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SPECIAL GENERAL BODY MEETING
07 JUN 2018 at 10:00 AM

A special General Body Meeting of members of The Kunj Vihar Cooperative Group Housing Society Ltd was held at its site location at Plot No. 19, Sector. 12, Dwarka Delhi - 110028 on 07 Jun 2018 at 10:00 AM

The meeting was presided over by Sh. Satvir Singh, Administrator. The following members have attended the meeting:—

S/NO	M. Slip No	Name of member	Signature	Signature Number, if any
1	541	SP. Kishoraki		
2	545	Jnderjit Dikana		
3	641	K. R. Ravindra Kumar		
4	555	NEERAJ KHATRI		
5	700	K. K. Nuthan		
6	3901	H. C. Subram.		
7	644	M. CARIAPPA APPAIAH		
8	621	SANDEEP SHARMA		
9	558	A. K. R.		

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The meeting was adjourned for one hour. Since the quorum was not complete, the meeting was re-started at 11:00 AM on the same day and venue.

10.	678	Arjun Menon		1006
11	661	ALOK KALRA		
12	552	SANDEEP KUMAR		
13	525	Dr. R. N. Kalita		
14	671	S. K. PASTI		
15	524	ANUPAMA Bhatnagar		

Date

Sign.

Signature of member

S No	P. No	Name of members	Sign.	Signature of member
16	633	RASHMI BALI	Rashmi	
17	377	A.K. HASSI JA	A.K. Hassi	
18	585	OP KANSOTIA	OP	
19	663	VIKASH KUMAR	Vikash	
20	620	Deepak	Deepak	
21	528	Sube Singh	Sube	
22	534	Ravi Kumar	Ravi	
23	551	Dr. R. K. Choudhary	R. K. Choudhary	
24	705	Lakhvinder Arora	Lakhvinder	
25	594	ASHOK LUPTA	Ashok	
26	690	B.K. Ramchandra	B.K. Ramchandra	
27	666	Rupendranath Choudhary	Rupendranath	
28	656	Dr. K.D. Beraola	K.D. Beraola	
29	702	Col Shiv Rana	Shiv Rana	
30	623	Randheer Singh	Randheer	
31	670	V. SURESH KUMAR	V. Suresh Kumar	
32	571	ADAR KUMAR KAPOOR	Adar	
33	647	Pradeep Gupta	Pradeep	
34	581	TM Kumar	TM Kumar	
35	634	Navin Chandra	Navin	
36	680	Kaustubh Kishor	Kaustubh	
37	563	Ramsh Kumar	Ramsh	
38	619	KL Chhabra	KL Chhabra	
39	683	Raman Singh. +1	Raman Singh	
40	549	MADHAN ANANDAN	Madhan	
41	548	K. Arjun	K. Arjun	
42	550	Arjun	Arjun	
43	615	S.C. MARWAHA	S.C. Marwaha	
44	622	CM SADDI	CM SADDI	
45	567	MR. AK GUPTA	MR. AK GUPTA	
46	537	ARUN KULSRESTHA	Arun Kulsrestha	
47	626	Mr. T.S. Sanyal	Mr. T.S. Sanyal	
48	515	Ms. SANJAY KUMAR	Ms. SANJAY KUMAR	

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MINUTES OF SPECIAL GENERAL BODY MEETING OF THE KUNJ VIHAR
COOPERATIVE GROUP HOUSING SOCIETY LTD.
HELD AT 10.00 HRS ON 07.6.2008

1. The Special General Body Meeting of the members of the Kunj Vihar Cooperative Group Housing Society Ltd. was held at its site location at Plot No. 19, Sector-12 Dwarka, New Delhi-110078 at 10.00 hrs on 07.6.2008. Since, the quorum, required for the meeting, was not complete by 10.00 hrs, therefore, the meeting was adjourned for one hour and recommenced at 11.00 hrs on the same day and same venue. The meeting was attended by 63 members who signed the SGBM register in token of their presence and resolutions passed in the SGBM. The meeting was presided over by Sh Satvir Singh, Administrator. The following was the agenda for the meeting :-

- (a) To take decision regarding appointment of Contractor for completion of balance work namely Internal Civil & Electrification work and External Development works in the Society.
- (b) Any other relevant points.

