

Form-XVI-A

"Certificate of amendment in Memorandum/By-laws of the Society under Sub-section (3) of Section 26 of the Haryana Registration and Regulation of Societies Act, 2012 "

(See rule 17(3))

Certificate of amendment in the Memorandum/By-laws of the Society

I hereby certified that [UAWA(UNIVERSAL AURA WELFARE ASSOCIATION).] (name of the society), which was registered on [2013-01-29 00:00:00] vide registration number [1192] under Section 9(4) of the Haryana Registration and Regulation of Societies Act, 2012 and having duly passed a special resolution in terms of section 26(1) of the Act, the approval to the amendment in memorandum/by-laws of the Society is hereby granted as under:-

Clauses deleted	Clauses Amended	Clauses Added
Changing summary is attached for your kind reference.	Clause ammended summary is attached for your kind reference.	Clause added summary is attached for your kind reference.

Given under my hand at [Gurgaon] this [18] day of (month) [May] (Year) [2023]



Rajesh Khara
Place:Gurgaon
(Signature of the District Registrar)



Verification Link: <https://haryanaindustries.gov.in/msme/verify/verifyamendmentcertificate/id/2233/ref/2023-03-000082>



UNIVERSAL AURA WELFARE ASSOCIATION SECTOR 82, Gurgaon

Reg. No. HR/018/2014/01193 under Society Act 2012
Email: universalaura.welfare@gmail.com



MEMORANDUM OF ASSOCIATION

Hard Copy ATTACH OUR Memorandum of Association

1. Name of the association. The name of association is Universal Aura Welfare Association (UAWA) Gurgaon.
2. Latest communication addressed of the association is : 1201, Tower 7, Unitech Escape, Nirvana Country, Sector 50, Gurgaon, Haryana.
3. Jurisdiction. The association will work within district of Gurgaon of the territory of State of Haryana.
4. Aims and Objects of the association.
5. To manage the residential complex (presently under construction), known as Universal Aura, situated at Sector-82, Gurgaon-122001 and to take care of the rights of the its members on their behalf.
6. To do any other and all such things as are incidental and are conducive to the achieving any, or all, of the objectives of the association.

Managing Committee

The names of the members of the Managing Committee of the association to which the Rules and Bye-laws of the management affairs are entrusted are given below.

S. No.	Name	Post	UA Property Unit
1.	Sh Mannu Anand	President.	J-802.
2.	Sh Sanjay Shrivastava	Vice President.	H-402
3.	Sh Pawan Kumar	Gen Secretary.	G-101
4.	Mrs Meetu Singla	Treasurer.	F-1703
5.	Sh Aprajit Yadav	Joint Secretary.	D-902
6.	Sh Kanwaldeep Singh Mann	Executive Member	B-1101
7.	Sh Sandeep Tomar	Executive Member.	E-1501
8.	Sh Vinod Sandhu	Executive Member.	A-1102
9.	Sh Tipur Madan	Executive Member.	H-1404

Universal Aura Welfare Association (Regd.)

Pawan Kumar
General Secretary

Authorised Signatory

Universal Aura Welfare Association

Mrs Meetu Singla
Treasurer

Authorised Signatory

Universal Aura Welfare Association (Regd.)

Mannu Anand
President

Authorised Signatory

WITNESS NO 1

MAATISH YADAV

WITNESS NO 2

.....

Sawan Singh





UNIVERSAL AURA WELFARE ASSOCIATION SECTOR 82, Gurgaon

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Preface

- 1) Universal Buildwell Private Limited, a company incorporated under Companies Act 1956, having its registered Office at 102, Antriksh Bhawan, 22 Kasturba Gandhi Marg, New Delhi-100001 and Corporate Office at 8th Floor Universal Trade Tower, Sector-49, Gurgaon Sohna Road, Gurgaon 122018, Haryana (Company) and Shiv Ganesh Buildcon Private Limited, a Company incorporated under the Companies Act 1956 having its registered office at 102, Antriksh Bhawan, 22 Kasturba Gandhi Marg, New Delhi-10001, was allotted freehold land measuring 12.981 Acres in the revenues estate of Village Sikandarpur, District Gurgaon, Haryana and pursuant to an arrangement between M/s Shiv Ganesh Buildcon and Universal Buildwell Private Limited to develop and construct the land. The Director, Town and Country Planning, Haryana, Chandigarh has granted License No.51 of 2011 for land measuring 11.231 Acres which is a part of aforesaid land for setting up residential group housing colony in the revenue estate of village of Sikrandarpur Badha, Sector -82, Tehsil & District Gurgaon. The Group Housing Colony over the said land shall be known by the name of "Universal Aura". The conveyance deed in respect of land allotted was executed between HUDA and AFNHB and registered in the Sub-Registrar office, Gurgaon vide Book No 1 Vol No 294 on page 62 to 63 at No 14625 dated 27th Feb 2003. AFNHB has also submitted Deed of declaration and the same is registered vide Registration No. 12600 dated 15 Sep 2007 in the Office Sub-Registrar, Gurgaon.
- 2) The Universal Aura is being developed and constructed over multiple floors consisting of multiple levels/floors with reference to the specification of the respective Universal Aura Gurgaon Apartment Buyer's Agreement.
- 3) The Universal Aura Welfare Association (UAWA) was registered under the Haryana Registration and Regulation of Societies Act 2012 (Haryana Act No.1 of 2012) vide Registration No 01193 dated 03 Feb 2014. The latest address for all communication shall be 1201, Tower 7, Unitech Escape, Nirvana Country, Sector 50, Gurgaon, Haryana
- 4) These Bye laws are now promulgated for the information, proper guidance and compliance of all the allottees and their families and duly approved during the meeting of General Body of UAWA held on 21st Feb 2021 specially called for this purpose as per the provisions of the Haryana Registration and Regulation of Societies Act 2012(Amended).

These Bye-laws super-cede all the previous Bye-laws issued earlier, if any.

Universal Aura Welfare Association (Regd.)

Pawan Kumar
(General Secretary)

Universal Aura Welfare Association

Mrs Meetu Singla
(Treasurer)

Universal Aura Welfare Association (Regd.)

