



# **GARWARE CLUB HOUSE**

(A Company Incorporated u/s 8 of Companies Act, 2013)

CIN No. : U92100MH1993NPL071488

Regd Off. Add: Wankhede Stadium, 'D' Road, Churchgate, Mumbai – 400 020

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## **ELECTION BYE-LAWS/RULES 2023**

THE MANAGING COMMITTEE OF THE GARWARE CLUB HOUSE IN IT'S MEETING HELD ON MONDAY 28<sup>TH</sup> AUGUST, 2023 HAS FRAMED THESE ELECTION BYE-LAWS/RULES 2023 AS PER THE PROVISIONS IN THE ARTICLE NOS. 36, 37 (r) and 37 (v) OF THE MEMORANDUM AND ARTICLES OF ASSOCIATION OF THE GARWARE CLUB HOUSE AND SECTION 108 OF THE COMPANIES ACT 2013 READ WITH RULE 20 OF THE COMPANIES (MANAGEMENT & ADMINISTRATION) AMENDMENT RULES 2015, AS AMENDED AND THE SAME SHALL BE BINDING ON ALL MEMBERS OF GARWARE CLUB HOUSE. THE 30TH ANNUAL GENERAL MEETING (AGM) OF THE CLUB HOUSE WILL BE HELD ON TUESDAY 26<sup>TH</sup> SEPTEMBER, 2023.

1. Under Article No.25(c) of the Memorandum and Articles Of Association of the Garware Club House, the President, the Vice-President, the Hon.Treasurer and Eleven Members and one out of the Eleven Members, shall be a Lady Member only, shall be elected from amongst the members of the Club House on the Garware Club House Managing Committee and shall hold office for five years.
2. An Election Officer, not connected with the Club House shall be appointed by the Managing Committee, to act as the Election Officer under these Bye-laws/Rules to conduct and supervise the elections.
3. (a) The Administration Executive shall make available two Nomination Forms as shown in the Appendix 'A' of the Election Bye-Laws/Rules 2023 alongwith a copy of the Election Bye Laws/Rules 2023 and Declaration Letter to the Members from the Office of the Club House from Monday 4<sup>th</sup> September, 2023 to Thursday 7<sup>th</sup> September, 2023 between 11.00 am to 2.00 pm and 2.30 pm to 5.00 pm.  
  
(b) Members desiring to propose any Member for post of President, Vice-President, Hon.Treasurer and not more than Eleven Members of which one Member to be a Lady Member only, to be elected on the Garware Club House Managing Committee, should obtain the necessary Nomination Form as stated above. Every Nomination Form shall be duly Proposed & Seconded by Members who are entitled to vote and also signed by the Nominee (s) in token of his/her their willingness to serve on the Garware Club House Managing Committee, if elected. No Candidate shall contest for more than one post for election of the Managing Committee.
4. A person shall not seek election to the Garware Club House Managing Committee for the post of President or Vice President or Hon.Treasurer unless he has been a Member of the Club continuously for atleast Ten years and for the post of Member of the Committee unless he has been a Member of the Club House continuously atleast for Eight years prior to the date of filing the

Nomination Form and provided he/she is eligible to vote under these Bye-Laws/Rules. A Member seeking Election as well also his/her Proposer and Secunder must have cleared all their dues of the Club House as on 30th April, 2023 before submission of Nomination forms, irrespective of whether or not the same have been demanded from them.

