

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 31st May 2020the (Managing Committee of the Society) day ofat Society office, B-4 Vasant Kunj Chairman Signature with Date

QUORUM

1. S/Sh. Bharat Singh Sehrawal	President	<u>BS</u>
2. Sh. Anish Singh	Vice President	<u>anish</u>
3. Sh. Omvir Singh	Member	<u>omvir</u>
4. Sh. Sukbir Singh	Member	<u>Sukbir Singh</u>
5. Smt. Lalita Jain	Treasurer	<u>Lalita Jain</u>
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

आज दिनांक 31.05.2020 (रविवार) को प्रातः 10:30 बजे सोसायटी कार्यकारिणी की बैठक, अध्यक्ष श्री भरत सिंह सहरावत की अध्यक्षता में सोसायटी कार्यालय, B-4 Vasant Kunj में हुई। अध्यक्ष महोदय ने सभी सदस्यों का स्वागत किया।

सचिव श्री कर्नल आर एस राठी ने Email द्वारा आज की मीटिंग में नहीं आ पाने के बारे में सूचना दी कि उनकी अधिक उम्र व COVID-19 की वजह से वे मीटिंग में नहीं शामिल हो सकेगे। श्री आजाद सिंह राठी ने अध्यक्ष को टेलीफोन से सूचित किया कि उनको दृढ़ संभावना स्वास्थ्य Problem की वजह से वे मीटिंग में नहीं आ पाएंगे। श्री किरण राणा ने भी WhatsApp द्वारा MC-2019 Group पर सूचित किया कि वो Out of Station हैं।

DISCUSSIONS ON AGENDA ITEMS

1. Confirmation of the minutes of last MC Meeting held on 15.03.2020

अध्यक्ष ने 15.03.2020 की मैनेजिंग कमिटी मीटिंग की

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Minutes सदस्यों को पढ़कर सुनायी। श्री सुखवीर सिंह द्वारा प्रस्तावित व श्री ओमवीर सिंह द्वारा अनुमोदित प्रस्ताव के अनुसार Minutes को सर्वसम्मति से पारित किया गया।

2. Agenda Item NO. 2: Issues related with the Contractor including reply to their notice for Arbitration against the Society:

- 2.1 Contractor के advocate श्री चैतन्य मदान ने दिनांक 22.05.2020 को Email द्वारा सोसायटी को Notice for Invocation of Arbitration under Clause 39 of the Agreement dated 23.09.2009 and Section 21 of the Arbitration and Conciliation Act, 1996 भेजा है। बाद में इस Notice की Hard copy भी सोसायटी आफिस में प्राप्त हुई है।

विचार करने के बाद यह निश्चित हुआ कि इस मुद्दे पर सोसायटी श्री आशिष मोहन, Advocate Supreme Court की Professional Services ले।

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श्री आशिश मोहन द्वारा निम्नालिखित सूच प्रस्तावित है।

**ASHISH MOHAN
ADVOCATE**

LL.M., COLUMBIA UNIVERSITY, NEW YORK

- Res-cum-off: A-14 Gulmohar Park, New Delhi - 110049
- Chamber: 58, Lawyers' Chambers, Supreme Court of India, New Delhi
- +91-9910946968
- ashishmohanadv@gmail.com

My fee for conducting the proceedings in court on your behalf may be paid in the following manner:

SCHEDULE OF FEE

Fee for drafting and filing any Petition, Plaint, Written Statement or Replication, Appeal, Revision or other main proceeding (as the case may be)	Rs. 55,000/-
Fee for Drafting and Filing Misc. Applications and replies to Applications filed by other Parties.	Rs. 25,000/- each
Fee for drafting and filing Affidavits of evidence or other affidavits	Rs. 25,000/- each
Fee per appearance	Rs. 22,000/-
Miscellaneous expenses	As per actual
Clerkage	10% of bill amount

NOTE: Please take note that any appeals filed on your behalf challenging any interim or final order passed by the trial court or appellate court is not inclusive in the above fee structures and would be chargeable separately based on the nature and kind of appeal filed.

**ASHISH MOHAN
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SCHEDULE OF FEE FOR ARBITRATION

Fee for drafting and filing Claim, Written Statement or Replication or other main proceeding (as the case may be)	Rs. 75,000/-
Fee for Drafting and Filing Misc. Applications and replies to Applications filed by other Parties.	Rs. 15,000/- each
Fee for drafting and filing Affidavits of evidence or other affidavits	Rs. 22,000/- each
Fee per appearance	Rs. 30,000/-
Fee for appearance of Junior Counsel	Rs. 5,000/-
Miscellaneous expenses	As per actual
Clerkage	10% of bill amount

NOTE: Please take note that any appeals filed on your behalf challenging any interim or final order passed by the trial court or appellate court is not inclusive in the above fee structures and would be chargeable separately.

उपरोक्त प्रस्तावित fee को यह ध्यान में रखते हुए पारित किया गया कि श्री आशीष मोहन Supreme Court में Advocate हैं। श्री अनीष सिंह द्वारा प्रस्तावित व श्री ओमवीर सिंह द्वारा अनुमोदित इस प्रस्ताव को सर्वसम्मति से पारित किया गया।

यह निर्णय भी सर्वसम्मति से लिया गया कि अगर किसी stage पर (Opposite Party के वकील का Status देखते हुए) आवश्यकतानुसार किसी और Senior Advocate की Services भी ली जा सकती हैं।

2.2 विचार के बाद यह निर्णय लिया गया कि Advocate द्वारा तैयार Notice के जवाब को जमा करने से पहले Draft stage में MC Member के साथ Email द्वारा Share किया जाएगा ताकि अगर किसी का कोई Suggestion हो तो उस पर विचार किया जा सके।

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The contractor in his notice of arbitration has proposed Justice D K Jain (Ex Supreme Court Justice) as their nominee Arbitrator for Arbitration. As per contract-agreement Clause 39, the Society is required to nominate its nominee Arbitrator.

It was discussed that the Society should also propose its nominee of the stature of Justice D K Jain so that Society's interests are protected/represented appropriately in the arbitration. After discussions two names were shortlisted;

a) Justice Deepak Verma (Ex Justice of Supreme Court)

b) Justice A K Sikri (Ex Justice of Supreme Court)

~~At the~~ While Justice Deepak Verma was ^{noted to be} senior to Justice D K Jain in the Supreme Court, Justice A K Sikri was little junior to him.

The MC also considered that fees of Justice Verma & Justice Sikri is likely to be quite high

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but in the given circumstances, the society has hardly any options on this account.

In the last it was concluded/decided that the Society should first approach Justice Deepak Verma to seek his consent. In case he does not agree, the society should approach Justice A.K. Sikri. In case he ^{is} also ~~is~~ unavailable, further options should be explored.

2.4 Society's letter dated 23.05.2020 to the contractor reg. starting of work and his response vide letter dated 26.05.2020:

The society in its letter dated 23.05.2020 has again requested to the contractor to ~~start~~st the work at site immediately, which they had stopped w.e.f 14.11.2019.

The contractor was also requested ~~the contractor~~ in this regard vide letter dated 11.03.2020. However, the contractor has not started the work. Rather he has replied Society's letter dated 23.05.2020 vide his letter dated 26.05.2020, putting condition that his outstanding dues of Rs 27,97,82,789/- be cleared to enable them start the work. The contractor has also wanted know if the Society can meet him in next three days time to discuss/resolve the issue. The managing committee deliberated the reply at length and noted that the Society's sub-committee and the MC had meetings with the contractor before the SGBM dated 12.01.2020 and discussed all the issues at length with a view to somehow ~~to~~ resolve the issues with the contractor and get the work started but did not get any suitable response. Now ~~one~~ on one hand the contractor has already invoked arbitration on other hand he wants to keep the Society engaged in discussions, he is also not starting the work. Hence, the MC should focus on replying the contractor's notice and protect

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*Society's interest rather than keep endlessly talking to him.
 The MC also resolved that the contractor should be
 issued Show Cause Notice for Termination of Contract
 OR Withdrawal of the Entire Balance Work from the
 contractor keeping in view provisions of the Contract and
 in discussion with the advocate Sh. Ashish Mohan. This
 has now become imperative to start/complete the balance
 works.*

2.5 Letter to contractor regarding his price variation bills:
 Provisions of clause 37 of the contract conditions were
 perused and it was noted that the contractor has
 so far claimed 9(nine) price variation/escalation bills,
 which have also been paid on the recommendations of
 the then Architect. However, all these bills are in
 deviation and in excess of the provision in the
 contract. Hence, it was unanimously decided that
 the MC should take up this issue with the contractor
 through a letter. Draft of the letter was further
 discussed and it was decided that the letter

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should be issued in the coming week after the calculations are once more checked by the Society Engineer. Subject to checking of the calculations, the draft of the letter was approved unanimously.

3. Agenda Item NO.3: (Issues Related with Ex Architect M/s Khurmi Associates Pvt Ltd.) including his Legal Notice to the Society:

At the start of COVID-19 lockdown, the Society had received a Legal Notice ^{dated 21-03-2020} from the Advocate of the Architect. The notice was received through email on 21-03-2020 ^{seeking Society to reply within 15 days.} Keeping in view closure of Society Office due to the lockdown, the Society President had written an email (interim reply) to the advocate of the Architect (namely Sh. Akshay Makhlaja) on 26-03-2020 that the Society would be able to reply to the notice after removal of the lockdown.

It was decided unanimously by the MC that legal notice of Architect's advocate be replied through Advocate Ashish Mohan on behalf of the Society. Fees of Sh. Ashish Mohan as mentioned under item 2.1 above were also approved unanimously. It was also decided that draft of the Society's reply would be shared with MC members through email for their suggestions if any.

4. Agenda Item NO. 4: Re publishing of advertisement in Hindi and English Newspapers for inviting pre-qualification application for appointment of new Architect:

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Earlier, as per the decision under Agenda item No.2 of the MC meeting dated 08.03.2020, an advertisement was published in Hindi & English Newspapers for inviting application of prequalification from Architects. However, the COVID-19 lockdown started at the same time. As a result no prequalification application has been received by the Society.

Keeping in view that since the lockdown has now eased out, it was unanimously decided that the Society should once again publish the advertisement in Hindi & English Newspaper in the coming week.

5. Agenda Item NO.5: (Issue of 2nd Notice to members who has defaulted in payment of demanded money:

In accordance with the decision under agenda

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item NO. 4 of the MC meeting dated 09.02.2020, first notice under section 86(1) of DCS Act 2003 was issued to total 123 members on 17.02.2020.

In response only 2 (two members) paid their dues. From the balance 121 members ^{a few} have also responded and raised their concerns.

The matter was discussed and it was noted that as per DCS Act 86 of 2003 R/W Rule 99 of DCS Rules 2007, the 2nd notice to the members who are still defaulting on the payment should have been issued after 30 days of the 1st Notice. In the MC meeting scheduled on 22.03.2020, this issue could have been taken and needful done in the matter. However due to the COVID-19 lockdown, the MC could not hold meeting on 22.03.2020 ~~on~~ till date. The first meeting of the MC has been held today after the start of lockdowns.

It was unanimously decided that 2nd notice under section 86(1) of DCS Act, 2003 R/W Rule 99 of DCS Rules 2007 be issued to the aforesaid 121 (One hundred twenty one) members who are still defaulting on making payment of their dues.

Draft(s) of the notices were also unanimously approved by the MC.

6. Any other item with the permission of the Chair:

Under this head following was discussed/decided.

- 6.1 Draft of ^{annual} report to be submitted to the Auditor for the year ending 31 March 2020 was provided to MC members for their perusal and comment/observations if any

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It was decided that comments, if any, on the draft will be communicated within a week's time. After that the report shall be finalised duly considering the observations, signed by the President, Secretary and the treasurer for further action on the report.

6.2 Appointment of Society's new Auditor: The president informed the members that 3 (three) year tenure, which is maximum, of the present auditor of society was for the period up to 31 March 2020. For audits after this period, the society is required to appoint a new ~~auditor~~ ^{approved} auditor from the list of auditors of the RCS i.e. the panel of auditors of the RCS, GNCTD. Suggestions in respect of the proposed new auditor were requested by the president from the MC members. It was unanimously decided that suggestions in this regard shall be given to the president/secretary/treasurer by e-mail or on the Whatsapp group or over telephone. Suggested name(s) of the proposed auditor shall

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be taken up in the next MC meeting for approval.

6.3 Reply to RCS letter dated 21.03.2020 (received in the society office on 20.05.2020) regarding furnishing MC's comments on Society Administrator's Report submitted to RCS vide letter dated 29.08.2019

The administrator's report dated 29.08.2019 pertained to the membership of 13 (thirteen) member, yet to be regularised by the RCS office. The MC perused the contents of the administrator's report and unanimously resolved to give the following comment on the said report;

"Contents of the Society Administrator's report dated 29.08.2019 have been perused by the managing committee (MC) and it is of the opinion that the aforesaid report dated 29.08.2019 represents the facts correctly. Further action in the matter may be taken by RCS, accordingly."

It was further decided that the above should be promptly conveyed through a letter to the RCS.

6.4 Reply to members communications in response to the 1st Notice Under Section 86(1) of MCS Act R/W Rule 99 and the issue related to interest on delayed payment

Few members i.e. Sh. Devender Kumar, Sh. Ompal Singh, Sh. Anil Kumar Mittal, Smt. Lily Chen, Sh. Baljot Singh Bharel, Ms. Meenu Rathi have conveyed their concerns/observations on the aforesaid issues. Drafts of the ~~letter~~ reply to these letters were discussed in detail and unanimously approved for further communication to the members.

6.5 Reply to the communications of Sh. Dineshvi's to the MC

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Sh. Dinesh Vix, who is also JT Secy of the MC has conveyed his concerns/observations, mostly on the working of the MC, through his letters dated 11.03.2020, 25.03.2020 and 26.03.2020. Content's of his letters were perused and all noted that his observations/allegations were unsubstantiated and devoid of any merit. Rather these sounded his negative approach ^{and prejudice} towards the Society's managing committee. His lack of participation in the MC meetings/activities was also noted. After discussion it was unanimously resolved that his communications be replied appropriately.

6.5 Draft of report/details for submission in RERA's report:

It was noted that RERA's quarterly report has become due for submission. The Society engineer was asked to prepare the technical details/stata of the housing project required to be submitted online on RERA website. He was advised to keep a hard copy of the report/details duly signed.

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in relevant file. It was further decided unanimously that the report be submitted on line by the Secretary/Jt. Secretary with the help of the Society Engineer. Draft of the details ^{already} prepared by the Society engineer were also discussed and unanimously approved.

6.6. Submission of six monthly Environmental Compliance Report.

The president informed that ^{the} Environmental compliance Report has been submitted by the Society Consultant (M/s Perfect Solutions). All noted and appreciated the same.

6.7. Purchase of Printer for Society office and laptop for use by Society Engineer.

The old printer available in the Society office had rendered unserviceable and irreparable, hence a new printer was purchased on emergency basis from market at a cost of Rs 17,000 (seventeen thousand). It has added facility like scanning etc. The expenditure was passed/approved post facto, unanimously.

At present there is only one desk top computer available in the society. Non availability of more computers/laptop often becomes a limitation/hindrance in smooth working of the Society office. Hence, it was unanimously decided that a new laptop of appropriate specification at a cost of about Rs 50,000 (fifty thousand) should be purchased immediately from open market/online as suitable and issued to the Society Engineer for

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his day to day working.

The office assistant in the Society office, Ms Neelhi was advised to immediately get the window A/c ~~for service~~ which is fixed in the office, serviced.

She also informed that the refrigerator available in the Society office went out of order. She was advised to get it repaired, preferably through the authorised agency / person of the company.

6.7:- Seeking opinion of GST Expert on implication of GST on interest demanded on delayed payment by members:

In the SGBM dated 12.01.2020, the general house had approved the rate of interest to be demanded from members who have delayed payment of various instalments demanded by the Society. The amount of interest due on various members was accordingly got calculated with the help of an expert.

