

BYE - LAWS
RESIDENTS WELFARE ASSOCIATION
'A' BLOCK, SECTOR 31, NOIDA
GAUTAM BUDH NAGAR- 201303

These Bye- Laws have been formulated, specific to RWA 'A' block, following the Society Regn Act 1860 (as amended from time to time), & 'Niyama-Vali' at the time of Regn of the RWA, the Guidelines issued by "UP Shashan Awas Evam Sahri Niyojan AvuBhag-1" 2011, DoPT, Gol 2016 & various judgements by Hon'ble Courts from time to time

(These Bye-laws are an adjunct to 'Niyamawali' of Meerut Mandal though incorporating all the Clauses and should be read in conjunction with the same)

Article –1

Name: The Organization shall be called the 'RESIDENTS WELFARE ASSOCIATION', 'A' Block, Sector 31, Noida, here-in-after referred to as the "Welfare Association".

Article- 2

Location: The office of the Welfare Association shall operate from A-209 till an Alternative is found.

Article-3

Objectives: The objectives of the Welfare Association shall be to develop a Forum for taking collective decisions, lawful actions and initiate activities in the interest of the Safety, Security, good Health & welfare of the residents of 'A' Block, Sector 31, Noida. These are further elaborated as under: -

- (a) Security, Safety & Health of the Residents would be Key Focus Areas.
- (b) To promote inter-organizational fellowship and interact on subjects of mutual interest with Sister of Sector 31.

- (c) To foster a sense of unity, Responsibilities and brotherhood amongst all Residents by way of transparency, Solutions to the problems and implementing appropriate measures in keeping with social harmony.
- (d) To facilitate collective actions and remedies & find solutions for effective and uninterrupted essential services, sanitation, cleanliness, safety, security& creating an environment of peaceful co-existence.
- (e) To provide such assistance to the Residents in matters of disputes with neighbors and fellow residents if any, as and when the need arises but within the frame work of Civic Norms.
- (f) To address the grievances of residents, where needed, by taking up the matter with the concerned authorities.
- (g) To liaise with the Government and quasi -government bodies, other organizations and eminent persons on matters which may fall under their respective jurisdiction, in the interest of the Residents.

- (h) To accept donations in cash or kind, and grants-in-aid from Government agencies, individuals and organizations to enable a sound financial health of the Association.
- (i) To extend individual and collective help and relief to the residents of the Block in case of exigencies.
- (j) To conduct all such activities, as may be incidental or conducive to the Residents, in pursuance and furtherance of objectives of the Welfare Association.

Article-4

DEFINITIONS

- (a) RESIDENT MEMBER: - A resident shall be called a Resident Member who acquires membership as per Article 5 of the Bye- laws given below.
- (b) BLOCK: - The Residential Complex, having been allotted a House No by Noida Authority in 'A' Block. So far as it relates to Occupants of Khasras No 257,258,260,304,308 & 331, with-in or contiguous to 'A' Block Residential Complex and if still legally disputed as Encroachment and unauthorized construction on the Noida acquired land, occupants will be considered as

Residents 'in Waiting' but, would abide by Law of the Land & these Bye-Laws.

(c) FINANCIAL YEAR: - Financial Year for the purpose of maintenance of Accounts shall be from 1st April to 31st March each financial year.

(d) EXECUTIVE COMMITTEE: - It means all the members of the Executive Committee of the Residents Welfare Association, 'A' Block, Sector 31, Noida.

(e) GENERAL BODY: - Means all the Resident Members admitted to the Welfare Association as per these Bye-Laws and would participate in all the Meetings conducted by RWA.

Article- 5

MEMBERSHIP

- (a) Resident Member. Membership to the Welfare Association shall be open to all bona-fide residents subscribing to the Bye-Laws of the Welfare Association. Only one Resident Member from each household unit, is eligible to Vote in the Meetings conducted by the RWA. The Owner of the House in 'A' Block shall deemed to be a member, subject to payment of subscriptions each year to RWA continuously

without a Break, as laid down from time to time, ir-respective of his stay in the house or elsewhere.