5. A copy of the Nomination Form, Declaration letter u/s.152 of Companies Act, 2013 and Election Bye-Laws/Rules 2023 shall be displayed on the Notice Board on Saturday 2<sup>nd</sup> September, 2023 and shall be deemed Notice to all. Accidental mistakes, omission, misprint in the list of Members, shall not invalidate the election.
6. The Administration Executive shall keep an upto-date List of Members of the Club House as far as possible, alphabetically arranged according to the names with addresses together with the dates of their becoming Members of the Club House. Such a list shall be made available to the Members on payment of a sum of ₹ 1,200/- + GST as applicable per copy. In addition, the said List of Members will also be provided to the Members on Pen Drive, on payment of ₹ 1,200/- + GST.
7. The Candidate has to pay a sum of ₹ 20,000/- towards Security Deposit by Cash/Pay Order/Demand Draft/Bankers Cheque alongwith Nomination Form. In case the Candidate has lost the Election, but secured 20% or more than the votes casted, he/she will be entitled to refund of Security Deposit. On withdrawal of Nomination Form, the Candidate shall be eligible to get refund of Security Deposit of ₹ 20,000/- .
8. Administration Executive is authorised to assist the Election Officer, Scrutinizer and Central Depository Services (India) Limited (CDSL).
9. All Nomination Forms alongwith Declaration Letter duly filled in and signed by each candidate shall be deposited with the Administration Executive of the Club House not later than 6.00 p.m on or before the date fixed for receiving the Nominations alongwith Security Deposit of ₹ 20,000/-. The last date for receipt of Nomination Papers shall be on or before Thursday 7<sup>th</sup> September, 2023 upto 6.00 pm.
10.
  - a. Duly submitted Nomination Papers shall be scrutinized by the Election Officer at 11.00 a.m., on Friday 8<sup>th</sup> September, 2023.
  - b. Incomplete Nomination Form will be rejected.
  - c. Candidates may remain present during the period, the Nomination Papers are scrutinized. The Scrutiny shall be completed on the same day.
  - d. In respect of the decision of the Election Officer, either accepting or rejecting any Nomination Paper, an Appeal can be made by the Candidate on or before Saturday 9<sup>th</sup> September, 2023 by 2.00 pm., to the President and in his absence, to the Vice-President.
  - e. The said Appeal shall be disposed off after hearing the Election Officer and the Candidate concerned by the President or the Vice-President, as the case may be, on or before Monday 11<sup>th</sup> September, 2023 by 5.00 pm.

The decision of the President/Vice-President shall be final and binding on the Candidate/s concerned.

11. A Candidate may withdraw his Candidature by a letter addressed to the Election Officer on or before Monday 11<sup>th</sup> September, 2023 by 6.00 pm.
12. On Tuesday 12<sup>th</sup> September, 2023 , the Administration Executive shall place on the Notice Board the names of Members reported to him by the Election Officer as validly nominated for election.
13. Name of the Candidates on the electronic ballot, will appear in alphabetical order, as mentioned on the nomination form, including nick name, if any.
14. If there be only one candidate each for the post of President, Vice-President and Hon.Treasurer and one post reserved for Lady Member out of the Eleven Members and maximum of Ten candidates for Members of the Managing Committee, the Candidates shall be deemed to be elected for the respective post.
15. If more than one member each for the posts of President, Vice-President and the Hon.Treasurer and one post reserved for Lady Member out of the Eleven Members and more than Ten Members as Members of the Managing Committee are nominated, an Election shall be held by Remote E-Voting from Saturday 23<sup>rd</sup> September, 2023 starting from 9.00 am till Monday 25<sup>th</sup> September, 2023 ending at 5.00 pm and on the day of Annual General Meeting by E-Voting at the AGM Venue from 9.00 am till the period, the announcement of closing is made by the Chairman in the Annual General Meeting.
16. If less than the requisite number of Members are elected, the duly constituted Garware Club House Managing Committee shall have the power to fill the remaining vacancies at its first meeting.
17. The Companies Act,2013 has also recognized serving of document's to any Member through electronic mode. The Email addresses given to the Club House by the Members will be deemed to be registered e-mail address of the concerned Member for serving Notices/Documents including those covered under Sections 101 and 136 of the Companies Act,2013 read with Rules 18 of the Companies (Management & Administration) relating to serving of document's in electronic mode. The Annual Reports and Election Bye-Laws would be dispatched to all the Members of the Club House through Email on their Email Id registered with the Club House.
18. In compliance with Sections 108, 110 and other applicable provisions of the Companies Act,2013 read with the Companies (Management and Administration) Amendment Rules, 2015, the Club House is pleased to provide the E-Voting facility to all its Members, to enable them to cast their votes electronically on any or all of the Resolutions specified in the Notice dated 28<sup>th</sup> August, 2023. The Club House has engaged the services of Central Depository Services (India) Limited for the purpose of providing E-Voting facility to all the Members. The details of the process and manner of Remote E-Voting

alongwith the User ID and Password will be furnished by the Service Provider Central Depository Services (India) Limited, separately to each Member.