Sh. Rajesh Marwah, who is a member of

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the society and a Chartered Accountant by profession had, before the Covid-19 lockdown, informed the MC that issue of applicability of GST on the demanded interest need be examined, so that the same can be demanded/deposited, if applicable. The issue was planned to be discussed in the MC meeting ^{scheduled on} dated 22.03.2020, which did not take place due to the lockdown. In the mean time the president had asked through email, an expert about his fee/proposal etc. for providing his expert opinion on the subject. GST Expert Sh. Sushanta Kumar Mishra has asked a fee of Rs 25,000/- for providing the opinion. The proposal of engaging Sh. S. K. Mishra at his demanded fee was proposed by Sh. Omvir and approved unanimously. It was further decided that the president/secretary should take further action in the matter.



Sushanta Kumar Mishra

Santia Jain

Omvir

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 the (Managing Committee of the Society)
 of

at Society office B-4 Vasant Kunj Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Sehrawal	President	bs
2. Sh. R.S. Rathil	Secretary	Secretary
3. Sh. Anish Singh	Vice President	anish
4. Sh. OmVeer Singh	Member	ovsingh
5. Sh. Sukhvish Singh	Member	Sukhvish Singh
6. Smt. Kisan Rana	Member	PROT 2161
7. Smt. Lakta Jam	Treasurer	Lakta Jam
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Today on 13.06.2020 (Saturday) meeting of the Society's Managing Committee (MC) started at 10:30 AM in the Society office at B-4, Vasant Kunj under the chairmanship of the President Sh. Bharat Singh Sehrawal. The president welcomed all the members of MC. The president also informed that Sh. Azad Singh Rathie informed him through telephone about his health not permitting him to join the meeting, since Sh. Azad Singh has undergone heart procedure, recently. Sh. Dineshvir did not attend the meeting and there was no communication about his absence.

DISCUSSIONS ON AGENDA ITEMS

Agenda Item NO. 1: Confirmation of last minutes of meetings held on 31.05.2020: The president read out the minutes to all present. Mrs. Kisan Rana's proposal of passing the minutes was seconded by Sh. Sukhbeer Singh Rathie and the minutes were passed unanimously.

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Agenda Item NO. 2: ^{Issues} ~~Issues~~ related to the Ex. Architect of the Society:

The draft reply of Ex Architect (M/s Khurmi Associates Pvt. Ltd.)'s legal notice served by his advocate as prepared by the Society's advocate Sh. Ashish Mohan was shared by the president through email to all members of the MC on 11.06.2020 for suggestion if any. Thereafter the same suggestion were received and shared with the advocate. He will submit the reply accordingly.

Agenda Item NO. 3: Issues related to the Contractor (M/s Chinara Promoters Pvt. Ltd.)

- (i) As discussed in the last meeting, the Contractor has served a notice to the Society involving arbitration clause. The Society has appointed Sh. Ashish Mohan as advocate, who is preparing the response of the notice. All relevant information required to prepare the response has been provided to Sh. Ashish Mohan. It was decided that draft of the reply be shared with MC members for suggestion, if any, through email before submission through the advocate.
- (ii) As decided in the last MC meeting dated 31.05.2020, all Show Cause Notice for Termination of Contract has been served to the Contractor by the Society vide letter dated 09.06.2020. As per notice the Contractor is required to submit their response on or before 16.06.2020. It was decided unanimously that further action in the matter may be taken keeping in view the Contractor's response. It was also decided that in case the Termination of Contract is to be issued, a caveat would be filed in Delhi High Court with the help of advocate Sh. Ashish Mohan.

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(iii) It was also noted that at present, the Society has not deployed any security guards at the project site. Keeping in view the possibility of termination of contract of M/s Chinna Promoters (P) Ltd, the Society would be required to deploy security on a very short notice. Sh. Sukhbir Singh Rathi proposed that decision of deployment of security (number ~~of~~ and type of manpower) should be taken at an appropriate time by the Secretary/President keeping in view ongoing issues with the contractor so as to secure possession of the property. This may be done by taking quotation from any authorised security services agency and without any further approval of the MC. The proposal was seconded by Sh. Omvir Singh and approved by the Committee unanimously.

Agenda Item No. 4: Approval of Annual Accounts Statement and Draft of Annual Audit Report of the Society for the year ending 31 March 2020.

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Draft of the Annual Report including the Annual Accounts was sent through email dated 07.06.2020 by Ms Neetu Kumari, office assistant of the Society for perusal and comments by the Committee members. However, no observation/comments have been received from any member of the Committee till date. Sh. Anish Singh's proposal seconded by Smt. Kiran Rana to pass the draft of Annual Report was approved unanimously. It was also approved that the President, Secretary and the Treasurer should sign the report ~~and~~ for taking further needful action in the matter.

Agenda Item NO. 5: Appointment of new auditor of the Society

As discussed in the last MC meeting, tenure of the present auditor of the society has completed and a new auditor is to be appointed. Suggestion from ~~#~~ Committee member in respect of the proposed new auditor were also sought. In the follow up action list of Auditors on the panel of RCS was also provided through email dated 07 June 2020 by Ms Neetu Kumari to all members of the MC.

Smt. Kiran Rana proposed M/s G S GOEL & CO 20/18, SHAKTI NAGAR, DELHI, who are at S NO. 125 of the RCS Panel and an 'A' Category Auditor may be considered. The proposal was seconded by Smt. Lalita Jain and accepted by all. It was unanimously decided to take further needful action for ^{appointment} ~~approval~~ of M/s G S Goel & Co. as Auditors of the Society.

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Agenda Item No. 6: Any other with the permission of the chair

6.1 Purchase of one No. Split AC (2 Tonne capacity) for fixing in Sample Flat: In order to maintain Social distance due to COVID-19, the Committee is using the Sample Flat for the purpose of meetings, however, there is no A/C. It was unanimously decided that one No. Split AC of 2 Tonne capacity should be purchased immediately and ^{got} fixed in the Sample Flat. All members of the Committee requested the Secretary (Lt. Col R S Rathu, Retd) to purchase the AC from defence canteen on his card so as to save cost on this account and get the same fixed as early as possible.

6.2 Approval of Draft Report of 3rd QPR for Submission to RERA

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Draft of the RERA's quarterly report prepared by the Society Engineer, Sh. Sunny Gupta was shared ~~to~~ ~~by~~ with all members of the MC through email dated 08.06.2020 to obtain comments of the MC member's, who were requested to furnish their comments by 10.06.2020. However, no comments/observations have been received so far. Draft the report was unanimously approved and it was decided that the same should be got uploaded on RERA website.

6.3 Bill of Rs 25,000/- (Twenty five thousand) ~~raised of~~ ~~by~~ Sh. Nitin Sharma being the amount for professional charges for preparation of Annual Accounts Statement, Balance Sheet, Income & Expenditure Statement etc. for the FY 2019-2020 to be submitted to the Auditor for Annual Audit was deliberated. Sh. Anish Singh's proposal to pass the bill for payment, seconded by Sh. Sukhbir Singh Rathi was passed unanimously.

6.4 Issue of First Notice to Dr. Gyanender Kumar for Expulsion from primary membership of the Society under Section 86(1)(c) of DCS Act 2003 R/W Rule 99 of DCS Rules 2007: Draft of the Notice to be issued to Dr Gyanender Kumar for his anti-society activities was deliberated ~~&~~ in detail by the Committee members and it was unanimously decided that the notice be issued under the signatures of the president of the Society. Accordingly, the notice was issued ~~after the meeting~~.

MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on
 the day of
 at Chairman Signature with Date

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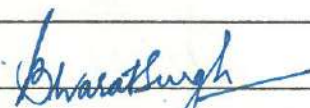
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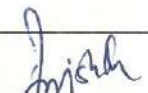

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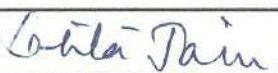
6.5 Application for Joint Membership.

Smt. Kisan Rana, membership no. 157, has applied for joint membership in favour of his son Tarun Rana. She has also requested that her name should stand first in the Share Certificate and she should have the right to vote while other rights should be enjoyed jointly and liabilities shall be borne jointly. The application was found in order and Sh. Tarun Rana was admitted as joint member.

7. The meeting ended with a vote of thanks by the Secretary.

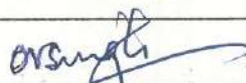

 (BHARAT SINGH JETHAWAT)

 
 (ANSHU SINGH) (R.S. Rath)


 (LALITA JAIN)



09/20/2011


 (Omveer Singh)

THE COMPANIES ACT, 2013

MINUTES BOOK



MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 05 July 2020
 the (Managing Committee of the Society) day of
 at Society's office, B-4, Vasant Kunj, New Delhi Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Sehrawal	President	BS
2. Sh. R. S. Rathor (Lt. Col; Retd.)	Secretary	RS
3. Sh. Anish Singh	Vice President	AS
4. Smt. Lalita Jain	Treasurer	LJ
5. Sh. Dinesh Vir	Jt. Secretary	DV
6. Sh. Sukbir Singh	Member	SV
7. Smt. Kisan Rana	Member	KR
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

Today on 05-07-2020 (Sunday), meeting of the Society's Managing Committee (MC) started at 10:30 AM in Society's office at B-4, Vasant Kunj, New Delhi under the chairmanship of the President Sh. Bharat Singh Sehrawal. The president welcomed all the members. He informed that Sh. Azad Singh Rathor has intimated that he would be unable to join the meeting due to health issues and doctor's advice. He further informed that Sh. Omvir Singh could not attend the meeting as his mother was unwell. Sh. Dinesh Vir joined the meeting but left early without signing the attendance or the minutes of the meeting.

DISCUSSIONS ON AGENDA ITEMS

Agenda Item NO. 1: Confirmation of the minutes of last MC meeting dated 13.06.2020.

The president read out the minutes to all present. Smt. Lalita Jain proposed to pass the minutes, which was seconded by Sh. Sukbir Singh and the minutes were passed by all.

MINUTES BOOK

Agenda Item NO- 2: Issue of Supplementary / Settlement agreement with M/s Chinan Promoters Pvt. Ltd. (Contractor):

In view of various ongoing issues with the Society, a Notice of Arbitration vide letter dated 22.05.2020^{was issued by the Contractor.} Since the Contractor had stopped the work, the Society (Committee) had issued a Show Cause Notice for Termination of Contract vide letter dated 09.06.2020. The Society had also replied to the Contractor's Notice of Arbitration vide its advocate through letter dated 22.06.2020. Thereafter a reconciliation meeting was held between the Contractor and the Committee on 28.06.2020. Minutes of this meeting are placed below;

Subj: Construction of 181 dwelling units for Maharishi Dayanand CGHS Ltd at B-4, Vasant Kunj, New Delhi. Minutes of meeting dated 28.06.2020.

Contract Agreement No. Nil dated 23.09.2009

A meeting was held between the society and the contractor at 5:30 PM on 28.06.2020 at site office, B-4, Vasant Kunj, New Delhi.

1. Following were present:

MDCGRS Ltd.

Sh. Bharat Singh Sehrawat, President
Lt Col R S Rathor (Retd), Secretary
Sh. Dinesh Vir, (Jt. Secretary)
Sh. Sukhbir Singh Rathi, Member
Sh. Azad Singh Rathi, Member
Mrs. Kiran Rana, Member

Contractor (Chinan Promoters Pvt Ltd)

Sh. Yogesh Prasad Rustagi, Director
Sh. Sanjay Bansal, Director

2. Discussions

2.1 The Contractor expressed his willingness to complete the work mentioned in the subject. The society also expressed its willingness to get the work completed from the contractor, however at revised terms. Thereafter both the parties decided that while revised terms/conditions would be discussed in the next meeting, certain confidence building measures should be taken. The parties agreed to take following measures:

- Both the parties shall withdraw their respective complaints lodged with the police station.
- Issuing of termination of contract by the society shall be kept in abeyance till the next meeting.
- The proceedings of Arbitration between the parties shall be kept in abeyance till the next meeting.

2.1 The Society brought out that while the Managing Committee of the Society can deliberate/discuss on revised terms with the contractor, its acceptance or otherwise rests with the General House of the Society. Any settlement/supplementary agreement with the contractor would be subject to its approval by the General House.

2.2 It was decided that the next meeting on the subject will be held on 05.07.2020 after noon at site office to deliberate/discuss the revised terms.

2.3 The meeting ended with a commitment by all to take the matter further in the overall interest of the project.

[Signature]

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MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on

the day of

at Chairman Signature with Date

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Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

Today, the Managing Committee held another meeting with the Contractor, wherein detailed discussions in order to resolve the contentious issues and to decide the way forward to successfully complete the housing project took place.

During the discussions, the contractor brought out their willingness to complete the work under their scope at a fixed cost per share (cost to member), he also mentioned certain conditions. The managing committee considered the proposal and brought out certain conditions in order to put the contractor's proposal to the Society's General House for consideration/approval. The contractor agreed to the conditions brought out by the MC.

Minutes of the Meeting held with the contractor on 05.07.2020 are placed hereafter;

MINUTES BOOK



Subject: Construction of 181 dwelling units for Maharishi Dayanand CGHS Ltd. at B-4, Vasant Kunj, New Delhi- Minutes of Meeting dated 05.07.2020 afternoon.

Contract Agreement No. nil dated 23.09.2009

As decided in the meeting dated 28.06.2020 a meeting was held between the Society (represented by the managing committee of the Society) and the Contractor at 3:00 PM on 05.07.2020 at site office, B-4, Vasant Kunj, New Delhi.

1. Following were present

MDCGHS Ltd.

- i. Sh. Bharat Singh Sehrawat, President
- ii. Sh. Anish Singh, Vice President
- iii. Lt. Col R S Rathee, Secretary
- iv. Sh. Dinesh Vir, Joint Secretary
- v. Smt. Lalita Jain, Treasurer
- vi. Smt. Kiran Rana, Member
- vii. Sh. Sukhbir Singh Rath, Member

Contractor (Chinar Promoters Pvt. Ltd.)

- i. Sh. Yogesh Rustagi, Director
- ii. Sh. Sanjay Bansal, Director

2. Discussions

2.1 The contractor brought out their willingness to complete the work under their scope mentioned in the subject contract at a fixed cost per share (cost to member). He further mentioned that while the fixed cost would be Rs 1.18 crore, the following items should be considered in addition to the fixed cost.

2.1.1 The amount of Rs. 1.62 crore already paid by the Society to the Contractor against interest on delayed payment by the Society.

2.1.2 While all extra items already claimed by the contractor in their R/A bills (including its balance quantity to be carried out in future) will be included in the fixed cost, the item of providing underground fitting for drainpipe and cool air pipe for fixing 7 no. split in each flat may be considered @ Rs. 12,000/- per AC i.e. Rs. 84,000/- per flat, as the same has not been claimed so far.

2.1.3 Any further extra item, if so required in future, should be paid as per mutually agreed rate.

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(Anish Singh)

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2.1.4 No deduction to be made from the aforesaid fixed cost to member on account of any issue raised by the society so far.

2.2 The contractor also brought out that finishing in all the flats should be kept of one type i.e. as envisaged for flats @ Rs 1750 /sft for the ease of construction.

2.3 The Society considered the offer and mentioned that while they would consider and recommend to the General House for acceptance of the Contractor's offer including aforesaid points at Para 2.1.2 to 2.1.4 and 2.2, it would not recommend contractor's request mentioned at para 2.1.1 in respect of payment of interest. The Society further mentioned that the fixed cost of Rs 1.18 crore per member shall include all payments already made/to be made to the contractor on any account under the said contract, including the following;

2.3.1 Covered area rate @ Rs 1410/sft for basement, Rs 1090/sft for still and Rs 1750/sft for superstructure.

2.3.2 Cost of all material already used/to be used in future in the construction, whether procured by the Society or the contractor. The additional cost of Cement, R. Steel and Bricks, which have been already incurred by the Society, shall be deducted from the due payments of the contractor. Any further material including Cement, R. Steel and Bricks required for completion of the project shall be arranged by the contractor at his own cost.

2.3.3 Cost of all Extra items already executed at site till date shall be part of the fixed cost. In case any of these items is yet incomplete e.g. more quantity of such item is required to be executed for completing the project, no payment shall be made for that.

2.3.4 The work shall be completed in a fixed time i.e. by 31 December 2021 in accordance with the work Program duly approved by the Society.

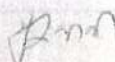
2.3.5 No price escalation shall be allowed to the contractor over and above the fixed cost. The amount already paid to the contractor against price variation/escalation shall be deemed to have been included in the aforesaid fixed cost.

2.3.6 The amount of all applicable taxes levied by the local/state/central Government on the subject work, either already paid (like Service Tax/WCT/GST etc.) or to be paid in future (GST etc.), shall be deemed to have been included in the aforesaid fixed cost.

