custody of the Secretary.
- (vii) The Board shall maintain the record of Property (Asset & Funds) of AOA, KV-II as covered in **bye-law no. 49(3)(c)**. Further, a register containing Investment and Income shall be maintained by the Board.
- (viii) It may be ensured that each receipt is entered in cash book and each page of cash book is dully signed by Treasurer in accordance with Bye-Laws 25(f). Treasurer shall certify the closing balance at the end of day.
- (ix) Assets and liabilities shall be tabulated every year and accounted for. Further, Fixed/Movable Asset register must be maintained with their book value.
- (x) Stock register for consumable items with minimum and maximum balance is maintained.
- (xi) The Secretary and Treasurer shall jointly certify and sign cash book, receipt book, Subscription ledger folio, monthly Receipt & Payment statements, stock register etc. at the end of each financial year preferably by 15th of April every year.
- (xii) The documents/records like receipt books, vouchers and such

other documents required to be kept for long duration should be destroyed only after 5 years. Other documents as required by the Board for maid passes/ vehicle passes/ permission for tenants/ community centre booking etc. should be destroyed after 2 years. Any document that is required in connection with any court case and other legal requirement should not be destroyed till its requirement is fulfilled.

- (xiii) The files / folders being maintained by Board shall be listed in a register with opening and closing date.
- (xiv) There should be a register of registers maintained by the Board.

6. Award of works / Procurement of stores

- (i) The Board in its first meeting shall constitute various departments like Housekeeping, Horticulture, Security, Electricity & Lift, Water Plumbing & Fire-Fighting, Office Administration, Estate Maintenance etc. to look after the works/activities/services in KV-II. The Head of the Department (Department in-charge) will be the Office Bearer of the Board.
- (ii) Each Department shall have an Advisory Committee headed by the Department in-charge, one Office Bearer as Addl. in-charge and one Non-Board member. The Board will approve the composition of advisory committees in respect of all the Departments constituted for the purpose.
- (iii) Requirement of materials/equipment with estimated cost will be prepared by the Department in-charge/ Additional in-charge for consideration of the Advisory committee of the Department which shall consider and recommend the proposal. Purchase/work involving expenditure up-to Rs. 5000/- will be sanctioned and executed by the Department-in-charge and in his absence by the Additional-in-charge of the Department. However, requirement for purchase / work up-to Rs. 1000/- in emergent cases will be decided by the respective Department-in-charge and in his absence by the Additional-in-charge of the Department. Such cases will be brought to the notice of the Advisory Committee of the respective department at the earliest opportunity.
- (iv) Any proposal involving expenditure of more than Rs. 5,000/- and recommended by the Advisory Committee shall be submitted by the Department-in-charge to the Secretary for further necessary

action. Secretary will examine and sanction the proposal involving expenditure up-to Rs. 10,000/-. However, for any proposal involving expenditure of more than Rs. 10,000/-, the Secretary will seek the recommendation of the Purchase Committee. Purchase / work involving expenditure up-to Rs. 50,000/- will be sanctioned by the Secretary as per recommendation of the Purchase Committee. Proposal involving expenditure of more than Rs. 50,000/- will be examined by the Purchase Committee and submitted back to the Secretary with recommendation for obtaining approval of BOM in its next meeting.

- (v) Notwithstanding above, any expenditure involving more than Rs. 10,000/- will be incurred only after ensuring availability of funds from Treasurer as per approved budget.
- (vi) All the above expenditures will be incurred only within the budget grant approved by AGM.
- (vii) The **Purchase Committee** will be constituted by the Board for examining the proposal relating to procurement / works and recommending the same as above. The purchase committee shall have following composition:
 - (a) Vice-President
 - (b) Treasurer
 - (c) Department-in-charge of the concerned department
 - (d) Two Non-Board members to be recommended by the Board

Purchase Committee will be chaired by the Vice President and in his absence by the Treasurer. Concerned department- in-charge will function as convener for the proposal of their respective department. At least 3 members will comprise the quorum for the meeting of the Purchase Committee.

7. Funds and their Management

- (i) The Association will maintain a corpus fund which shall comprise of funds received from CGEWHO and interest thereupon, investment made by AOA out of its saving and membership /transfer fees received from the new members of the Association.
- (ii) The transfer/membership charges received by AOA from new members will be deposited as FD by the AOA towards Corpus

Fund on regular basis and not to be used for routine maintenance work, as decided by the 7th GBM held on 17.03.2013 (Agenda No. 7.6(1)).

- (iii) The Corpus Fund of AOA and interest accrued thereon shall be used only for taking up major work such as Replacement of Lifts/DG Sets, relaying of internal roads etc. in the manner as decided by AGM. In any case, the use of this fund shall be done only after getting the approval of AGM.
- (iv) The Corpus Fund is to be invested by the BOM in such a manner that at least 50% of total annual interest accrued from Fixed Deposits is re-invested and interest amount up-to 50% only may be used, if required, for routine expenditure of the AOA.

