

KOTTUR GARDENS RESIDENTS' ASSOCIATION

KOTTUR GARDENS, CHENNAI – 600 085 (Reg.No.360/1991).

MEMORANDUM OF ASSOCIATION

1. NAME:

***KOTTUR GARDENS RESIDENTS' ASSOCIATION, KOTTUR GARDENS,
KOTTURPURAM, CHENNAI – 600 085.***

2. OBJECTS

- a. To look after the general welfare of the residents of the colony.
- b. To arrange for non – political meetings, social gatherings etc,
- c. To represent the interests of the residents before the appropriate authorities and take all necessary steps for the promotion of corporate life among members living in the area.
- d. To promote education, cultural and social activities in the Colony.
- e. To promote recreational facilities namely Sports, Music, Drama, Dance, etc., for its members.
- f. To promote such other activities that are incidental to and / or conducive to the attainment of any or all of the objectives.

RULES AND REGULATIONS

1. NAME

The name of the association shall be the Kottur Garden's Residents Association, Kotturpuram, Chennai – 600 085.

The Association cover the area covered by Kottur Gardens, Tamil Nadu Housing Board Colony extending up to IV Main Road Extension, Kotturpuram, Chennai –600 085.

a) Date of Formation : 01.04.1991

b) Business Hours 4PM to 7 PM

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2. ADDRESS

The address of the Association shall be Kottur Gardens Resident's Association, New No.34, Old No.1, IInd Main Road, Kottur Gardens, Chennai – 600 085.

4. MEMBERSHIP

a. Membership shall be to all the owners of the houses or Flats or the spouses of owners or legal heirs of the owners of the Flats and houses.

b. Non owner residents who have taken either a bungalow or a flat in the colony on rent may be admitted as associate members without the

right to vote or contest, propose / second a candidate for any post in the managing committee. Such members are enrolled at the discretion of the Managing Committee whose decision is final.

c. Admission fee, there shall be an admission fee of Rs.10-/ for both members and Associate Members. The Admission fee is not refundable.

d. Subscription : The Annual Subscription shall be decided by the General Body from time to time. For the present it is Rs.100/- for each family in independent houses and for each family in M.I.G and H.I.G. Flats.

e) Persons desirous of becoming members or associate members shall fill in the prescribed form and forward the same together with the prescribed admission fee and subscription to the Secretary, Managing Committee will have to approve admission of all members.

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f) No members or associate member who is in arrears of payment of subscription for six months shall be permitted to participate in the meetings of the Association. Anyone whose subscription is in arrears exceeding six months shall automatically cease to be a member of association. Anyone whose subscription is in arrears exceeding six months shall automatically cease to be a member or associate

member and such member may be readmitted as a new member on payment of the admission fee of Rs.10/- subject to the approval of the Managing Committee.

- g) Subscription shall be paid for the entire year.
- h) Every member or associate member shall abide by the rules and regulations in force from time to time.
- i) The association can receive donations from any member or anybody for a specific cause for the welfare of the Association.

5. CONSTRUCTION

- a) General Body: All members shall constitute the General Body.
- b) Managing Committee: There shall be a Managing Committee consisting of a President, Vice – President, Secretary, Treasurer and one member to be elected by the General Body. If members occupying a particular type of residence are not represented on the Managing Committee, the Managing Committee shall nominate two members to represent such groups on the Managing Committee. Only one can hold one post from the owner's family.
- c) **Terms of Office:** The Managing Committee shall hold the office for the period of three year. The terms of office of

Managing Committee will be from 1st July to 30th June of the succeeding year.

- d) **Casual Vacancies**: Any casual vacancy or vacancies caused by resignation or otherwise may be filled by the managing committee by co - option of a member, such an incumbent shall hold office for the unexpired term. No proceedings of the Managing Committee shall be invalidated by reason of any such vacancy or vacancies.
- e) No office bearer shall be eligible to hold the office for more than two consecutive terms. Members of the Managing Committee shall, however, be eligible for re-election.

6. ELECTIONS:

- a. The election of office bearers and members of the Managing Committee shall be held at the General Body Meeting to take place ordinarily in July every year. One of the committee members will act as an Election Officer and the election process will consist of filing of nominations duly proposed and seconded and voting by secret ballot.
- b.(i) Members whose subscription and other dues are not in arrears upto 30th June of the year in which the election is held shall be eligible to stand for election and to vote at the Annual General Body Meeting held for the specific purpose of electing the Managing Committee.

