

# DAILY ATTENDANCE OF THE PRESENT OF MEMBERS

(12)

Page No.	
Date	

The General Body meeting of the Kung Vikar CGHS LTD held on 15<sup>th</sup> January 2012 at 10:30 AM at the side of the Society at Plot No-19, Sector-13, Duxarka, NEW DELHI - 110078. The following members are Presents :-

S. NO.	M. NO.	Member's Name	Sig.	Remarks
1.	558	Anilkumar Roy		
2.	649	Sudesh Kumar Wadhawan		Spam
3.	399	Dr. H. C. Subram.		
4.	604	A. K. Sharma.		
5.	650	Dr. K. D. Bhojla		

The Quorum was not completed at 10:30 AM hence the meeting was adjourned for one hour and meeting was restarted at 11:30 AM at the same venue and on the same date.

6.	631	A. M. Jha		
7.	514	Neelg konwar.		
8.	548	K. Ashan		
9.	646	Narendra Gupta		
10.	541	S. P. Tripathi		
11.	515	Dr. Sanjay Kumar		
12.	702	Shiv Rous.		
13.	614.	R. L. RAINA		
14.	678	Arjun Mandalia		
15.	55-1	R. K. Choudhary		
16.	557	T. S. Datta.		
17.	555	NEERAJ KHATRI		
18.	558	B. K. Sahu		
19.	693	Sunil Kumar		
20.	666	R. N. Chaudhary		
21.	559	Debashish Sen		
22.	701	Ashis Banerjee		

S NO	M NO	member's NAME	Sign	Sign of Member
23	605	Mahesh Gopal	[Signature]	
24	596	S. K. MANDAL	[Signature]	
25	525	R. N. Kalita	[Signature]	
26	631	Manoj Chandra	[Signature]	
27	62705	L. B. B. S. Aroa	[Signature]	
28	626	Carl Sampson	[Signature]	
29	703	Pam	[Signature]	
30	592	Dinesh Datta	[Signature]	
31	587	FAREED AHMED	[Signature]	
32	293	311751 Ad	[Signature]	
33	322	Aswathi Devi	[Signature]	
34	671	S. K. PASHI	[Signature]	
35	664	Ang Gupta & Shweta Gupta (K. G. G. G.)	[Signature]	
36	610	Deepak & Divya Munshi	[Signature]	
37	581	T. M. Kumar	[Signature]	
38	438	Arif Coor	[Signature]	

The quorum was not completed at 11:30 hence the meeting was adjourned for half an hour and meeting was restarted at 12:00 at the same venue and same place.

39	566	SANJAY BHANDARI	[Signature]	
40	675	Jay Mahan Rai	[Signature]	
41	537	K. K. Jais & Anu Kumar	[Signature]	
42	663	Vikash Kumar	[Signature]	
43	571	A. K. KAPoor	[Signature]	
44	622	Yashwanth & Rakesh	[Signature]	
45	603	Chandica Thakur	[Signature]	
46	534	Rajiv	[Signature]	
47	533	SURE SINGH	[Signature]	
48	628	NARENDER K.	[Signature]	
49	575	J. S. BHORIA	[Signature]	
50	560	S. S. Sharma	[Signature]	



51	377	A.K. HASSANI	Abby	
52	537	ARON KOLNUPESIA	Aravind	
53	667	ARUN SINGH	Aravind	
54	585	J.K. JAIN	Aravind	
55	303	SANJAY KASTORI	Aravind	15/1/2012
56		Pranod Singh	Aravind	
57	567	Ashok Kumar Gupta	Aravind	
58	688	Vimal Kalm	Aravind	
59	594	Ashok Kumar	Aravind	
60	677	CM SADDI	Aravind	
61	199	Rajesh S. S. S. S.	Aravind	
62	629	Gurinder Singh & Indrapal Kaur	Aravind	
63	644	M. CARIAPA APPALAK	Aravind	
64	680	Kamlesh Kishor	Aravind	
65	611	Rajesh Gupta CHHAN	Aravind	
66	48	Suresh K. S. S. S.	Aravind	
67	121	AMIL DUA	Aravind	
68	583	Ramsh Kumar	Aravind	
69	561	Rajni Hakim	Aravind	
70	23	Byam Khan	Aravind	
71	549	MADHAN MADHANASAMY	Aravind	
72	641	K.R. RAJENDRA KUMAR	Aravind	
73	682	Jagdish Singh Oberoi	Aravind	
74	670	V. SURESH KUMAR	Aravind	
75	619	KL Chhabra	Aravind	
76	593	Jai Kathana	Aravind	
77	595	P K Sahoo	Aravind	
78	569	Neelam K. Dewar	Aravind	
79	570	Bhuglan Chaudhary	Aravind	
80	633	Roshan Bauli	Aravind	
81	583	Prasanna Basu	Aravind	
82	652	Anadi Gupta	Aravind	

