

SANDEEP VIHAR (AWHO) WELFARE AND MAINTENANCE SOCIETY, GHS 79, SECTOR 20, PANCHKULA
RE-ADJOURNED GENERAL MEETING HELD ON 18 MARCH 2018
MINUTES OF THE PROCEEDINGS

Attendance

1. Re-adjourned Annual General Meeting was held on 18 March 2018, which was attended by 85 out of 547 eligible members (16% attendance against required Quorum of 15 %).

Agenda

2. (a) Welcome Address.
- (b) Passing of Minutes of GBM of 31 Dec 2017.
- (c) Passing of Minutes of AGM of 12 Nov 2017.
- (d) Consideration and passing of accounts, audit report and internal audit report for FY 2016-17.
- (e) Ex Post facto sanction for financial expenditure incurred.
- (f) Consideration and approval of budget 2018-19.
- (g) Points from Members.

Welcome Address

3. The President thanked all members for having taken time out from their busy routines to attend the GBM.

Passing of Minutes of GBM of 31 Dec 2017.

4. The President mentioned that the GBM of 31 Dec 2017 had only two points. Lodging of Writ against HUDA on 3rd LEC and case against AWHO in NCDRC. He thereafter briefly updated on the status of both the cases.

Lodging Of Writ Petition against HUDA

5. As decided by the GBM on 31 Dec 2017, a very comprehensive writ was prepared and filed by us before Hon'ble Punjab and Haryana High Court. The writ was admitted as CWP 3226 of 2018 on 14 Feb 2018 with notice given to HUDA as to why the Stay should not be granted. The next date was 09 Mar 2018. However, on that day as the Court was not held, next date given is 24 Apr 2018.

6. We had identified many issues starting from overcharging of initial land cost, charging us for extra 0.15 acres and gross changes in calculation formula to place us at a disadvantage. The details of arbitrariness, unjustified changes of calculation parameters and incorrect application of rules are now being quoted by earlier litigants like Angel Society (GH 103) and Jal Vayu Vihar (GH 4A) in their Contempt Petitions. After reading about our case in the newspaper, other Societies have also started going to court, the first being GH 38 whose case has also been admitted and tagged with ours.

Third LEC

7. A lot of hope had been reposed on the outcome of the writ petition of Angel Society and Jal Vayu Vihar which were pending with HUDA on Court orders. In fact, action on deposit of 3rd LEC had been delayed for two years in anticipation of a favorable ruling. After the resolution by the AGM on



12 Nov 2017, an exercise to collect and deposit payment of 3rd LEC was undertaken. However, by the time payment was collected, preparations for the writ petition had started which highlighted the extent of perfidy on HUDAs part. A decision in the case of Jal Vayu Vihar was also imminent. Hence, during the GBM held on 31 Dec 2017, a considered decision was taken to delay payment till a positive outcome in the two cases or a Stay in our own case.

8. Unfortunately, HUDA has continued with its dirty games. On 19 Jan 2018 HUDA issued a revised demand notice increasing the 3rd LEC from Rs 1315.06 per sq mtr to Rs 2,104.61 per sq mtr, inclusive of retrospective interest on the increase from Jan 2016. The increase for our Society due to this increase amounts to Rs 4,10,56,600/-. This increase has been justified by HUDA through the preposterous measure of combining Sector 20 (Part 1 and Part 2) into one sector for enhancement.

9. Fortunately, through the collective efforts of members, this issue came to notice just in time and by delaying our writ petition by a few days, we were able to include this aspect in our request for a stay.

10. On 22 Feb 2018, HUDA has rejected the contentions of Angel Society and Jal Vayu Vihar, upheld the 3rd LEC, revived the notices quashed by the Courts and upheld the additional recovery. Under these circumstances, we are in a dilemma about the way forward regarding the deposit of collected amount. We have also received a notice from HUDA on 13 March 2018 asking us to pay a penalty of Rs 68,54,196/- for delay in lodging of 3rd LEC. We are strongly contesting this. Our instinct says that, we have a strong legal case and in all probability, the payments will not materialize and in fact, we will get a refund. However, nothing can be taken for granted till a judgement is actually issued. On the other hand, in the event of legal redress not being granted our interest component would have increased.

