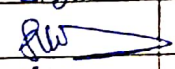

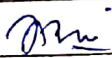
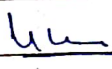
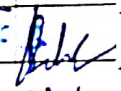

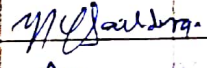
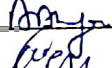
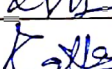
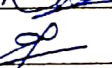
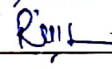
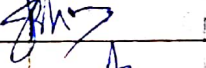
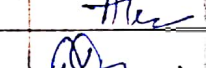
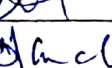
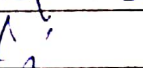
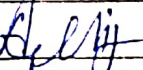
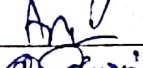
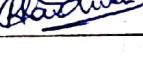

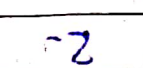


The Special General Body meeting of the KUNJ
Vibor CGHS LTD held on 08th June 2013 at 3:00 PM
at the site of the Society at Plot No-19, Sector-12,
Dwarka, New Delhi-110078, The following members
are present:-

S.No	M.No	Member's Name	Sign.	if name
1.	658	Satish Kumar		
2	352	Laxmi Bhasin		
3	293	SHINTE		21/05/13
4.	675	Dr. Jagmohan Rai		
5	571	A. K. Kapoor		
6.	288	Dr. J. Singh		
7	346	Capt Atul.		
8	399	Dr. H. C. Subhakar		
9	2	Anup Margam		
10.	677	C M Sarda		
11	614.	R. L. RAINA		
12	538	Arun Kumar Ray		
13	525	R N Kalita		
14	525	J. S. BHORIN		
15	604	A. K. SHARMA		
16	633	Rashmi Bali		
17	690	Ramachandra Ba		
18	538	Sherry Singh		
19	377	A. K. Halhi		
20	691	Ankur Jain		
21	666	Rupen Chaudhuri		

22	679	Urvinder Singh		
23	15	Gopal krishan Bhargava	Mohit Bhargava	
24	578	Komal X. Gunt & Rama		
25	121	HMIT D. C. - 2 / M. Puri		
26	671	SANJAY KUMAR (PASS)		
27	565	Ujjwal Pathak		
28	667	N.M. Sharma Anil Sharma		
29	595	PK SAHOO		
30	589	Jivindan Kumar Jais		
31	585	KAN SO TIA / O.P.		
32	620	Dr. H. Datta		
33	705	Jasvinder Arora		
34	534	Ravi Kumar		
35	533	Sukh Singh		
36	644	M. CARIAPP APPAIAH		
37	634	Nalini Chandra		
38	689	PUNISH MEHRA		
39	594	ASHOK GUPTA		
40	547	Neena Kapoor		
41	688	Vimal Kalia		
42	557	T. S. Datta		
43	582	T. M. R. Srinivasan		
44	703	Pankaj Sharma & Sunita Sharma		
45	550	A. TRIPATHI		
46	539	D. Sen		
47	659	Pramod Kumar Singh		
48	597	Kaushik Bhatia		
49	576	Shiranjay Sahay Varma		
50	438	Anil Goel		
51	552	Anand Gupta		
52	530	SARANG VINOD Joshi		
53	570	Black CL		
54	569	Mrs. D. W. J		

55

620

Aug 7 S. Saifur

3
B

Minutes of the General Body Meeting of The Kunj Vihar CGHS Ltd. held on 08.06.2013

The General Body Meeting of members of Kunj Vihar Cooperative Group Housing Society Ltd. was held at its site, Plot No. 19, Sector-12, Dwarka, N. Delhi-110075 at 3 pm on 8th June, 2013. Since, the quorum, required for the meeting, was not complete by 3 pm, the meeting was adjourned and recommenced at 3.45 pm on the same day and same venue. The meeting was attended by 55 members who signed the GBM register in token of their presence and endorsed the resolutions passed in the GBM. The meeting was presided over by Sh. M Cariappa Appaiah, President. A Head constable from the Delhi police force was also present, as a request had been made for the presence of Delhi police personnel by the MC in view of the upgradation proceedings. The RCS Office had also been requested to appoint an observer/representative to oversee the process of upgradation of members to membership vacancies in higher category of flats. However, the RCS did not depute any official for the meeting, since they opined that upgrading is an internal process in the Society, and should be conducted during a GBM convened for the purpose.

1 The Secretary, Dr. H.C. Sachdeva convened the meeting by inviting the President, Mr. M. Cariappa Appaiah; Vice-president, Dr. R.N. Kalita, and the other MC members to the dais and requested the President to start the proceedings.

2 The President welcomed all the Members and families present. He reminded the members of the inspection carried out by the Fire services officers in March this year. He informed the members that the Society had been issued NOC from the Delhi Fire Services. This is being submitted to the DDA for completing the formalities related to issue of Completion Certificate. After the submission of the documents, the officers from the DDA are expected to carry out inspection during the month of July, 2013.