2.3.7 All statutory deductions like TDS and WCT shall be made from the contractor's bills/payment.



(ANISH SINGH)



MINUTES BOOK

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2.4 The Society further motioned that the following conditions shall also be fulfilled by the contractor under the fixed cost;

- 2.4.1 The Society shall retain as Security Deposit (SD) a total amount of Rs. 3.0 (three) crore. This will include already existing SD of Rs. 50 lakh plus Rs. 2.50 (two point five) crore additional SD on account of increased value of contract. The balance SD shall be retained on pro rata basis from Contractor's running payments. Fifty percent (50%) of the total SD amount shall be released to the contractor once the Occupancy/part occupancy certificate is issued for the project by the concerned agency. The balance 50% amount of SD shall be released to the contractor on successful completion of the DLP, which shall be 12 months after issue of completion certificate by the society. If so desired by the contractor, he will be allowed to replace the balance 50% SD by a Bank Guarantee for which the Performa shall be approved by the Society.
- 2.4.2 The work shall be executed in accordance with the CPM chart/Work Program duly approved by the Society. The work program, which shall be submitted by the Contractor, shall reflect date of start, date of completion and duration of each activity, sequence of activities and inter relation/dependency among various activities, critical path of completion etc.. The work program submitted by the contractor shall be duly supported by resource planning and the contractor shall deploy the resources accordingly. The work program shall be reviewed and updated jointly by the Contractor and the Society regularly and at least once in three months with a view to make improvements in the program, if any required as per site conditions; however, without changing the scheduled date of completion of the project.
- 2.4.3 Payment to the Contractor shall be made in accordance with the fixed cost and the various stages of payment mentioned in the contract dated 23.09.2009. The contractor's due payment as on date shall also be revised accordingly taking into account the actual progress on ground.
- 2.4.4 While the Society shall make all efforts to make payment of the contractor's bills within 45 days of its approval by the architect, in case of delay beyond 45 days, the society will be unable to agree for payment of any interest on delayed payments more than 12% (twelve percent) per annum simple interest. However, no interest shall be paid to the contractor on his due payments for the works already executed till date revised in accordance with the fixed cost. Payment, if any due on this account, shall be made to the contractor in instalments over a period of about six months.

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(Anish Singh)

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2.5 It was discussed that there may be possibility of some of the flats remaining incomplete due to non-payment/delayed payments by the members even after obtaining the Part Occupancy Certificate. In order to address such a situation, it was decided that the remaining cost to be paid for such flats under the fixed cost shall be increased by 10 (ten) percent, which shall be valid for a period of next 6 (six) months' time. Alternatively, the Society or the Contractor may opt to foreclose the work. In such case, it will be the responsibility of the Society to pay to the Contractor his balance outstanding payment for all works executed by him for such incomplete flats.

2.6 The Society mentioned that in case the above is acceptable to the Contractor, the managing committee of the Society shall put up the above proposal to the General House of the Society for acceptance. If the same accepted by the General House, a supplementary/settlement agreement shall be signed between the Society and the Contractor, accordingly by incorporating the aforesaid items in the existing contract dated 23.09.2009.

2.7 The Contractor agreed to the Conditions of the Society and requested that further action in the matter may be taken by the managing committee, which was agreed by the managing committee. It was decided that in case proposal of the contractor, recommended by the Committee, is accepted by the General House of the Society, the parties shall withdraw the arbitration proceedings and a supplementary/settlement agreement shall be signed to supplement/modify the existing agreement dated 23.09.2009.

2.8 The meeting ended with a commitment by all to take the matter further in the overall interest of the project.

(Bharat Singh Schranad) (Anish Sinha)

(Lt. Col. R S Ratha, Retd.)

(Smt. Lalita Jain)

(Smt. Kisan Rana) (Subbir Singh Rathi)

(Yogesh Prasad Rustagi)

(Sanjay Bansal)

MINUTES BOOK

AGENDA ITEM NO. 3 : Opening of Prequalification Application/ Expression of Interest received from various Architects
 In response to the Society's advertisement/Invitation of Expression of Interest, following 12 (twelve) architectural firms have submitted by the due date of 25.06.2020.

- (i) Mathur Ugam & Associates, Safdarjung Enclave, New Delhi
- (ii) ENAR Consultants, Nehru Vihar, TGNDR Road, New Delhi
- (iii) Akshay Jain & Associates, Vasant Kunj, New Delhi
- (iv) Buildcon Solutions, Sarita Vihar, New Delhi.
- (v) Andley Associates Pvt. Ltd., South Extn Part-I, New Delhi
- (vi) Development Consultants, Masjid Moth, New Delhi
- (vii) Studio Integral, Charmwood Village, Surajkund, Faridabad
- (viii) G. Prasad & Associates, Shivalik, New Delhi
- (ix) Ava Architect & Associates, Okhla Ind Estate, New Delhi
- (x) 4th Dimension, Anand Niketan, New Delhi
- (xi) Sahra and Associates, Pamposh Enclave, New Delhi
- (xii) Burman Et. Al., Charmwood Village, Surajkund Road, Faridabad

Application of one Architect, namely M/s Nirman Consultants Pvt. Ltd. has been received after the due date of 25.06.2020 and same was not opened.

Applications in sealed cover of the above mentioned 12 (twelve) architects were opened by the committee and perused with the help of the Society Engineers.

Based on their experience and profile following 7 (seven) Architects were shortlisted by the committee for invitation of Tenders:

- (i) Mathur Ugam & Associates
- (ii) Akshay Jain & Associates
- (iii) ENAR Consultants
- (iv) Development Consultants
- (v) G. Prasad and Associates
- (vi) 4th Dimension
- (vii) Sahra and Associates

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
 the day of
 at Chairman Signature with Date

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Fact that Auditors Report was read

The Managing Committee decided that tender document (prepared by the MC in consultation with the Society Engineer and which addressed all such issues which were missing in the agreement with the earlier architect M/s Khurmi Associates (P) Ltd.) shall be sent to those architect firms, seeking their tender in sealed cover to be submitted in the Society office on or before 16.07.2020.

Agenda Item NO. 4: Any other Issue with the permission of the Chair.

4.1 To convene SGBM at an early date seeking members' vote on Appointment of New Architect and Supplementary Agreement with M/s Chinan Promoter's Pvt. Ltd. based on the MOM dated 05.07.2020 including Work Program & Construction Linked Payment Plan for Completion of the Project.

MINUTES BOOK

The Managing Committee deliberated that to seek approval/vote on the above mentioned issues related to construction of the Society's Housing project, a Special General Body Meeting need to be convened urgently (after receipt of tenders from shortlisted Architects and its opening)

It was also noted that in view of the prevailing restrictions related to COVID-19 pandemic, it would not be possible to convene the SGBM by physical presence of members. The other available options are to convene the SGBM either by Video Conferencing or by Circulation. The MC observed that convening the meeting through Video Conferencing may not be appropriate keeping in view limitations of some members in participation through Video Conferencing. The option of convening the meeting by Circulation was considered most appropriate as the members will ~~have~~ ^{get} all relevant information on paper before voting on the Agenda Points of the proposed SGBM. Accordingly, it was unanimously decided that the Agenda of the SGBM alongwith all relevant information will be circulated to members seeking their vote, as soon as possible after the opening of the tender received from architects.

4.2 Issue of Third Notice to members under Section 86 (1) of DCS Act 2003 R/W ~~DCS~~ Rule 99 of DCS Rules 2007

In accordance with earlier decisions of the MC, 2nd notice under Section 86(1) of DCS Act 2003 R/W Rule 99 of DCS Rules 2007 was issued to 118 members. Out of which 7 (seven) members have since deposited their dues. The MC unanimously decided that 3rd Notice under the

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
 the day of
 at Chairman Signature with Date

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*aforsaid Act and Rule to be issued to the
 remaining defaulting members.*

- 4.3 Review of deployment of Security Guards by the Security Agency (Proman Securitech Pvt Ltd): On 24th of June 2020, the committee had placed an order on the agency M/s Proman Securitech Pvt. Ltd. 305, Ashok Bhawan, 93 Nehru Place, New Delhi for providing Security Guards of various category at their quoted rates initially for 15 days. This order was placed as an emergency measure to safeguard the Society's interest keeping in view the ongoing issues with the contractor and the fact that there was no arrangement available with the society to ensure possession of its project site. Against the aforsaid order, M/s Proman has deployed 4 (four) guards in the day & 4 guards in the night. The matter was reviewed and it was unanimously decided that

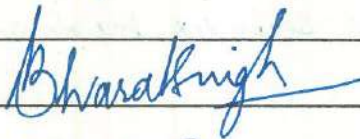

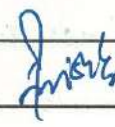
MINUTES BOOK

Keeping in view the easing out of the issue with the Contractor, only one guard round the clock i.e. one in the day time and one in the night time shall be kept by the Society w.e.f. 01.08.2020. The Security Agency to be advised accordingly.

4.4. Payment to M/s K S Choudhary & Co., Chartered Accountants against Special Audit:-

The Society has received a letter dated 16.06.2020 from the RCS office asking the Society to pay the outstanding bill amount of M/s K S Choudhary against the Special Audit of the Society carried out by them under directions from the RCS office. Earlier the Society had kept the aforesaid payment on hold in view that the Audit Report was yet to be received from the RCS office. The matter was deliberated and it was unanimously decided that while the Society should ~~pay~~ make payment of the outstanding bill of M/s K S Choudhary, a letter should also be written to the RCS office requesting a copy of the Audit Report.

At the end the president thanked the participating members for their valuable inputs and participation.




 Bharat Singh Kumar Dharmer Lakshmi
 Subodh Singh

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 18 July 2020
 the (Managing Committee of the Society) day of
 at Society office B-4, Vasant Kunj Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Sehrawal	President	<u>Bharam Singh</u>
2. Sh. R.S. Rathi	Secretary	<u>Rathi</u>
3. Sh. Omveer Singh	Member	<u>Om Singh</u>
4. Sh. Sukhvir Singh	Member	<u>Sukhvir Singh</u>
5. Smt. Kiran Rana	Member	<u>Kiran Rana</u>
6. Smt. Lalita Jain	Treasurer	<u>Lalita Jain</u>
7. Anish Singh	Vice President	<u>Anish</u>
8.	(Through WhatsApp video call)	
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

On 18 July 2020 (Saturday) meeting of the Managing Committee started at 10:30 AM in Society's office at B-4, Vasant Kunj New Delhi under the chairmanship of the President Sh. Bharat Singh Sehrawal, who welcomed all the members before starting the meeting. Sh. Anish Singh, joined the meeting through WhatsApp video call. Sh. Dinesh Vir and Sh. Azad Singh could not join the meetings.

DISCUSSIONS ON AGENDA POINTS

Agenda Point No. 1: Confirmation of the Minutes of the last MC Meeting held on 05.07.2020:

The president read out the minutes to all present. Sh. Omvir Singh proposed to pass the minutes, which was seconded by Smt. Kiran Rana and the minutes were passed by all.

Agenda Point No. 2: Opening and evaluation of Financial Bids (Tenders) received from Prequalified Architects: As decided under agenda Item no. 3 of the last MC meeting dated 05.07.2020, tenders were issued to/invited from Seven (7) Architects.

MINUTES BOOK

Out of the 7 (Seven) Architects, from whom tenders were invited, 6 (Six) submitted their tenders in sealed covers on or before the due date and time (15:00 hrs, 16.07.2020). The 7th one, M/s Development Consultant of Majid Moth, New Delhi did not submit his tender.

All the six tenders in sealed covers were opened in the presence of the MC. Their EMD, Authority to Sign etc. were checked and all were found in order.

Thereafter the price quoted by all was compared and noted as placed in the table below;

COMPARATIVE STATEMENT OF TENDERS RECEIVED FROM SIX ARCHITECTS

S No.	Name of tenderer (Architect)	Whether he has submitted EMD as per tender	Whether he has submitted authorisation for signatory of tender	Fee Quoted (as percentage of the gross value of work yet to be done)	
				In figures	In words
1	Mathur UGAM & ASSOCIATES	Yes	Yes	0.72%	Zero point seven two percent
2	ENAR CONSULTANTS	Yes	Yes	1.42%	One point four two percent
3	AKSHAYA JAIN & ASSOCIATES	Yes	Yes	1.18%	One point one eight percent
4	G. PRASAD & ASSOCIATES	Yes	Yes	0.63%	Zero point six three percent
5	4TH DIMENSION	Yes	Yes	0.59%	Zero point five nine percent
6	SAHA AND ASSOCIATES	yes	Yes	0.85%	Zero point eight five percent

As seen from the above, M/S 4th Dimension has quoted the lowest fee of 0.59% (Zero-point five nine percent).

In accordance with the above, the MC decided to recommend to the General House for approval of appointment of M/s 4th Dimension, C-17, Basement, Anand Niketan, New Delhi at their quoted fee of 0.59% (zero point five nine percent) along with draft of the tender document to be signed with M/s 4th Dimension.

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
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Agenda Point No.3: Issue of Agenda for SGBM to be held by Circulation to Members:

In the last meeting dated 05.07.2020, the MC had decided to convene SGBM through Circulation on the following Agenda points once the tenders from shortlisted architects were received and opened (which have been accomplished ^{today} as mentioned under Agenda Point 2);

Agenda Points for SGBM are decided as under;

- (i) Confirmation of the Minutes of the last SGBM dated 12.01.2020
- (ii) Appointment of new architect.
- (iii) Supplementary Agreement with M/s Chinax Promoters (P) Ltd. in respect of their existing agreement dated 23.09.2009 for Construction of the project along with Work Program and construction Linked Payment Plan.

The MC deliberated and decided the draft of details to be Circulated to all members in respect of the above agenda points and authorised the Secretary to issue the SGBM Agenda to all members through Speed post. The draft of the same is as follows;

MINUTES BOOK

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Subject: Special General Body Meeting by Circulation regarding
Construction of the Housing Project of the Society.

Dear Members,

Greetings of the day!

This Special General Body Meeting (SGBM) has been convened to address the urgent issue related to construction of the Society's housing project.

Keeping in view the COVID-19 related restrictions on social gathering/meetings by physical presence, the MC had the options to convene the meeting either through Video Conferencing (VC) or through Circulation. Effectiveness of the SGBM through VC would have been less as compared to the Circulation method, since many of our members have limitations in use of VC applications. As such, this SGBM has been convened through Circulation so that all the members get adequate opportunity to understand the issue before taking his/her view and voting on the proposal.

Agenda of the SGBM is as under;

1. Confirmation of the minutes of the last SGBM dated 12.01.2020
2. Appointment of new architect
3. Supplementary Agreement with M/S Chinar Promoters (P) Ltd. in respect of their existing agreement dated 23.09.2009 for construction of the project along with Work Program and Construction Linked Payment Plan.

Agenda notes with supporting details and Format for member's vote are attached herewith as per details in the following table;

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
 the day of
 at Chairman Signature with Date

QUORUM

S. No.	Description	Page No.
1	Note on Agenda Point-1	3
2	Note on Agenda Point 2	4-5
3	Note on Agenda Point 3	
4	Annexure-1; Observations raised by members (3 no.) on MOM (Agenda item no. 6 in respect of charging of interest on delayed payment) of the SGBM dated 12.01.2020 and its reply by the Managing Committee.	8-19
5	Annexure-2; Draft of agreement to be entered with the new Architect	20-39
6	Annexure-3; MOM dated 28.06.2020 & 05.07.2020 between Society (represented by the MC) and Chinara Promoters Pvt. Ltd.	40-44
7	Annexure-4; Draft of Supplementary agreement to be entered with M/S Chinara Promoters Pvt. Ltd.	45-56
8	Annexure-5; Work Program for completion of balance works of the housing project	57-65
9	Annexure-6; Updated Cost Estimate (As in July 2020) and Construction Linked Payment Plan	66-69
10	Annexure-7; Format for Member's Vote	70

You are requested to kindly peruse the above-mentioned details attached herewith and furnish your vote in the Format given at Annexure-7. Your vote filled in Annexure-7 and duly signed should reach the society office at the address given below, by post, in person or through email (by uploading scanned copy of duly filled and signed Annexure-6) on or before 03.08.2020 at the following address.

