Authority letter for Proxy Vote from the Owner of Apartment

I .................................................. W/S/D/o Mr/Mrs ................................. owner of apartment number ............................. in Charm hereby authorize Mr./Mrs./Ms_ ..........................who is a Tenant/Owner and residing at Flat No.............to cast Vote in the Elections for the year ________ of the Governing Body of _______________________________ on my behalf.

The signatures of the person authorized are attached herewith.

Thanking you,

Signature:

(Owner’s sign)

(Executor) ...........................................

Name of the authorized person

Accepted.

Enclosures:

1. Valid ID proof:
2. 1st page of registry:
3. Additional Document: Rent agreement copy only in case of tenants.
4. A Residence Proof of Proxy Voter in _______________________[.................................]
### CHECKLIST OF NOMINATION FOR ELECTIONS OF GOVERNING BODY – [name of apartment]

<table>
<thead>
<tr>
<th>NAME</th>
<th>FATHER’S NAME</th>
<th>FLAT NUMBER</th>
<th>FOR THE POST</th>
<th>PHOTO &amp; REGISTRY COPY RECEIVED</th>
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NOTICE FOR ELECTION OF GOVERNING BODY OF [......................]

AS PER


ELIGIBILITY FOR CONTESTING ELECTIONS

a. As per the Allahabad High Court landmark judgment on 14.11.2013 and its ruling/conclusions 65 (3) and also as per GDA Competent Authority Order No. : 17I/Master Plan/14, dated : 03/04/2014 issued to Rail Vihar, Indirapuram RWA, The AOA shall allow the owners or his nominee (which may include family member or lawful tenants) to vote and participate in the election of board of association and they will have right to vote and nominate himself / herself and will be Members of the Association.

b. Owner or co-owner of the apartment as specified in above mentioned point (a) in [name of apartment] can nominate himself or herself for only one of the governing body positions as mentioned below by filling the nomination form and providing requisite documents as mentioned in the form and submit the same to the Election Committee in sealed envelope as per the election schedule.

c. No apartment owner is entitled to vote or nominate himself/herself on the election of members of the Board or President, Vice President, Secretary, Treasurer or any other office bearer or entitled to stand for election to such office, if he is in arrears, of any sum due from him in respect of his contributions for common expenses, for more than sixty days on the last day of the year preceding the year in which the election to Board would take place.

d. He/ She should be of the sound mind.

e. He/ She should not be declared as insolvent.

f. He/ She is not convicted by any court of law

ELECTION PROCEDURE

a. According to Chapter -2 and Section-8, of Model Bye-laws 2011 voting shall be on percentage basis and the percentage of vote to which the owner is entitled is the percentage assigned to the Dwelling unit or units in the Declaration. Every member of the association shall have proportionate share of vote for all purpose as specified in Deed of Declaration. Votes will be cast in person. Except as otherwise provided resolution of the Association shall require approval by a majority of owners casting votes in person or proxy.

b. Each owner is entitled to cast his vote for the Board of Management consisting of 4 to 10 Office Bearers who shall be the owners of apartment. According to Chapter-4, Section/Clause -18 of Model Bye-laws 2011, The Board of Management shall comprise of neither less than 4
nor more than 10 persons to be constituted and elected by the owes/members by simple majority in the General Body Meeting. The principal office bearer of the Association shall be a President, a Vice-President, a Secretary and a Treasurer, all of whom shall be elected by and from the "Board". Definition of "Board" is explained in Chapter-1, Section-2, and Sub-section-c in Model Bye-laws 2011.


The Election and term of office:-

- The annual general meeting of the Association, to be held in the first quarter of each financial year, shall elect neither less than 4, nor more than 10 Members including the President, Vice President, Secretary, and Treasurer from Members of the Association.

- Provided that no member shall be eligible for election if he has been found guilty of misusing the post during his previous term. The term of office of the office-bearers of the Board shall be one year from the date of assuming office and they will be eligible for re-election.

- Provided that a person cannot hold the same post continuously for more than 2 years.

- An arrangement shall be made by the board to ensure that one third of members of the board retire annually.

