


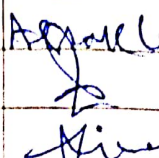
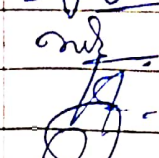
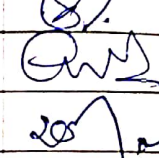
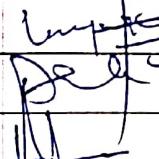
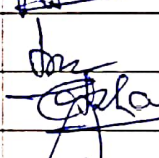

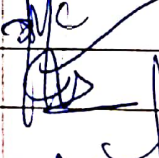
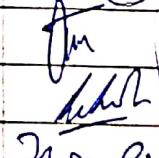
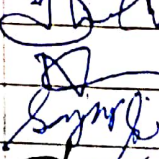
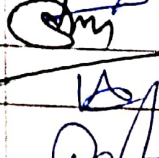
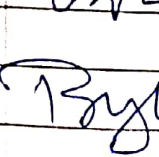


The General Body Meeting of the Rums Vihar Cells Ltd held on 13<sup>th</sup> April 2014 at 11:00 AM at the site of the Society at Plot No-19, Sector-12, Dwarka, New Delhi-110078. The following members are present:-

S NO	M NO	member's name	Sign	Member's name
1	541	S. P. Tripathi	[Signature]	
2	525	R. N. Kalita	[Signature]	
3	420	Dr. H. Deka	[Signature]	
4	599	Dr. H. C. Sankharya	[Signature]	
5	556	Dr. S. S. Vamra	[Signature]	
The Quorum was not completed at 11:00 AM hence the meeting was adjourned for one hour and meeting was restarted at 12:00 noon at the same venue and on the same date.				
6	614	R. L. RAINA	[Signature]	
7	641	K. R. Raviendra Kumar	[Signature]	
8	322	ASTHAWADEA Puri	[Signature]	
9	547	Neena Kapur & Navin Kapur	[Signature]	
10	558	Anu Kumar Ray	[Signature]	
11	626	Col I S Sanghvi	[Signature]	
12	669	Saraj Saini & S. M. Saini	[Signature]	
12	552	Anand. Gupta	[Signature]	
14	558	Bhushan Sahu	[Signature]	
15	557	T. S. Datta	[Signature]	
16	701	Ashis Banerjee	[Signature]	
17	375	Dr. H. S. Sanyal	[Signature]	
18	670	V. SURESH KUMAR	[Signature]	
19	633	Rashmi Bhat	[Signature]	
20	604	Kundan A. K. Sharma	[Signature]	
21	634	Narain Chandra	[Signature]	
22	675	Jagmohan Rao	[Signature]	
-	-			

M. No.

23	575	J. S. BHORIA	
24	702	G. S. Shiv Ch. Rao	
25	535	NEERAS KHATRI	
26	637	K. K. Anand 2 Anand Kumar	
27	705	Lakshminarayana Rao	
28	619	K. L. Chakrabarti	
29	595	P. K. SAHOO	
30	671	Sanjay P. S.	
31	592	Dinesh Chandra	
32	604	A. K. Sharma	
33	300	Sarabjit Singh	
34	400	Sonu K. P.	
35	650	K. D. Bhowmik	
36	646	Narenchra Gupta	
37	648	AKHORA for Dr. V. K. Vardhaman	
38	581	Deepa Kumar / TM Kumar	
39	377	A. K. HASSIJA	
40	629	Umesh Ch. S. M.	
41	662	Pankaj Chandra	
42	692	Vijay Chugh Chandra Lal	
43	593	Jen K. P.	
44	548	K. A. S. I. C.	
50	583	Prasanna Baruah	
51	559	Debashish Sen	
52	152	Shankar Ch. S. S.	
53	523	Deep Sarkar	
54	537	ARUN KUMAR KUSHRESTHA	
55	549	MADHAN NARAYANASAMY	
56	571	A. K. K. P.	
57	598	Dr. A. K. K. / S. K. D.	
58	677	C. M. S. S.	
59	585	K. A. S. T. A.	
60	667	Dr. M. Sharma & Anil Kumar	



Sr.	MAI		
61	566	Shravan Singh	
62	275	Surpreet Paul	
63	594	Ashok Lakhtar	
64	538	Shiv Singh	
65	567	S.K. Diwan	
66	532	Mohender Singh	
67	525	Dr. V.S. Siroha	
68	552	SANJEEV KUMAR	
69	628	NARENDER KUMAR	
70	615	S.C. MARWAH	
71	620	Deepa Mannah	
72	661	ALOK KACRA	
73	561	Rajni	
74	13	Kopal Krishan Bhargava	
75	621	Sandeep Sharma	
76	678	Anjani D. Choudhary	
77	658	S.K. Khandu	
78	531	Dr. Ashok Kumar	
79	644	M. CARIAPPA APPAIAH	
80	663	VIKASH KUMAR	
81	677	Jagan Thakur	
82	562	Ramesh Kumar	
83	666	R.N. Chaudhary	
84	693	Mahender Thakur	
85	574	Rupendra Kumar	
86	665	Satish K Singh	
87	534	Ravi Kumar	
88	681	Vinod Kumar	
89	562	J.K. Singh	
90	577	Sandeep Asth	
91	23	BISAY KUMAR	

**Minutes of the General Body Meeting of The Kunj Vihar CGHS Ltd. held on 13.04.2014**

The General Body Meeting of the members of The Kunj Vihar Cooperative Group Housing Society Ltd. was held at its site, Plot No. 19, Sector-12, Dwarka, N. Delhi-110075 at 11 am on 13<sup>th</sup> April, 2014. Since, the quorum, required for the meeting, was not complete by 11.30 am, the meeting was adjourned and recommenced at 12.45 pm on the same day and same venue. The meeting was attended by 91 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.

