

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

READJOURNED GENERAL BODY MEETING HELD ON 21 FEB 2021 :
MINUTES OF THE PROCEEDINGS

Attendance

1. Re-adjourned Annual General Meeting was held on 21 Feb 2021, which was attended by 105 out of 548 eligible members. (19.2% attendance against required Quorum of 15%).

Agenda

2. The agenda was as under,

- (a) Welcome Address.
- (b) Passing of Minutes of AGM held on 02 Feb 2020.
- (c) Presentation of Annual Report.
- (d) Consideration and Approval of Audit Report and Accounts for FY 2019-2020.
- (e) Approval of Budget 2021-2022.
- (f) Discussion Point No. 1.
- (g) Points from Members, if any.
- (h) Lunch.

WELCOME ADDRESS

3. The President welcomed the members to the GBM, which had been long delayed due to restrictions on gatherings due to the pandemic.

4. He confirmed that the attendance was the largest ever, in any General Body Meeting of the Society, in spite of a boycott by a segment of members. He thanked members for their punctuality, due to which the meeting commenced exactly on time, also, for the first time in the history of the society.

5. He reminded members that the CA and Internal Audit Report, including the Balance Sheets and Income and Expenditure Statements had been posted on the Society Website since Oct 2020. The Annual Report and the proposed Budget had also been posted on the Website and WhatsApp Groups. He was sanguine that members had perused these prior to the meeting to enable clearer understanding of the issues.

PASSING OF MINUTES OF THE GBM OF 02 FEB 2020

6. Passing of the Minutes was proposed by Col N P S Mann and seconded by Col Uma Trikha.

ANNUAL REPORT

7. The President reminded everyone that the Annual Report had already been posted on the society website and WhatsApp Groups. Members had been requested to peruse the same prior to the meeting. He thereafter proceeded to cover the salient points of the Annual Report.

8. The President reminded that the society had never been let down by its service staff at any time during the Lockdown, even when they themselves were residing in Containment Zones. He placed on record the appreciation of the Society for the dedication of the security, sanitary, electrical and plumbing staff. The same was unanimously agreed to by the House.

9. Requesting permission from the Chair, Brig Sarjit Singh opined that the Management had tackled the pandemic very efficiently and helped to mitigate the inconvenience of the Lockdown for residents, as well as made the society safer. He observed that the efforts of the Management, in particular of the President and General Secretary, had not been duly appreciated. The assembled members gave an ovation, in appreciation.

10. Col Adarsh Jindal (D1/301) desired to know the scope of the Automatic Rescue Devices. The President clarified that an Automatic Rescue Device provided Battery Backup Power to the Lift, in case of electricity breakdown and enabled it to come down to the next lower floor and open the doors. He confirmed that all lifts in the Society had been fitted with Automatic Rescue Devices.

11. Copy of the Annual Report is attached at Appendix A.

LEGAL CASES

Consumer Case No 523/2015 (NCDRC, New Delhi) - Sandeep Vihar v/s AWHO.

12. The last hearing of the case was scheduled on 09 Feb 2021. Since AWHO had not filed Synopsis of Arguments, it was given a fortnight to do so. The date for Final Arguments was set for 17 June 2021.

CWP (Punjab & Haryana High Court) - Mr Pushpinder Kalia v/s Sandeep Vihar.

13. Case had been listed for hearing on 12 Nov 2020, but did not come up. It is now listed on 24 May 2021.

CWP 3226/2018 (Punjab & Haryana High Court) - AWHO (Sandeep Vihar) v/s HUDA. (Land Enhancement Case).

14. The General Secretary informed that there were frequent queries on the status of the case and hence a detailed update was required.

15. After lodging as many as 171 RTI queries, a Rejoinder had been filed before the High Court, including many of the anomalies in HUDA's own documents and ground implementation. Simultaneously, an effort had been made in conjunction with the Sector Committee to make the government aware of the anomalies. The crucial issue on which clarity was required was the definition of "Common Areas". Consequently, the government announced the formation of a "Three Judges Committee" to define Common Areas, which submitted its report in Mar 2019. The recommendations of the Committee were accepted and promulgated on 22 Aug 2019.

16. Our case was decided on 05 Dec 2019, and the judgement was as under:-

"Learned counsel for the respondents submits that the claim of the petitioner, as made out in the petition, can be considered in view of the amended policy dated 22.08.2019 and calculation as well can be made in view of the provisions of aforesaid policy.

Accordingly, the present petition is disposed of with a direction to respondent Number 3 to consider the claim of the petitioner as mentioned above in view of the latest policy framed by the respondents by giving an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order"

17. In the submission made to HUDA pursuant to the judgement, the following points were emphasised:-

- (a) The Third and Fourth Land Enhancement Demands were grossly illegal since they were not based on orders of any competent court under the Land Acquisition Act, as stipulated under various judgments and should be withdrawn.
- (b) The established method of calculations in the original enhancements cannot be changed during the recalculation.
- (c) No liabilities exist for enhancements after all dues to farmers have been cleared by HUDA and thus interest cannot be claimed, after that date.
- (d) Retrospective merger of Sector 20 and Sector 20 (Part 2) are arbitrary and hence need to be undone.
- (e) Recalculation of the First and Second Enhancements be carried out based on the revised definition of Common Areas.

- (f) The amounts recovered in excess be refunded with 15% interest.
18. The major exclusions in Common Area are as under:-
- (a) Police Station – 100 %
 - (b) Religious institutions – (Only 35 % to be Common Area)
 - (c) Dispensary – 100 %
 - (d) Schools – (100 %. Increased from the earlier 50 %)
19. Furthermore, the enhancement liability of Commercial Areas, which form a major chunk in Sector 20 was increased from 10 % to 150 %.
20. Consequently the Common Area of 93.82 acres in the calculation for Third Enhancement had reduced to 44.5 acres after redefinition – a reduction of 49.37 acres. This would result in a reduction in liability of 37.2 %.
21. Since HUDA had not carried out the recalculation, in accordance with the Court Orders, except to the limited extent of ruling on the issue of retrospective merger of sectors, a fresh writ pointing out noncompliance has been admitted in the High Court on 09 Jan 2021. During the hearing on 25 Jan 2021, HUDA asked for four more weeks to submit a Reply. Next Hearing has been scheduled for 05 March 2021.

Petition No. 881/2020 (State Registrar, Firms & Societies, Haryana) – Col S K Chauhan (Retd) v/s Sandeep Vihar.

22. The General Secretary informed that this Petition, dated 10 Aug 2021 seeking setting side of Management election of 09 Aug 2020 to be set aside and fresh elections to be conducted under the aegis of Registrar/Registrar appointed Ad Hoc Committee had been received on 28 Jan 2021. The State Registrar of Societies had set a hearing for 10 Feb 2021 requiring the President/General Secretary to attend.
23. However, the issues raised could only be replied to by the previous management and the Returning Officers who conducted the elections. Since, Returning Officers were not immediately available, and President and General Secretary were also previously committed on that date, the State Registrar had been requested to set another Hearing at an early date, which was awaited.
24. The point being listed in the Agenda Points was discussed in details subsequently.

