Byelaws (Constitution) of Lucknow Omaxe City Residents & Allottees Association (LORAA)

I. Name, Jurisdiction and Objects of Association:

1. Short Title

(a) These bylaws shall be known as the bylaws of the Lucknow Omaxe City Residents & Allottees Association (LORAA), Lucknow (hereinafter referred to as LORAA or Association).

(b) In colloquial language, the Association may also be referred to as the Omaxe City Residents Welfare Association (OCRWA).

(c) There shall be a General Body of Association (GBA) / Management (GBM), of which every resident/allottee could be a member by fulfilling prescribed conditions and payment of fees.

(d) There shall be a Managing / Executive Committee (EC) comprising of the elected members for the day-to-day management and execution of role and functions of the Association.

((e) The provisions of these bylaws shall apply to all Residents & Allottees of the Omaxe City, Lucknow, irrespective of their membership status.

(f) In these Byelaws unless there is anything repugnant to the subject or context, the expression "the Act" means the Societies Registration (Uttar Pradesh Amendment) Act 1975 (Act No 52/1975) of Society Registration Act 1860 and its words and expression defined in the Act and used in these bylaws shall have the same meaning as assigned to them in the said Act.

2. Address of Association

The registered office of Association is "The LORAA, Omaxe City Club, Aurangabad Khalsa, Bijnor Road, Shaheed Path, Lucknow – 226025.

3. jurisdiction of Association

(a) All present and future owners, tenants, their employees or any other persons who might use the facilities or the buildings/dwelling units in Omaxe City in any manner are subject to the rules & regulations set forth in these bylaws.

(b) It is incumbent on the owners to ensure that their tenants/lessees are made aware for compliance of these bylaws, while entering into any written or oral agreement for a tenancy or lease.

(c) The mere occupation on rental or taking on license of any of the dwelling units (herein after referred to as "DUs"), extra rooms or garages, if any, will signify that the users have accepted and shall comply with these bylaws.

4. Objects of Association

The Association shall, at all times, endeavor to foster a spirit of mutual help and goodwill among the residents of the colony in general, and the members of the Association in particular, thereby, promoting social and communal harmony, and national integration. The Association shall make all possible efforts to achieve general amenities from the civic agencies, consumer protection such as interaction with traders as applicable, monitoring of the public distribution system including supply of essential goods, and environmental protection such as steps to curb pollution, ensure cleanliness, plantation of trees, interaction with authorities on any environmental aspects and for this purpose, represent the interest of the residents before appropriate authorities.

Various objects of Association are enumerated as follows:

(i) To act as the Association of Resident Owners and Allottees of the Omaxe City with an aim to provide an efficient and transparent management for the overall well-being of the members /residents of all types of Dwelling Units (DUs).

(ii) To make and/or amend bylaws with the approval of the General body of Association for the management of the colony/society such as the biannual elections, the powers and duties of the executive members, the removal of members from the Managing Committee, the election of office bearers such as the President, Secretaries, Treasurer, etc., and the process and procedure of calling meetings including the quorum of such meetings.

(iii) To raise funds through contribution (regular and/or one time) from the residents/members and all other legally available means for rendering the services which do not fall within the gamut of the regular civic agencies i.e. Nagar Nigam, Lucknow Development Authority, Electricity board, etc.

(iv) To evolve and maintain an accounting system depicting the income and expenditure of funds. Any accrued income or profits of the association shall be strictly used only for the colony/society welfare.

(v) The residential project of the Omaxe city has been handed over to the Lucknow Nagar Nigam w.e.f. 27.12 .2024; hence LORAA's role and functions would primarily involve the following:

Security & Safety: To establish and maintain a robust and reliable security system for the safety and security of the residents, their property, and the common area property and facilities of the Omaxe City.

(a) Miscellaneous items of housekeeping and upkeep of common areas are not falling and/or remaining unattended under the gamut of the Nagar Nigam, other civic agencies, if any.

(b) Coordination with the aforesaid civic agencies.

(c) Management of facilities not covered by the Nagar Nigam, such as the clubhouse, gyms,

additional landscaping, etc.

(d) To organize community welfare activities and resolving residents' common issues and problems

(e) To rent or lease parts of the common areas and facilities to the residents temporarily up to 3 days on case-to-case on payment basis. The reserve fund thus raised shall be used for the common welfare of the colony and members.

(f) To invest the surplus funds in the short-term deposit schemes of the nationalized banks. The earnings shall be used for the welfare of the colony and residents.

(g) To take care of the safety of association properties against the damage from natural calamities etc.

(h) To raise and maintain funds / cash reserves for the repairs/ replacements of property and assets of common area such as boundary wall, parks etc.

(i) To promote and carry out social, cultural and sports activities including the encouragement of the talent of the children, youth, and artists in various disciplines, and thereby ensuring promotion of harmony, unity and co-operation among the residents.

(j) The association shall observe and celebrate the national days viz. the Independence Day, the Republic Day and Gandhi Jayanthi. In addition, the Association shall also observe the "Association Raising Day", and organize and promote traditional socio-cultural functions and festivals.

5. Official Year

The official year shall be the financial year i.e., from 1st April to 31st March.

Note: - *Abbreviations and definitions of the important terms used in these bylaws are placed in* ***Annexure-I.***

Rules and Regulations

II. Membership

1. Membership of Association

There shall be two types of members i.e., regular and associate. In either case, the member must be an Indian citizen of the age of 21 years and above, and he/she should not be a convicted criminal, insane or insolvent person.

A. Regular Member

(i) All owners of DUs in the Omaxe City as per the first name in the sale deed /allotment letter eligible by age and conduct shall become members of the Association. One DU can have one member only with a single non-transferable voting right.

(ii) The spouse/father/mother and son/daughter (eligible by age and conduct) of the owner residing in the owner's DU may also be admitted as member on a onetime revocable affidavit by the owner/allottee but shall not be eligible to contest and elected as an office bearer in the Management/Executive Committee.

