

## **MINUTES OF THE GENERAL BODY MEETING OF**

### **THE SAPTAPARNI C.G.H.S. LIMITED HELD ON 25<sup>th</sup> November, 2023**

Annual General Body meeting of The Saptaparni C.G.H.S. Ltd. held on 25<sup>th</sup> of November 2023, at 17.00 Hrs. in the park situated in the premises of the Society i.e. Plot No.4, Sector 19B, Dwarka, New Delhi -110075 to discuss the Agenda items which have already been circulated amongst the members. Sh. V.B. Jain (President) takes on chairmanship to start the meeting as per agenda. The list of members who attended the meeting is appended here below along with signature against the name of respective members.

The meeting was convened at 17:00 Hrs. however, the quorum was incomplete, therefore the Secretary of the Society adjourned the meeting for half an hour till the 17:30 Hrs. with direction that the adjourned meeting will resume at 17:30 Hrs. at same place. As the quorum was not complete during the period, the meeting is again adjourned for 15 minutes and the meeting resumed at 17:45 Hrs. [No quorum is required for the meeting after adjournment of 30+15 minutes].

The house since reassembled, the Chairman, at the outset, extended his warm welcome to all the members and granted permission to start the proceedings of the meeting. He requested the secretary to proceed the meeting as per agenda.

#### **Agenda No.1:**

#### **To confirm the minutes of last General Body Meeting**

The Secretary Sh. A. K. Bahl informed that the Managing committee received an observation of Mr. Sanjay Tyagi asking a discussion on the need to omit/tamper with the certain facts recorded in the minutes of the meeting, as the circulated draft is different than the recorded minutes. We have gone through the recorded contents in the available society proceeding book and found it is similar to the circulated copy. Xerox is displayed here. In addition, we once again have gone through the entire official recorded videography of last AGM, wherein we have seen observations of few other members (Smt. Ranjana jt. with attorney, Smt. Rekha jt. with spouse, Smt. Preeti Jt. with spouse, Smt. Savita jt. with spouse} who had also objected to the contents of the minutes, were found correct. Keeping in view these differences the managing committee checked the videography of the last AGM and found them genuine and needs to be corrected. There circulate minutes will be re circulated amongst the members and as well as should be submitted with

the office of the Ld. Registrar Cooperative Societies Govt. of NCT of Delhi along with next AGBM proceedings. As such the management will share the corrected draft of the minutes in the next AGBM for consideration along with this AGM Draft minutes.

**Agenda No.2:**

**To Discuss and approve annual accounts and audit reports of F.Y.2022-23.**

Account summary and audit report was circulated. We found that during last AGM it was discussed that the auditor's mistakes will be corrected later. It has not been corrected yet. We will share with the members in the next AGBM, if there is any correction in it along with the current audit report for F.Y. 2022-23 after corrections.

**Suppl. Item: - Pending Handing Over by Out Going MC: -**

We have been handed over the documents, as claimed to be with Old MC, in forms of two lists. We noticed deficiencies in various records. Written handing over note covering various issues is never handed over and points raised through email are still pending. Therefore, this MC is not accountable individually or collectively for the duration of the period of Out Going MC. (email correspondence attached).

**Agenda No.3:**

**To confirm and approve new share certificate issued since 01 Jan 2022 till Oct 2023 and Share certificates cancelled during this period.**

Secretary informed the house that the following members joined the society's membership.

1. Col. P.K. Chaturvedi and Smt. Rekha Chaturvedi B-01 Membership No.272.
2. Sh. Rahul Deep Gupta and Smt Nidhi Gupta A-02- Membership No.273.
3. Sh. Pankaj Basrar A-61 Membership No.274.
4. Smt. Ekta Srivastava and Sh. Saket Gaurav B-54 Membership No.275.
5. Smt. Achla Chandok A-03 Membership No.276.
6. Sh. Deepak Jain and Smt. Monika Jain A-22 Membership No. 277.
7. Sh. Munim Kumar Sharma and Smt. Sunita Sharma A-74 Membership No.278.

We acknowledge the same and approved their membership and share certificate with voice votes.

Secretary also informed the house that the following members' membership automatically seized as per section 41(1)(c) of DCS Act-2003.