- The office bearers shall hold office until their successors have been elected and hold their first meeting:

d. The Election Committee along with RWA Federation shall take all measures to ensure fair & proper elections procedures of Governing Body.

e. Election Committee will accept or reject the application of nominees for Governing Body (Office bearers & executive members) in case of default & providing incomplete information or in case of non-eligibility as per the guidelines of the Act mentioned in the eligibility criteria above.

f. With the interpretation and clarification of the provisions of the U.P.Apartment Act, 2010, the U.P. Apartment Rules, 2011 and the Model Bye Laws, 2011, in respect of all the buildings where 33% of the apartments have been occupied after its sale transfer or delivery of possession. The apartment owners, if they have not formed the association so far and the promoters shall form an association and get it registered after adopting the model bye-laws as notified by the State Government on 16.11.2011, within a period of 90 days. Term of Adhoc/Interim AOA shall be restricted to 90 days.

ELECTION CODE OF CONDUCT

a. Existing RWA/AOA will remain functional till the formation and handover to the new elected Governing Body.
b. No Individual either part of the current Governing Body or newly nominated candidates will use common Email/Messaging Group as a platform, in any capacity, to highlight individual's efforts or achievements or personal agenda.

c. Existing RWA/AOA members must, in all cases, will use the official RWA/AOA Email Id for sharing any update or information with the general residents in the society.

d. No Candidate can use defamatory remarks against individuals or the current body of representatives at any platform.

e. No Candidate will invite or involve any third party or outsider to promote his/her election campaign. Any such requirement will be taken care of by Federation of AOA only.

f. No candidate can indulge in his/her individual capacity in any financial transaction, whatsoever, in cash or in kind, neither in any common society functions and activities nor in convincing or commuting the voters to vote.

g. No candidate should spoil the society premises by putting posters or hoarding or banners except on the notice boards kept for the same.

h. Election campaign must end 24 hours prior to the date of election.

i. If anybody found violating any of the above mentioned rules in code of conduct, his/her nomination will be cancelled with immediate effect.
NOTICE FOR ELECTION OF GOVERNING BODY OF [.........................]

AS PER
THE UTTAR PRADESH APARTMENT (PROMOTION OF CONSTRUCTION, OWNERSHIP AND MAINTENANCE) ACT, 2010

Dated: ____________________ Ref No.: ____________________

ELECTION OF GOVERNING BODY OF [.........................]

As per the schedule of annual election of [.........................], we are hereby announcing the election of governing body of [.................................................................] and [.................................................................] under THE UTTAR PRADESH APARTMENT (PROMOTION OF CONSTRUCTION, OWNERSHIP AND MAINTENANCE) ACT, 2010.

SCHEDULE OF ELECTION

<table>
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<tr>
<th>Event</th>
<th>Date</th>
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<tr>
<td>Last Date of Nomination</td>
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<tr>
<td>Last Date of Withdrawal of Nomination</td>
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<td>Display of Final List of Candidates</td>
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<td>Date of Election</td>
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<td>Declaration of Result</td>
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ELECTION COMMITTEE

The forms and queries related to the election procedure must be addressed to any of the following member of the Election Committee.

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<tr>
<th>Name</th>
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We are looking forward for your participation in election procedure for the formation of a suitable governing body for the [name of apartment].

Name and Sign of
Election Commission

CC to: all concern
NOTICE FOR ELECTION OF GOVERNING BODY OF [.................................]

AS PER

THE UTTAR PRADESH APARTMENT (PROMOTION OF CONSTRUCTION, OWNERSHIP
AND MAINTENANCE) ACT, 2010

Dated:  

File Number:  

Declaration for Final Result and Winning Candidates

In the process of Election of Governing body of [.........................................................]-
Elections 2013, the Result of voting was finalized and declared as under:

1. Winner for the Post of President:

   Name and Photo

2. Winner for the Post of General Secretary:

   Name and Photo

So on.....
Note: The Result was declared immediately after the counting on [date and time] in the campus of [place] in presence of the entire management team from [promoter name if applicable], Independent observers and residents of [name of apartment].

Apart from the Elections the other members of the Governing body who have been declared Winner UNOPPOSED are as under [if applicable]:

1. Winner for the Post of Vice President

   Name and photo

   So on...