(iii) Each member shall pay an admission fee at the time of enrolment (currently Rs 200/-) and also regular subscription (in advance) with proper receipt as prescribed by the Association from time to time **(Annexure-II).** Those members who fail to deposit their subscription will forfeit their voting right and shall not be allowed to contest in elections or take part in the activities of Association. However, in such cases, membership can be revived after payment of arrears on account of subscription and/or other dues outstanding against the member. The Executive Committee reserves a right to impose a prescribed fine to revive the membership in such cases.

(iv) An owner purchasing a DU on resale is also eligible as regular member on payment of a prescribed admission fee and the copy of sale deed.

(v) In the event of joint registration, the first name on the sale deed shall be placed in the Association records as owner/member. In the event of death of a member, the person whose name appears next to the deceased member in the sale deed shall be recognized as a member of the association.

(vi) In the event of the death of a member, the nominee in the sale deed or spouse, parents, children or the legal heirs attaining the rights of the ownership of the DU by will or gift deed shall be eligible for membership. In such case, upon receipt of the documents pertaining to the transfer of the name of ownership, the new owner shall be admitted as member in the records of the Association. In case the member is a minor, his guardian or trustee shall represent him as a member.

B. Associate Member

(i) Where the owners have opted for their DUs on tenancy, every tenant can also become a member of the Association by submitting the Tenancy Agreement letter/Leash Agreement and payment of the prescribed admission and subscription fees.

(ii) Such subscriber will have the status of an Associate Member with the voting right but he/she cannot contest elections to hold an office in the Executive Committee.

C. Cessation of Membership

(i) A member shall cease to be a member when he ceases to be an owner of a DU. He should, however, pay the outstanding amounts, if any, due to the Association. In case of non-payment, the liability shall automatically pass on to the new owner.

(ii) Membership will also cease in the event of his (or her) death, resignation, expulsion, non-payment of prescribed membership fees, or being declared insane, insolvent or convicted person by any court/tribunal.

(iii) Prior to handing over possession of his DU to the new owner, the member shall intimate to the Association in writing of his intention to do so.

D. Disqualification of Membership

(a) A member shall not be entitled to participate in the election process for the Executive / Management Committee, in case he has unpaid arrears of three calendar months or more regarding the maintenance charge or any other Association dues on the first day of the relevant month. In such case, he cannot contest election and forfeit his voting rights.

(b) A member whose conduct is found to be prejudicial to the interests and general welfare of the colony/society or the aims and objectives of the Association as laid down in these Bylaws may be debarred of his/her voting and contesting rights on the recommendation of the Executive Committee by the General Body of Association through a majority vote of the members present.

(c) However, in all such cases, the concerned member shall be given prior opportunity to defend himself before the General Body decides on his/her disqualification.

(d) Such person can be readmitted to the Association subject to his subsequent good conduct and other conditions of membership. The period of disqualification and the conditions for re-admission shall be notified to the member.

3. Quorum and Voting in GBA/GBM

(i) The physical presence of 20% of the registered members including the office-bearers of the Executive Committee/Management shall constitute a quorum for the meetings of the GBA/GBM.

(ii) Members, as registered in the records of the Association, shall cast their franchise through a single non-transferable vote.

(ii) On any subject or resolution in GBM, votes shall be cast in person.

Conduct of business in the GBA/GBM:

(a) Any decision/voting shall be taken if the members present fall below the prescribed quorum i.e. 20% of members at a given time.
(b) The proceedings of the GBA/GBM shall be adjourned if the presence of members falls below the prescribed quorum.
(c) Adjourned GBA/GBM may be reconvened after a prior notice (to be widely circulated among members) and no quorum shall be necessary in subsequent meeting. In such case, any decision taken with the majority votes of the members present and voted shall be applicable and binding.
(d) Nothing bars the GBM and Executive Committee to engage or seek advice from the Experts/Veterans on any subject of common interest/welfare of the colony/society.

III. Management

1. General Body of Association/Management (GBA/GBM)

(a) The General Body shall consist of all members of the Association, and the final authority of the Association shall vest in it.

(b) The rights and privileges of the General Body shall be as below:

(i) To elect the Managing/Executive Committee, including office-bearers and members latest by the end of April in every block of two years.

(ii) To remove any office-bearer/member of the Managing/Executive Committee and members of the Association

(iii) To adopt the Model Constitution (bylaws), and amendments thereof from time to time.

(iv) To approve the Budget and Annual Accounts for the previous year considering the Auditor's report and Annual report.

(v) To approve the programs and activities of the Association for the ensuing year.

(vi)To discuss and approve any new item of business of the Association.

Management/Executive Committee

a) The affairs of the Association shall be managed by an Executive/Managing Committee comprising of the following office-bearers.

(i)	President	One Post
(ii)	Vice-President	One Post
(iii)	General Secretary	One Post
(iv)	Joint Secretary	One Post
(v)	Treasurer	One Post
(vi)	Secretary (Amenities & Health Services)	One Post
(vii)	Secretary (Culture & Sports)	One Post
(viii)	Secretary (Environment & Security)	One Post
(ix)	Sector Representative for each block	Five Posts

NOTE: The elected (2025-27) Senior Vice- President will continue till forthcoming elections.

b) All the above office-bearers of the Executive Committee will be elected simultaneously. The contestants for the post of Treasurer should preferably have the basic knowledge of accounting procedures.

c) The office-bearers elected of the Executive Committee shall hold office for two consecutive years. However, they may continue until fresh elections are held and results declared by the 30th of April of that year, whichever is earlier. The tenure of Committee shall be extendable by the GBM up to 3 months in extraordinary circumstances leading to the delay of elections.

d) The Committee shall be responsible for carrying out the day-to-day management role and functions as per objects of the Association and shall have the power to incur expenditure as prescribed within the funds available with the Association for the purpose but without incurring any liabilities of debt/loan.