83	552	SANJEEV KUMAR	
84	658	SATISH KUMAR	
85	339	Supriyasahyal/Rakesh	
86	694	for Anurag the - K. The	
87	564	Dr. A. Khanna	
88	601	S. Ramachandran	
89	213706	Abhimanyu	
90	657	TANU KANWAR	
91	697	Jogam Tiwari	
92	609	J. K.	
93	574	Bhupinder Bhutani	
94	597	Kaushik Bhat	
95	556	S. S. V.	
96	414	Urmila Bhasin	
97	807	Jagdish Chandel	
98	189	Arjun Kumar	



## MINUTES OF GENERAL BODY MEETING : 15.01.2012

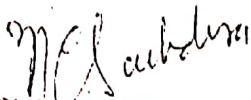
The General Body Meeting of members of KunjVihar Cooperative Group Housing Society Ltd. was held at its site, Plot No. 19, Sector-12, Dwarka, New Delhi-110078 at 10:30 AM on 15<sup>th</sup> January, 2012. Since, the quorum, required for the meeting, was not complete by 10.30 hrs, the meeting was adjourned for one hour and recommenced at 11.30 hrs on the same day and same venue. Even then, as the quorum required for the meeting, was not completed by 11.30 hrs, the meeting was adjourned for further half an hour and recommenced at 12.00 hrs on the same day and same venue. The meeting was attended by 98 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.

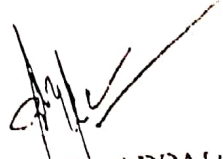
1. The Secretary Dr. H.C. Sachdeva convened the meeting by inviting the President Mr. M. Cariappa Appaiah, Dr. Raj Kumar Choudhury, Vice President, and Mrs. Rashmi Bali, Treasurer to the dais and requested the President to start the proceedings.
2. The President welcomed all the Members and families 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. The minutes of the last GBM held on 19.12.2010 and Audit Reports for the F.Y 2008-09 and 2009-10 were circulated to the members and read out. These minutes were accepted and unanimously confirmed by members present. Thereafter, he readout the detailed proposal (agenda points) for consideration of members in the GBM.
4. The President then requested all the members present to come forward with queries, comments & suggestions on the Agenda points as well as any other issue concerning the Society so that the same could be deliberated/ clarified.
5. Several members came forward with comments / suggestions and actively participated in the deliberations.

### Mr. Arjun Lal Mendiratta

He came repeatedly to the mike and raised the following issues :

- 1) With reference to Item No.7 of minutes of GBM held on 19.12.2010, namely the approval given by the GBM for construction of flats in the stilt portion, he said that the occupants of these flats would suffer from noise pollution and suggested that these should not be constructed.
- 2) He also said that in the previous GBM as well as the GBM during the tenure of the Administrator, he had objected to equalization and that this should not be imposed on the members. He also added that the CA is not authorized to calculate such equalization.

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

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

- 3) He had sent several mails objecting to the construction of duplex apartments since they were not in the earlier plan approved by DDA.
- 4) He had told the MC not to give priority for construction of the car park. Also that every member should be given one car park free. He cannot afford to spend 1-2 lakhs for car parking.
- 5) He said he has written letter to the President/Secretary to know the formula on the basis of which the cost of the flat has been fixed and was awaiting the reply. He said he has already paid more than Rs. 10 Lakhs as interest to the bank on the money borrowed to pay the Society. He wanted to know how much more he has to pay for his flat.
- 6) He also stated that during 2005-06, he had received an Architect's Certificate from the Society Certifying 80% work completion. Subsequently he was informed that the Local Commissioner appointed by the Court had submitted a report which showed 50% completion. Subsequently in 2010-2011 the present Architect had issued a Certificate stating 80% completion. The cost has gone up by 50% but work completed is only 20%.
- 7) Further in 2004 the Society had claimed excess money on the basis of the Architect Certificate of 75% when work was not even 50% as subsequently reported by the High Court appointed Local Commissioner. He wanted interest on the excess money in relation to the work actually done. He claimed that some members had already received money from the Society between 2003-2006, against excess payments made by them during that period. He added that he had written several letters to the previous management, as well as to the Administrator and the present management.
- 8) He had received a letter from the present MC in 2010, that a sum of Rs. 2.85 lakh shall be credited to his account till date it had not been done. He had written several letters but had not received any reply till date.