8. Issues Related to Service Providers in KV-II

- (i) The service provider shall perform its duty as per provisions made under the contract.
- (ii) The bill shall be submitted by the service provider within the stipulated time period as mentioned in the contract to the manager, AOA who shall forward the same to the concerned departmental in-charge on same day.
- (iii) The bill so submitted shall be checked and verified by the concerned department in-charge within seven working days. Relevant entries shall be made in stock/work register by the department in-charge.
- (iv) Duly verified bill shall be sent by the department in-charge to the Secretary for sanction and for forwarding the bill to Treasurer for payment. The payment shall be released within five working days after submitting the same to Treasurer.
- (v) Bills pertaining to essential services like telephone, electricity and water etc. shall be paid within due date of payment of respective bills, after verification by the concerned department and sanction by the Secretary, to avoid any penalty.

9. Maintenance of AOA Web-Site

AOA, KV-II has created its own web-site (noidakv2.org) to keep its members, especially those who are not residing at KV-II, informed about AOA activities, decisions, latest developments etc. Following

information should invariably be made available on the web-site:

- (a) List of Office Bearers of Board of Management including contact details and email-id.
- (b) General Notices
- (c) Meeting Notice of Annual General Meeting (AGM) / Special Meeting of AGM / Interaction Meeting with members etc.
- (d) Minutes of meeting of BOM including Special Meeting / AGM / Special AGM etc.
- (e) Duly approved (by the BOM) Monthly Receipt & Payment Statement.
- (f) Notice related to auction for renting out of shops in KV-II Campus.
- (g) Other important decisions, circulars, information etc. taken by BOM.
- (h) Tender for procurement of stores / rendering of services / security works etc.
- (i) Copy of Agreement / contract signed by President, AOA

The updating of web-site should be done in parallel so that the relevant information is available to the members from the website in time.

10. Renting out of shops at KV-II

- (i) Various shops in the KV-II campus will be allotted to the AOA members only, including to their adult dependent family members having no source of income (dependency certificate to be submitted by the member along with the application) and residing in the campus during the tenancy of the shop as a welfare measure. The member who is in any kind of arrears towards AOA on the date of his/her application for auction will not be considered eligible.
- (ii) The shop cannot be allotted to any Office Bearer of the BOM. If any member of the AOA becomes office bearer of the BOM after allotment of the shop, the allotment shall be cancelled within one month of taking over the charge by the Office Bearer.
- (iii) The shops shall be rented out for a minimum period of three years and maximum period of five years at one stretch after the auction process.

- (iv) The reserve price of the shop and terms & conditions shall be decided by the BOM, before auction. The basis for arriving at the reserve price and other charges shall be recorded in the minutes of BOM.
- (v) The process of renting out of shop shall be initiated well in advance preferably three months before expiry of agreement of allotted shop. The renting out process, in any case, must be completed one month before expiry of agreement of allotted shop.
- (vi) A separate committee comprising not less than three members shall be constituted to conduct auction process of shop. The committee so constituted shall include two Office Bearers and one non-Board member.
- (vii) The applications for auction of shops as received shall be opened, scrutinized and verified by Secretary, AOA on time & date and place as mentioned in the auction notice. The committee would be submitting its recommendation after auction of shop to the Secretary for approval of BOM.

- (viii) The terms and conditions in the agreement to be executed by the AOA for renting out of shops, as finalized by BOM will include the following:

“The vacant possession of the shop shall be given back by the allottee of shop to the AOA on the date of expiry as mentioned in the agreement. If the shop is not handed over by due date, due to any reason, the rent for beyond expiry date shall be applicable as given below:”

- (i) For first two months : Double the monthly rent as per the agreement.
- (ii) For next four months : Four times the monthly rent as per the agreement.
- (iii) Beyond six months : Market rent as decided by the BOM.

11. Miscellaneous:

- (i) The Manger, AOA shall provide following documents to member(s) of AOA as and when desired by the member:
 - a) Monthly 'Receipt & Payment' statement

b) Minutes of Meeting(s) of BOM/AGM etc.

However, if a member requests, in writing, a copy of above document(s) will be provided to him/her on payment basis as per the rates approved by BOM.

(ii) It shall be the duty of members to abide by the Bye-Laws of the Association. If it is noticed / brought to the notice of BOM that a member has violated bye-law(s), notice shall be served upon him/her in this regard and further action will be initiated by the BOM against the member.

(iii) An imprest amount of Rs. 20,000/- shall be kept in the cash chest of the AOA Office for meeting day to day petty expenditures (Refer Bye-Laws Clause No. 49(1)).

