

**MINUTES OF MEETING WITH REPS OF SHANTI VIHAR, SECT-95
GURUGRAM AND OFFICIALS OF AWHO ON 10 AUG 2020**

1. A mtg was organized between the reps of Shanti Vihar, Sect- 95 Gurugram allottees & officials of AWHO on 10 Aug 2020. Fwg attended:-

AWHO

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|-----|-------------------------------------|---|---------------|
| (a) | Maj Gen Vikal Sahni, SM, VSM (Retd) | - | MD. |
| (b) | Brig DN Bhatt | - | Dy MD (Tech). |
| (c) | Col Abhishek Koushik, SM | - | Secy. |
| (d) | Col Viresh Sharma | - | Dir (Mktg). |
| (e) | Col RK Mengi | - | Dir (Plg). |
| (f) | Mrs. Vinita Sinha | - | Dir (F&A). |

Reps of Shanti Vihar, Sect-95 Gurugram

- (g) Lt Gen Gurmit Singh (Retd)
- (h) Lt Col Uma Kaushik (Retd)
- (j) Sub Maj Laxman Singh Chauhan (Retd)

2. MD welcomed all the reps of Shanti Vihar, Sect - 95 Gurugram proj and promised them all possible assistance in resolution of various issues keeping the interest of both, the allottees and the org in mind. He thereafter, requested Lt Gen Gurmit Singh (Retd) to give out the pts of the allottees.

3. Lt Gen Gurmit Singh (Retd) thanked the MD and stated that no better person could have been chosen to shoulder this responsibility and allottees have great hope in his abilities to resolve their issues. He also expressed his gratitude to CDS Gen Bipin Rawat and Maj Gen Gurdip Singh (Retd) for recommencement of proj because of which the proj was now near finalization. He requested MD to arng a mtg with the CDS, COAS and AG to personally thank them for their involvement and request them for CSD and ECHS facilities in the proj. Thereafter, he listed the fwg queries:-

- (a) Sch of H/O incl commencement dt.
- (b) Relevant SOP and policies governing rectification of defects. Strict timelines to be adhered to for the same.
- (c) Maint liability of the contractor and the duration.
- (d) Status of final payment / dues in proj.
- (e) Relocating 220 MW HT wire passing through the society.
- (f) Status & modality of allotment of EWS flats.
- (g) Recom of incorporating reps of CBRE in tech validation of the proj.
- (h) Liability / accountability of M/s Ram Prastha Pvt Developers Ltd and the status of various BGs and securities deposited with AWHO.
- (j) Queries of allottees to be answered/ replied to.
- (k) Monthly mtg wrt status of various issues/ updts through skype / online meets.
- (l) Fmn of Arbitration panel to amicably resolve issue of allottees.
- (m) H/O of proj land free of encumbrances.

4. The key issues highlighted were as follows:-

- (a) MD stated that the H/O of five towers shall commence wef 01 Oct 20, once OC is recd, which is expected by end Sep 20. He added that all allottees of the nominated towers (C,D,Q,L & R) sch to be H/O from 01 Oct 2020 can vis their respective DUs so that corrective action in the DUs could be ensured and defect free DUs H/O as per the sch dts. PD has been intimated to facilitate vis of allottees of these five towers to their DUs and note their obsns in a register. PD will try to rectify all obsns prior to 01 Oct 20 so that allottees can have a smooth H/T over. Similar ex was planned to be conducted for allottees of all other towers as promulgated in handing over sch thereby giving min of 4-6 weeks to all allottees to repair all defects obs by them.
- (b) MD info that on the day of his vis to Gurugram- 95 proj, he had also visited the projs of pvt builders like DLF and TATA Housing. He stated that the two basic advantages to allottees of AWHO vis a vis allottees of the pvt builder projs were higher carpet to super area ratio & cost of DUs which was in favour of allottees of AWHO.
- (c) A local BoO has been detailed by HQ, WC to look into the tech & structural aspects of the proj. MD stated that he had spoken to COS, WC & COS, Delhi Area (detailed fmn) to expedite the same.

(d) Dy MD info that the a/m towers were ready to be handed over on receipt of OC. He showed the folder and one set of docus to be handed over to each allottee. These incl Handing Over Letter, two sets of keys and Do's & Don'ts & guidelines for taking over the DU, to be handed over at CRM (Customer Relation Managers) Desk. Dy MD (Tech) also info that the final date for complete payment in r/o allottees of the a/m five towers is till 15 Oct 2020. Additionally, all the allottees who had already paid the complete cost will be compensated by giving them the savings deposit rate of interest on final amt deposited for the interim period.