#### **Mr. Parmod Singh**

- i) He demanded that the Equalization charges should not be levied. In his view such charges could be levied only from new members who are admitted in place of vacancy caused by a resigning member. He never knew that his membership was against a particular resigned member enrolled in the past.
- ii) He also demanded that strict action should be taken against those involved in the siphoning of funds of the society meant for its construction.
- iii) He emphasized that the construction be completed at the earliest.

#### **Mr. Jagdish Kurich**

He welcomed all the members and wished them all a Happy New Year. He said it will indeed be a Happy Year if the members get their flats in the Society during the year. However at the same time he expressed his doubt about getting the flats in the current year as well as the following year.

*M. Cariappa Appiah*  
M. CARIAPPA APPIAH  
President  
G.H. Society Ltd.



He said there was a lack of communication between him and the Society and he did not get any information on several issues. Even though he became a member in 1984, he came to know about developments in the Society only in 2005 when he received a demand for payment. There was a lot of confusion in the Society and mismanagement by the previous MC was being reported. Also the certificate on status of work issued by the Architect appointed by the previous MC, was false resulting in monetary loss to the members. He said members should not be charged interest for not making payments during 2005-2006, when several members refused to pay. He said the present MC came into existence in 2009. Demands and notices were sent to the members for payment to complete the balance work which was about 20% to 30%. However he was never apprised about the construction status, the fund position future planning etc. He further said that he would like to know the following:

- 1) The final cost of the flat.
- 2) A proper account by the MC of nearly Rs. 12 crore that has been spent on the project by the MC.
- 3) How much more money is required for completion of the project.
- 4) How much more time is required for members to get their flats.

Further, Mr. Kurish said that members enrolled before 2001 should not be charged equalization. He also reminded members that a sum of Rs. 2 Crore, as approved by the GBM had been paid to M/s Techno Construction to settle the dispute. He said that in the case filed by M/s Hi-Tech Construction, Rs. 9 Crore had been claimed by the Contractor. He wanted the MC to keep the members informed regarding the case since a negative outcome would result in a financial burden on the members. He also recommended that the Society should not make payments against the demands issued by DDA/RC, since they had contributed to the delay in the project.

### Dr. R K Choudhary

He stated that in deference to the wishes expressed by members in the previous GBM he had agreed to continue as the Vice President in the Society. However he mentioned that the MC meetings were not held when he had indicated his availability to Mr. Ashok in the office, who had specifically called to check his availability. This had happened a couple of times thereafter he had not attended any meeting. He mentioned in the last MC meeting he had attended; one of the members raised an issue that the meeting had been called without any agenda.

He also said that he had written some letters and sent email to the President which were not replied.

He stated that precious time was wasted during the tenure of the Administrator when no construction was carried out for 3 years.

Thereafter the present MC had taken up the construction work, but after 3 years still a lot of work was yet to be completed. He said he had asked the MC not to go in for installation of lifts and construction of basement car park on priority. These could be taken up later. However, the MC had taken up these works before completing the internal

Dr. R K Choudhary  
The Kirti Vihar Co-op. Hsg. Society Ltd.  
3

Dr. R K Choudhary  
The Kirti Vihar Co-op. Hsg. Society Ltd.

works. He said the audit report & GBM minutes which were circulated should have been sent to members much earlier.

He was concerned about the staff salaries stating that if the project is delayed, the members would unnecessarily incur an additional burden in this regard.

He was also concerned about the flat cost. He said the cost of the 4 BR flat had increased from Rs. 24 lakh to 35 lakhs. Further members were being charged equalization and also interest on delayed payment. He said that Society should pay interest on excess amount paid by the members over and above the demand issued to all members of a category of flats. He maintained that he had paid Rs. 3 lakhs more than the other members of his category. Finally he wanted the present MC to continue and that the proposed Society elections should be postponed till the allotment of flats to members. He suggested that the GBM should pass a resolution regarding this.