- (b) Temporary Resident Member. All Tenants will be considered as temporary Resident Members provided they have paid the Subscriptions, Floor- Wise, as laid down from time to time. Such members are ineligible to Vote but shall abide by the Bye -Laws as applicable to a Resident Member & avail all the Amenities provided to the Resident Members.

Article- 6

FEES and SUBSCRIPTIONS

- (a) Each member including tenants, floor wise, shall have to pay an Annual subscription and admission fee as per the rates decided by the General Body and the RWA Management Committee from time to time. Each House Owner ir-respective of him residing anywhere shall pay the Annual Subscription.
- (b) The rates of Admission fees and monthly subscription shall be reviewed by the Executive Committee on the Necessity but, certainly once every year

and in case of upward revision, it shall be ratified by the General Body.

- (c) Any Notifications received from Noida Authority in regard to RWAs, after the date of adoption of these By-Laws by the General Body, will come into effect immediately without any need of adopting the same in an RWA Meeting.

- (c) Fees and subscriptions once paid shall not be refunded, except in case of a tenant vacating the House/ Floor within the same financial year, refunded on pro-rata basis.

Article-7

TERMINATION OF MEMBERSHIP

Membership will terminate on: -

- (b) Sale of the house.
- (c) The Membership shall cease automatically if the same is not restored or revived within three months of next Official Year (Financial Year) Action as deemed appropriate by the RWA may be taken against them keeping in view the interests of the Welfare Association & in line with Noida Authority's Notifications as received, here-after and later ratified in General Body Meeting.

(d) Expulsion from the membership by the Executive committee would be notified to the Residents as soon as possible and also in the next General Body in a meeting conducted subsequently. Expulsion shall also be deemed to arise if any member:-

(i) Indulges in activities detrimental to the interests of the Welfare Association.

(ii) Any mis-conduct, activities adversely affecting the safety and wellbeing of the residents, disturbing Peace, dis-harmony in the neighborhood by misusing the individual status & influence or promoting their own self-interests or any act contrary to the interest of the Residents.

(iii) Disregard or impeding the RWA Functions or acts in contravention of these Bye Laws.

(iv) In case of demise, extreme medical conditions, membership may be transferred to next immediate legal heir.

REVIVAL OF MEMBERSHIP

(e) Membership once terminated can be revived only on a resolution passed to that effect by the General Body. Any such person before being readmitted as a Resident member, based on Merit of

the Case, shall in addition to the Admission Fee; pay all arrears of subscription or an amount as decided by the General Body.

Article- 8

MANAGEMENT

The affairs of the Welfare Association shall be managed by an Executive Committee (EC) comprising members as laid down below

(a) PRESIDENT	ONE
(b) VICE PRESIDENT	ONE
(c) GENERAL SECRETARY	ONE
(d) TREASURER	ONE
(e) EXECUTIVES	FIVE
(f) Co-Opted Members	TWO

A) Any of the Executive may be appointed as Joint, Additional, General or Deputy General Secretary or Treasurer by the President RWA if a need arises.

B) The tenure of the Executive Committee shall be for a period of Three years

C) A member seeking election to the Executive Committee should have been a member of the Welfare association for

not less than three consecutive years and should have paid all subscriptions due, at the time of announcement of Elections. The Resident Member should have physically stayed in the Block for last three years so that he/she is well acquainted with the Area ,Civic bodies, and working of Noida Authority.

D) The names of office bearers, who file their Nominations for Elections, shall be duly proposed and seconded by TWO other members.

E) No nomination in absentia will be accepted for any position in the Executive Committee

f) Tenants, as Temporary Resident Member may be Co-opted in the EC.

F) The new Executive Committee will start functioning immediately on its being Elected. Allocation of portfolio to each member of EC and Charter of Duties will be completed within a week. Appointed Election or Returning Officer will ensure smooth Handing and Taking Over of the Welfare Association.

G) The outgoing Executive Committee will be responsible to Hand Over the Charge in regard to all the Material, Items , Correspondence, MoU, MoM

and all the related document in their possession, to the Incumbent Executive Committee within 15 days of the Election Results.

