

# RESIDENTS FORUM

Regd. S.No.418/98-99

LIC COLONY, JEEVAN BIMA NAGAR, BANGALORE-560075

Rule 8(1) KSR Act 1960

## Part 1

### MEMORANDUM OF ASSOCIATION

1. **Name of the ASSOCIATION:** **RESIDENTS FORUM**  
(Hereinafter called the "ASSOCIATION")
2. **Address of the ASSOCIATION:** The address of the association shall be the address of the Secretary until such time the Forum gets a proper office accommodation.
3. The jurisdiction of the Association shall extend to the whole of LIC Colony, Jeevan Bima Nagar, Bangalore-560075.
4. These Bye-Laws will come into effect from date it is passed in the Special General Body Meeting convened for this purpose.
5. **AIMS AND OBJECT OF THE ASSOCIATION:**
  - a. To promote Social, Welfare, Cultural and Educational activities among the Members.
  - b. To establish Institutional, Cultural and Social groups, Libraries, Reading rooms etc., for the benefit of the Members.
  - c. To establish centers for the recreation of Members.
  - d. To infuse in every Member, the idea of co-operation friendliness and co-ordination.
  - e. To take up certain utility issues proactively viz., water supply, electricity (Installing street lights and rectifying faulty ones), putting up speed breakers in roads, solid waste disposal, maintaining storm water drains, eradication of weeds and unwanted growth, cleansing up the colony from waste dumps, assist regarding property tax issues to residents. This would be a periodical exercise. Lastly considering the reintroduction of full-fledged security services after sufficient Membership and also participation of Members.
  - f. To organize for a proper office accommodation for the functioning of the Forum and also fight for the most sought over Park and Playground for the colony.

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- g. To undertake any activity to achieve the objects above subject to the restriction of Clause-5 of KSR Act 1960.
- 6. The Association shall not directly or indirectly engage in political or communal group, association or party.
- 7. The income and property of the Association wherever derived shall be applied solely towards the promotion of the objects of the Association as set forth in this Memorandum of the Association.
- 8. The Secretary is authorised to correspond with the Registrar of Societies to deal with the affairs of the Association.

### Part 2

#### RULES AND REGULATIONS OF THE ASSOCIATION

1. **Name of the Association:** **RESIDENTS FORUM**
2. **Address of the Association:** The address of the association shall be the address of the Secretary until such time the Forum gets a proper office accommodation.
3. RESIDENTS FORUM, Bangalore-560075 is established for the purpose expressed in the Memorandum of Association.
4. **MEMBERSHIP:**
  - a. The Membership of the Association shall be open only to all House Owners their Spouses and Legal Heirs/Tenants at the LIC Colony, Jeevan Bima Nagar, Bangalore-560075 and who have attained the age of 18.
  - b. There shall be two classes of Members viz.,
    - i. **Life Member for House Owners or one of their Family Members**
    - ii. **Annual Member for Tenants**
  - c. Application for Membership shall be made on the prescribed form by the applicant duly accompanied by the Admission Fee/Membership Fee. Admission Fee/Membership Fee shall be refunded in the event of the application being rejected by the Managing Committee.
  - d. The Managing Committee shall scrutinise and finalise all the applications for the Membership within 45 days from the date of receipt of the application. The Managing Committee reserves the right to reject an application without assigning any reason.
  - e. An applicant shall become a Member on his/her application being approved by the Managing Committee.

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- f. Both classes of Members shall be vested with equal rights viz., Becoming Managing Committee Member, Bringing Resolutions, Voting etc.,
- g. The Membership will be one person per house. If a resident owns more than one house and takes membership for each house then he/she is entitled for as much number of votes as their number of houses.
- h. The Tenants should invariably enroll as Members only if the owners have not become a Life Member. The voting rights will be vested with the Tenants if their owners are Life Members or if the Tenant becomes an Annual Member. If the owner reoccupies his/her house and is already a Life Member then their Life Membership shall continue.
- i. Membership of Life Member and Annual Member shall be ceased from the day they Sell/Vacate/Handover possession to a new person. There is no provision of MEMBERSHIP-IN-ABSENTIA.
- j. Membership is NON-TRANSFERABLE except to Legal Heirs.
- k. Membership of Life Member and Annual Member will continue as usual when they for any purpose shift from one house to another in LIC Colony, Jeevan Bima Nagar, Bangalore-560075.
- l. The enrolled Members are entitled for a copy of the Memorandum of Association along with a Membership Card. In the event of loss of the card and Memorandum of Association a duplicate copy will be issued on payment of ₹ 20/- only (₹ 10/- respectively for each document).

