

**SANDEEP VIHAR (AWHO) WELFARE & MAINTENANCE SOCIETY,**  
**GHS-79, SECTOR-20, PANCHKULA**

**MINUTES OF THE MANAGEMENT COMMITTEE MEETING : 04 JUL**  
**2021**

1. A meeting of the Management Committee was held on 04 Jul 2021. Nine members were present.

**Agenda**

2. Agenda – Updates by Members.

**Proceedings**

**Decisions by Managing Committee**

3. **Covid Precautions.** The General Secretary informed that all society employees had been vaccinated. The issue of making vaccination mandatory for all those entering the society on a regular basis on passes (domestic staff and vendors) was discussed. It was unanimously decided that in order to keep the society covid free it was essential for all such persons to be vaccinated, unless specifically exempted on medical grounds, according to the criteria laid down by government medical authorities. It was decided that all such individuals be informed of this requirement and entry to unvaccinated individuals be discontinued with effect from 20 Jul 2021. Individuals exempted on medical grounds to furnish satisfactory proof of the same to the society office.

4. **Functioning of Property Dealers in the Society.** It was observed that the Haryana Regulation of Property Dealers Act was enacted in 2008 with view to protect the interests of persons using the services of property dealers. However, the persons performing these functions in the society were not duly registered under this Act, although an advisory on the same had been issued earlier. It was unanimously decided that Property Dealers functioning in the society would have to get themselves registered under the provisions of the Act by 15 Aug 2015. After this date, the details of reregistered Property Dealers will be promulgated, and, only they will be permitted to enter and carry out transactions in the society.

5. **Solar Power Project Phase 2.** It was observed that the Solar Power Project having affected a saving of Rs 5,50,000/- in the first nine months of operation. A second phase of 30 KW at a tentative cost of Rs 12.5 lakhs had been planned. It was decided to place the same for approval before the next GBM.

6. **Free Flow of Water from ACs.** It was observed that some flats have not made arrangements to contain the flow of water from their ACs, as a result of which, the water either drips onto the grit wash or falls

to the ground onto cars or passersby. This is contrary to provisions of para 50(d) of the Society Bye Laws. It was decided to require all affected residents to make arrangements for ensuring flow of the water from ACs into their own after flats and for a fine of Rs 500/- per incident to be imposed thereafter.

7. **Construction of Awnings to Cover Under Stilt Parking Spaces.**

It was observed that two members had constructed awnings outside their under-stilt parking spaces. This being contrary to Bye Laws, these members were requested to remove the awnings. One had already been removed and the other was in the process of being removed. It was decided that all members be informed of that such construction was not acceptable, and if done, would have to be removed.

**Updates**

**Lawns and Gardens.**

8. An attempt at setting up a shop in the open stretch outside the boundary between the mazar and the corner near E11 Block had been nipped in the bud. In order to avoid recurrence, fencing of this stretch was in progress. Stores retrieved from the old fence would be used to revive the stretch between the mazar and the corner of D1 Block.

9. In order to remove the menace of congress grass and to beautify the area, bougainvillea saplings are being planted along the entire stretch from E11 to D1 Block and along the perimeter from Gate 2 to Gate 3.

**Fire Fighting.**

10. All Fire Extinguishers of the Society are being refilled having crossed the specified period.

**Water and Sanitation.**

11. All storm water and sewerage drains have been cleaned prior to the monsoons through the efforts of Hav Ashok Bali.

**Electricity**

12. **TPNs.** After a recent fire in D5 Block, a check of the entire society was carried out and it was found that 95 flats did not have the safety of TPNs fixed along with their electric meters. Residents were advised to get the same installed by 10 Jul 2021. At request of many residents, to assist in procurement of the same, arrangements have been tied up to have them installed at a cost of Rs 1,160/-, where requested by the residents.

13. **Generators.** Descaling of the generators and their three-year periodical maintenance is being carried out. The generators consume between 45 and 50 ltrs of diesel in an hour of operation.

14. **Replacement of MCCBs.** In order to maintain the safety levels, 18 damaged MCCBs have been replaced in the junction boxes adjacent to blocks.

### **Lifts**

15. **Repair of Lift Buttons.** The perennial problem of the lift buttons getting jammed has been resolved through replacement of the old springs.

