

GOVERNING BODY OF SANSADIYA ADHIKARI WELFARE SOCIETY (2024-26)

MINUTES OF THE EXTRA-ORDINARY GENERAL BODY MEETING OF SANSADIYA ADHIKARI WELFARE SOCIETY (SAWS) HELD ON SUNDAY, 08 SEPTEMBER, 2024 AT THE WESTERN COURT ANNEXE, JANPATH, NEW DELHI.

An Extra-Ordinary General Body Meeting of the Sansadiya Adhikari Welfare Society (SAWS) was held on Sunday, the 08th September, 2024 from 11.00 hrs. to 15.30 hrs.

Present

(i). Governing Body

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| 1. | Smt. Suman Kumari Yadav | - President |
| 2. | Shri Randeep Kumar Rana | - Vice-President |
| 3. | Shri S. Lakshmikanta Singh | - Secretary |
| 4. | Shri Manoj Kumar Kushwaha | - Treasurer |
| 5. | Smt. Sunita Dagar | - Member of the Governing Body (Women) |
| 6. | Shri Manoj Sabharwal | - Member of the Governing Body |
| 7. | Shri Vinod Kumar | - Member of the Governing Body |
| 8. | Shri Tekchand | - Member of the Governing Body |
| 9. | Shri Vijay Bhaskar | - Member of the Governing Body |

(ii) 200 Members of the Sansadiya Adhikari Welfare Society as signed in the Attendance Sheets/Membership Updation List

2. At the outset, on behalf of the Governing Body, Shri Tekchand, Member of the Governing Body, welcomed all the Members of SAWS who had come to attend the Extra-Ordinary General Body Meeting and introduced the office bearers of the new Governing Body to them. He thanked the Members of SAWS for electing the new office bearers who have given commitment to work with transparency and accountability for SAWS. Then, Smt. Suman Kumari Yadav, President of the Governing Body also welcomed and thanked the Members of SAWS for giving the new office bearers an opportunity to work for the betterment of SAWS and its Members. She sought cooperation from the Members in running SAWS. She also thanked Shri Ajay Kumar Sood, Director, Lok Sabha Secretariat and the Returning Officer of the election to the Governing Body of SAWS held on 28 April, 2024 for successfully conducting the election with transparency in a free and fair manner.

3. Thereafter, Shri Randeep Kumar Rana, Vice-President of the Governing Body

gave a PowerPoint Presentation based on the facts that emerged from the documents handed over by the outgoing Governing Body/office bearers. The PPT Presentation revealed various challenges and problems confronting SAWS, the status of the Delhi Land Pooling Policy of DDA and actions to be taken by SAWS in this critical juncture, which inter-alia covered the following points:

- (i) status of SAWS;
- (ii) the issues in handing over the charge/documents by the outgoing office bearers;
- (iii) irregularities in executing the MoU with M/s Dev Realcon Private Limited –
- (iv) mismanagement by the outgoing office bearers;
- (v) land cost;
- (vi) mode of purchase of land;
- (vii) status of SAWS land;
- (viii) non-handing over of cashbook, account statement, Original Audit Reports since 2013, Receipt Book containing 500 Receipts (Nos. 1601 to 2000) along with the detailed statement of amount received through these Receipts, Original minutes of all the GBMs held so far, etc.;
- (ix) court cases;
- (x) fund constraints;
- (xi) status of Land Pooling Policy of DDA;
- (xii) non-handing over the physical possession of the land;
- (xiii) present refund status of SAWS and measures to be taken for giving refund to members;
- (xiv) auditing of society accounts since beginning – forensic audit;
- (xv) clearance of land mutation papers;
- (xvi) recovery of pending amount from outgoing governing body;
- (xvii) steps to be taken to deal with court cases; and
- (xviii) raising of funds for running the society and meeting legal expenses.

