

## **Minutes of General Body Meeting Held on 22.02.2015**

Minutes of General Body Meeting held on 22/2/2015 at 10.00 AM at connecting bridge First floor of Sanskriti Apartments, Sector 19B, Dwarka, New Delhi 110075.

As the quorum of the meeting was incomplete, the meeting was adjourned for half an hour from 10.15 AM to 10.45 AM with the direction that the adjourned meeting shall be convened at 10.45 AM at the same place. The house reassembled at 10.45 AM and the members present were considered as valid quorum and as per directions from President, the meeting subsequently begins.

The agenda items which were already circulated to the members prior to the meeting are as follows:

1. To consider approved minutes of meeting of GBM held on 31/8/2015 by the house but not signed by the President.
2. To consider and approve the minutes of meeting of last GBM held on 23/11/2014.
3. To welcome the members by the President.
4. To discuss on Non handover of documents by Previous EC to New EC facilitate making of membership register and other pending works passwords of computers etc.
5. Discuss on the matter of due payments to various agencies/vendors.
  - a. Payments to Security and cleaning agencies.
  - b. Payments to Labor, Architect and building material etc. of toilet renovation work after the approval of the HOUSE in past general body meeting.
  - c. Payment to Chartered Accountant for consultation and getting service tax number for RWA.
6. To discuss on the order of honorable court regarding limit of cash Expenses.
7. Appointment of internal auditor.

8. Any other matter with the permission of chair.

The meeting was chaired by Inderjeet Singh, President of RWA and attended by 52 members. The attendance list is available at page No. 32 to 34 along with the signature of respective members/residents in the GBM attendance register.

### **Agenda No. 1**

As per the process laid out in the Memorandum of Association (MOA), General Secretary, Praveen Kumar (Flat No. 172) started the proceedings and informed the house that President Sh. Inderjeet Singh have still not signed the minutes of general body meeting held on 31/8/2014 till date even after being approved by the HOUSE. General Secretary, Parveen Kumar also informed the HOUSE that he had repeatedly requested the President to sign the recorded MOM of 31/8/2014 in EC meeting held on 11/01/2015 but he again refused to sign. General Secretary once again requested President Sh. Inderjeet Singh in the HOUSE to sign the MOM of 31/8/2014. President again refused to sign the recorded MOM and mentioned that he is not aware of the MOM as GBM register was never sent to him for signatures by the General Secretary.

HOUSE raised objections to the statement of the President as the recorded MOM has already been circulated to all members with their acknowledgement and also available on RWA web site. HOUSE also told the president that this should not be the reason and asked him to sign the MOM as HOUSE has already approved the MOM.

Sh. Deepak Sachdev (Flat No. 428) mentioned that he had requested a point (2 kids requested EC members of providing playing space for kids in the society) to be added as it was missed in the recorded MOM of 31/8/2014. He also said that there is no action plan on resident's suggestions in the MOM.

House was informed that Sh. Deepak Sachdev has not given his objection till date even after **6 Months of GBM**. General Secretary mentioned that the point have been added to the GBM MOM register on his request.

**Sh. Balbir Tyagi informed the HOUSE that MOM is meant to record the proceedings of the meeting and not for an action plan.**

Sh. Santosh Kulshree (Flat No. 226) wondered that it has been 6 months since the August 2014 GBM and are we still preparing the MOM? He also mentioned that he received the MOM of GBM so why we are discussing this now and how come President have not received it yet?

**Executive Member Sh. Rajeev Rathore (Flat No. 379) explained that the minutes of meeting have already been prepared and a hard copy of the same was already sent to each member and it is also available at official website of RWA, Sanskriti apartments. If President still claims to be unaware of the GBM minutes, then this is highly unfortunate at his end and sounds irresponsible.**

**HOUSE condemns President's stand of his so called unawareness about MOM of GBM. Consequently, President signed the minutes of meeting approved by house held on 31/8/2014.**

## **Agenda No. 2**

General Secretary seeks the approval of minutes of general body meeting held on 23/11/2014 by the HOUSE as the recorded minutes of meeting were already circulated to the members.