2. The Administrator welcomed all the members present in the meeting. The Administrator informed the members that, as resolved in the last Special General Body Meeting held on 25.05.2008 to send the quotations for Internal Civil & Electrification Work and also for External Development works to the old Contractor namely M/s Techno Constructions, accordingly the quotations for the aforesaid works with several additional stringent conditions, were sent to said M/s Techno Constructions on 27.05.2008. The Administrator further informed the members present in the meeting that the said M/s Techno Constructions submitted the quotations for the aforesaid both the works on 30.05.2008.

3. The Administrator further informed the members present in the meeting that the members of the negotiation committee, approved in the last Special General Body Meeting held on 25.05.2008 for opening of the quotations of M/s Techno Constructions and to assess the same and also to negotiate with said M/s Techno Construction and submit the report, were informed telephonically to visit society's office on 31.05.2008 at 11.30 AM for the said purpose. Accordingly following members of the negotiations committee in question attended the meeting:-

1. Sh. Jagan Tiwari (M.No. 697)
2. Sh. S Ramachandran (M.No. 601)
3. Sh. B K Ramachandra (M.No. 690)
4. Sh. Navin Chandra (M.No. 634)
5. Sh. S P Tripathi (M.No. 541)
6. Sh. Sanjeev Mehra (M.No. 552)
7. Sh. Sube Singh (M.No. 533)
8. Sh. Ashok Kumar Gupta (M.No. 567)



9. Sh. K R Ravindra Kumar (M.No. 641)
10. Sh. Ravi Kumar (M.No. 534)

4. Remaining members of the Negotiations Committee in question namely Sh. Suresh Bhatia husband of Smt Kaushalya Bhatia, did not attend the meeting despite information.

5. The Administrator further informed the members present in the meeting that besides the aforesaid members of the Negotiation Committee, following members of Advisory Committee also participated in the said meeting:-

1. Dr. H C Sachdeva (M.No. 399)
2. Sh. M. Carriappa Appaiah (M.No. 644)
3. Sh. Lakhvinder Arora (M.No. 705)
4. Sh. Alok Kalra (M.No. 661)
5. Sh. R L Kalita (M.No. 525)
6. Sh. Virender Singh (M.No. 629)

6. The Administrator further informed the members present in the meeting that besides the aforesaid members of the Negotiation Committee and Advisory Committee following members of the society have also participated in the said meeting:-

- Sh. S K Passi (M.No. 671)
Sh. J K Jain (M.No. 589)
Sh. A K Roy (M.No. 588)

7. The Administrator further informed the members present in the meeting that the quotations received from said M/s Techno Constructions for both the works in question were opened by the above mentioned members of the negotiations committee in the presence of above mentioned members of the advisory committee as well as members of the society. S/Sh. S. Ramachandra and B. K Ramachandran prepared the comparative statements of the rates quoted by M/s Techno Constructions.

8. The Administrator further informed the members present in the meeting that as per the comparative statements, M/s Techno Construction quoted total amount of Rs. 10,90,89,375/- for Internal Civil & Electrification works and Rs. 2,22,09,170/- for External Development Works. The total amount for both the works comes to Rs. 13,12,98,545/-.

9. The Administrator further informed the members present in the meeting that the aforesaid offer of M/s Techno Constructions was on the following conditions:-

1. Defect liability period will be of 2 years after completion of the projects instead of 5 years.

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2. Retention Money will be 5% to be deducted from each R/A Bill with maximum for Rs. 7 lakhs including earnest money.

3. Release of 50% retention money at the time of completion of the project and 50% after the defect liability period instead of entire retention money after the defect liability period.

4. Deduction of 5% from each R/A bill upto Maximum amount Rs. 30 Lakhs has deposit/ performance guarantee instead of 10% of the contract value. The deposit will be released at the time of completion of the project.

5. The recovery rate of Cement will be Rs. 230 Per Bag instead of Rs. 250 Per Bag.

6. Recovery of rate of Steel at the rate of Rs. 40,000/- Per MT instead of Rs. 30,000/- Per MT.

10. The Administrator further informed the members present in the meeting that the aforesaid conditions pertain to Internal Civil & Electrification Work. The same conditions are for External Development works plus one more condition that escalation in prices of labour and material will be allowed based on clause 10(cc) of CPWD and the performance guarantee will be maximum for an amount of Rs. 10 Lakhs.