**Mrs. Inderpalkaur (wife of Sh. Virender Singh M.No. 629)**

- 1) She wanted to know why the MC did not meet as per Dr. R K Chowdhury convenience.  
(Dr.Sachdeva, the Secretary clarified that it could be by chance that two meetings could not be fixed as he was on emergency duty at the hospital. However, the intimation regarding the MC meetings schedule and agenda are e-mailed to all the MC Members).
- 2) She wanted the Society to pay interest on the excess amount paid by members like car parking, since now car parking would be part of the common facility and will not be sold to members.
- 3) She wanted to know the amount paid to Mr. Ranvir Toor.  
( Dr.Sachdeva informed that about Rs.83 thousand had been paid as per the order of the Hon'ble Court).

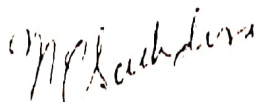
**Mr. Gurminder Singh (Son of Mr. Virender Singh, M.No. 629)**


- 1) He wanted Dr. R K Choudhury to continue to function as Vice President in the interest of the Society.
- 2) He wanted all members to clear their outstanding as demanded by the Society so that work can be completed.
- 3) He wanted members to restrain themselves from working against the interest of the society and its members. They should also not create hurdles which affects the Society work.

**Mr. K KLuthra**

He congratulated the MC for their positive work and wanted to know how the MC is planning to complete the project and by when. He further said that the election should be postponed. If not, the same committee should be re-elected.

**Mr. A M Jha**

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

  
M. C. K. A. APPALISH  
President  
The Kunj Vihar Co-op. G.H. Society Ltd.



He said personally he had no doubt regarding the calculation of interest and equalization. He however emphasized that interest should be given on money paid by members to the Society in excess of the demanded amount.

**Mr. A K Roy**

1. He welcomed the proposal to provide one car park per flat since it is part of the common facility. He wanted that, as an incentive to members who had paid money for car park between 2004 & 2010 as demanded by the different MCs, covered car parking should be earmarked for them in the basement even though now the MC is proposing to return the money with interest since they had opted for the same specifically.

2. He also agreed with the proposal of Dr. Choudhary that the GBM should pass a resolution to inform the RCS that the elections should be postponed and the same MC should be allowed to continue beyond their term till the flats are allotted to the members.

**Mr. B S Mahey**

He said that all members have paid or have to pay money as per the demand. Payment of interest to members who claim that demand was inflated and hence their payment was in excess, will create a big problem for the Society as every member will start claiming interest without any justifiable basis. He wanted the Society to sort out issues raised by Mr. Mendiratta through mutual agreement as per DCS Act & Rules. However, he said that all members should be treated at par.

**Mr. M Cariappa Appaiah, President** : He thanked all the members for their valued suggestions. He also thanked all the members present for their support and encouragement which is giving strength to the MC to complete the project at the earliest. Thereafter the President clarified various issues for the benefit of the members.

**1. Interest and Equalisation**

The President noted that some members who made late payments are objecting to the charging of interest and equalization and wanted it waived. However, he said that it is important to remember that members who have paid the dues on time are paying interest to the bank and financial institutions. Moreover the project is nearing completion thanks to those who have done their duty to the Society by making payments against the demands. Therefore, there is no justification to waive interest and equalization due from members who are not paying or have made delayed payments. He said the DCS Act and Rules in this regard are clear and have to be applied to keep members on par.

The DCS Act stipulates the application of equalization and interest. The President read out the relevant para 32 of the DCS Rules 2007 as follows:

**Default in payment by a member, the Equalization charges from a new member**

(1) In case of default in payment of demand in a Co-operative Housing Society by the members, the maximum rate of interest charges shall be as under:

- (a) for default of payment of installment upto six months @ 9 percent per annum;
- (b) for default of payment of installment upto one year @ 9.5 percent per annum; and

*M. Cariappa Appaiah*

*[Signature]*

(c) for default on payment of installment for more than one year @ 10 percent per annum.

(2) Equalization charges to be charged from the member enrolled at the advance stage of construction @ 12 percent per annum on the amount of payments raised by the co-operative housing society from each member of same category for land money and construction purposes.

(Prior to 2007, the interest was upto 12%, 15%, and 18% respectively and equalization was upto 24%, though the rate charged was 18% only).