- 1 The Secretary, Dr. H.C. Sachdeva convened the meeting by inviting the President, Mr. M. Cariappa Appaiah, Vice-president, Dr. R.N.Kalita, Treasurer, Mr. S.P.Tripathi 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 then 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.

Approval of the Minutes of the previous GBM: The minutes of the last GBM held on 8<sup>th</sup> June, 2013 already circulated, were accepted and unanimously confirmed by members present.

Dr. Sachdeva handed over the proceedings back to the President. The President invited the members for suggestions/questions/proposals. Many members came forwarded:

**I. Mr.A.L.Mendiratta, (M.No.678):** He spoke on many issues:

- i) He alleged that he had been attacked twice when he had come to the Society. He is now 80 years old and since he had been advised by his lawyer not visit the Society alone, he has stopped coming to the Society. However, in the recent past he had visited the Society alongwith his son who had come from Australia to see the progress.
- ii) He was by and large disappointed with the progress made by the Society. He did not wish to elaborate in details about the construction works done in the Society.
- iii) He was totally unhappy due to the increase in the cost of the flats.
- iv) He wanted the Audit report to be presented by the MC and discussed by the members in this forum, which is a must he emphasized.
- v) He insisted that he would challenge the holding and conduction of this GBM.
- vi) He said that in the past he had insisted that the 7 membership vacancies in the society be filled up following the procedure as per the DCS Act & Rules. He observed that the MC had cancelled the advertisement published in the recent past for filling up these vacancies.
- vii) He said that he should not be considered as a defaulter. He elaborated that in a similar case pertaining to Ms. Ramita Mehta, when the matter had been referred to the Arbitrator by the RCS office, the Arbitrator had ordered that that she is not liable to pay what the



- Society has demanded, so how come he is being asked to pay? He reiterated that he will not pay and that he would contest this matter at the higher forum.
- viii) Therefore, he alleged, that in his case the order of the Arbitrator had been drafted by the secretary, Dr. H C Sachdeva along with the society lawyer, Mr. R. Talwar and that the Arbitrator had merely signed on the dotted line as he was bribed to do so.
- ix) He alleged that the present MC was involved in wrongdoings and there were financial irregularities. He claimed that the officials of the DDA and RCS were being bribed by the MC to secure unjust favours and grant improper approval.

*At this point many of the members in the audience shouted at him and asked him to sit down and stop disturbing the Society.*

*Mr. Mendiratta pleaded with them, that he was fighting on their behalf.*

*At this, members started booing him and started objecting to his being allowed to speak. Many members got up and questioned Mr. Mendiratta as to how he was claiming that he was fighting on their behalf, when his vague and unsubstantiated allegations had delayed the Society's efforts in getting requisite approvals, thereby, seriously damaging the interests of the members, who have been paying their dues regularly unlike Mr. Mendiratta, who is not paying his dues. However, the President requested the members to allow Mr. Mendiratta to speak and requested the members to come up one by one and give their views. Thereafter, Mr. Mendiratta chose not to speak further and other members came forward to seek clarifications and give suggestions.*

## **II Sonu Kapoor (M.No. 406):**

- i. He wanted to know why so much importance was being given to Mr. Mendiratta, why was he being given so much time and priority.
- ii. He stated that the members had been waiting since the last 8 years for the allotment of flats. He was disappointed at the long time that has elapsed without the allotment taking place.
- iii. He wanted to know why the members were unaware of the newspaper advertisement inviting applications for the vacant membership in the 2 B/R flats category.
- iv. He wanted that the loan amount of the society be returned at the earliest since the society was paying interest on it which was acting as a burden on the society members.
- v. He enquired how the additional cost of the project could jump from Rs.23 crores to Rs.65 crores.
- vi. He alleged that at times he has received phone calls from Society office which he felt were discourteous since he would be told that his name could not be recommended for allotment if he did not clear dues.