11. The Administrator further informed the members present in the meeting that after opening the quotations in question, the members of the negotiations committee called Sh. Vinod Singhal, Proprietor of M/s Techno Construction for negotiation.

12. The Administrator further informed the members present in the meeting that after discussions, deliberations and negotiations, Sh. Singhal has agreed to execute the balance civil & Internal Electrification and External Development Works in question of the society for an amount of Rs. 12,60,00,000/- against total amount of Rs. 13,12,98,545/- as quoted in their quotations. Further he has agreed to execute the said work under the following terms & conditions which are applicable for both the works i.e Balance Civil Work & Electrification and External Development Works.

1. All taxes & levies will be paid by contractor.
2. Insurance, etc., will be borne by contractor. ✓
3. Escalation free period upto 6 month from the date of award.
4. Performance guarantee in the shape of bank guarantee of Rs. 1.00 Crore with validity period of 3 years from the date of commencement of work or 2 years after completion of work whichever is later for both the works i.e balance Civil work & Internal Electrification and External Development works.

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5. Retention money will be 5 % of each R/A Bill which will be refunded only after 100% completion of the work satisfactorily.
6. Recovery of cement will be @ 240/- per bag and Steel @ Rs. 40,000/- Per M.Ton
7. Total value of quotations has been reduced to Rs. 12.60 Crores for both the work i.e. balance Civil work & Internal Electrification and External Development works for which revised quotations will be submitted.
8. Defect guarantee shall be for a period of 3 years from the date of commencement of work or 2 years after completion of work which ever is later for both the work i.e. balance Civil work & Internal Electrification and External Development works.

13. The Administrator further informed the members present in the meeting that after prolong discussions, deliberations among the aforesaid members of the negotiations committee, Advisory committee and other members of the society, and also keeping in view the acceptance of various conditions put by the society took decision to accept the revised offer of M/s Techno Constructions subject to approval in the forthcoming Special General Body meeting.

14. The Administrator further informed the members present in the meeting that said M/s Techno Constructions submitted the revised quotations as per letter dated 31.05.2008 for both the works in question for total amount of Rs. 12.60 Crore on the following terms & Conditions:-

1. Final quotation is inclusive of all taxes & levies of Central/State Govt.
2. It also includes the Insurance Cover.
3. Escalation free period is of 6 months from the date of award of work.
4. Performance Guarantee is of Rs. 1 Crore (Rs. One Crore) & valid for 3 years (Three years) from the date of award of work.
5. Defects Liability Period is valid for 3 years from the start of work or 2 years from the date of completion whichever is later.
6. 5% Retention money deducted from each R/A bills will be returned totally at the time of completion.
7. Recovery rate of Cement is of Rs. 240/- per bag.
8. Recovery rate of Steel is of Rs. 40,000/- Per Mt.
9. Final Grand Total of the Quotation & Contract is of Rs. 12.60 Cores for the given Bill of Quantities.

15. The Administrator, before obtaining the views of the members present in the meeting on the quotations submitted by the M/s Techno Construction on the aforesaid conditions and acceptance of the same by the members of the negotiated committee, Advisory committee as well as members of the society, as mentioned above, placed following facts arisen from the recent developments, before the members present in the meeting.

16. That Sh. Vinod Singhal, Proprietor of M/s Techno Construction from whom the quotations for both the works in question, were called and assessed, as discussed above, has been recently arrested by Crime Branch of Delhi Police in connection with some criminal case which may be related to the cancellation of earlier contract/tender of said M/s Techno Constructions by the society. In this connection the Administrator further informed that the facts of the case leading to the arrest of said Sh. Vinod Kumar Singhal are not yet known. Keeping in view these developments the views of the members present in the meeting as to whether the members still desire to consider the quotations of said M/s Techno Constructions, were called by the Administrator. The following members expressed their views:-

17. Sh. A.L. Mendiratta :- He stated before the members present in the meeting that he was associated with the previous managing committee of the society and is aware of some the facts of the case and suggested that the case may prolong. And therefore, awarding the work in question to said M/s Techno Constructions should be avoided and the Administrator should call the quotations from 5-6 other contractors.