1. Sh. Amit Mittal B-01 Membership No.200.
2. Sh. Neeraj Jain B-54 Membership No.188.
3. Smt. Pooja Jain A-03 Membership No.192.
4. Smt. Nisha Singh A-22 Membership No.248.
5. Sh. Manish Seth A-74 Membership No.219.
6. Sh. Sunil Kumar Juneja A-61 Membership No.204.
7. Sh. Hawa Singh A-02 Membership No.220.
8. Sh. Jagdish Tyagi (expelled)
9. Sh. Vinay (expelled)
10. Sh. Nikhil Aggarwal (expelled)

The house again acknowledges the same and approved the cessation of the membership and share certificate with voice votes as per section 41(1)(c) of DCS Act-2003. On the matter of expulsion of three members namely Mr. Jagdish Tyagi, Mr. Vinay and Mr. Nikhil Aggarwal, Mr. Baldev Singh Saini informed the house that the expulsion intimation is still not acknowledge / approved by the Ld. RCS. Col. P.K. Chaturvedi informed and clarified that after due approval of AGM of last year, the RCS was informed in June-2022 and after 5 months in November 2022 RCS was again reminded and same was intimated to Dwarka Court as well as members concerned as per RCS ACT. As per the RCS ACT, it is specified that if no intimation is received from RCS within 180 days, it has got deemed approval of RCS and this status is being informed to AGM today. In view of procedure of expulsion is complete, these three members are expelled. In form of this proceedings, it is again communicated to RCS. The house satisfied with explanation approved the item.

#### **Agenda No.4:**

**To confirm and approve various decisions taken by the management committee from time to time since the last AGBM till Oct 2023.**

The Following are the various decisions in brief taken by the management committee since last AGBM and requires ratification.

Installation of RFID, repairing of damaged fencing/outer block walls of the society, waterproofing of area of front side of lifts of both blocks A & B and laying of granite stones, fixing up of signboard of society on both of the gates, installation of roof sheds made of stainless steel, replacement of main hole covers, installation of roof lights, representation of Execution suite by Secretary in District Court Dwarka, appointment of a Caretaker for managing the day to day affairs of the society etc., elections of Managing Committee under R.O. Sh. Rajendra Kumar was held, Elections result were declared on 8th Oct as unopposed Sh. V.B. Jain as president, Col. P.K. Chaturvedi Vice President, Smt. Neela Kumar and Smt. Veena Narang as lady members and Sh. Anoop Malik, Sh. A.K. Bahl and Sh. Mahavir Gulia as member. New M.C.

nominated Sh. A.K. Bahl as Secretary, Sh. Mahvir Gulia as Treasurer, Sh. Anoop Malik as advisor to Secretary, Smt. Veena as Advisor to treasurer and Smt. Neela Kumar as advisor on cultural activities. Further to speed up other activities, expert advisors were nominated from members/non-members as Sh.Naresh Kumar for external developments, Sh. Rajender Kachroo as attorney to member not as non-member for projects and Sh. Atul Hardat for office.

Over and above The Managing Committee took the decision to collect Maintenance Charge on monthly basis with token appreciation on members depositing quarterly, half yearly, 3 quarterly or yearly. Similarly, extra car parking charges, if paid yearly will get one-month rebate w.e.f. 01<sup>st</sup> of January 2024.

On this matter Mr. Saini firstly reminded approvals of AMC's of various services like lift CCTV etc. and water pump cover, which was well taken and confirmed by secretary, He further suggested to start revised charges w.e.f. 01<sup>st</sup> of April 2024 i.e. with start of financial year to ease the work load of management, on this Col. P.K. Chaturvedi clarified that management is prepared to do all the efforts to ease the members comfort. Therefore, it may start from 01<sup>st</sup> January 2024. House with loud happiness ratified the approved proposal of managing committee.

Managing committee got legacy of previous qtr. outstanding bills on account of water, electricity, lift approx. to the tune of Rs.4.5 lacs against the balance available approx. Rs.1.75 lacs, including collection of this quarter received up to 7th Oct. While monthly collection is approx. 3.2 lacs, (If all the payments are made in time, against expected expenditure of 3.3 lacs per month), over dues without any financial savings is the present status.