CONSIDERATION AND APPROVAL OF AUDIT REPORT AND ACCOUNTS

25. The General Secretary observed that the Audit Reports and Accounts had been posted on the Society website in Oct 2020 and a recent message had

been posted to remind them to peruse the same before the meeting. He requested members to clarify any doubts which they might have.

26. There being no queries, the CA Audit Report including Balance Sheet and all allied documents for 2019-2020 and Internal Audit Report 2019-2020 were passed after being proposed for approval by Brig Sarjit Singh and seconded by Col Surjeet Singh.

APPROVAL OF BUDGET 2020-2021

27. **Revenue.** The General Secretary informed that the Society had an annual revenue of Rs 1.75 crores per annum in FY 2018 – 2019, which had become Rs 1.66 crores for the ensuing FY 2021-2022 – a drop of a little less than Rs 9.00 lakhs. This was primarily due to inflation and drop-in interest rates.

(a) **Interest Rates.** Interest rates on Fixed Deposits had seen a major drop. The interest rate for one year which was 6.5 % in Feb 2018 had dropped to 4.9 %.

(b) **Inflation.** During the same period, the basic yardstick for inflation, Consumer Price Index had increased from 137.20 to 160.70 and cost of Diesel from Rs 49.58 to Rs 78.41 per ltr.

28. **Expenditure.** The expenditures of the Society had been adversely impacted by two major commitments: -

(a) **Standing Expenditures.** The compulsory expenditures including sanitation and security contracts, AMCs of Lifts, Generators, Electricity Sub Stations etc and bills for water and electricity had increased from Rs 89.00 lakhs per annum in Feb 2018 to Rs 1.24 crores in Feb 2021 – an increase of over Rs 39.00 lakhs per annum.

(b) **GST.** GST was a fresh liability for the society, which had to pay the same on all the service contracts/AMCs as well as on income (less society charges), as well as all purchases. The standing additional liability on this account was as under: -

(i)	Annual GST on Contract Services	- Rs 8.55 lakhs.
(ii)	Annual GST on Revenues	- Rs 2.10 lakhs.
(iii)	Annual standing liability	- Rs 10.65 lakhs.

29. **Budget 2021-2022.** The General Secretary gave out the proposed budget high lighting the following details: -

(a) **Financial Position.**

(i)	Revenue	- Rs 1,66,38,000/-
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- (ii) Standing expenditure - Rs 1,24,37,000/-
 (iii) Available for maintenance - Rs 42,01,000/-

(b) Proposed Projects.

- (i) Refurbishing of Ground Floor Lobbies.
 (ii) Installation of additional LED lighting on ground floors.
 (iii) Refurbishing of Children's Play Stations.

30. The budget was unanimously approved. Copy of the approved budget is attached at Appendix B.

31. **Ex Post Facto Approval of Emergency Expenditures.** The General Secretary informed that some emergency expenditures had been incurred during the major electrical breakdowns, which had required immediate heavy expenditure. The same were required to be given ex post fact approval by the General Body under provisions of para 26 (xii) of the Society Bye Laws.

32. The following emergency expenditures were unanimously approved: -

Ser	Item	Amount
1	Purchase of MCB 160 Amp for Poles (Qty 8)	Rs 70,350/-
2	Repair of VCB 11 KVA - E9 Block	Rs 1,90,324/-
3	Repair of VCB 11 KVA THT Block	Rs 2,01,043/-
4	Repair / Reinstallation of Trolley 11 KVA Sub Stn 3	Rs 93,800/-
5	Repair / replacement of complete HT Panels Sub Stn 1&2	Rs 1,35,419/-
6	Replacement of 11 KV VCB and HT Panel at Gate No. 3	Rs 93,575/-
7	Repair / servicing of HT Panel & VCB 200 Amp Sub Stn 1	Rs 58,557/-
8	Purchase four core cable U1, U2, THT Blocks	Rs 44,536/-

DISCUSSION POINT

Discussion Point No. 1

33. **Discussion Point.** To consider the Petition submitted by Col S K Chauhan (Retd) and Others to The Registrar of Societies for setting aside the elections to Managing Committee held on 09 Aug 2020 and give opportunity to the signatories, as well as members, to express their views. (Attached at Appendix C)

The Election Process 2020.

34. The General Secretary stated that since the Petition related exclusively to issues related to the election, it was necessary to know the election process and the sequence of events.

35. **Election Responsibilities.** Elections are conducted by a team of Returning Officers, with an Independent Member incorporated all along. The functionaries are detailed by the Managing Committee, after which the Managing Committee has no role to play in the election, except to provide secretarial and administrative support. Accordingly, the previous Managing Committee detailed these functionaries and thereafter remained disassociated with the remaining process. Members detailed were as under: -

Returning Officers

- (a) Brig Parvinder Singh, VSM**
- (b) Col Surjeet Singh
- (c) Col Sandeep Nautiyal

Independent Observer. Brig V S Nijhawan

36. The role of the previous managing committee was thus restricted to only providing administrative support to the election committee. The present management, which has been named as Respondents, had absolutely no role in the process, since they were themselves candidates.

37. **Sequence of Election.**

Date	Event
05 May 2020	Elections announced
09 Jun 2020	Instructions for conduct of elections issued by RO
19 Jul 2020	Last date for filing nominations
26 Jul 2020	Final list of candidates posted.
02 Aug 2020	Conference by ROs for candidates. All points raised were minuted and posted on society website and notice board on the same day.
07 Aug 2020	RO's prepared ballot papers and sealed them. Three specimen ballot papers were issued to candidates' information. Record of the proceedings posted on website and Notice Board on the same day.
09 Aug 2020	Elections conducted. Counting carried out in presence of three candidates. Results announced in presence of all 23 candidates. Results posted immediately on website, WhatsApp groups and Notice Board.
10 Aug 2020	1. Col S K Chauhan submitted a letter to RO alleging bogus voting. 2. Col S C Joshi submitted a letter to RO seeking recount of the votes polled for the post of Treasurer, for which he was a candidate.

	3. Petition initiated by Col S K Chauhan and 16 Others to the Registrar of Societies seeking setting side of the elections (received by the society on 28 Jan 2021).
11 Aug 2020	Recounting of votes pertaining to post of Treasurer and counting and checking of authentication of used and unused ballots done by Col S C Joshi in the present co of Col K N Jetly. Record of proceedings posted on website and Notice Board.

Letter Written by Col S K Chauhan to Brig Parvinder Singh, RO on 10 Aug 2021. (Attached at Appendix D)

38. The salient points of the letter were: -

(a) Only 177 votes had been cast during the election in 2017, whereas 234 votes ad been cast during the elections in 2020, which had surprised “everyone”.

(b) “Therefore, there is doubt of foul play behind your back to tarnish your clean image”

(c) There appears to be a doubt of clean exchange of ballot bundles during counting process or there may be casting of more than one ballot by some members.

39. The General Secretary stated that there were as many as 240 members residing within the campus. Furthermore, 35 to 40 members had come from outside, mainly the Tricity, to vote. As far as the presence inside the hall was concerned, apart from Brig Parvinder Singh, only the other RO’s, Col Surjeet Singh, Col Sandeep Nautiyal, independent observer Brig V S Nijhawan, Sub Karan Singh and Mr. Kuldeep Singh for secretarial support had been present inside the voting hall. He wished that the originator had been present to clarify, on camera, as to who he alleged had carried out the switching of bundles or permitted extra ballots.