   Name and signature of election commission, observers etc
<table>
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<tr>
<th>NAME &amp; FLAT NO.</th>
<th>CONTESTING FOR</th>
<th>PHOTO</th>
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Appointment of Nominee on behalf of Candidate in the counting process

I, s/o Mr/Mrs______________________________r/o __________________________ flat No ____________ contesting Election of Governing body of Charms Solitaire for the post of __________________________ want to authorize Mr./Mrs.______________________________ who is a Resident of______________________________ residing at Flat No.______________________________ to participate in the counting process as Nominee on my behalf. The signatures of the person authorized are attached herewith.

Thanking you,

..................................................

Name of the person

(Executor) .............................................

Name of the authorized person

Accepted.

Note—Along with this letter, Attach the Photo ID of the Nominee.
THE UTTAR PRADESH APARTMENT (PROMOTION OF CONSTRUCTION, OWNERSHIP AND MAINTENANCE) ACT, 2010
(U.P. Act no. 16 of 2010)

Refer act before taking decision of proxy voting, preferably take the direction from competent authority

As per the ACT: Votes to be cast in person – “Votes will be cast in person. Except as otherwise provided resolution of the Association shall require approval by a majority of owners casting votes in person or proxy”.

In case of any apartment owner is out of station and willing to cost his/her vote through proxy (who must be the resident of [name of apartment]):

1. Proxy Vote can be casted only by a resident in [name of apartment] at the time of Election.
2. You can also authorize your tenant or any resident of [name of apartment] for proxy voting.
3. You must send singed copy of authorization letter to Election Committee before [date] along with following documents:
   1. An authority letter (as per Draft attached) duly signed from the Apartment Owner.
   2. First Page of the Registry copy.
   3. Photo ID card of Apartment Owner and Proxy Voter (Adhaar Card/Voter Id card/ Passport/ Driving License/PAN Card).
   4. Rent Agreement copy (only in case tenant is the proxy voter).

Election Committee
SPECIAL POWER OF ATTORNEY FOR MEMBERSHIP IN AOA

BY THIS POWER OF ATTORNEY I __________________________(1st owner) son/Wife of __________________________
residing at _____________________________________ co owner/owner of Flat No. __________________________
along with my ________Mr./Ms_____________________ do hereby nominate, _______________________________________ resident of
___________________________________________________ as nominee for me/us, in my/our name and on my/our
behalf to do or execute all or any of the following acts or things in connection with the filing nomination and perform as a
member of the .________________________. Association of Owners:

(1) To obtain the Share certificate as per law.
(2) To Vote or stand for election of the Association.
(3) To apply for inspection and inspect documents and records, to obtain copies of documents and papers.
(4) To do generally all other acts and things for the conduct of the association as I could have done the same if I were
personally present.

And I hereby for myself, my heirs, executors, administrators and legal representatives, ratify and confirm and agree to
ratify and confirm whatsoever our said attorney shall do or purport to do by virtue of these presents.

IN WITNESS WHEREOF, I the said __________________________ has hereunto set and subscribed my hand this
________ day of May 2015

WITNESS

Signed and delivered by the within named ______________________

Identified by me
Before me
Consulate/Notary Public
NOMINATION FOR PROXY VOTING

To,
The ELECTION OFFICER, NEO SCOTTISH .......,

Dear Sir/Madam,

I/we ___________(1 st owner)_____________ son/Wife of ___________________ residing at _____________________________________ co owner/owner of Flat No. ___________________ along with my ___________ Mr./Ms ___________________ do hereby nominate, my ______(relation)_____________ resident of _____________________________________ as nominee for me/us, in my/our name and on my/our behalf to vote in the annual election and GBM of the Association of Owners till the _________________(date of the expiry of the rent deed/lease deed)

And I hereby for myself, my heirs, executors, administrators and legal representatives, ratify and confirm and agree to ratify and confirm whatsoever our said attorney shall do or purport to do by virtue of these presents.

I/we the said _______________________________ has hereunto set and subscribed my hand this ______ day of May 2015.

ACCEPTED BY VOTER Signed and delivered by the within named

_________________________ (1 st Owner)

_________________________ Signed and delivered by the within named

_________________________ (2 nd Owner)

SIGNATURES TO BE VERIFIED BY BANK WITH SEAL