11. It was therefore decided to retain the deposit till we get a stay, which should hopefully happen in the next hearing or the one following, if HUDA asks for more time. Once that happens, the deposit will be refunded with interest accrued less the tax deducted.

12. Members who wish for immediate refund of the amount deposited for 3rd LEC, can apply to the Management for the same. However, the liability for any future dealings/clearances with HUDA and AWHO on account of 3rd LEC, would have to be personally resolved by them and the Society would not get involved in re-collection of payment.

NCDRC Case against AWHO

13. The date for arguments was set for 19 Feb 2018. However, our lawyer advised against coming before the particular bench based on past trends. Accordingly, the revised date for final arguments is now 06 Sep 2018.

14. The Minutes were proposed to be passed by Col P J S Atwal and seconded by Brig K C Sood.

Approval of Minutes of AGM dated 12 Nov 2017

15. The President informed that there was one open point on which action has not been completed. This was regarding re-examination of accounts of the cash collected for Relaying of Electrical Wires and TPNs. Col N P S Mann had been requested by the House to undertake the task. However, he had expressed his inability to do so. The President proposed that Brig K C Sood, Col H O Khandelwal and Col Surjeet Singh who comprised the initial team which raised the observations be requested to undertake this examination so the pending points could be closed.



16. The proposal was vehemently objected to by Col Subhash Chander, Col HO Khandelwal, and Mr Subhash Pathania who informed that the issue had been closed by previous GBMs.

17. Brig Sarjit Singh pointed out that the observation had still not been resolved, especially regarding non-submission of some bills and recovery of Rs 16,000/- in cash, which was unaccounted for. Thus an enquiry was required to establish the facts and render closure to the case.

18. However, a vocal segment of the House felt that since the collection was not part of the Society Funds, no further action was required on the matter. Brig Sarjit Singh reiterated that this was the very issue which was objectionable, as to why a cash collection had been undertaken. However, the view of the House prevailed and it was decided not to proceed further with the issue and after clearing dues of Thrifty Block to deposit the remaining amount out of Rs 16,000/- in the Corpus Fund.

19. The Minutes were proposed to be passed by Col Subhash Chander and seconded by Hay Ashok Bali

20. Review of Projects FY 2017-18

(a) The President informed that out of the projects sanctioned for FY 2017-18, the following had been completed:-

- (I) Road Repairs.
- (ii) Fixing of Green Marble.
- (iii) Repairs to Buildings.
- (iv) Tiling of corner islands — currently in progress.

(b) The President informed that the following projects were not undertaken or had been cancelled:-

- (i) Repairs to drainage system (Rs 2.0 lakhs) — this has been undertaken as a routine maint.
- (ii) Repairs to external firefighting system (Rs 3.0 lakhs) as a fresh survey has been carried out.
- (ii) Painting of lifts and lift repairs (Rs 1.5 lakhs and Rs 5.0 lakhs respectively). Included in repairs and upgradation of lifts.
- (iv) Installation of split ACs in Community Centre (Rs 4.0 lakhs).
- (v) Ramp for CSD (Rs 2.0 lakhs).
- (vi) Fixing of engraved marble slabs for marking car parkings (Rs 1.0 lakh)

(c) The President informed that an important work which could not be completed was the repair of Grit Wash (Rs 2.0 lakhs). Approval was sought and accorded by the house for this work to be rolled over to the next financial year.