Petition by Col S K Chauhan and 16 Others.

40. The General Secretary informed that the petition had been signed by the following members: -

Candidate	Non Candidate
Col S K Chauhan	Rfn S C Pathania
Late Maj S C Sharma	Lt Col R S Benal
Brig (Mrs) Rajinder Grover	Col V M Sharma
Col Rajinder Singh	Lt Col G S Jeryal
Col Rajeev Singh - Elected	Col D S Verma
Lt Col Kulwant Singh - Elected	Col K K Kaushal
	Col Vimal Kumar
	Lt Col R G Sharma

	Sh Pushpinder Kalia
	Hony Lt Rishi Ram

41. He expressed surprise that two of the signatories had been elected but had still signed the petition. Ten signatories were not candidates, but had still put their signatures to issues related to the intricacies of the electoral process, of which they were not a part.

42. Furthermore, out of the 11 posts in the Managing Committee, 5 had been filled members of the group which had called itself "Rising Sun". It was for members to decide how this could possibly have happened if there was any attempt to tamper with the voting/counting process.

Col S K Chauhan's Letter Challenging the Discussion of the petition by the AGM

43. On 19 Feb 2021, Col S K Chauhan posted a message on the Society Google Group stating the following: -

(a) The Petition is Sub Judice before the State Registrar and would not be discussed by the AGM.

(b) The Petition was not against the society, or against all members of the managing committee, but against specific members of the previous management.

44. The General Secretary quoted the definition of Sub Judice as "when something is sub judice, it is the subject of a trial in a court of law". This implies a judicial trial. Whereas our case is before an administrative authority – the State Registrar. Hence the legal definition of sub judice does not extend to it.

45. He further clarified that the term was more applicable abroad where trials were by jury. In our case, after the discontinuation of the jury system, the judicial officers were well versed with legal issues and would not get affected by any out of court sentiments.

46. The General Secretary opined that, the claim stating that the petition was not against the society was untenable. He brought attention to the following specific rule provisions: -

HRRS Act, 2012 (Para 78)

"A society may sue or be sued against, in the name of the President or Secretary..."

HRRS Act, 2012 (Para 81)

“Any Notice served for a society, issued by the Registrar shall be served upon the President or Secretary of the Society and shall be deemed to have been served on every member of the society.”

Society Bye Laws, Para 20 (xi)

“The President shall be the person to sue or to defend any legal action against the society. All legal proceedings shall be instituted or defended by the President on behalf of the society.”

Society Bye Laws, Para 9 (ii)

“The General Body will decide all policy matters relating to the society.”

47. These provisions leave no doubt that any case against the society is against all members of the society and the President/General Secretary are the functionaries who are to be named as Respondents and who represent the society. Furthermore, the General Body is the only competent authority to decide the course of action on the case instituted against it. It is also a forum for the petitioners to place their issues before all members.

48. In case the petition is against specific members of the previous management, as claimed, then too is to be placed, in the first instance, before the General Body in terms of par 56 of Society Bye laws.

49. Surprisingly, Col S K Chauhan did not mention in the post of 19 Feb 2021 that both the issues had already been referred by him to the District Registrar on 08 Feb 2021. When no reply was forthcoming, personal liaison was carried out on 18 Feb 2021, but the points were not agreed to. The only concession made was the issuance of instructions to carry out video recording of the AGM, which had already been planned and tied up.

50. Col S K Chauhan and all signatories were informed in writing that they would be given an opportunity to individually convey their points before the General Body during the AGM. However, all of them, including the two elected members of the Managing Committee did not attend the meeting.

Issues Raised in the Petition

51. The General Secretary pointed out that the Petition pertained to actions taken by the previous management and the Returning Officers. Hence the replies to the issues raised in the petition were based on these inputs.

Issue 1

52. **The Previous Management Flouted the established code of conduct after Announcement of Elections and made following expenditures: -**

- | | | |
|--------------------------------|---|------------------------|
| (a) Solar Power Project | - | Rs 30.00 lakhs. |
| (b) Outdoor Gym | - | Rs 1.50 lakhs. |
| (c) MyGate App | - | Rs 2.00 lakhs. |

Comments

53. (a) There is no mention of any "Code of Conduct" after announcement of elections in the HRRS Act, 2012, HRRS Rules, 2012 or Society Bye Laws. Furthermore, this practice has never been talked off/applied in past elections. The Society cannot stop functioning for months together after elections are announced.

(b) The major expenditure of Solar Power Project having been approved by the GBM of 02 Feb 2020, the action to complete the project commenced immediately and the project was completed in first week of Aug 2020. The Outdoor Gym was acquired at a cost of Rs 86,000/-. The MyGate App is absolutely free till July 2021.

Issue 2

54. Returning Officers and Independent Member were appointed without consulting contestants of other groups or parties.

Comments

55. (a) RO's and Independent Member were detailed by the then Management as per the provisions of the Society Bye Laws which read as under: -

"Two months before the election, the Managing Committee shall appoint Returning officers ensuring that the Returning officers are not candidates for the election".

(b) Are there any contestants at the time of announcement of elections? These become clear on the day the list of final candidates is announced.

(c) Has this practice of consultation ever been carried out in the past?

Issue 3

56. No CCTV Camera was installed at the entry/exit point of polling booth to oversee/record entry of voters or any other person.

Comments.

57. (a) In actual fact, there is a High-Resolution Camera of the CCTV System covering the front of the Hall, which recorded everyone who entered or exited the hall. Furthermore, the various other cameras

recorded the movement of voters right from the time they left their blocks/entered the society, till such time as they reached the venue.

(b) The above notwithstanding, cameras are not specially fitted for any voting, even in national/state elections.

(c) Moreover, every voter arriving close to the venue was accosted by hordes of candidates, who, escorted them right till the entrance of the hall.

Issue 4

58. No CCTV Camera was installed inside the Polling Booth despite having been advised by directions of District Registrar through letter of 06 Sep 2020.

Comments

59. (a) CCTV Cameras are NEVER installed inside Polling Booths in any election, because they invade the privacy of the voter. If these had been installed, they would have been challenged as an invasion of privacy.

(b) This requirement was never raised during the Coordinating Conference of 02 Aug 2020, where the point of installation of protective screens around the voter tables, construction of ramp for wheel chairs and provision of tea arrangements were put forward.

(c) The letter issued by the District Registrar pertained to video graphing of a specific GBM to be held and does not mention installation of CCTV Cameras during voting.

Issue 5

60. Ballot Papers were printed on both sides, hence there was no scope for secrecy, even if folded many number of times.

Comments

61. (a) Ballot Papers have always been printed on both sides during every election held in the Society. This is done to economise on paper, as well as to make counting easier.

(b) The proposed ballot papers were discussed during the Coordinating Conference on 02 Aug 2020 and a sample copy of the finally amended ballot paper was given to the candidates on 07 Aug 2020. They were printed on both sides. However, no observation was made to the Returning Officers.