5. Thereafter, MD asked Dy MD (Tech) to reply to various queries raised by the Gen Offr.

H/O of DUs

6. Dy MD (Tech) stated that AWHO was trying hard to obtain the OC at the earliest and the H/O would commence latest from 01 Oct 2020 onwards, post obtaining the OC. This was however subject to COVID 19 sit and the DTCP Haryana team vis our proj site. In case OC is not recd by 30 Sep 20, for reasons beyond our control, the allottees shall be intimated the next date of commencement of H/O. However, in no case shall the H/O commence without obtaining the OC. The timelines for H/O of other towers shall be as follows:-

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|-----|---|---|-----------------------------|
| (a) | Towers B & A | - | 01 Dec 2020 to 31 Dec 2020. |
| (b) | Towers E, F, G, H & J | - | 01 Jan 2021 to 31 Mar 2021. |
| (c) | Towers K, M, N, O & P | - | 01 Apr 2021 to 30 Jun 2021. |
| (d) | Services External to incl
Elevators, STP, Water sup pump
house, sewage line, fire pump &
arboriculture etc | - | 01 Jul 2021 to 31 Aug 2021 |

220 MW H / T Line Passing Through the Proj.

7. Dy MD (Tech) briefed the house that dealing officials in Bhakra Beas Management Board concerned with the issue had been spoken to. However, a long list of compliances to undertake the same has been forwarded by them which has been posted on the AWHO website for the info of the allottees.

8. He further stated that as info by the govt agency, no such action has been undertaken by them for any housing society till date. If all these compliances were agreed to, it will have huge cost burden on all allottees and is therefore economically unviable.

9. Lt Gen Gurmit Singh (Retd) suggested that endeavour to undertake relocation must be kept going and a mtg with the allottees of Gurugram-95 and the relevant officials may be org to impress upon the issue.

10. MD stated that all prescribed guidelines wrt safety distances and norms legislating constr of towers keeping the distance from HT wire in mind have been incorporated in the design of the proj to ensure safety of all residents.

EWS DUs

11. Dy MD stated that the issue of EWS had been replied to the allottees by AWHO earlier as well. He however handed over another copy of brief prepared by AWHO on the issue alongwith policy letters of Haryana Govt on the subject to Lt Gen Gurmit Singh (Retd) and highlighted the fwg:-

(a) Constr of EWS DUs were in conformity with State Govt guidelines.

(b) EWS DUs are being allotted by State Govt Housing Bd and AWHO has no say in it.

(c) All accruals of amt owing to sale of these EWS DUs, which as on date is Rs 1.5 Lakh per DU, will be credited to proj a/c. The amt will have to be demanded from Haryana Housing Bd once EWS are sold by them as per their rules and policies. AWHO shall have no role in this.

Tech Validation of Proj by CBRE Team

12. Dy MD info that all allottees in their indl capacity could take assistance of reps of various agencies to scrutinize the different aspects of allotted DUs to assist them, however, the same cannot be institutionalised owing to legal and procedural issues.

13. Permission to eval the proj as a whole by some third agency would lead to complications as the suggestions / obsns could not be implemented owing to contractual liabilities with the Contractor.

14. MD reiterated that the org was committed to fulfill the obligation of delivering robust and satisfactory DUs to allottees and BoO detailed by HQ Delhi Area would be ensuring the same for central amenities and the fitments used in the DUs.

Availability of Proj Accts to Allottees

15. Dir Fin info that as on dt, on acct of 77 unsold DUs, there was a deficit of Rs 33 Cr which has been borrowed from loans to complete the proj.

16. MD thereafter assured that a 'bal sheet with inflows & out flows in proj would be hand over to the RWA on closure of proj acct after due audit.

17. Lt Gen Gurmit Singh (Retd) reiterated that the issue was of transparency and openness and hence 02 / 03 allottees possessing fin knowledge and acumen could be allowed to go through the accts.

18. MD stated that maj heads of receipts and expdr would be shared and if there were any queries related to these, two to three allottees could be nominated to come to AWHO for any clarification. However, sharing of all a/c sheets running into hundreds of pages to indl allottees would not be possible.

Accountability Status of Liability Case Against M/s Ramprastha & Encashing of Financial Securities Deposited With AWHO

19. Both the pts were replied by Dy MD (Tech) as under:-

(a) All bank Guarantees to the tune of 7 Cr have been encashed and credited to proj fund. In addn, a sum of Rs 4 Cr of the contractor held with AWHO as penalty for delaying the proj has also been ploughed back to the proj a/c.

(b) A sum of Rs 370 Cr has been claimed by AWHO against contractor in the arbitration proceedings. The same is being dealt with by AWHO with the seriousness it deserves, with the help of Sr Advocate of Supreme Court and well experienced Technical Consultant having almost 30 years experience in arbitration cases.

Poor Response from AWHO on Corres by Allottees.

20. Dy MD info that most of the queries of the allottees are replied back, however, in few cases the queries raised do not merit any reply being repeated queries, replies of which have already been posted on our website.

21. MD stated that a consolidated updt of all common queries would be posted on the AWHO site periodically so as to negate the reqmt of replying to all indl allottees. Additionally, Skype / online meetings shall be conducted periodically to address all unresolved and unanswered issues / queries.

22. Lt Gen Gurmit Singh (Retd) reiterated AWHO to answer all queries for the satisfaction of the allottees. The same was agreed to.