Accounts and Audit Report for FY 2016-17

21. The Audited Accounts, the Auditors Report and Internal Audit Report were presented to the House
22. On an enquiry by Col H O Khandelwal about the reason for still maintaining a current account with IDBI Bank, the President informed that the same was being closed after maturity of two FDs within this month. He also informed that another account had been opened with Kotak Mahindra Bank which would become the main account for Society Funds since it gave better interest rates on savings deposit as well had given us an interactive website for the our society free of cost for making payments of Society Charges. Mr Subhash Pathania objected to this on the grounds that as per Society Bye Laws accounts could only be opened in Public Sector Banks. The Bye Laws were read out and it was clarified that account could be opened in Scheduled Banks. Col Sandeep Nautiyal confirmed that Kotak Mahindra Bank figured in the RBI List of Scheduled Banks.
23. The accounts and audit report were proposed to be passed by Brig D K Mohan and seconded by Maj H S Luddu.

Ex Post Facto Sanction for Financial Expenditures Incurred

24. Repair and Tiling Works of Islands. An amount of Rs 1.5 lakhs was sanctioned for this work. However, the completion of the work is likely to entail an expenditure of Rs 2.5 lakhs. Approval of the House was sought and approved for the additional expenditure.
25. Legal Expenditure on Writ Petition. An amount of Rs 2,32,500/- lakhs has been spent on legal expenses connected with the filing of writ petition and serving of notices to all respondents. While in principle approval was accorded by the GBM of 31 Dec 2017, formal approval of the expenditure was sought to regularize the expenditure and approved by the house.

Change of Chartered Accountant

26. The present chartered accountant has been auditing our accounts since 2008. In accordance with norms of good accounting, CA should be periodically changed. Our present CA has become complacent and started charging us for services which should have been included in his package. Moreover, he is making us run around providing documents at Chandigarh instead of the doorstep service he should provide.
27. It is therefore, proposed to replace the existing CA with Ms Sanjeev Sharma & Associates of Sector 9, Panchkula, who will carry out all the services of audit, filing of IT return, TDS etc as part of a very competitive package which will be equal to what the existing CA charged us for simply filing our IT Return.
28. The proposal was approved by the House.

Budget 2018-2019

29. The President mentioned that the main areas of concern for members have been security, lifts and firefighting . The Electric Sub Station had much scope for improvement. The management had been receiving a lot of suggestions from the members for effecting improvement in security and other facilities of the Society. But these involve additional expenditure which can come only from members.



Security

30. The President reiterated that foolproof security in a society of our size and peculiar layout was not an easy proposition. Apart from over 2000 residents, there was entry of a large population of support staff and outsiders, which could not be stopped. The tighter the security, the greater would be the inconvenience faced by members and their employees and visitors. That is not to say that it could not be done, but to do so, the cooperation of every member was required. Also, the quality of our security guards had to be upgraded to those who were better educated and trained. He informed that the management planned to start working in that direction this year which would entail an additional expenditure

31. He also highlighted that entry into the Society of our size cannot be foolproof unless we make it totally "Gated". That is to say that, no individual can enter without either having a Pass or personal approval from a resident. For that we need infrastructure like intercom etc, which does not exist today. Till such time as such an infrastructure is created, the isolated incidents of a vendor going from door to door without permission could not be totally ruled out.

32. Presently, the entry of Ayahs, Cleaners and Dhobis was quite well regulated. However, repair persons, employees like drivers and army Jawans out of uniform continued to enter the Society at will without any verification. The management would be introducing Passes for all regular visitors.

33. He further intimated that as far as vehicle entry was concerned, strict checking would be possible once the Electronic Boom Barrier became functional within a couple of weeks. All members would be issued with RFID Tags for the vehicles which have an authorized parking space within the Society. They will be able to drive through the RFID Gate without stopping and the entry of the vehicle will be automatically recorded in the computerized records. All other vehicle will have to prove their bona fides at the manual barrier. Detailed check will be possible since the pressure of legitimate vehicles waiting in queue will not be there.

Parking

34. The President reminded that a lot of concern has been expressed by members about the increase in unauthorized parking. He pointed out that AWHO had constructed 607 allotted parkings. Additionally, the Society has created 82 paid parkings. That amounted to 689 parkings for 556 Flats, or, less than one additional parking for four flats. In actual fact, there were residents, especially tenants who had up to four vehicles for a flat. Many tenants come to our society because it is the only society where they can get away with parking more than two cars. The normal societies in Sector 20 do not have space for a second car for every resident and additional cars have to be parked outside under their own arrangements. That is what our residents with cars in excess of their available parking, own and paid, would have to do.