Mannu Anand
(President)





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BYE-LAWS

CHAPTER -1

1. Short title and Application:

- i. These bye-laws may be called the Bye-laws of Universal Aura Welfare Association (UAWA) Gurgaon.
- ii. These Bye-laws shall apply to members of UAWA and the Group Housing Colony known as "Universal Aura" situated in the revenue estate of village of Sikrandarpur Badha, Sector -82, Tehsil & District Gurgaon and having its latest communication address as 1201, Tower 7, Unitech Escape, Nirvana Country, Sector 50, Gurgaon, Haryana
- iii. All present allottees/owners, their successors-in-interest in any manner shall be bound by the provisions set forth under these Bye-laws.
- iv. The acquisition of allotment/ownership of any of the said units of Universal Aura will signify that these bye-laws are accepted, ratified and will be complied with.

2. Definitions:

- i. Act. means the Haryana Registration and Regulation of Societies Act, 2012;
- ii. Bye-laws means the Bye-laws of a Association;
- iii. Association means an intermediate body consisting of elected representatives of members of association and required to be constituted in cases where the number of members exceeds three hundred;
- iv. Defunct association means an association which is not carrying on any business or operation or has not filed its annual or other returns with the District Registrar continuously for a period, as may be prescribed;
- v. District means a revenue district notified by the Revenue Department under the Registration Act, 1908 (XVI of 1908);
- vi. District Registrar means an officer appointed under section 3 of the Act;
- vii. UAWA means Universal Aura Welfare Association.
- viii. Dwelling Unit means Flat, Apartment, Commercial units or any other part of the Residential Group Housing Colony (including the Common Areas).
- ix. Document means and includes register of members, books of accounts, returns, annual returns, other statutory registers, summons, notice, requisition, order, other legal processes, whether issued or kept in pursuance of this or any other Act or otherwise;
- x. Due date means and refers to the date on which the term Governing Body of a association expires and by which the elections of the successor body should be completed;
- xi. Elected member means a member of a association who is duly elected as an off bearer of the Governing Body;

Universal Aura Welfare Association (Regd.)

(Pres.) Authorised Signatory



Apoojit



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- xii. Financial year means the period commencing from the 1st day of the month of April of a year and ending with the 31st day of the month of March of the following year;
- xiii. General Body means the body of all members of association;
- xiv. General Body Meeting - Meeting of the members of the General Body;
- xv. Governing Body means the Executive Committee, Managing Committee or any other committee constituted or elected by the members of the General, as the case may be, and responsible for the management of day-to-day affairs of the association;
- xvi. Government means the Government of the State of Haryana;
- xvii. Major means a person of twenty-one years of age or above;
- xxviii. Member means a person who fulfils the eligibility criteria for becoming a member of the association, as specified in the Act and has been admitted as a member of the association in accordance with its Bye-laws;
- xix. Memorandum means the Memorandum of Association as originally framed and as amended, from time to time, in accordance with the provisions of the Act;
- xx. Office bearer means and includes the President, Vice-President, Secretary, Joint Secretary, Treasurer or any other member of the Governing Body empowered under the Bye-laws to give directions in regard to the conduct of the business of the association;
- xxi. Prescribed means prescribed under the rules;
- xxii. Public notice means a notice published in at least two newspapers largely circulating in the area, of which one shall be in vernacular and copy of which is also displayed on the notice board of the office of the District Registrar;
- xxiii. Registrar means the Registrar of Societies appointed under section 3 of the Act;
- xxiv. Registrar General means the Registrar General appointed by the Government under section 3 of the Act;
- xxv. Rules mean the rules made under the Act;
- xxvi. Special resolution means a resolution passed in a meeting of the General Body or the managing committee, as the case may be, in which at least forty per cent of the members entitled to vote are present and the resolution is approved.
- xxvii. State means the State of Haryana;

3. Haryana Apartment Ownership Act, 1983:

HRRS 2012 act is applicable.

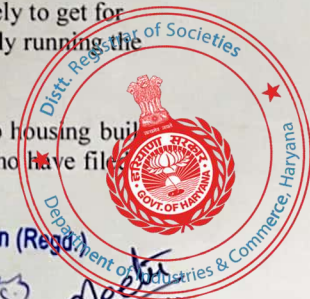
4. Aims and Objectives of the Association:

The purpose of this association is to serve the members at large to carry out work and not earn any profit. The same shall be run on no profit and no loss basis entirely to get for betterment, revival, completion of Universal Aura project and subsequently running the members association. The aims and objects of the Association shall be: -

- i) To be and to act as the Association of Unit allottees of the group housing built complex called Universal Aura (hereinafter called "complex") who have filed their respective declarations.

Universal Aura Welfare Association (Regd.)

(Signature)
(Pres) Authorised Signatory





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- ii) To raise funds and receive contributions from its members to for services, welfare, and benefits of its unit allottees. To collect funds for membership fees and other lawful activities in furtherance of the aims and objects of the association.
- iii) To do all things necessary or/ and otherwise provide for the attainment of the objects specified in these bye-laws.
- iv) The Association shall not act beyond the scope of its objects without suitably amending the provisions of these bye-laws for the purpose.
- v) To provide for and do all and any of the matters provided in sub-section (2) of Section 16 of Act namely, The Haryana Apartment Ownership Act 2012.
- vi) To commence, institute or defend all legal action, law suits etc. as may be deemed necessary in the interest of the association's members.
- vii) To represent, promote and safe guard the interests, rights and privileges of the allottees of project Universal Aura. This shall be done by the authorized representative to interact with the RP Team , Authorized Representative from NCLT, Co Developers, Financers, Lawyers, CAs, Other Association Members of Universal, Financial Creditors, CoC Members, any third party on matters affecting common interest.
- viii) To raise loans for meeting the objectives of the association and to arrange to its repayment.
- ix) To file declaration and complete legal formalities as necessary or mandatory in law.
- x) To act as a controlling body to monitor and ensure the Rights and Obligations of the members/allottees as laid down in this Bye-laws.
- xi) To do all such things as are necessary, incidental or conducive to provide for and attainment of the objectives specified in these bye-laws.

5. Affiliation:

Should there be any Federation of unit owners in the locality in which the Universal Aura is situated, the Association may become a member thereof and pay the sums from time to time payable to such Federation under the rules thereof.

Universal Aura Welfare Association (Regd.)