(iv) All payments above Rs. 2,500/- shall be made by cheques only, signed by the Secretary and either Treasurer or President of the BOM (Refer Bye-Laws Clause No. 49(1)). The President will be required to sign the cheque in case of emergency only when the Treasurer is not available to sign the cheque due to certain reasons.

(v) In case of Secretary going on leave for a long period, the authorized signatory in place of Secretary for the interim will be decided by a resolution of the Board.

(vi) The details of cheques including cheque no., amount, issued to, date, purpose and signatory name other than treasurer etc. issued by AOA shall be maintained in a register named as cheque issue register.

(vii) The diary and dispatch registers in respect of all letters received / issued by the AOA Office will be properly maintained by the Manager, AOA.

(viii) For repair of any defect in a flat, the owners/residents of the upper/lower floor shall be required to cooperate in the repair work. The repair shall be done in the following manner:

a. The repair will be carried out by the mason/plumber/electrician of the AOA only without taking any charge for such work based on the complaint lodged by the concerned resident.

b. The expenditure towards the material required for the repair will be borne by the affected member(s) except that required for common work like sewer pipe, common water supply line etc. which shall be borne by the AOA.

- c. If the work involved is due to the damage caused by the upper flat owner, as concluded by the AOA during the investigation after complaint of the said problem, the upper flat owner shall be required to bear the cost of material required for repair. However, if it is found during the investigation by the AOA that the reason of fault is not due to the damage caused by the upper flat owner, then the cost of the material required for the repair has to be borne by the lower flat owner.
- d. In case of damage in the individual fresh/tank water supply line going to the kitchen, bathroom etc, the expenditure towards the material will be borne by the flat owner.
- e. In case of fault in the main power supply cable from the power supply meter to the distribution board in individual flat, the cable is required to be provided by the flat owner.
- (ix) The AOA shall take necessary action to ensure proper flow of waste/rain water through designated pipes so that the water does not flow backwards in the balcony of flat owners. Any expenditure towards this shall be borne by the AOA.
- (x) A flat owner shall not place or cause to be placed in the lobbies, vestibules, stairways, elevators, roof top and other areas of facilities of a similar nature both common and restricted, any furniture, outdoor units of air-conditioners, packages or objects of any kind etc. Such areas shall be used for no other purpose than for normal transit through them (Refer Bye-Laws Clause no. 40(3)).
- (xi) Placing or installing of any item or equipment in such areas as mentioned above by the flat owner/tenant shall be termed as an act of encroachment. In case of encroachment / erection of structure, AOA Office will send a notice to the concerned member/resident for immediate removal of such encroachment / erection of structure and also would charge Rs. 5,000/- as fine for such activities. If the concerned owner/tenant fails to remove such encroachment / erection of structure within 15 days of issue of notice, the item(s) found lying in the common area will be treated as common property and the Board shall be at liberty to dispose of such item(s) as it deems fit for removing the clutter from the common area. (Refer Bye-Laws Clause No. 40(4)). The

- expenditure incurred for removal of the same have to be paid by the concerned owner/tenant along with fine as mentioned above.
- (xii) The car stilt/scooter stilt space provided to the flat owners shall be used strictly for parking of vehicles only. Use of such space for other than specified purpose and beyond the specified allotted area shall be termed as encroachment and suitable action will be taken against the defaulter by the AOA.
 - (xiii) The BOM would meet members of the AOA on third Sunday of each month for interaction on various issues pertaining to the Kendriya Vihar-II Condominium. (Refer minutes of GBM held on 26th November 2006).
 - (xiv) Board of Management should try its level best to solve the problems amicably by its Office Bearers, otherwise a meeting of resident members as mentioned above may be called to resolve the issue to avoid any legal action against AOA and thus saving hard earned money of AOA members.
 - (xv) Defaulter of AOA on any account shall not be made a member of any committee constituted by AGM / BOM.
 - (xvi) There is a ban on holding of functions on roof top and common areas (Refer minutes of GBM held on 26th November 2006).
 - (xvii) The flat shall not be used for carrying out any commercial activities. (Refer Bye-Laws Clause No. 40(1)).
 - (xviii) If it is noticed/brought to the notice of the BOM that a flat is being used for carrying out some commercial activity, the AOA Office will send notice to the owner and take suitable action including reporting the matter to the competent authority for further necessary action, if required.
 - (xix) Internal Audit Committee (IAC) may be formed in every AGM and its report should be made available and considered by BOM / AGM.
 - (xx) The document on 'Procedure for conduction of AOA Business may be reviewed after every three years and placed before AGM for approval.

The procedures prescribed in the AOA Bye-Laws, which are not covered in this document are deemed to be part of this document for its completeness.