35. Col Subhash Chander observed that unauthorized parking had been controlled earlier by clamping of vehicles and imposing fine for the same. The House was informed that this practice has been resumed.

Lifts

36. Everyone would have noticed perceptible improvement in the functioning of lifts. But, while the frequent breakdowns have become a thing of the past, there are lifts which are in need of urgent repairs.



37. Our problem today is that, right from the beginning our lifts have been at the mercy of local vendors. They have used local spares, replaced originals with local parts etc. There is no record of what specific repairs were carried out in each lift. In all probability, over a period of time, expensive original parts have been replaced.

38. A detailed technical survey has been carried out of all lifts. We find that out of 39 Lifts, 19 Lifts have been overhauled over the last three years. The balance are in need of urgent repairs including replacement of expensive parts . These repairs will enhance the safety and reliability of the Lifts and reduce the types of daily problems which we are facing. The cost of repair for all Lifts works out to Rs 34.0 lakhs plus Rs 6.0 lakhs 18% GST. It is not possible to undertake the entire expenditure in one financial year. Hence, it is proposed to repair 10 Lifts this year with priority for one Lift in every block and take up the rest in the next financial year. A budget allocation of Rs 20.00 lakhs is being made for this purpose.

39. Log Books would be opened for every lift wherein cost and serial numbers of all parts would be recorded. The serviceable parts removed would be utilized to improve the functioning of the remaining lifts.

Fire Fighting System

40. The President informed that a thorough review of the firefighting system had also been carried out. Everyone was fully aware of the serious shortcomings right from the start. Achievement of full serviceability of the system would cost Rs 24.50 lakhs plus GST. Again, restriction of resources compelled us to spread this into two phases. In the first phase this year we will upgrade the fire extinguishers immediate response system and parts to be installed/replaced at Rs 4.50 lakhs. In Phase 2 next year we will tackle the water delivery systems. This was approved by the house.

Electric Sub Stations

41. The President informed that the condition of three electric sub stations was not what was handed over to us by AWHO. To replace and repair the electrical equipments worn out, damaged and causing failures, Rs 7.0 lakhs and AMC for Rs 2.5 lakhs was proposed and approved by the house.

Proposed Budget 2018 -19

42. The President stated that the proposed budget 2018-19 as well as the fines and charges (attached as Appendix) were available with members. He reiterated that improved services had to be paid for through contributions. The proposed budget was based on an increase of Rs 500/- per month in Society Charges from Rs 1500/- to Rs 2000/-.

43. Col Subhash Chander and Col H O Khandelwal observed that the Society Charges had been reduced by Rs 500/- immediately after assuming office and were now being increased which gave the move electoral overtones. The president explained that what had been reduced was an amount which was being collected for future use and the fresh increase now proposed was meant for immediate use.

44. The budget proposals were put to vote and except for three members the rest approved the same.



Property Dealers

45. The President briefly touched upon some recent activities of Property Dealers in the Society. He observed that over a period of time, property dealers had started undermining the interests of owners and even tenants. Specific cases had emerged where they arranged deals for sale, much below the market value by misinforming the trusting owners. As far as tenants were concerned, they encouraged owners to carry out premature turnovers to maximize their profits as well as to bring in tenants with the lure of additional parking space within the society.

46. Till now, in all cases they presented a fait accompli to the management after the deals/agreements were signed. It was proposed to regulate the functioning of property dealers by requiring them to inform the management about planned deals for sale and tenancy prior to conclusion of the agreement. The prospective tenant would also be interviewed by the Management before approving tenancy.

47. It was proposed to charge Rs 1500/- for letting out and 10 % of commission from the sale of any flat from the Property Dealer and approved by the house.