**MOM of GBM held on 23/11/2014 was approved by the HOUSE in one voice.**

General Secretary requested the President to sign the MOM OF 23/11/2014 on behalf of the HOUSE. At this point of time, Sh. Sanjeev kumar (Flat no.330) and Sh. Deepak Sachdev (Flat No. 428) objected that they have not received the minutes of meeting of 23/11/2014 till date so they are not aware of it. Sh. Deepak Sachdev also raised a point that construction work of toilet was not approved in GBM of 23.11.2014. He also suspected that the MOM written in the GBM register and the one circulated to members are not same. He asked general secretary to read the MOM of 23/11/2014 from register in front of HOUSE. HOUSE objected and asked not to waste time as it has already been circulated.

Raj Kumar Pahuja (345) requested the HOUSE to stay calm.

President again raised his objection that he has not received the minutes of general body meeting held on 23/11/2014 and he cannot sign without reading them.

HOUSE again wondered on the statement of President Sh. Inderjeet Singh and asked why he has not read the MOM of 23/11/2014 till date as it has already been circulated via hard copy to each member as well as uploaded to the RWA website as per laid out process and procedures adopted by RWA in the past.

Sh. Nipun Arora (Flat No. 487) opposed to Sh. Deepak Sachdev that if he is not aware of recorded minutes of general body meeting of 23.11.2014 then how come he can state about construction of toilet is approved/not approved in GBM MOM held on 23.11.2014. He requested Sh. Sachdev not to raise misleading statements.

Sh. Baljeet Singh also condemns that this type of misleading statements and such acts by Sh. Deepak Sachdev, Sh. Sanjeev Kumar and honorable President.

**On the condemnation of Sh. Baljeet Singh, Sh. Sanjeev kumar (330) used threatening language on which HOUSE strongly raised its condemnation.**

Sh. Balbir Tyagi objected to the statement of President that minutes of general body meeting held on 23/11/2014 are already on RWA official website and already distributed to each member so how come President is still unaware of it.

Sh. Anuj Sharma (Flat No. 296) asked the President that when GBM MOM is already being circulated to all members then he must have received it too. So what is the point of not signing the MOM when it has already been approved by the HOUSE? President shall sign the MOM on behalf of the HOUSE.

**At this stage, General Secretary called the RWA office manager Sh. DAYA CHAND and asked him to show the minutes of meeting distribution register. The register was brought and shown to the HOUSE by General Secretary. The register revealed that Sh. Sanjeev Kumar, Sh. Deepak Sachdev and President Sh. Inderjeet Singh have already received/ signed the distribution register and have received the minutes of general body meeting held on 23/11/2014. After knowing this fact, HOUSE strongly objected Sh. Sanjeev Kumar, Sh. Deepak Sachdev and President Sh. Inderjeet Singh for misleading the house.**

Now, Treasurer Sh. Rakesh Rawat (Flat No. 326) raised an objection that the expenditure on toilet construction/renovation is done in excess by general secretary.

HOUSE asked the Treasurer for the figures on excess expenditure by general secretary on which Treasurer Sh. Rakesh Rawat replied that he do not have the figures.

HOUSE disapproves the objection of treasurer and asked him not to make vague assumptions if he doesn't have the figures.

**President signs the printed copy of the GBM minutes of meeting held on 23/11/2014 and ensure the house that he will sign the GBM register after reading it.**

At this stage, Sh. Balbir Tyagi suggested the HOUSE to paste the printed copy of signed MOM of GBM held on 23/11/2014 in the register of general body meetings and general secretary pasted accordingly.

### **Agenda No.3**

**General Secretary requested the President Sh. Inderjeet Singh to welcome the HOUSE.**

President Sh. Inderjeet Singh welcomes the house:-

- I. President stated that in the first EC meeting it was decided that no other person except RWA officials shall be allowed in the RWA office but I have noticed that General Secretary has violated the same and allowed Sh. Satish Aggarwal to RWA office.

Sh. Baljeet Singh (Flat No. 374) objected to the statement of President and asked why President had brought Dr. Rajkumar (Flat No. 304) and Sh. Premlal (Flat No.293) to the RWA office? President too should abide with this same rule.

- II. President informed the house that he was not taken in confidence before replacement of old housekeeping and Security agencies. He informed the house that he has not even signed the agreements of the new agencies.
- III. He informed the house that he was not in consent in applying Service tax number for RWA but General Secretary applied for the same.
- IV. He informed that the appointment of Auditor for internal audit has been done after calling quotations from registered CA's at site [www.rcs.com](http://www.rcs.com). The task of searching of the appropriate CA was done by Executive Members Smt. Anindita Mukhopadhyay and Sh. Hemant Kumar. Cheque of advance payment to internal auditor is not signed by General Secretary.
- V. President told HOUSE that the work of renovation of toilet was given to General Secretary and Mrs. Anindita Mukhopadhyay but Mrs. Mukhopadhyay was not involved in this work by General Secretary.