e) The Committee shall ordinarily meet once a month with a prior notice of 3 days whereas no such notice shall be necessary for an emergency meeting with the convenor intimating members telephonically/Email/WhatsApp, etc. The quorum for the ordinary meetings of the Executive Committee shall be one third of the total members (executives) whereas no quorum shall be necessary for an emergent meeting.

f) Any elected office-bearer who does not attend three consecutive meetings of the Committee without permission shall be liable for the disciplinary action by the Committee that may lead to his removal/expulsion with the approval of GBM.

g) An elected member/office-bearer shall have a maximum of two continuous tenure for an executive post. Every elected office-bearer shall have one vote in the Executive/Managing Committee and President would cast his vote only in the event of a tie owing to equal division of votes.

h) All office-bearers shall function and act under the control of the Executive/ Managing Committee. The Committee shall have the power to set up ad hoc Committee or Sub- Committee and to delegate powers to them for specific objects as deemed necessary.

i) The Committee shall have the right to co-opt residents of the area (Regular or Associate Members) for such specific objects, as deemed necessary. The Committee shall have power to accept or reject the resignation of any office-bearer / member as also to fill vacancies caused either due to resignation or any unforeseen reasons. Such vacancies could be filled up from amongst the elected members of the Executive Committee or even the 'regular' members of the Association, subject to the condition that such vacancies do not exceed 2/3 of the total posts during the Block year. A report to this effect shall be presented in the General Body for their ratification at the earliest and the decision of the General Body shall be promptly intimated to the Registrar/ Dy Registrar of the Society.

j) At the appropriate time, the Executive Committee shall, with a consensus or the approval of the majority members of the Association in a meeting of the General Body, appoint a Returning Officer from amongst the regular members of the Association to hold fresh elections every two years under intimation to the Registrar/Dy Registrar. Such members shall neither take part or contest in the said elections nor the one who held an executive post in the last Executive Committee.

k) The Returning Officer shall hold elections as per the guidelines and instructions of the General Body from time to time. In case of any doubt, he/she may even consult the office of the Registrar/Dy Registrar of the Society.

a. Removal of Members of Executive Committee

(i) Without prejudice to provision made in para 2. (f) above, one or more members of the Executive Committee may be removed on the grounds of misdemeanor or illegal activities detrimental to the interests of the Association or welfare of the colony/society at a special meeting of the Executive Committee through a majority vote. However, such a decision must be ratified by the General Body of Association at the earliest.

(ii) In an exceptional and extraordinary circumstances when the Executive Committee fails to function commensurate with the objects of the Association and the GBM is ineffective to rectify the situation, the Registrar/Dy Registrar will have power to dissolve the Executive Committee and set up an Ad hoc Committee to run the affairs of the Association.

In such case, the mid-term election shall be ordered provided he/she is satisfied:

(a) That the work of the Association has not been conducted in accordance with the objects laid down in the constitution (bylaws);
and/or
(b) That two- third of the members of the Executive Committee have resigned/left office due to any reason.

The term of Ad hoc Executive Committee thus constituted shall be for a period of three months from the date of issue of the approval of the competent authority. During this period, the mid-term election shall be carried out as per procedure in vogue.

(iii) The Ad Hoc Committee would *suo moto* dissolve after a period of three months or completion of the electoral process, whichever is earlier. In exceptional circumstances, the term of the Ad hoc Committee may further be extended by the Registrar/ Dy Registrar.

(iv) The mid-term elections may not be held if the remainder tenure of the dissolved Executive Committee is less than six months. In such case, the Registrar/Dy Registrar may manage it through the ad hoc Committee formed.

b. Duties, Responsibilities and Powers of the Executive Committee

(1) President

(i) He/she shall be the Head and Chief Executive Officer (CEO) of the Association, give directions for the conduct of business, and shall act upon the majority vote decision of the Executive Committee.

(ii) He/she shall preside at the meetings of the GBM and the Executive Committee.

(iii) He may dispose of such important and urgent matter which for want of time cannot be put up to the Executive Committee and report the same in the next meeting of the Committee.

(iv) He/she may sanction/authorize expenditure up to Rs 2500/- for the objects of

Association on case-to-case basis.

(v) He/she may dispose of such important and urgent Association matter(s) which for want of time cannot be put up to the Executive Committee and report the same in the next meeting of the Committee.

(vi) He/she shall be guided by the Executive Committee in all policy matters such as correspondence with the Registrar/Dy Registrar, Municipal corporation, other outside agencies, registration of DUs, management of funds, sanction of expenditure etc.

(vii) He/she shall with the approval of Executive Committee appoint committees / sub-committee from amongst the members from time to time as considered appropriate to assist in the conduct of business of the Association.
(viii) He/she shall exercise his casting vote to decide a matter in the event of a tie during an Executive Committee meeting.

(ix) Where the Committee authorizes an expenditure, the President would countersign the vouchers presented by the Treasurer and General Secretary duly signed.

(x) General correspondence on behalf of the Association.

(2) Vice-President

He/she shall carry out such duties, as may be assigned to him from time to time by the President. In the absence of the President, he shall assume the duties, responsibilities and powers of the President.

(3) General Secretary

(i) The General Secretary is the chief working executive responsible for all general correspondence on behalf of the Association, and custodian of all Association inventory of files/machines/ stores/tools/books/records/drawings, etc.

(ii) He/she will maintain a register containing the names and addresses of the members of the Association.

(iii) He/she will Issue notice of the meetings in consultation with the President and record the minutes of the meetings.

(iv) He/she will be responsible to the Executive Committee for the activities of the Association and will conduct correspondence on behalf of the Association.

(v) He/she will have authority to incur expenditure not exceeding Rs.1000/- in anticipation of formal sanction, such expenditure being reported to the Executive Committee for approval at its next meeting.

(vi) He will submit a report on the working of Association for the preceding year at the Annual General Meeting (AGM).

(vii) He will execute contracts on behalf of the Association as and when authorized to do so

by the Executive Committee.