The President also mentioned that in the past, during the Administrator's tenure, even though initially some members felt this should be waived considering disputes in the Society in the past, it was decided that this will not be applied after 2004. However, subsequently after discussion and clarification in the RCS, the GBM had approved the application of interest and equalization. Thereafter the Administrator had got this calculated by the CA till June 2007. The present MC had re issued the same along with the further interest on late payment, if due from members, till December 2010.

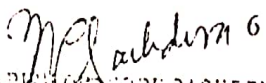
### 2. Cost of Car Parking


Further the President stated that, during an inspection by DDA officials they had informed that car parking within the Society is part of the Common Facility and cannot be sold to individual members. In view of this, it has been decided that, in case any member had paid for purchasing 'car parking space' as per schemes proposed by the Society at different times earlier, then the amount would be refunded / adjusted against other dues and the member would be paid interest for the period the amount was kept in the Society. Now since Car Parking would be part of the common facility to be shared equally, the Society proposes to re-work the parking area in order to enable the Society to earmark one car park for each flat following an amicable procedure to be mutually decided. Further, the cost of construction of car parking would be included in the cost of the common facilities. This would result in an escalation of the flat cost since now the car parking will become part of the super area. The members would receive a communication on this additional payment after the Architect gives his report on the re-worked scheme and revised super area for each flat based on the ear-marked parking area. The feasibility of providing one covered car park per flat will also be studied by the Architect.

### 3. Interest on excess payments made by members

The President clarified that since there is a provision in the Act for the Society to raise loans from outside or members to meet construction costs, the Society had in the past paid interest to such member who have funded the Society by making payment in excess of the demands at different times. However this was done selectively. Only some of the members who paid excess amount received such interest. Therefore, since some members did not receive interest on excess payments made by them, in order to be fair and keep all members on par the Society CA has been asked to go through the payment records of all the members and calculate the interest due / payable and equalization on a uniform basis for all members.

The President said that the Society's CA will give his updated report on the equalization, the interest on delayed payment by members and interest payment to members on excess payment and interest on payments made by members earlier for car park. Once the report is received the Society will intimate the members on the amount due from them or the

  
Dr. HARISH CHANDRA SACHDEVA  
Secretary  
The Kanti Vihar Co-op. G.H. Society Ltd.

  
M.C. CHAUDHARY  
President  
The Kanti Vihar Co-op. G.H. Society Ltd.



due to them on this account. Thereafter in case desired by members, the Society would arrange for the CA to be available in the Society office on certain prefixed days if the members need any clarification or wish to verify the calculations.

**4. Justification of demands issued by the Society in the past and review of status of work** In this regard, the President clearly informed the members that the suggestion/demand by some members that Society should pay interest on excess payment considering status of construction claiming that demands were inflated is not acceptable. It is impossible to re-verify or re-certify today the reports and certificates issued in the past. Even assuming that some certificates were miscalculated (present MC assumes these to be incorrect) which resulted in demands being inflated or reduced, this affected all the members equally since all the members have been issued the same demand as applicable for their category of flats on same basis. Moreover the records show that the money received has been spent by the Society.

**5. Increase in flat cost after the present MC took over**

The President informed that when the present MC had taken over around the beginning of April 2009, an expense of about Rs 34 Crores had already been incurred in the Society. Thus the total amount payable by all the members based on their flat cost estimated in 2004 had already been spent. Members are aware that even after spending all the money what the status of the project was in 2009. The present MC, after taking over, had projected in the first GBM that the estimated cost of completing the project, to recover the already invested money, would be around Rs. 24 crores. However, in order to reduce the burden on members, the MC had decided to raise initially only Rs. 16 crores from members. The balance requirement was proposed to be met from funds generated from the interest/ equalization due from members, sale of shops, flats, car parking etc. The President was happy to inform that these estimates were still valid. Some variations could be expected because of the change in the car parking requirements and the ultimate awards in the ongoing court and arbitration cases, statutory levies etc.

The President stated that through a transparent tendering process, hard bargaining and judicious selection of material, the MC had taken up quality work at reasonable prices. After the present MC had taken over, work in respect of internal finishing including tiling, internal and external electrical work, BSES work, roads, lifts, sewerage, plumbing, sanitary work, park, parking underground and overhead water tanks, fire fighting, grit wash, water proofing etc had been completed. The Society had paid the EWS charges as well as the labour cess as per rules.

