# The Kunj Vihar Co-operative Group Housing Society Ltd.

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

Date: 18th November, 2617

All the respected members are hereby informed that a General Body Meeting (GBM) of the members of The Kunj Vihar Co-operative Group Housing Society Ltd. will be held on Saturday, the 9 December, 2017, at 4:00 pm at the Society premises, i.e. Plot No. 19, Sector-12, Dwarka, New Delin 110075.

### Agenda for GBM

- 1. Approval of the Minutes of the previous GBM (already circulated)
- 2. Status of works
- 3. Lifts AMC
- 4. Plumbing Works
- 5. Fire safety system
- 7. Leasing/Renting of shops including Milk booth (offers from Mother dairy/Amuf). Bank A.M.
- 8. Society Insurance
- 9. Car Parking Policy for allotment
- 10. Accounts Summary
- .11. Society Audit
- 12. Pending Financial Liabilities/Receipts
- 13. Settlement of pending bills
- 14. Maintenance Charges
- 16. Individual Members' Accounts Statement (As recommended by the Accounts Committee in accordance with DCS Act and Rules and GBM decisions)
- 17. Security Agency
- 18. Office Staff
- 20. Status of allotment of the 5 (five) members in the Society under Rule 90 by RCS Office
- 21. Request RCS for election of new Office bearers and Members to the Managing Committee
- 22. Any other points with the permission of the chair

All the members are requested to attend the GBM with family and give their opinion and coastructive suggestions in their own and the interest of the Society. The meeting will be followed by refreshments

Thanking you

Yours faithfully Hony. Secretary



The Ceneral Booky Meeting of the Kung
Vihor CGHS LTD, Plot No-19, Sec-12, Drongha
held on 9th Dec-2017 at 4 Pm at the
Site of the Society and the Following
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## The Kunj Vihars

Co-operative Group Housing Society Ltd.
Plot No. 19, Sector - 12, Dwarka, New Delhi - 110 075 🖀: 49122808

## Minutes of the GBM of The Kunj Vihar CGHS held on Saturday, 9th December, 2017, at 4pm in the Society

The GBM was scheduled to be held at 4 pm on 9<sup>th</sup>Dec, 2017, but since the quorum of the meeting as per the provisions of RCS Rules was not complete even at 4.30 pm, it was started at 4.55 pm. Eighty three members attended the GBM and signed the attendance register in token of their presence.

The Secretary, Dr. H.C. Sachdeva welcomed the members and invited the President, M. Cariappa Appaiah, Vice President, Dr. R.N. Kalita and the Treasurer, Dr. H. Deka to the dais. He then requested the President to start the proceedings.

The President welcomed all the members and their families present to the first GBM being conducted in the Community Hall of the society. He then requested the Secretary, Dr. H.C. Sachdeva to conduct the proceedings of the GBM.

The Secretary, Dr. H.C. Sachdeva started the proceedings as per the agenda already circulated. He requested the members to participate at large one by one.

#### Agenda for GBM

- 1. Approval of the Minutes of the previous GBM (already circulated)
- 2. Status of works
- 3. Lifts AMC
- 4. Plumbing Works
- 5. Fire safety system
- 6. Society Website
- Leasing/Renting of shops including Milk booth (offers from Mother dairy/Amul), Bank ATM.
- 8. Society Insurance
- 9. Car Parking Policy for allotment
- 10. Accounts Summary
- 11. Society Audit
- 12. Pending Financial Liabilities/Receipts
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- 14. Maintenance Charges
- 15. Building Repair and Maintenance Fund
- 16. Individual Members' Accounts Statement (As recommended by the Accounts Committee in accordance with DCS Act and Rules and GBM decisions)
- 17. Security Agency
- 18. Office Staff

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- 19. Legal Counsel and Legal Cases
- 20. Status of allotmentof the 5 (five) members in the Society under Rule 90 by RCS Office
- 21. Request RCS for election of new Office bearers and Members to the Managing Committee
- 22. Any other points with the permission of the chair

### A. Approval of the Minutes of the previous GBM (already circulated):

Dr Sachdeva remarked that the minutes of the previous had been circulated and if any member had any issue, the matter could be taken up.

Mr. Virender Singh and Dr. Jagmohan Rai stood up announcing that they had not received the minutes of the previous GBM.At this stage more members came to the dais together to speak, but were persuaded to come one-by-one.

Dr. Sachdeva said that the GBM minutes have been uploaded on the Society website.