(viii) He shall coordinate with other executives in the implementation of the decisions taken by the Executive Committee and GBM for an efficient functioning of the Association.

4. Joint Secretary

(i) He/she shall carry out such duties as may be assigned to him from time to time by the President/General Secretary. In the absence of the General Secretary, he/she shall assume latter's duties and powers with the consent of President.

(ii) He/she shall assist General Secretary in discharge of all duties, responsibilities and functions as may be required for smooth and efficient administration of the Association matters.

(iii) He/she shall assist General Secretary in smooth discharge of the Association business and preparation of the minutes of the meetings and other accounts.

5. Treasurer

(i) He/she shall be responsible for the Association funds and securities and shall also be responsible for keeping complete and accurate accounts of all receipts and payments belonging to the Association as per the general financial rules and procedures.

(ii) He/she shall be responsible for the deposit of surplus amount in fixed (term deposit) or saving bank accounts of the Association in scheduled banks as decided by the Executive Committee from time to time.

(iii) He/she shall be responsible for the preparation of quarterly/half yearly/annual Association accounts and audit of the accounts, as applicable, by the auditor(s) retained by the Association.

(iv) He/she shall close the cash account book by the end of every month, update all the ledger accounts and prepare an income and expenditure statement by 15th of the following month.

(v) He/she shall hold cash in hand up to Rs.2000/- or to the extent permitted by the Committee and deposit the surplus cash regularly in the bank account.

6. Secretary (Amenities & Health Services)

He/she shall look after the work relating to the field of his/her assignment in consultation with President/ Secretary. Apart from the amenities and health services, he may also be entrusted with organizational and publicity responsibilities, where considered necessary, in the interest of the Association.

7. Secretary (Culture & Sports)

He/she shall look after the work relating to the field of his/her assignment in consultation with President/ Secretary, which *inter alia* includes organization of cultural functions and celebration of the mandatory national festivals.

8. Secretary (Environment & Security)

He/she shall look after the work relating to the field of his assignment in consultation with President/ Secretary. After the transfer of colony to the Nagar Nigam, the management of security remains a vital need and engaging activity while the protection of environment also needs dedicated attention through the systematic development and maintenance of parks, lakes, ponds, plantation, etc.

9. Sector Representative

(i) He/she will attend to sector/block specific issues of the residents and coordinate such activities between the sector/block members and the Executive Committee for the overall sectoral welfare.
(ii) He/she will disseminate information, instructions etc. issued by the Executive Committee to the residents/members of his/her area of responsibilities, and motivate them for membership fees, subscription, CAM, etc.

(iii) He/she will evaluate and attend to sector/block specific problems for resolution.

5. Auditor

(i) The internal auditor shall be appointed by the Executive Committee well before the end of official year for the audit of accounts of that financial year from amongst the so qualified regular members of the Association (other than a sitting member of the Managing/ Executive Committee).

(ii) He/She shall audit the accounts of the Association seeking clarification from the office-bearers of the Committee, where necessary. Thus, audited and suitably endorsed report of the Annual Statement of Accounts, along with the list of assets /liabilities of the Association shall be presented to the GBM.

(iii) Appointment of external auditor (usually a professional chartered accountant) shall also be in the gamut of the Committee, where considered necessary.

6. Patron

The Dy- Registrar of Societies shall be the ex-officio patron of the Association. He/she may attend the meetings of the Executive Committee/ General Body on invitation or *Suo moto* as a 'Special Invitee' as an observer. He may tender advice on matters raised in such meetings when so requested but, ordinarily, he will not interfere with the Committee's normal proceedings.

IV.Elections

1.Voters, Election Process and Results

(a) Except under extraordinary circumstances, the list of Regular and Associate members

as on 31st March should normally be displayed within 7 days from 1st April, representations and errors may be rectified, and the final voters list should be published latest by 15th April.

(b) All Office-bearers / Members of the Managing/Executive Committee shall be elected in the Biennial (2 years) Election to be held through the secret ballot. Ordinarily, the election process should be completed by 30th April and, therefore, the date of elections should be on or before 30th April, as decided by the Executive Committee and endorsed by the GBM. The terms of the elected office-Bearers and Members shall be 2 years (i.e., a block of two financial years).

(c) Members (Regular & Associate), whose subscription, and other dues are not in arrears up to 31st of March of the year preceding the election year, shall be eligible to vote. Thus, only eligible residents who become member/associate member of the Association by 31st March of a year shall be eligible to vote and/or contest elections, as the case may be, during the next official year. In case, there are any dispute about the dues (such as payment of CAM charges, etc.) of a member, any relaxation in such cases to vote / contest can be granted only by the GBM for a maximum period up to three months.

(d) Every eligible member present may cast one vote by the secret ballot.

(e) Elections shall be conducted by the Returning Officer who will be from among the residents a Regular Member fulfilling terms and conditions so laid down and as per decision taken in a General Body meeting.

(f) The Returning Officer would be given copy of the voters list on his/her appointment along with necessary supporting material i.e., stationery/blank nomination forms/requisite Funds etc. for carrying out activities associated with the conduct of the elections. The Returning Officer would also be given full assistance and cooperation by the Executive Committee/Members in terms of professional manpower and material for smooth conduct of the elections. Nomination forms (Annexure-III), duly proposed, seconded and accepted by the contestant member for a particular office, shall be received by the Returning Officer by a prescribed date and time, giving at least 7 clear days before the date fixed for the meeting of the General Body/holding of the elections.

(g) No member shall hold more than one office at a time and, therefore, will be eligible to contest only for one office.

(h) An elector shall be entitled to propose or second only one nomination paper. In case he/she has proposed one nomination paper and also seconded another nomination paper, in that case both the nominations would be invalid.

(i) Also, an elector shall not propose or second a nomination paper for an office for which he/she is a candidate. If an elector has already proposed or seconded a nomination paper for an office, his/her own subsequent nomination for such an office will be invalid.