Remarks of General Secretary

62. The General Secretary displayed a copy of the ballot paper from the last election held in 2017 and a sample ballot paper of the impugned election to show that they were printed on both sides. He then asked the audience if any name could be read out with the sheets fully open, but even the front row could not do so.

Issue 6

63. The ballots were arranged in bundles of 15 rather than 50, in the past. Was this done to facilitate exchange of forged ballots during counting?

Remarks of General Secretary

64. After opening of ballot boxes, all the ballot papers were dumped into a common pool. They were then divided into bundles of 15 for ease of counting. He pointed out that there was no SOP of precedent which indicate that ballots had to made into bundles of 50 only. He wished that the signatories had been present to clarify how making the bundles of 15 ballots each would have facilitated any alleged exchange of forged ballots.

Issue 7

65. Elections have not been conducted in fair and transparent manner as per the procedure followed earlier (Minutes of Meeting of ROs/Committee dated 15 May 2014) and SOP laid down in Haryana Co-op Societies Rules.

Remarks of General Secretary

66. (a) The Minutes quoted pertain to the Coordinating Conference held by ROs prior to elections in May 2014 and pertain to election under the Collegium system. These have been dug out from some unnamed members personal archives, because no such record is either available in society files or been quoted in three subsequent elections after 2014.

(b) The ignorance of rules by the Petitioners and the tendency to quote irrelevant authorities is borne out by the quoting of applicability of provisions of Haryana Co-op Societies Act. This society is registered and functions under the HRRS Act, 2012.

Issue 8

67. It was observed by some voters that the ballot paper given to them was without any identification mark or signature of Returning Officer.

Remarks of General Secretary

68. The General Secretary wished that the signatories had been present to give the identity of any voter who had received such a ballot paper. A query to the attending members as to whether anyone had received such a defective ballot paper, was replied in the negative.

69. All ballot papers, used and unused were rechecked by Col S C Joshi on 11 Aug 2020 in the presence of Col K N Jetly and it was confirmed that all were correctly stamped and authenticated.

Issue 9

70. Brig D K Mohan was seen entering the polling station from the Exit Gate with a black hand bag (probably containing some material like ballot pares etc.)

Remarks of General Secretary

71. The General Secretary remarked that this a libellous remark casting aspersion on his personal integrity. He informed that he had, very reluctantly, through his Counsel, issued a legal notice to Col S K Chauhan for the defamatory comment and a reply was awaited. He informed that he had looked forward to ask the other signatories to confirm whether they had seen him entering the Voting Hall, but could not do so due to the absence of every one of them.

72. He then asked the audience whether anyone present had seen him entering the Voting Hall, which was replied in the negative.

Issue 10

73. Group/Candidates symbols was no permitted although having been asked earlier by the RO's to submit designs.

Comments

74. (a) In the initial instructions for conduct of elections the ROs had made mention of group symbols and later even designs were asked for. However, during the Coordinating Conference on 02 Aug 2020, objections were raised by late Maj S C Sharma on the grounds that society elections were fought in individual capacity for particular posts and there was no provision for placing symbol on ballots. Furthermore, this had never been done in any past society election. Lt Col Kulwant Singh opine that names of candidate's must be listed in alphabetical order.

(b) In light of these objections, the RO's decided that symbols would not be affixed on ballot paper and the names of candidates would be in alphabetical order.

(c) In case the Petitioners had felt this to be procedurally wrong, they were free to represent to the District Registrar, but did not do so.

Issue 11

75. Group/Candidates Agents were not allowed entry into the Polling Booth during the Voting as requested.

Comments

76. (a) Once decided that elections were not to be held on group basis, there was no reason to allow entry of group agents into the hall.

(b) The prevalent Covid restrictions on gatherings precluded the entry of all 23 candidates into the hall.

(c) The Independent Member was detailed to ensure the interests of all candidates.

(d) The voting took place in the hall with every window and door wide open and every activity visible from outside.

Issue 12 and 13

77. One candidate from each of the three groups was allowed to oversee the counting process and made to sit 15 ft away at a lower height of two feet from where the counting took place with tables having drawers.

78. RO went back from earlier stand saying "This is individual election and not team group election hence no agent will be allowed to observe the polling process" by not asking all 23 candidates to oversee the counting, if it was an individual election.

Remarks of General Secretary

79. The General Secretary outlined the complete counting process to enable members to better understand the issues.

(a) Once counting was concluded, the same three candidates who had attend the Coordinating Conference on 02 Aug 2020 and observed the sealing of ballot boxes prior to commencement of voting were called into the hall. All 23 candidates were not called in as a Covid precaution.

(b) The seals of the ballot box were checked by the three candidates and found correct.

(c) Thereafter, ballot box was opened and all the ballot papers were dumped into a common pool.

(d) The ballots were made up into bundles of 15 each and it was announced that a total of 234 ballots had been cast.

- (e) The ROs and Independent Member were seated on three different tables on the podium and proceeded to count and in case of close contest, recount the votes.
- (f) The three candidates sat about 15 ft away observing the process.
- (g) No objection was raised by anyone about the seating of the arrangement or the type of furniture in use.
- (h) Once the results were compiled, all candidates were assembled and the results and number of votes polled by each was announced.
- (i) All candidates dispersed immediately thereafter and the ROs in the presence of Independent Member made a record of the proceedings.
- (j) The names of elected candidates were immediately posted on the Society WhatsApp groups and Notice Board.

80. The General Secretary observed that the presence of signatories would have helped the members to obtain clarity on the implied implications of the tables used for counting having drawers.

Issue 14

81. Account of Ballot papers viz counted as valid, rejected as invalid, unused ballot papers, was not shown to the representatives of candidates.

Comments

82. (a) Details of ballot papers printed, used and blanks were given out at the time of announcement of results.
- (b) All candidates dispersed immediately after the announcement of results. No request was made for any further clarification or scrutiny at the time.
 - (c) The ROs in the presence of Independent Member proceeded to prepare a report on the conduct of voting.
 - (d) On request by Col S C Joshi all the ballot papers, viz used and unused were checked and found accounted for. No ballot paper was rejected as invalid.

Discussion on Petition

83. The General Secretary opined that had they been present, the signatories to the Petition would have been asked to indicate which specific provisions of the HRRS Act, 2012, HRRS Rules, 2012 or Society Bye Laws had been contravened in the conduct of the elections. However, that was not

possible in view of their absence in toto. No member present could also point out any violation of statute or rule.

84. The General Secretary then placed the question before the House as to whether the following specific request made by the Petitioners should be accepted or contested by the President/General Secretary during the ensuing Hearing before the State Registrar of Societies: -

“The elections be countermanded/declared null and void and fresh elections be got conducted under aegis of your representatives or Ad Hoc Committee appointed by your good self”.

85. The House unanimously decided that there being no merit in the allegations listed in the petition, the same must be vigorously contested by the President/General Secretary.

Resolutions

86. Based on the discussion, the following Resolution was formulated to record the sense of the House on the issue of the Petition: -

The House observes that no provisions of the HRRS Act, 2012, HRRS Rules, 2012 or Society Bye Laws have been contravened during the conduct of elections to the Manging Committee on 09 Aug 2020.