4. In particular, the attention of the Members of the General Body was drawn to the following facts and irregularities pertaining to purchase of land as gleaned from the documents:

Cost and Mutation of Land

- (i) **Total Land Purchased and Registered** - 85 bigha and 03 biswa (approx. 17.74 acre)
- (ii) **Status of Mutation of Land** - 11.74 acres (approx.) of land is mutated in the name of SAWS and approx. 5.95 acre of land is not yet mutated in SAWS name

(Two Sale Deeds for purchase of 5.95 acre of unmutated land were registered on 30.07.2014 and 04.03.2015. Government stopped mutation on 10.11.2017, why mutation was not done during the period ranging from 30.07.2014/04.03.2015 till 09.11.2017 is not forthcoming.)

- (iii) **Costing of land** - Cost of Land 63,29,47,600/- (Rupees Sixty-three crore twenty-nine lakh forty-seven thousand six hundred).
- (iv) **Stamp Duty @ 6 % + 1 %** - 4,43,06,332/- (Rupees Four crore forty-three lakh six thousand three hundred thirty-two).

- (v) **Total Cost** - 67,72,53,932/- (Rupees Sixty-seven crore seventy-two lakh fifty-three thousand nine hundred thirty-two)
- (vi) **Average Cost Per Acre of Land** - Rs. 3,81,76,659/- (approx. 3.82 crore).

Selection of Consultant

- (vii) The consultant namely M/s Dev Realcon Private Limited, was selected arbitrarily. What were the rates and services offered by other two firms which responded to newspaper advertisement, and why the selected firm was given preference over them is not forthcoming?
- (viii) Maximum Price per acre agreed upon in MoU (Rs. 3.49 crore) was done without market survey of actual farm land rates in the area or by comparing competitive rates.
- (ix) Maximum price agreed upon in MoU was Rs. 3.49 crore. At this rate, the total cost for 17.74 acre is 61,91,26,000/-. However, the total amount paid to M/s Dev Realcon Private Limited was Rs. 3,56,79,120/- as per Sale Deeds. Thus, an excess amount of Rs. 1,38, 21, 600/- was paid without any justification and in clear violation of MoU.
- (x) Rs. 1 crore given to the consultant as security deposit was to be adjusted/returned to SAWS immediately after expiry of MoU i.e. 09.12.2014 or at most after the purchase of last chunk of land i.e. 04.03.2015. This amount is still not taken back from the firm.

SAWS fund lying with M/s Dev Realcon Private Limited which should be taken back with interest by the outgoing Governing Body/Management Committee at the earliest, as it seems to be a personal understanding between few members of the outgoing Governing Body/Management Committee outside the framework of MoU.

- (xi) As per practice, security deposit should have been made by the selected firm/consultant with the Society whereas in this case, the Society gave security deposit to the firm.
- (xii) Although the MoU had already expired on 09.12.2014 or 04.03.2015, the Society paid Rs. 2,32,24,605/- (including Rs. 1 crore security deposit + Rs. 14,08,746/- as rental income - as per the email communication by the outgoing Secretary) arbitrarily without any authorisation.
- (xiii) A total amount of Rs. 3,70,46,205/- (Rs. 2,32,24,605/- lying with M/s Dev Realcon Private Limited + Rs. 1,38,21,600/- excess amount paid to M/s Dev Realcon Private Limited for purchasing land in violation of MoU) should have been in the Society account but not handed over. Personal dealings of outgoing Governing Body/Management Committee members with the consultant namely M/s Dev Realcon Private Limited is not of any consequence to the Society.