We are trying to curb the expenditures and requesting all members to pay advance Maintenance Charges to make us functional.

We started with news of bank accounts having been frozen by the Court, and office including two more flats sealed, and acceptance to the Court, to pay dues with interest to Decree Holder R/O of B-93 in the premises of the society. We are presenting and attending the issues with vigil possible at this stage of Court case.

#### **Agenda No.5:**

**All pending issues approved by last AGBM held one year back and status as on Oct 23 are as follows: -**

1. Lifts are not working satisfactorily. Audit and estimate for repairs is still not available. We will get an estimate at the earliest and request financial support from the members to get it replaced at least one in each block. The issue of problems and risk of slipping on granite floor in both blocks approach. Action on it will be taken on priority.
2. The non-circulation of minutes of the AGM/audit report/annual accounts is addressed by us and we will circulate within 30 days this time also. It is requested if any member desirous to get it on email, please send introductory mail to society email id mgt.gva@gmail.com
3. The audit of Fire Fighting system and making this safety aspect functional will be our top priority subject to availability of financial.
4. As regards, installation of Solar Panels, an estimate to this effect is being obtained by Shri Kachroo. Further, the Project will be implemented subject to its feasibility and availability of funds.
5. The issue of quality cleaning of Corridors under supervision of caretaker was promised but effectiveness is well known. We have initiated some record keeping for the same;
6. Repair and change of flooring of entrances adjacent to stair cases in both A&B blocks is pending. we will try to find a proposal for it.
7. The issue of Plantation in common areas, present President is looking after the development and beautification of Park and the area around Tower A & B of the Society. Improvement is visible to all.

#### **Agenda No.6:**

**Bye Laws of society approved on 26.12.1983 need to be amended based on RCS act and rules modified and applicable as on date. Amended bye-laws are circulated for discussion and approval during AGBM.**

Bye Laws of society were approved as early as 26.12.1983 and overdue for amendments. Based on model bye laws circulated by RCS Delhi is circulated and managing committee asked for suggestions and correction if any till 15<sup>th</sup> day of November 2023 and got more than 15 consent through email. During AGM Mr. Sunil Sachdeva raised the concern stating the expulsion clause is diluted in draft proposal and read out the contents. Col. P. K. Chaturvedi informed the house, managing committee has not diluted the clauses under discussion and taken it from draft bye laws of RCS byelaw. Still concern of member is well taken and he is invited with written observation so that it can be compared with model byelaws with proposed one and if something appears changed will be corrected and observations will also be attached while initiated approval and draft byelaws by RCS. On this matter Mr. Gagan Palta raised a concern that he may not know the final draft after disposal of the member's objection. Col. P.K. Chaturvedi clarified, each individual objection is attended/ will be attended and concern member will be intimated before initiating further action. Mr. Baldev Singh Saini seeked clarification

whether item is postponed? Col. P. K. Chaturvedi Clarified, if house desires for postponement of this item, the item will be postponed. On this, house raised the hands in favour of proceeding further without postponing now. All the members {except one or two member} raised hands in favour of recommending byelaws. The house approved the item.

### **Agenda No.7:**

#### **Any other item with the permission of the Chair.**

1. With lot of deliberations, gate number one was closed for vehicular movement. There is sharp slope and only available path used by pedestrians is seen to be used by two wheelers, which can cause an accident. This is a cause of concern. The guards have been directed, not to allow any two wheelers to enter from Gate No 1. Any permitted 4 or 2-wheel vehicle can enter by gate number 2 only.
2. In view of security risk and lot of past incidences by casual helpers, it is again highlighted that any casual helper, engaged by members, needs to be intimated to the guard, and as soon as he/she is disengaged, intimation be given to guard again. Regular service helpers are making entries and for them guards are not checking from residents. If you disengage these helpers, an intimation be given to the guards of the society.
3. Two wheeler parking for non-residents and guests are not available, consider permission only to residents and salary paid staff.
4. Sh. Saurabh, during previous discussions, rightly highlighted the issue for increasing number of CCTV Cameras, to check various spots. We explored and found that the existing system has got capacity of 16 cameras, which are fully utilized. Out of these 4 CCTV cameras being utilised in 4 lifts, have got poor resolution due to which it is difficult to identify individuals in the lift. If “in principle approval” is given to the management for the expenditure earlier committed with a 10% variation, new MC will get it done on priority, and old cameras will be kept to utilize in place of less important spots.