Address for Post

The President/Secretary

Maharishi Dayanand Cooperative Group Housing Society Ltd.,
 B-4, Vasant Kunj, Near B-5 & B-6 Blocks
 New Delhi-110070

Email address: mdcghs1175@gmail.com

Thanking you and earnestly seeking your participation in making your dream housing project a reality

Yours sincerely

(B S Rathee)
 Lt. Col. Retd.,
 Secretary, MDCGHs Ltd

MINUTES BOOK

③

Subject: Special General Body Meeting by Circulation regarding Construction of the Housing Project of the Society.

Note on Agenda Point-1; Confirmation of the Minutes of SGBM dated 12.01.2020

Minutes of the proceedings of the aforesaid Special General Body Meeting (SGBM) dated 12.01.2020 were drawn and entered in the register in compliance to Rule 52 (1) and (2) of the DCS Rules 2007. Thereafter, a copy of the Minutes was circulated to all members through post in compliance to Rule 52(2) of the DCS Rules 2007.

Subsequently, following three members had submitted their observations/representation on the Minutes of the Meeting, particularly in respect of Agenda Item no. 6 "Mobilisation of funds including rate of interest chargeable on delayed payment".

- (i) Sh. Anil Kumar Mittal, M.No.- 72
- (ii) Sh. Dinesh Vir, M.No.- 17
- (iii) Sh. Ompal Singh, M.No.- 175

The observations of these members were replied by the Managing Committee (MC) clarifying the issue vide letters no. MDCGHS/20/56, 57 and 60 all dated 07.06.2020. The observation/representation of the members and its reply by the MC is placed herewith at Annexure-1.

In view of the aforesaid the MC proposes to approve the Minute of SGBM dated 12.01.2020.

Subject: Special General Body Meeting by Circulation regarding Construction of the Housing Project of the Society.

Note on Agenda Point-2: Appointment of new Architect

In pursuance of the decision in the SGBM dated 12.01.2020, services of the earlier architect, M/S Khurmi Associates (Pvt.) Ltd. were terminated by the MC vide letter dated 24.02.2020.

Subsequently, in order to appoint a new architect for the housing project, a Notice Inviting Expression of Interest (EOI) for Pre-qualification of Architects was first published in the newspapers on 22.03.2020 seeking submission of EOI from interested architects by 10.04.2020. However, no application was received due to the COVID-19 related lockdowns.

The advertisement was republished in the newspapers on 03.06.2020 seeking submission of EOI from interested architects latest by 25.06.2020.

In response, 12(twelve) EOI applications in sealed covers were received up to the due date of 25.06.2020, which were opened in the MC meeting dated 05.07.2020. After perusal of the applications, 7 applicants/architects, based on their experience and profile were shortlisted for invitation of tender including the financial bid. One application from M/S Nirman Consultants Pvt. Ltd., which was received after the due date of 25.06.2020, was not opened/considered.

Details of the 12 applicants, whose applications were opened on 05.07.2020, including the 7 who were shortlisted for invitation of tenders are placed in the table below;

S. No.	Name of applicant/architect	Address	Qualified for inviting tender (Yes/No)
1	Mathur UGAM & ASSOIATES	A1/294, 2nd Floor, Safdarjung Enclave, New Delhi - 110029	Yes
2	ENAR CONSULTANTS	A-45/11, Neb Valley, IGNOU Road, New Delhi - 110068	Yes
3	AKSHAYA JAIN & ASSOCIATES	C-6/6098, Vasant Kunj, New Delhi - 110070	Yes
4	BUILDCON SOLUTIONS	L-11, Sarita Vihar, New Delhi - 110076	No
5	ANDLEYS ASSOCIATES PVT LTD.	C-39, Housing Society, South Extension Part 1, New Delhi - 110049	No
6	DEVELOPMENT CONSULTANT	209 - C, Masjid Moth (Opp. R Block South Extension Part - 2), New Delhi - 110049	Yes
7	STUDIO INTEGRAL	105, First Floor, Charmwood Village, Surajkund, Faridabad	No
8	G. PRASAD & ASSOCIATES	A-336, Shivalik, New Delhi - 110017	Yes
9	AVA ARCHITECT VISTASP & ASSOCIATES	B-38, Okhla Industrial Area (phase-1), New Delhi - 110020	No
10	4TH DIMENSION	C-17, Basement, Anand Niketan, New Delhi - 110021	Yes
11	SAHA AND ASSOCIATES	D-22, Lower Ground Floor, Pamposh Enclave, New Delhi - 110048	Yes
12	BURMAN ET.AL	Villa no. 5, Lower Ground Floor, Block - II, EROS Garden, Charmwood Village, Surajkund Road, Faridabad, HR - 121009	No

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Tenders from the aforesaid seven architects have been invited, out of which six have submitted their tenders and the same have been opened today. A comparison of the tenders is placed below.

COMPARATIVE STATEMENT OF TENDERS RECEIVED FROM SIX ARCHITECTS

S.No.	Name of tenderer (Architect)	Whether he has submitted EMD as per tender	Whether he has submitted authorisation for signatory of tender	Fee Quoted (as percentage of the gross value of work yet to be done)	
				In figures	In words
1	Mathur UGAM & ASSOCIATES	Yes	Yes	0.72%	Zero point seven two percent
2	ENAR CONSULTANTS	Yes	Yes	1.42%	One point four two percent
3	AKSHAYA JAIN & ASSOCIATES	Yes	Yes	1.18%	One point one eight percent
4	G. PRASAD & ASSOCIATES	Yes	Yes	0.63%	Zero point six three percent
5	4TH DIMENSION	Yes	Yes	0.59%	Zero point five nine percent
6	SAHA AND ASSOCIATES	yes	Yes	0.85%	Zero point eight five percent

As seen from the above, M/S 4th Dimension has quoted the lowest fee of 0.59% (Zero-point five nine percent).

In view of the above, the MC proposes to approve appointment of the L-1 tenderer, M/S 4th Dimension as Architect at their quoted fee for the balance work of the housing project. The MC also proposes to approve the Draft of the tender to be signed with M/s 4th Dimension placed at Annexure-2.

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A Meeting of **DIRECTORS/SHARE HOLDERS** Held on

the day of

(6)

Subject: Special General Body Meeting by Circulation regarding Construction of the Housing Project of the Society.

Note on Agenda Point-3: Supplementary agreement with M/S Chinar Promoters (P) Ltd. in respect of their existing agreement dated 23.09.2009 for construction of the project along with Work Program and Construction Linked Payment Plan

As you are aware the Society is constructing its Housing Projects e.g. 181 no. multi-storey flats at B-4, Vasant Kunj, New Delhi since September 2009. An agreement in this regard was signed between the Society and the Contractor, M/S Chinar Promoters Pvt. Ltd. (Contractor) on 23.09.2009. Since then the work has progressed but at a very slow pace due to various reasons; and, the work is yet incomplete.

A detailed analysis of the project prepared by the sub-committee appointed by the General House was presented in the SGBM dated 12.01.2020, according to which it was recommended that the Society may get the balance work executed from the Contractor in case he agreed to execute the work under a supplementary agreement at a fixed cost of Rs. 1.10 crore per member for his scope of work. However, the contractor did not show any such intentions. Rather, he invoked arbitration under clause 39 of the Agreement vide letter dated 22.05.2020. The Society's reply to the Contractor's notice was furnished through the Society advocate vide letter dated 22.06.2020.

While the Society was preparing for arbitration, one of the important points, which emerged during discussions with Society's advocate was that the Society's contentions of over/wrong payments claimed by the contractor under their existing agreement may not stand much ground during the arbitration since the Society itself had been accepting and making Contractor's payments on the same issues for about last ten years, which it has chosen to challenge now. In the eyes of the law most of such issues are likely to be time barred under Limitation Act 1963 unless an angle of fraud is established, which falls under the jurisdiction of civil courts. In nut shell, the option of terminating the contract agreement of M/S Chinar Promoters and going for arbitration with them had serious associated risks having the potential of increase in time and cost of the project.

In the meantime, probably yielding to the pressure created by the Society, the contractor showed his willingness to execute the work at a fixed cost. The first meeting between the Contractor and the Society in this connection was held on 28.06.2020. It was followed by another meeting dated 05.07.2020, wherein the Contractor offered a fixed price of Rs. 1.18 Crore per member with certain conditions. The Society also put certain conditions, which were agreed by the contractor. Minutes of the Meetings dated 28.06.2020 and 05.07.2020 held between the Managing Committee and the Contractor are placed as Annexure-3. As mentioned under Para 2.7 of the Minutes of meeting dated 05.07.2020, the managing committee also made it clear to the contractor that acceptance of the Contractor's fixed cost proposal and thereafter signing of a supplementary/settlement agreement between the Society and the Contractor is subject to approval of the fixed cost proposal by the General House of the Society.

It is not out of place to mention that in the sub-committee's report presented in the SGBM dated 12.01.2020, the estimated cost of construction per member, in case the work is completed through M/S Chinar Promoters under their agreement dated 23.09.2009, in a similar manner as it had been

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operated/done from beginning in September 2009 till October 2019, would become about Rs. 1.425 crore per member. With the above in the background, while the Contractor's fixed cost proposal of Rs. 1.18 crore is more by Rs 8 Lakh per member from the fixed cost of Rs. 1.10 crore recommended by the sub-committee; it is still lower by about Rs 24 Lakh per member from the scenario if the Contractor would have continued to complete the work without any change in their agreement dated 23.09.2009.

As regards the issue of Construction of flats @ 1750/sft or Rs 1450/sft, the then MC vide letter dated 21.09.2018 had invited options from members about the same. In the aforesaid letter seeking options, the MC had mentioned that one block will have only one type of flats, keeping in view that there cannot be two types of finishing in a block/towers in the common area/stairs etc. The number of flats in all six blocks were also mentioned in the letter. In response of the MC's request, only thirteen members opted for flats @ Rs 1450/sft. The number of options being less than the minimum number of flats in a block, which is 29 in Blocks 1 to 4, construction of flats @ 1450/sft is technically not feasible. In the fixed cost offer of M/S Chinari Promoters, there will be uniform type of flats at a fixed cost of Rs. 1.18 crore and the specifications will be that of Rs 1750/sft in the main agreement.

In view of the aforesaid, the General House is requested to consider and approve the Draft of Supplementary Agreement placed at Annexure-4, which has been prepared in accordance with the aforesaid MOM dated 05.07.2020.

Earlier from September 2009 till October 2019, the construction work on the project continued without any work program, however, under the proposed Supplementary Agreement, the contractor shall complete the balance works in accordance with a Work Program duly approved by the Society. Such a Work Program, which would become part of the Supplementary Agreement on its approval by the General House, is placed as Annexure-5.

Last but not the least, successful completion of the project in accordance with the above-mentioned Work Program would be possible only if the availability of requisite funds commensurate to the Work Program is ensured by the Society. To this effect, a Construction Linked Payment Plan, duly taking into account the updated cost estimate of the project in accordance with the fixed cost proposal of M/S Chinari Promoters as well as the cost estimate of the works excluded from the scope of M/S Chinari Promoters have been prepared and placed at Annexure-6.

In the light of the aforesaid, the MC proposes to approve the fixed cost proposal of M/S Chinari Promoters Pvt. Ltd., the Draft of Supplementary Agreement to be entered with Chinari Promoters including the Work Program for Completion of Balance Works and the Construction Linked Payment Plan for successful completion of the housing project.

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
 the day of
 at Chairman Signature with Date

QUORUM

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Fact that Quorum was Confirmed Fact that Notice was read
 Fact that Director's Report and Accounts were read or
 Fact that Auditors Report was read

As mentioned in the covering letter at page (2), the agenda notes are supported by six Annexures, serially numbered from Annexure 1 to 6. The details of the same are as under;

Annexure-1 (page no. 8-19): It contains "Observations raised by members (3no.) on MOM (Agenda Item NO. 6 in respect of charging of interest on delayed payment) of the SGBM dated 12.01.2020 and its reply by the Managing Committee". While copies of these communications have been placed as Annexure-1, these are available in respective files.

Annexure-2 (page NO. 20-39): It contains "Draft of agreement to be entered with the new Architect". It was issued with tender documents issued to the 7 short-listed Architects and the same have been returned duly signed by various Architects along with their bids. The same is available in the respective file.

Annexure-3: It contains the "MOM dated 28.06.2020 & 05.07.2020 between Society (represented by the MC) and China Promoters Pvt. Ltd". A copy of these MOMs have already been placed in this register in the MOM dated 05.07.2020.

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Annexure-4, 5 & 6: These contain "Draft of Supplementary agreement to be entered with M/S Chinara Promoters Pvt Ltd (based on the MOM dated 05.07.2020)", "Work program for completion of balance works of the housing project" and "Updated Cost Estimate (As in July 2020) and Construction Linked Payment Plan", respectively. Details of these are available in the office copy of the letter ^{to be} circulated to the members in respect of the SGBM.

Annexure-7: At page-70 contains the "Format for Member's vote" on various agenda points. A copy of the same is placed below;

Agenda Item No.	Proposal Description	Member's Vote (Yes/No)
1	I confirm the Minutes of SGBM dated 12.01.2020	
2	I approve the appointment of M/S 4 th Dimensionas Architect for Balance Work of Society's Housing Project at their quoted fee along with Draft of the Agreement to be entered with the Society	
3	I approve the Fixed Cost Proposal of M/S Chinara Promoters Pvt. Ltd., as mentioned in the MOM dated 05.07.2020, the Draft of the Supplementary Agreement to be entered with M/S Chinara Promoters Pvt. Ltd. and the Construction Linked Payment Plan	

Signature of the Member:

Date:

Full name of the Member:

Membership No.:

The MC members deliberated in details and thereafter approved the SGBM Agenda unanimously. The Secretary was then requested to circulate the SGBM Agenda along with all aforementioned details running into 70 pages to the members so as to facilitate them to make informed decisions on the Agenda Points.

MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on

the day of

at Chairman Signature with Date

QUORUM

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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

AGENDA POINT NO.4: (Any other with the permission of the Chair)4.1 Society's response to RCS' letter F.NO. 107338097/S-IV/RCS/2020/189 dated 22.06.2020:

The Secretary informed that the aforesaid letter has been received from RCS in respect of "Forwarding report of the then Administrator Sh. G.S. Aggarwal on the representation received from the members of the Maharishi Dayanand CGHS Ltd" in response to Society's letter No. MDCGHS/20/50 dated 31.05.2020 asking the society to furnish the comments of the Society in the matter at the earliest.

Contents of the RCS letter were perused and reply of the same ~~was~~ was finalised. A copy of the reply sent to the RCS under the signatures of the Secretary is placed opposite.

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SUB: FORWARDING REPORT OF THEN ADMINISTRATOR SH.G S
AGGARWAL ON REPRESENTATION RECEIVED FROM THE
MEMBERS
OF THE MAHARISHI DAYANAND CGHS LTD

Sir,

1. Please refer your letter F. No107338097/S-IV/RCS/2020/189 dated 22.06.2020.
2. That the Maharishi Dayanand CGHS Ltd in compliance of the Order passed by the District Forum on 25.01.2011 has granted the membership to 18 new members during the period from 26.09.2010 to 16.03.2011. The names along with membership nos. and payment made till date by these members is attach herewith as **Annexure I**. List of these 18 new members was forwarded to the office of Registrar Cooperative Societies vide annual audit report for the Financial Year 2010-11.
3. Subsequently the Hon'ble State Commission vide order dated 19.10.2012 directed the society to raise the demand notes to these members whose names were included in the annual audit report for the Financial Year 2010-11 within 15 days. At the same time these 18 members were also directed to Deposit the amount of construction money within period of 3 days on receipt of demand note. The same was paid by them. Accordingly, the society in pursuant to State Commission order dated 19.10.2012 kept on issuing demand notes for construction money to these members regularly. They have been paying construction money as per demand notes raised by the society for the last 8 years. They have been attending the meetings of General Body.
4. These members have been forwarding their representation for regularization of their membership to the office of the Registrar Cooperative Societies. The society has also done correspondence with your office in this regards.
5. In view of the aforementioned request of the 18 members their membership may please be regularized by your office at the earliest.

(R S Rathur)
 Lt. Col., Retd
 Secretary

The meeting ended with a vote of thanks by The President.