Mr. Ashish Banerjee said he was not aware of the Society website and suggested that the agenda items on the GBM be deferred that they can be postponed to the next GBM till members had a chance to see the website

Mr. K.R. Ravindra Kumar also expressed the same opinion.

Many members wanted the minutes of the GBM of 2016, already circulated to be read out since more than a year has passed.

Dr Sachdeva replied that the launch of the websitehad been performed on 15<sup>th</sup>August, 2017, during the Independence Day celebrations at the society premises and in the presence of the members so to accuse that members are not aware is totally wrong. Moreover the minutes had been circulated and no member had come forward at that time after it was issued.

Mr. R.K. Choudhary mentioned that when the minutes had been issued he had raised objections and also commented on the proceedings of the GBM minutes, specifically pertaining to the cost of the flat and also that the minutes had not been reproduced precisely and accurately.

Dr. Jagmohan Rai also said that minutes of GBM had not been accurately reproduced.

He further commented that he was interested in a M.C. that was transparent, fair and performance-oriented. That the society members were not happy with the present M.C. and had therefore written to the RCS Office and had requested a Special GBM under rule 33(1), expressing "no-confidence" and calling for an "ad-hoc committee". The RCS Office has communicated to the M.C. vide letter dt.21-11-2017, asking for an appropriate action. He wanted to know why Special GBM has not been called.

Mr. Virender Singh came to the dais and wanted to know why were the President and the Secretary continuing in office as they were not residing in the society.

Mr. Ramachandran came to the dais and emphasized that since on the agenda was point no.21 – elections to the M.C., which meant that the present M.C. was wanting to go, sowhy so much fuss was being created. There have to be elections, it was through elections that the M.C. was elected and the President and the Secretary were considered worthy and honest. They have continued in office for almost 9 years and have delivered goods – the very same people are now being accused as thieves by some members who themselves are dacoits in comparison. The members do not have to be hypocritical. If, members are unhappy they can have a new M.C. – but they have to ensure that good people are elected. He pointed out that in the past he had not read the GBM minutes and when he enquired - whether other members had also read them – many members affirmed that they had not read the GBM minutes. He remarked that it was highly unfortunate they had not bothered to read the Minutes, also instead of clapping, these members should feel sorry and not applaud on this issue.

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Mr. Jagmohan Rai came and said that there was no question of saying thieves or dacoits. He pointed that he had issues regarding – documents and minutes not being shown to him, and also that since the loss of some of the M.C. minutes registers had been reported by DrSachdeva last year in November, he has had issues. He had quit the M.C. and did not want to be part of the M.C. which he felt was not fair and transparent. As regards the present GBM agenda being taken up, he stated that there was no need for all this to be taken up here in the GBM, this was a matter for the M.C. to tackle and no discussion was required in the GBM.

Mr. A. K. Sharma remarked that members have said that they have not read the previous GBM minutes and are not prepared but we should proceed as per agenda. As regards the accounts calculation he emphasized that it has been done as per the decision of the GBM.

Mr. S.K. Wadhawan remarked that the he had received the previous GBM minutes and the present GBM agenda also. He suggested that, with regards to the points on the agenda and about the contents of the previous GBM, an action taken report could be brought on record.

Dr. Sachdeva agreed to the same.

#### B. Request to RCS for Elections

Mr.Cariappa reminded the members that prior to the last elections for the M.C. he had requested many members that a new M.C. comes and takes over but was prevailed upon to continue with the same M.C. in view of some pending contentious issues. Hence he had accepted to continue for some time and not wait for the entire term to be over, till some of these issues like allotment, possession entry of new members and some pending works were resolved. He explained that there were problems in the society, regarding the new members) regards the 1.25% of the MCD Circle rate being charged ii) submission of an undertaking regards the Hon'ble Delhi High Court order in the matter pertaining to M/s Hi Tech(previous contractor), and iii) dues payable by the members. After discussions jointly with some of the concerned members, at the RCS office it was decided that admission fee and share money may be restricted at Rs. 110/- for all members. However the new members have to submit the Affidavit as per the Court Order as well as pay all dues of the earlier member who had sold the flat.

Mr.Cariappafurther said that he has been the President here for almost 9 years. He along with his fellow MC members had put in their best to complete the project and get the allotment. He himself had made sacrifices both personal and professional and not for personal benefit.

Mr. K.R. Ravindra interjected that Mr. Cariappa spoke well on the dais but when it came to implementing there is a gap since he could not see the vouchers.