Office Automation

48. The President stated that everyone would be aware of the society website "sandeepans.com". Every detail about the Society was available there. Another website "sandeepans.in" has also been prepared with the assistance of Kotak Mahindra Bank as a Society Management website on opening new account. Apart from serving as a data management system for flats, tenants and parkings, it will also be the medium for repair requests, online payment of society charges and generation of receipts and a host of other services. For in living members, the special advantage would be the complaint procedure and for out station members, it would be the payment and receipt generation facility. The registration procedure would be individually emailed to members with immediate effect.

Points from Members

49. Brig B P S Lamba expressed anguish that the ongoing repair in a Flat in Block E 15 was causing great inconvenience to residents besides keeping the only lift out of order. Besides that, he informed that some residents were walking their pet dogs on the roof top and causing litter. The House opined that rules should be framed to monitor construction activity in flats as well as to charge Rs 100/- per day for use of lift for shifting of construction material and removal of debris.

There being no other points, the Meeting was declared closed.

22 March 2018



Rohit Mittal
(Lt Col Rohit Mittal)
General Secretary

FY 2018-19

ANTICIPATED INCOME

PROPOSED EXPENDITURE

			Sub Head	Total
Society Charges	₹ 1,33,44,000	Staff Salary		₹ 12,70,000
Interest Income	₹ 15,50,000	Security Contract		₹ 22,50,000
Rent from Shops	₹ 17,50,000	Lifts		₹ 15,78,000
Rent from Community Centre / Stalls / Guest Room	₹ 2,00,000	AMC	₹ 15,24,000	
Passes and Stickers	₹ 2,10,000	Misc Expenditure	₹ 54,000	
Penalty and Fine	₹ 18,000	Electricity		₹ 34,98,000
Documentation and Lift Charges	₹ 1,68,000	Electricity Bill	₹ 32,00,000	
Electricity Charges	₹ 1,50,000	AMC	₹ 2,50,000	
Miscellaneous Income	₹ 1,00,000	Misc Expenditure	₹ 48,000	
Grand Total	₹ 1,74,90,000	Water		₹ 12,90,000
		Contract Payment	₹ 2,40,000	
		Water Bill	₹ 10,50,000	
		Sanitation Contract		₹ 10,80,000
		Lawns and Gardens		₹ 1,20,000
		Plants	₹ 20,000	
		Misc Expenditure	₹ 1,00,000	
		Repair and Civil Works		₹ 9,50,000
		Diesel	₹ 4,20,000	₹ 4,20,000
		Office		₹ 1,95,000
		Printing , Stationery and Consumables	₹ 60,000	
		Phone and Internet	₹ 40,000	
		Computer Maintenance	₹ 15,000	
		Audit and Legal fees	₹ 75,000	
		Postage and Courier	₹ 2,000	
		Bank Charges	₹ 3,000	
		Central Assets		₹ 1,00,000
		Guest rooms	₹ 15,000	
		Community Centre	₹ 15,000	
		Sports complex	₹ 60,000	
		Gym	₹ 10,000	
		Miscellaneous		₹ 39,000
		Cultural Activites	₹ 30,000	
		AMC CCTV	₹ 9,000	
		Credit to Corpus Fund		₹ 15,50,000
		CAPITAL EXPENDITURE		₹ 31,50,000
		Refurbishing of Lifts Ph1)	₹ 20,00,000	
		Fire Fighting System (Ph 1)	₹ 4,50,000	
		Upgrading of Sub Station	₹ 7,00,000	
		Grand Total		₹ 1,74,90,000

LIST OF CHARGES AND PENALTIES

- | | | | |
|----|----------------------------------|---|--------------------|
| 1. | Plucking of flowers | - | Rs 500/- |
| 2. | Unauthorised activities in Lawns | - | Rs 500/- |
| 3. | Wrong parking / Clamp removal | - | Rs 300/- |
| 4. | Pet litter cleaning charge | - | Rs 500/- |
| 5. | Enchroachment of central areas | - | Rs 500/- per month |
| 6. | Paid Parking | - | Rs 300/- per month |
| 7. | RFID Tags and Sticker | - | Rs 500/- one time |