**Immediately, Mrs. Anindita Mukhopadhyay objected the statement of President and clarified in the house that she had a meeting with the architect in the presence of General Secretary and discussed the plan and layout of toilet renovations at both gates. Mrs. Mukhopadhyay also stated that general secretary offered a cup of tea to the architect and even upon his refusal, GS insisted the architect for the tea and he accepted.**

**General Secretary apprise the HOUSE that because there is no provision for tea in the RWA office for guests so as courtesy, I offered a cup of tea to the architect and Mrs. Mukhopadhyay.**

- VI. President informed the house that he himself and treasurer has not signed the cheques of security agency, cleaning agency, CA, Architect and building material suppliers etc. because they have not read the agreements till date and not aware of executive committee working.

**Sh. Baljeet Singh objected to his statement and wondered why President and Treasurer have not read the agreements if they are kept in the RWA**

office since last 3 months. The excuses given by President and Treasurer are merely a statement of misleading the house. He requested the HOUSE that if rest of the executive committee (other than President and Treasurer) is working for the welfare of Sanskriti Apartment, everyone should support them rather than blaming them with illogical arguments.

**Now...** in reply to the above concerns of President, General Secretary explained as below point-wise:-

- I. The statement of President saying “**in first EC meeting it was decided that no other person except RWA officials shall be allowed in the office.**” is false as no such decision was taken in the first EC meeting dated 3/8/2014. Any member can check the MOM of EC meetings (*see page no. 3 & 4 of EC Meeting Register*). The EC minutes register is available at [www.sanskritiapartments.com](http://www.sanskritiapartments.com) on the homepage itself.
- II. General Secretary apprise the HOUSE that proper procedure and transparency have been applied in finalizing the agencies in question which are evident in the MOM of the EC meetings (*Available at Sanskriti Apartments website*) and also explained as below:

The process of changing the housekeeping and security agencies has been started with the decision/approval of EC Meeting held on 07/09/2014. **This meeting was chaired by President Sh. Inderjeet Singh and MOM of the meeting was signed by him** (*See page No. 5, 6 and 8 of EC MOM available at Sanskriti Website*).

As a follow up of the proceedings of EC Meeting dated 7/9/2014, process of replacing the housekeeping and security agencies was started and quotations of various agencies were opened in EC meeting dated 12/10/2014. Among the executive committee members, following member deliberately remained absent from the EC meeting (*See Page No. 13 and 14*):

- President Sh. Inderjeet Singh
- Vice President Dr. N. S. Rawat

- Treasurer Sh. Rakesh Rawat
- Joint Treasurer Mrs. Anindita Mukhopadhyay
- Executive Member Sh. Vinod Aggarwal.

Quotations were opened by Office Manager Sh. Daya Chand but no decision was taken in this meeting for the sake of transparency as President and Treasurer were absent. Next EC meeting was called on 14/10/2014 (2 days later). President, Vice President and Executive Member Sh. Vinod Aggarwal were present in the meeting but refused to sign on EC Meeting register. In this meeting, President constituted a committee of 5 members including him to finalize the new security and cleaning agency but denied to sign any documents. Executive Committee members authorized the general secretary to sign all the documents in the regard of changing the agencies keeping in mind that President is not signing any documents/ agreements (See page No 16,17 and 19 of the EC MOM register available at Sanskriti website). On the day of selection of new agencies i.e. 25/10/2014, out of 5 members only 2 members (**General Secretary & Treasurer**) were present and **President, Vice President, joint secretary were absent**. After opening the quotations, 2 agencies i.e. **M/S Sea Hawk security deductive** and **M/S Muskan enterprises** were called for selection/interactions with committee members. General Secretary informed the President about this but he refused to be a part of this process and authorized General Secretary to take decisions for welfare of Residents. General Secretary showed an SMS received from the president dated 25/10/2014 at 1:21 PM (From phone number 9811350211) to the HOUSE. The content of the SMS was:

**“Dear Parveen jee maine kaha tha ki mujhe kisi committee men nahi rakho. Aap jobi ho final karo muje bata dena. Jo RWA or society ke hit mein ho. Kam hona chahiye. Or saayad mai hunga bhi nahi. Plz aap dekh lena.”**

General Secretary informed all the present EC members including President and Treasurer in ECM held on 9/11/2014 about the selection of security and cleaning agencies. A notice to old agencies to discontinue their services from 1/12/2014 and a work order/contract to the new agencies form 1/12/2014 shall be issued. (See page No. 21 of EC Meeting register which is

*also available at Sanskriti website)*

**General Secretary presented all the facts in front of the HOUSE along with documents like ECM Minutes register and GBM minutes register.** House is convinced by General Secretary and said everything in proper order and in the knowledge of President and Treasurer so they cannot deny the facts.

