## Minutes of the owners meeting held on $5^{\text {th }}$ Dec 2021 at 11:30 AM

## Board Members present

Mr Abdul Sattar ( President), Adv Nitin ( Vice president) , Mr Harirajan (Secretary), Mr Nagesh Rao (Head-Fin, audit \& legal), Mr Samidh Chaterjee ( Treasurer), Mr Vijay Tripati, Mr Pritam marik, Mr Senthil.

## Agenda for discussions

1) Finalizing the elevator service contract. 2) Finalizing STP contract , 3) Survey and estimates for seepage and leakage problems , 4) Schedule of OH tank cleaning. 5) Appointment of Property Manager. 6) Approval for voluntary CCTV proposals. 7) Kannada Rajyotsava celebrations 8) Other Points .

## Vendor for Elevator service and Maintenance

Since L1 vendor M/s Quality who was shortlisted in the earlier owner's meeting backed out at the last moment (due to non acceptance of payment terms) , it had compelled the Board to continue with existing vendor M/s Microtec as a stop gap arrangement till an alternate vendor is taken on Board. L2 vendor $\mathrm{M} / \mathrm{s}$ CETRA Elevators was the next choice for the Board and the same was explained to the owners in the meeting and also to avail their services.

## Vendors short Listed for Elevator Maintenance

Rates for Non-Comprehensive AMC

2 Quality Lift and Spares - 15,45 Lakhs-Not accepted our Payment Terms

- Cetra Elevators - $\mathbf{1 5 . 5 0}$ Lakhs-Second Recommended Vendor
- Kone Elevators - 23.01 Lakhs (HIGHEST)

Note : The quoted rates are inclusive of the cost for carrying out the health check of all the elevators except M/s Kone as they have already
submitted their report.

- Though one more vendor $\mathrm{M} / \mathrm{s}$ Axel has quoted marginally less value (Rs 15.08 Lakhs), technical team was not in favour this vendor citing quantum of kone elevators being handled by them vis a vis other two vendors. Additionally their management is shared among many people and it shall be difficult to attribute / owning the responsibility in case of accidents.

We also sought list of critical spares to be maintained for 2 sets of elevators. Below are their quotes.
Quality Lift and Spares-7.72 Lakhs
Cetra Elevators-
14.63 Lakhs
Kone Elevators -
$l$

Before firming up the contract, the Board sought certain details from the vendor M/s Cetra as detailed below which the vendor refused to share. Due to their negative comments, board has decided ignore their offer. Board shall continue with the existing vendor for some more time as a stop gap arrangement till a fresh proposal is finalized.

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Fwd: Request for the additional documents / information
    From: Abdul Sattar<sattar9449@gmail.com>
    Date: Sat, 18 Dec, 2021, 8:28 pm
    Subject: Re: Request for the additional documents/information
    SM, OPWCAOA secren(O)
    Dear Cetra Elevators
    Thank you for your reply. I believe your reply is in negative which we have not expected. Hence we may not be able to consider your proposal for lift Vendorship.
    Thanking you
    odul Sattar
    PWCAOA
    On Wed,15 Dec, 2021, 9:43 pm Shesha Shayana C, <purchase@cetraelevators.com> wrote:
        Dear Sir,
        We apologise for the late reply.
        > We will provide all the requested information except Financial statements, agreement copies of other clients. Without confirmation of order we will not be able to provide relevant details as negotiations are going on from the past 3
        months and there is no certainty regarding the orde:
        > There will be a 3 months warranty from the date of delivery for spares supplied.
    We request you to release the PO for the maintenance contract of 1 YEAR irrespective of any changes in administration of PWCAOA
    Spares pricing shared with PWCAOA is valid till 25 Dec 2021 as there is fluctuation of prices of spares in the market.
    Please note, If the Contract duration is less than one year, it will not be feasible for us to take up the contract.
    Thanks & Regards
    Shesha Shayana C
Fwd: Request for the additional documents / information
    2nd stage, Bengaluru : 560076
    PH:+919741841332
        On Fri, 10 Dec 2021 at 00:17, Abdul Sattar <sattar9449@gmail.com> wrote.
        Dear Mr...
        M/s Cetra Elevator
        Bangalore
        Before we finalize a formal agreement with you, we would be requiring the below documents / additional information from your end. If necessitates, we shall be calling you on any day some times in the next week at PWC for further
        Before we finalize a formal agreement with you, we would be requiring the 
        1) Registration certificate related to Company's act and GST
        2) Trading license as applicable
            3) Cancelled cheque.
            4)Valid License from the electrical inspectorate for carrying out servicing and maintenance activities
            the area of Elevator maintenance
            6) Number of Technicians on the rolls of the company and the years of experience they poses in the area of elevator maintenance and servicing. Number of technicians engaged through off roll agency 
            7) Number of elevators currently being maintained by your company with the make (Kone, Otis, schindler, etc,) with their capacity, client name and location with client contact numbers for reference check
            8) Total annual turnover of your company and along with latest FI statements.
            g) Copies of agreement with your major clients for maintaining and serving the e
            10) Proof for having complied with all statutory, regulatory requirements.
            11) Warranty period for the spares parts. Timeline for replacing faulty parts with new ones
            12) Authentication process to check the genuineness of the spare parts.
            13) Confirmation to comply with "THE KARNATAKA LIFTS, ESCALATORS AND PASSENGER CONVEYORS ACT, 2012" and subsequent amendments.
            14) Escalation matrix in case of any issues.
            We would request to share the documents / information by return mail latest by 11th Dec 2021.
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The Board advised it's PFMs to doubly ensure mutual acceptance of the commercials and payment terms before they put up to the board for necessary scrutiny and approval. There should not be any ambiguity on these aspects at later stage. The ownership strictly lies with the PFMs and the Finance and audit team.