The House resolves that, the petition filed by Col S K Chauhan (Retd) and sixteen other members before the State Registrar of Societies seeking to countermand the elections to the Managing Committee held on 09 Aug 2020, on the vague and baseless grounds that the elections were not conducted in a fair, just and transparent manner must be rejected outright”.

87. The General Secretary observed that the Returning Officers and Independent observer had come forward at the height of the Covid pandemic to conduct the elections. In his view, which had been concurred by majority of residents during various interactions, these were the most smoothly conducted elections in the history of the society.

88. The baseless and libellous allegations regarding electoral malpractices against the Returning Officers and Independent observer by the petitioners were reprehensible. While having sufficient grounds for proceeding legally against the petitioners the Election Team had decided to avoid that course of action in the interest of maintaining harmony within the society. Their magnanimity was truly appreciable.

89. However, the unfortunate outcome of these allegations was that in future no members would be willing to come forward to conduct elections and the society would have to look to external sources, as had been desired by the signatories in their petition.

90. The General Secretary placed the following Resolution before the House:

The House places on record its appreciation for the selfless efforts of the Returning Officers and Independent observer, in conducting the Society elections in an impeccable manner, with complete disregard to the risk of Covid, from continued contact with so many people, at the height of the Pandemic.

91. The Resolution was unanimously passed and accompanied by a round of applause.

Remarks by Brig Parvinder Singh, VSM (Retd)**

92. Brig Parvinder Singh, VSM**, stated that when requested by the President to be Presiding Officer for conducting the elections of the Society, he had not visualised the extent of devious thoughts prevailing in the society. He reminded that like him, everyone present had served or was serving with honour and dignity. He would not like to be abused or insulted by anyone for something, which they may have baselessly presumed or perceived, as having been done by him, or the other Returning Officers/Independent observer.

93. He placed on record that as far as the conduct of elections was concerned, they were as free, fair and transparent as could possibly be.

Remarks by Hav Ashok Bali (Retd)

94. Hav Ashok Bali reminded that over the last few years the atmosphere in the society had deteriorated. There was total disregard for basic courtesies and utter disregard for respect for age and seniority. This was primarily due to only 2 or 3 members and a few others who were encouraged by them, who represented to the Registrar after every election or meeting. They were continuously trying to let down the incumbent management and hampering day to day functioning.

95. The only way to discourage these 2 or 3 was for other members to advise them of the incorrectness of their actions. While the majority of members understood the actualities, their silence encouraged this miniscule minority to continue to derail functioning of the society for their petty purposes. Drawing an analogy, he reminded that even in the village, the elders advised defaulters and in case of persistence, the entire village executed a social boycott. This was the only way forward to ensure a harmonious future for the society.

96. He reiterated that if this trend continued, no members would come forward to conduct elections or even day to day management and someone, with little competence or interest would be detailed from outside, on exorbitant payment from society funds.

97. There was an enthusiastic round of applause from the House.

Closing Remarks by President

98. The President remarked that the meeting was a first for the Society in many ways: -

- (a) It had the largest ever turnout, in spite of a boycott by the signatories to the petition.
- (b) It had started punctually.
- (c) It had completed the lengthy agenda in just an hour's time – the shortest meeting ever.
- (d) There had been absolutely no acrimonious exchanges.

99. He thanked the members for their turnout in such large numbers and punctuality.

Points for Members Received After the Meeting.

100. Submission of Signed Resolution by Voters to Registrar. Mrs Maninder Kaur opined that the voters who disagreed with the petition should sign a Resolution and same should be submitted to the Registrar.

101. Blockwide Solar Powered Project. Col Uday Chopra suggested that the possibility of a block wise extension of the Solar Power project be explored.

102. Increasing the Storage Capacity of CCTV System. Mr Ashok Kumar Chadha recommended that the storage capacity of the CCTV Recording System should be increased from the present 4 to 5 days to around 3 weeks by installation of additional hard disks. This would make it useful to trace any occurrences during which resident was absent for protracted period.

103. Review of Timings for Lights within blocks. Col Karminder Singh recommended that the timings for lights inside the blocks be extended to avoid accidents in pre-dawn and pre-dusk darkness.

104. The points were agreed to for examination/implementation.

Date : 24 Feb 2021


(Brig D K Mohan) (Retd)
General Secretary

COUNTERSIGNED
(Col R S Rathee) (Retd)
President



ANNUAL REPORT**Handling of Covid-19 Pandemic by the Society**

1. The Covid-19 pandemic brought an unprecedented situation for the management. While all movement of non-essential personnel was prohibited and the office was closed, the provision of essential services to the society had to be maintained. This had to be managed in the face of obstruction of movement of essential service staff not only from Panchkula, but also those coming from Chandigarh and Punjab. Considerable telephonic liaison, at every level, had to be undertaken, to ensure that things moved smoothly.

2. The efforts of Lt Col Rohit Mittal and Lt Col Naresh in tapping all their contacts and exploiting their good will deeds to be placed on record and appreciated. Also, the effort by Mr Abhishek Handa, son of Col Rajeev Handa to set up an app-based home delivery service. The support and cooperation of residents, was especially commendable during the lockdown phase.

3. The society had a total of 29 affected flats which spanned the peak period and a maximum of 11 affected flats at one time.

4. In spite of these constraints, it was ensured that essential services were available to the residents right till the time the unlock down was complete. The salient services provide were: -

- (a) Regular provision of milk, vegetable and augmentation of range of groceries held in the shop.
- (b) Uninterrupted water, electricity supply and sanitation services.
- (c) Preventive sanitization of lifts and blocks where cases occurred and segregated collection of waste from such flats.
- (d) Procurement of non-contact thermometers, sanitizers and hand washing arrangements at gates.
- (e) Arranging campus sanitization by Municipal Corporation.
- (f) Periodic positioning of mobile ATM within the campus.
- (g) Assistance to senior citizens in collection of medicines from the market.

5. The management did have to take some difficult decisions in favour of the common good, particularly with regard to entry of domestic staff and health walks during the early unlock down period when there was ambiguity in orders from different echelons of government. Most residents understood the compulsions and supported these actions.

6. The only area neglected during the period were the lawns and gardens, which could not be maintained, the gardeners not falling under the category of essential staff. However, these have now been brought to their original splendour with redoubled effort.

7. Another coincidental side effect of the pandemic was that the revenues from rentals and other miscellaneous sources reduced while unplanned expenditures like thermometers, protective equipment and sanitizers had to be catered in bulk.

8. The tenure of the previous management was to end on 13 Aug 2020. It was decided not to extend the tenure due to the prevalence of Covid-19. The elections were also planned and notified during the lockdown period and conducted as scheduled.

Major Projects Completed

Solar Power Project

9. Approval for implementation for the project was given by the GBM held on 02 Feb 2021. The process of obtaining quotations from reputed vendors commenced shortly thereafter. The Board of Members comprising Col H S Ahuja, Col Sudershan Bhardwaj, Col Rajiv Khanna and Lt Col Arvind Bali completed the shortlisting process just before the lockdown went into effect.