18. Sh. Parsanna Kumar Sahoo:- He stated before the members present in the meeting that he is member of the society for the last five years. We should consider the firms and not the individual for consideration of awarding the work in question. And thus the decision taken in favour of M/s Techno Construction should be considered as a decision in favour of a firm and not individual. He further stated that we have already lost lot of time and should wait for not more than a week or so.

19. Sh. Madhvan Naryan Swamy:- He stated before the members present in the meeting that as per quotations the validity period of the rates is for six months and therefore we can wait for a short period as time Extension to complete the construction is less than one year.

20. Sh. B.S. Mahay:- He stated before the members present in the meeting that we should not waste any more time as delay of one day will cost a lakhs of rupees and therefore we should go ahead with the quotations of M/s Techno Constructions.

21. Dr. H.C. Sachdeva:- He stated before the members present in the meeting that all the exercises done so far by observing all required formalities, should not go waste. We should wait for atleast 15 days to ascertain the actual legal position leading to arrest of Sh. Vinod Kumar Singhal. After 15 days we may take decision in this connection.

22. Dr. R K Chowdhary :- He stated before the members present in the meeting that he was one of the members of the negotiation committee, formed for negotiation with Sh. Vinod Kumar Singhal for compromise for an amount of Rs. 2 Crore as full & final payment in the Arbitration Case in question. During negotiations he did not see good behavior of said Sh. Vinod kumar Singhal and he (Mr. Choudhary) is not able to understand as to why we should consider the quotations submitted by Sh. Singhal (M/s Techno Constructions). He further stated that there is already delay of two years and opined that we should not go with M/s Techno Constructions.

23. Sh. Ravi Kumar :- He stated before the members present in the meeting that why we should go with Sh. Singhal as they have already caused loss to the society. We have time to go for some other contractor who can give good results and requested members present in the meeting to take the decision as their disputes will not end in near future.
24. Sh. K R Ravinder Kumar:- He stated before the members present in the meeting that he is agreed with the proposal of Sh Ravi Kumar as stated above. But further stated that Mr Singhal (Techno Constructions) has already completed the construction work upto 60% and some of the work was completed by other contractor (Hi-Tech Constructions). Since, we are not aware of the complete facts of his custody. Thus we should go for search of other contractor who can provide good proposals and we can negotiate with that contractor. He further stated that there is no political statement behind it.
25. Sh. Sanjay Kumar (M.Ship No 515) :- He stated that we have very limited option for earmarking the contractors who can fulfill the conditions laid down in the conditions for awarding the work. However, the conditions as mentioned in the quotation documents can not be diluted. In the last, he stated that we should give him (M/s techno Constructions) a time for 15 days, and if we find that we are not comfortable with him (Techno Constructions) then we can go for another contractor and till that period the factual position will also be more clear.
26. Sh A K Kapoor :- He stated before the members present in the meeting that before rejection of the tender/quotations of M/s techno Constructions, we should have the quotations of some other contractors who are qualifying the terms & conditions required by the society otherwise the process for calling the quotations will remain continue and the project shall never be completed.
27. Sh Tarun Bali husband of Mrs Rasmi Bali :- He stated before the members present in the meeting that M/s Techno Constructions has started the work in the society in the year 2001 and the quotations submitted by him (Techno Constructions) are the lowest in comparison to other contractors. He further stated that we should wait for 15 days.
28. Dr S K Wadhawan :- He stated before the members present in the meeting that there are some persons who do not want to complete the project in time and we do not want that the quotations submitted by Mr Vinod Singhal (M/s Techno Constructions) be rejected/cancelled and the award of work be given to some other contractor because of his arrest as it is a matter of dispute. Moreover, the rates of materials are being increased day by day. He further stated that we should wait for 15 days and the decision of house which ever may be should be accepted by all the members.
29. Sh A K Sharma :- He stated before the members present in the meeting that before we reject the quotations of Mr Vinod Singhal (M/s Techno Constructions) we should have some alternate arrangement of contractor to complete the project. He also

stated that we should wait for 15 days till he will also be able to prove the facts and in case he (Techno Constructions) fails to prove himself as clear hand then we shall go for another contractor and we should be ready for the same.