5. The Governing Body provided opportunity to the Members to speak and give suggestions on the issues and matters pertaining to SAWS. Considering the critical circumstances under which SAWS has been reeling, several Members suggested the actions to be taken by SAWS at this stage to dealt with the challenges and problems and to find a way out. In particular, the following Suggestions/Points of the Members found wide support in the Meeting:

Sl. No.	Name of Member who spoke	Suggestions/Points made
1.	Shri E. Natarajan	Legal Action should be initiated against the outgoing Governing Body/office bearers.
2.	Shri Sunil Shokeen	<p>The PPT Presentation is appreciated for disclosing the facts pertaining to and status of SAWS.</p> <p>The proposal for selling the total/entire land of SAWS is objectionable.</p> <p>Funds should be raised from the Members for meeting legal expenses and running SAWS.</p> <p>Legal Action should be initiated against the outgoing Governing Body/office bearers if some irregularities are found.</p>
3.	Shri Anoop Sehgal	<p>The Governing Body should take legal action against the previous Governing Body/office bearers and raise funds from the Members for meeting this expenditure. Expressed his willingness to pay upto Rs. 02.00 lakh for meeting the legal expenses but don't let them go scotfree.</p> <p>First GBM in which information is shared transparently by the new Governing Body.</p> <p>What is the standing of M/s Dev Realcon Private Limited?</p> <p>Warn the outgoing Governing Body/office bearers about the discrepancies and take action against them and M/s Dev Realcon Private Limited.</p>
4.	Smt. Neelam Uppal	Lodge complaint to Hon'ble Speaker/Secretary General, Lok Sabha against the previous Governing Body/office bearers for mismanagement, discrepancies before taking legal action.
5.	Shri Harichand Jain	The Governing Body should meet Hon'ble Speaker

		/Secretary General, Lok Sabha to resolve the issues with the outgoing Governing Body/office bearers. If that fails, legal action can be taken against them.
6.	Shri Madan Kumar Mishra	<p>Primary objective should be securing money of the Members.</p> <p>Take physical possession of the land and register the mutated land for Chakbandi so as to get consolidated piece of land instead of separate land parcels.</p> <p>Compile and share List of payment by Members, flat type-wise.</p> <p>Don't divide Members into For Sale Members and Not For Sale Members. All the Members should unite for the common cause.</p>
7.	Dr. Anil Malik	<p>We need to think how to save money.</p> <p>Where has rent income gone?</p> <p>Rent income should come into the corpus of SAWS.</p> <p>Find ways and means for expediting refund to the Members.</p>
8.	Smt. Sudesh Luthra	<p>Firstly, take the physical possession of land. Then contact RERA for converting SAWS into a Group Housing Society, if possible.</p> <p>Take updated information from the Members so that an accurate documentation can be done and Members list can be prepared for further action.</p>
9.	Shri Rakesh Verma	<p>Proper records should be obtained and maintained. Membership list details should be updated indicating who paid how much money especially after incorporating the additional land cost paid and changes in types of flat opted by several Members.</p>
10.	Shri Dayanand	<p>First, need to take over all the requisite documents/records. Governing Body should complain to Hon'ble Speaker /Secretary General, Lok Sabha and also warn the outgoing Governing Body/office bearers that complain is being lodged against them.</p> <p>Check the authenticity of land registration</p>

		<p>papers/Sale Deeds.</p> <p>Retired Members may transfer their membership to family members/relatives.</p> <p>Nomination system should be there. Change of nominee should be allowed.</p>
11.	Shri Subhash Suri	<p>Applied for withdrawal and refund in 2018 but not yet received money.</p> <p>Explore the option for replacement of Members and then give refund to the Members who have applied for withdrawal as per seniority list.</p> <p>Before taking legal action against the outgoing Governing Body/office bearers, Hon'ble Speaker /Secretary General, Lok Sabha must be informed.</p>
12.	Shri V.K. Ahuja	<p>Upload the Minutes of the meeting on the website.</p> <p>Rationalize the amount paid by the Members.</p> <p>Update the Members' List with details of payments and type of flat.</p>
13.	Smt. Shashi Bist	<p>Update and share payment details of the Members, flatwise on the website.</p> <p>Before taking legal action, update the data.</p>
15.	Shri Laxmikant Vashishth	<p>File cases for Breach of Trust and Concealing the Facts against the outgoing Governing Body/office bearers and M/s Dev Realcon Private Limited in Economic Offences Wing and ED. ED will take up this case as it involves more than Rs. 10 crore. Delhi Police will also take action in this case.</p>
16.	Shri C. B. Nagpal	<p>What action will be taken against the Members who have not paid full payment?</p>