10. The process was resumed when the unlock down commenced and the entire execution was completed on 08 Aug 2021.

11. The selfless efforts of Col Sudershan Bhardwaj and Lt Col Arvind Bali in shortlisting the vendor and of Col H S Ahuja and Col Rajiv Khanna in additionally monitoring the completion of the project needs to be placed on record. This was the biggest project executed in the history of the society and was executed flawlessly. The House applauded the contribution by these members.

12. The project is functioning better than anticipated. We have started receiving credit for the electricity produced at the existing rate of Rs 7.10 per unit produced from UHBVN, as well as an additional rebate of Re 1/- per unit. Consequently, till date the following clear saving have been affected: -

	Units	Rate	Total Savings
Units Produced	39,250	Rs 7.10	Rs 2,78,765/-
Rebate	39,250	Re 1.00	Rs 39,250/-
Grand Total			Rs 3,17,925/-

13. This too has been during monsoon and winter months. It will improve substantially during the oncoming summer season. We are therefore well on course to recover the investment within five years. With a project life span of 25 years, the rest will be pure savings.

Open Air Gym

14. The Society had been requesting various sources for establishment of an Open-Air Gym. Numerous promises were made, but none materialised. Thereafter, it decided to setup the facility under own arrangement. After thorough research, the humble factory where these are manufactured was located and six items procured at a cost of Rs 86,000/- only.

15. After the success of this gym, numerous requests were received to set up a similar facility in No 2 Park. This has since been done. Other AWHO colonies like Rajeev Vihar have followed us by introducing similar projects.

MyGate App

16. In the continuous efforts to harness technology for more efficient functioning, we had introduced the All is Well App in 2019. This App served us well but it did have some shortcomings.

17. In Jul 2020, we have migrated to the MyGate App which has smoother functioning and provides more facilities. User experience had been very satisfactory

18. Furthermore, use of the App is free till Jul 2021, after which there will be a payment of only Rs 999/- per month per device which are at the gates.

Ongoing Project

Repair of Fallen Grit Wash and Water Shafts.

19. The project for repair of fallen grit wash, repair and painting of water shafts and painting of roof top domes is in progress. All blocks from E12 to U2 have been completed and work has commenced in Part I.

Utilities

Lifts

20. The days when the doors of lifts were broken by people stuck inside are over. This is the result of installation of Automatic Rescue Devices which bring the lift to a halt on the floor below when there is an electricity failure.

21. However, a recent problem which emerged in some lifts is of the buttons getting stuck when pressed, as a result of which the lift remains stranded on the same floor.

22. The Vendor has manufactured the replacement spares and repair work is commencing.

23. During this year the major overhaul, comprising drives and controllers was under taken of two lifts. One even during the pandemic. Consequently, a total of 28 lifts now stand mechanically overhauled.

Electricity

24. The last year was a bad year for our electrical infrastructure. All our equipment is ageing, having been installed as early as 2005. Some of it has exceeded the designed life span. Moreover, technological advancements have rendered the equipment obsolete and, in some cases, spare parts are unavailable and have to be fabricated.

25. During the year, we had two major breakdowns in the sub stations and damage to the feeder cable to U2 Block, which had resulted in emergency expenditures. These were expeditiously repaired with the only inconvenience to residents being of deprivation of "Power" supply. The feeder cable to U1 and U2 blocks was also replaced and simultaneously the simultaneously long-standing problem of separating connection of U1 and U2 Blocks was also carried out.

26. We have now entered into an AMC, under which all the equipment in our service stations will be serviced monthly. The first such inspection was carried out from 31 Jan 2021 over three days. Damaged parts as well as parts which need periodic replacement have been identified and repair work is in progress.

27. Member In charge Electricity, Col H S Ahuja has ensured that the downtime and consequent inconvenience to residents remained the minimum. He has been ably assisted by Capt G C Bhatt. Together they are working on the rejuvenation of the system. Additionally, Col H S Ahuja continues to monitor the functioning of the Solar Power project.

Water

28. Ageing water pipes are creating a new problem. A number of instances have occurred of fresh water pipes bursting inside the concealed shafts necessitating breakage inside the flats to identify and rectify the problem. Secondly, the pipes leading from the water tanks to the flats are corroding at the points where supports have been made to keep the pipes off the surface. Consequently, there is water accumulation on the roof and seepage in all flats down that particular water shaft.

29. Case by case repair is being carried out of the damaged fresh water pipes. The situation is being studied for the reasons. In case it emerges that this is due to poor quality of pipes, the hard decision to depend on only overhead tank water may have to be taken, since all kitchens in the society cannot be broken to carry out the replacement, Incidentally, new societies like Harbhajan Vihar, Mohali have no fresh water and depend only on overhead tank supply.

30. As far as overhead tank pipes are concerned, they are the responsibility of individual flats. Their replacement will be planned block wise through contributory payments by members, where it has not already been done.

SANITATION

31. The sanitation services have remained satisfactory after the change of the contractor.
32. The plant to convert biodegradable waste to compost has produced all requirements of the society as well as produced residual amounts for sale.

LAWNS AND GARDENS

33. Post the Covid-19 neglect, the lawns and gardens are in full bloom again.
34. Perennial varieties of plants and hedges are being planted on the corner islands of blocks for beautification.

SECURITY

35. There has been a progressive decline in the services provided by our security contractor. He has not been able to provide the stipulated number of guards and those whom he has provided as replacements were untrained and technologically challenged making them unable to handle our MyGate and Boom Barriers.
36. Action is in hand to engage another security agency to provide proper security services

SOCIETY SOPs

37. The Managing Committee has approved some SOP's related to important functional issues. These were being placed for approval of the House, as well.
38. **SOP on Paid Car Parking.** The number of cars has started increasing exponentially, as a result of which there is an acute shortage of paid car parkings. Priority, perforce goes to members. However, this has to be restricted to only one per flat. As far as tenants are concerned, new tenants are being made aware of this provision before they take up tenancy and thus are not entitled to paid parking. The major points of the SOP are: -

- (a) Hereafter, Paid Parking to be allotted only to members.
- (b) Prospective tenants to be made aware of this provision at the time of seeking to move into the society.
- (c) Second Paid Parking not be allotted on a permanent basis.
- (d) Second paid parking, if any, held by a resident to be surrendered immediately.

(e) Parking is allotted to a specific flat and is not transferable, nor can be sublet or offered for use by another flat.

(f) In case a paid parking slot is vacant, it may be temporarily allotted on monthly basis till such time as permanently allotted to an eligible member.

(g) The rental for the second temporary paid parking to be Rs 500/- per month.

(h) Additional vehicles to be parked in the space created outside Gate No. 2.

39. **SOP on Renovation of Flats.** It was observed that extensive renovation of flats is undertaken which, in some cases has serious implications for the structure of the building. Further, the indiscriminate carriage and storage of rubble and stores causes damage to the society assets. The salient points of the SOP are:-

(a) All renovations/work, other than routine painting and minor repairs require prior approval in writing.

(b) Payment of Rs 5,000/- per month, or part thereof, to be made towards the Building Development Fund for all renovations.

(c) Pass to be made for the contractor and labourers for a duration of 30 days at a time.

(d) Building material/rubble to be stored only in own car parking space.

(e) Use of sledge hammers and heavy rock drills to break existing structure not to be permitted to avoid collateral damage and discomfort to other flats. Only mechanical/electrical cutters to be used.