(j) If a serving State/Central government employee desires to contest election for an office, he/she will be required to intimate his/her head of office and produce a NOC to that effect

as required under the civil service conduct rules.

(k) All members of the Association, who are eligible to vote in the elections to elect the office-bearers/ Members of the Managing/Executive Committee, will be informed through wide publicity of the program of election, well in time in writing. They should be advised to bring their Identity cards and allotment letters/electricity bill in their name, or any other valid documents (such as Aadhar, Passport, etc.) with them to establish their identity/validity of membership at the time the elections are held.

(l) In case of any dispute arising in the matter of Election process or Election Results, the decision of the Registrar/Dy Registrar shall be binding upon the Association. This *inter alia* includes that if the Registrar/Dy Registrar are satisfied that the election has not been held in a fair manner, he/she may declare the election "null and void", and appoint an Ad hoc Committee of members and an independent Returning Officer to complete the election process.

(m) In case of permanent disability of the voter, kith, or kin (Father, Mother, Spouse, Son or Daughter on providing the proof of relationship with the voter) can accompany the voter for casting the vote.

(n) Voters should exercise their franchise freely without any pressure, fear, or inducement.

(o) Maintain peace in the premises on the day of polling and avoid any kind of quarrel or dispute.

(p) Voters should not obstruct others in voting and stand patiently in the queue.

2. Contestant / Candidate

a. Applicability: Every candidate contesting for any Executive Post in RWA (LORAA) Elections (Except Block / Sector Representatives) shall deposit a refundable amount of Rs. 1000/- to the Returning Officer along-with duly filled in Nomination Form. In case of President and General Secretary Post, this non-refundable security amount shall be Rs. 2000/-. The security deposit submitted at the time of Nomination shall be forfeited in case a candidate registers less than 10% of the total valid votes cast in the Elections for that particular post. The decision of Retuning Officer in this regard shall be final and binding on all the candidates.

   The amount so forfeited in the Elections shall be transferred to RWA's account by the Returning Officer and candidates shall have no rights to claim for a refund.

b. In order to maintain the dignity of Elections, ensure fairness and protect democratic values, all the contestants / candidates shall have to follow the following Code of Conduct.

C. CODE OF CONDUCT

Candidacy eligibility in cases of sub judice property ownership

1. Eligibility restriction:

No individual shall be eligible to conduct the RWA(LORAA) elections from a residential unit

where the ownership or the possession of the property in under legal dispute (sub judice) in any court of law or judicial authority at the time of filling the nomination.

2. Definition of sub judice ownership:

For this clause a property shall be considered Subjudice if any of the following apply:

a. The title or ownership of the property is contested or under litigation in a civil or criminal court.

b. The legal possession or right to occupy the property is disputed before any judicial authority.

c. This is a restriction put on the property by legal injunction stay order or any similar judicial directive affecting the rights of ownership or possession.

3. Power of attorney and representation:

The power to grant authority to contest elections on behalf of the property owner must be a valid and legal power of attorney executed in power of the candidate. Authorization by any member (not holding legal rights or authority over the property shall be deemed invalid for election purposes).

4. Nomination Scrutiny:

The returning officer(s) shall verify and reject nominations if prime facia appears that the property ownership or possession is sub judice or if property legal authority (such as a valid power of attorney) is not submitted with the nomination papers.

5. Effect of violation:

Any candidature found to have been filed in violation of this clause shall be declared invalid and such candidate shall be disqualified from contesting or holding any position in the RWA(LORAA) management committee.

6. Dispute and appeals:

Any dispute arising with respect to property ownership eligibility during elections shall be referred to the GBM or an independent neutral authority appointed be the GBM for a decision. This decision shall be binding pending any further judicial recourse.

A. Respectful Language and Behavior

i. All candidates and their supporters will use decent language during campaigning. During this period, the use of any kind of unparliamentary language will be completely prohibited.

ii. Personal allegations, indecent language, or derogatory comments will be prohibited.

iii. Public or private property will not be damaged during campaigning.

B. Use of Caste, Religion, Sect or Regionalism

i. During the campaign, any use of caste, religion, sect or regionalism will be strictly prohibited.

C. Enticement and Pressure

i. Any candidate or his supporter shall be strictly prohibited from attempting to influence voters by offering cash, gifts, food/feast, or any other inducement.

ii. During the election and election process, any kind of pressure or threat to voters shall be punishable.

D. Limitations of Social Media

i. Only verified and issue-based information will be shared on social media such as WhatsApp, Facebook or other mediums etc.

ii. Fake news, photoshopped images, personal attacks or defamatory content will be prohibited.

E. Promotion Limits and Timings

i. Campaigning can be done only till 12.00 midnight on one day before the Election Day.

ii. Posters/Banners/Cut outs will not be displayed inside the Omaxe City Premises including GATE-1 and GATE-2.

iii. Campaign meetings can be organized only at the designated place and with prior permission.

iii. Use of sound equipment (loudspeakers, mics etc.) will strictly be prohibited.

F. Financial Transparency

(i) The maximum limit of election expenditure shall not exceed ₹1,500/- per candidate.

(ii) Every candidate / candidate shall have to submit the details of expenditure incurred on Election Campaign to the Returning Officers well before declaration of Election Results.

3. EXISTING RWA (LORAA)

a) It would be the responsibility of Existing / Current RWA (LORAA) Executive Body to declare the Elections and appoint the Returning Officers well in time (at least two months before the Election Date) allowing Returning Officers to conduct the Elections Smoothly.

b) RWA(LORAA) bye-laws and standards election guidelines do not require that designated RWA(LORAA) offices (such as the society offices or control of assets) be formally handed over to the returning officer(s) merely upon declaration upon the election date and appointment of the Returning officer(s) during the General Body Meeting (GBM). The returning officer(s) role is primarily administrative and supervisory: overseeing the election process from nominations to results, ensuring materials and voter list are provided and maintaining the fairness and transparency of the election.