### III Mr. Virender Singh (M.No.629):

He spoke on many issues:

1. He wanted to know, how, when and why the approvals for the common facilities in the society, like the Senior Citizens Club, Society office, Community Hall, etc. were taken by the MC and when had these been approved by the GBM?
2. How much more money would be needed to complete the ongoing construction project?
3. He said that he had expressed reservation against the upgradation of members to higher category of flats as he had apprehended that this would lead to delay in allotment but the upgradation proceeded smoothly.
4. However, he stated that the progress towards allotment has been slow.
5. He believed that the MC is not acting carefully and is not doing its work sincerely. The money being spent on the works undertaken does not appear to be justified, particularly in relation to the priority being accorded to different works. He also emphasised that there is a mismatch between the funds being utilized and the construction work being carried out.
6. He welcomed the proposal by the MC to set up a committee to monitor the audit. He wanted the members to see and examine the accounts of the society to know if the funds have been utilized properly.
7. He recommended that this proposed committee should have powers to decide the utilization of funds and should function as a parallel MC.
8. He stated that he had stressed in the previous GBM that for the upgradation of membership vacancies, market rates / circle rates should have been adhered to instead of equalized rate but his advice had not been heeded to. However, he had accepted it since it was benefitting existing members.
9. He was now happy that the MC has proposed and sought the approval of the GBM to fill up the 2 B/R vacancies at the Circle rate.
10. He also commented that the GBMs are being convened for taking approvals only.

### IV Mr Ashish Banerjee (M.No.533):

He said that all the members should thank the MC for the project having reached stage. Now he was concerned only about the allotment. He wanted that the MC should be given a maximum time of 50 days to complete the process of allotment in the RCS.

### V Mr. Madhavan Swamy (M.No.549):

He also appreciated the efforts put in by the MC to bring the project to this stage. In the context of the various issues being raised by earlier speakers, he suggested that the members should concentrate on the two issues, which he felt were the real issues of concern, that is:

1. How much more time it would take for allotment and,



2. How much more money would be demanded from the members.

Further he wanted to know:

3. What price had been fixed for the seven 2 B/R flats, for which new members are being enrolled to fill in the vacancies, and
4. At what price the shops in the Society are proposed to be sold.

**VI Mr.Jagmohan Rai(M.No.675):**

He came up and said that he had many questions to ask but wanted to ask only if any clarification was required after the President elaborates on the issues, as mentioned during the Secretary's report.

**VII Mr K.K.Luthra father of Mr.Dinesh Luthra (M.No. 592):**

He wanted to know about the financial health of the Society. He enquired about the cost of the processing of files in various offices and how it is being followed up. He further apprehended that there would be deficiencies / inaccuracies in the documents submitted by the members which were now with the RCS for processing. He anticipated that this would create problems and be a hurdle if the society went in for the clearance of the members as a single lot. In his opinion the members who had completed documentation should not suffer because of those members who had incomplete / inaccurate documentation.

**VIII Mr. Sarabjit Singh (M.No. 300)**

He stated the Society is a movement of the members, by the members and for the members. Therefore, the MC of the Society should carry all the members along and strive to complete the allotment process for all the members since all have contributed and have been waiting for a long time. The allotment process should be done in a fair manner and all the members should benefit equally and there should be no discrimination.

**IX Mr. Cariappa Appaiah (President):**

Thereafter, since no other member came forward, Mr. Cariappa Appaiah (President) took over the mike and addressed the GBM.

He began by remarking that the issues raised by the members reflected the anxiety and frustration of all the members. He said that members would only be happy and satisfied when the allotment was done. Therefore, he agreed with Mr. Madhavan that the two most important issues were the allotment and what further payment would be demanded from the members. There were other important issues also, like filling in vacancies, completion of balance work related to finishing and provision of essential utilities like electrical, sewerage and water connection. However these would go on in parallel.

### **Allotment:**

As regards the allotment, the MC was trying its best to complete the process at the RCS office. Presently the RCS officials were on election duty. Once they are back, the process would recommence. The verification of the members was almost completed. He appealed to the members who had not done so, to complete their membership documentation verification at the RCS office as required. He also mentioned that various certificates from the water (DJB), sewage, BSES, DDA, Fire services, etc. required by the RCS had also been obtained. The Society will follow up with RCS office to complete the other formalities for allotment.

In the context of the certificates obtained from various agencies, he stated that the MC had worked hard and had obtained these approvals including that of the Competent Authority of DDA for issuing the Completion Certificate (CC) to the Society. The only pending issue for receiving the CC was the submission of the licenses for the lifts installed. DDA has issued a letter to the Society confirming the approval as above.

After receiving this letter, the Society has also approached the concerned Government Agencies for the lift license, permanent water supply, sewage and electrical connection.

Regarding the issue raised by the members time and again that the MC do minimum work till allotment, he emphasized that, now DDA stipulates that, minimum work only should remain for issuing the CC. This is unlike the past where allotment was done on the basis of POC and minimum work, leading to complaints from members of such Societies, who got possession of flats without even basic amenities and had to suffer thereafter.

Hence he assured members that the MC is strictly following the relevant rules and has carried out the construction as per the approved drawings, to the extent of getting the CC.

He said the priority today was for getting the lift license. Since the lifts have already been installed, only the balance payment for the installed lifts had to be made to receive the license for the same. He assured the members that this formality would be completed as early as possible and the society would request DDA to release the CC, after which the allotment process would be completed.

### **Further demands:**

The President clarified that in 2009, on the basis of the balance work that was to be completed as per the original scheme, the Society Architect had estimated that around Rs. 23 crores would be required to complete the ongoing project of the Society. Of this, as decided in the GBM, Rs.16 crores was planned to be generated from the members and the balance Rs 7 crores was proposed to be raised from different sources i.e. Shops, two vacant flats, sale of parking, interest/equalization. At that time, taking into account that Rs.34 Crores had already been spent by the Society till end 2008, the total project cost was estimated at Rs.57 (34+23) Crores. The Society has so far demanded only 98% of this amount from the members. The balance 2% is yet to be demanded.