(Pres.) *(S)* *(Tr)*
Authorized Signatory





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Chapter II

Membership and the Association of Welfare Association

6. Terms of admission of Members:

- i. Universal Aura was being developed by Universal Buildwell Pvt. Ltd. which have been booked by respective individuals on self-financing basis. Presently the developer is going through bankruptcy process. UAWA was formed to bring all allottees of the project under one umbrella and represent as an association in common interest of all. No shares were issued. However, Rupees five thousand were contributed by all members to UAWA towards corpus fund as Membership fees.
- ii. In order to be a member of the association, a person must: -
 - i. Be an Allottee of the flat/commercial unit in Universal Aura;
 - ii. Be of minimum 21 years of age on the date of admission;
 - iii. Subscribe to the aims and objectives of the association;
 - iv. Have deposited the requisite membership fees and other dues payable to the association;
 - v. Any allottee subscribing to the aim and objectives of the association/may be enrolled as a member.
 - vi. Must not be an insolvent and of unsound mind; and
 - vii. Must not have been convicted of an offence involving moral turpitude involving imprisonment of one year or more
- iii. Kind Types/Categories of Members: The association shall consist of three different categories of members as under.
 - i. **Founder Members:** A member who has been admitted as a founder member at the time of registration of UAWA and has paid the requisite membership fee to the association. The number of founder member were 7 nos. at the time of registration.
 - ii. **Ordinary Member:** The association members shall continue to hold their membership only so long as they are not in arrears of payment of their annual subscription fee and who have an allotted dwelling unit in Universal Aura, Sector 82, Gurgaon.

Membership Fee & Annual Subscriptions: Current rates for membership of the association and the annual subscription shall be Rs 5000/- and Rs 1000/- respectively subjected to future revision and approvals in GBM/AGM.

Universal Aura Welfare Association (Regd.)


(Pres.)
Authorised Signatory





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- iv. Each member shall receive a copy of the bye-laws in electronic form for their reference, of which a hard copy may also be supplied on demand at a price to be laid down by committee.
- v. An application as per Form X of the Rules shall be submitted for admission as a member.
- vi. Management committee shall issue an identity card to all the members as per Form XI of the Rules. Cost of the same shall be recovered from the members.
- vii. Each member shall have right to vote, to be cast in person. Proxy voting is NOT allowed. Each first allottee or second or third allottee based on authority letter given by first allottee to second or third allottee.
- viii. In addition to above specified fee, Governing Body may demand for additional contribution from the members by passing resolution to meet out any additional expenditure if need arises.

7. Joint Unit Allottee Members and Multiple Unit Allottee Members:

- i) Where an unit has been allotted in two or more persons jointly, they will be jointly entitled to the membership of the Association. However, the person whose name stands first shall have all rights of membership and may transfer such rights to any one of the other joint allottees. All communication will be addressed to the first allottee unless he/she authorizes any of the joint allottees for this purpose. For such cases the transfer rights can be exercised only once in a calendar year.
- ii) The membership shall be treated unit wise regardless of multiple units allotted to the same person.

8. Disqualifications:

- i. Members or their Associates having business interests in the Universal Aura housing complex, singly or jointly, shall also not be eligible for election as office bearer of UAWA.
- ii. Members or their Associates having unsettled arrears, shall also not be eligible for election as office bearer of UAWA.
- iii. Compliance all dues raised by association will be the responsibility of members
- iv. Members of Managing Committee cannot contest re-election for at least one term after having served in last two consecutive Managing Committees.
- v. General Body, after suitable enquiry by a Sub-Committee to be appointed by Managing Committee, can debar any member who had earlier been member of Managing Committee and found to have indulged in financial irregularities or misuse of material or human resources, from contesting for election.
- vi. Upon such member being found guilty of a financial misappropriation of the funds of the association;

9. Powers, Functions and Duties of Association:

Universal Aura Welfare Association (Reg.)

(Handwritten signature)
(Pres.)

Authorised Signatory



(Handwritten signature)



UNIVERSAL AURA WELFARE ASSOCIATION

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- i. The Association will be responsible for complete administration and shall be competent to exercise all powers in this behalf e.g. preparation and approval of the annual budget, determination and collection of contributions from the members from time to time whenever required, placing demand for any additional contribution occasioned by any unforeseen liability, interacting with all Government or Semi-Government agencies etc. in furtherance of the overall management of the association in an efficient manner.
- ii. Except as otherwise provided, resolutions of the Association shall require approval by a majority of members.
- iii. To decide policy matters such as amendment in the Memorandum of Association and the Bye-laws of the association, approval of its annual accounts, approval for disposal of immoveable assets (if any) of the association etc.
- iv. The managing committee can appoint need-based support as per level of Authority
- v. Committees can be constituted comprising of members as well as non-member experts to recommend/support UAWA

10. Place of meetings:

Meetings of the Association shall be held at suitable place or virtually, and will be decided by the Managing Committee.

11. Annual General Meeting:

- i. A General Body meeting of the members of the Association was held on 21st Feb 2021 to consider and approve the Bye-laws.
- ii. The Annual General Meeting of the Association shall be held once every year to consider, approve and adopt the annual accounts of the Association and transact all such business as it may be required to do.
- iii. General Meetings will also be called planned as needed

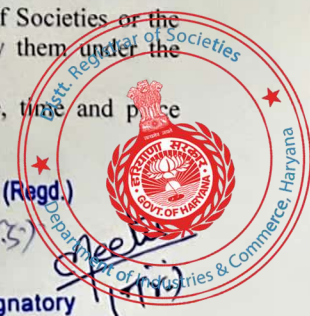
12. Extra-ordinary or Special General Meetings:

- i. The association may hold its extra-ordinary or special general meetings as and when required. Provided that the Managing Committee shall convene a special or extraordinary general meeting as considered necessary and appropriate by President/ Managing Committee, upon a requisition signed by 1/3rd of the members of association or as & when so directed by the District Registrar of Societies or the Housing Commissioner or any other officer duly authorized by them under the relevant statutes in this behalf.
- ii. The notice of any special general meeting shall state the date, time and place (Physical/Virtual) of such meeting and the purpose thereof.

13. Notice of Meetings:

Universal Aura Welfare Association (Regd.)