The incumbent managing committee remains responsible for day-to-day office functions, administration and safeguarding society assets until the newly elected committee takes charge after the conclusion of the election and declaration of the results. Routine election materials - voter lists, stationary, nomination forms and relevant election related documents, must be provided to the Returning officer(s) for smooth conduct of elections, but not the physical handover or the control of the RWA(LORAA) office itself.

Only after the election results the official handover of responsibilities and assets occurs from the outgoing committee to the newly elected managing committee – not to the Returning officer(s). If an election is disputed or if external authorities are involved due to irregularities, special circumstances may allow more direct supervision, but this is exceptional.

No authoritative by-law or rule mandates handing over the RWA(LORAA) office to the Returning Officer when elections are declared; only election related cooperation and materials are required.

c) It would be the responsibility of the said RWA to arrange for Elections as per the advice and guidance of Retuning Officers. All the expenses incurred towards making arrangement of Elections shall have to be countersigned by Retuning Officers for settlement of these expenses from RWA fund.

4. RETUNING OFFICERS

a) After taking over the charge of Returning Officer, he / she shall be responsible for conducting the Elections and declaring the results thereof without any dispute or biases.
b) Any direction, change or action in the election process will be entirely in the scope of Returning Officers.

c) He / She will have the final hearing on any complaint or dispute.
d) He / She will do all the necessary correspondence with the district administration / authorities for conducting the Elections.
e) He / She will issue all the notifications pertaining to Elections. During the process, he / she may issue other guidelines too not mentioned hereto or for that matter, introduce a new Code of Conduct depending upon the situation or circumstances prevailing at that time.
f) In case of violation of the above Rules / Guidelines / Instructions of the code of conduct, the candidature of the candidate may be cancelled by the Retuning Officer and in such case, the Security Deposit submitted by the Candidate (s) may be forfeited. Decision of Retuning Officer in such cases shall be final and binding on all concerned.
g) He / She will conduct the Elections with all Fairness devoid of any biases, full transparency and firm timelines.
h) He / She will declare the results at the earliest and his / her decision in this regard shall be final and binding on all concerned.
i) After declaration of the Results and Oath taking Ceremony by new RWA (LORAA), Retuning Officers appointed for the Elections shall be relieved off their duties.
j) In a residential society the standard procedure after RWA-election is that the oath-taking or affirmation ceremony for the newly elected members is generally performed by the returning officer who oversaw the election process. The returning officer is responsible for the integrity and validity of the election and thus is commonly vested with the authority to administer the oath to the new office bearers.

5. Conduct of Association Business

Jurisdiction, role and function, responsibilities, duties and powers of the Association have been prescribed in preceding sections.

1. Place and Nature of Meetings

(i) Meetings of the Association shall be held in the Omaxe City Club or at a place convenient to the Members as decided by the Executive Committee.

(ii) **Annual Meeting:** Routine annual meetings of the Executive Committee / General Body shall ordinarily be held on quarterly basis to discuss progress of work and accounts of Association.

However, the first such Annual General Body meeting (AGM) shall be held during the election year within one month of the formation of new Executive Committee preferably on a Sunday. Similarly, it will be mandatory for the Executive Committee to organize another General Body meeting for the presentation of the audited Annual Accounts/Balance Sheet in the month of April/May following the official year.

(iii) **Special Meeting:** The President shall call a special meeting/ Extraordinary General Body

Meeting (EGM) of the Association indicating the time, date and purpose as per the resolution of the Committee to seek an urgent decision or approval of expenditure beyond the scope of the Executive Committee or upon a petition signed by at least 10% of the Members in an emergent situation on an important issue and submitted to the General Secretary/President. Ordinarily, no other business shall be transacted at a special meeting without the consent of at least 2/3rdof the members present.

2. Notice of Meeting

It shall be the duty of the General secretary to send notice for the meeting of General Body to every member stating the agenda/purpose thereof as well as the time and place by conventional means such as by hand/courier/registered post well in advance (optimally 15 days) and/or through electronic media such as E-mail/WhatsApp communication. Intimation of such meetings shall also be sent to the Dy Registrar of Societies/other competent authority, as the case may be.

3. Adjourned Meeting

If the quorum is not present within 30 minutes of scheduled time, the meeting shall be deemed adjourned. If the meeting cannot be held due to lack of quorum, the members who are present may decide by consensus or majority votes next suitable time and date for reconvening thus adjourned meeting.

4. Order of Business

The order of business at all meetings of the members shall normally be as follows:

a) Roll call and announce the number of members present.
b) Obituaries, if any.
c) Discussion and approval of minutes of the preceding meeting.
d) Report of Executive Committee.
e) Report of Registrar of Societies, Lucknow, if any.
f) Presentation of audited accounts/balance sheet/audit report, as applicable.
g) Report(s) of committee(s), if any.
h) Discussions on election of Executive Committee (every two years).
i) Any unfinished business and points put up by members.
j) Presentation/approval of annual budget, where required.
k) New business, if any.
l) Any other business not in the agenda with the permission of Chair.

President/General Secretary will sum up the important points discussed and decisions taken during the meeting.

5. Minutes of Meeting

The minutes of meeting (MoM) of the GBM shall be prepared by the General Secretary, approved by the Chair (usually President) and circulated among the Members within a week of meeting. The MoM shall also be displayed on the notice board of the office.

6. Funds and Income/Expenditure Management

(i) Funds may be raised by the Association for the overall welfare of members/society through legally available means & sources such as membership fees, annual subscription, maintenance charges, interest accrued on deposits, grants/donation from the government, official bodies and other valid sources, voluntary contribution from members, advertisement, and from any other lawful means & sources.

(ii) Funds and income of the Association shall be solely utilized for the purpose of the objects of Association and no portion of it shall be utilized for any other purpose.

(iii) The association may invest or deposit its surplus funds in any Nationalized bank in the modes specified under the provisions of Income Tax Act as amended from time to time to get maximum return with adequate safety.