The President informed that the Society was also preparing on priority the various documents/clearance required for obtaining the POC and allotment. The President further requested all the members to submit their individual documents required by RCS for allotment.

**6. Approval of the revised scheme**

The President confirmed to the members that as unanimously decided in the last GBM, the proposal for the revised scheme had been submitted to the DDA, incorporating the 5 duplex flats already constructed in 2004 as well as the proposed 5 additional flats along with the 3 existing flats on the ground floor. All constructions as is actually at site had been incorporated in the drawing. The President also informed that all the construction in

*M. Chakrabarti* 7  
President  
The Mahatma Co-operative Society Ltd.

*[Signature]*  
Secretary  
The Mahatma Co-operative Society Ltd.

the Society was as per the bye laws of the DDA. However, he informed members that if during inspection, DDA has any objection then the same would be rectified. However, this was not expected since the Architect had taken due care to see that the bye laws were strictly adhered to.

The President assured members that nothing illegal would be done in the Society and that the Rules and Regulations of DDA & RCS would be strictly followed. He stated that the work on the Community hall, Society's office and five flats on ground floor would be completed after the receipt of DDA's approval of the revised scheme. He was hopeful that this would be received soon, since the revised scheme had been submitted strictly as per the bye-laws and as per the drawings proposed and approved unanimously in the GBM held on 19.12.2010.

#### 7. Priority for Car Park

The President informed members that they should not feel that parking was unnecessary and it was not a priority. He said there is a requirement of minimum ECS based on the FAR which had to be taken care of. *Construction of basement car parking was essential to conform to the ECS conditions.* The bye-laws are clear and the Architect is the most competent person in our Society to give recommendations in this regard. There is neither any need nor any justification for the Society to flout the rules. Members should not have any worry on this account.

#### 8. Society Elections

In regard to the elections to be held in the Society every 3 years, the President thanked the members for their suggestion that the election should be postponed and the present MC should continue. At the same time, he added that periodic elections as defined in the DCS Act are not only mandatory but also desirable in the best interest of members. However, if the members are happy with any MC members, they can re-elect them, but elections are a must. The President confirmed that the Society will shortly approach the RCS for conducting elections in the Society. He requested all the members to pay the principal amount due, if not already paid, and be eligible to participate in the elections.

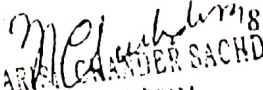
#### 9. Interest amount claimed by Mr. Mendiratta


As regards the interest claimed by Mr. Mendiratta, the President emphasized that Mr. Mendiratta would be treated on par with all other members of the Society.

The Society had also confirmed this in writing to Mr. Mendiratta, which he accepted. However, Mr. Mendiratta was not accepting the calculation by the CA. Since Mr. B S Mahey came forward with suggestions, the President requested Mr. Mahey to look into details of payment of interest on excess payment to some members and sort out the issue of Mr. Mendiratta in a similar manner.

However, Mr. Mendiratta did not accept Mr. Mahey's recommendation. Therefore, it was decided that Mr. Mendiratta should visit the Society office to reconcile his calculation along with the CA and nominate any member acceptable to him to settle the issue of interest payable as per the decision and formula proposed and accepted in the GBM.

**Mr. A.K. Sharma :** He intervened when Mr. Mendiratta started interrupting Mr. B S Mahey while at the same time some of the other members objected to Mr. Mendiratta's interruptions. Mr. Sharma emphasized that the proceedings have to be conducted in a

  
Dr. HARPREET SACHDEVA  
Secretary  
The Kirti Vihar Co-op. G.H. Society Ltd.

  
M. CARIAPPA APPANNA  
President  
The Kirti Vihar Co-op. G.H. Society Ltd.



He pointed out that there have been members who have worked against the interests of the society by lodging frivolous complaints against the Society repeatedly at the DDA and RCS offices. He expressed satisfaction that these complaints have been adequately addressed and replied to by the present MC. He was particularly happy with the conduct of President who handled such issues in a cool and mature manner. He requested the members to have a positive attitude for the society since this is a crucial juncture when the construction which was delayed for so many years has now been completed to a stage when the POC can be filed. He appealed to the members to come forward and clear their dues at the earliest so that the Society is in a position to complete the remaining work.

