

SANDEEP VIHAR (A WHO) WELFARE & MAINT SOCIETY, GHS-79, SEC- 20, PKL

MINUTES OF SPECIAL MEETING OF MANAGING COMMITTEE
HELD ON 09TH JAN 2016

Attendance

1. Special Meeting of the Managing Committee, was held on 09th Jan 2016 which was attended by all the 11 (Eleven) Committee Members to deliberate on the single Agenda point mentioned in para 2 below received in the Society Office on 04/01/16 through a requisition duly signed by 28 Collegium Members.

Agenda

2. “REQUEST FROM COLLEGIUM MEMBERS TO HOLD SPECIAL GBM on 24 JAN 16 to discuss the anomalies in functioning of the mgmt”

Discussions

3. Brig (Retd) Sarjit Singh, President chaired the meeting and welcomed the participating Members and then advised to the General Secretary to start the process of meeting.

4. Sh. Subhash C Pathania General Secretary wished good evening and Happy New Year 2016 to all members of the House and started the meeting while reading out the contents of the joint requisition with regard to the Agenda point *ibid*.

5. He also apprised to the House that a list of specific “AGENDA POINTS : SPECIAL GBM 24 JAN 2016” has also been received in the Society Office which was put up as usual for perusal of the Office Bearers on 08/01/2016 but the same was not found signed by the worthy President, Vice-President & Treasurer though they seem to have seen/perused it (as remarked by GS after verifying the fact from the Office Staff). But these office bearers feigned ignorance and denied having seen it and opined that cognizance of this list of Agenda Points should not be taken as it has not been signed by the signatories.

6. Mrs. (Maj) Neelam Sharma and Lt Col Suresh Sharma Members MC questioned to Col RC Jaswal and Sh. AS Negi, Engr that as they are themselves Members of the Managing Committee so why they have signed the requisition *ibid* and as to whether they have seen the contents of the Agenda Points before signing the joint requisition. However, after seeing the List of Agenda Points, they both denied to have seen the same **but averred that some of these points were verbally explained to them by the Co-ordinator* and they signed the requisition because they felt that there was no harm in calling a Spl GBM on the subject matter viz. “to discuss the anomalies in functioning of the mgmt” if any found by the other signatories/esteemed members of the Collegium. Col RC Jaswal said he personally asked the GS about the agenda points after having signed the requisition. None of the points leveling allegation against individual were discussed. Shri AS Negi informed that he signed while walking and wanted that in future

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heading like anomalies should be on each page. After going through all the listed agenda points, Col Jaswal and Sh Negi desired to cancel their signatures from the signatory list/joint requisition but the President Brig Sarjit Singh opined that at this stage they should not do so.

7. Almost all members felt agitated over the contents of the unsigned List of Agenda Points and desired to not take its cognizance. Lt Col GS Jeryal opined that a letter should be written to all the signatories to authenticate the agenda points. Mrs (Maj) Neelam Sharma remarked that in the absence of authentication of signatures on the requisition it is not possible to take these signatures as genuine. She further added that if all the signatory members attend/present themselves in the Spl GM, then only it should be started. But the General Secretary opined that it is not feasible to do so in a democratic way of functioning. The GS then read out the relevant provisions of the Society's Bye-Laws to facilitate evaluating the issue by the MC Members viz:-

“12. Extra-ordinary or Special General Meeting:

- i) The MC may hold extra-ordinary or spl GMs of the Collegium as and when required.
- ii) MC shall also convene a special or extraordinary general meeting of the Collegium upon a requisition signed by 1/3rd of the members of Collegium or as & when so directed by the District Registrar of Societies or the Housing Commissioner or any other Officer duly authorized by them under the relevant statutes in this behalf.
- iii) The notice of any special general meeting shall state the date, time and place of such meeting and the purpose thereof. “

and therefore, proposed that since the requisition fulfils the mandatory requirement of 1/3rd signatories and also contains the date & ***purpose* (to discuss the anomalies in functioning of the mgmt) of spl GM, the Managing Committee may consider to hold the same. ***Upon this the Vice-President threatened that he would sue the General Secretary in the Court of Law if the GS went ahead in holding of this Spl GM.* The GS, however, clarified that since the captioned Requisition has been addressed to the General Secretary, he is legally duty bound to take further action into the matter as per the Society Bye-laws which he is doing and it is only the majority decision of the Managing Committee which shall prevail. The President Brig Sarjit Singh insisted that authentic Agenda Points is the pre-requisite so that replies to the queries could be prepared/consolidated well in time.