However, Associate Members shall not have the right to vote at the meeting of the General Body or propose or second names of candidates for election to the Managing Committee.

- (ii) Any member or spouse of the member, who has paid his membership dues by 30th June of the year under consideration

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and also that wherever the year under consideration, and also that wherever the word member is used.

- c. Every member present and voting, shall have one vote.
- d. Voting shall be by secret ballot.
- e. Elections shall be conducted by Returning Officer appointed by the Managing Committee. Nomination forms, duly proposed seconded by members and accepted by the contestant members for a particular office shall be received by the Returning Officer by a certain date and time fixed by the Managing Committee, which should be at least seven clear days before the date fixed for the Annual General Meeting / Election. Any candidate may withdraw his candidature by notice in writing signed by him and delivered at any time after the presentation of his nomination paper to the returning office, but prior to two days of the date fixed for election. A notice of withdrawal of candidature

once given shall be final. No member can hold more than one office at a time and he shall not, therefore, be eligible to contest more than one office at a time. If no one is contested for any post, the present office bearer is entitled to be re elected again with approval of AGM.

- f. In the case of any dispute arising in the matter of election results. The matter shall be referred to a committee consisting of three members to be constituted by the General Body every year before the election and the decision of the Committee will be final, irrevocable and binding. The three members shall not stand for election to the posts of office bearers or membership of the Managing Committee for that year.

7. POWERS AND FUNCTIONS

1) General Body

The General Body shall be the ultimate authority in all matters relating to the administration of the association. Among other matters, the following shall be dealt with by the General Body.

- a. Election of office bearers and the members of the Managing Committee.
- b. Considering the approving of the Annual reports, the budget estimates, the statement of accounts and the Auditor's report.

- c. Approval of the amendment or addition or remove the Rules and Regulations.
- d. The General Body shall have the power to repeal the Managing Committee by a vote of No – Confidence and expel any members from membership.
- e. And to take such other decisions as would further the objectives of the Association.

2) Managing Committee

The Management of the Association shall vest in the Managing Committee. It may propose rules / regulations or amendments to them to be approved by a Resolution by the General Body at its annual or extra ordinary meetings. It shall have power to appoint, terminate or suspend any employee of the Association, if any.

8. MEETINGS:

- a. The Managing Committee shall convene an Annual General Body Meeting as soon as the audited Annual Accounts are ready and in any case before the end of September every year and present the Annual Report and the audited statement of account. Extra ordinary General Body meeting may be

convened on written requisitions by not less than one third of the total numbers on roll. Twenty one days notice shall be given for an Ordinary General Body Meeting. The quorum for the General Body Meeting shall ordinarily be 50% of the total number of effective members on rolls or 20 members whichever is less. However, in respect of matters pertaining to the Association, the quorum for the General Body Meeting shall be 3/4th of the total effective members on rolls, and the motion shall be deemed to be carried, if 3/4^{ths} of the members present vote for it. Alternatively, any resolution / amendment to the constitution, considered essential and important approved by the Managing Committee earlier, may be circulated among the members of the Association by the President / Secretary and shall be deemed to have been passed, if more than half of the members on rolls approve.

- b. A 'No Confidence' motion against the Managing Committee shall be considered only if at least one / third of the total number of members on rolls bring such a motion in writing. A general Body Meeting will be convened specifically to consider it. The quorum for such General Body Meeting shall be two – thirds of the total number present and voting in that meeting, vote in favour of such motion.

c) MANAGING COMMITTEE :

The Managing Committee shall meet at least once in three months to discuss the affairs of the Association. It shall also meet whenever called for by the President or Secretary or by a written requisition to the secretary from not less than 5 members to consider any urgent matters. Any subject requiring urgent action

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may be circulated among the members of the Managing Committee by the Secretary and shall be deemed to be approved if all the members of the Managing Committee present on that day in the Housing Board Colony. Such a resolution will be placed before the next Managing Committee meeting for ratification. At least seven days previous notice is to be given to the members. The quorum of the meeting consists of 3 members.