M. CARI APPAIAH  
President  
The Kunj Vihar Co-op. G.H. Society Ltd



In addition, as decided in an earlier GBM, the area of 80 units of 3B/R flats of the smallest area were increased, in order to reduce the difference in the areas of various 3 B/R flats which emerged during construction. The actual cost incurred in this regard, which is Rs.75 lakhs, will be distributed equally among the 3 B/R category members only.

Additionally, in 2009 it was recommended by the Architect that the requirement of certain facilities/works, like the water softener/R.O. System, the backup Generators, and the painting of the exteriors should be reviewed, depending on the situation at the time of allotment. Hence now, after review, the MC recommends the need for implementation of these facilities as also a restructured security system and landscaping, at a total estimated cost of Rs.1.3 Crores. This amount will also, now be demanded from the Members.

The Architect's certificate, reviewing the completion status as well as the cost of 3 B/R extension and the utilities specified, shall be sent to all members as soon as it is received from the Architect along with the demand letter requesting for payment. The President requested all the members to support the MC by making the payments promptly, since the Society was short on funds. The President reminded members that no fresh demand had been issued since 2012, even though the Society had completed a lot of work since then and had also applied to the DDA for the CC.


#### **Revised Scheme:**

As regards the Members' query relating to the GBM approval for the change in the construction plans, including construction of common facilities, he stressed that the regularization of the Duplex flats, construction of additional flats on the ground floor, construction of common facilities like community hall, senior citizen club, shops, the extension of the water tanks, and the revised basement plan to meet mandatory ECS byelaws, were discussed in detail at various GBMs. It was only after the approval in the GBM, the drawings reflecting the change in the Society's layout plan (LOP) had been prepared by the Society's Architect. These drawings had been displayed in the previous GBMs dated 19.12.2010 & 15.1.2012 and these had been examined by the members and had been unanimously approved then by the GBM. It was only thereafter, that these were submitted to the DDA, DUAC, & DFS for approval and these approvals have been granted. The work in the society has been carried out as per these drawings.

The President further emphasized that facilities like shops, community hall, etc. are excellent value added services which enhance the quality of life of the residents. Once the members move in, facilities like health club, senior citizen club, crèche etc. will prove to be a boon. He also clarified that the Architect had worked out the total area of the common facilities based on the byelaws and mandatory requirement to balance ECS and green areas. In future, the members should decide the best use for these facilities in the common interest of the residents, especially children, elders and ladies.

#### **Revised Project Cost:**

On the revised project cost, estimated at Rs.65 Crores, the President clarified as follows:

  
M. C. APPIAH  
President  
The Kunj Vihar Co-op. G.H. Society Ltd

Considering the need to regularize several deviations in the original scheme, undertaken prior to 2009, like the construction of duplex flats, change in the parking plan and change in sizes of the flats beyond the EWS cess limit, the Society had reviewed the requirement of common facilities and the parking plan to meet ECS requirements. Further, the regularization of the duplex flats mandated the construction of 5 more flats on the ground floor to meet the dwelling unit requirement specified by RCS/DDA. Accordingly, after approval by the GBM, the Society had submitted its revised scheme for approval to the DDA/DUAC/DFS.

Considering the additional construction as per the revised scheme as well as the taxes and DDA compounding charges and administrative cost the revised Project cost has been estimated at Rs.65 Crores. Even the cost of liasoning has been included in the revised estimate, since this has been merged with the construction cost as decided earlier. The President explained that while approving the revised scheme the GBM had taken into consideration that the new additions would generate additional funds to the Society.

Presently, the MC expects that the money generated through interest/equalization, upgradation, filling up of vacancies, and parking will also take care of the administrative expenses as well as the statutory payments.

Therefore the MC does not propose to issue any demand other than what has been specified, namely the balance 2%, and cost of RO, Painting, etc. from all the members and the cost of 3 B/R flat extension from the 3 B/R members only.

The President reiterated that the MC has taken a lot of care and pain, put in considerable effort to complete the project following all the rules, at minimum additional expense to the members. Many other members had also come forward to assist the MC. Even now the MC has proposed the formation of Committees to ensure transparency and to support the MC in its endeavor to complete the balance works and hand over possession of flats to all its members after completing the necessary formalities.

In conclusion, the President read out the list of the balance works.

**Jagmohan Rai (M.No. 675):**

He stated that many of the questions he had, have been answered by the President, Mr. Cariappa Appaiah in his presentation. He however wanted more clarity on some points:

1. Clarity on DDA letter regarding the CC
2. Quantum of work pending in flats
3. Status of water supply from the authorities
4. Allotment procedure in detail
5. He wanted clarity on the reason for cancelling the process of filling in the vacancies, which is a serious matter.

Apart from seeking clarifications, Mr. Jagmohan Rai also made the following suggestions:



6. MC should be careful while utilizing funds and money should be spent on priority items.
7. He wanted the members to visit the Society on Saturdays, the day the MC meetings normally take place. He said an effective communication with the MC in the Society would help dispel doubts. The members should not indulge in loose talk and spreading rumours.
8. The loans of the Society should be minimized at the earliest so that the interest burden on the members is reduced.