**5. ADMISSION FEE:** The Admission Fee shall be ₹ 20/- only.

**6. MEMBERSHIP SUBSCRIPTION:** Membership Fee (Non-Refundable/Non-Transferable)

- a. LIFE MEMBER: The subscription for the Life Member shall be ₹ 250/-.
- b. ANNUAL MEMBER: The subscription for Annual Member shall be ₹ 120/-.
- c. All subscriptions are payable in advance through cheque in favour of the Residents Forum, If the subscriptions of Annual Members fall in arrears over six months, the Membership shall automatically cease. Cash payments is authorised for replacements of Memorandum of Association and Membership Card.
- d. If there is a change of Ownership or Residential status of the Member the Membership Subscription/Admission Fees paid shall be transferred to Reserve Fund and thereby their Membership for the RESIDENTS FORUM shall cease to exist.

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- e. If a Tenant renews his/her Annual Membership for 2 years continuously then they need not pay further Membership Subscription till such time they reside in the colony.
- f. Any Member may opt out of Membership and tender resignation to the Secretary. The Secretary shall consult the President and/or the Managing Committee and inform the acceptance or rejection details to the Member within seven days of its receipt.

### **7. SUBSCRIPTION FOR SERVICES RENDERED:**

The Association from time to time with the consent of the majority of the Members decides on implementing some services that will be necessary for the welfare and wellbeing of the colony. In such a case the Members shall be asked to subscribe for the said service. The funding shall vary according to the number of Members in the Forum. All the Members shall abide by this clause to ensure unity in the colony.

### **8. MANAGEMENT:**

- a. The Management of the Association shall be vested with a Managing Committee elected among the Members on the roll. The Managing Committee shall include a President, a Vice President, a Secretary, a Joint Secretary, a Treasurer and a minimum of 2 Managing Committee Members elected by the General Body, so as to make the total in odd number.
- b. Vacancies arising in the Managing Committee shall be filled by the Managing Committee from among Members within 45 days from the date of Vacancy.
- c. After the Annual Elections if a vacancy arises in the post of the President, it shall be filled in by the Vice President for the rest of the term. Similarly if a vacancy arises in the post of Secretary it shall be filled in by Joint Secretary for the rest of the term. If a vacancy arises in the post of Vice President, Joint Secretary or Treasurer it shall be filled in by nominating a Managing Committee Member and if a vacancy arises in the post of Managing Committee Member it shall be filled in by nomination from among the members.
- d. No act of the Managing Committee shall be deemed invalid merely by reason of any vacancies existing in the Managing Committee at the time of such act.
- e. Any Member of the Managing Committee who absents himself/herself from three consecutive Meetings without sufficient reasons shall cease to be a Member of the Managing Committee. He/She shall however be eligible to be reinstated at the discretion of the Managing Committee.