Bharat Singh

Singh

Singh

Sukhdev Singh

Kumar Rana

Lakshmi Devi

AB Singh

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 09 Aug. 2020
 the (Managing Committee of the Society) day of
 at Society Office B-4 Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Schrawat	President	<u>BE</u>
2. Sh. R. S. Rath	Secretary	<u>BE</u>
3. Sh. Anish Singh	V. President	<u>Prithvi</u>
4. Sh. Omveer Singh	Member	<u>Om Singh</u>
5. Sh. Sukh Vir Singh	Member	<u>Sukhvir Singh</u>
6. Smt. Kiran Rana	Member	<u>Kiran Rana</u>
7. Smt. Lalita Jain	Treasurer	<u>Lalita Jain</u>
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

On 09th August 2020 (Sunday), the managing committee of the Society held its meeting at 10:30 hrs in Society's office at B-4, Vasant Kunj, New Delhi under the chairmanship of the President Sh. Bharat Singh Schrawat. He welcomed all the members before starting the meeting. Sh. Dinesh Vir (Jt. Secretary) and Sh. Azad Singh Rath could not join the meeting.

Discussions on the Agenda Points

Agenda Point No. 1: Confirmation of the minutes of the last MC meeting held on 18.07.2020.

The president read out the minutes of the meeting. Sh. Sukhvir Singh's proposal to pass the minutes was seconded by Sh. Anish Singh and the minutes were passed/confirmed by all.

Agenda Point No. 2: Outcome of the SGBM conducted by Circulation

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The Secretary, Lt. Col. R. S. Rathee, Retd. presented the outcome of the SGBM held through circulation. He further proposed that; (i) Outcome of the SGBM should be circulated to all members, through a letter. (ii) Copy of the SGBM outcome should also be placed in the AGBM/SGBM register and (iii) The SGBM outcome alongwith the Agenda Circulated to members should be sent to RCS for information.

All the aforesaid three proposals were unanimously agreed and it was decided that the letter in respect of the SGBM outcome as well as the communication to the RCS in respect of the SGBM shall be sent under the signatures of the Secretary. Draft of the letter of SGBM outcome was presented by the Secretary and approved by all. A copy of the same, including details of the SGBM outcome is placed hereunder;

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
the day of
at Chairman Signature with Date

**SUB: SPECIAL GENERAL BODY MEETING BY CIRCULATION REGARDING
CONSTRUCTION OF THE HOUSING PROJECT OF THE SOCIETY.**

- 1.
- 2.
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- 4.

Dear members,

- 1. Please refer to Society's letter no. MDCGHS/20/95 dated 19.07.2020 through which SGBM was convened through circulation along with Agenda Point Notes and other relevant details. Members were requested to furnish their vote(s) on the Agenda Points in a format enclosed therewith as Annexure-7 so as to reach the Society office by post, in person or through email (by uploading scanned copy of duly filled and signed Annexure-7) on or before 03.08.2020. By the aforesaid due date total 117 member participated in the SGBM and cast their vote(s).
- 2. The list of 117 members along with details of their vote(s) is given herewith as Annexure-1.
- 3. As per details in Annexure-1, the General House of the Society has passed/approved the following proposals

S.N o.	Proposal	Members Vote		% of Votes by which proposal is passed
		Yes	No	
1	Confirmation of the Minutes of SGBM dated 12.01.2020	94	23	80.34%
2	Approval of appointment of M/S 4TH Dimension as Architect for balance work of Society's Housing project at their quoted fee along with Draft of the Agreement to be entered with the Society.	112	05	95.73%
3	Approval of the Fixed Cost Proposal of M/S Chinar Promoters Pvt. Ltd., as mentioned in the MOM dated 05.07.2020, the Draft of Supplementary Agreement to be entered with M/S Chinar Promoters Pvt. Ltd. and the Construction Linked Payment Plan	96	21	82.05%

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It is mentioned that as per Section 92(6) of the DCS Act, 2003 all proposals in respect of execution of housing project of the Society shall be approved by the General Body in a meeting by a majority of not less than two third (The members present in meeting).

4. In view of the aforesaid approvals by the General House, the Managing Committee will take further action as under;
 - (i) Issue of Letter of Award to the Architect M/S 4th Dimension and signing of Agreement with them.
 - (ii) Signing of Supplementary Agreement with M/S Chinar Promoters Pvt. Ltd.
 - (iii) Raising of Demand(s) for Construction of the project as approved.
5. At the end, I on behalf of the entire Managing Committee, convey our sincere thanks and regards to all members for their active participation in the SGBM.

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on
the day of
at Chairman Signature with Date

DETAILS OF MEMBER'S VOTE ON PROPOSAL (S) OF SGBM

S. No.	M. No.	NAME OF MEMBER	PROPOSAL -1	PROPOSAL-2	PROPOSAL -3
1	2	Amar Singh	Yes	Yes	yes
2	3	Hans Raj	No	Yes	No
3	4	Vikram Singh	No	Yes	No
4	5	Sanjay Kr. Madan	Yes	Yes	yes
5	7	Hari Singh Panchal	Yes	Yes	yes
6	8	Yashpal Singh	Yes	Yes	yes
7	9	Harinder Chawla	No	Yes	yes
8	10	O.D.Chawla & M.L.Chawla	No	Yes	No
9	11	Devender Kumar	No	Yes	No
10	12	Mahavir Singh Yadav	Yes	Yes	yes
11	13	Mehtab Singh Saini	Yes	Yes	yes
12	14	Mahendri Devi	Yes	Yes	yes
13	15	Satish Rathi	Yes	Yes	yes
14	17	Dinesh Vir	No	Yes	No
15	18	Bal Krishan	Yes	Yes	yes
16	20	Omveer Singh	Yes	Yes	yes
17	23	Satya Prakash Sharma	Yes	Yes	yes
18	24	Renu Sharma	Yes	Yes	yes
19	28	Sukhbir Singh	Yes	Yes	yes
20	29	Mehtab Singh Rathi	Yes	Yes	yes
21	30	Dr.Gyanender Kumar	Yes	Yes	yes
22	31	Rajender Singh Baniwal	Yes	Yes	yes
23	39	LT. Col. R.S.Rathee (Retd.)	Yes	Yes	yes
24	40	Meenu Rathi	No	Yes	No
25	41	Birender Singh Rathi	Yes	Yes	yes
26	42	L.R.Suman	Yes	Yes	yes
27	43	Parveen & Rekha Chaudhary	Yes	Yes	yes
28	44	Charanjit Kumar	Yes	Yes	yes
29	46	Rajesh Kumar Rathi	Yes	Yes	yes
30	49	Mukesh Kumar	No	Yes	No
31	52	Azad Singh Rathi	Yes	Yes	yes
32	54	Sudhesh	Yes	Yes	yes
33	55	Lily Chen	No	Yes	No
34	56	Rakesh Kumar Sharma	Yes	Yes	yes
35	57	Mukesh Rathi	Yes	Yes	yes
36	59	M.Yadgiri	Yes	Yes	yes
37	60	Sarang Arora	Yes	Yes	yes
38	63	Sunil Kumar Bansal	Yes	Yes	yes
39	66	C.P.Saini	Yes	Yes	yes
40	70	Om Pal Singh Rana	Yes	Yes	yes
41	71	Prem Prakash Malik	Yes	Yes	yes
42	72	Anil Kumar Mittal	No	Yes	No
43	74	Ved Prakash Sharma	Yes	Yes	yes

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S. No.	M. No.	NAME OF MEMBER	PROPOSAL -1	PROPOSAL-2	PROPOSAL -3
44	76	Balbir Singh Chauhan	Yes	Yes	yes
45	77	Kewal Krishan Mittal	No	Yes	No
46	80	Chander Pal Singh Verma	Yes	Yes	yes
47	83	Rajesh Marwaha	Yes	Yes	yes
48	84	P.C.Pandey	Yes	Yes	yes
49	87	Mahesh Kumar Gurnani	Yes	Yes	yes
50	93	Lalita Jain	Yes	Yes	yes
51	95	Shiv Raj Gupta	Yes	Yes	yes
52	96	Jagdish Rai Gupta	Yes	Yes	yes
53	97	Hasti Mal Jain	Yes	Yes	yes
54	98	Raj Rani Goel	Yes	Yes	yes
55	99	Dev Dutt Sharma	Yes	Yes	yes
56	101	Kamlesh	Yes	Yes	yes
57	104	Savita Rani	Yes	Yes	yes
58	105	Sunita Gupta	Yes	Yes	yes
59	106	Ballesh Aggarwal	Yes	Yes	yes
60	107	Shashi Gupta	Yes	Yes	yes
61	112	Shakuntala Devi	Yes	Yes	yes
62	113	Aditi Lakhanpal	No	Yes	yes
63	114	Suman Kaur	Yes	Yes	yes
64	115	Hari Singh	Yes	Yes	yes
65	118	Daya Ram Yadav	No	Yes	No
66	120	Surender Singh & Rajender Singh	Yes	Yes	yes
67	122	Vinay Kumar Gupta	Yes	Yes	yes
68	125	Shri Kishan Goyal	Yes	Yes	yes
69	126	Pawan Goel	Yes	Yes	yes
70	127	Ravi Kant Rajput	No	Yes	No
71	128	Saroj Kumari	Yes	Yes	yes
72	133	Mahender Singh Saini	Yes	Yes	yes
73	137	D.S.Virk	Yes	Yes	yes
74	138	Neelu Keshwani	Yes	Yes	yes
75	140	Kiran Bhushan	Yes	Yes	yes
76	141	Pooja Malhotra	Yes	Yes	yes
77	143	Praduman Kumar Yadav	Yes	Yes	yes
78	145	Pankaj Goel	Yes	Yes	yes
79	146	Arvind Kumar Gupta	Yes	Yes	yes
80	147	Poonam Jindgar & Savita Goel	Yes	Yes	yes
81	150	Rohit Sudhir Kumar	Yes	Yes	yes
82	153	Kapil Mahendiratta	No	Yes	No
83	154	Baljeet Singh Bharel	No	Yes	No
84	155	Rahul Sudhir Kumar	Yes	Yes	yes
85	156	Yogesh Kumar	Yes	Yes	yes
86	157	Kiran Rana	Yes	Yes	yes
87	158	Pooja Sharma	Yes	Yes	yes
88	159	Gurdeep Singh	Yes	Yes	yes
89	160	Satya Dev Kaushik	Yes	Yes	yes
90	161	Bharat Singh Sehrawat	Yes	Yes	yes
91	163	Anish Singh	Yes	Yes	yes

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on

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S. No.	M. No.	NAME OF MEMBER	PROPOSAL -1	PROPOSAL-2	PROPOSAL -3
92	164	Ms. Kriti Singh	No	Yes	No
93	165	Harendra Kumar	Yes	Yes	yes
94	168	Anju Jain	Yes	Yes	yes
95	169	Suman Verma	Yes	Yes	yes
96	170	Manish Tanwar	Yes	Yes	yes
97	171	Tapasvi Singh Yadav	Yes	Yes	yes
98	175	Om Pal Singh	No	Yes	No
99	176	Ajeet Singh Suman	Yes	Yes	yes
100	177	Panna Devi	No	No	No
101	179	Parmanand	No	No	No
102	180	Ramanand	No	No	No
103	181	Kavita	No	No	No
104	184	Pradeep Malhotra	Yes	Yes	yes
105	185	Dinesh Kapoor	Yes	Yes	yes
106	186	Sneh Lata Singh	Yes	Yes	yes
107	187	Juri Pandey	Yes	Yes	yes
108	188	Prabhat Kumar	Yes	Yes	yes
109	189	Anuradha Jain & Anchal Gupta	Yes	Yes	yes
110	190	Sanjay Kapoor	Yes	Yes	yes
111	192	J. P. Gupta	Yes	Yes	yes
112	194	Meenal Singh	Yes	Yes	yes
113	196	Meenakshi Aggarwal	Yes	Yes	yes
114	197	Vijay Kumar Aggarwal	Yes	Yes	yes
115	198	Rishabh Mittal	Yes	Yes	yes
116	200	Simmi Kapoor	Yes	Yes	yes
117	201	Sushma & M.N Sharma	No	No	No
			Yes 94	Yes-112	Yes -96
			No-23	No-5	No-21
		Total	117	117	117

In accordance with the above mentioned outcome of the SGBM, the committee unanimously decided to take following actions;

- Sign Supplementary Agreement with M/s Chiron Promoters Pvt. Ltd.
- Raise 22nd demand amounting to Rs 5,00,000 (five lakh) from members towards construction of the housing project in accordance with the approval of the construction linked payment plan approved in the SGBM
- Issue Letter of Award to the new Architect M/s 4TH Dimension and enter into agreement with them

MINUTES BOOK

Agenda Point NO. 3: Any other with the permission of chair

- 3.1 Payment of Advocate Ashish Mohan for legal services: The advocate has raised a bill dated 06.08.2020 for an amount of Rs 1,57,300/- towards the legal services provided to the Society. The bill was examined and found to be in accordance with the order placed/rates approved by the Society. ~~The~~ Sh. Anish Singh's proposal to make payment to the advocate after making statutory deductions was seconded by Sh. Omvir Singh and approved by all.
- 3.2 Approval of Expenditure of the Society from 01.07.2020 to 31.07.2020
The Secretary placed the details of the expenditure amounting to Rs 11,14,741/- during the aforesaid period. It was perused by all. The proposal of Ms Lalita Jain to approve the expenditure was seconded by Ms Kiran Rama and the same passed by all.
- 3.3 Contractor's Request for Provisional Payment: The contractor, M/s Chinax Promoters Pvt. Ltd. has submitted a request for provisional payment of Rs 5,00,00,000/- (Rs Five Crore) against their outstanding dues in accordance with the Supplementary Agreement (duly appd. in the SGBM). The Secretary informed that the dues outstanding are much more than Rs 5 Crore and the Society can easily ~~not~~ release the said payment. After detailed deliberations, it was unanimously decided to pay to the Contractor a provisional payment of Rs 3,00,00,000/- (Three crore) so as to maintain the Contractor's Cash flow and the progress of work as planned. It was also decided to adjust the payment from the Contractor's bill for the work already done by them in accordance with the supplementary agreement.

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on

the day of

at Chairman Signature with Date

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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

3.4 Appointment of Society's new auditor:

The Committee in its meeting dated 13 June 2020 had approved to appoint M/s G S GOEL & CO. of 20/18, Shakti Nagar, Delhi as the new auditor.

Accordingly a proposal was sent by the Society in this regard to the RCS office. However, as informed by the aforesaid auditor their appointment can not be approved by the RCS because they have already exhausted ~~the~~ limit of Auditors in 6 (six) Societies. This information has been conveyed to them by the RCS office.

In view of the above it was decided to find another auditor and send a fresh proposal to the RCS. Sh. Omvir Singh proposed the name of M/s LUNAWAT & CO, who are Category 'A' Auditors in the list of at S.NO. 24. Their address is W2-339, Second Floor, Street No. 13, Outer Ring Road, New Delhi 110018.

MINUTES BOOK



The proposal was seconded by Sh. Anish Singh and approved by all. It was decided that before sending their proposal for appointment to the RCS, their willingness to work as Society's auditors may be obtained.

3.5 Court Hearings in Aug/Sept 2020

In this regard, the following was noted and unanimously decided;

- (i) Hearing of the case of Rajesh Pandey v/s MDCGHS Ltd is scheduled on 14.09.2020. It was decided that advocate Akhil Sachchar will represent the Society in the court.
- (ii) Appeal of MDCGHS in Tribunal: The next date in the Tribunal is scheduled on 10.09.2020. It was decided that the Secretary of the Society will represent the Society in the hearing.
- (iii) In the case of Devender Kumar v/s MDCGHS Ltd: Next date in this case is ^{likely to be} scheduled ~~on~~ between 15 to 25 Sept 2020. The Society has already appointed Sh. Akhil Sachchar as its advocate in this case, who shall represent the Society.

It was decided unanimously that needful action in respect of the above case hearings shall be taken by the Secretary in time.

The meeting ended with a vote of thanks to all by the president who appreciated members efforts/time in this difficult time of COVID-19.