6. A large no. of Members also raised various queries and sought clarifications from the Governing Body on diverse issues/matters. All these queries were promptly replied to by the President, Vice-President and Secretary of the Governing Body by giving appropriate information, facts and figures as per the available records. The President also invited the Members having legal and accounting knowledge and expertise to come forward and volunteer to assist SAWS in dealing with court cases and accounting matters. Shri Ravi Prakash Tiwari and Shri Virender Singh Yadav responded positively and offered to assist SAWS in accounting and legal matters respectively.

7. Thereafter, the findings of the Sub-Committee constituted for exploring the market rates/circle rates of the land of the Society as of 2014-15 and 2024 were placed before

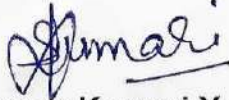

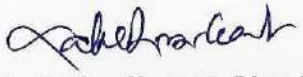


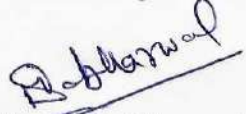
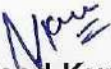


the Members *inter-alia* highlighting that mutation and registration of land in Khera Kalan area has been put on hold for indefinite period w.e.f. 10 November, 2017 and the current market rate of the SAWS land is not even a half of the cost price.

8. After detailed discussions and in-depth deliberations, the Members of the General Body of SAWS unanimously resolved/decided to take the following actions:

- I. Not to explore the option of selling the land of SAWS in the present situations in haste.
- II. To meet the Secretary and other officials of RERA to explore converting SAWS into a Group Housing Society if possible.
- III. To verify the Sale Deeds/Registration Papers from the Revenue Office concerned.
- IV. To take physical possession of SAWS land after the end of current crop season or after 30 November, 2024 whichever is earlier.
- V. To expedite the pending mutation of SAWS land when the ban is lifted.
- VI. To raise funds exclusively **for meeting legal expenses of SAWS** as it is facing fund constraints at present. For this, each Member of SAWS shall contribute an amount of Rs. 10,000/-.
- VII. To conduct audit/forensic audit of the accounts/documents of SAWS since beginning.
- VIII. To lodge complaint to Hon'ble Speaker, Lok Sabha and Secretary General, Lok Sabha Secretariat against the previous Governing Body/office bearers for the irregularities and mismanagement in running SAWS and purchasing land for SAWS.
- IX. To file FIR with Economic Offences Wing of Delhi Police and other investigating agencies against the previous Governing Body/office bearers for the irregularities and mismanagement in running SAWS and purchasing land for SAWS.
- X. To file FIR with Economic Offences Wing of Delhi Police and other investigating agencies against M/s Dev Realcon Private Limited to recover an amount of **Rs. 3,70,46,205/-**.
- XI. To constitute, with the assistance of Members, two Sub-Committees for Legal Matters and Audit Matters for assisting SAWS in dealing with court cases and undertaking audit of the accounts of SAWS.
- XII. To seek payment details from all the Members of SAWS in a prescribed format. It shall be mandatory for all the Members to furnish this information to facilitate compilation and verification of amount paid of each Member.

9. The President thanked the Members of the General Body for their cooperation and active participation in the deliberations in the Extra-Ordinary General Body Meeting and making it successful. She then invited them for light refreshment.

The Meeting then adjourned.

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1. Suman Kumari Yadav
President | 
2. Shri Randeep Kumar Rana
Vice-President | 
3. S. Lakshmikanta Singh
Secretary |
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4. Manoj Kumar Kushwaha
Treasurer | 
5. Sunita Dagar
Member | 
6. Manoj Sabharwal
Member |
| 
7. Vinod Kumar
Member | 
8. Tekchand
Member | 
9. Vijay Bhaskar
Member |