He then emphasised that the GBM had been called essentially for the purpose of upgradation of members to vacancies in higher category of flats as approved in the last GBM on 28th April and requested the Secretary, Dr. H.C. Sachdeva to present his report.

3 Dr. H.C. Sachdeva read out the Agenda for the GBM circulated in advance to all members and presented the Secretary's report.

The Secretary sought the approval of the members for minutes of the previous GBM held on 28th April 2013, which had already been circulated to all the members. The Minutes were then accepted and unanimously confirmed by the members present.

The Secretary then handed the proceedings back to the President. The President invited the members for suggestions/comments/proposals. Many members came forward:

1. Mr. Virender Singh, 629: He wanted to know what was the reason for the postponement of the SGBM by 7 days. If, it was on the basis of the requests from the members, who are the members having made this request? He stated that he had come to know of the development of



upgradation process only in this week and it was highly improper on the part of the MC to proceed in this manner! He wanted to know the basis on which the calculation of the cost of flats has been worked out for the purpose of upgradation. He **emphasised that the cost should be based on the prevailing market rates.** He wanted to know the reason of resignation of Mrs. Rashmi Bali from the post of Treasurer. He alleged that the bills in the society are not being passed properly.

II. Mrs. Rashmi Bali (M.No.633) Treasurer in the previous MC) came to the stage to reply to Mr V. Singh comments. She explained that at no point of time she had ever resigned. In fact, her term as Treasurer had come to an end when term of the previous MC had ended. Thereafter the RCS appointed Election Officer had conducted elections in May 2012. She had contested the elections and was elected unopposed. However, after the newly elected committee took over, it was unanimously decided that Mr. S P Tripathi would be the new Treasurer. As regards the bills not being processed and passed properly she insisted that she put her signatures only when she was satisfied and that they were absolutely in order and correct. It was totally incorrect for Mr.V.Singh to make this kind of allegation.

III. Mr.Sube Singh (M No.533) came to the dais and read out a prepared statement. He stated that he had been upgraded to 3 B/R flat of 1728 sqft area in 2006 by the then MC and wanted this commitment to be fulfilled since he had paid as per the schedule for this size of flat. He was not concerned whether other members were treated equally with him or were provided an equally opportunity at par or not by the MC in the past. He insisted that a 3 B/R flat of 1728 sqft area – the largest area should be given to him. The present MC cannot deprive him of this right and it is ultra-vires of his fundamental right, since he had paid as per the demand issued to him for that particular size of flat. He had opposed this move of having a single category of 3 B R category flats even in the meeting of 3 B/R flat members in 22nd Sept. 2012 called for this purpose specifically. However, he had left early and was not a party to the subsequent unanimous decision. He wanted this matter to be resolved amicably by the MC and had written to the MC in the past and when he had not received an appropriate response he had complained to the RCS in this matter.

IV. The President, Mr.Cariappa replied that Mr.Sube Singh had been enrolled as a member for a 3 B/R flat of area of 1555 sq. ft area, originally in 2002. Subsequently, it was revised to 1728 sqft vide Society's demand letter dated 13.2.2006 and once again to 1797 sqft vide demand letter dated 19.03.2006 without change in category. This allocation of sizes, whether in 2002 or in 2006, was done arbitrarily when these sizes were not approved in any GBM and without communicating to all the existing members. The revision of area of 3 B R category flat in 2006, were done when there was no vacancy in that category. Hence these changes would have an effect on the equal right of another member in the same category, as this repeated change would have a consequent change in the size of other members in the same category. So, if Mr.Sube Singh had moved from a lower size to a higher size, then another member from the higher size would have been down graded to a lower size. There is no record to show that other members were taken into confidence on the change in their flat size, as Mr. Sube Singh allotted size

changed. Does the RCS rules allow such changes without providing all the members with the same opportunity or after taking all the members into confidence. Records reveal that Mr. Sube Singh was a MC member at that time and had also been regularly attending the meetings of the MC in 2005 & 2006 and was therefore a privy to the information that some flats in the 3 B/R category of flats were larger in size and not as per the approved drawings, circulated earlier to all the members of that category at the time of enrollment, which had shown that the difference was only the difference in the number of balconies. The size wise segregation of members, without following any transparent process had resulted in complaints by some of the members who were allotted a smaller size in 2006, even though they were also enrolled for the same size flat as Mr. Sube Singh. The Administrator had recorded his observation on different sizes in the same category and noted that this should be sorted out amicably. These large size flats were located in a specific block and the size wise segregation, which was done in a non transparent manner and without providing an equal opportunity to originally equally placed members, also resulted in a location preference to select members, showing clear bias and extra favour by the MC to a group of members including some MC members, which totally violates the principles of natural justice.