19. a. It may be noted that Members can opt for only one mode of voting i.e., through Remote E-Voting or E-Voting at the AGM Venue.
  - b. Members shall have to vote at a stretch/time, in respect of Resolutions mentioned under Agenda Item Nos.1, 2 and 3 in respect of Elections of President, Vice-President, Hon.Treasurer, One Lady Member and Ten Members, either through Remote E-Voting or E-Voting at the AGM Venue.
  - c. In case any Member has opted to vote in respect of any one or two of the above mentioned Agenda Items through E-voting, such Member shall not be permitted to vote subsequently through Remote E-Voting/ E-Voting at the AGM Venue for remaining Agenda Item/s.
20. Members who have already exercised their right to vote by Remote E-Voting or E-Voting at the AGM Venue may attend the Annual General Meeting.
21. The Club House Managing Committee has appointed Mr. Rajnikant N. Shah, Company Secretary as the Scrutinizer to scrutinize the Remote E-Voting/ E-Voting at the AGM Venue in a fair and transparent manner.
22. The Chairman shall at the Annual General Meeting, at the end of discussion on the Resolutions on which voting is to be held, allow voting with the assistance of Scrutinizers, by use of electronic means to all those Members who are present at the Annual General Meeting, but have not casted their votes by availing the Remote E-Voting earlier.
23. The Election Officer and the Scrutinizer/s will collate the votes received through Remote E-Voting system and the E-Voting at the AGM Venue for all resolutions set forth in the Notice convening the AGM. On completion of the Scrutiny, the Election Officer and Scrutinizer will submit their Joint Report to the Chairman, who shall counter sign the same and declare the results of the voting. The Results on the above resolutions shall be declared not later than 48 hours from the conclusion of the AGM and the Resolutions will be deemed to have passed on the AGM date, subject to receipt of the requisite number of votes in favour of the Resolutions.
24. The Results declared alongwith the Joint Report of the Election Officer and Scrutinizer shall be displayed on the Notice Board of the Club House immediately and on Website of the Club House : [www.garwareclub.co.in](http://www.garwareclub.co.in)
25. The Administration Executive will provide a certified List of Members with their Addresses, who are eligible to vote under these Bye Laws/Rules to the Election Officer, Scrutinizer and Central Depository Services (India) Limited.
26. Central Depository Services (India) Limited shall on or before Friday 15<sup>th</sup> September, 2023 , send by Email to the Members, their USER ID and PASSWORD for Remote E-Voting who are eligible to vote under these Bye-Laws/Rules. Those Members who have not registered their Email Id with the

Club House, the USER ID and Password will be sent through Courier/Speed Post/Regd.A.D.Post

27. Members shall not be entitled to vote either by Remote E-voting or E-Voting at the AGM Venue and attend the 30th Annual General Meeting, unless all the dues as on 30<sup>th</sup> April, 2023, are fully paid by them, irrespective of whether or not the same have been demanded from them as under, despite User Id/Password sent to such Members.
  - a. The payment of all dues from the Members will not be accepted by the Club by Cheque from Tuesday 12<sup>th</sup> September, 2023 onwards till conclusion of AGM.
  - b. On payment of all dues in Cash/Bankers Cheque/Demand Draft/ Pay Order/Online payment, on or before Saturday 16<sup>th</sup> September, 2023 by the Members shall be eligible for Remote E-Voting on Saturday 23<sup>rd</sup>, Sunday 24<sup>th</sup> and Monday 25, September, 2023 and E-Voting at the AGM Venue on Tuesday 26<sup>th</sup> September, 2023 as also to attend the 30th Annual General Meeting.
  - c. In case of payments received from Members after Saturday 16<sup>th</sup> September, 2023, such members shall not be eligible for Remote E-Voting and E-Voting at the AGM Venue and to attend 30th AGM.
  - d. Members can pay their outstanding dues Online and they are requested to visit [www.garwareclub.co.in/online-payment](http://www.garwareclub.co.in/online-payment)
28. A Member shall be entitled to cast not more than one Vote each for the President, the Vice-President, the Hon.Treasurer, Lady Member and not more than ten Votes for Members of the Managing Committee.
29. In case of equality of votes, any of the Candidates may request the Chairman for a recount. Even after a recount, if the number of the Votes still remains equal, the Chairman or the person authorized by him for the purpose, shall draw a lot in the presence of the Election Officer and Scrutinizer and the concerned Candidates present at the time and on the basis of which, declare the result.
30. Voting by proxy is not permissible.
31. All disputes in connection with the Election shall be referred to the outgoing President and in his absence to the Vice-President and in the absence of both, the President and Vice-President, to the Hon.Treasurer of the Club House within 24 hours from the date and time of the results declared. It is clarified that the said outgoing President, Vice-President and Hon.Treasurer, must be holding the respective position, as on date of framing of these Election Bye-Laws/Rules 2023.
32. The President or the Vice-President or the Hon.Treasurer, as the case may be, after hearing the parties concerned, shall dispose of the dispute within 72 hours from the date and time of the declaration of election results and his decision shall be final and binding.

