

SANDEEP VIHAR (AWHO) SOCIETY, GHS-79, SECTOR-20,
PANCHKULA

MINUTES OF THE MANAGEMENT COMMITTEE MEETING :
09 JUN 2022

1. A meeting of the Management Committee was held on 09 Jun 2022. Six members were present. Col Rajeev Singh and Lt Col Kulwant Singh conveyed in advance their inability to attend on the following ground. "There is no specific point(s) in the Agenda on which my presence is required. Therefore, I feel that my presence in the meeting is not essential".

Agenda

2. Agenda :- Quarterly Meeting of the Managing Committee.

Proceedings

Management Update

3. **Project for Augmentation of Solar Power System.** Col H S Ahuja, OIC Electricity and Solar Project informed that the augmentation of the existing 70KVA Solar Power project by another 30 KVA had been completed. The system was under testing. The delay in execution of the project had taken place due to supply chain issues caused due to the prevailing situation. He confirmed that, as for the earlier project, the panels used were Indian made. He further intimated that savings of over Rs11.00 lakhs had already been effected, which meant that more than one third of the cost of the original project, or one fourth of the cost of the augmented project had already been recovered. The Return on Investment was proceeding ahead of the original plans.

4. **Updating of Property Ledger.** The President reminded that every audit board by Chartered Accountants, since inception, had observed that the society did not have a "Fixed Assets Register". Such a record had now been prepared by Col H S Ahuja, after locating all available records from the time of taking over from AWHO. The Fixed Assets Register had been approved by the Chartered Accountant. Simultaneously, stickers had been prepared and pasted on all such property for ease of accounting.

5. **Issue of Identity Cards to Members.** The General Secretary reminded that the HRRS Act, 2012 and the Society Bye Laws laid down that all members must be issued an Identity Card. However, this had not been done till date. Consequently, allegations regarding attendance at GBMs and during voting were raised by some members. It was therefore decided to issue Identity Card to all members as per the "Register of Members" and the design for the same was approved. Once

the exercise was completed, this would form the basis for participation in GBMs/voting in elections in future.

6. **Printing of Amended Bye Laws of the Society.** The General Secretary informed that the amended Bye Laws of the society, as approved by the District Registrar, Panchkula had been printed through the efforts of Col H S Ahuja and were available on payment from the Society Office. The same had also been uploaded onto the society website.

Points from Members of the Managing Committee

7. **State of Accounts.** The Treasurer informed that the accounts for FY 2021-2022 had been finalised and audit by CA had commenced. Detailment of an Internal Audit Board, as required by the Society Bye Laws, was approved.

8. **Clearance of Junk from Under Stilts.** The President apprised that the dumping of stores, some amounting to inflammable junk, in the stilts areas had reached unacceptable proportions. Even common areas were encroached upon. It was decided to launch a drive to have these cleaned up with the support of Block ICs and residents.

9. **Documentation Procedure.** The General Secretary pointed out that the correspondence regarding flats was increasing continuously. A variety of documents were required to be collected and stored. However, their retention in common files was leading to a problem in recovery of documents when required. After discussion, it was decided to devise a system of maintaining flat wise records.

10. **Procedure for Letting Out of Flats.** Col Rajiv Khanna pointed out that although an SOP existed regarding the procedure for letting out of flats, the same was being deliberately deviated from by the property dealers in the society. Documentation was not carried out in advance as required and it was only when the vehicle carrying the new tenant's luggage arrived at the gate that the management got intimation of the move. In one instance the new tenant's luggage arrived before the flat had been vacated. Consequently, the aspect of prior approval, as mandated by the Society Bye Laws was avoided. He recommended that an official property dealer be appointed for the society who would ensure that the interests of owners/tenants were looked after and the society byelaws were complied with. It was reminded that a precedent in this regard existed, wherein the society had appointed an official property dealer. It was decided to place the proposal to black list defaulting property dealers before the next GBM.

11. **Membership of Society to Owners Who Had Purchased their Flat through Power of Attorney.** The General Secretary informed that

there were some cases in the society where members had purchased their flats through "Power of Attorney" which had involved more than one individual. Presently, the flats had been registered in their name by the Sub Registrar, Panchkula, however, they were not members of the society because AWHO approval had not been taken in advance. It was not possible for them to go through the procedure now because the original allottees/intermediate transferees had no interest in the matter and in some cases could not even be located. Consequently, the names of the original members remained on record. He opined that this problem would be common to most AWHO projects. It was decided to take up a case with AWHO for resolution of the issue.

Legal Issues

NCDRC Case.

12. It had been conveyed by the Sub Committee for NCDRC Case that the Hearing of Final Arguments due to be held on 11 May 2022 was not attended due to non-availability of our Counsel. The next Hearing was now scheduled on 17 Nov 2022.

13. Col Rajiv Khanna observed that a letter had been posted on the defunct Google Group by members of the Sub Committee regarding archaic issues related to the interest being refunded on 2nd LEC by AWHO. The President informed that if these issues had any relevance to the case, then the same should be discussed across the table by the Sub Committee. It was the established position of the management that messaging on Google Groups was not the correct platform for discussion on important issues. Hence these were not responded to. He lamented that had Lt Col Kulwant Singh being a member of the management and a member of the Sub Committee been present in this meeting of the management, the issues could have been clarified.

14. In any case, the subject mail dealt only with the issue of rate of interest being given by AWHO on the interest refunded to them by HUDA for the brief period that it was held by them. AWHO had offered to return the same in 2016. However, it was the illegal insistence by the management of the day that the refund of individual dues should be made into the society fund, which had made AWHO decide not to refund the interest and led to the consequent delay.

15. He further noted that this was one of the minor points of the case. The major issue was of the handing over of the Project Directors Building to the Society. A decision was taken during the GBM of 12 Nov 2017 to mutually negotiate a settlement with AWHO. The negotiated offer to take over this building from AWHO at a cost of Rs 40.00 lakhs was placed before the SGBM of 02 Sep 2018 and approved. However, it was scuttled by the very members of the present NCDRC Sub Committee by raising

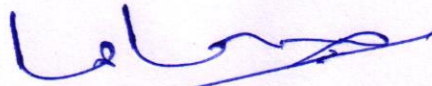
technical objections to the District Registrar regarding the meeting. No mention was made in the subject mail about the status of this issue which has a vital bearing for the future of the society. However, interested members can read the details of the above in the Minutes posted on "sandeepans.com". (Minutes of 2 Nov 2017 – Para 49 onwards and complete Minutes of 02 Sep 2018).

16. The General Secretary noted that the Final Arguments on behalf of the Society had been submitted on 12 April 2017, according to the records held by the society. Further developments had taken place since then due to additional issues placed on record by both sides. Additional points for Final Arguments had also been prepared by the Management and along with some more original documents had been handed over to the Sub Committee. It seemed that these had neither been placed on record in the case nor incorporated into the Final Arguments by revising those of 12 April 2017 vintage.

17. He informed that all these issues had been discussed threadbare during various GBMs. However, if any further clarifications/advice was required, the members of the Sub Committee were free to discuss these in the office on any day.

Writ Petition Against HUDA

18. The case had been repeatedly postponed due to closure of the High Court on account of Covid. The arguments were next slated for 09 July 2022.



Date : 23 Jun 2022 (Col R S Rathee, Retd) (Brig D K Mohan, Retd)
President Gen Secretary