Most of the members who have been allotted larger size flats or preferred location flats, in a non transparent manner, like in Mr. Sube Singh's case have realized this selective allocation of larger 3 B/R category of flats as being improper and not as per the rules of the RCS and have since accepted the decision adopted in the meeting of the 3 B/R flat members on 22nd Sept 2012 called specifically for this purpose by the MC. This decision was subsequently accepted and approved in the GBM on 25-11-12. He clarified that the original construction was not carried out as per the approved drawing of the DDA in 2003. It is indeed interesting to note that since there had been no revision or approval of drawings subsequently during the period prior to the appointment of the Administrator, then how could the area of the flats be changed repeatedly over a period of time by the MC during that time? And how could these larger flats be selectively allocated to a few members in violation of the RCS rules and these members today are again not ready to abide by the rules of the RCS. Records of the proceedings of the MC reveal that equal opportunity was not given to the other members and neither was this issue discussed in a GBM subsequently and nor any approval of the GBM taken for this selective allocation of the higher area 3 B/R category flats. Members felt that in fact, it was a fraud by people at the helm of affairs at that time, as this size of flat was neither approved by the GBM nor by the DDA. Under what authority the MC could create a separate size of the Flat and distribute it to its selected members, without the approval of the GBM. Thus there is no actual basis on which the members are making this claim. The MC has replied to the member in the previous GBM and the matter has been recorded in minutes of the GBM, which have been circulated to all the members, a copy of which was submitted to the RCS also. Thus, the allegation of the member that his concern in this matter has not been looked into and addressed is false. If the member still has taken up this matter with the RCS despite knowing the facts, it is his free will. The MC shall reply to the RCS when called for an explanation along with the relevant documents citing violation of the rules of the RCS by these members themselves, *also requesting RCS to initiate action for committing a fraud.*



As regards Mr. Sube Singh's statement that he had left the meeting of 22nd September, 2012, early, hence he was not a party to the unanimous decision, the President reminded him that a few days after the meeting, he had visited the Society along with Mr. Ravi Kumar and Mr O P Kansotia and had insisted on the allotment of a higher size of flat. The President clearly informed that in view of the complaints to the RCS on this selective segregation of flats size wise to members of the same category, without taking all the members into confidence and since such selective segregation was against the Rules & process of the RCS and is illegal in a Cooperative Group Housing Society, he had called a special meeting of all the members of the 3 B/R category to arrive at some amicable solution as recommended by the GBM during the Administrator tenure. Based on the detailed deliberation the meeting had arrived at the conclusion.

However, the President asked the three members if they could suggest any other solution to this vexed issue. They did not feel that there was a better solution and confirmed that the unanimous decision adopted by the members on 22nd Sept 2012 in the meeting of the 3 BR flat members was in the best interest of the Society and 3 B/R members.

The President requested Mr. Kansotia and Mr. Ravi Kumar to come and give their comments on his clarification. While Mr. Ravi Kumar did not come forward Mr. O P Kansotia subsequently came forward and addressed the members on several issues.

V. Mr. O P Kansotia (M No.585) appreciated that the present MC is following the correct procedure in a fair and transparent manner. He exhorted the members to be alert and vigilant and not be mislead by rumours and false allegations. He reminded the members to remain focused on the objective of getting the allotment which was the final objective of the members and the society at large. This objective should not be lost by the members. Regarding the process of upgrading of the members to vacancies in the higher category of flats he again emphasized that we have to act as per the rules and regulations of the RCS, which the present MC is following in a clear and transparent manner. He reminded the members that he had spoken in the previous GBM also that this is a cooperative movement and not a commercial venture where market rates can be charged.

VI. Mr. A K Roy (Memb.No.588) was quite agitated at the attitude adopted by the members for their personal gain and that these members not being focused on the completion of the Society project. He wanted the members to remain focused on completing the project and not indulge in petty squabbles and personal gains.

VII. Mr. B K Ramachandra (690) also expressed a similar problem of area pertaining to 2 B/R category flat of which he is a member.

VIII. Mr. A K Kapoor (571) explained that his own case was not only similar but identical to that of Mr. Sube Singh. There were many others like him who had been given similar assurances



for allocation of flats of higher area by the MC in the past. Some members had also been given other assurances, e.g. terrace rights, flat on specific floors / towers but these were not tenable as these were not as per the provisions of the RCS rules and therefore null and void and therefore the MC at the present cannot implement the assurances given by the previous MC at that time. The members must understand this and have to look for a practical solution as per the rules of the RCS.

- IX. Mr. Vimal Kalra (M No.688) explained that he was a 4 B/R flat member and wanted to know the area of the flat which was to be given to him. This he wanted to know in the context of the affidavit that had to be submitted by the members. He was concerned that he was being asked to submit an affidavit without being intimated the actual area of the flat. In case it was not as per his understanding then after having filed an affidavit he would not be in a position tomorrow to raise any question on this matter.