The President thanked Mr. Jagmohan Rai for his suggestions. As regards the points for clarification, the President clarified as follows:

**Completion Certificate:** The President read out *verbatim* the letter received from DDA regarding the CC.

**Pending works in the flats:** The President stated that the internal works in the flats had been completed. The flats would be taken over one by one from the contractor. Minor repair work related to tiling, electrical and plumbing as required and cleaning would be taken up before allotment/possession.

**Status of water supply:** Presently, only bore well water, unfit even for gardening, was available in the Society. The Society has already applied to the Delhi Jal Board (DJB) for water connection. This is in process. However, it is understood that even today, the total quantity of water being made available by the DJB to other Societies in Dwarka is grossly insufficient. In view of this it was proposed to install a water softening plant in the Society so as to make the available water potable and augment the supply from the DJB.

**Allotment process:** As members are aware, the Society has applied to the RCS for allotment. As part of the process, the RCS is verifying the documents of the Society and individual members. So far, the RCS has verified about 185 members. Presently the concerned staff in the RCS are on election duty and are expected back only after the counting day. After the verification, the RCS will issue a deficiency list if any. After the issues are cleared, the file will be put up to the RCS for approval. Thereafter, the case will be placed before a Committee under Rule 90 of the DCS Act and Rules. After approval by the Committee, the RCS will recommend to the DDA for drawing the lots. On receiving the RCS recommendation, the DDA would inform members regarding the date for draw of lots. Once this exercise is completed, DDA will issue a letter of allotment. Thereafter, the Society will start the process for handing over of allotted flats to the members after completing the formalities and clearing of dues.

**Filling up of vacancies:** As approved in the GBM, the Society had intimated the vacancies to the RCS office and also released the matter to the Ad agency for releasing an advertisement in two newspapers, one in English and another in Hindi inviting applications for filling in the vacancies in the 2 B/R Category. Since the newspaper advertisements appeared before the RCS uploaded the same on their web site, the advertisements had to be withdrawn.

In a way this was a blessing in disguise, since, in the meantime the MC felt that if we went by the set RCS rules, the Society can only charge the equalized rates from new members. This was

  
H. CARIAPPA APPALAI  
President  
Indraprastha Co-op. G.H. Society Ltd

very low and not in the interest of the existing members who have suffered all these years. Moreover the cost, based on the present circle rates (which are notified by the L.G. MCT / Municipal Authority is Rs. 73,200/- per sq.m.), are far in excess of the equalized cost. Therefore, in the interest of the existing members, it was decided that the matter should be discussed in the GBM and if agreed, we can approach the RCS office with proper justification to advertise these vacancies at around Rs.75 Lakhs, based on the notified circle rates.

The President clarified that this proposal, if accepted by the GBM is subject to the approval of the RCS, to whom the MC would apply with proper justification as to why the equalization rule may not be applied to our Society in the case of enrolling new members.

### **Constitution of Monitoring Committees**

He thanked the members for supporting the MC proposal for setting up of committees for conducting an audit of the Society, monitoring the filling up of vacancies and for allotment. However, he stressed that these committees were being proposed to ensure more active participation by the members and transparency in the Society to dispel any doubts/misgivings/rumours. The audit committee could also ensure the utilization of the funds in an optimal and efficient manner. This committee should assist the MC, not supervise it, nor be a parallel Committee as suggested by Mr.Virender Singh. The President clarified that this MC was elected unanimously by the members in the last elections and hence was legally responsible to work as per the DCS Act and Rules. Therefore, a parallel or superior committee to the MC is highly improper. However, he said that if any member does not have faith in him and wanted another committee in place, he would be willing to step down immediately.

At this stage, Mr. Virender Singh clarified that that he had no such issues and his suggestion was that the committees will work with the MC only in order to support them at this critical stage when allotment was a priority and balance work should be prioritized and funds should be judiciously used.

The President, then requested the members to come forward and volunteer to be part of the three committees as proposed in the GBM agenda. Several members came forward and the following committees were constituted.

1. **Vacancies Committee :** Mr. Virender Singh, Mr. A.K.Kapoor, Mr.A.K.Roy, Mr. Sarabjit Singh
2. **Allotment Committee:** Mr.Jagmohan Rai, Mr.Pankaj Bharadwaj, Mr.A.K.Hassija
3. **Audit Committee:** Mr. Ravindra Kumar, Mr. Jagmohan Rai, Mr.Virender Singh, Mr.A.K.Roy

At this point Mr. Ashis Banerjee (M.No.533), came to the dais and emphasised that the MC should follow the correct procedure as per the DCS Act & Rules. He expressed full confidence in the MC led by Mr. Cariappa Appaiah & complete satisfaction at the progress made by it. He was in favour of a time frame to be followed to complete the process of allotment. He wanted those members whose document verification are complete should have allotment done in the first round; those whose documentation is incomplete for whatever reason should then have to wait, it should be done in 2<sup>nd</sup> round. He further suggested that rather than a committee, the allotment



process should be directly followed up by the President, Mr. Cariappa Appaiah, in whom they all had confidence.