9. DUTIES OF OFFICE BEARERS

- a. **President:** The President shall be the executive head of the Association and his advice shall be taken in all matters relating to the administration of the association. He shall preside over all meetings and shall have a casting vote in case of an equality of votes. He shall have the power to call for special meetings of the Managing Committee

or General Body. He may in anticipation of the approval of the Managing Committee authorise expenditure up to Rs.1000/- on any single item.

- b. **Vice – President:** The Vice – President shall exercise all the powers of the President in the absence of the President and such other functions as are delegated to him by the President. In the absence of the President, the Vice – President will preside over the Managing Committee or General Body Meeting. In the absence of both the President and Vice – President, in the case of both the Managing Committee Meeting, one of the members of the Managing Committee will be elected to preside over it and in the case of a General Body

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Meeting, one of the members of the Association will be elected to preside over it.

- c. **Secretary:** The Secretary shall be the chief administrative office to carry out the activities of the Association. He shall:

- i) Conduct all correspondence;
- ii) convene all meetings in consultation with President;

- iii) record and maintain the minutes of the proceedings of all meetings of the Association and of the Managing Committee;
- iv) exercise general control and supervision over the affairs of the Association in coordination with the President;
- v) have custody of all the properties of the Association;
- vi) have authority to incur expenditure not exceeding Rs.1000/- on any single item in anticipation of the formal sanction of the managing committee;
- vii) prepare at the close of each year an annual report on the working of the Association for the past financial year together with audited accounts and report. Such reports shall be subject to the approval of the Managing Committee before presentation to the General Body.

d) **Treasurer:** He shall:

- i) receive all moneys payable to the Association by members and others;
- ii) take steps for collection of subscriptions etc,;
- iii) make all payments for an account of the Association against proper vouchers on authorisation either by the President or the Secretary;
- iv) maintain financial accounts;
- v) have the custody of the cash of the Association;

vi) have an imprest cash balance not exceeding Rs.5000/- at any time.

10. SUB COMMITTEE:

Sub Committee may be appointed by the Managing Committee for specific purposes, if necessary.

11. SOURCES OF INCOME

The funds of the Association will be raised through:

- a. Subscriptions and fees as laid down in the rules and regulations of the association and / or funds raised from time to time for the specific purposes;
- b. Donation from members, public or official bodies; and
- c. in any other manner approved by the Managing Committee / General Body.

12. BANK ACCOUNT

All moneys received shall be deposited in a Bank approved by the Managing Committee in the name of the Association. The Account shall be operated upon jointly by Treasurer and either the President

or the Secretary. All expenses over Rs.1000/- shall ordinarily be paid by cheque.

13. ACCOUNTING YEAR

The Accounting year of the Association shall be from 1st April of a year to 31st March of the succeeding year.

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14. AUDIT:

The Accounts of the Association shall be audited by an Auditor. The remuneration, if any, to the auditors shall be fixed by the General Body and paid out of the funds of the Association.

15. GENERAL:

- a. The Association can be dissolved only at a special General Body Meeting attended by at least 3/4th of the members on rolls. Three weeks' notice of such a resolution shall be given to the Secretary by not less than 50% of the effective members on rolls. The Secretary will give at least 15 days notice of such meeting to all members.
- b. If upon the dissolution of the Association there shall remain after satisfaction of all claims and liabilities any property or cash owned by

it, it shall not be paid to or distributed among the members of the association but shall be denoted or transferred to any Society or association with similar objects decided upon the votes of 3/4th of the members present at such Special General Body Meeting

- c. The Association shall sue and be sued in the name of the Secretary. All office bearers shall be indemnified against all acts done in furtherance of the interests of the Association. No legal proceedings will be instituted in the name of the Association without the approval of the Managing Committee. In case of an emergency where it is not possible to convene the Managing Committee meeting, the President may authorise legal defence of the Association and the office bearers and the matter shall be placed before the next Managing Committee meeting for ratification.

For all things not specifically provided in these rules and regulations, relevant provisions of the Tamilnadu Societies Act will apply.

Members are eligible to see the record of the association free of cost.

Members are eligible to get copies of the Memorandum of Association and the Bye – Laws at the rate of Rs.100 per copy.