**Point-a:** We have seen that in MC decided on 4<sup>th</sup> Dec 22 that one of the resident of society Mr. Bhaskar Bhardwaj (company Cosmos Legal) be engaged to represent the case as lawyer, but no agreement or remuneration is made available to us. In the same approval, the Secretary was authorized to sign a vakalatnama, and permitted only addition/deletion (WRT flat numbers). It was a closed meeting and besides 4 members of MC, one member out of MC and one non-member outside MC signed it. Col. P.K. Chaturvedi seeked the information about the fee approved in the minutes of managing committee meeting regarding appointment of Mr. Bhaskar Bhardwaj (Company Cosmos Legal) for the

purposes, Treasurer informed that there is no such document and not discussed being resident of society. Immediately an affidavit was to be filed stating that the society is ready to pay the claim amount and the possession of three flats have already been given to the claimant. It is surprising that such a huge claim acceptance to pay, is not linked to approval of MC/AGM proceedings. Even the amount declared as decree amount with 9% interest till actual payment was updated while filling execution suit in Oct 21<sup>st</sup> 2023 had inflated value {Rs.1,49,73,364-00 in place of Rs 1,43,35,647-00}. It was never challenged at any stages in any manner. We were also asked to file more details to process the auction by Lawyer. The Lawyer requested us to give consent on details of flats to be filed in the court. Managing Committee expressed the need to go into the details and get MC's approval to give any consent to the lawyer. As such, the lawyer was requested to get the adjournment. Lawyer stated that the same is not possible. Further, no brief on case as well as the statements filed in the past, were available. Therefore, after lot of deliberations, and finding various alternatives, Managing Committee decided to appoint an alternate lawyer in the best interest of the society. On this matter Mr. Baldev Singh Saini described the synopsis of the case proceeded since initiation and conveyed that Mr. Anoop Malik was Secretary while case started, and notice served for which earlier AGBM noticed that they have been kept in dark. Which was not objected by Mr. Anoop Malik. During the course of this item Mr. Hathwalia the decree holder in the matter (Attending on behalf of his spouse who is a member) interfered and asked to put the camera off and also made undesired statement that the society cannot proceed in the matter without his help and he also stated that the society should ask him how to pay the dues pending under recovery suit filed by him. He also conveyed that society advocate was approached by him to suggest how he should represent and if he fails to seek any information, he should be contacted.

**Point: b** Pertains to office construction in basement.

This is to submit that we have not constructed any society office in the basement. We have only constructed a **SEWA KAKSH**, to attend to the service requirements of the Society. Now in brief, explaining the background is also essential. On 8th Oct at B-53 old MC and RO declared result and in a hurried manner all physical records, Almira computer assembly and furniture were handed over. Further, we came to know, that the flat in which the office of the society is operating is deemed sealed by court and the new MC to face contempt, if used by them. Since, the coming date for hearing was on 20/10/2023, it was decided to immediately vacate the premises. We did not have any place to put all these items except in open next to the guard room, in vigil of security staff, and put at risk of damage. Thanks to one of the residents, Sh. Narula,

who on our request, very kindly agreed to let us use his flat temporarily, in emergency, for keeping our records. Our further search led us to an un-allotted parking space in B Block, within permissible system, and within non circulation area. This was found to be the only alternative at that time for the purpose. I may add here that this decision was taken in good faith and without any malafide intentions.

Now reply in specific

**points a & b** of the query, that we have not taken any specific approval, besides MC, presuming that they are competent for it. We have received two issues from Mr. Sanjay Tyagi and on which we to clarify the house that:

**Point-C:** On the query, the managing committee is representing as a decision taker for such issues.

**Point d** - Since the space utilised is within the slot of un-allotted parking and no extra obstruction is created to the vehicle circulation area and adjacent parking, no such requirement projected is logical.

No further issues were there therefor the meeting ended with a vote of thanks to the chair and honorable members of the society who have attended the AGBM.

**(CHAIRMAN)**