In reply the President acknowledged that Mr. Banerjee had a point, in the sense that the process of allotment is quite complex and challenging and needs a continuous follow up to ensure that all the requirements of the RCS are met and members get their allotment. He was happy to have a committee of members from the GBM to oversee process of allotment, but as this would necessarily open up each member's personal data for membership of Society to non-office bearers, it was not a good administrative and ethical decision. So, if the members agreed there should be only two committees and all the volunteering members can be in one or both the committees. However, he wanted some of these committee members to assist in liaising with the RCS officials for transparency.


As regards a time frame for the above, the President said that from his experience, gained while personally following up the clearances with other government departments/agencies like DDA, DUAC, AAI, FIRE, WATER, SEWAGE, LABOUR, DPCB, BSES, LG's Office, Delhi Government, these were time consuming even though our documents were in order and we had followed all the rules. However, he assured the members that the MC would do its best to complete the allotment process at the earliest, even though it was more complex, and see to it that all the members get the allotment.

Reacting to a member's suggestion that the MC should go in for self-allotment the President explained that this would be illegal as the DCS Act does not permit this. Those Societies which have done this have had to go through a lot of problems and also had to approach the Delhi High Court to solve their problems. Though the process of self-allotment of those Societies had been subsequently approved by the Delhi High Court, but it was also made clear by the Hon'ble Court that this is a one-time clearance and in future all the Societies have to abide by the DCS Act & Rules. Moreover, it is understood, that these Societies had to pay heavy regularization charges to the RCS.

After the President's clarifications, Mr. Jagmohan Rai came forward and said that he agreed with this proposal regarding constitution of committees but felt that the MC should have given a thought to such issues earlier regarding the formation of allotment committee. The President agreed with Mr. Jagmohan Rai's observation but said that sometimes the MC may change its strategy on the basis of suggestions from Members as in the present case relating to committees.

Further in reference to the observation of another member that GBMs are being held only to seek decisions, the President emphasized that this has to be followed as per the RCS Act and Rules. Moreover, this is the forum where members have the opportunity to collectively understand the issues, discuss, debate and finally take decisions in the best interest of the Society. He thanked all the members for their presence and for participating in the discussions and giving their valuable suggestions.

Consequent to the deliberations, the following two committees were constituted. The committee members will decide their committee's respective conveners:

  
MR. CARIAPPA APPAIAH  
President  
The Water Co-op. G.H. Society Ltd.

**Audit Committee:** Mr. Ravindra Kumar, Mr. Jagmohan Rai, Mr. Virender Singh, Mr. A.K. Roy and Mr. A.K. Hasija

**Vacancies Committee :** Mr. Virender Singh, Mr. A.K. Kapoor, Mr. A.K. Roy, Mr. Sarabjit Singh and Mr. Pankaj Bhardwaj

The President then requested the Secretary, Dr. Sachdeva to confirm the decisions and formally conclude the proceedings.

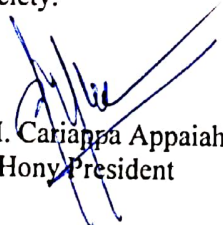
**The Secretary, Dr. Sachdeva sought and all the members unanimously approved**

1. Issue further demands after receiving the Architect Certificate
2. Constitute Audit committee and Vacancies committee
3. Fill in vacancies at around Rs.75,00,000/- (Rs. Seventy five lakhs) per 2 B/R after obtaining approval of the R-CS.

**Dr. Sachdeva :** In his concluding remarks, the Secretary referred to the comment of Mr. A L Mendiratta that he was attacked, whereas the truth was that Mr. Mendiratta had misbehaved with members who despite his misbehavior had extended him due courtesy because of his age. He should not misuse this courtesy and privilege extended to him. He should not use this forum to spread lies to garner sympathy for himself. It was shameful at his age to allege that the Secretary, Dr. Sachdeva and the Society Lawyer Mr. Talwar had bribed the Arbitrator for an order favouring the Society.

He then invited more suggestions from the members.

There were no further suggestions from members and the meeting ended with a vote of thanks to the chair at 2.55 PM on the same day. The members then proceeded for lunch arranged by the society.

  
(M. Cariappa Appaiah)  
Hony President



**Secretary's report to the GBM of The Kunj Vihar CGHS Ltd on 13<sup>th</sup> Apr. 2014**

Mr President and respected Members, I extend a warm welcome to you all to this General Body Meeting (GBM). The GBM was initially planned towards the end of march, but due to members being occupied on account of the closing of the financial year it had to be postponed. The GBM has to take certain decisions - these decisions are important, as they have bearing on completion of society construction work and the allotment of flats in a timely manner in the coming months. Now, with your permission, I would like to share with you in brief the progress we have made since the last GBM i.e. 08.06.2013. May I proceed as per the agenda circulated in advance:

**1) Approval of Minutes of last GBM**: In the last GBM held on 08.06.2013 following 3 important issues were placed before the members as per the then agenda:

- Draw of lots for upgradation to 3 B/R and 4 B/R flats at Ground floor in case applicants are in excess of vacancies.
- Status of affidavit from members for allotment
- Status of completion certificate from DDA

The minutes of the GBM pertaining to these issues have already been circulated to the members

**2) Statement of the Accounts of the Society**: The Society's Accounts have been audited for the financial year 2012-13 by M/s Grover, Lalla & Mehta, appointed after seeking approval from the RCS office. The Audit report has been submitted for approval to the RCS office; the approval is awaited and thereafter it will be placed before you for acceptance.