G) In case of a vacancy arising (other than casual or temporary), in the post of President, it shall be filled by the Vice President for the rest of the term.

Similarly, if a vacancy arises in the post of General Secretary or Treasurer, it shall be filled by a nominated EC Member by the President. If vacancy arises in the post of President, Vice President, General Secretary and Treasurer at the same time because of Ill health, Personal Reasons, & any other convincing reasons , the EC may be dissolved by any of the Executive with a Resolution by Two Third strength of General Body . Fresh elections would be announced, by the Election Officer of the Period. A new Election Officer may be nominated by the General Body prior to dissolution. He/She should be a Resident Member for minimum Nine years continuously. Election Officer will act in the Interim as a Care Taker

Article -9

ADVISORY COMMITTEE

(a) A Sub Committee will be constituted by the President to recommend suitable Members, not more than TWO, to be Co-Opted in the EC for their Specialized Services.

(b) A sub -committee may also be constituted for recommending any Resolution which needs to be adopted and may include a Resident Member for his expertise.,

Article- 10

AUDITOR

A qualified Auditor shall be nominated by the Management Committee of the Welfare Association to hold office as Auditor for the term. He should audit the accounts of the Welfare Association for the FY and submit a report not later than 15th April to the Executive Committee, who shall place the audited accounts with the Audited report before the Annual General Body Meeting for consideration and approval once a year. Thereafter, the Audited Accounts Details would be submitted to Registrar, Meerut Mandal.

Article- 11

DUTIES, RESPONSIBILITIES AND PRIVILEGES OF MEMBERS OF THE WELFARE ASSOCIATION

Resident Member shall have the: -

(a) Right to vote (One in a family of a Resident Member) as and when necessary

(b) Right to participate in all activities and avail all amenities of the Welfare Association in accordance with Bye – Laws and other rules in force from time to time.

(c) Right to participate in the proceedings of all the meetings.

Residents Should:-

(d) be a Responsible Citizen and follow Social & Civic Norms

(e) Abide by the provisions of the Welfare Association, the Bye laws, rules and regulations and orders on matters relating to, but not limited, to Security, cleanliness, garbage disposal, Social Co-operation, Social Harmony and road space management, as advised by the RWA from time to time.

(a) while taking the pets out ,full control would be ensured so that no harm is caused to passerby accidentally

and the premises of the neighborhood are not spoiled.

(c) Keep the 'A' Block Parks & surroundings clean. The Parks should not be used for playing hard games such as football or cricket,

(d) desist from taking Pets in the Park, willfully allowing or assembling the stray animals in the Park or any other place in the proximity of the Residents inside the Residential Complex for whatever purpose or act in any manner so as to cause damage to the Plants or the surface of the Park or cause any injury to Residents.

(e) Remove all discarded construction material or Waste from time to time & finally within one month of construction of a House or repair work. On failure of which RWA may levy a charge for the non-disposal of discarded material as governed by NGT Acts & Pollution Acts and Notification of the State.

(f) to inform the RWA of the start of construction or major repair work in their house or plot and obtain a NoC on completion of the Work in order to obtain Completion Certificate from the Authority.

(g) to ensure that whilst construction or repair/maintenance related work, dust pollution from the construction material at the site is minimized. The Material should be properly covered under a Net /Tarpaulin.

(h) Not to place any food/left over eatables at the street corners for Stray animals. The animals may only be fed inside the house premises under own supervision or at the Feeding Spots

(j) Not to organize any assembly of stray animals or feeding them in the open, inside Residential Complex.

Article- 14

THE GENERAL BODY

(a) All Resident Members of the Welfare association shall comprise the General Body of the Welfare Association

(b) The General Body shall pass the Annual Report, audited accounts and other documents, suggest and accept changes in the policies as suggested by the Executive Committee or proposed by the Resident Members with prior Notice of 7 days.

(c) The General Body shall adopt or Ratify the Major Policy decisions of the

EC which may have been taken in course of time, prior to the meeting.