The President, Mr. Cariappa replied that this matter had already been explained to his father who had been visiting the society regularly, and probably there was no need to raise the issue in the GBM, since members were aware of the reasons for seeking the Affidavit. When Mr. Kalra persisted in his question, the President, replied that in the past the construction was not carried out as per the approved drawings. The sizes of the flats in the same category varied from one another and also on different floors. The measurements of each and every flat had been taken by DDA when we applied for our revised scheme. Even though we are aware that the DUAC has approved the proposal forwarded to them by DDA, no drawings/measurements/approvals of the DDA/DUAC have been issued to the Society. Once the approved drawings and completion certificate by DDA, are issued to the Society, the Architect would work out the super area of each flat, based on which the final flat cost would be calculated. After that the Society would intimate to all the members, the Size & cost. Till then it would not be possible to give specific information on the size as sought by him. If the member persisted for this information then it would only lead to a situation like that of Mr. Sube Singh - who had been allocated a 3 B/R category flat of a specific size, and since no flat existed in the society of that particular area/size, and the member is upset. Members are aware, that the basic civil construction had already taken place when the present MC had taken over. The present MC could carry out only minor alterations and that too as per the approval of the DUAC/DDA. The exact sizes of the flats can be confirmed to the members only when the society receives this information from DDA/DUAC, and the allotment process is over, and the specific flat allotted to a member is known.

The President stated that as informed in the previous GBM, on the basis of POC issued to the Society by DDA (as soon as our final completion drawings are forwarded by DDA to DUAC) RCS recommend list of eligible members to the DDA for the allotment. The Completion drawings are approved by the DUAC/DDA, after which the DDA issues the Completion Certificate after site verification. Possession of the flats is given thereafter. All the members would be intimated of the exact size and cost before possession.



The President requested the members to understand this. However, for the reference of the Members, a tentative area has been given to all members based on the recommendation of the Architect, which is the same for all members of a particular category, in order to avoid disputes among members of a particular category. As already explained in the past GBM, since an affidavit has to be submitted by the Society to the RCS, which is mandatory for allotment, a supporting back-to-back affidavit is being sought from members. The Society is following a uniform policy for all the members in a transparent manner. The Affidavits called for, have to be submitted by all the members. Most of the Members have already completed their documentation and also cleared their payments. However, if Mr. Kalra has any issue and does not wish to complete all the documentation required for allotment, as called for from all the members uniformly, we cannot force him. As required by the RCS, as part of the information, mandatory for allotment, the Society will forward to the RCS the details of all the members including any issue raised by members, as well as complaints received from members.

The President requested Mr. Kalra to also follow up his issue with the RCS if required.

- X. Mrs. Neena Kapoor (M.No547) requested the members to realize the efforts being put in by the MC to sort out issues which had led to disputes among members. The transparent and impartial approach had enabled the Society to progress and now we can look forward to the allotment. She wanted all the members to co-operate and not raise such issues.
- XI. Mr. P K Singh (M No.659) also expressed similar sentiments and emphasized that the members need to appreciate the work being carried out by the present MC. The society is so near its objective of obtaining the allotment on the completion of the project.
- XII. Mr. Virender Singh (629) wanted that the amount being charged from the members for the upgradation process should be obtained and clarified from the C.A. and the Architect, and also referred to his e-mail of yesterday evening in this context. He insisted that he became aware of the amount being charged from the members for the upgradation only 3 days back when he had received the GBM minutes, which was shocking to him and totally unacceptable.
- XIII. The Secretary, Dr.H.C.Sachdeva replied that it was totally incorrect for Mr. V.Singh to allege that the information regarding the cost of upgradation was informed to the members at a very late stage and the members could know of it only 3 days back when they received the GBM minutes. It was stressed that the prices applicable for upgradation to different categories were read out clearly in the previous GBM on 28th April as part of the Secretary's report and that has been circulated also to all the members before conducting this GBM. He again emphasized that soon after the previous GBM on 28th April, the MC had finalized the application of upgradation for the members to apply, containing all the details and this application was sent to all the members of 2 B/R and 3 B/R category members for the purpose of upgradation. He invited members to the stage to clarify if what he has stated was factually incorrect and tell the GBM what was the factual and correct position, however not even a single member came forward.



At this stage Mr.V.Singh stated that his only intention is to get maximum money for the Society in the interest of all the members, and the RCS Rules do not specify the price for upgradation, but only the procedure. He stated that if his suggestions were not being taken seriously, he did not wish to be in the meeting. However, he was persuaded by the President, Mr.Cariappa and Mr Gureharan Singh to understand that up gradation and induction of new members to the vacant flats would be done only as per RCS Rules. He stressed that the exact calculation of the price of the flat would be worked out once the exact areas of the flats were known and which particular flat was allotted to a particular member. The price would be calculated by the Society with inputs from the Architect and verified by the C.A.