Mr. A.K. Sharma came forward at this stage and remarked thathe himself stood for a complete transparency and that he himself has been associated with the ongoing works and could vouch that there was no-wrong doings and indeedM.C. has been working with complete transparency. He referred to observations of Mr. Ravindran and offered that and he was willing to sit with Mr. Ravindra to see the vouchers but this would entail a lot of time. Mr. Sharma also remarked that unlike Mr. Jagmohan, who had resigned from the M.C, he has chosen to remain in the MC and work while defying the odds and achieve accomplishments despite the hurdles and not run away from the challenges, which required a lot of effort and sacrifice. He said that he had spoken to Mr Ravindra a few days back and he was upset that delay in checking of members accounts was being attributed to him. He had checked about 55 members accounts and that he had taken the files with and spent time at home over this. He deserved to be complements for this.

Mr. Virender Singh commented that the sacrifice of the MC members was not relevant. He had repeatedly objected to the payments being made to contractors and suspected that things were not in

order. He also mentioned that he had objected to the calculation of the cost of the flat. He was waiting for the president to aunounce the elections to the M.C. as per the agenda.

Mr. Jagmohan came and endorsed his views and said the MC was not following RCS procedures.

Mr.Cariappa clarified that the document not being shown to him and that the M.C. is not transparent, could be possible since the MC also depends for these on the society employees. He agreed that communication with members is required. As regardsnot following procedures, he reminded members that their own emollment in the past, has been done without following RCS rules. If the M.C. was corrupt, not transparent and fair then the M.C could have been in collusion with many contractors, property brokers and extort money, even now there are petty contractors who are working in many houses and unfair practices could have been adopted or M.C could have troubled members and extorted money on any pretext, but this has never been the case. He assured the house that the MC has never indulged in this kind of an activity. It is only because of this and the cooperation of Members that the Society has reached this level of completion and allotment was possible.

Now that most of the issues had been resolved the MC had decided to go in for elections and bring in a new MC. He said that he and the Secretary, Dr. Sachdeva will not be part of the MC. Further, most of the other MC members, excluding the resident MC members have already decided not to continue. The President suggested that the members should in a harmonious manner select a team of resident members, who could devote time, to manage the society.

Mr. S.K. Wadhawan emphasized that the M.C. has done a remarkable job in getting the allotment done and we should not forget this fact. It appears that there is a communication gap between the members and the M.C. and that is the reason for all the allegations and misgivings. The M.C. has already announced for elections and if the members feel, they can have the bye-laws limiting to the office-bearers to 2 terms and also to only the resident members.

Mr. Ashish Banerjee endorsed Mr. Wadhawan's comments and said that since the M.C. has already declared election to the M.C. – that it is a part of the agenda of the GBM, he saw no further merit that Special GBM under rule 33(1) was necessary. Earlier also he discussed about the merits of having the M.C. members from the residents.

Mr. Luthra remarked that the society bye-laws could be amended and that only resident members are allowed to contest the elections for the M.C.

Mr. Ramachandran once again came and said, that since Mr.Cariappa had already announced that he was calling for elections and has also declared that he himself and DrSachdeva would not be contesting the election why are we discussing other trivial issues particularly of the past and not getting to the main issues.

Mr. Ramesh Kalra and Dr. Jagmohan wanted to know the timeline forthe election process.Mr.Cariappaclarified that the minutes of the present GBM would be uploaded on the Society website in another 15 days and further 7 days would be available to members for putting in anyobjections to the contents and if possible a meeting would be called for to resolve the matter. The RCS Office would be approached subsequently for the conduct of elections. Since, he would be out till 10<sup>th</sup> January 2018, he would ensure that by mid-January the request be forwarded to the RCS Office. Mr.Cariappa felt that elections could be held around February/March, 2018 taking into account the RCS procedures.

Mr. Ashish Banerji and Dr. Jagmohan came to the dais, agreed and affirmed what Mr.Cariappa had said and it was finally resolved that this be accepted by the GBM.

C. <u>Individual Members' Accounts Statement (As recommended by the Accounts Committee in accordance with DCS Act and Rules and GBM decisions)</u>

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Dr. Sachdeva wanted to clarify the objection made by Mr. Virender Singh regards the cost of the flat. He enquired if Mr. A.K. Kapoor, who had looked into this issue in the past was present in the meeting, so that he could clarify the doubts on the individual members' accounts. As Mr. A.K. Kapoor was not present at that time, Dr. Sachdeva read out the relevant para from the minutes of the GBM of 18th Oct 2015 concerning the statement given by Mr. A.K. Kapoor as to how the cost of the flat had been calculated.