Certain section of the owners made hue and cry about recent incidence of lift failure due to which a mother and a child got struck in the lift for a quite a reasonable time. The affected owner spoke to the Board members and president about who shall be accountable for such failures. The President made it clear that it was mere negligence of the concerned portfolio Manger having known the issue
well in advance and not attending it. The Board shall conduct an internal enquiry and initiate action on the concerned PFM for negligence of his duties if any.

## Selection of vendor for Maintaining Sewage treatment Plant (STP)

Necessity for changing the vendor :

- Benchmarking the existing vendor commercials with that of market rates.
- Failure on the part of the vendor to control different parameters within the prescribed limits of KSPCB and to get our license renewed.
- Board policy not to engage any vendor / renew their contract for long duration of time without any proper justification and owners approval.
- As the existing vendor served the notice abruptly and discontinued the services even before hand over and take over process.
- Observations made by KSPCB officials when they visited the site earlier.
- Board was receiving many complaints related foul smell of STP treated water.
- Equipments turning out faulty and not addressing the same ( 5 out of 9 motors are non functional ) as observed by the SME.

Treasurer Mr Samidh Chaterjee along with the secretary short listed the vendor M/s Biotech Enviro Consultancy Pvt ltd., basis their extensive survey and vendor being the L1. Prior to the selection of the vendor, team had visited Prestige wellington and Godrej woodsman Estate housing complexes to assess their capability, technical competency and so on. The vendor also assured that they will coordinate with KSPCB and obtain our long pending "Consent For Operation" (CFO) in maximum of 45 days time. Treasurer informed the owners that it is a mandatory requirement to run an STP else the authorities will advise to shut down the facility and may impose hefty penalties.

The cost comparison as prepared by the secretary is pasted below.

| A | B | c | D | E | F | G | H |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| ALL INCLUSIVE(RS) | AQUACHEM | ENVIRO | BIOTECH | GENEX | CRYSTAL | ABHI | VALUEADD |
| INCLUDING GST@1 | 8\% |  | STP AMC C $¢$ | PARISON | CHART |  |  |
| DESCRIPTION | AMC(INR) | AMC(INR) | AMC(INR) | AMC(INR) | AMC(INR) | AMC(INR) | AMC(INR) |
| STP-AMC/YEAR | 2534640 | 1926750 | 1982400 | 2761200 | 2824920 | 2124000 | 2081520 |
| STP-AMC/MONTH | 211220 | 160563 | 165200 | 230100 | 235410 | 177000 | 173460 |

## Management Team of M/s Biotech Enviro consultancy services Pvt Ltd.,



Client list of the vendor M/s Biotech Enviro consultancy services Pvt Ltd.,


## Plugging Seepage and leakage issues

Owner Mr Kannan informed the Board that there are cases of water seepage, leakage issues from the upper floors, from the external walls, leakage due to the damages in the ducts are the matters of serious concern. He informed the Board to frame a proper policy to address such issues by involving an external consultant ( Preferably a certified civil engineer ) who can able survey all such areas and to give a proposal with the estimates to the board for their consideration and further action. He also informed since the buildings are almost 10 yrs old, builder will not take any responsibility for the same and the issues needs to be addressed by the association itself.