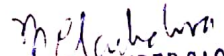
The permission for the Audit for the year 2013-14 shall be sought after the acceptance of the Audit report for the year 2012-13 by the RCS office.

**3) Legal Cases:**

**i) Arbitration case filed by M/s. Hi Tech, (previous contractor)**: Members were apprised in the last GBM about the Arbitration case with M/s. Hi Tech. The last hearing was held on 24. 03.2014. The cross examination of both the claimant and respondent has been completed and also the examination of the special witnesses summoned in the case. The final arguments are being heard in the case at present.

**ii) Case filed by Mr. A.L. Mendiratta**: He had disputed the demands raised on him by the society and had filed a case in the RCS office. He had demanded that he should be allotted flat at the original tentative cost. The RCS had referred this dispute to an Arbitrator. Mr Mendiratta had disputed to the appointment of the Arbitrator and had approached the Delhi Cooperative Tribunal Court and subsequently the Delhi High Court also. The appointment of the same Arbitrator was confirmed subsequently. The Society has contested the case and Mr Mendiratta had been directed to deposit the demands raised by the society by Feb. 2014, which he has not done so far.

**iii) Case filed by Ms Ramita Mehta**: She has disputed the demands raised on her by the society and claimed that she be allotted flat at the original tentative cost and had filed a case at the RCS office. She has demanded that she should not be made to pay the present cost irrespective of the cost which rest of the society members are paying. The RCS had referred

  
Dr. HARISH CHANDER SACHDEV  
Secretary  
The Kunj Vihar Co-op. G.H. Society Ltd.


this dispute to an Arbitrator. The Arbitrator had passed an order that Ms Ramita Mehta is not liable to pay the demands raised by the Society and also directed the society to recommend her name to RCS for allotment. The Society has got a stay in the aforesaid matter at The Delhi Cooperative Tribunal Court.

iv) Case filed by Mr. Sube Singh: He has represented to the RCS that the size of the flat allocated to him by the society was of a bigger size of 3B/R category flat and he is now being downgraded in terms of the size of the flat. This allocation had been done by the then Secretary (who was not an elected Office bearer) with the knowledge of the MC of which Mr. Sube Singh was an active member, in an arbitrary manner without following proper procedure and without according equal opportunity to the other members of the society. May I remind you all that the present MC had convened a meeting of the members of 3 B/R flat category on 22.09.2012 to resolve this very issue of allocation of flats of different sizes. The minutes of the meeting were circulated to the members wherein the members had accepted that the 3 B/R flats of different sizes be treated as 1 single category for the purpose of draw of lots. This issue was also discussed in the GBM subsequently on 25.11.2012 and the members approved the proposal as discussed in the meeting of the 3 B/R category flats held on 22.09.2012 to have a single draw for all the three bed room flats. The matter has been referred for arbitration by the RCS office.

v) Case filed by Mr. G K Bhargava: He had contested that the demands raised by the society were not payable by him. The matter was heard by the Delhi Cooperative Tribunal and he has been directed to make the payments as per the demands raised by the society. A substantial part of the payment demanded has been received by the society.

4) Status of C.C. (completion certificate) from DDA: Members were apprised in the last GBM that the drawings of the society were submitted to the DDA which were subsequently forwarded to the DUAC and the CFO for acceptance. These authorities have granted the requisite approvals. The MC feels glad to inform you that the completion certificate (C.C.) has been approved – something which the members have been waiting to hear for long. The C.C. shall be issued on submission of lifts licences to DDA, which the MC has now coordinated with M/s Johnson Lifts Pvt. Ltd. – supplying lifts. The MC has taken care to have the lifts installed in a phased manner – a) that the funds are used in a judicious manner, that other works in the society are not adversely affected, b) the warranty of the lifts may not lapse before the occupation of flats, else the society would have to pay for the maintenance.

5) Construction work done, Balance work to be completed before possession, Approval for completion of work related to back-up / common facilities and the cost; Approval of final project cost estimated by the Architect, on the basis of LOP / Revised Plan approved by DDA/ DUAC: The president, Mr. Cariappa shall provide an in depth analysis on these integrated issues. However may I state here that way back in Oct. 2009 (in the GBM) the present MC had estimated the total balance cost to be appx. Rs. 23 crores. The same estimate was intimated to the members in Nov. 2010 in the letter circulated by the President.

  
Dr. HARISH CHANDER SACHDEVA  
Secretary  
The Kunj Vihar Co-op. G.H. Society



Today the estimated cost has been projected by the MC in consultation with the Architect to be appx. Rs66 Crores. The Final cost shall be intimated by the Architect who is already working on it. The difference in the projected cost and the present cost is due to some expenditure for which provisions had not been made as these were unforeseen at that time – Compounding fee, EOT charges, balcony conversion to room enlargement of 3 B/R flats, EWS charges; expenditure has also been incurred and also due for common facility which the President shall enumerate shortly, but for these, the amount does not differ significantly from the earlier projected estimate considering that the inflation in the past years during the construction phase has been in double digits.