(Signature)
(Pres.)
Authorised Signatory





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- i. Managing Committee shall ensure that a notice of 14 days, indicating the time, date, venue and agenda is given to the members for any general meeting. Provided that such notice may be of a shorter duration (not less than 24 hrs.) if not objected by at least 1/3rd of the members for extra ordinary/ special meetings.
- ii. The notice of any general meeting sent by electronic mail to the email ID of the members, UAWA WhatsApp/Telegram group or any such messaging App shall be an accepted mode of service of such notice

14. Voting:

- i. Every vote, be it exercised by the member or by the duly authorized joint member, shall be cast in person. Provided that the member may communicate such authority in favor of the joint member through a letter or electronic mail (member should have earlier registered his E-mail address with the Secretary in writing) with a copy thereof duly endorsed to the General Secretary. In the event if voting in person is not possible by majority of members, then a framework shall be development for online voting which shall be administered by a committee appointed by the governing body.
- ii. Collegium concept is not applicable for our association (UAWA) as collegium scheme is applicable when number of members strength is more than thousand.

15. Adjourned Meetings:

- i. A general meeting of the Association shall be adjourned if the quorum for such meeting is not complete (Total of 40% of member present shall constitute the quorum complete and the matters decided).
- ii. Managing Committee shall re-convene an adjourned general meeting after a gap of not less than 48 hours and not more than 14 days of the meeting first convened and adjourned.
- iii. If not enough quorum is present, then the re-convened total of 25% of members present shall constitute the quorum and the matters decided.
- iv. Managing Committee shall re-convene an adjourned general meeting after a gap of not less than 48 hours and not more than 14 days of the meeting first convened and adjourned.
- v. If not enough quorum is present, then the re-convened total of 15% of members present shall constitute the quorum and the matters decided.

16. Order of Business:

- i. Agenda points for the AGM will be as follows and they will be taken up in the order given below: -

- (a) Welcome address by President.
- (b) Election of Members of Management Committee (if due)

Universal Aura Welfare Association (Regd.)

Prepared by : *Apnrajit* (Pres.) *(G.S.)* *(Tr)*
Authorised Signatory
BYE-LAWS





UNIVERSAL AURA WELFARE ASSOCIATION
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- (c) Passing of Minutes of Last Meeting.
 - (d) Presentation of Annual Report by outgoing Management Committee (including points put up by Internal Auditor and any sub-committees).
 - (e) Consideration and approval of details of accounts, including the Balance Sheet, income and expenditure (Profit & Loss) Statement together with the Auditor's report for the preceding year.
 - (f) Replies to questions submitted by Members at least 7 days before the meeting (All question to be responded thematically or individually).
 - (g) Nomination of members as internal Auditor(s) (refer section 39(vi)) and Standing contracts and Appointments Committee (refer para 29(i) and 29(ii))
 - (h) Vote of thanks to the outgoing Management Committee (if due).
 - (i) Any other point permitted by President.
- ii. Agenda points for General Meeting to be held will be as follows and they will be taken up in the order given below:
- (a) Passing of Minutes of AGM and any extra-ordinary GM held between AGM and this GM.
 - (b) Points put up by internal auditor and sub-committee if any.
 - (c) Ex post-facto sanctions of financial expenditure incurred by Management Committee, President and Secretary in emergent circumstances as laid down in Bye-Laws 26(xi) Supplementary demands
 - (d) Consideration and approval of the association's Budget and also General Policy and Programme for the next financial year as prepared by Managing Committee.
 - (e) Agenda points put up under signature of 2 members or more, at least seven days before the date of meeting, which seek to review the decisions taken in General Meeting/AGM held earlier.
 - (f) Agenda points put up by the Management Committee.
 - (g) Agenda points put up under signature of 10 members or more at least seven days before the date of meeting, which do not affect decisions taken by earlier GM's. All such points shall be included.
 - (h) Replies to questions submitted by Members at least 7 days before the meeting (All question to be responded thematically or individually).
 - (i) Any other point permitted by President.

17. Special Resolution:

Any matter required to be resolved through a special resolution may be decided at any general meeting, annual or special, which is attended by at least 40% of the total eligible members present and the proposal is approved by 3/5th of the members present/voting.

Universal Aura Welfare Association (Regd.)

(Signature)
(Pres.) Authorised Signatory





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Chapter III

18. Office-bearers of the Association, Election and their duties:

- i. Universal Aura consists of no. of flats comprising two, three bed room flats, four bed room flats and shops etc.
- ii. The office-bearers of the Association shall consist of a President, a Vice- President, a Secretary, a Joint Secretary, a Treasurer and four members who will be elected by the General Body. Responsibilities to four members, which may include appointment of Assistant Treasurer, will be given by the President-elect. In case of temporary non-availability of President as well as Vice-President, Management Committee will nominate one of its members to act as President. Conduct of elections will be as specified in Appendix "A".
- iii. The office-bearers of the association shall be elected, as and when it becomes due, by the members of association, as far as possible, at its Annual General Meeting.
- iv. The term of office of the office-bearers of the Association shall be minimum three years or as specified by the Act from time to time and shall be eligible for re-election, as otherwise envisaged in para 8 above of these Bye-laws.

19. Resignation, Suspension and Removal of Officer-bearers:

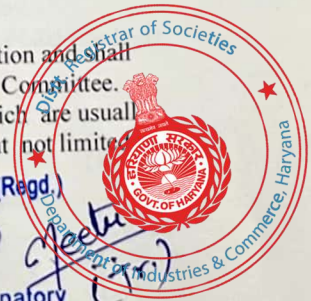
- i. An office-bearer of the Association may, of his own volition, resign from such position at any time. Provided that the Managing Committee may, if considered unavoidable, require such office-bearer to continue to discharge his functions till such time his substitute is duly elected.
- ii. In case a majority of 2/3rd members of the Managing Committee express their lack of confidence in any office-bearer, for whatsoever reason, they shall be competent to suspend such office-bearers from office till such time the matter is considered at the general meeting of the Association for his removal and so resolved. Provided that the Managing Committee shall convene a General meeting as soon as possible, but not later than 45 days of such decision, to consider the removal of such office-bearer. The successor of any office-bearer removed from the office shall be elected at the same meeting of the Association.
- iii. A member of the Managing Committee shall cease to be its members if he remains absent, without valid reason, during three consecutive meetings of the committee.