(iv) A bank account shall be opened in any nationalized bank in the name of the Association into which all moneys received on behalf of the Association shall be deposited regularly.

(v) All payments more than Rs 2500/- shall be made only by cheque or electronic transfer duly authorized by Treasurer and President/Secretary with transparency.

(vi) Cash account book shall be closed by end of the month and signed by the Treasurer and any one Executive member nominated by President duly verifying / endorsing the cash in hand and bank.

(vii) Monthly income and expenditure statement shall be prepared and displayed on the notice board by 15th of the following month.

7. Financial Powers

(i) The Executive Committee shall have power to incur the planned recurring expenditure such as the salaries and wages of employees, office electricity and water bills, miscellaneous office expenditure, etc., (as approved in GBM) observing the standard rules and procedure.
ii) Un-planned / unforeseen expenditure up to an amount of Rs 50,000/- for each work/object may be incurred by the Executive Committee (amount is subject to revision from time to time in the GBM), which cannot wait till the next GBM for ratification.

(iii) Expenditure up to Rs 2500/- falls within the purview of the President. Expenditure exceeding Rs 2500/- shall be put up for the approval by the Executive Committee in all cases.

(iv) Standard procedure of obtaining the competitive quotations through limited (minimum three) or open tender, technical (for quality) and financial evaluation by a duly constituted committee shall be carried out for any expenditure above Rs 10,000/-.

(v) While making expenditure above Rs. 10,000/-, GFR (General Financial Rules) of Department of Expenditure (DoE), Ministry of Finance shall be followed. These rules are available on websites.

8. Suits By & Against the Association

Ordinarily, the Association shall avoid litigation with other parties and endeavor to resolve issues with mutual understanding and cooperation. However, where it is unavoidable, the Association may sue or be sued in the name of the President or the General Secretary.

9. Amendment of Bylaws

(i) Where necessary, an amendment(s) to the bylaws shall be undertaken as per provisions of the Act by the Executive Committee and approved by the General Body of Association.

(ii) Any such amendment shall become law only if such a resolution is passed with 2/3rd majority in the Executive Committee and GBM.

10. Other Miscellaneous Business

(1) **Filing of Annual List:** The office of LORAA shall file an annual list containing details of Executive Committee and subsequent changes, if any, including their name, designation and address to the office of the Registrar/ Dy Registrar, Societies.

(ii) **Register of Members:** The office of LORAA shall maintain a register of residents/members with their name, address and occupation. Date on which a member was admitted and date on which he ceased to be a member, where applicable, shall also be entered.

(iii) The office of the LORAA shall maintain documents, accounts and records as per details contained in the Annexure-IV.

(iv) **Handing/Taking Over by Committee:** An updated inventory of all operational/ repairable / write off machines /stores /tools and office books/records/drawings shall be physically mustered and handed over by the old Executive Committee to the newly constituted elected Executive Committee along with a handing over brief by the outgoing General Secretary.

VI. Obligations of Residents/Allottees/Members

(i) All residents/allottees, without prejudice to their member status, are obliged to pay the monthly maintenance charges (CAM) as decided by the Association to meet expenses on maintenance activities (beyond the scope of Nagar Nigam) of the Omaxe City. Such expenses may involve security, environment, health and hygiene, conservancy, horticulture, playgrounds, and recreation and other welfare activities

(a) The monthly maintenance charges shall be paid in advance on or before 7th of every month.
(b) In the event of refusal or non-payment of CAM or its accumulated arrears of three months or more, the defaulter member shall be liable to penal action by the Association.
(c) Such action against the defaulters may involve restriction over the utility services, penalties and fines, or even legal action by the Association after considering due process, as decided in the GBM from time to time.

(ii) It is obligatory for each resident/member to use his/her DU only for the authorized purpose and keep it in good condition through adequate maintenance and repair. In cases of failures, such resident/member shall be accountable and expressly responsible for any damages and liabilities incurred by the Association for the common area and/or inconvenience caused to other residents' property.

(iii) It is mandatory for each resident/member to use the common areas and facilities only for the purpose they are catered. They shall neither use it for any private purpose nor erect any shamiana/temporary enclosure without seeking the permission of Association.

VII. Maintenance Charges of the Society

A. Maintenance of Common Area / Facilities (beyond the scope of Lucknow Nagar Nigam)

a. To maintain and add value to the Society, every member residing in the Society is supposed to contribute in terms of time, effort, and money. To give a facelift to the Society and to increase the value-added services in the Society, every Owner / Tenant/ Resident shall be required to pay (Online/Cheque) in advance, a Common Area Maintenance (CAM) charge @ Rs. 0.55 per sq. foot per month latest by 10th of every month through well-defined mode as communicated time to time in the Society's account w.e.f. December 2024 i.e. the time when the Society was handed over to RWA by the M/s. Alert / Builder-OMAXE.

b. If the dues are not cleared by the Owner / Tenant / Resident by 30.09.2025, a penal interest @ 2% per month on the outstanding amount shall be levied till the settlement of dues in this regard is made.

c. This Common Area Maintenance (CAM) shall be revisited / reviewed on every alternate year. With this, next review shall take place in the month of April 2026 and so on.

B. Maintenance of Barm (Pavements)

✓ Maintenance of the Barm shall be the responsibility of RWA (LORAA) as it falls within the category of Common Area, provided that the said Barm is not encroached by the resident. If any resident has encroached upon the open reserved space (Barm), outside their house, it must be vacated without objection if they want RWA to maintain it. Any dismantling required shall be undertaken by the resident (owner) on their own cost and efforts. In case of encroached Barm, it would be the responsibility of the owner to maintain it properly in order to add the value to the Society and for this prior approval of RWA shall be sought by the owner.