Article-15

POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

(a) PRESIDENT: - The President shall:

(i) Preside over meetings of the association.

(ii) guide and advise the Welfare Association for its smooth and effective function and shall normally preside over all meetings of the Executive Committee and the General Body. In the absence of President, The Vice President shall perform the duties.

(iii) Have the power to incur non-recurring expenditure on his own accord to meet certain requirements in the interest of Residents

(iv) At the time of voting on any matter/ subject (except Elections), if the total votes of the group of members happen to be equal in number, the President has the power to cast an extra vote to decide the matter/ subject.

(v) President shall have the power to allow any subject matter as an Agenda

for the discussion in the course of the proceedings/meeting.

(vi)The President shall be responsible for the management and administration of all affairs of the Association and is authorized to appoint any office bearer/ executive member to be responsible for any particular activity.

(vii) The President or the Secretary when so authorized by the President will sign all papers/ documents on behalf of the Association to conduct its official transactions.

(vii) President RWA shall have the Right to review the Portfolio/ Charter of duties of any EC Member& make amendments ,when needed and shall have the Powers to drop & even expel an EC Member when found to be indulging against the Objectives of the RWA or unbecoming Conduct in the Organization. A suitable EC Member may be appointed by the President to fill up the vacancy so created in the EC,

(viii) take such steps to enhance the Safety & Security of the Residents, in overall interest of the Residents

(b) VICE PRESIDENT: - The Vice President shall assist the President in discharge of his duties. He shall, in absence of the President, preside over the meetings of the Executive Committee and General Body and discharge all other functions of the President.

(c) General SECRETARY: - The Secretary shall

(i) be the chief coordinator of the Executive Committee and its spokesman.

(ii) On approval of the President convene all meetings of the Executive Committee as well as the General Body.

(iii) Record all proceedings of all the meetings, keep a control over expenditure, exercise general supervision and conduct day to day affairs of the Welfare Association.

(iv) Implement policies and convey / carry out the directions of the Executive Committee as well as the General Body.

(v) Along with the Treasurer be responsible for the proper maintenance of accounts / records.

(d) TREASURER: - The Treasurer shall: -

(i) be the custodian of the funds of the Welfare Association and shall be responsible for its accountability. Collect subscriptions from members regularly.

(ii) Receive donations etc. for and on behalf of the Welfare Association with the approval of the Executive Committee.

(iii) Issue receipts for all collections and obtain vouchers for all expenditures incurred.

(iv) Maintain cash book and all Accounts related records, including electronic records, safely and securely. Prepare periodical Annual Accounts in consultation with the Secretary.

(v) present the audited accounts in the AGM.

(vi) ensure that the accounts are duly audited by an experienced Auditor of repute or a Chartered Accountant.

(vii) will present the audited accounts in the General Body Meeting

(b) EXECUTIVE MEMBERS

An Executive Committee Member shall:

-

(i) be responsible to the Policies & Objectives of RWA individually responsible to the Executive Committee to work as a Team Member

(ii) All decisions taken at the Executive Committee meeting shall be on democratic principles.

(iii) Implement the policies and carry out the directions of the President & Executive Committee of the RWA.

Article -16

MEETINGS

A. ANNUAL GENERAL BODY MEETING

(i)The Annual General Body meeting will be held once a year in second week of April (once a year after the closure of the financial year and preparation of annual accounts) but, not later than 13 months from the date of the previous meeting except in case of a natural calamity or in extraordinary circumstances

(ii)The Annual General Body meeting shall ratify the office bearers of the Executive Committee already elected or appointed in course of time by the President.

(iii)The Annual General Body shall nominate the Election Officer, for a specific Term, and a qualified Auditor for the subsequent year.

(iv)The minutes of the last Annual General Body shall be read out and confirmed

B GENERAL BODY

At least a fortnight's notice shall be given for convening the General Body meeting.

(ii) In case of emergency, a Special or Extra-Ordinary Body meeting may be convened at any time with a 24 hours' notice to all via SMS/e-mail/ WhatsApp Group or Display in the Notice Board.