20. President of the Association:

- i. The President shall be the Chief Executive Officer of the Association and shall preside over all meetings of the Association and of the Managing Committee.
- ii. The President shall have all the general powers and duties which are usual vested in a Chief Executive of an organization, including but not limited to

Universal Aura Welfare Association (Regd.)

(Pres.)
Authorised Signatory





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- the powers to constitute sub-committees of members for attending to various tasks in furtherance to the aims and objects of the Association.
- iii. President shall be responsible for guidance, supervision and financial control on the matters of all work of the UAWA. Financial control includes monthly and surprise cash checks, reconciliation of bank statement and vetting of trial balance.
 - iv. President shall exercise such powers as additionally authorized by Managing Committee.
 - v. In any meeting which involves voting, President shall have a casting vote in case of a tie.
 - vi. Shall approve expenditure vouchers above Rs 50000/- which will be put up for his counter signature after approval as per level of authority specified on page 15, in clause 26 point viii.
 - vii. Shall ensure that the minutes of Managing Committee meetings are finalized by Secretary after his (President's) approval.
 - viii. May dispose off such important and urgent matters, which for want of time, cannot be put up to the Managing Committee but such disposal shall have to be ratified subsequently from the Managing Committee in its following quarterly meeting. He/she may also authorize expenditure up to Rs. 75,000/-per item/work (or more if approved by the majority vote of the Managing Committee and should be ratified in the next GBM) provided that total sum does not exceed Rs. 6,00,000/- per year.
 - ix. The President along with the Treasurer or General Secretary or any other MC Member as approved by the Managing Committee shall jointly operate the bank account of the association.
 - x. Shall be the person to enter into a contract approved by the Managing Committee representing the association.
 - xi. Shall be the person with the consent of the Managing Committee to sue or to defend any legal action against the Association. All legal proceedings shall be instituted, continued or defended by the President, who shall sign the documents/papers and Vakalatnama relating to, in the name of and on behalf of the Association.
 - xii. Shall exercise democratic role in discharging his duties over the Managing Committee/General Body.

21. Vice President:

- i. The Vice President shall assist the President in his duties and shall perform such functions as are assigned to him by the Managing Committee from time to time.
- ii. Officiate as the President and preside over the meetings of the association and the Managing Committee during any temporary absence of the President.
- iii. Shall operate association's bank a/cs jointly with others in absence of the President.

22. General Secretary:

- i. Shall be the overall in-charge of the secretarial functions of the Association and Managing Committee;

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(Signature)
(Pres.)
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- ii. Shall issue notices for the meetings of the Association, the Managing Committee, record the proceedings of all such meetings and maintain various registers as are required to be maintained as per HRRS Act 2012.
- iii. Shall be the custodian of all such books and records of the Association and the Managing Committee, as the Managing Committee may direct (Appendix "B").
- iv. Will be responsible for approval/dissemination of Balance Sheet, profit and loss account at the end of each year by due date. As also any statement/records/returns (as per format given in the Rules) required by the Managing Committee and/or by the Registrar (Appendix C).
- v. Will be responsible for realization of amounts due to UAWA from various sources and to properly safeguard and invest these funds as per the ACT, Rules and these Bye-laws and as advised by Managing Committee from time to time.
- vi. Approve expenditure vouchers of up to Rs.50,000/- incurred as per the approved budget or as per prescribed level of authority specified on page 15, in clause 26 point viii. Expenditure vouchers above Rs. 50,000/- will be forwarded by him to President for approval.
- vii. Will generally oversee the proper administration, management and working of the matters concerning UAWA, and will apprise the President and/or Managing Committee, where necessary, for corrective action.
- viii. Shall also operate bank accounts of the Association jointly with the President/Vice-President or Treasurer or as approved, by the Managing Committee.

23. Joint Secretary:

Shall assist the General Secretary of the Association in discharge of his duties and responsibilities.

24. Treasurer:

- i. Shall be responsible for management of the finances and accounts of the Association, receipts and expenditure, bank accounts, maintenance of all books of accounts, investment of surplus funds and audit of the accounts of the Association.
- ii. Shall be responsible for the deposit of all moneys and other valuable affects in the name and to the credit of the Association, in such depositories, as may from time to time be decided by the Managing Committee.
- iii. Shall keep in custody optimally minimum cash of about Rs. 50,000/- or as decided by the Managing committee, from funds of UAWA for managing day to day expenditure of UAWA. For all post facto expenses by members of managing committee this fund shall be used and shall be regularized in an approval note sheet on monthly basis.
- iv. Shall show the cash in his custody and any other accounting documents data whenever required by the order of Registrar, or by any member of the Managing Committee.

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- v. Shall ensure preparation of Balance Sheet, profit and loss account at the end of each year by due date.
- vi. Approve expenditure vouchers of up to Rs.25, 000/- incurred as per the approved budget or as per prescribed level of authority specified on page 15, in clause 26 point viii. Expenditure vouchers above Rs. 25,000/- will be forwarded by treasurer to General Secretary for approval.

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(Signature)
 (Pres-)
(Signature)
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Chapter IV

Constitution of the Managing Committee, its functions and powers

25. Managing Committee and its mandate:

- i. The affairs of the Association shall be managed by a 'Managing Committee', comprising of nine office-bearers (President, a Vice-President, a General Secretary, a Joint Secretary, a Treasurer and four members), who shall be elected by the members of the association for a term of three years, and may be referred to as the 'Managing Committee' hereinafter.
- ii. The Managing Committee shall act as the trustees of the members of the Association and be responsible for the overall management and shall exercise all powers as are required to be exercised in the efficient discharge of its functions and responsibilities;
- iii. The Managing Committee shall discharge its functions and duties following the principles of collective responsibility and the designations of any office bearers are not meant to create any hierarchy;
- iv. The Managing Committee may appoint such sub-committees of members of association from time to time, as may be considered necessary, with such terms as it may deem appropriate in exercise of powers and discharge of duties for the administration of the affairs of the Association.
- v. The Managing Committee may co-opt or appoint non members aswell of any such subcommittee who possess special knowledge of any area to provide any expert assistance to any such committee.
- vi. Any sub-committee appointed by the Managing Committee, with or without any expert, shall submit its report to the Managing Committee, upon which the Managing Committee may take such action as deemed appropriate.
- vii. The Managing Committee shall be responsible for preparation of the Annual Accounts and shall present an Annual Report of its activities before the Association in its Annual General Meeting.