(f) Plastic sheeting to be affixed on broken spaces in external walls to prevent spread of dust.

(g) Work hours to be from 9.00 AM to 5.30 PM. In no case will work at night take place.

(h) No labourer to stay in the premises at night.

(i) In case of commencement of work without prior approval of the Management, the Management is authorised to stop entry of workers.

(j) Management may blacklist contractors undertaking renovation of flats, who cause structural damage or carry out any activity contrary to society Bye Laws and SOP's.

PROPOSED BUDGET FY 2021 -2022

ANTICIPATED INCOME		PROPOSED EXPENDITURE		
			Sub Head	Total
Society Charges	₹ 1,36,32,000	Staff Salary	₹ 11,80,000	₹ 12,10,000
		Staff Welfare Fund	₹ 30,000	
Interest Income	₹ 12,00,000	Security Contract	₹ 16,14,000	₹ 16,44,000
		Misc Expenditure	₹ 30,000	
Rent from Shops	₹ 9,12,000	Lifts AMC		₹ 15,24,000
Rent from Community Centre / Stalls / GR	₹ 1,40,000	CCTV AMC		₹ 1,41,600
Passes and Stickers	₹ 1,00,000	Boom Barrier AMC		₹ 79,600
		Electricity		₹ 34,19,000
Paid Parking	₹ 2,52,000	Electricity Bill	₹ 26,00,000	
		AMC Generators	₹ 35,500	
Penalty and Fine	₹ 12,000	AMC Sub Stations	₹ 3,83,500	
		Misc Expenditure	₹ 4,00,000	
Documentation and Lift Charges	₹ 1,80,000	Water		₹ 19,38,000
Electricity Charges	₹ 1,60,000	Contract Payment	₹ 2,88,000	
		Water Bill	₹ 16,50,000	
Miscellaneous Income	₹ 50,000	Sanitation Contract	₹ 18,40,800	₹ 18,50,800
		Sanitation Stores	₹ 10,000	
Grand Total	₹ 1,66,38,000	Lawns and Gardens		₹ 1,00,000
		Plants	₹ 20,000	
		Misc Expenditure	₹ 80,000	
		Repair and Civil Works		₹ 16,50,000
		Diesel	₹ 4,50,000	₹ 4,50,000
		Office		₹ 2,41,000
		Printing , Stationery and Consumables	₹ 60,000	
		Phone and Internet	₹ 0	
		Computer Maintenance	₹ 25,000	
		Audit and Legal fees	₹ 1,50,000	
		Postage and Courier	₹ 2,000	
		Bank Charges	₹ 4,000	
		Central Assets		₹ 60,000
		Guest rooms	₹ 20,000	
		Community Centre	₹ 15,000	
		Sports complex	₹ 25,000	
		Miscellaneous		₹ 30,000
		Cultural Activites	₹ 30,000	
		CAPITAL EXPENDITURE		₹ 17,00,000
		Refurbishing of Lifts	₹ 7,00,000	
		Fire Fighting System	₹ 50,000	
		Refurbishing of Block Lobbies	₹ 7,50,000	
		Refurbishing of Play Stations	₹ 2,00,000	
		Credit to Corpus Fund (Provisional)		₹ 6,00,000
		Grand Total		₹ 1,66,38,000

CONFIDENTIAL

Col S K Chauhan, (Retd)

#203/E-6, GHS-79,
Sandeep Vihar (AWHO)
Sector-20, Panchkula
Dated : August, 2020.

SKC/

Brig Parvinder Singh
Returning Officer
Managing Committee Elections**IDENTIFICATION OF MEANS OF VOGUS VOTING DURING
MANAGING COMMITTEE ELECTIONS 2020-23**

Dear Sir,

1. During Managing Committee elections in August 2017, a total of 177 votes were cast, where Army Officers from all over the nearby Cantonments viz. Delhi, Bhatinda, Ambala, Hissar, Pathanklot, Jullundur, Shimla etc. made it convenient to cast the votes in person.

2. During Covid-19 period this years, the casting of 234 votes have surprised everyone. Therefore, there is a doubt of foul play behind your back to tarnish your clean image. There appears to be a doubt of clean exchange of ballot bundles during counting process or there may be casting of more than one ballot by some Members. In order to confirm this, may I request you Sir to provide/look into the followings:-

- (a) A photocopy of the list of voters (carrying their signatures etc.) who have cast the votes on 09 Aug 2020.
- (b) CCTV camera footage of 2 (two) cameras, covering the poling area/site, on 09 Aug 2020 (from 7.30 AM to 2.30 PM)
- (c) CCTV camera footage of No. 2 Gate's two cameras and one that of the camera in front of E-13 block (covering the passage to poling area/site), on 09 Aug 2020 (from 7.30 AM to 2.30 PM).
- (d) Re-checking of all ballots for ensuring authenticity of your signatures.
- (e) Ballot bundles specially showing voting trend for winners.
- (f) Ballot bundles specially showing single party voting trend.

3. You may like to withhold the publication of election results till you are satisfied.

4. It is further requested that your goodself should not visit the office alone without the company of Col K N Jetly/ Lt Col Kulwant Singh as there is going to be unhealthy resistance.

with warm regards

Sincerely Yours

S. Chauhan

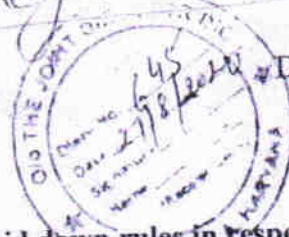
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DR(OL)

Asstt.

Appendix D

The District Registrar
Firms & Societies
Sector-2, Panchkula



Dated : 10th Aug 2020.

Subject : Non-compliance of Prescribed procedure/laid down rules in respect of conduct of Elections to the Managing Committee of Sandeep Vihar (AWHO) Welfare & Maintenance Society, GHS-79, Sector-20, Panchkula, held on 09th Aug 2020

Sir,

1. It may be brought to your kind notice that the Management not only flouted all the code of conduct for elections (spent about Rs/- 35 Lakhs after announcement of elections, on projects like Solar Panel Rs/- 30 Lakhs, Out Door Gym Rs 1.5 lakhs, Fire Fighting stores 2 lakhs, and replaced 'All is Well app' by 'My Gate app' Rs/- 2 lakhs etc) but also violated established/ proper procedure while conducting the elections to the Managing Committee of Sandeep Vihar (AWHO) Welfare & Maintenance Society, GHS-79, Sector-20, Panchkula, which were **announced on 05th May 2020** and held on 09th Aug 2020 as detailed below:-

- a) All the 3 (three) Returning Officers (viz. one Presiding Officer and two Assistant Returning Officers) and 1 (one) Independent Observer **were nominated by the existing Managing Committee** of its choice – the main functionaries of which were seeking re-election. The Contestants of other groups/parties were not consulted in this process and hence the scope of favoritism cannot be ruled out.
- b) **Group/Candidate's symbol/logo was not permitted** despite having it been suggested so to the Returning Officers vide our letters dated 19th & 24th Jul 2020 and 03rd Aug 2020 (copies attached as **Annex I**) as specifically asked by ROs earlier vide Para 3 of their circular dated 09 Jun 2020(copy attached as **Annex II**).
- c) **No entry register was placed outside the polling station** to cause the voters to record their names/address with signatures therein thereby to corroborate/facilitate their matching with the number/entries of voters list maintained inside the polling station regarding the votes cast in person.
- d) **No CCTV camera was installed at the entry/exit points** of polling station to oversee/record the entry of voters or any other persons etc.;
- e) **No CCTV camera was installed inside the polling station** to oversee/record the working/activities through videography inside the voting hall despite as already advised so for such events by **District Registrar vide specific directions (mandatory) contained in his letter Memo No. DRFS/PkI/1201 dated 06/09/2019** (copy attached as **Annex III**). This event of Elections was more important than that of GBMs, hence it necessarily required videography but perhaps it was purposely avoided which signifies malafide intention of the existing Management/ROs.