*Members then joined for Lunch arranged by the Society.*

100-443887-100

Secretary's report to the GBM of The Kunj Vihar CGHS Ltd on 15<sup>th</sup> Jan. 2012

Mr President and respected Members, I extend a warm welcome to all of you to the General Body Meeting (GBM). The GBM was planned to be held last year itself, however it had to be postponed initially because I was away from Delhi officially for quite some time & later in December the members wanted it postponed in view of the vacations in school and colleges - affecting their travel plans. Now with your permission, I would like to share with you the progress we have made since the last GBM i.e 19.12.2010. May I proceed as per the agenda circulated in advance :

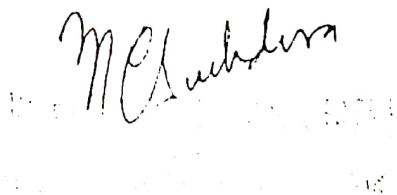
1) Approval of Minutes of last GBM : In the last GBM held on 19.12.2010 following 3 important issues were broadly covered as per the then agenda:

- i) Status of construction
- ii) Recovery of dues from defaulting members & action to be taken against them
- iii) To apprise the members of all legal cases

Copy of the GBM minutes submitted to the RCS has been circulated today for ready reference and perusal and may we resolve that the GBM minutes are passed.

2) Audit of the Accounts of the Society : The Society's Accounts have been audited for the last 3 financial years by Messrs. Grover, Lalla & Mehta. The Audit report for the previous 2 years—2008-9 and 2009-10 has been accepted by the RCS and is placed before you for approval. The Audit report for the year 2010-11 year has been submitted to the RCS for approval, which on it's receipt shall be placed before the members.

3) Status of construction : The level of construction attained today can be seen by you all. The project works regards the three blocks -- A, B and C are nearing completion. The roads have been built completely; so also is the basement car parking; the water tanks also are complete; the electrical work-BSES related is fast nearing completion and if the present pace of work is maintained then it is expected that the transformers would be installed by the end of this month; the non-BSES electrical work is also almost complete – with some work pending in common areas and the electrical meters are to be installed; out of the 15 lifts to be installed 9 lifts have been installed – their certification is under process and the necessary clearance from the Fire Safety department would then follow, the balance 6 lifts -- the final order for delivery would be placed shortly, when more funds come in; car parking in the stilts is nearly complete. The IGL gas pipeline installation has been done so that piped gas is made available in the kitchen. The work for the development of park has started and some plants for this purpose have been taken from the Horticulture department. The construction for the proposed 5 new flats in the stilts has deliberately been kept slow so that the necessary funds can be used judiciously. Fire safety services installation was carried out by M/s Fire tech consulting engineers, the equipment has been installed and demonstrated to be working satisfactorily. Tap water supply, sewerage system, rainwater harvesting system is all in place. The construction work in block-C earlier was being done by M/s. Assoc. Engineers – however their contract term expired and subsequently this work was then given to M/s.







Khushi properties. This firm could not satisfactorily keep up the pace of work – their contract lapsed. The balance work was then entrusted to M/s Ketan infradevelopers pvt. ltd in sept. 2011.


To summarise, may I add that we have reached the construction level where the POC can be filed with the DDA. Those of you seeking more details/clarification regarding construction - the President in due course of the proceedings shortly shall be glad to address.

4) Approval of appointment of engineers for the supervision of construction in the society Mr. Jamuna Singh & Mr. Gurdial Singh Arora have been appointed as per the requirements as engineers to supervise & monitor the ongoing project works in the society.

5) Proposal for including the expenditure on construction of Car Parking in the total cost of flat of each member on a pro rata basis and payment of interest to members who have paid for the car parking : In the last GBM it was proposed to charge Rs.2.25 lacs for the covered car parking. Some of the members have paid for the same. Subsequently, during the inspection of the Society by the DDA, the officials have pointed out that the car parking areas are part of the common facilities and cannot be sold to members individually. All construction costs for car parking have to be included in the project cost and shared by the members as part of the flat cost. Car parking has to be earmarked to each and every member through a common policy approved in the GBM. Therefore, we have now proposed to have (one) car parking for each member subject to Architect confirming feasibility as per rule. The total cost of the construction of the car parking project would be charged on a pro-rata basis from each member. As some members have paid for Car Parking in the past whenever the society has raised the demand for it – it is proposed that these members be paid an interest on the amount for the period this amount has been with the society. As the Car parking charges are to be included in the cost of the flat, the cost of the flat would increase proportionally and this would result in an installment due from the members' payable as per the approval of the GBM.