Bharat Singh

Anish

Kalita Jain

Kiran Rana

Ar Singh

Suresh Singh

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 23 August 2020
 the The Managing Committee of the Society day of
 at Society's Office, B-4, Vasant Kunj Chairman Signature with Date

QUORUM

1.	Sh. Bharat Singh Sehrawal	President	<u>BS</u>
2.	Sh. R. S. Rathie	Secretary	<u>Rathie</u>
3.	Sh. Anish Singh	Vice President	<u>Anish</u>
4.	Sh. Sukhbir Singh	Member	<u>Sukhbir Singh</u>
5.	Smt. Kiran Rana	Member	<u>Kiran Rana</u>
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Fact that Quorum was Confirmed Fact that Notice was read
 Fact that Director's Report and Accounts were read or
 Fact that Auditors Report was read

The managing committee of the Society held its meeting at 11:00 AM on 23rd August 2020 (Sunday) in Society's office at B-4, Vasant Kunj, New Delhi under the chairmanship of the president Sh. Bharat Singh Sehrawal, who welcomed all the member at the outset. Sh. Omvir Singh and Sh. Azad Singh Rathie had given advance information telephonically about their absence due to health reasons to the president. Sh. Dineshvir (Jt. Secretary) was absent without any information.

DISCUSSIONS ON AGENDA POINTS

Agenda Point No. 1: Confirmation of the minutes of last MC meeting dated 09.08.2020

Sh. Bharat Singh Sehrawal (President) read out the minutes of the meeting. The proposal of Smt. Kiran Rana to pass the minutes was seconded by Sh. Anish Singh and the minutes were passed by all.

MINUTES BOOK

Agenda Point No. 2: Appointment of Society Auditor

In the last MC meeting dated 09.08.2020, it was decided to propose M/s Lunawal & Co. for appointment as Society's new auditor, after obtaining their willingness to work as Society's auditor. M/s Lunawal & Co. has since communicated the aforesaid willingness, therefore, it was decided to send the proposal of appointment of M/s Lunawal & Co. as Society's auditor to the RCS for approval. Hon'ble Secretary was requested to do the same.

Agenda Point No. 3: Reply of letters received from members

It was noted that some of members of the Society has communicated to the MC mainly on two issues e.g. (i) Reply of Notice u/s 86(1) of DCS Act 2003 R/W Rule 99 of DCS Rules 2007 for expulsion from primary membership and (ii) Request to discuss with construction contractor for a fixed cost to members in respect of flats @ Rs 1450/sq. ft. These were read out to the MC members. It was decided to prepare draft of reply of these letters for further needful action.

Agenda Point No. 4: Transfer of membership/nominee

The vice president Sh. Anish Singh proposed that in order to systematically ~~and~~ deal with members request(s) for transfer of membership in blood relation, change of nominee or change of address etc., SOP in respect of each such application may be prepared and discussed in the MC. The idea was appreciated by all and the Secretary was requested prepare a draft of such SOPs for further action by the MC.

Agenda Item No. 5: Any other with the permission of the chair

MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on

the day of

at Chairman Signature with Date

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Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

5.1 RTI applications by members: It was noted that few members have sought information under Right to Information as per relevant Act & Rules of DCS. The Secretary of the Society was nominated as Information officer of the Society, unanimously. ~~It was further~~ It was further decided that the Information officer shall keep a register of all the applications received under Right to Information and its disposal. He was authorised to take needful action in respect of all such applications.

5.2 Procurement/Award of work of UPVC external doors/windows
It was observed that it is right time to fix agency for providing and fixing external UPVC door/windows, which is excluded from the scope of work of The existing contractor. It was unanimously decided to request to the Architect to urgently submit draft of the tender document for the same including the drawings, BOQ, Tech specifications, tender conditions etc. for further needful action.

MINUTES BOOK

5.3 Application of Sh. Harinder ~~Harish~~ Chauhan (Membership No. 9) in respect of correction of name in Society Records: Sh. Harinder Chauhan has submitted application for correction in his name, which is mentioned as Harish Chauhan in some of the records of the Society. He has also furnished supporting documents with his application. The matter was perused and it was unanimously decided to give an advertisement/public notice in local newspapers in this regard, ~~in~~ in order to avoid any controversy at later date, before making the corrections.

5.4 Requirement of Intercom for Smooth functioning:

Vice president Sh. Anish Singh opined that arrangement of Intercom should be considered for communication between Society office bearers and staff etc. to have smooth and efficient functioning. The idea was appreciated by all. It was decided to ~~have~~ obtain proposal from relevant agencies for further action in the matter. However, the idea of ~~the~~ installing Intercom was agreed in principle by all.

5.5 Information to the Hon'ble Arbitrators regarding Supplementary agreement/Settlement with the Contractor M/s Chinan Promoters (P) Ltd.
It was decided to inform the Hon'ble arbitrators, through the advocate Sh. Ashish Mishra, in respect of the Supplementary agreement entered between the Society and the Contractor, M/s Chinan Promoters for information and needful action in the matter.

The meeting ended with vote of thanks by the President.

Bharat Singh

Sukhdev Singh

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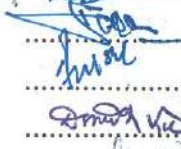

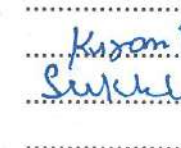

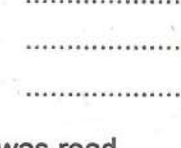
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MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 06th September 2020
 the Managing Committee of the Society day of

at Society's Office, B-4, Vasant Kunj, New Delhi Chairman Signature with Date

QUORUM

1. Sh. Bhasat Singh Sehrawal	President	
2. Sh. R. S. Rathi	Secretary	
3. Sh. Anish Singh	Vice President	
4. Sh. Dinesh V.R.	Jl. Secretary	
5. Smt. Lalita Jain	Treasurer	
6. Smt. Kiran Rana	Member	
7. Sh. Sukhvir Singh	Member	
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

On 6th September 2020 (Sunday), the managing committee of the Society held its meeting at 11:00 hrs. in Society's office at B-4, Vasant Kunj, New Delhi under the chairmanship of The President Sh. Bhasat Singh Sehrawal. He welcomed the members to the meeting at the onset. Sh. Omvir Singh and Sh. Azad Singh Rathi did not attend. While Sh. Omvir Singh has given telephonic information to the president citing his mother's ill health, no information about absence was received from Sh. Azad Singh Rathi.

DISCUSSION ON AGENDA ITEMS

Agenda Item NO.1: Confirmation of the minutes of the last meeting of MC held on 23.08.2020

The president read out the minutes of the said meeting.

The proposal of Sh. Anish Singh to pass the minutes was seconded by Smt. Kiran Rana and the minutes were passed by all.

Agenda Item NO.2: Procurement of UPVC door and windows

The architect has been asked to prepare the tender document for invitation of tenders for providing and fixing UPVC

MINUTES BOOK



external door/windows. Col. Rathi, the Secretary brought out that as per the agreement dated 23.09.2009 with the contractor, while providing and fixing external UPVC DG windows was in the scope of the society, it was contractor's responsibility to providing external wooden frame jali doors, as such the cost of UPVC doors in the combined UPVC door/window should be transferred to the contractor. To this the president brought out that as per the ^{signed between the Society and Contractor} supplementary agreement, the external UPVC door and windows are under the scope of the society. For procurement of UPVC door/window, it was decided to give advertisement in local newspapers for inviting tenders.

Agenda Item NO. 3: Reply to member letters:

Representations from some move members, in response to the third notice under v/s 86 (1) of DCS Act & W Rule 99 of DCS Rules 2007 for expulsion from primary membership have been received. It was decided to respond to ^{all such} ~~these~~ letters once the time limit of the notice is over.

Agenda Item NO. 4: Approval of Standard Operating Procedure (SOP) for issues related to members:

As decided/discussed in the last MC meeting dated 23.08.2020 the Secretary present the following SOPs; prepared by him.

1. Change of address by a member of the Society
2. Transfer of membership within blood relations
3. For obtaining Duplicate Share Certificate of the Society
4. Nomination for Transfer of Share and Interest after death of a member.

The SOPs are placed herafter; were approved unanimously.

Fwd: CHANGE OF ADDRESS

1 message

Ramesh Rathee <rameshwar.rathee@gmail.com>
To: Bharat Sehrawat <sehrawatbharat62@gmail.com>

Wed, Aug 26, 2020 at 7:33 AM

----- Forwarded message -----

From: Ramesh Rathee <rameshwar.rathee@gmail.com>
Date: Wed, 26 Aug 2020 at 7:31 AM
Subject: CHANGE OF ADDRESS
To: sunny gupta <sunnygupta22@yahoo.co.in>

MAHARISHI DAYANAND COOPERATIVE GROUP HOUSING SOCIETY LTD, VASANT KUNJ, NEW DELHI

CHANGE OF ADDRESS BY A MEMBER OF THE SOCIETY

Every member of cooperative society shall have an address registered with the society in the manner prescribed to which all notices and communication may be sent to the member. Therefore, it is the duty of a member to get his new address registered with the society as soon as his residential address is changed so as to enable the society to send notices and communications on new address otherwise society will keep on sending communication on his address which was registered prior to allotment of land in the year 2009 at the time of members verification. The complete procedure for change of address is given hereunder.

1. The members shall make an application on plain paper to the society for change of address in duplicate. The application shall accompany with the residential proof of new address of the member. The residential proof of new address could be any one of the photo copy self attested by the member of the following documents:-

- (a). Aadhaar
- (b). Voter Identity Card.
- (c). Passport
- (d). Electricity and Water Bills.
- (e). Municipal Corporation property Tax Notice.

2. The Secretary of the society will check the application for its correctness. If he is satisfied then he will place the application before the Managing Committee in a meeting for its approval. The committee should also check the application for its correctness before its approval. Necessary endorsement be made on both the copies of change of address by the Secretary. One copy will be retained in the Society for record and second copy should be forwarded to the member for his information.

Fact that Auditors Report was read

Fwd: PROVISION OF NOMINATION

1 message

Ramesh Rathee <rameshwar.rathee@gmail.com>
To: Bharat Sehrawat <sehrawatbharat62@gmail.com>

Tue, Aug 25, 2020 at 5:20 PM

----- Forwarded message -----

From: Ramesh Rathee <rameshwar.rathee@gmail.com>
Date: Tue, 25 Aug 2020 at 5:19 PM
Subject: PROVISION OF NOMINATION
To: Maharishi Dayanand <mdcghs1175@gmail.com>

MAHARISHI DAYANAND COOPERATIVE GROUP HOUSING SOCIETY LTD, VASANT KUNJ, NEW DELHI

STANDARD OPERATING PROCEDURE (SOP) FOR NOMINATION FOR TRANSFER OF SHARE AND INTEREST AFTER DEATH

In cooperative group housing society only first degree relation are entitled to be the nominee(s). Therefore a member may nominate a person or persons within blood relation to whom in the event of his death his right and interest in the cooperative group housing society shall be transferred. Joint and more than one nomination within the blood relation shall be permissible. If a member wish to make nomination, the complete procedure for nomination is given hereunder.

1. The member shall make nomination in writing in the Form 17, in triplicate in the presence of two witnesses. Nomination Form F is attached herewith at Annexure I. The Form 17 shall accompany with the following documents:-

- (a). Indemnity Bond from nominee(s). - Annexure II.
- (b). Copy of Share Certificate duly self attested.
- (c). Address proof like Aadhar card, Voter Identity Card, Passport, any government issued Paper which gives both personal and residence proof etc.
- (d). Copy of PAN Card.
- (e). Proof of date of birth.
- (f). Photo of the Nominator.
- (g). Name, Address and phone/mobile No of both the witnesses.

2. The Secretary of the society shall check the Nomination Form for its correctness and see all the required information and documents have accompanied with the Form submitted by the member. Once the Secretary is satisfied with the Nomination Form then he should placed the Nomination Form in the meeting of the Managing Committee for its Approval and Nomination.

3. The Managing Committee should also check the Nomination Form for its correctness before approving the same. Once it is approved then it should be recorded in the minutes of committee meeting and in the register of nomination held by the society. The nomination so made shall be recorded by the Secretary/Authorised Person in the nomination register of the society. One copy of the Nomination Form duly completed shall be forwarded to the concerned member and the auditor of the society for onward forwarding to the office of Registrar Cooperative Societies.

MINUTES BOOK

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**MAHARISHI DAYANAND COOPERATIVE GROUP HOUSING SOCIETY
LTD. VASANT KUNJ, NEW DELHI**

**STANDARD OPERATING PROCEDURE (SOP) FOR TRANSFER OF MEMBERSHIP
WITHIN BLOOD RELATION**

In a cooperative group housing society the transfer of membership of a member is only permissible within blood relation. In case a member of the society wish to transfer his membership within blood relation, the complete procedure for transfer of membership is given hereunder.

1. The member shall make an application on plain paper to the society for transfer of his membership within blood relation in triplicate. The application should accompany with the following documents:-
 - (a) Affidavit from transferor (one original and Two copies duly self authenticated) - Annexure I.
 - (b) Indemnity Bond from transferor (one original And two copies authenticated) - Annexure II.
 - (c) Affidavit from transferee (one original and two copies Self authenticated) - Annexure III.
 - (d) Indemnity Bond from transferee(one original and Two copies self authenticated. - Annexure IV.
 - (e) Verification Certificate from Gazetted Officer on form F - Annexure V.
(See clause 17 of schedule VII).
(To be submitted by the transferee once the gets Intimation from society that the membership has been Transferred on his name)
 - (f) Copy of original/ duplicate Share Certificate as may the case
 - (g) Any one of the ID Proof copy like Aadhar Card, Voter Identity Card, Passport, Any Government issued card giving proof of personal as well as address proof etc.
2. Member to specify how much payment has been done by him at the time of transfer of membership. The membership will only be transferred if the outgoing member has paid all demanded dues of the society.
3. The Secretary of the society is required to scrutinised the application and documents received from the member for its correctness. Once he is satisfied then he should bring out the application before the Managing Committee in its meeting for its

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ANA approval and transfer. Once the Committee is satisfied with the application then only approval of transfer of membership be done. The same should be recorded in that day minutes of Committee meeting.

AM 4. The Secretary shall intimate to the member by sending one copy of the application
the about the transfer of said membership. The date of transfer should also be intimated to the
at second copy should be forwarded to the Auditor for including the transfer of membership
in that quarterly audit report to intimate about the transfer of membership to the office of
the Registrar Cooperative Societies.

1. 5. The newly enrolled members shall apply for issue of Share Certificate on his name
2. by forwarding Verification Certificate as mentioned above and by surrendering the Share
3. Certificate which was in the name of outgoing member. On receipt of newly enrolled
4. member request for Share Certificate the Share Certificate be provided to him. The Share
5. Certificate should be signed by the President, Secretary and Treasurer of the Society. The
6. signature of the new member should be obtained on the back of his Share Certificate
counter- foil for keeping record of issuing of Share Certificate.

MAHARISHI DAYANAND CO-OPERATIVE GROUP HOUSING SOCIETY LTD.
Vasant Kunj, New Delhi-110070

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STANDAED OPERATING PROCEDURE (SOP) FOR OBTAINING
DUPLICATE SHARE CERTIFICATE OF THE SOCIETY

In case of the original Share Certificate is misplaced, lost or stolen , the complete procedure for obtaining Duplicate Share Certificated from the society is given hereunder:-

1. Initially the member shall file FIR on plain paper with Local Police Station stating that the original Share Certificate issued by the society on his name has been misplaced, lost or stolen. The member shall keep an acknowledged copy of the FIR. The draft of such FIR is attached herewith at Annexure I
2. The member shall make an application to the society on plain paper that the said original share certificate issued by the society has been misplaced , lost or stolen and in lieu of which, a Duplicate Share Certificate be issued to him an a acknowledged copy of the FIR shall be attached with the application letter. The draft of such application is attached herewith at Annexure II
3. On receipt of application the Secretary shall put up said application to the Managing Committee and get its approval for issuance of Duplicate Share Certificate to the member.
4. The duplicate share certificate should also be signed by the President, Secretary and the Treasurer.
5. Necessary endorsement should be made on the counter foil of Original Share Certificate of issuing of Duplicate Share Certificate to the member.

MINUTES BOOK

Agenda Item NO. 5: Any other with the permission of the chair:

5.1 Reply to Show Cause Notice from RERA: The Society has received a Show Cause Notice dated 31.08.2020 from RERA. Contents of notice were read out, reply to the same was discussed and decided unanimously. It was decided to send the reply through email under the signatures of the Secretary.

5.2 Signing of Agreement with the Architect: The Architect M/S 4TH Dimension having submitted their performance BG, the agreement was signed with them as per details contained in the tender document.