I would also like to point out that during the previous GBM meetings it had been proposed and approved that 9 lifts be made operational and the balance be made operational at a later stage for optimal utilisation of funds. To obtain the CC, the DDA officials and also Architect of the Society had advised – 9 lifts are needed in operation.

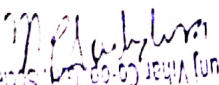
**6) Status of application for allotment in RCS office (and submission of requisite documents and affidavits to RCS, status of verification of members for allotment):**

Members have been repeatedly requested to have their membership verified at the RCS office. Till date appx. 180 members have had their membership verified; out of which about 55 members have incomplete documentation, who have been informed, some of them have responded but others are yet to do so. The members who have not yet got their membership verified are once again humbly being requested to do so; those members having incomplete documentation are also being requested to have the process completed. The MC is submitting the C.C. to the RCS office for further processing. The process has been stalled due to the officials being occupied with the elections duty for the Lok Sabha.

**7) Action initiated for recovery of dues from the defaulting members and further action against persistent defaulter:**

In each and every GBM defaulting members have repeatedly been requested to pay their dues so that the work of the society does not suffer. Some of these members have come forward and paid but a few still are yet to pay; their payments amounting to over 1 crore. The interest liability of these members continues to increase and ultimately they have to pay upto date dues. The MC has taken a very restrained view towards the defaulting members despite having served 3 notices to these defaulters as per the DCS Act & Rules. These members time and again have approached the MC that punitive action not be taken against them, consequently expulsion proceedings have not been initiated against them. These members are humbly being requested to clear their dues. The MC wishes to make it clear once again that the allotment of flats to defaulters would not be possible – as the RCS rules do not permit allotment to defaulters.

The Society has been paying interest to the members who have placed their money on a loan basis to the Society. This money has been needed to continue for the Construction work. Since the defaulters have not paid, this amount acts as a burden to the Society's members.

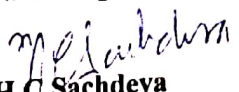
  
The Kalyan Co-op. Society Ltd.  
Secretary  
DR. HARISH CHANDER SACHDEV

8) The cost of 2 BR flat and policy for filling up the 7 membership vacancies: The MC proposes and seeks approval of this GBM to fill up the 7 membership vacancies of the 2B/R flats by advertising these in the newspaper as per the DCS Act & Rules. As the C.C. has already been approved by the DDA, the MC proposes and seeks approval of this GBM that the cost of the flats be as per the Circle rates as notified by the Municipal authorities of Delhi, which for Group Housing(G.H.) flats is about Rs 73,200/- per sq.mtr. If the GBM approves & adopts the price of these flats as per the notified circle rates, the MC shall approach the RCS office seeking their approval to advertise these membership vacancies and enrolling members as per the RCS rules for the 2 B/R flats at these circle rates for G. H.

9) Approval for Special financial audit of the Society & Appointment of committees for monitoring: (i) Special Audit (ii) Filling up of vacancies (iii) Allotment / Possession : For the year 2013-14 till the period Dec 2013, a special audit by M/s Grover, Lalla & Mehta has been undertaken so that there are no hindrances in getting the formalities of allotment completed at the RCS office. The MC invites members who would be willing to be part of the committees to assist the MC and devote adequate time to oversee: (i) Special Audit (ii) Filling up of 2B/R flat membership vacancies and (iii) Allotment / Possession of the flats to the members. The interest calculation for the amount paid in excess of the demand had been calculated upto July 2012. Further demand made by the Society will be adjusted against any excess amount payable to the members.

10) Appointment of Mr. Rajesh Malik as Supervisor in the Society: The ongoing works in the society were being supervised by Mr. Jamuna Singh and Mr. G.S. Arora. However, Mr. Jamuna Singh, remained absent from the society last year at a crucial time when the engineers from DDA were to carry out inspection during the months of July 2013. The MC also subsequently noticed that his activities were not in the interests of the society; in fact some members brought facts to the notice of the MC that he was acting against the interests of the society. The MC has since terminated his services. The MC has since appointed Mr. Rajesh Malik as Supervisor in the Society and he has been carrying out his duties.

11) Letters from members: On 11.04.2014 two letters having the same language have been received, one from Mr. A L Mendiratta (M.No. 678) and the other from Ms Ramita Mehra (M. NO. 673). They have alleged that this GBM is not in accordance with the DCS Rule 51. The MC has taken note of these letters. It is clarified: a) that the GBM has been convened as per the rules of the DCS ACT & Rules. The notice for GBM was issued on 29.03.2014 which clearly gives 15 days notice for GBM on 13.04.2014., ii) The approval of statement of Account submitted to the RCS office for approval in mid January 2014 is still awaited and shall be submitted for acceptance by the GBM upon receipt, iii) The vacancies in the Society are yet to be filled up. Therefore, the MC wishes to reply to both of them from this forum that their allegations are totally false.

  
Dr. H.C. Sachdeva  
(Secretary)