(iii) The minutes of the previous General Body meeting shall be read out and confirmed

C EXECUTIVE COMMITTEE

(i) Executive Committee meeting shall ordinarily be convened once a month to transact business.

(ii) The General Secretary or in his absence, the Additional General Secretary shall convene the Executive Committee meeting specifying the date, time and agenda of Discussions. In a

Special situation, the President or Vice President can convene the meeting. The minutes of the last meeting shall be read out and passed.

(iii) The Executive Committee may convene an extended Executive Committee meeting if they consider discussing and seeking opinion of members on important issues.

Article- 16

QUORUM

GENERAL BODY MEETING 1/3 of the total resident members but, not less than 30 Residents Members shall form the quorum for the General Body meeting. The meeting may be adjourned for 30 minutes for want of quorum, and would need no quorum thereafter. Notices for meeting may be issued through SMS, WhatsApp group, Email, and NOTICE displayed on Notice Boards

Article-17

REQUISITIONED EXTRAORDINARY GENERAL BODY MEETING

At least one third of the members of the Welfare Association may serve a

fortnight's notice in writing with the Agenda to the Secretary for convening an Extraordinary General Body meeting to address issues requiring immediate decisions. The General Secretary shall circulate the notice at least seven days prior to the date of such a meeting. Resolutions in such Extraordinary General Body meeting shall be carried only if approved by two- thirds of the members present and voting.

Article- 18

ELECTION PROCESS

(a)The Annual General Body shall nominate an Election/Returning Officer from amongst the resident members who shall conduct the election to the Executive Committee for the subsequent Term. The entire election process should be completed by 31st March or delayed to a next date but, not later than 30 Apr except in extraordinary circumstances. Election Officer will send the Notice for the Election and its result to the residents through Special Messenger. The Election Process should generally begin in the mid Apr.

(b) After the announcement of Election Result, all financial control of funds should be handed over to new

President/ Vice president and Process of Handing /Taking Over completed by the Out- going EC, within 15 days

Article -19

FUNDS

(a) The funds of the Welfare Association shall consist of (i) Subscriptions collected from members. (ii) Special Subscription/ donations received from members as well from nonmembers for special occasions etc. (iii) Grants-in-aid from outside agencies, if any.

(b) Money not likely to be required for immediate disbursement shall be lodged in a Savings Bank Account opened in the name of Residents Welfare Association 'A' Block, Sector 31, Noida in any Scheduled Bank or in any Post Office and be jointly operated by any two of the President, Vice President, Secretary/Treasurer.

(c) Accounts, ledgers and cash books should be maintained manually & updated on weekly basis.

(d) Funds not required for a long period should be invested in fixed deposit with any scheduled bank or in the shape of FDs /NSC in the name of Residents Welfare Association under joint

responsibility of the Secretary and Treasurer.

(e) Withdrawal from any FDs / NSC deposited by previous RWA committee cannot be affected without sufficient reason and scrutiny of Accounts by the previous RWA. It would need the signature of Ex-President/ ex Vice President/ ex Secretary as well. Such withdrawals may only be allowed in case of emergency for the welfare of the residents. Or Social Events.

(f) The Residents who do not pay the Annual subscription to RWA would not be entitled to avail any facility directly or indirectly provided by the RWA

Article-20 xxxBLANKxxx

Article- 21

DISSOLUTION

(a) The Welfare Association shall be dissolved when the number of registered members falls below 15 or by a decision of 2/3rd majority of Registered Members. A Board of Trustees shall be elected by the members on dissolution who shall dispose of the assets and take care of the liabilities of the Welfare Association.

“Certified that these Bye- Laws of Resident Welfare Association, ‘A’ Block, Sector 31, NOIDA, Gautam Budh Nagar- 201303 (U.P) are adopted with reference to MoM of the General Body Meeting’.

xxxSDxxx

Brigadier VK Bhatt (Retd)
(President RWA ‘A’ Block
Sector 31, Noida)
08 Nov 2022