Fmn of Arbitration Panel to Resolve Various Issues

23. MD queried about the reqmt of arbitration panel. He stated that if it was in reference to defect rectification, that would be ensured by the PD.

24. Lt Col Uma Kaushik (Retd) explained that arbitration panel was reqd for complaints lodged in Consumer Forum. MD stated that since the allottees had already undertaken the extreme step of going to Consumer Forum to redress their grievances, he did not see any utility of any addl arbitration panel.

25. Lt Gen Gurmit Singh (Retd) remarked that the pt could be related to litigation so that the legal remedies prayed in Consumer Forums could be resolved through the arbitration panel.

26. MD explained the fwg:-

(a) AWHO, unlike pvt builders who work on a profit margin of 25-30%, functions on '**No Profit No Loss**'.

(b) AWHO functions on the money of allottees and does not have any funds of its own. Thus, any addl liabilities would be offset from the Proj fund only.

27. Lt Gen Gurmit Singh (Retd) stated that more clarity on the issue would be obtained and the same will be taken up in the next meeting.

28. MD concluded the pt by reiterating the stand of AWHO that for the delay and non exec of contract by M/s RPDPL, AWHO has collectively (on behalf of all allottees) undertaken arbitration proceedings. Any award from the same will be refunded to the allottees after all legal remedies are exhausted by both the parties. However, allottees have lodged legal proceedings against the AWHO. In the tussle between the AWHO and the allottees, the lawyers are the only beneficiaries. He requested the allottees to reconsider their stand.

Handing / Taking Over Process

29. **Sufficient Adv Notice be Given for Hand Over to Facilitate Travel.**
The pt was agreed to. It was reiterated that min one month notice shall be given to the allottees to take over their DUs. Otherwise also, as per the procedures of AWHO, an allottee gets a min of 105 days before caretaking chs in r/o their DUs are levied.

30. **No Contractor or His Rep (s) Must be Seen During Handing Over.**
MD stated that for obviating functional problems, the Contractor rep needs to be present as ultimately he is reqd to rectify the allottees obsns. The same was agreed to by the reps of Gurugram-95 allottees.

31. **Strict Timelines be Laid for Rectification of Defects Noticed.**
Dy MD (Tech) informed that the same is already incorporated in the procedure of H/O over. The allottees, after prelim insp of the flats, will be given a time of 15 to 20 days to carry out a confirmatory vis to confirm if all the defects brought out by them have been rectified.

32. **Entire Land of the Proj must be Free of Any Encroachment and Temp Structures Before Commencement of Handover.** It was agreed that the area of proj land shall be made free of any encroachment. However, few temp sheds coming up along the periphery of proj land is pvt land and there might be certain issues as the land does not belong to the proj. Lt Gen Gurmit Singh (Retd) requested the PD to informally apch the land owners on behalf of the allottees to get the temp sheds / structures removed. MD requested Lt Gen Gurmit Singh (Retd) to also send representation to local civ auth in this regard as gp of allottees / veterans will have desired effect rather than AWHO taking up the issue. MD also confirmed that the office of the PD which is presently op from a temp shed shall be demolished and the office shifted to one of the unsold DUs, after H/O of first lot of five towers.

33. **Contact Details of All 1221 Allottees be made Available to Facilitate Selection and Election of Adhoc and Permt Welfare Committee Respectively.** MD info that as per the Rules and procedures of AWHO, AUC is formed once occupancy is 20% and RWA is formed when the occupancy is 50% of the proj. He also info that RWA elections shall be conducted as per AWHO norms followed in all its projs. He stated that the contact details of all the allottees would be made available once the AUC is formed. However, the same cannot be provided to indl allottees, owing to possible representation by some allottees against it.

Revenue Rasta

34. Sub Maj Laxman Singh Chauhan (Retd) inquired wrt the status of Revenue Rasta. MD explained that the same was a mandatory reqmt to provide access to villagers to their fields, villages etc. The rule further lays down that the Revenue Rasta is to be kept open for utilization by the villagers. However, AWHO was planning to buy the same qty of land from villagers outside the proj and swap it with village Panchyat for Revenue Rasta. This is likely to cost approx Rs 1.5 Cr. However, on few occasions there have been incidents by local villagers who insist upon keeping the Revenue Rasta open. To obviate any future issues and to safeguard the money of the allottees, AWHO has decided to construct wall along the Revenue Rasta with gates to cont access, pending confirmation of availability of land by village Sarpanch.

Concluding Remarks

35. Lt Gen Gurmit Singh (Retd) thanked the MD his positive apch and clarifying all the issues. He also conveyed his thanks to AG, COAS & CDS on behalf of all allottees for taking interest in the proj and assisting in realization of dreams of all the allottees. MD AWHO assured the reps of Sect-95, Gurugram proj that AWHO would strive hard to meet the aspirations of allottees who have waited for a long time for their homes.

36. There being no other pts, the mtg was declared closed.