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- f. Any Member who ceases to be a Member of the Association shall automatically cease to be the Member of the Managing Committee.
- g. The Managing Committee shall meet at least once in two months on such date and time and place as may be fixed by the Secretary in consultation with the President for the purpose of transacting the business of the Association.
- h. The quorum for a Meeting of the Managing Committee shall be 1/3<sup>rd</sup> of the Managing Committee Members.
- i. The President, or in his absence the Vice President, or in absence of Vice President also, one of the Members elected by the Managing Committee shall preside over the Meeting. In case of equality of votes, the presiding Member shall have a casting vote.
- j. The Managing Committee shall have powers to frame subsidiary rules or Bye-Laws not inconsistent with the Memorandum of Association for the efficient management of the Forum as per Section 10 of the KSR Act 1960.
- k. The Managing Committee may appoint Sub-Committees from Members/among themselves to perform specific duties for Finance, Audit, Organization, Cultural, Water, Electricity, Sanitation, Drainage etc., as may be assigned to them by the Managing Committee. However the decision of the Managing Committee shall be final on any of the recommendations of the Sub-Committees.
- l. The Finance Committee shall have power to collect/receive funds required for the welfare and cultural activities of the Association as directed by the Managing Committee, within the frame work of KSR Act 1960 and rules made there under.
- m. The Finance Committee shall have power to incur expenditure within reasonable level as directed by the Managing Committee. Any expenditure over and above will be subject to ratification of the General Body.
- n. The Managing Committee shall place before the General Body an audited Balance sheet for its approval.
- o. The Managing Committee may co-opt additional Managing Committee Members within the enrolled Members as and when required, however their presence will not be counted for ensuring quorum for the Managing Committee Meetings so long as they are approved in the General Body Meeting.
- p. No Member shall hold more than one office of the Association at a time/more than 5 consecutive terms.

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- q. The Managing Committee shall deal with all complaints of enrolled Members (within the jurisdictional powers) and their decision shall be final unless the matter is raised at a General Body Meeting according to the Rules.
- r. The Managing Committee shall have power to conduct celebrations of festival days or other occasion of national importance and special importance to children, to arrange entertainment, cultural and social gatherings and to incur all expenditure connected with such activities and prescribe any admission fee for such occasions.
- s. The Managing Committee shall prepare a budget for the ensuing year and place before General Body for sanction.

### 9. DUTIES OF THE OFFICE BEARERS:

#### a. PRESIDENT:

The President shall have control over affairs of the Association. He shall preside over all the Meetings of the Association. In matters of urgency the President may take decisions and such decisions shall be placed before the Managing Committee for ratification.

#### b. VICE PRESIDENT:

In the absence of the President, the Vice President shall exercise all the powers of the President.

#### c. SECRETARY:

The Secretary shall transact business of the Association as detailed below.

- i. He/She shall deal with the affairs of the Association.
- ii. He/She shall keep a Register of Membership.
- iii. He/She shall be in-charge of all the properties of the Association including correspondence files and all other such materials of the Association and maintain an inventory of all capital goods.
- iv. He/She shall call for General Body and Managing Committee Meetings.
- v. He/She shall record minutes of all Meetings.

#### d. JOINT SECRETARY:

The Joint Secretary shall assist the Secretary, in his/her daily working and shall act in his/her place in the absence of the Secretary.

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### e. TREASURER:

- i. He/She shall maintain an account of the Receipts and Payments of the Association. He/She shall issue receipts for all amounts received and maintain vouchers for payments made.
- ii. He/She is empowered to operate the Bank Account/s of the Association jointly with the President or Secretary of the Association.

### 10. GENERAL BODY:

- a. The General Body of the Association shall be the Supreme Authority in all matters.
- b. The General Body shall meet once a year to transact the following.
  - i. Confirmation of the consolidated minutes of the Meetings of the Managing Committee held during the previous year.
  - ii. Consideration of the Annual Report.
  - iii. Approval of the audited statement of accounts.
  - iv. To adopt the resolutions for which notice is received.
  - v. Election of Managing Committee Members by voice vote / show of hands / secret ballot.
  - vi. Appointment of Internal and External Auditor.
  - vii. Budget for the ensuing year.
  - viii. Any other matter of importance and urgency included in the Agenda.
- c. Any person who has subscribed and enrolled as a Member shall have right to vote with effect from the date of enrollment of Membership. A person who has been continuously in the Membership rolls for a period of not less than 6 months shall have eligibility to hold Managing Committee Membership by the approval of the General Body.
- d. A Member may send any resolution for the consideration of the General Body by giving notice in writing to the Secretary 15 days before the General Body Meeting.
- e. The Managing Committee shall appoint an Election Officer 45 days prior to the expiry of their term to conduct the next elections in the Annual General Body Meeting. Such Election Officer shall notify the elections and call for nominations within 3 days of his/her appointment. Members should submit the nominations to the Election Officer within 15 days from the date of calling for nominations. After the due date for submissions of nominations the Election Officer shall take 2 days for scrutiny, allow 2 more days for withdrawal of nominations and finalize the Ballot Paper accordingly. In case there is more than 1 contestant for any post/s then Ballot Paper shall be prepared and election shall be conducted for such post/s only. In case of non-receipt of any