5.3 Passing of Monthly expenditure: The treasurer presented the details of the expenditure amounting to Rs 2,87,007.00 under the head Indirect Expenses for the month of August 2020. The same was passed unanimously.

5.4: Refund of Architect's EMD submitted with tender and payment of their 1st bill: Since the Architect has submitted performance BG and agreement signed with them, their EMD of Rs 50,000/- submitted with the tender was returned by a cheque. Architect's first bill amounting to Rs 2,06,500/- was also passed for payment unanimously.

5.5 Provisional payment of Rs 2.0 crore to Contractor: Earlier in the mc meeting dated 09.08.2020, a provisional payment of Rs 3.0 crore was released to the Contractor against their request for Rs 5.0 crore. Provisional payment of Rs 2.0 crore was unanimously passed ^{for payment} against the Contractor's already existing request.

5.6 Change of Security Agency: At present the Society has deployed 2 guards, one in the day time and one in the night time at Society's main gate through Security agency. The Secretary proposed to remove these security guards to save money on this account. Since the Contractor has his own security and almost

MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on

the day of

at Chairman Signature with Date

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Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

all the construction material inside the premises now pertains to the Contractor. To this the president opined that having a guard at Society's main gate is a strategic issue and the Society should not remove its security guards, however, efforts may be made to get more competitive rate of the guards for cost optimisation. Sh. Sukhbir Singh was assigned the responsibility to carry out a survey in this regard and get quotations from any suitable agency for this purpose.

5.7 Request for change of address by Ms Priyanka Aggarwal (M.No. 99). She has requested through email in this regard, however, without the address proof as ^{per SOP} mentioned under Agenda Item No. 4 above. It was unanimously decided to seek address proof in accordance with the aforesaid SOP.

5.8 Request of Sh. Mahesh Gurnani (M.No. 87) for change of membership in blood relation.

MINUTES BOOK

The application submitted by Sh. Gurnani was perused in accordance with the SOP under Agenda Item No. 4 and noted that the same is incomplete. It was unanimously decided to seek the remaining documents from Sh. Gurnani in order to process his request. In this regard the Secretary proposed to pass the proposal for transfer of membership pending the remaining document, which can be sought subsequently; however, the same was declined by the President and all except the Secretary agreed to the President's view that the MC should change the membership complying with the SOP duly approved.

S.9 Conduct of Environmental Audit/ of the Society Project ^(Statement)

Ms Rachna Bhargava, Director and CEO of M/s Perfect Research Pvt Ltd, who submit the periodical Environmental Compliance Reports of the Society Project, have informed that as per Gazette Notification no. GSR 386(E) dated 22-04-1993 under Environmental Protection Act, 1986 and further circular no. J-11013/4/2006-IA dated 30/06/2009 it is mandatory to submit Environmental Statement (Environmental Audit) by 30th September of Each year & as per Environment Clearance. She has offered to conduct the audit at a fee of Rs 1,00,000/- (Rupees one lac) only. The offer was considered and it was unanimously passed to get the audit conducted at quoted fee.

The meeting ended with a vote of thanks to all by the Chair.

[Signature]
 Pristha

[Signature]
 Kanan Datta
 Sahita Datta

[Signature]
 Subhendu Datta
 Secy

MINUTES BOOK

A Meeting of **DIRECTORS/SHARE HOLDERS** Held on 13 Sep 2020
 the the managing Committee of the Society
 day of

at Society office B-4 Vasant Kunj N.D. Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Sehrawal	President	By
2. Sh. Anish Singh	Vice President	for
3. Smt. Lalita Jain	Treasurer	Lalita Jain
4. Sh. Dinesh Vir	Jt. Secretary	Dinesh Vir
5. Sh. Omveer Singh	Member	O.V. Singh
6. Sh. Sukhvir Singh	Member	Sukhvir Singh
7. Smt. Kiran Rana	Member	Kiran Rana
8. Sh. Azad Singh Rathie	Member	Azad Rathie
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Fact that Quorum was Confirmed Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

On 13th September 2020 (Sunday), the Managing Committee of the Society held its meeting at 11:00 hrs in Society's office at B-4, Vasant Kunj, New Delhi under the chairmanship of the president Sh. Bharat Singh Sehrawal, who welcomed the members to the meeting. Secretary Sh. R. S. Rathie did not attend the meeting.

DISCUSSIONS ON AGENDA ITEMS

1. Agenda Item NO. 1: Confirmation of the minutes of the last meeting of the MC held on 06.09.2020.

The president read out the minutes of the meeting. Smt. Lalita Jain proposed to pass the minutes, which was seconded by Smt. Kiran Rana and the minutes were passed unanimously.

2. Agenda Item NO. 2: Review of third notice issued to members for expulsion from primary membership of the Society.

Third notice under Section 86(1) of DCS Act 2003 R/W Rule 99 of DCS Rules 2007 was issued by the MC

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Vide letter dated 08.08.2020, wherein the time limit for clearance/payment of dues was stated as 12.09.2020.

By the aforesaid date many of the members cleared their due amount; however, there are 80 (eighty) such members who have not cleared their dues. The MC deliberated on the issue and noted that non-payment by many of the members is adversely affecting the housing project completion, thereby putting the entire society into loss. It was unanimously decided ~~to~~ that those members who have not cleared their dues should be given an opportunity of being heard and be confronted by the MC with the grounds for their ~~computer~~ expulsion.

It was ^{further} decided that the number of members being large, they should be divided into 4 groups and called for hearing on 03.10.2020 and 04.10.2020, two groups of twenty members each daily.

3. Agenda Point no. 3: Any other point with the permission of chair:

3.1 Outcome of RERA hearing: The president informed that he attended the RERA hearing dated 08.09.2020 through Video conferencing. During the hearing, RERA raised an issue that the Society has ~~During the hearing~~ the president informed RERA that the Society has already submitted reply vide letter dated 08.09.2020 to the RERA notice dated 31.08.2020 and explained on each issue raised in the Show Cause Notice. To this RERA brought out that the Society has not filed requisite certificates from a Chartered Accountant in practice ^{and} an architect in regard to percentage of completion of project. On this issue the president sought 15 (fifteen) days time to submit these documents to RERA, which

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A Meeting of **DIRECTORS/SHARE HOLDERS** Held on

the day of

at Chairman Signature with Date

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was allowed.

On view of the above, it was decided that the Society should take services of a practicing CA to give the requisite certificate. The certificate on part of the Architect should be arranged through the Society Architect. Smt. Lalita Jain and Smt. Kiran Rana were requested ^{to} arrange for the services of the CA.

3.2 Appointment of CA for the Society: It was discussed and decided unanimously that the Society should have a Chartered Accountant on board so as to ensure compliance of various obligations of the Society like the aforesaid item of RERA, tax compliances etc. Smt. Lalita Jain, Treasurer and Smt. Kiran Rana, member were assigned to look for a suitable ^{CA} architect who is willing to provide services to the Society and obtain his proposal for ^{consideration &} approval by the managing Committee.

3.3 Appointment of RERA Consultant: Since the Society is now registered with RERA, it has to file periodical reports/returns to RERA online. So far this work

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is being done ^{largely} by Secretary with the help of Society engineer and in consultation with other members of the Society.

However, as noted from the Show Cause Notice of RERA and during the hearing dated 08.09.2020 it was felt by all members that the Society should hire a RERA Consultant to carry out the specialised job of filing RERA returns etc. and to avoid any uncalled for embarrassment/non-compliance of the Society. It was unanimously decided that the Vice President will look for a suitable RERA consultant and put up proposal before the Managing Committee for approval.




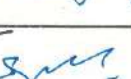
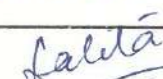

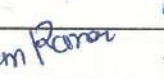
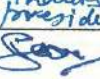
3.4 Advertisement for inviting tenders for UPVC window/door
 The subject work is out of scope of the existing contract ^{work} for which the Architect has prepared tender document. It was unanimously decided to invite tenders for this work by giving advertisement in local newspapers. Language of the advertisement was discussed and finalised and the Treasurer was assigned the responsibility to get it published in the newspaper.

3.5 Bill of M/s Chinax Promoters (P) Ltd (Contractor)

The Contractor has submitted their 1st Revised bill in accordance with the Supplementary Agreement. The bill was given to the Society Engineer for preliminary checking and reporting. It was unanimously decided to take further action on the bill once it is checked by the engineer.

3.6 Issue Related to the Secretary (Mr. Rathu)'s Resignation' posted on

'MC-2019 whatsapp group'. The committee noted that the Secretary has posted his resignation from the post of Secretary as well Committee membership on the whatsapp group. He has also made some observations on the working of the Committee. It was unanimously decided that all members should examine the matter and give their opinion/response on the same in the next meeting of the MC. The meeting ended with a vote of thanks by President.

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MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on 26 Sep 2020
 the managing committee of the society
 the day of

at Society Office B-4 Vasant Kunj N.D. Chairman Signature with Date

QUORUM

1. Sh. Bharat Singh Sehrawat	President	bs
2. Sh. R. S. Rathie	Secretary	Saur
3. Smt. Lalita Jain	Treasurer	Lalita Jain
4. Sh. Omveer Singh	Member	Omveer Singh
5. Sh. Sukhvir Singh	Member	Sukhvir Singh
6. Smt. Kiran Rana	Member	Kiran Rana
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Fact that Quorum was Confirmed Fact that Notice was read

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On 26th September 2020 (Saturday), the managing committee of the society held its meeting at 11:30 hrs in society office at B-4, Vasant Kunj, New Delhi under the chairmanship of the president Sh. Bharat Singh Sehrawat. The president welcomed all the members and started the meeting. Sh. Anish Singh, Sh. Azad Singh Rathie and Sh. Dineshvir could not attend.

DISCUSSIONS ON THE AGENDA ITEMS:

1. Agenda Item NO. 1: Confirmation of minutes of the meeting held on 13.09.2020

The president read out the minutes. Sh. Omveer Singh's proposal to pass the minutes was seconded by Sh. Sukhvir Singh and the minutes were passed by all.

2. Opening of tenders for providing and fixing UPVC door/windows

The last date for receipt of tenders was 25.09.2020. In total following three tenders have been received from the following bidders;

MINUTES BOOK



- (i) Shankar Fenestrations and Glasses India (Pvt.) Ltd, Industrial Area, Near Rathi Udyog, NH-24, Ghaziabad.
- (ii) Window Magic India Pvt. Ltd., Sector-4, IMT, Manesar, Gurgaon
- (iii) Fenesta, Plot No. 52, Sector 32, Institutional Area, Gurgaon.

The tenders were opened in the presence of all present and further deliberated as under;

(A) Shankar Fenestrations and Glass India (Pvt.) Ltd.

They have submitted an undated cheque from their account and not a Bankers Cheque / Pay order / DD issued by any scheduled commercial bank. ^{as per requirement of EMD} The bidder has also not signed the bid document on each page.

In view of the above basic non-compliances, the bid was considered as non-responsive and not deliberated further.

(B) Window Magic India Pvt. Ltd.

- They have submitted a DD of Rs 4,00,000/- against EMD, which was noted in order.
- The bidder has also stamped and signed on each page of the bid by the authorized person, which was also noted in order.
- However, the bidder has mentioned in their letter of submission "We cannot publish the weight per meter chart; we are under obligation not to disclose this data from Kommerling, who is our profile supplier".
The bidder has also mentioned in their letter of submission ~~that~~ "We need discussion on clause 11 of payment Terms on mutually agreeable basis. The current terms are too stiff and cash flow of contract is deeply affected".

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- The bidder has quoted a price of Rs 2,99,803/- (Rupees two lac ninety nine thousand, eight hundred three) per flat.

- The bidder has submitted X-sectional details of various members in a separate sheet.

(C) Fenesta :

- The bidder has submitted a Bankers cheque of Rs 4,00,000/- against EMD, which was noted in order.

- The bidder has also signed each page of the bid and submitted required information.

- The bidder has also submitted the Cross-sectional details of various profiles. As regards unit wt. of various members, the bidder has mentioned the total wt. of various door/windows & not the unit wt.

- The bidder has quoted a price of Rs 3,31,250/- (Rupees three lakh, thirty one thousand, two hundred fifty only) per flat.

Technical comparison of the bids of Fenesta & Khaman Window Magic.

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In the absence of unit wt of various sections in both the cases, the best available method is to compare the outer dimensions of various sections. The same is noted as under;

Member description	Dimension of Outer Frame	
	Window Magic	Fenesta
Door Sash	93 mm x 58 mm	105 mm x 65 mm
Outer Frame	52 mm x 58 mm	73 mm x 65 mm
	68 mm x 58 mm	
Slider Outer Frame	104 mm x 49 mm	118 mm x 58 mm
Slider Sash	61 mm x 37 mm	60 mm x 45 mm

It was noted that the overall (outer size) of sections proposed by Fenesta are generally bigger than that proposed by Window Magic.

Both these bidders have also provided samples of their door/windows in the Society. The managing committee have already seen these samples, but to have a comparison, the MC again visited/examined these samples already fixed and noted that the door/window sample of Fenesta is having distinctly larger x-section of the various members used in the sample and apparently stronger/more sturdy.

Keeping in view the above and the overall cost and value/importance of the UPVC door/windows in the flat, the MC was of the unanimous view that providing the product of Fenesta would have more value for money and in the overall benefit of the members.

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The committee also unanimously decided that Fenesta should be called for negotiations to further optimise the cost. After the meeting, a telephonic message was given to Fenesta in this regard and requested to come to the Society to meet the MC the next day (Sunday).

3. Agenda Item No. 3: Issue of Lt. Col. R. S. Rathee's resignation from Secretary's post and membership of the managing committee, posted on Whatsapp group MC- 2019.

The Secretary had posted a letter (dt 09.09.2020) on the group on 10.09.2020 raising certain issues about functioning of the MC and ^{submitting} his resignation from the Secretaryship of the MC as well as membership of the MC.

All the issues raised by the Secretary were discussed with him by all remaining members in a cordial manner and objectively, wherein all the issues got clarified.

After the discussions, all committee members (except the Secretary) decided that Lt. Col. R. S. Rathee should review his decision and requested him to withdraw his resignation.

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alongwith the issues raised by him and posted on the Whatsapp group. Col. R.S. Rathore agreed to the request and withdrew his resignation and the issues raised by him. All welcomed the decision of Col. R.S. Rathore.

4. Agenda Item No. 4: Any other with the permission of the Chair

4.1 Request of Sh. Mahesh Gurnani (M.No. 87) for change of membership in blood relation (his son Vaibhav Gurnani):
 The issue was earlier discussed in the MC meeting dated 06.09.2020, and wherein the application of Sh. Gurnani was noted deficient. Subsequently, Sh. Gurnani has submitted the deficient document in accordance with the SOP passed in the meeting dated 06.09.2020. The matter was perused and the proposal of the Secretary to change the membership of Sh. Mahesh Gurnani in the name of his son Vaibhav Gurnani was seconded by Sh. Omveer Singh. The proposal was passed unanimously and the Secretary was requested to take further needful action the matter such as seeking Verification Certificate by the Transferee as per the SOP etc.

4.2 Change of Security Agency:

Further to the decision of the MC under Agenda item NO. 5.6 in its meeting dated 06.09.2020, Sh. Sukhbir Singh informed that a Security Agency named SK Security Services of Rajeev Nagar Gurgaon has submitted proposal to provide two Security guards (one each in 12 hr shift) to the Society @ Rs 14,000/- (fourteen thousand) plus applicable GST, per guard per month and have sent an email to the Society in this regard.

The matter was perused and it was unanimously

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decided that S.K. Security Services should be asked to provide their services (guards) w.e.f 01 October 2020 at their quoted rate and the services of the existing Security Agency i.e Proman Securitytech Pvt. Ltd. should be terminated ~~after~~ 30.09.2020. The Secretary was requested to take further needful action in the matter.

4.3 Letter received from DPCC reg. Compliance of directions of Hon'ble Supreme Court of India in WP (Civil) NO. 13029/1985- Use of Anti-Smog Guns for dust control.

The letter dated 23.09.2020 of DPCC was read out by the president and after discussion it was decided that the Contractor should be directed to take needful action in accordance with the directions of DPCC, since protection of environment during construction is the responsibility of the Contractor. It was also decided unanimously that Secretary should write to the Contractor in this regard and also submit the compliance report to DPCC by 30.09.2020.