Mr. R.K. Choudhary came and said that he had objected to the last GBM minutes of 2016.

Dr Sachdeva reminded him that he had read out from the GBM minutes of October 2015.

Dr. R.K. Choudhary then confirmed that he had only objected to the minutes of the 2016 GBM and not the minutes of 2015.

Mr. A.K. Sharma endorsed the statement of Dr. R.K. Choudhary and confirmed that the calculations and finalization of the individual members' accounts had been done in accordance with the decisions of the 2015 GBM.

Mr. Virender Singh came to the dais to clarify the statement read out by Dr. Sachdeva pertaining to the calculation of the cost of the flat. Mr. Virender Singh emphasised that Dr. Sachdeva had said that Mr. A.K. Kapoor had gone through the bills and vouchers to come to the cost of the flat. So he wanted Mr. A.K. Kapoor to clarify.

Mr A.K. Kapoor, who had by then joined the meeting, came to the dais and recalled that he had worked out the cost of the flat based on the total built up area of approximately 3.23 lac sq.ft, the flat cost demanded and collected as basic cost of the flat by the M.C. from the members which was approximately Rs 53 crores, though the total cost of the society project was around Rs 66 crores. This worked out to approximately Rs 1650/- sq.ft (rounded off), apart from the cost of the car parking. Even though the MC had worked out Rs.1711 per sq.ft. He had been given to understand another Rs 3 crores was to be spent to complete the project and further money was expected from the sale of vacant flats etc.so he had finalized the rate of Rs.1650 per sq.ft. He further stated that he had not gone through the vouchers or bills.

Dr Sachdeva handed over the minutes of the GBM of 18th Oct 2015 from which he had read out verbatim the paragraph pertaining to Mr. A.K. Kapoor and explained to him that he (Dr Sachdeva) had not mentioned that Mr. Kapoor had gone through the bills and vouchers to calculate and arrive at the cost of the flat. He himself concurred that the methodology used to arrive at the cost of the flat was what even the M.C. had followed and there was no question of misquoting him. Mr. Kapoor was requested to go through the relevant paragraph which was read out verbatim quoting him and revert if there was any anomaly.

However, Mr. A.K. Kapoor did not offer any further comment.

Mr. Cariappa got up and invited members to speak before he could finally clarifyand conclude. No other member came forward.

The President, Mr.Cariappa then enumerated that, when the present M.C. took over in 2009, approximately Rs 34 crores, which was the total project cost envisaged in 2003, had been spent and even then, less than 50 % of the project had been completed. The M.C. had not only completed the balance works but had revised the built up area by almost an additional 20% but even the basement parking had been increased by 250% to meet the bye-laws of DDA. Even though the total prevised cost of the society'sproject at that time was aroundRs. 66 erores, the M.C. had not burdened the members for the entire balance of Rs.32-33 crores. Since money was expected from equalization, interest, filling up of 5 vacancies/flats, upgradation of members' flats categories, only about Rs 53 crores was distributed on the members to arrive at the basic cost of the flat. This amount was divided by the total built up area of the flats plus circulation like verandahs, staircases and lifts area totaling about 3.2 lakhs sq.ft. The rate of Rs.1650 per sq.ft., thus arrived at was applied to all the members