- III. General Secretary informed the HOUSE that the matter of service tax number was discussed in detailed in EC meeting held on 18/09/2014 and can be seen at page number 9 & 11 of EC meeting register and was chaired by President himself and it was decided on the advice of President, a Legal Opinion from an expert shall be taken and proceed accordingly. As per decision of EC, a legal opinion was taken in this regard from a professional CA (*informed the executive members on EC meeting 12/10/2014 and you can see page no. 14 on EC register*) and based on the advice of the CA, the service tax number is mandatory for RWA so the same was applied and service tax number got allotted for RWA.

Further, General Secretary also apprise the HOUSE that the fee of consultation of Rs. 2500/- and application charges of the service tax number of Rs. 2000/- has still not been released by the President and Treasurer.

- IV. General Secretary clarified in the HOUSE on why he has not signed the cheque for the initial/advance payment to the internal auditor. Because as per EC Meeting dated 3/8/2014 (*see page no. 3 & 4 of EC Meeting Register*), executive committee cannot spend more than Rs 50000/-. Any expanse more than that has to be approved by General Body. If HOUSE approves this expenses of Rs 70000/-, I will immediately sign. I have raised the same thing in the EC meeting and recorded in the minutes. General Secretary also informed the house that there is no data in the RWA office computer prior to 09/2013 and we also don't have the registers of EC meetings and GB meetings with its minutes so how we shall proceed with the internal audit? We will need these documents in order to complete the internal audit.

Few members enquired if we really need an internal audit?

At this stage, Sh. Balbir Tyagi intervened and said that this has been already explained by General Secretary that there is a clear lack of documents by previous executive bodies so an auditor will not find anything except procedural lapses. This will not solve any purpose but unnecessary financial burden on RWA. He proposed to the HOUSE to suspend the matter of Internal Audit.

**HOUSE approved the suspension of Internal Audit matter.**

- V. Regarding the renovation work of both the toilets, I informed the house that this was a decision of the executive committee meeting held on 9/11/2014 which was chaired by President Sh. Inderjeet Singh and Treasurer Sh. Rakesh Rawat. (***See page no. 20 and 21 of EC Meeting minutes register which is available at Sanskriti website***). The same matter was presented in the GBM held on 23/11/2014 meeting which was chaired by President Sh. Inderjeet Singh and Treasurer Sh. Rakesh Rawat was also present in the meeting. I have got the approval of Rs 70000/- expenses for both toilets. HOUSE has given its approval after much discussion. MOM of this GBM was circulated to all the members including President and Treasurer. So how can President and Treasurer show their unawareness about the work of toilets renovation?

General Secretary told the HOUSE that the expanses have still not crossed of Rs. 70000/- but as the President and Treasurer have not released payment for the renovation work so for the welfare of the society the work continued with the consent of majority of EC members. To meet the expanses, I spent from my own pocket and borrowed Rs. 25000/- from Sh. Balbir Tyagi (Flat No. 209) and some amount are still pending with the vendors/ labors.

HOUSE understood and convinced by the replies given by General Secretary and criticized President and Treasurer for misleading the HOUSE and

wasting time of members unnecessarily. HOUSE was convinced that all the decisions/ works done by the EC are in the interest of residents and as per the process.

## **Agenda No. 5**

### **Discuss on the matter of due payments to various agencies/vendors.**

Sh. Rajesh Narang (Flat No. 424) objected that why the agencies were changed without the consent of the President.

**General Secretary mentioned that he already replied this in point no.2 on his reply to President on how the agencies were changed with all documents so you should understand.**

Sh. Balbir Tyagi explained to the HOUSE that any financial matter is to be approved by the EC as a whole and not individuals as per the MOA clause and decision of changing agencies was well informed in GBM held on 23/11/2014 and same was incorporated in the Minutes of meeting of GBM dated 23.11.2014. There is no objection by any members including President and Treasurer in this GBM. President, Treasurer or any other EC member cannot say that they are not aware about the matter of changing the agencies.