## President's Feedback

- Any leakage from the bath room of the upper floor needs to be addressed by the respective flat owner only. Board only intimates the owner of the upper floor to get the repair done at their own cost.
- Even leakage is also due to the gaps maintained between blocks (allowed due to expansion and contraction of the buildings due to the effect of heat)
- Any leakage in the common plumbing shafts due to the damages, shall be taken care by the association. One tower shall be taken as a pilot project to rectify all the issues related to the shafts and on the basis of satisfactory results, other towers shall be taken up in phased manner.
- He also informed that the issue has already been taken up with an expert consultant who informed , shall take up the survey once rains stops / rainy season is over.
- Requested all the owners to raise the complaints through My Gate app if they are facing any such issue. Even if the tickets are closed without any resolution, owners can re-open the tickets.

Vice president Adv Nitin apologized on behalf of the association for not addressing the issue related to the flat owner Mr Harish Kaushik (water seepage issue in his flat at the $7^{\text {th }}$ Floor). This is in spite of sending the mails by the owner, registering the complaint and speaking to the secretary . Vice president Adv Nitin informed that he shall be sending the technical manager to understand the issue and the possible solution to get it rectified. Treasurer Mr Samidh assured Mr Harish , that he himself shall visit his place to address the issue.

The list of complaints raised so far w.r.t water leakage is mentioned below ( 12 Cases as on date)

| S1 No | Date | Time | Block | Flat No | Owner Name | Mail conformation to owners | common duct/top floor /flat inside | Nature of Complaint | Received B1 | Attend |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 17.06.2021 | 06:00PM | E6 | 304 | Steven MD Souza | Mail Confirmed | Plumbing shaft wall | plumbing shaft wall seepage | Pavan | Manjukur |
| 2 | 03.09.2021 | 11:00am | G10 | 606 \& 607 | Inayat Kasmani | Mail Confirmed | window wall | Rain water leakage from window wall crack | Anand | Manjukur |
| 3 | 06.09.2021 | 10:00am | E7 | 702 | RAJ HALAHARVI |  | Terrace | Rain water seepage trom terrace | Pavan | Phabitra |
| 4 | 14.09.2021 | 11:00AM | J1 | 707 | Rupam Datta | Mail Confirmed | Terrace | Rain water leakage in terrace | Pavan | Manjukur |
| 5 | 16.09.2021 | 10:30AM | B3 | 407\&507 | Kshitij Mallick \& Malat | Mail Confirmed | out side wall crack | External wall crack issue major water seepage | Anand | Niranjan |
| 6 | 22.09.2021 | 11:00am | G9 | 701 | Gopal Kualkarni |  | Terrace | Rain water seepage from terrace | Anand | Niranian |
| 7 | 04.10.2021 | 10:30am | J2 | 206 | Anilmanhapra |  | Cooridor tiles | Cooridor tiles damaged | Pavan | Niranjan |
| 8 | 04.10.2021 | 2:30pm | F3 | 602 | David M | Mail Confirmed | wall crack issue | rain water entering in the flat through out side wall crack | Pavan | Manu |
| 9 | 11.10.2021 | 11:30am | E7 | 703 | Krishna Rathore |  | Terrace | Rain water seepage from terrace through wall cracks | Pavan | Nanjappa |
| 10 | 17.10.2021 | 11:15am | H2 | 706 | Arunachala |  | Terrace | Rain water pipe line surrounding water seepage | Anand | Venkatesh |
| 11 | 18.10.2021 | 2:00pm | B5 | Lift machine room |  |  | Lift machine room | Terrace rain water seepage | Anand | Biju |
| 12 | 05.11.2021 | 10:25pm | G6 | 703 | Harish Kaushik | Mail complaint | Terrace | Terrace rain water seepage | Secretary | Handymar |

## Schedule for overhead tank and water sump cleaning

Board informed the members that they have scheduled cleaning of OH tank and sumps once in six months. As per the request of one of the members, board shared the dates on which the OH tanks were cleaned last time and the same is mentioned below.