XIV. Dr.H.Deka (M.No.420) appealed to the members that as the GBM had been called specially with the upgradation as the main item on the agenda it should be conducted without any further waste of time.

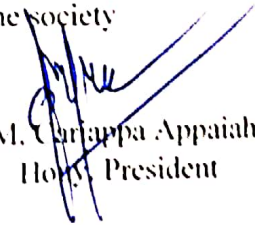
The Secretary then invited the members of the Upgradation Committee constituted in the previous GBM on 28th April:

1. Mr S C Marwah (M No. 615)
2. Mr Ajay Kumar Kapoor (M No. 571)
3. Mr Arun Kumar Roy (M No. 588)
4. Dr Jagmohan Rai (M No. 675)

He requested the committee members to conduct and oversee the entire process of upgradation and informed that Mr.Marwah had expressed his inability to attend the proceedings though earlier he had said that he would come before the GBM and see the planning and prepare for the conduct of upgradation. He also reminded the members that the entire procedure was being videographed.

The committee members conducted the entire upgradation process in full public view. Later the members submitted a report dt.08-06-2013 regards the upgradation, which is appended as annexure-I. a list of members dt.07-06-2013 of eligible applicants after scrutinizing the applications was prepared by the committee and is appended as annexure-II.

The process of upgradation was completed by 5.40 pm and as there was no further comments/submission by a member the meeting came to an end with a vote of thanks to the chair. The members then proceeded to have snacks arranged for by the society


(M. Cariappa Appaiah)
Hon'ble President

A committee was constituted in the last GBM on 28/04/2013 comprising of S/Sh S C Marwah, Jagmohan Rai, Ajay Kumar Kapoor, Arun Kumar Roy to supervise the process of upgradation of members to vacancies in the higher category of flats. The committee members S/Sh Jagmohan Rai, Ajay Kumar Kapoor, Arun Kumar Roy examined and scrutinized the application received till 5 pm on 06/06/2013. 26 applications were received in all. Of these 1 was invalid (non receipt of payment). Rest 25 were acceptable. A list of 14 applicants for 4 BR and 16 applicants for 3 BR was prepared.

The draw was held in full public view in the presence of all the members attending the GBM. The process for the draw was explained by one of the committee members clearly and was accepted by all the members present.

The draw was held in phases:

In the first phase, draw for 3 GF four bed room flats was held. The three successful applicants were:

List of Successful members for upgradation from 2BR/3BR to 4BR at Ground Floor

S.NO.	M.NO.	Name of Members	Existing Category	Token No
1	352	SUSHIL BHASIN	2 BR	33
2	690	B K RAMACHANDRA	2 BR	32
3	585	ALKA KANSOTIA	3 BR	22

Since one of the applicants namely S/Sh Alka Kansotia (M.No. 585) moved from 3 BR to 4 BR Ground Floor, One more vacancy arose in the 3 Bed Room Category which was upgraded in the second phase.

In the second phase, draw for 2 GF three bed room flats and 1 three bed room upper floor flat (that fell vacant due to phase one of the draw) was held.

The Successful applicants were:

List of Successful members for upgradation from 2BR to 3BR at Ground Floor

S.No.	M.No.	Name of Members	Existing Category	Token No
1	557	T S DATTA	2 BR	42
2	677	CHANDRA MOHAN SADDI & SUNITA SADDI	2 BR	38

List of Successful members for upgradation from 2BR to 3BR at upper floor

1	45	ATUL NARANG	2 BR	44
---	----	-------------	------	----

In the last phase two waiting lists were drawn one for the four bed room category and the other for the three bed room category.

The following applicants were put on the waiting list through draw:

Waiting List of members for upgradation from 2BR/3BR to 4BR at Ground Floor

1	597	KAUSHLYA BHATIA	3 BR	26
2	659	PRAMOD KUMAR SINGH & PRATIBHA SINGH	3 BR	23
3	652	ANADI GUPTA	3 BR	27

Waiting List of members for upgradation from 2BR to 3BR at Ground Floor

1	582	T M Ramasubramaniam & Mrs Sudha	2 BR	35
2	689	PUNISH MISHRA	2 BR	39

Waiting List of members for upgradation from 2BR to 3BR at Upper Floor

1	691	ANKUR JAIN	2 BR	45
---	-----	------------	------	----

(Jagmohan Rai) 8/06/13

(Ajay Kumar Kapoor)

(Arun Kumar Roy) 8/6/13

The Kunj Vihar Co-operative Group Housing Society Ltd.