KENDRIYA VIHAR – II, APARTMENT OWNERS' ASSOCIATION

SECTOR-82, NOIDA – 201304

FORM FOR PROXY

Iowner of dwelling unit
no.....type..... Pocket Sector-82,
Noida (CGEWHO registration no.....), hereby appoint
Shri / Smt / Kumari who is my family
member* (specify relation) having identification
no..... and residing at my above said dwelling unit as my
'Proxy' to vote for me and on my behalf to elect members for the Board of
Management / to vote to a proposal brought during discussion in AGM to be
held on

(Signature with name and date)

Proxy

Address:

(Signature with name and date)

Member of AOA, KV-II

Address:

Note:

- i. Family members means: Father/Mother/Son/Daughter including adopted children)/ Grandson/ Granddaughter/Husband/Wife/Legal heir or guardian (in case of minor)/ grantee/legatee/transferee.
- ii. Proxy is not entitled to participate in the discussions.
- iii. Form is to be submitted to the President, AOA at least two days in advance of the day of election / AGM.

Ballot Paper - Principal Office Bearers of AOA KV-II Board of Management

Date: _____

S. No.	Name of Member	President	Vice President	Secretary	Treasurer
1	Member-1				
2	Member-2				
3	Member-3				
4	Member-4				
5	Member-5				
6	Member-6				
7	Member-7				
8	Member-8				
9	Member-9				
10	Member-10				

**KENDRIYA VIHAR – II, APARTMENT OWNERS ASSOCIATION
SECTOR-'82, NOIDA – 201304**

**FORM FOR TAKING OVER THE CHARGE
OF PRESIDENT, AOA, KV-II**

I (owner of dwelling
unit no. type..... Pocket..... Sector-82, Noida
(CGEWHO registration no.), hereby take over the
charge of President, AOA from Shri / Smt.
outgoing President / Vice-President) with effect from

(Signature with Name & Date)
(Outgoing President / Vice-President)

(Signature with Name & Date)
(Designate President)

Annexure-D

AOA, KV-II, SECTOR-82, NOIDA							
RECEIPT AND PAYMENT ACCOUNT FOR THE M/o _____, 20____							
	Amount	Total		PAYMENTS	Amount	Total	
Opening Balance on _____			1	Water/ Plumbing and Fire Fighting			
Cash				Water System Maintenance			
Bank(SBI)				Fire Fighting Expenses			
Bank(OBC)			2	Security			
				Security Charges			
RECEIPTS				CCTV & Other Charges			
1 Maintenance Charges				3 Housekeeping and Horticulture			
Subscriptions				House Keeping Charges			
Late Fees				House Keeping Material Expenses			
2 Membership Charges				Horticulture Charges			
3 Rent (Shops & Banks etc.)				Horticulture Material Expenses			
Shop No 1 CC-1				Misc Pump & other Expenses			
Shop No.2 CC-1				4 Electricity, Lift & DG			
Shop No 1 CC-2				Electricity Bill Common area			
Shop No 2 CC-2				Electrical Items			
Shop No 3 CC-2				Lift AMC and other Maintenance			
Shop No 4 CC-2				DG AMC and other Maintenance			
State Bank of India				Diesel Purchase			
CGHS Dispensary				5 Estate Maintenance			
DG Backup charges from shops				Repair and Maintenance			
4 Shifting Charges				6 Sports & Cultural Activities			
IN				7 Salary & Wages			
OUT				Staff & Office Supervisors			
5 Passes				Plumbers			
Gate Pass				Electricians			
Vehicle Pass				Security Supervisors			
Work Permit Charges				6 Cable			
				Masons & Beldars			
6 Cable				8 Office & Other Admin Expenses			
JMR Cable				Office Expenses			
Durga Cable				Computer/ Printer Repair/ AMC			
R R Cable				Refreshment			
7 Community Centre				T.D.S.			
Booking Charges				Bank Charges			
Chair Charges				Rebate			
Electricity & Cleaning Charges				9 SD Refunds			
8 Canopy Charges				SD of CC			
9 Scrap Dealer (Kabadi)				SD OF SPORT CLUB			
10 SD Deposit(Shop/CC/Sports Club)				10 Intercom Payment			
SD of Shop				11 Re-investment (FD)(SBI/OBC)			
SD of CC				12 Total Payments			
SD of Sport Club				13 Closing Balance on			
11 Interest on Bank/FD				Cash			
12 FD(Maturity/Intt)				Unclear Cheques received by AOA			
13 Sports Club Charges				Unclear Cheques Issued by AOA			
14 Intercom Charges				Bank (SBI)			
16 Misc Income				Bank (OBC)			
16 Total Receipts				14 Total			
17 Total							