President Sh. Inderjeet Singh raised the matter that why Sh. H.S. Mehra (Flat No. 191) and Rajeev Rathore (Flat No.379) have raised objection on agreement made by Sh. Naveen Rastogi (Flat No. 390) when he was General secretary of past RWA and to which President too had not signed at that time.

**Executive member Sh. Rajeev Rathore explained to the house that the agreement made by General Secretary at that time i.e. Sh. Naveen Rastogi was done with wrong intentions and the company with which agreement was made, has already been shut down as the model of business they were using have been rejected world over. Sh. Naveen Rastogi have misguided the house by saying that the company is just surveying at our apartment although agreement to implement the services was signed before putting up the matter in front of the HOUSE.**

Sh. Sanjeev Kumar (Flat No.330) explain the house about a legal clause which should also be implemented on the service agencies hired by RWA. Sh. Baljeet Singh (Flat 374) asked Sh. Sanjeev Kumar not to make it a speech for Election Purpose and be specific. Sanjeev Kumar said he have no intentions of contesting RWA Elections.

HOUSE asked Sh. Sanjeev Kumar to explain whether he also followed the same legal clause/conditions when he was President of RWA in year 2013-2014. HOUSE did not get any response from Sh. Sanjeev Kumar as he remained quite on this question. He also didn't elaborate on the legal clause he mentioned.

General Secretary reminded the HOUSE that when Sh. Sanjeev kumar was President in year 2013-2014, none of the two appointed agencies were submitting their service taxes to Govt. whereas those agencies were charging the same from RWA. Cleaning agency worked even without any legal agreement with RWA. These discrepancies were identified and recovered by current RWA. Now Sh. Sanjeev kumar should not raise such baseless arguments in the HOUSE.

Sh. Sanjeev Kumar and Sh. Deepak Sachdev raised the issue of new agencies in the HOUSE and threatened the President that if he signs the cheques to the new agencies, they will lodge an FIR against him.

House strongly condemns the statement of Sh. Sanjeev Kumar and Sh. Deepak Sachdev and asked President to sign the cheques on the assurance of the HOUSE.

President and Treasurer refused to sign the cheques and left from the meeting and rejoined the meeting after some time but still refuse to sign the cheques.

Sh. A.K. Mishra (Flat No.243) intervened in the matter and appealed to the HOUSE that we, being the residents of society, should pay the workers without any delay. This is also not correct morally that we have not paid the workers since last 2 Months. He also asked the HOUSE to approve the proposal that these agencies shall continue to work till March 2015 as the elections are due.

HOUSE approves the proposals from Sh. A.K. Mishra and again asked the President to sign the cheques.

Sh. Sanjeev Kumar mentioned about the CONTEMPT OF COURT case against previous RWA and stated that he tried for mediation in this regard by asking a few members of the society.

Sh. A.K. Mishra offered to mediate to resolve the issues and bring back the brotherhood and harmony in our society.

HOUSE appreciated the efforts of Sh. A.K. Mishra and everyone agreed to his proposal.

Sh. Neeraj Mathur proposed that internal audit should take place on quarterly basis by the qualified members of our society only. The matter was appreciated by the HOUSE. HOUSE requested Sh. A. K. Mishra to take the responsibility of quarterly internal audit and he can select a team to assist for the purpose.

**President agreed and signed the cheques of Housekeeping and Security agencies but as Treasurer left the meeting the payments remained incomplete. President ensured the HOUSE the Treasurer will sign the cheques as they are signed by both President and General Secretary.**

At this stage, Sh. Balbir Tyagi requested to President to release payment of Rs. 25000/- which was borrowed by the RWA from him and President assured for the same.

### **Agenda No.7**

Agenda No.7 is dealt in Agenda No. 3.

### **Agenda No.4 & 6**

Agenda 4 & 6 were not discussed during the meeting because of time shortage.

**President concluded the meeting with vote of Thanks.**

The minutes of meeting are written by General Secretary Sh. Parveen Kumar. If you notice anything missing or have an objection (if any) to any of the points mentioned in the minutes, please send your objection to [rwa@sanskritiapartments.com](mailto:rwa@sanskritiapartments.com) or handover your written objection to GS. In case of any questions, please contact General Secretary RWA at 9810329885. We request you to send your feedback by within 15 days from the date of dispersal of the MOM.



Parveen Kumar (General Secretary)