26. Duties, functions and powers of the Managing Committee:

The Managing Committee shall, in addition to the duties and responsibilities assigned under these bye-laws or by resolution of the Association, be responsible for the following, among other things:

- i. In the interest of the project carry out meeting, negotiations, shortlist, issue contracts with vendors, suppliers, financiers, contractors, builders, PMC etc
- ii. Designation, employment, payment of remuneration and dismissal of personnel service provider(s) necessary for revival and completion of Universal Aura project

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- iii. Provide for the manner in which the accounts of the Association shall be maintained and its audit shall be carried out;
- iv. Inspect and examine the records and accounts kept by or under the supervision of the Secretary and/or the Treasurer so as to ensure that these are maintained in the manner as prescribed;
- v. Take steps for timely payment of all obligations and the recovery of all sums due to the Association;
- vi. Approve or sanction working expenses, maintenance of cash balance and deal with other miscellaneous business;
- vii. Incur all expenditure to fulfill various responsibilities and commitments of UAWA for project revival and completion.
- viii. The authorities mentioned in below Table A would have financial powers as stated for each year of their tenure. All expenses shall be with prior approval note sheet basis initiated by either secretary or any executive member.

TABLE A - Financial Level of Authority per Year				
Sr.No.	Level Authority	Second By	Amount	Remarks
1.	President	General Secretary or Treasurer and 2 Executive Members	Upto Rs 75,000/- per item	Overall Limit of Rs 6,00,000/-
2.	General Secretary	President or 2 Executive Members	Upto Rs 50,000/- per item	Overall Limit of Rs 3,00,000/-
3.	Treasurer	General Secretary or 2 Executive Members	Upto Rs 25,000/- per item	Overall Limit of Rs 1,00,000/-
4.	Managing Committee	NA	Rs 5,00,000/- per item	With min 75% members in support. Overall Limit of Rs 20,00,000/-
5.	AGM/GBM	NA	As agreed,	Prior Budget allocation for activities beyond Rs 20 Lakhs or as agreed shall be with member consensus

- x. Appropriately deal with the complaints concerning the above;

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- xi. The above level of financial authority in Table A can be modified by passing an internal resolution by the Managing committee to increase the overall limit of each level authority. The same shall be informed in AGM/GBM to the extent if these financial powers are exercised by the managing committee. Further amendment in the financial level of authority shall be an internal document of the association.

27. Restrictions for an office-bearer or member from receiving any benefits:

No office bearer or member of the Association shall be appointed to any salaried role of the association, and shall not be paid any fees or remuneration for the services rendered by him; Provided that the office-bearers and/or the members shall be entitled to claim reimbursement of actual travel and out of pocket expenses incurred by them in connection with any work related to the Association, and interest on any money lent to the association for overcoming any temporary requirements. The claims will be approved by the president or General secretary or treasurer.

28. Vacancies in the Managing Committee:

Any vacancy in the Managing Committee may be filled-up by the remaining office-bearers of the Managing Committee by nomination as an intervening measure, which shall be placed before next general meeting for ratification. General body meeting for election of new office bearers will be called as soon as possible, if the number of vacancies exceeds four.

29. Engagement of Agencies, Service Provider, Estate Manager and other officials:

- i. The Managing Committee may engage one or more service providing agencies for performance of such functions or delivery of such services and for such compensation as it may determine for the purpose. Normal tendering process shall be followed for all contracts. Management Committee will give due consideration to the recommendations of standing contract and appointment sub-committee.
- ii. The Managing Committee may engage or employ individuals, on full-time or part-time basis in the employment of the Association, for a remuneration or compensation as determined by the Managing Committee, and performance of such duties and services as may be decided by the Managing Committee. Employees will also be recommended for selection by the standing contract and appointment committee.
- iii. The Managing Committee may require all or any of the employees of the Association to furnish a fidelity bond.

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Chapter V

Meetings of the Managing Committee-Notices, Agenda, Quorum, and Proceedings

30. Meetings of the Managing Committee:

- i. The first meeting of the newly elected Managing Committee shall be held within seven days of such election at such place as shall be fixed by the President Elect.
- ii. The Managing Committee may hold its meeting as and when required subject to the condition that it shall meet at least once every month and hold a minimum of twelve meetings in a financial year.

31. Notice for the Meetings of the Managing Committee:

Every meeting of the Managing Committee shall entail a notice of at least three days, circulated in electronic or physical mode, as the case may be, along with the tentative agenda of the business to be transacted at such meeting. Provided that the notice period may be waived in emergent circumstances if a majority of the office-bearers agree to hold the meeting at a shorter notice.

32. Quorum:

At least 5/9 of the members of the Managing Committee shall constitute the quorum for any meeting.

33. Proceedings of Meetings:

- Proceedings of each and every meeting of the Managing Committee shall be recorded by the Secretary and signed/Approved by the Secretary and the President;

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(Handwritten Signature)
(Tr.)





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Chapter VI

Funds, Accounts and Audit

34. Funds:

The Association may raise funds through all or any of the following sources, namely: -

- i. Transfers from the savings available in the Capital Account of UAWA, if any; Membership fee;
- ii. Contributions, assessments, user charges and donations from all members;
- iii. Revenue Surpluses which may form the nucleus of the Reserve Fund;
- iv. Loans, if necessary, subject to such terms and conditions as the Association may determine with the approval of the Competent Authority in this behalf.

35. Investments:

The Association may invest or deposit its funds in one or more of the following: -

- i. In a Co-operative Bank or a Scheduled Bank or a Post-office Savings Account,
- ii. In any of the securities specified in Section 20 of the Indian Trust Act, 1982;

36. Deployment of funds:

The income and property of the Association shall be applied solely towards promotion of the aims and objects of the Association as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred, directly or indirectly, to the members of the Association.

37. Maintenance of Accounts:

- i. The Association may open separate bank accounts for separate purposes and maintain proper accounts of credits to and debits from each such account.
- ii. The Secretary or the Treasurer may keep an amount, not exceeding Rs. Fifty thousand in cash at all times with them or authorized person in order to defray any or all such petty expenses for which payments may not be feasible through bank instruments.
- iii. The Managing Committee shall maintain a pass-book or ledger in respect of every member in electronic or physical form containing particulars of the amount due from a member.
- iv. Dues against the member/ Association, as the case may be. Copies of the accounts so maintained shall be made available to the members on demand during the Annual general Meeting of the Association or at any stage, for which the Association or may not determine a fee.