8. Col Dalbir Singh Member MC apprised to the House that the General Secretary is right at his place as far as first part of holding the Spl GM is concerned and regarding 2nd part with regard to Agenda points, the signatories can be advised to furnish their concurrence/consent about the same. Lt Col Suresh Sharma said that he may be provided a copy of the requisition/agenda points so that he could verify from each signatory the genuineness of his/her consent. General Secretary did not agree to provide its copy to him to avoid personalize the issue and suggested that society official(s) can be deputed to get this work done in person or the requisition letter/agenda points or a separate letter from Society Office on the subject can be displayed on the notice board with an appeal to the signatories to furnish their concurrence to the

*(** Deleted by the President while signing the minutes)*

agenda points at the earliest/ by specific date. Upon this, Lt Col Suresh disagreed & felt agitated and left the meeting by saying that he had to attend some urgent work but returned back after some 20 minutes and joined the deliberations. Col Dalbir Singh further opined that whereas there have been persistent bickering amongst the members of MC of late and this MC has completed a tenure of almost 2 years, therefore let the present Managing Committee be dissolved and fresh elections be held but majority of members did not agree to this suggestion.

9. The General Secretary again appealed to each member that the House should take a viable decision in the spirit of relevant provisions of the Society Bye-laws and should not personalize the issue but the members felt hurt/agitated over the contents and tenor of the Agenda Points as well as the very concept of Special General Meeting. The President Brig Sarjit Singh and Sh GC Bhatt Member MC suggested that since the ensuing mandatory pre-budgetary GM is likely to be held on 28th Feb 2016 or it could be preponed by a week or so, there is no necessity of holding the Spl GM in between. But Col Dalbir Singh replied that it is legally not possible to ignore the captioned joint requisition but it needs signatures laid down in the Bye-laws except one the purpose of such meeting.

10. Finally, Lt Col GS Jeryal Vice-President and President Brig Sarjit Singh opined that since the Agenda Points are not authenticated, the Special Meeting cannot be held and this decision should be conveyed to the District Registrar of Firms and Societies, Panchkula. All other Managing Committee Members with only one dissenting vote of the General Secretary agreed to this decision and thus the resolution of not holding the Special General Meeting on 24th Jan 2016 was passed with majority vote (10 : 1).

11. There being no other point for discussion, the meeting ended with a vote of thanks to the Chair.

Sd/x x x

File No. 10 RWS/GHS-79/SMCM
Dated : 12th Jan 2016.

(Subhash C. Pathania)
General Secretary

Sd/x x x
(Brig Retd Sarjit Singh)
President – the Chairman

SANDEEP VIHAR (AWHO) WELFARE & MAINT SOCIETY, GHS-79, SEC- 20, PKL

EXTRACT OF PARA 10 OF MINUTES OF

SPECIAL MEETING OF MANAGING COMMITTEE

HELD ON 09TH JAN 2016

10. Finally, Lt Col GS Jeryal Vice-President and President Brig Sarjit Singh opined that since the Agenda Points are not authenticated, the Special Meeting cannot be held and this decision should be conveyed to one and all including to the District Registrar of Firms and Societies, Panchkula. All other Managing Committee Members with only one dissenting vote of the General Secretary agreed to this decision and thus the resolution of not holding the Special General Meeting on 24th Jan 2016 was passed with majority vote (10 : 1).

(Subhash C. Pathania.
General Secretary

(Brig Retd Sarjit Singh)
President – the Chairman

SANDEEP VIHAR (AWHO) WELFARE & MAINT SOCIETY, GHS-79, SEC- 20, PKL

EXTRACT OF PARA 12 OF SOCIETY'S BYE-LAWS

“12. Extra-ordinary or Special General Meeting:

- (i) The Managing Committee may hold extra-ordinary or special general meetings of the Collegium as and when required.
- (ii) Managing Committee shall also convene a special or extraordinary general meeting of the Collegium upon a requisition signed by 1/3rd of the members of Collegium or as & when so directed by the District Registrar of Societies or the Housing Commissioner or any other Officer duly authorized by them under the relevant statutes in this behalf.
- (iii) The notice of any special general meeting shall state the date, time and place of such meeting and the purpose thereof. “

(Subhash C. Pathania.
General Secretary

(Brig Retd Sarjit Singh)
President – the Chairman