16. **Replacement of Springs of Lift Doors.** The springs of the doors of all lifts and at all floors which had rusted and were causing problems in movement of the doors have been replaced.

### **Sanitation**

17. **Problem of Dumping Society Waste in the Dumping Ground.** Problems have arisen over the dumping of waste by the Society Sanitation Staff at the Dumping Ground due to conflicting orders being issued by the Municipal Corporation, Panchkula. Efforts are ongoing to get the issue resolved with the Municipal Corporation.

### **Legal Issues**

#### **Writ Petition by Society Against HUDA Regarding Third land Enhancement.**

18. (a) Consequent to Three Judges Committee Report, definition of Common Area was accepted by HUDA and a notification was issued.

(b) HUDA Counsel had submitted before the Court that all our demands would be considered and recalculation done on basis of the Three Judges Committee Report. This was recorded in the judgement.

(c) After repeated reminders, a Hearing was held by CCF, HUDA, which was attended by the President and General Secretary. Only one aspect of the retrospective merger of Sector 20 and Sector 20 (Part 2) for purposes of enhancement was addressed. In his Speaking Order, the CCF rejected our objections regarding illegality of retrospective merger of sectors and recorded that the remaining issues would be addressed by Administrator, HUDA, Panchkula.

(d) In Feb 2021 we again approached High Court for orders to HUDA to implement the judgement. The hearing has been delayed due to covid restrictions. Our petition is now listed for hearing on 09 Jul 2021.

(e) In a very positive development, our contentions regarding the illegality of merger of two different sectors purely to increase enhancement liability has been accepted and HUDA has issued formal instructions accepting the same.

(f) It is evident that with the Evident that with the application of revised common areas and removal of Sector 20 (part 2) from the calculations, our liability will be considerably reduced, if not eliminated altogether.

(g) During earlier GBMs and the last one in particular, it was reiterated that members desirous of withdrawing their third LEC deposit were free to do so. A number of members have done so.

**Petition by Col S K Chauhan and Ors for Setting Aside the Society Elections of Aug 2020.**

19. The petition by Col S K Chauhan and Ors had been dismissed by the State Registrar of Societies on 09 Mar 2021. Col S K Chauhan has now appealed against this decision to the Director Industries, Haryana. Notice for a hearing on 03 Aug 2021 has been served on the President and General Secretary in their official capacity as representatives of the society.

20. The Managing Committee authorized the hiring of a lawyer to represent the interests of the society since the complainant was being represented by 03 Counsels. The President insisted that this would be a waste of Society funds and the case would be represented by the two functionaries, as was done in the hearing before the State Registrar of Societies.

**NCDRC Case Against AWHO**

21. The General Secretary observed that the Final Arguments of the case had been scheduled to be held on 17 Jun 2021. Col S K Chauhan had been requested in writing to record the hearing for information of the Managing Committee and members. However, no feedback on the hearing had been communicated. He requested Lt Col Kulwant Singh, in his dual capacity as a member of the team dealing with the case and the managing committee to give an update.

22. Lt Col Kulwant Singh informed that during the hearing the Counsel for AWHO had offered to undertake negotiation with the society to arrive at a compromise solution and consequently, next date in the case had been fixed for 18 Oct 2021. Thereafter, a virtual meeting had been held with AWHO Counsel with regard to a mutual settlement but no firm proposal had been offered.


23. The General Secretary pointed out that a compromise agreement had, in fact been arrived at and a "Go Ahead" had been given by the GBM of 2 Sep 2018, but the same was scuttled by Col S K Chauhan and others,

including Lt Col Kulwant Singh by getting the proceedings of the GBM set aside on technicalities. Thereafter, AWHO had subsequently withdrawn its offer. He enquired as to what were the changed circumstance which now justified going in for a negotiated settlement. Lt Col Arvind Bali reminded that he had suggested the option of a negotiated settlement during management committee meetings but these had been vetoed by Lt Col Kulwant Singh.

24. On Lt Col Kulwant Singh's statement that these were the directions of the Court, the General Secretary opined that a negotiation option did not have to be accepted. Since the team had expressed strong conviction in the strength of the case before the GBM, a decision on merits of the case should have been sought. By accepting the option to arrive at a mutual settlement, we had reverted back to the status of two years back.

Date : 06 Jul 2021

  
(Col R S Rathee, Retd)  
President

  
(Brig D K Mohan, Retd)  
Gen Secy