4.4. Approval of Society Auditor by R.C.S office:

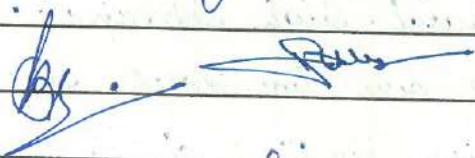
MINUTES BOOK

The president informed that the RCS has appointed M/s Lunnawal & Co., Chartered Accountants as the Society's auditor for the FY 2020-2021. The MC perused the communication of the RCS to the Auditor/Society and requested the Secretary & the Treasurer to further coordinate with the auditor in respect of audit of the Society.

4.5. Payment of Advertisement (in Newspapers) charges for UPVC door/window tender and Name change of Sh. Harish/Harinder Chawla.

The advertisement bill of Rs 17,057/- (Rupees seventeen thousand fifty seven) submitted by the agency towards the above-mentioned advertisements in the newspapers was passed unanimously.

The meeting ended by a vote of Thanks by the president.



Kusum Parson

Shabita Dain

Sukhman Singh

OV Singh

MINUTES BOOK

A Meeting of the Managing Committee of the Society 03rd October
 DIRECTORS/SHARE HOLDERS Held on 04th October 2020 at 11:00 AM

the day of

at Society office, B-4, Vasant Kunj, New Delhi Chairman Signature with Date 3rd October 4th October

QUORUM

1.	<u>Sh. Bharat Singh Sehrawal</u>	<u>President</u>	<u>BS</u>	<u>BS</u>
2.	<u>Sh. R. S. Rathi</u>	<u>Secretary</u>	<u>BS</u>	<u>BS</u>
3.	<u>Smt. Lalita Jain</u>	<u>Treasurer</u>	<u>Lalita Jain</u>	<u>Lalita Jain</u>
4.	<u>Sh. Sukhbis Singh Rathi</u>	<u>Member</u>	<u>Sukhbis Singh Rathi</u>	<u>Sukhbis Singh Rathi</u>
5.	<u>Smt. Kiran Rana</u>	<u>Member</u>	<u>Kiran Rana</u>	<u>Kiran Rana</u>
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Fact that Director's Report and Accounts were read or

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On 3rd (Saturday) & 4th (Sunday) October 2020, the managing committee of the Society held its meeting at 11:00 AM in Society office at B-4, Vasant Kunj, New Delhi under the chairmanship of the president Sh. Bharat Singh Sehrawal.

The committee meeting was spread over two days, since the managing committee, under agenda item no. 2 of its meeting dated 13 September 2020 had decided to invite for a hearing those members who had been issued three notices under Section 86(1) of DCS Act, 2003 R/w Rule 99 of DCS Rules, 2007 for expulsion from primary membership of the Society on account of being persistent defaulters in respect of payment of their dues towards the Society's housing project.

Since there of 80 (eighty) such members, who were to be invited for the hearing, it was decided that the hearing be held in 4 (four) groups of 20 members each, two groups each on 03rd and 4th October. The managing committee, after the hearing of defaulting members on 03rd October, also conducted its business of the remaining agenda items of the meeting notice dated 29.09.2020.

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Proceedings of 3rd October 2020:

The president welcomed the members to the meeting.

- (1) Agenda Item No. 2: To hear defaulter members during opportunity given U/S 86 of DCS Act, 2003 R/W Rule 99 of DCS Rules, 2007 for Expulsion from Primary Membership of the Society being persistent defaulter in respect of Society dues.

1.1 Before confronting ^{with} hearing of the defaulting members, the committee perused the following;

- (a) That the committee in its meeting dated 09.02.2020 had decided to issue 1st notice under Section 86 (1) of DCS Act, 2003 R/W DCS Rule 99 of DCS Rules, 2007 to members who had persistently defaulted in making payment of their share of the money demanded by the managing committee. The notice was issued to 123 members, vide Society's letter dated 17.02.2020.

- (b) Subsequent to the 1st notice, the MC's functioning got affected due to COVID-19 related lockdown. After easing of the lockdown, the MC in its meeting dated 31.05.2020 unanimously decided to issue to 2nd Notice to members who were still defaulting on their payments. There were 121 no. such members, since two members had cleared their dues, to whom the 2nd notice was ^{to be} issued. ~~However,~~ Society's letter dated 02.06.2020 of 2nd notice was issued to 118 no. members, since 3 more cleared their dues in the interim.

- (c) 3rd notice under the said Act and Rule was issued to 111 members since 7 more members had made the payment after the 2nd notice. The 3rd notice was issued to the members vide Society's letter dated 08.08.2020 and the same was unanimously approved by the MC in its meeting dated 05.07.2020.

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A Meeting of DIRECTORS/SHARE HOLDERS Held on

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The time limit for making payment was given as 12.09.2020 in the third notice to the members.

- (d) The MC reviewed the matter in its meeting dated 13.09.2020 and noted that while 31 members out of 111 had made payment, there were 80 members who were still defaulting on their payment. In the meeting, the MC decided unanimously to give these defaulting members an opportunity of being heard and confront them with the grounds of their proposed expulsion.

- (2) Keeping in view that there were 80 members to be heard, it was decided to divide them in 4 groups of 20 members each to be called for hearing on 03.10.2020 and 04.10.2020, two groups daily. Accordingly, the members were invited for hearing as under;

On 03.10.2020 at 11:30 hrs: Membership Nos.: 154, 153, 121, 79, 22, 11, 136, 40, 119, 89, 148, 171, 115, 68, 21, 152, 151, 102, 55 & . (Total 20 No.)

On 03.10.2020 at 14:00 hrs: Membership Nos.: 196, 194, 78, 51, 47, 187, 72, 131, 77, 184, 27, 191, 33, 164, 85, 23, 190, 200, 165 & 60 (Total 20 No.)

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On 04.10.2020 at 11:30 hrs: Membership Nos: 48, 58, 100, 175, 201, 64, 95, 176, 42, 114, 76, 46, 135, 117, 116, 188, 198, 32, 75 & 17. (Total 20 No.)

On 04.10.2020 at 14:00 hrs: Membership Nos: 35, 141, 96, 168, 156, 149, 192, 5, 59, 74, 83, 195, 133, 66, 186, 25, 29, 106, 80, & 12. (Total 20 No.)

These above groups were made on the basis of due amount from members in the decreasing order.

1.2 Hearing of members at 11:30 on 03.10.2020

The following members turned up for the hearing;

Sh. Vikram Singh M.NO. 4

Sh. Devender Kumar M.NO. 11

Ms Meenu Rathi M.NO. 40

Sh. Baljeet Singh Bhargava M.NO. 154

Sh. Dineshvir M.NO. 17

Sh. Kunal Krishan Mittal M.NO. 77

Sh. Anil Kumar Mittal M.NO. 72

Some of the above members came in deviation to the pre decided time, however, they were heard.

The above members have also made their submissions in writing justifying their non-payment.

The main contentions of the above mentioned members, also made in their written submissions, read noted during the hearing are as under;

- That the issue of construction of flat @ Rs 1450/sft should be reopened/taken up for them and few other members;
- That the ~~stat~~ decision of the General House about levy of interest on delayed payments by the members should be scrapped.
- That they are not satisfied with the decision of the house about fixed cost of flat agreed ^{between} the Society & the contractor, and that

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The managing committee explained these issues as under;

- (a) The original contract dated 20.09.2009 between the Society and the contractor provided for two types of flats e.g. @ Rs 1750/sft & @ Rs 1450/sft., the difference being in the quality of finishes/specifications. Thereafter during the project construction, this issue was discussed in the general house meetings few times and various decision taken as to how many flats should be of which type. The last decision of the Society in this regard (prior to the supplementary agreement dated 09.08.2020 with the contractor) was that those members who were willing for flat @ Rs 1450 should submit their option by the given date. In response, out of total 181 no. member only 14 no. opted for Rs 1450.

That total 181 no. flats of the Society's housing project are divided into six towers and the minimum number of flats in a tower is 29. That since the total options^{of 1450/-} being less than 29, it was practically not feasible to take up construction of flats @ Rs 1450/-.

That now the original contract dated 20.09.2009 has been amended/supplemented by the Society and the contractor with an agreement dated 09.08.2020 to address various contentious

MINUTES BOOK

issues between the Society and the Contractor. The supplementary agreement has been executed with prior approval of the general house. As per the supplementary agreement all the flats will be of uniform type.

The members were informed that while they opposed the supplementary agreement, it was approved by the general house by a majority of more than $3/4^{\text{th}}$. Hence, their insistence for construction of flat @ Rs 1450/sq. ft. is against the decision of the general house, thus unacceptable.

(b) The issue of interest on delayed payment by members

That the Society has so far raised 22 demands (21 demands till 1st notice ^{of expulsion} was issued on 17.02.2020). All these demands were raised with the approval of the general house. Had all the members paid their demands when in time, it could have saved on project cost/cost to members on account of price escalation.

That the general house, in its meeting dated 12.01.2020, discussed the issue of interest on delayed payment and decided the rate of interest on delayed payments, primarily in order to bring all members (paying and not-paying) at par and not a punitive measure to non-paying members.

That the rate of interest approved by the general house was well within limits prescribed by D.C.S Act and Rules.

That the contention of non-paying members that the demands raised by the Society till certain period were illegal for want of approval of plans/revised approval and other requisite approvals from various departments does not stand ground because (i) all the demands were approved by the general house with full knowledge of the issues raised by these members now as well as the fact that the requisite approvals were very much possible in accordance with the available norms (ii) All such approvals have subsequently been obtained and the entire

MINUTES BOOK

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construction carried out till date / proposed in future complies with the approvals (iii) Earlier at the time of raising of demands these members consciously chose not to object but also did not pay / delayed the payment, resulting that the project construction took place with the money coming from members who paid in time. Now while these members want to enjoy their rights in the project construction / property created, they are making lame excuses not to pay the demands with interest.."

(c) Issues related to over/wrong payments to the construction contractor:

It is agreed that the managing committee had raised number of issues with the contractor in respect of operation of contract agreement dated 20.09.2009 including wrong/overpayments. The issues raised by the Society were countered by the contractor with his contentions. However, all those contentious issues between the Society and the contractor have since been amicably resolved / addressed in the Supplementary agreement entered on 28.09.08.2020. That the agreement was entered with the contractor with prior approval of the general house by more than 3/4th majority.

MINUTES BOOK

That a construction linked payment plan has also been approved by the general house.

- (d) These members were also made aware that their non co-operation/insistence on their contentions contrary to the decision of the general house has the potential of throwing the house project out of gear thereby making huge losses to all members of the Society. Finally these members were requested to fulfill their obligations as members.

1.3 Hearing of Members at 14:00 hrs on 03.10.2020

Only following three members attended the hearing;

Sh. Azad Singh M.No. 51

Sh. Vijay Kumar M.No. 78

Ms. Sudha Aggarwal M.No. 85

After discussions and having clarified their doubts, these members agreed to pay their dues shortly. The MC mentioned that their proposal of expulsion will be withdrawn as and when they make their payments.

DISCUSSIONS ON THE REMAINING AGENDA POINTS

The MC after the hearing of members conducted its business on other agenda issues as under;

AGENDA POINT NO. 1: Confirmation of the minutes of meeting held on 26 September 2020: The president read out the minutes. Smt. Lalita Jain's proposal to confirm the minutes was seconded by Sh. Sukhbir Singh and all unanimously passed the minutes.

AGENDA ITEM NO. 3: Appointment of an Electrical Engineer for the Society Project: This issue was postponed for future keeping in view the present progress on the project by all members unanimously.

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A Meeting of DIRECTORS/SHARE HOLDERS Held on
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 at Chairman Signature with Date

QUORUM

1. AGENDA POINT NO. 4: Award of UPVC door/windows work:
2.
3. The MC in its last meeting dated 26.09.2020 had decided to invite
4. M/s Fenesta for negotiations. The Fenesta team came to Society's office
5. and had negotiations with the MC. After negotiations, they offered
6. their best price as Rs 3,09,898/- per flat against their original
7. offer of Rs 3,31,250/-. The MC asked Fenesta to submit their written
8. offer in this regard.
9.
10. Keeping in view the reasons mentioned in the MC meeting dated

Fact that Quorum was Confirmed

Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

unanimously

26.09.2020 on this issue, the MC decided to award the work of UPVC door/windows to M/s Fenesta as per their revised offer head with the tender conditions already submitted by them. The Secretary was further unanimously authorized to issue the letter of Award to Fenesta, accordingly.

AGENDA ITEM NO 5: Any other with the permission of the chair

5.1 Electric Connection for the Society Housing Project: After having a series of meetings with the BSES authorities, the architect and the inputs from members, the MC has unanimously reached at the decision of taking a single electric supply (bulk) connection for the Society Housing Project rather than taking multiple (each for a member) connections. The basic reasons being that the consumption charges during occupancy shall be much lesser in case of bulk connection as compared to multiple connections. The capital cost of electrical installations will also be comparatively less. The issue of ^{collecting} electric consumption charges from members could be addressed by installing smart meters ~~with~~ suitable for use of prepaid cards. It was further decided to convey this decision to the architect for further necessary action in the matter.

MINUTES BOOK



- 5.2 Appointment of Society advocate in respect of case filed by M/s Khurmi Associates (the previous architect) in Delhi High Court.
As per intimation received from the High Court M/s Khurmi Associates has filed a case against the Society. The matter was perused and it was unanimously decided to appoint Sh. Ashish Mohan as Society advocate, who also replied the earlier notice of M/s Khurmi Associates and is fully aware of the matter, at his rates of payments already agreed in the previous case by
- 5.3 Hearing in MCD in the case filed by Sh. Devender Kumar Dohra against the Society. It was noted that next hearing in the case is scheduled on 9th October with the AE, SDMC. It was unanimously decided that the Secretary and Society Engineer will attend the hearing.
- 5.4 RERA Hearing dated 13 Oct. 2020. The next online hearing in RERA is scheduled on 13th October 2020. The president was unanimously decided to attend the hearing.
- 5.5. Past payment to M/s Chinax Promoters against their revised bill for the work already done in accordance with the Supplementary Agreement. M/s Chinax Promoters has submitted their revised bill for the work already done, in accordance with the Supplementary agreement dated 09.08.2020. The bill has since been given to the Society Engineer for checking, which may take some time. In order to maintain the contractor's cash flow it was unanimously decided to give him an adhoc payment of RS 2.0 (two crore) against the bill, which is given on the Debit side.

MEMBER'S (DEFAULTING ON PAYMENT) HEARING

DATED 04.10.2020

On 04.10.2020, only the following two members attended the hearing scheduled at 11:30 hrs.

Sh. Satish Kumar M.No. 75

Smt. Sushma & Sh. M N Sharma M.No. 201

MINUTES BOOK

A Meeting of DIRECTORS/SHARE HOLDERS Held on

the day of

at Chairman Signature with Date

QUORUM

1. Sh. Satish Kumar mentioned that he could not make payment due
2. to his health problems and shall clear the demands within two days.
3. The MC thanked him. Sh. MN Sharma & Smt. Sudma Sharma also
4. mentioned that they had cleared their part payment recently and intend
5. to clear the remaining as well, however, they have certain issues which
6. they have submitted in writing. The MC heard them and mentioned to
7. clear their dues. The MC also brought out that their issues shall be
8. responded suitably.
9. No other member attended the hearing, except the above on 04.10.2020
- 10.

Fact that Quorum was Confirmed

Fact that Notice was read

Fact that Director's Report and Accounts were read or

Fact that Auditors Report was read

After completion of hearing time, the Managing Committee passed the resolution as under, unanimously; .. excluding interest

- (1) That the members, who have not cleared their dues towards the housing project, as mentioned in the above said three notices issued to them are persistent defaulters and therefore are expelled from the primary membership of the Society under DCS Act 86(1)(a) of DCS Act, 2003 R/W Rule 99 of DCS Rules, 2007. The resolution should be referred to the Registrar, Cooperative Societies, NCT of Delhi for further action in the matter. As on date there are 69 members, who have not cleared their dues.
- (2) In case any of the defaulting member clears his dues in the process, his name should be excluded from the list

Bharat Singh
04/10/2020

04/10/2020

Sudma Sharma
4-10-20

Kyram Peeran
04/10/2020

Katila Prasad
04/10/2020