Plot No. 19, Sector-12, Dwarka, New Delhi-110075

A meeting of the members of the committee constituted as per the approval of GBM dated 28.4.2013 to oversee upgradation of membership to higher category of vacancies was held alongwith the office bearers of the management committee in the office of the Kunj Vihar CGHS Ltd again met on 07.06.2013 at 5.00 PM. The following members were present:

Mr. M Cariappa Appaiah	Hony. President
Mr. R N Kalita	Hony. Vice President
Mr. Jagmohan Rai	Committee Member
Mr. Ajay Kapoor	Committee Member
Mr. Arun Kumar Roy	Committee Member

in all 76 applications were received for the upgradation. On examination, one application of Smt Shashi Bhargava (M No. 76) was incomplete due to non receipt of payment. The rest 25 applications were found to be in order and payments as per demands till date, and as per the application has been received. There were 11 applicants for upgradation from 2 B/R to 3 B/R flats, 9 applicants for upgradation from 3 B/R to 4 B/R flats and 5 applicants for upgradation from 2 B/R to 4 B/R flats. The name of applicants are valid for draw of lots on 08.06.2013 at 3.00 PM in the SGBM are as under:

List of applicants for 4 BR

S.NO	M.NO	Name of Members
1	548	K ASOKAN
2	585	ALKA KANSOTIA
3	659	PRAMOD KUMAR SINGH & PRATIBHA SINGH
4	121	NEERA DUA
5	346	ATUL KUMAR SINGH
6	597	KAUSHLYA BHATIA
7	657	ANADI GUPTA
8	658	INDRA KUNDRA & SATISH KUMAR
9	397	KAMLESH KESHAV
10	666	RANENDRA NATH CHAUDHURI & RUPENDRA NATH CHAUDHURI
11	299	HARVINDER KAUR
12	690	B K RAMACHANDRA / Uma
13	352	SUSHIL BHASIN
14	7	ANUP BHARGAVA

List of applicants for 3 BR category

S.No.	M.No.	Name of Members
1	582	T M Ramasubramaniam & Mrs Sudha
	703	SUNITA SHARMA
3	705	LAKHVINDER SINGH ARORA
4	677	CHANDRA MOHAN SADDI & SUNITA SADDI
5	689	PUNISH MISHRA
6	595	PRASANNA KUMAR SAHOO/ SUJATA
7	365	VIVEK PATHAK
8	557	T S DATTA
9	550	AMBUJ TRIPATHI
10	45	ATUL NARANG
11	691	ANKUR JAIN
12	666	RANENDRA NATH CHAUDHURI & RUPENDRA NATH CHAUDHURI
13	299	HARVINDER KAUR
14	690	B K RAMACHANDRA & Uma
15	352	SUSHIL BHASIN
16	7	ANUP BHARGAVA

The payment received by demand draft from Mr. Pramod Kumar Singh (M.No. 659) - Rs. 13,00,000/- has been credited in Society account as confirmed from bank and Mr. Vivek Pathak (M.No. 365) - Rs. 8,00,000/- and Mr. Ambuj Tripathi (M.No. 550) - Rs. 5,50,000/- and Rs. 2,50,000/-, are yet to be realized and credited in the Society's bank account.

(M Cariappa Appaiah)

(Dr. R N Kalita)

(Jagmohan Rai)

(Ajay Kumar Kapoor)

(Arun Kumar Roy)

Secretary's report to the SGBM of The Kunj Vihar CGHS Ltd on 8th June 2013

Mr President and respected Members, I extend a warm welcome to all of you. This special GBM (SGBM) is essentially being conducted for the process of upgradation of existing members to membership vacancies in higher category of flats. As per the earlier notice, the SGBM was planned for 01.06.2013 but was postponed to today due to repeated requests from the members for more time to enable the members to apply for upgradation. Now with your permission, I would like to share with you the progress we have made since the last GBM, i.e. 28.04.2013. May I inform you that the RCS office was requested to appoint an Observer/Representative to oversee the draw of lots for the process of upgradation today. May I proceed as per the agenda circulated in advance and update you of other developments also since the last GBM: The proceedings of the SGBM including the draw of lots for the upgradation is being videographed today.

Agenda for GBM:

1. Approval of the Minutes of the previous GBM.

In the last GBM held on 28.04.2013 many important issues were broadly covered as per the then agenda pertaining to:


- i. Appointment of new Auditor for Financial Year 2012-13.
- ii. Approval of Revised scheme of drawings by DUAC.
- iii. Status of construction and balance work in the Society.
- iv. Balance work, cost and contract as per the revised sanction.
- v. Fund requirement to complete work for obtaining necessary clearances from agencies/authorities and completion certificate from DDA.
- vi. Submission of revised sanction to the RCS of 6 categories of flats, approved by DUAC.
- vii. Filling up of 2 membership vacancies in existing 2 B/R category.
- viii. Upgradation of existing members to membership vacancies in new categories of flats, i.e. 3 B/R and 4 B/R flats at Ground floor.
- ix. Filling up of balance membership vacancies after upgradation.
- x. Submission of affidavits by members.
- xi. Fund mobilization for bridge financing to complete balance work.