Contd.....P/2-

- f) **Group/candidates' agents/nominated representative(s) were not allowed entry in the polling station** during the polling process despite having been applied so vide our letter dt 19th July 2020 ((copy attached as sub-para (b) ibid)) as asked by ROs earlier. Moreover at the specific request from Col SK Chauhan and Lt Col Kulwant Singh, the Returning Officer got arranged three chairs placed in the polling hall for each of three representatives of the contesting groups/candidates but Assistant ROs got the chairs removed from the venue by saying that, **"this is individual election and not a team/group election, hence no representative/ agent will be allowed to observe the polling process"** ...this shows a planned conspiracy and avoiding transparency by some ROs too.
- g) Before starting the process of casting the votes, **total number of ballot papers kept for use, were not announced** and not counted in the presence of any representative of the contesting candidates despite having been requested for the same by Col SK Chauhan and Lt Col Kulwant Singh – the contestants.
- h) **Ballot paper was found printed on both the sides**, one side comprised of the names of 11 candidates contesting for 5 posts of office bearers; and the reverse side carried the names of 12 candidates contesting for 6 posts, hence there was no scope for secrecy of ballot paper even if it was folded any number of times.
- i) **It was observed by some of the Voters that the ballot paper, given to them for recording, was without any distinct mark/stamp or signatures of ROs.**
- J) 1(one) candidate/representative from each of the three contesting groups was allowed to enter the polling station only after the polling was over at 2.10 PM to oversee the counting process but they were purposely made to sit 15 feet away at a lower height of 2 feet from the stage where counting took place on tables having drawers.
- k) ROs went back from their earlier stand (mentioned at sub para 'f' above) viz. **"this is individual election and not a team/group election, hence no representative/agent will be allowed to observe the polling process"** by not asking all the 23contestants to oversee the counting process if it was individual election.
- l) Before opening the ballot box, the **number of votes cast as per the voters' list, elucidating the number of ballot papers used, was not announced/told** despite having been asked so by the contestants' representatives – Col S K Chauhan and Major Subhash Chand Sharma:
- m) **The ballot papers were arranged in bundles of fifteen (15) rather than (50s) fiftys or hundreds (as was being done during earlier elections). Was this to facilitate exchange of forged ballots during counting?**

Contd.....P/3-

- : 3 : -

- n) Account of ballot papers viz, counted as valid, **rejected as invalid**, unused ballot papers etc. **was not shown** to the representatives of contestants.
- o) The number of valid votes cast in favour of each candidate was not **displayed on the Notice Board on the same day**.
- p) No representative of the contestants/ their groups were witness to/ associated with election closure process viz. **authentication of result sheets, signing for no objection, sealing of packets** containing all election related documents/ ballot papers etc.
- q) **Brig D K Mohan - a contestant, was seen entering the polling station from exit gate with a black hand bag (probably containing some material like ballot papers etc).**
- r) **The i) list of Members who voted; and ii) CCTV footage of the areas adjoining the polling hall were asked in writing on 10th Aug 2020 through the RO but the Management has refused to issue the same for reasons best known to them.**

2. In view of the facts and anomalies enumerated heretofore, it is very much clear that aforesaid elections of the Managing Committee 2020-23 have not (**NOT**) been conducted in fair, just and transparent manner as per the procedure followed earlier (as envisaged in Minutes of Meeting dated 15th may 2014 of ROs/Committee- attached as **Annx IV**) as well as per the standard of procedure laid down in statues like The Haryana Co-op Societies Rules 2012 (Para 9 to 33 of Part II to Appx 'A' of Rule 25). It is, therefore, requested that captioned **elections held on 09th Aug 2020 be countermanded/declared null & void and fresh elections be got conducted** under the aegis of your representatives or by an Ad-hoc Committee appointed by your goodself.

Thanking you and sanguinely hoping for an early appropriate action as solicited above please.

Yours faithfully,

(Handwritten signature: Col SK Chauhan Retd)
 (Contestants of GHS-79 Managing Committee Election) *(Handwritten: Candidates for President & members of Sub-Committee)*
 Sandeep Vihar Welfare & Maintenance Society (AWHO) *(Handwritten: Shome)*
 Sector-20, Panchkula *(Handwritten: 26-302, 9915131815)*
 Encl : As above. *(Handwritten: 11 (Eleven))*

Copy of the above is submitted for information to:-




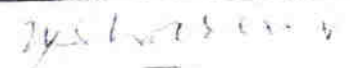






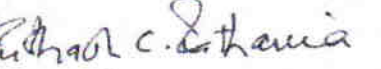

- 1. Haryana CM Window - For suitable directions please.
- 2. DC Panchkula - For suitable directions please.
- 3. The State Registrar of Societies
 Deptt of Industries & Commerce, Haryana - For suitable action please.
 39 Bays Building, Sector-17, Chandigarh

(Handwritten: 3)
 Col RASINDER SINGH (Retd)
 E-11/302
 7827344390

(Handwritten: 4)
 Lt Col KALWANT SINGH (Retd)
 E-17/704
 9462277032

(Handwritten: 5)
 Col Mel
 E-13, 401
 Col RASINDER SINGH (Retd)
 7815706261 - 8/14

Non-compliance of Prescribed procedure/laid down rules in respect of conduct of
Elections to the Managing Committee of Sandeep Vihar (AWHO) Welfare &
Maintenance Society, GHS-79, Sector-20, Panchkula, held on 09th Aug 2020

<p>6</p> <p>Sig </p> <p>Name Vinita Mohan</p> <p>Flat No 4/401 Mob No 911211579</p>	<p>7</p> <p>Sig </p> <p>Name Poojinder Kalia</p> <p>Flat No E/1 Mob No 9815552440</p>
<p>8</p> <p>Sig </p> <p>Name Lt Col R S Benal</p> <p>Flat No D1/302 Mob No 8968811552</p>	<p>9</p> <p>Sig </p> <p>Name Lt Col R G Sharma</p> <p>Flat No D-1/303 Mob No 9815671611</p>
<p>10</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>	<p>11</p> <p>Sig </p> <p>Name Lt Col G S Jeyaraj</p> <p>Flat No 704 Mob No 9779179764</p>
<p>12</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>	<p>13</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>
<p>14</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>	<p>15</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>
<p>16</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>	<p>17</p> <p>Sig </p> <p>Name Lt Col S Varma</p> <p>Flat No 704 Mob No 9779179764</p>