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- v. Till the budget estimates are passed for the current financial year, expenses per month will be limited one twelfth of the budget sanctioned under each head in last financial year (excluding projects already sanctioned in previous financial year).
- Vii Ledger shall be maintained for expenditure incurred by Managing Committee, President and Secretary under financial powers given in clause 26 (xi)

38. Annual Accounts:

- i. The Managing Committee shall prepare annual accounts of the Association at the end of a financial year and present in GBM/AGM once these are ready.
- ii. The Annual Accounts shall contain (a) the receipts and expenditure statement of the previous financial year; (b) surplus or deficit account; and (c) a summary of the property and assets and liabilities of the common areas and facilities of the Association giving such particulars as will disclose the general nature of these liabilities and assets and how the value of fixed assets has been arrived at.

39. Audit of Accounts:

- i. The Annual Accounts shall be submitted for Audit by a Chartered Accountant engaged by the Managing Committee, such Chartered Accountant not being a member of the Association or a close relative of any of the members;
- ii. The Auditors shall audit the accounts of the Association and submit their report thereon.
- iii. Every financial statement shall be accompanied by a complete list of the allottees, along with the amount receivable from or payable to the members. A copy of the Annual Audited Accounts shall be filed in the office of the District Registrar in the form and manner prescribed under the relevant law.
- iv. Concurrent audit shall be undertaken by members nominated for the same by Annual General meeting.

40. Appointment of Auditor and related matters:

- i. The Management Committee shall appoint a registered Chartered Accountant or a firm of Chartered Accountants as the auditor at its Annual General Meeting along with the determination of the remuneration there for. Members for carrying out concurrent audit will also be nominated in the meeting. Clauses (ii) to (iv) below shall also apply to members doing concurrent audit.
- ii. The Managing Committee shall extend full assistance to the Auditor and make all such documents and records available to him as may be required for the same.
- iii. The Auditor shall conduct the audit of the accounts of the Association in accordance with the accepted Accounting Standards, along with or without any qualifications or advisory to the Association for the proper upkeep of accounts.
- iv.

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- v. The auditor shall be entitled to call for and examine any papers or documents belonging to the Association covering the complete scope of activities of the Association.

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Chapter VII

Mortgages

41. Notice about Mortgage and related information:

At this stage we are not the residents.

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Chapter VIII

Determination of contributions from Members for Common Maintenance of facilities, user charges and utility payments

42. Members to contribute for various charges:

At this stage we are not the residents.

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Chapter IX

Obligations of the Unit Allottees

43. Obligation to timely payment of all charges and contributions:

Each and every allottee of Universal Aura, who is also a member of the Association, shall be under obligation at all times to pay charges as determined by the Association from time to time in respect of administrative and legal running expenses.

44. Observance of duties and responsibilities:

The unit allottee shall be obliged to observe their duties and obligations as set out herein and any violation of the same shall make them liable to fine and /or for forfeiture of their rights as may be determined by the Managing Committee at its meeting or by any special committee appointed by them in this regard.

45. Enforcement of obligations:

In case any member is in arrears of payment of his obligations for a period of Two months or more, the Managing Committee shall be competent to take all measures for the recovery of such arrears, including coercive measures as such as disqualification from membership

46. Maintenance and repairs of individual dwelling units:

At this stage we are not the residents.

47. Use of Independent units and liability for violation:

At this stage we are not the residents.

48. Use of Common areas and facilities and restricted common areas and facilities:

At this stage we are not the residents.

49. Right of access and entry in emergency and normal conditions:

At this stage we are not the residents.

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50. Code of Conduct for the unit owners:

At this stage we are not the residents.

51. Parking of Vehicles:

At this stage we are not the residents.

52. Domestic Staff (servants, drivers, cleaners, cooks and domestic workers etc.):

At this stage we are not the residents.

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Chapter X

Other General matters

53. Compliance:

These bye-laws are set forth to comply with the requirements of the Haryana Registration and Regulation of Societies Act, 2012 read with the provisions of Haryana Apartment Ownership Act, 1983 and the rules framed there under. In case of any inconsistency between these byelaws and the provisions of the said Acts, the provisions of the Acts will apply.

54. Seal of the Association:

The Association shall have a common seal which shall be in the custody of the Secretary and shall be used only under the authority of a resolution of the Managing Committee and every deed or instrument to which the seal is affixed shall be attested for or on behalf of the Association by two members of the Managing Committee and the Secretary or any other person authorized by the Association in that behalf.

55. Amendment of the Memorandum and/ or Byelaws of the Association:

The Memorandum of Association or the Byelaws may be amended through a special resolution passed by the executive committee in a general meeting. It will be at the discretion of the association to keep it as an internal document open for audit by a committee for approval or submit it to registrar. If no reply is received from the committee or the registrar as the case maybe within sixty days, the resolution shall be deemed to have been approved.

56. Disputes

- i. Any disputes within UAWA and /or Members/ex members. Associate members/ex Associate Members, including interpretation of these Bye-Laws, shall be referred to the Registrar, whose decision shall be binding on all parties.
- ii. Disputes with outside parties/authorities shall be determined by legal process, including Arbitration, as decided by the managing Committee and approved by the General Body where required. Further the jurisdiction in legal matters shall be only of appropriate Hon'ble Courts of Haryana at Gurgaon.

57. Amalgamation or Dissolution of the Association:

The Association may amalgamate itself with any other Society/association with identical aims and objects through a special resolution passed in a general meeting of the Association and approved by at least 3/5th of the members present and voting.