uniformly. Mr. Cariappa also clarified that what Mr. Kapoor had said was correct and at no stage was there looking into the bills/vouchers. This rate is final and there was no going back on this. D. Leasing/Renting of shops including Milk booth (offers from Mother dairy/Amul), Bank ATM. Mr.Cariappa stated that there are certain issues which needed be taken on priority, since more and more flats are getting occupied. One was the shops for daily needs like milk, bread, groceries, etc., ATM cash dispensing. He proposed the name of Dr. R.K. Choudhary, to look into the operationalizing of facilities in the Society recommend to the MC the policy and procedure to be followed Dr. R.K. Choudhary agreed to help the Society as requested E. Car Parking Policy for allotment of parking slots Mr.Cariappa emphasized that since neither the open or covered parking met the strength of the society, it was necessary to evolve a parking policy. This could mean either a permanent or rotational allotment. In the past, the previous management had allotted covered parking to a few members on the basis of non-uniform payments ranging from Rs.10000 to 1,00,000. After the basement parking was completed, it was worked out that the covered parking would cost Rs.2.25 lakhs each and asked interested members to apply. Subsequently the MC decided to shelve the sale/allotment of covered parking and take it up after allotment. However to give all members an equal opportunity, the cost of car park was not included in the flat cost. Instead an average amount of Rs.1.4 lakhs was charged from all the members uniformly to meet the construction cost. Now through a transparent policy, Society has to decide who gets a covered parking and who opts for an open. Members opting for a covered car parking on a permanent basis would have to pay the additional amount to the extent of Rs.2.25 lakhs while other members opting/getting an open car parking space on a permanent basis would be entitled for some refund. Alternately, the members could opt for a rotational policy. Mr. Cariappa requested Mr. K.R. Ravindra Kumar to look into the matter and recommend a parking policythat could be adopted. Mr. K.R. Ravindra Kumar agreed to help the Society as requested He also proposed several other resident members to come forward to help finalise the policies and the facilities in the Society. F. Settlement of pending bills Mr.Cariappa also emphasized that all the works in the society that are taken up have to be certified by competent person - be it an engineer or supervisor or an architect, that the payments can then be made to the contractors. The society has got work done from a number of contractors, their bills are pending and their works have to be certified before making their payments, so appointing an engineer was important not only from the point of view of carrying out further work but also to verify pending bills and release due payments to the contractors as well as finalizing the Building Repair and Maintenance Fund under the RCS Rule 106 to be approved by the GBM. The contractors whose bills are pending for payments included M/s Ketan Infradevelopers, Mr. Gurmeet Singh, M/s

Gurunanak Enterprises, Pioneer Systems, Salcon Safety Devices, M/s Subham Infratech. Therefore

### G. Society Website

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Mr. Suresh Bhatha commented that he had issues regarding the information to be provided about the progress of different works and documents of the society and that information was being denied to him, particularly to the accounts pertaining to the years 2015, 2016 and 2017.

Mr. A.M. Jha wanted these documents and information to be put-up on the society website.

Dr. Sachdeva informed that the new society website was launched, the audit reports and the monthly accounts statement for the current financial were also being periodically put up at the society notice board, the monthly accounts statements till October have been uploaded.

Mr. A.K. Sharma came to the dais announced that the society M.C. had launched the website for this purpose and called upon Mr. Vikash Ranjan to come to the dais to elaborate about it and update the members.

Mr. Vikash Ranjan came and spoke about the website that he had developed. He elaboratedthat the last 3 years GBM minutes and the audit reports had been uploaded – these could be viewed as such, however for some other information needed, members would have to log-in, for which the members would have to submit some details and then the society website administrator would verify the members details and give access to the member. He informed the Members that the new entrants have purchased the flats at much higher rates and wanted that the Society should have best facilities. He emphatically stated that it was very important for the society to progress and carry forward the ongoing works and look forward to a bright future. The society development should be the uppermost in our minds.

Dr. Sachdeva earlier said that in addition other relevant information and services would be updated and started in the future taking into view of members' requirements

#### **H. Other Points**

Dr. S.K. Gupta complained that he had applied for membership and this was pending for the last 7 months. He had been informed recently that photocopy of a document submitted by him bearing the signature of the Secretary, Dr. H.C. Sachdeva did not appear to be matching with signature of Dr Sachdeva. He was very much aggrieved at this development and wanted membership of the society based on the documents other relevant documents submitted by him.

Dr. Sachdeva replied that he had communicated several times through the office that his signature on one of the documents submitted by him did not match with his signature and the original was needed to verify the document and proceed further.

It was only last month that when Dr. Gupta came to the office and wanted this in writing, since the original was with the bank. The letter as requested was given to Dr. Gupta. Further, he was also assured that if need be, Dr Sachdeva would be ready to go to the bank concerned to verify from the original document at the bank itself and further action as required would be taken.

Mr. Kamal Goel wanted to know why he had not been given a corrected "Allotment letter", he had been waiting a long time and had reminded office personnel many times.

Mrs. Kavita Jha remarked that there are many problems faced by the members particularly security, the flats being rented out and their security background verification and also the construction being carried out by members which can be serious problem; that at times she felt insecure.

Mr.Cariappa assured them that their issues would be looked into and sorted out.

Mr. Cariappa, at the end, thanked all the members for their cooperation for allthese years, and for their active participation and for help in taking decisions in the interest of the Society.

The meeting concluded at 7.00 pm.

He requested the members to come and have the dinner arranged and also requested the members to ask those family members at their homes in the society to come and join for dinner.

Mr. Cariappa also informed the members that the following day ISKON was organizing a programme in the Society and he requested all the members to participate.

The members and their families then proceeded for the dinner arranged by the Society.

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