

ANNEXURE - 3**ELECTION RULES**

1. These Rules shall be called the Rules of Election of a Member of the Managing Committee of the..... Co-operative Housing Society Ltd. These Rules shall be deemed to have come into force from the date of its approval by the Registering Authority.
2. Every Managing Committee shall hold elections before expiry of its term.
3. If the recovered share capital is more than Rs. 10,000/- then, voting shall be secret voting.
4. The members of the Society on the Register of Members as on 31st December, if the election is due during subsequent period between 1st January to 30th June, and as on 30th June, if the election is due during subsequent period between 1st July to 31st December, should only be eligible to vote in the election to the Managing Committee of the Society.
5. The retired members, if not disqualified, shall be eligible for re-election.
6. The provisional list shall be prepared by the Managing Committee as per (4) above and shall be notified on the Notice Board of the Society, 60 (sixty) days before the date of election, inviting suggestions and objections in respect of this provisional list of the members, within a period of 15 days, from the date of publication of such list.
7. After considering the suggestions and objections, if received, by the society, the Managing Committee shall publish a final list of members eligible to vote, within two days of the last date as mentioned at (4) above.
8. The provisional and final list of members referred to above shall be in the Appendix "A" appended to these Rules.
9. The Managing Committee shall appoint from amongst the members who are not candidates for election or who have neither proposed nor seconded candidature of any member, or any other person, as Returning Officer. However, before making such appointment, the Managing Committee shall obtain from such member, being appointed as Returning Officer, an undertaking to the effect that he will not contest the election nor propose or second any candidate. The Returning Officer shall have authority to appoint such polling staff as he deems necessary.
8. Where the Managing Committee has failed to appoint a Returning Officer, the Registering Authority shall appoint a Returning Officer and polling staff. The cost of the Returning Officer and Polling Staff shall be borne by the Society.
9. The Returning Officer shall draw and declare a Programme of various stages of election, on the Notice Board of the Society, as indicated herein below, not later than seven days of the date of publication of final list of members of the Society.

The Returning Officer shall submit copy of such Programme to the Registrar and the concerned Housing Federation.

(I) Last date for making nominations	Within 7 days from the date of declaration of election
(ii) The date of publication of list of nominations received.	On the last date and after the expiry of the time for Nomination.
(iii) Date of scrutiny of nominations	Next date of the last date for making nomination of nominations
(iv) Date of publication of list of valid Nominations.	Next day after the date of completion of scrutiny of nominations.
(v) Date by which candidature may be withdrawn.	After clear 15 days from the date of scrutiny.
(vi) Date of publication of final list of contesting candidates	The date next succeeding the last date fixed for Withdrawal of candidature.
(The Place and time shall be fixed by the Returning Officer.)	
(vii) Date and time during which and the place at which the poll shall be taken.	Minimum 5 days after the date of withdrawal of candidature.
(viii) Date, time and Place for counting votes	Immediately after polling is over.
(ix) Date of declaration of results of Votes	Immediately after counting of votes is over .

Explanation :- If the last date in reckoning dates as specified in the above cases is a public holiday, the next succeeding working day shall be fixed for the respective events.

10. The functions of the Returning Officer shall be as under:

- i) To draw up a detailed programme of election to the managing committee of the society, after taking into consideration the various stages of election process, as enumerated in 9 above.
- ii) To invite nominations to receive and scrutinise the same to exhibit list of valid nominations and list of final nominations remaining after withdrawal of nominations, if any.
- iii) To arrange for election by ballot in accordance with the provisions of the Election Rules.
- iv) To furnish the result of election to the Chairman of the society for being declared at the General body meeting/Special general body meeting of the society.

- v) To take such other actions as are necessary for and incidental to the election to the Managing Committee of the society.
- 13) The nomination forms shall be as per the "Appendix (B)" appended to the Rules.
 - 14) No member of the society shall be eligible to participate in the election of the managing committee of the society, if
 - (i) He is in arrears in respect of any charges and any other amounts due to the society as on the date of scrutiny of nomination papers.
 - (ii) He has incurred any of the disqualifications as mentioned in the Maharashtra Co-op. Societies Act 1960 & Rules, 1961 and the by-laws of the society.
 - 15) The nomination received till the last date and hour fixed for receiving nominations shall be scrutinized by the Returning Officer on the date fixed for scrutiny of nominations, in the presence of the candidates or their duly authorised representatives and the list of the valid nominations shall be published on the Notice Board of the society as per election programme. The candidates whose nominations are rejected shall be informed by the Returning Officer, in writing, with the reasons for rejection of their nominations on the same day, in form at Appendix "B-2".
 - 16) The candidates, whose nominations have been declared valid shall be allowed a time of 15 days (as required u/s. 152A of M.C.S. Act 1960) from the date of publication of the list of valid nominations, to withdraw their candidature by means of a letter handed over to the Returning Officer.
 - 17) Immediately after the expiry of period allowed for withdrawal of candidature, a final list of the candidates contesting the election shall be notified on the notice board of the society.
 - 18) The Voting at the election shall be Secret Ballot.
 - 19) The ballot paper shall be in the form of Appendix 'C' appended to these Rules. Each ballot paper shall bear the seal of the Society and the counterfoil thereof shall bear the initials of the Returning Officer.
 - 20) The names of the candidates in the ballot paper shall be arranged in alphabetical order with surname appearing first.
 - 21) The date, time and place of voting shall be declared in the election programme.
 - 22) The ballot box shall be so constructed that ballot papers could be conveniently put into it but could not taken out, without the box being unlocked.
 - 23) On the date of the polling, the empty ballot boxes shall be shown to the candidates or their authorised agents, if any present 15 minutes before the time fixed for commencement of the poll and shall be locked and sealed in their presence.

- 24) Each member-voter shall be supplied with an authenticated ballot paper, after satisfying his identity and obtaining his signature on the counterfoil of the ballot paper.
- 25) Member-Voter coming to the polling station after expiry of the time allowed for voting shall not be allowed to vote.
- 26) Immediately after the completion of voting, the ballot box shall be sealed in the presence of the candidates or their authorised representatives, if present.
- 27) The counting of votes shall be done immediately after the polling is over.
- 28) The Returning Officer shall submit to the Chairman of the Society a report indicating the number of voters, who voted, number of valid and invalid votes, and the number of votes secured by each candidate alongwith his certificate that the polling was peaceful and accordance with the Election Rules.
- 29) The names of the candidates along with the number of votes secured by each of them shall be put on the Notice Board of the Society after conclusion of the counting of votes.
- 30) The final result of the election shall be declared in the ensuing Annual General Body Meeting or Special General body Meeting as the case may be.
- 31) All the records pertaining to the election shall be carefully preserved in a box duly locked and sealed by the Secretary of the Society for a period of 3 months and destroyed thereafter. However, if the result of the election is disputed, the records pertaining to election shall be preserved until the final decision of the dispute.
- 32) The Committee shall be constituted as enumerated under Section 73 (3) of the M.C.S. Act, 1960.