6) Action on defaulting members for the payment due : As decided in the last GBM, action as per the DCS Act was initiated against all the defaulters. We are happy to note that many of these members came forward to clear their dues. As a final step against the remaining defaulters, we are now initiating the process for recommending their names to the RCS for expulsion as per procedure. We request all the members who are yet to pay their dues, to do so immediately in their own and the Society's interest.

7) Proposal to adjust the equalization charges from the principal amount of the members who have not paid equalization charges as demanded by the Society and to charge interest from them on the principal amount thus reduced : As you are all aware, the Administrator had generated a demand against equalization during 2006-7. While a few members had paid this equalization amount as demanded, the majority of the members had not done so and had sought clarifications on the rules and procedures in respect of equalization. The present management has, after obtaining clarification from the RCS, re-issued this demand as made by the Administrator. It is proposed that members, who have not paid this amount earlier, be given one final chance to clear this due by 15<sup>th</sup> Feb. 2012.

  
DR. HARISH CHANDER SACHDEVA  
Secretary  
The Kirti Vihar Co-op. H.S. Society Ltd.

Thereafter it is also proposed that part of the principal amount lying in their account in the Society will be adjusted against the equalization/interest due from them. The default amount against the principal demanded will attract interest as per the prevailing DDA Act and rules after 15.2.2012. We may also remind members that the names of defaulters will not be recommended for allotment. Additionally they will not be able to contest or vote in the Society elections.

#### 8) Legal Cases:

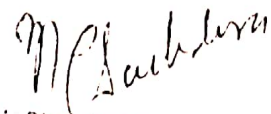
i) Arbitration case filed by M/s. Hi Tech, (previous contractor) : Members were informed in the last GBM about the Arbitration case with M/s. Hi Tech. Consequent to the joint measurement by the High Court appointed Local Commissioner the Society had filed its reply to the claim and a counter claim to it. M/s. Hi Tech. had filed a revision of their claim after perusing the counter-claim filed by the Society; the reply to this revised claim has also been filed. The last hearing was held on 12-01-12, for the next hearing on 17.02.2012 the claimant has been directed to file the affidavits supporting the revised claim.

ii) Membership case filed by Ms. Nandini Arya : She had claimed her membership by filing a case in the RCS office. The Society had contested the case successfully in the court of the Registrar Coop Soc. (RCS) in 2010. She had then filed a review petition in the Tribunal against the RCS order. The Society contested the case and the Tribunal at the Registrar Coop Soc. (RCS) gave the decision in favour of the society once again. The matter has since closed.

iii) Mr. Ranvir Toor : Mr Ranvir Toor had filed a case in the State Consumer forum - demanding Refund from the Society. The Society had earlier refunded the amount received from him as per the Society's accounts about 10 years back. He was demanding Refund - amount paid to the Society Office bearers 7 years back appx. (but he had no receipt for it). In the Society's accounts there was no record of this transaction. As he had been suffering from cancer and ailing for some time -- the Managing committee took a sympathetic and compassionate view and decided to refund the amount. Subsequently Mr. Toor wanted the interest also to be paid on this amount, which the Managing committee declined. The matter has finally come to a close.

9) Membership of applicants for Duplex flats : As decided in the last GBM, in order to regularize the construction of the 5 Duplex flats in the Society, the 5 members who applied for the same reconfirmed their application. At the same time, their 5 related members submitted their resignation from the Society. Accordingly these remaining 5 members would be eligible for Duplex flats as per the DDA norms. Therefore this matter has been forwarded to the DDA and RCS for their final approval.

10) Members records updating for the purpose of Allotment : The Managing committee has been requesting the members to update their records for the Allotment to be done by DDA and RCS. Many members have completed these formalities. However, some still remain - it is requested once again that these members complete the documentation at the

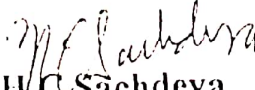
  
M. SACHDEV  
PRESIDENT



(2)

earliest so that that the matter can be taken up with both the DDA and RCS – this is a time consuming process. The members who fail to do so - their names cannot be forwarded for Allotment

11) Approval of revised drawings by DDA etc.: In the last GBM revised drawings were presented before you. These have been submitted to DDA for approval. The drawings are as per the actual physical structure and the ongoing construction.

  
Dr. H. C. Sachdeva  
Secretary