33. Any dispute as to interpretation of these Election Bye-Laws/Rules 2023 shall be referred to the Managing Committee of the Club House and the decision of the Managing Committee, in this respect, shall be final and binding on all Members.
34. Members coming to vote on the day of AGM should carry their Laminated Identity Cards or Certificate issued in lieu of the Laminated Identity Cards signed by duly authorized person on behalf of Garware Club House for proper identification. Otherwise arrangements shall be made to verify Members signatures from the office records and the necessary Verification Slips will be issued, to produce before the Election Officer.
35. In case any last date or cut off date under these Election Bye-Laws/ Rules 2023 falls on a Sunday or any other Holiday, the same shall be deemed to be on the next working day.
36. Any Communication, Nomination Paper etc., received from any member by Email shall not be considered as valid document for the purpose of this Election.
37. In case the Annual General Meeting/ E-Voting at the AGM Venue cannot be held on the scheduled date & time for any reason like force majeure, natural calamity, heavy rains, Mumbai Bandh and/or any other similar reason, the said Annual General Meeting/ E-Voting at the AGM Venue shall be adjourned to the same day, time and place in the subsequent week. The decision to adjourn the Annual General Meeting/ E-Voting at the AGM Venue as stated above shall be taken by the President or in his absence by the Vice President or in his absence by the Hon. Treasurer and such decision shall be binding on all the members.

In case the Annual General Meeting/ E-Voting at the AGM Venue is adjourned , as stated above, status-quo in respect of the Management shall be maintained.

38. It is mandatory for the Candidates contesting the Election to have valid DIN (Directors Identification Number) at the time of filing of Nomination Form for election.
39. The Candidates contesting the Election shall not, by themselves or through any Agent or otherwise, display or cause to be displayed any Hoardings, Paintings, Banners, Posters, Advertisement or any other materials for soliciting votes except Hand Bills/Cards, in the entire Wankhede Stadium Complex (including Main Gates and Parking Areas) and entire 'D' Road, Churchgate, Mumbai - 400 020, with effect from the date of the Notice of Annual General Meeting and Election is notified to the Members of the Club House.

By the Order of the Managing Committee

Sd/-  
(RAJ K. PUROHIT)  
VICE-PRESIDENT  
DIN : 01408589

Date : 28th August, 2023



# GARWARE CLUB HOUSE

(A Company Incorporated u/s 8 of Companies Act, 2013)  
CIN No. : U92100MH1993NPL071488

Sr. No.:

APPENDIX 'A'

Sign of Authorised Officer

To,  
The Election Officer,  
Garware Club House,  
Wankhede Stadium, 'D' Road,  
Churchgate, Mumbai - 400 020.

Place : \_\_\_\_\_

Date : \_\_\_\_\_

## NOMINATION FORM

We nominate the following candidate/candidates for election as Office Bearers and/or Members of the Managing Committee for the years 2023-24, 2024-25, 2025-26, 2026-27 and 2027-28. They have consented to seek election and to work on the Managing Committee, if elected.

I/We have read the Election Bye-Laws/Rules 2023 and agree to abide by the same.

	Name of the Candidates	Membership No.	DIN (Directors Identifications Number)	Willing to serve if elected (Signature)	For Office Use only.
A. President (One Seat only)	1				
B. Vice-President (One Seat only)	1				
C. Hon. Treasurer (One Seat only)	1				
D. Members of the Managing Committee (Eleven Seats only) One out of the Eleven Members shall be a Lady Member only	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				
	10				
	For Lady Member only	11			

Signature of Proposer \_\_\_\_\_

Name \_\_\_\_\_ Membership No. \_\_\_\_\_

Signature of Seconder \_\_\_\_\_

Name \_\_\_\_\_ Membership No. \_\_\_\_\_

N.B.: Name of the Candidates including Nick Name if any, as mentioned hereinabove will appear in alphabetical order on the Electronic Ballot.