

# AIR FORCE AND NAVAL OFFICERS CGHS LTD

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## ROLE OF MANAGEMENT COMMITTEE AND SUB-COMMITTEE

1. During the last couple of months there are numerous talks about the role and responsibilities of Management Committee and Sub-Committees. Some of the members are spreading misinformations knowingly or unknowingly and the healthy living environment of the society is getting vitiated. The common member at times may get influenced by this rumour spreading, because a lie told 100 times start looking like a truth. Hence the Management Committee has decided to clarify the position once for all for the knowledge and information of all the members.

2. The role and functioning of sub-committee and its relationship with Management Committee are covered under Rule 106 (10) of Delhi Co-operative Society Rules 2007 and AFNO CGHS Ltd Bye Law No 29 which are reproduced below:-

### RULE 106 (10) OF DCS RULES 2007

*Any other organisation such as Resident Welfare Association or Apartment Owners Association, by whatever name it may be called shall not be allowed to control or participate in the management of Co-operative housing complex. However the Committee of the co-operative housing society may set up sub-committees consisting of members and non members to assist the sub-committee in the management of the complex of the co-operative housing society.*

### ARTICLE 29 OF AFNO CGHS LTD BYE LAWS.

*The Committee may appoint from amongst its own members a sub-committee and may delegate to it or any other officer of such of its own powers as it may consider desirable for the better conduct of the society affairs. The sub-committee or officers shall in the discharge of the function*



*[Handwritten signature]*

***entrusted to them, confirm in all respect to these bye laws and to the instructions given by the Management Committee.***

3. The copies of above stated documents are available in society office for ready reference. Following is the logical interpretation of stated two legal provisions related to housing societies:-

**(a) Organisations like control committee or core committee or house formed sub-committee cannot be formed.**

(b) Only Management Committee can form the sub-committee.

(c) Sub-committee works to assist the Management Committee and it has to work as per instruction of MC.

(d) Sub-committee is not an autonomous body and it works for MC (which is an elected body) and cannot work at cross purpose with MC.

4. The issue under discussions is the sub-committee formed for repair / replacement of pipes in the shafts. The wish of the house was honoured by MC by forming sub-committee formally and issue of terms of reference by President Management Committee after personally showing the draft to the President Sub-Committee. The MC had duly circulated the terms of reference through circular and social media. The copy is also available in society office for perusal of members as per terms of reference.

5. The sub-committee refused to follow the guidelines issued by the MC, the terms of reference or well established financial canons. Following are some of the points:-

(a) The sub-committee did not compile scope of work and RFP and circulating the same to MC and members, for views and modification.

(b) The sub-committee issued and opened the tenders in piecemeal manner. Letter for floating of tenders (by email as stated by sub-committee) is not submitted even now. Tenders were not opened in public.

(c) Dismissing members of sub-committee which is beyond the power of the sub-committee. Only MC can form or modify the composition of sub-committee or dissolve the sub-committee. One of the members was dismissed without stating reasons and second for his difference of views. Letter of dissent was submitted by the member formally to Management committee which is also in public domain.

(d) In the first meeting between MC and sub-committee some sub-committee members stated that it is house formed sub-committee and not answerable to MC.



(e) After submitting the hand written report, Sub-committee was not willing to share the documents with MC. The photo copy was submitted after five days that to very reluctantly. The report is in public domain.

(f) Well established financial cannons were not followed. Tenders were invited from two vendors but rejected on capability grounds. The tenders should not have been issued to these vendors in the first place.

(g) The sub-committee obtained tender for opening, cementing and painting of 96 of 144 shafts at a cost of Rs 40 lakhs app. There was no proposal for replacing damaged pipes thereby not addressing the basic problem of leaking pipes.

(h) The problem of 48 kitchen pipes was not a part of proposal at all. The kitchen shafts are the places where more problems are coming.


(i) In the opinion of the MC spending over 40 lakhs Rs for opening, cementing and painting of shafts is wasteful and serves no purpose. Society will have to spend money on scaffolding and repairs as and when leakage takes place.

(j) During the meeting of MC and sub-committee on 31 May 23, sub-committee stated that the report submitted by the sub-committee is non-negotiable and the sub-committee will not refloat proper tenders with scope of work and obtaining comments from MC and members. This created a 'no go' situation.

6. Under these circumstances, there was no point in calling the SGM since MC is in no position to continue with the sub-committee since there is no chance to come to a common platform and has no choice but to abolish and discontinue the sub-committee. MC is prepared to discuss the issue with any members and all documents are available for members' scrutiny. Please contact MC for details rather than believing in unverified and deceitful rumours.

7. This is being issued with the concurrence of Management Committee after discussions.



  
13.7.23  
(KGR MENON)  
Secretary  
For Management Committee