30. Sh Sanjeev Kumar :- He stated before the members present in the meeting that we are not aware of complete facts and what charges have been imposed on Mr Vinod Singhal (M/s Techno Constructions) and no such papers/documents relating to that case are available with us. He further stated that we should wait for 15 days because it may be a game plan of any other persons who might be against Techno Construction.

31. Ms Pratibha Gupta w/o Sh Ashok Kumar Gupta :- She stated before the members present in the meeting that Sh Arjun Lal Mendiratta is the only member who create hindrance in the progress of the society and always oppose the decision taken by the members in the house. She further stated and requested Sh Arjun Lal Mendiratta to be positive with the all members.

32. Sh Raman Singhal (Brother of Sh Vinod Singhal) :- He stated before the members present in the meeting that the CBI inquiry is in progress and 5 persons are seconding. He further informed the members about the tender that the previous Architect has given the statement in the court that he has not floated the tender which was executed between M/s Techno Constructions and the society. He further stated that we are going to court to bail out our brother Mr Vinod Singhal. At this stage, the very important work is to bail out our brother and not the tender. However, we request the house to give us time to clear the facts.

33. During the discussion, the Administrator informed the members present in the meeting that further action shall only be taken when the quotations submitted by Mr Vinod Singhal are either accepted or rejected.

34. After the views, expressed by the members, as stated above, the Administrator put before the members, present in the meeting, as to whether the quotation submitted by M/s Techno Constructions should be accepted, rejected or wait for another 15 days. The majority of members except S/Sh R K Chaudhary and A L Mendiratta, raised their hands by expressing that we should wait for 15 days and after that we shall again come here by holding Special General Body Meeting and then decide whether we can award the contract to M/s Techno Constructions or we should go for another contractor. It was resolved accordingly.

35. The Administrator also asked the members present in the meeting that is there any member who can provide the facts relating to arrest of Mr Vinod Singhal. But no member has come forward to do so. The Administrator further informed the members that till we receive any documents relating to arrest of Mr Vinod Singhal we cannot do any thing. However, we may obtain the opinion with our legal advisor for further necessary action in this regard, for which all the members agreed.

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36. Sh A L Mendiratta :- He stated before the members present in the meeting that the members of Advisory Committee and negotiation committee should be replaced. In this regard, The Administrator informed the members that it is not possible to replace the members of Advisory Committee or Negotiation Committee without any cause and requested Sh. Mendiratta to give the reasons for replacing the members of the Advisory Committee. But he could not do so. The he requested to add some more members in the Advisory Committee which was approved by all the members. The Administrator asked the members to give their names to be included in the list of Advisory Committee

37. The Administrator requested S/Sh. A L Mendiratta and Dr. R K Chaudhary to become the members of the Advisory Committee. But they refused to do so. The majority of members were also against induction of Sh. Mendiratta in Advisory Committee.

38. The following members volunteered to join as new member of the Advisory Committee :-

1. Col Sangwan on behalf of his wife Mrs Om Vati Sangwan
2. Mr S C Marwah
3. Capt Dua on behalf of his daughter Mrs Neera Dua
4. Sh J K Jain
5. Mrs. Pratibha Gupta W/o Sh. A K Gupta

39. Sh Carriappa suggested and recommended that Sh R K Chaudhary should be a member of our Advisory Committee under all circumstances and now this time the majority of members have supported and accepted the suggestion of Mr Carriappa. Sh. R K Chowdhary, now gave his consent. Thus Sh R K Chaudhary was also inducted as new member of the Advisory Committee.

40. Sh M.Cariappa stated before the member present in the meeting that we do not have any groupism in the society. Though we have a different views/opinion but we do not have any group in the society. He also suggested that the main gate which is in south be shifted as per vastu.

41. With regard to the compromise with M/s Techno Constructions in Arbitration case, pending to Mr. Justice (Retd) Anil Dev Singh, the Administrator, informed the members, present in the meeting that the Hon'ble Arbitrator has passed the award on 2.6.2008. In this connection, the Administrator further informed the members, present in the meeting that if the case in which Sh. Vinod Kumar Singhal has been arrested, is having any bearing on Arbitration case, then we have to take further necessary action accordingly after obtaining legal opinion. All the members agreed for the same and passed resolution accordingly.

Dated :


(Salvir Singh)
ADMINISTRATOR