Copy of the GBM minutes has already been mailed to you and circulated today again for ready reference and perusal and may we resolve that the GBM minutes are passed unanimously.

2. Draw of lots for upgradation to 3 B/R and 4 B/R flats at Ground floor – The draw of lots for upgradation of members to membership vacancies in 3 B/R and 4 B/R category flats would shortly be conducted by the committee constituted for this purpose in the previous GBM:

- i. Mr S C Marwah (M No. 615)
- ii. Mr Ajay Kumar Kapoor (M No. 571)
- iii. Mr Arun Kumar Roy (M No. 588)
- iv. Dr Jagmohan Rai (M No. 675)

However, Mr Marwah has expressed his inability. The committee members no. 2,3, and 4 scrutinized the applications on the basis of the procedure presented before the GBM. In all 26 applications were received till 5pm 6th June for upgradation; 1 application was rejected due to non-receipt of payment; 16 applications for 3 B/R Flats and 14 applications



However, Mr Marwah has expressed his inability. The committee members no. 2,3, and 4 scrutinized the applications on the basis of the procedure presented before the GBM. In all 26 applications were received till 5pm 6th June for upgradation; 1 application was rejected due to non-receipt of payment; 16 applications for 3 B/R Flats and 14 applications for 4 B/R Gr. Fl. Flats were found to be in order. A list of the successful applicants has been put up on the notice board of the society and also here in the SGMB for ready reference. First, draw of lots would take place for the 4 B/R category flats followed by draw of lots for the 3 B/R category flats including vacancies falling vacant in 3 B/R category flats (ground floor and all other floors) due to the upgradation of members from 3 B/R to 4 B/R category, if any. Thereafter, draw of lots would take place to prepare a waiting list for the 4 B/R and 3 B/R category of flats. One more application was submitted by Mrs. Anandi Devi Verma (M.No 293) after the closure of the time limit for the receipt of applications i.e. 5 PM, 06.06.2013.. The member had approached the Society office on 06.06.2013 with the application for the upgradation and wanted to pay in cash, however, this was not acceptable and the committee did not accept his application. He has approached the RCS. At the RCS, the AR informed that this is an internal matter of the society and being a cooperative society with a positive attitude it may be considered if other members have no objection to the technical default

3. **Status of affidavit for allotment** – Members have been requested repeatedly to submit the affidavits, proforma was mailed to the members and they were requested to submit these affidavits by 25th May, 2013. As of now about 70 % of the members have submitted the affidavit. Members are once again requested in earnest to submit these affidavits so that these can be forwarded to the RCS office representing the Society at large.
4. **Status of completion certificate from DDA** : Members were informed in the previous GBM about the progress of the Society as per the revised scheme of the drawings. The EOT – composition charges have been deposited in the DDA so that the POC /CC can be issued to the Society. The officials of DDA are expected to visit the Society for inspection this month. The MC is hopeful that the POC /CC would be issued in a month. Members were also apprised about the inspection carried out by the officers from the Fire Services deptt. in March this year, subsequently the application was processed and the society has been issued a NOC. Obtaining NOC from the Fire deptt. is a major milestone as this is an important clearance required for the formalities to be completed by DDA for issuing POC/CC.
5. **Legal cases:**
 - (a) **Legal Case of Mr. Gopal Krishan Bhargava** : The last hearing was on 24.05.2013 and the decision is awaited.
 - (b) **Legal case of Mr. A.L.Mendiratta** : Members were informed in the last GBM that the matter has been referred for arbitration; the hearing is scheduled on 15th June.
 - (c) **Legal Case of M/s Hi-Tech Construction**: the cross examination of the proprietor Mr. Tarun Goel has been completed and the list of witnesses to be examined has been submitted by Mr.Rajiv Talwar (counsel for the society) to the Arbitrator. The next date of hearing is 18.7.2013. Pertaining to this case, members are being reminded once again today in the context of this case that each member has to submit an affidavit to the Arbitrator as



per the order of the Delhi High Court, dt. 19-11-2009. A copy of the order was mailed to the members requesting that the affidavits be returned by 25th May.

6. **Complaints to the RCS Office:** On a visit to the RCS office, we were informed that a copy of complaint made by MS.Ramita Mehta at the RCS office has been forwarded to us for our comments & since this was not received in our office even after 10 days, we have obtained a copy of the complaint made. Ms.Ramita Mehta has alleged to collusion, frauds, mismanagement by the MC. Most of the points in the complaint have already been addressed to in the minutes of the GBM Of 28-04-2013 already circulated. However, a detailed reply with documentary evidence will be sent to the RCS office soon.