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nominations the existing Managing Committee as on such date will prevail until next Annual General Body Meeting. The new Managing Committee shall take over from the date of the Annual General Meeting/Election.

- f. A Member can give nomination for only one post of Office Bearer in the Managing Committee.
- g. Twenty-one clear days notice in writing shall be given to Members for a General Body Meeting.
- h. The quorum for a General Body Meeting or Special Meeting will be 25 so long as the number of Members exceeds 250 otherwise 1/10<sup>th</sup> of the number of Members on the roll.
- i. The Secretary shall call a Meeting of the General Body at any time for transacting any specific business provided notice and agenda of such Meetings are circulated to Members 21 days before the Meetings.
- j. The Secretary shall call for Extraordinary General Body Meeting whenever a requisition signed by 1/5<sup>th</sup> of the Members on roll is received by him furnishing the details of business to be transacted or subject to be discussed. Such a Meeting shall be convened within one month of receipt of a requisition with a due notice of 21 days.
- k. Any Amendment to the Memorandum of Association shall be considered at the Meeting of the General Body specially convened for the purpose after giving notice of not less than 21 days. Such amendments shall not be accepted or made unless 3/4<sup>th</sup> of the Members present at the Meeting and vote for it and no amendment once considered shall be reconsidered within a period of six months.

### 11. VOTING:

All decisions at the Meeting of the General Body shall be decided by 3/4<sup>th</sup> majority of votes. Voting by proxy is admitted provided there is no contravention of any of the rules and subject to proper authorisation by the applicant. The Proxy/s should reside in the same house as the Member. The Proxy/s should have attained the age of 18.

### 12. FUNDS:

- a. The Forum shall have classified head of accounts under each item/project for the respective financial year and operate accordingly without re-appropriation.
- b. The funds of the Association shall be invested in such a manner as the Managing Committee may decide. The Treasurer shall have power to keep with him an amount decided by the Managing Committee as imprest money.



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- c. The annual accounts of the Association shall be audited by a Chartered Auditor appointed in the Annual General Body Meeting.
- d. Separate account shall be kept for capital and revenue of the Association.
- e. The surplus under revenue account if any shall be carried to reserves or special funds.
- f. The Balance Sheet of the Association shall be drawn up by the auditor duly audited and shall be laid before the Annual General Body Meeting for confirmation.
- g. Such Balance Sheet and the list of Managing Committee Members shall be filed with the Registrar of Societies as per section 13 of the KSR Act 1960.

### 13.OFFICIAL YEAR:

The official year of the ASSOCIATION shall be from 1st January to the end of December every calendar year.

### 14.Other ISSUES:

- a. Special General Body Meeting shall be convened, if necessary as per section 11 (3) of the KSR Act 1960.
- b. Alterations for amendments to the Memorandum of Association shall be made as per section 9 of the KSR Act 1960.
- c. Change of Name, Rules and Regulations shall be made as per section 10 of the KSR Act 1960.
- d. The working hours of the Association shall be between 8 am and 8 pm with usual intervals and holidays.
- e. Dissolutions of the Association, if it arises, section 22 and 23 of the KSR Act 1960 shall be followed.
- f. Regarding amalgamation of the Association, if arises; section 2 d 1 of the KSR Act 1960 shall be followed.
- g. For all things and matters which have not been specifically provided for herein above, the provisions of the KSR Act 1960 and the rules made there under shall be followed.