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58. Appendices:

- i. Appendix "A" General Body of Association and election of members to Managing Committee
- ii. Appendix "B" Records to be maintained by Secretary
- iii. Appendix "C" List of returned to be submitted by UAWA to Registrar

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(S)
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Aprijit



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Appendix-A
(Refers to Para 18 (i))

FORMATION OF ELECTORAL COLLEGES, COLLEGIUM AND ELECTIONS

i. **Electoral Colleges**

Collegium concept is not applicable for our association (UAWA) as collegium scheme is applicable when number of members strength is more than thousand.

ii. **Elections to Collegium**

Collegium concept is not applicable for our association (UAWA) as collegium scheme is applicable when number of members strength is more than thousand.

iii. **Election of Office Bearers**

Returning officer(s) shall make program for conduct of election and inform all members. Conduct of elections shall include verification of eligibility of candidates, correctness of their nomination papers, holding secret ballot and declaration of results. They shall also check identity of members who are voting and ascertain that they are members. In the event if voting in person is not possible by majority of members then a framework for online voting shall be developed and administered by the governing body with involvement of returning officer(s).

viii Each candidate should be a member and should not have disqualification as mentioned in para 8 of the Bye-laws.

ix Each candidate's name should be proposed and seconded by at least two members of the association. Form at Annexure 1 to this Appendix, duly filled, is to be submitted by the candidates to UAWA/authorized person by due date as specified in the Programme issued by Returning officer(s).

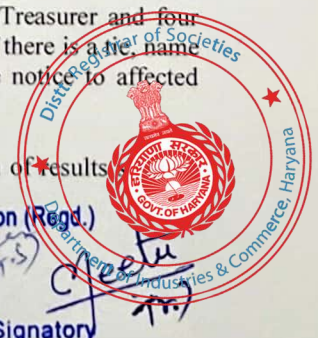
x A member can stand only for one post, President, Vice President, General Secretary, Joint Secretary, Treasurer or member.

xi If there are two or more candidates for the posts of President, Vice President, General Secretary, Joint Secretary, Treasurer and more than four candidates for the posts of members, secret ballot shall be held. Candidates getting highest votes in case of President, Vice President, General Secretary, Joint Secretary, Treasurer and four highest votes in case of members shall be declared as elected. If there is a tie, name of the winner shall be decided by lottery conducted with due notice to affected members to be present at the time of lottery.

xii The full proceedings of election as per para 12 and declaration of results completed on the same day.

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- xiii All documents pertaining to elections shall be retained by MC in a sealed cover for four months. They shall, thereafter, be destroyed unless there is any complaint by any member regarding conduct of elections (in which case they shall be destroyed only after resolution of the complaint).

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(Pres.) *(Secy)* *(Treas)*
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Annexure-I to Appendix "A"

UNIVERSAL AURA WELFARE ASSOCIATION, GURGAON

NOMINATION: ELECTION AS A MEMBER OF MANAGEMENT COMMITTEE TO BE HELD ON

Name of Nominee -

Flat No

Proposed by

Seconded by

Signature

Signature

(Name in block letters)

(Name in block letters)

Flat No

Date -

Flat No

Date-

DECLARATION BY NOMINEE

1. I agree to stand for election to Management Committee (MC).
2. I further declare that if elected: -
 - i. I shall devote reasonable amount of time towards activities of UAWA.
 - ii. I am not holding any office of profit under UAWA, or have business dealings singly or jointly with UAWA, its employees or venders, or have a relative as an employee of UAWA.
 - iii. I am personally residing in Flat No. _____ UAWA, Sector-82 Gurgaon.
 - iv. I have not been member of last two consecutive Managing Committees.
 - v. I have cleared all dues to UAWA till _____.

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 (Pres.) *Ajeet*
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vi. My election to the Managing Committee will be treated as null and void if statements made by me in (a),(b) and (c) are found to be incorrect or are violated by me during tenure as member of the managing committee,

Signature - _____ Date - _____ (Name in block letters)

REMARKS BY SECRETARY UAWA

1. Nominee is owner/joint owner Flat No. _____ and is a member of association. His name is entered in UAWA records as _____. He has cleared all dues up to and including _____.
2. He owns the flat as single owner/He owns the flat jointly with he being the first/second – named. (In case of second named owner in the joint ownership being nominated, copy of an undertaking by the first owner that second owner will be exercising all rights of membership, together with all relevant obligations is attached).
3. He has not been a member of last two consecutive Management Committees.

Signature

()

Secretary UAWA
 Date:

REMARKS BY RETURNING OFFICER AFTER SCRUTINY

Nomination is accepted/rejected:

Reasons for rejection (if applicable):

Signature

()

Returning Officer
 Date:

Universal Aura Welfare Association (Regd.)
 (Pres.)
 (S)
 Authorised Secretary





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Appendix-B

(Refers to para 22 (iii))

Documents to be Maintained (Hard Copies/Soft Copies-Electronic Form)

1. Haryana Registration & Regulation of Societies Act 2012.
2. Haryana Registration & Regulation of Societies Rules 2012.
3. Haryana Apartment Ownership Act 1983 and Rules.
4. Memorandum and Bye-laws of the Association.
5. Registration Certificate issued by the Registrar.
6. Register of Members as per format given in Form XII and Rule 12.
7. Map of Society's land/estate and architectural plans showing details of buildings, places of public utility (community centre, roads, parks etc) Cash Book.
8. Books of Proceedings of General Body meetings, General meetings, Managing committee meetings and meetings of any other Bodies.
9. Accounts regarding membership fees and all other amounts realized as well as payments made.
10. Register of Contracts
11. Register listing vendors along with their rate of contribution.
12. Register of salaries/wages of permanent and casual employees
13. Any other registers, books, documents prescribed by Act, Rules, these Bye- laws or as decided by General Body.
14. Records for Financial level of authority (if amended)

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(Pres.) *(S.S.)* *Meetu*
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Appendix-C

Refers to para 22(iv)

LIST OF RETURNS TO BE SUBMITTED BY UAWA TO REGISTRAR

1. Annually (Rule 24)
 - i. List of members as per Form XV of Rules within 60 days of close of financial year or within 30 days of holding Annual General meeting, whichever is earlier.
 - ii. List of members of Managing Committee as per Form XVII B of the Rules within 30 days of holding Annual General Meeting.
 - iii. Annual Report on the working of association.
 - iv. Copy of Balance Sheet, Receipt and Expenditure Statement and Auditor's Report.
2. Special Circumstances
 - i. Form XVII A of the Rules within 30 days to intimate change in members of Managing Committee.
 - ii. Form XVII of the Rules (Copy of the Register of Members) to be filed with Registrar within 60 days of registration if the same was not filed at the time of registration.
 - iii. Special Resolutions

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