C. Maintenance of Trees

✓ Tree cutting inside the society is strictly prohibited. In case, anyone is found indulged into such practices, an immediate penalty of Rs. 10,000/- shall be imposed by the RWA (LORAA) in addition to reporting such case to the concerned local authorities and administration for which they themselves shall be responsible

D. New Construction

- ✓ For all new houses being constructed in the Society, only inter-locking tiles are allowed outside the house. Use of Stone work including Marble is strictly prohibited.
- ✓ Underground Chambers underneath Barm are not allowed to be sealed. If there are any existing underground Chambers (like Sewer Line etc.) beneath the Barm area, they would not be dismantled or sealed.
- ✓

Dissolution

(a) In case, the 3/5th members of the Association determine that the Association needs to be dissolved forthwith or at an agreed time, it shall be dissolved completing the due process as per the provision of the Act.

(b) Section 13 of the Societies Registration Act shall be followed to complete dissolution process and adjusting its assets and liabilities and Section 14 for the disposal of the remaining property/assets of the Association.

Annexure-I

Definitions:

Association means the Omaxe City Residents & Allottees Association as registered under the Societies Registration Act 1860 as amended under the Uttar Pradesh Societies Registration Act 1975 (Act 52 0f 1975).

Office means the office of the Association/Executive Committee.

Nagar Nigam means the Municipal Corporation of Lucknow, Uttar Pradesh.

Omaxe City means the Residential Project launched in 2005 by M/S Omaxe Limited comprising of independent dwelling units known as Villa(s) and plot(s) for people who wish to construct their house. The city comprises of a total of 1475 dwelling units of different types and configurations viz. 8000 sq ft, 6000 sq ft, 4800 sq ft, 3100 sq ft, 2604 sq ft, 2152 sq ft, 1744 sq ft,1210 sq ft, and 430 sq ft with a common wall between two units, and associated common facilities spread across 140 acres of areas. It is based on a concept of an integrated township, ideally a town built within a town, located on Amar Shaheed Path in Village Aurangabad Khalsa, Bijnor Road, Lucknow.

Dwelling Unit means a livable unit in the Omaxe City, including both villas and plots.

Owner means the person owning a duly registered dwelling unit in the Omaxe City.

Resident means one who legally occupies a DU or extra room either as owner/owner's family or as a lessee/tenant duly authorized by the owner/allottee.

Allottee means the person to whom a dwelling unit was sold by M/S Omaxe Ltd in the Omaxe City.

Tenant means a person living in a dwelling unit on rent/lease.

Member means an owner or tenant of a dwelling unit who becomes member of the association.

Act means Societies Registration Act 1860 as amended from time to time.

Bylaws means rules exclusively applicable to the residents and members of LORAA for its internal governance and external dealings as adopted under the Act.

Exclusive area means an area appurtenant to and the undivided interest of the DUs which is the exclusive property of the owner of DU as also the areas appurtenant to and within the boundary walls of DU.

Common area means the areas other than the exclusive areas like the roads, lanes, berm, parks,

ponds, open spaces, and all other areas & facilities outside the compound walls of DUs (Handed over to Nagar Nigam on 27.12.2025).

Committee means the Management/Executive Committee of elected members.

Abbreviations:

GBA = General Body of Association; GBM = General Body of Management; EC = Executive Committee; NOC = No Objection Certificate; CAM = Common Area Maintenance; AGM = Annual General Meeting; EGM = Special/Extra-ordinary General Meeting

Annexure-II

Certificate

I, Shri/Smt/Kum..…desires to become a member/renew regular membership or associate membership of the LORAA and undertake to pay the prescribed fee / subscription by paying Rs. ……for the membership.

I certify that I am the resident/allottee of the Villa No. ……. / I am a tenant in the Villa No. ……. of Shri/Smt - - - - - - - - - - - - - who is the owner of the aforesaid Villa.

Name Occupation, if any Office/Permanent Home address with Telephone No.	Particulars furnished are correct/Incorrect and may/may not be admitted as regular/associate member. Signature of the Applicant with date

Signature of the General Secretary

Date and Seal

Annexure-III

Nomination Form

Elections for the Managing/Executive Committee of the LORAA

Block Year……..

Contesting for the post: ……

Name of the candidate: Shri/Smt/Miss: ……

Present employment: ……

Date of Superannuation (if applicable): ……

Employment/Office Address (if applicable) with Telephone No.: …… ……
……

Residential Address: ……

Telephone No/Mobile No.: ……
……

E-mail ID: ……

Voter No. (as per the Voters List): ……

	Name	Residential Address	Voter No.	Signature
Proposed By				
Seconded BY				

(i) I accept the proposal for the nomination for the above post in the Managing/Executive Committee.

(ii) I also undertake that I have not held any post in any Managing Committee for a period of two terms or for 5 years, whichever is less.

(iii) In case this statement is found untrue, I shall be liable for removal from the post and also liable for disciplinary action under the prevailing rules.

Place……

Date…… Signature of the Candidate

Annexure-III (contd.)

P/**2** **Receipt**

Received a Nomination form for the post of……In the name of Shri/Smt./Miss……..

Date ……. Time……. Signature of Returning Officer ……..

Verification Certificate

The above nomination has been examined and found valid/invalid

Date …… Time ……. Signature of Returning Officer……..

Annexure-IV

The LORAA shall undertake the maintenance and upkeep of the following registers, accounts, documents and records in updated and good condition at all time in the office.

(1) A copy of the Societies Act with up-to-date amendments incorporated.

(2 An authenticated copy of its registered and up-to-date Bylaws

(3) Register/files of members' list with voting rights

(4) The Minutes Book/Register/File(s)

(5) Stock register with complete inventory of Association's goods/articles/valuables

(6) Cash Book and annual accounts/vouchers of all income-expenditure

(5) Accounts and vouchers of all purchases and sales of goods

(6) Files/Accounts of all assets and liabilities

(8) File/original copies of audit reports and compliance reports thereon

(9) Dak Register, Letterhead Pad and Receipt Book

(10) All other documents, accounts and records as mandated under the Act