7 The MC is thankful to the members for sharing their concern about the progress of the Society particularly Dr. R K Chowdhury, (M.No.551); Mr. R K Girdhar,(M.No. 554), Ms Ramita Mehta (M.No. 673) and Mr. A L Mendiratta,678; Mr.Virender Singh,629. It has not been possible for the MC to reply them individually. Regarding their concern for submission of the affidavits – The MC would like to remind all the members that the submission of the affidavit regards the dispute with M/s Hi-Tech Construction is as per the Hon'ble Delhi High Court order dated 19.11.2009, a copy of which has been mailed to all the members. Reference was made to this order in the GBM on 19.12.2010, as a consequence of which the measurement of the works done by M/s Hi-Tech construction was undertaken and the Society was at liberty to get construction restarted. The order of the Hon'ble High court was deliberated in the MC meeting on 5.12.2009 and the members expressed satisfaction that the Society could commence construction finally. As regards to the cost calculated being charged from members for upgradation, members were informed in the last GBM – it is based on equalisation/interest applicable on the demands raised on the members by the society from time to time, which is as per the Act and the Rules of RCS; the RCS official have been spoken to in this context and apprised of the situation. Members were repeatedly told in the previous GBM that market rates are not chargeable as per the RCS rules and this has also been pointed out both in the Secretary's report and in the minutes of the GBM 28.04.2013 circulated. As regards the submission of the affidavit pertaining to disputes – it is based on Schedule VII, Point No. 11 of the RCS Rules, 2007 and Form H, point no.2(VI) and point no. 7 wherein the MC has to submit that there is no dispute with the members, hence this requirement.

8 Late last evening, a request was recd from Mr Virender Singh claiming it to be on behalf of all the members of the society to cancel the process of upgradation and to summon the society's architect, lawyer and C.A. in the today's meeting. The purport of inviting Society's Architect, Advocate, CA. at such an emergent notice, has not been explained by the hon'ble member which these busy professionals may like to know in advance. Similarly, the purpose of producing appointment letters/contracts with these gentlemen all of a sudden at the GBM too has not been made clear, however Mr Virender Singh is most welcome in the society office to see these. As regards the resignation of Mrs. Rashmi Bali as treasurer in the past - it has to be pointed out that there cannot be any resignation from her as the MC had completed it's tenure last year and subsequently the RCS office conducted fresh elections a year back, after which a new MC has come into place and appointed a new treasurer based on the consensus and as per the RCS procedures. I would like to take this opportunity to request members that if a member desires any item to be listed in the agenda of the GBM, then he/she should give appropriate notice thereof along with a brief explanatory note on the subject to facilitate MC response thereafter and a

M. L. Chaudhary

meaningful discussion in the GBM. In the circumstances, the MC has not been able to respond to the points made by Shri Virender Singh in his mail.

9 Members were apprised in the last GBM about the **approval of the auditor M/s Grover Lalla & Mehta** by the RCS Office. The audit of the Accounts of the Society for the F.Y 2012-2013 has commenced and is expected to be completed in a month.

10 Members were apprised in the last GBM that 6 lifts are yet to be installed, of these 4 have arrived and are under installation. The balance 2 lifts are expected to be delivered this month.

11 **Action for recoveries of dues:** Members were informed in the previous GBM 28.04.2013 also that the reminders and notices have been sent to defaulting members. Some members had proposed that the defaulters be expelled as they are hindering the progress of the members who have been paying sincerely. The President and the Secretary had clarified that final notices had been sent to all the defaulter. The recommendation for expulsion of these members can be initiated by the MC even though the expulsion is a lengthy process and could take months. The MC is still persuading these members to pay their dues. However these members cannot be considered for allotment

12 **Fund mobilization:** It had been proposed in the last GBM to invite funds as deposits by the members at affordable and attractive interest to bridge the flow of funds. The society will issue a formal letter to the members based on requirement. Additionally it is proposed to request the members who have applied for upgradation and have not been successful in the upgradation process that they let the money be retained as deposit by the Society at an appropriate and attractive interest. Those members willing to let the amount applied for upgradation be retained as deposit may please give it in writing.

13 **Construction Status:** Since the last GBM on 28.4.2013 the MC has continued to remain focused on construction that POC/CC formalities are completed – Community Hall, Ground floor flats, Lifts, Street lights, New Main Gate, Senior citizens centre, etc. are nearing completion.

14 Members are also apprised that the Society has entered into an agreement with M/s Radius Infratel Private Limited to provide IT, telecom, communication, entertainment, security and building management facility, etc. to the Society. **The company shall lay optical fiber network for above mentioned facilities.** The work is to commence shortly and is expected to be completed in a month's time.

15 Members were apprised about the **filling up of 2 existing vacancies and the vacancies resulting** thereafter from the upgradation process. The MC proposes to take up this matter with the RCS soon after the process of upgradation is completed. And the final list of members category, defaulters, members who have filed complaints/cases, so that the process can proceed in parallel and smoothly.


(Dr. H.C. Sachdeva)