| over head tank cleaniing schedule |  |  |  |  |  |  |
| :---: | :--- | :--- | :--- | :--- | :--- | :--- |
| SL.NO | Over head tank location | Tank capacity | Tank cleaning date | Timings | Effected Blocks |  |
| 1 | A1 TO A5 | 25000 Ltrs | 04.08 .2021 | Remarks |  |  |
| 2 | B1TO B7 | 25000 Ltrs | 05.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | A1 TO A5 |  |
| 3 | C1 TO C7 | 25000 Ltrs | 06.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | B1TO B7 |  |
| 4 | D1TO D5 | 15000 Ltrs | 09.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | C1 TO C7 |  |
| 5 | F1 to F4 | 15000 Ltrs | 10.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | D1TO D5 |  |
| 6 | E1 TO E8 | 15000 Ltrs | 11.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | F1 to F4 |  |
| 7 | G1 TO G6 | 25000 Ltrs | 12.08 .2021 | $10: 00 \mathrm{am}$ to 05:00pm | E1 TO E8 |  |
| 8 | G7 TO G12 | 25000 Ltrs | 13.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | G1 TO G6 |  |
| 9 | H1 TO H3 | 25000 Ltrs | 16.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | G7 TO G12 |  |
| 10 | J1 TO J5 | 25000 Ltrs | 17.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | H1 TO H3 |  |
| 11 | J7 TO J9 | 25000 Ltrs | 18.08 .2021 | $10: 00 \mathrm{am}$ to 04:00pm | J1 TO J6 |  |

## Need for Engaging a new competent advocate

Subsequent to the termination of services being availed from the existing advocate, Vice president Adv Nitin informed that he is on the look out for a new competent advocate who has expertise in civil, criminal and laws related to Taxation. Process regarding the same has already been initiated two weeks back itself by publishing it in the Bar council of Bangalore. Though the responses were less, one advocate has come forward, shared his resume and the same is under due consideration to engage him to the association panel. However Vice president has agreed to send a mail to invite resident / advocate owners if any to form Part of the selection panel to check his credentials / capability and taking him on board including any other options also.

He felt that this is very much required to take appropriate actions in a timely manner on the vendors who are walking out abruptly without serving the notice and proper handing over, vendors staging protest and taking the association for a ride and other issues currently concerning the association. Also to handle cases filed on the association, address the matters which are not represented, continuation of representation of unsettled cases and so on. Advocate's resume who has expertise in Civil , criminal and Taxation laws is pasted below .


LEGAL SKILL:

$$
\begin{aligned}
& >\text { Specialized Knowledge in the legal issues } \\
& \text { relating to the Civil laws, Criminal and. } \\
& \text { Taxation Laws, Appeal and Writ matters. } \\
& >\text { Appearance and addressing argument in } \\
& \text { the court. } \\
& >\text { Excellent in Negotiating and Compromise } \\
& \text { technique. } \\
& >\text { Worked at all the levels/stages involved in } \\
& \text { a Trial and Appeal Cases. } \\
& >\text { Drafting, Pleading. } \\
& >\text { Having Independent Experience in } \\
& \text { contesting cases. } \\
& \text { Verification }
\end{aligned}
$$

1, Akash B Shetty, S/o H.Bhaskar Shetty, do hereby declare that whatever has been stated in the above application is true to the best of my knowledge and belief.
noter 25/11/2021
(related to Framing the Rules and regulations for smooth functioning of the association and it's committees)

Vice President Adv Nitin had earlier communicated in one of the Board's meeting that it is high time we should frame rules and regulations and invited owners to share their points and suggestions on this subject. Basis the feed back received, below are the actions which shall be implemented.

Since many of the Board members exists only on the paper, are there only for name sake (namkavaste), participate only to exercise their voting rights, neither attending any of the board meetings nor taking active part in contributing for the betterment of the society , in a way have become " Non Performing Assets". They shall be dealt as per the below rules and regulations. This also helps OBs / PFMs to co-opt other owners, forming committees / sub committees to strengthen the Board as it shall be difficult to address all the issues raised by 3360 owners.

[^0]5. Any member so removed shall not be eligible to contest elections for the next 3 subsequent years.
Upon further discussion additional rules and regulations shall be added from time to time.

To be discussed further at length:
6. The member shall do the best possible in terms of assisting the association. Any action of the member of the board who has been authorized to look into any particular portfolio if has knowing/intentionally caused any loss to the association then for the said amount the concerned member shall be held personally liable and responsible.
;
Dt. 05-12-2021

Point No 5 shall undergo further discussions in the Board on how to make concerned board members accountable and liable in the event of any ignorance or knowingly neglected in performing their duties and responsibilities.

## KUDOS to the owner Mr Ravindra Hegde ( J5 Model)

Mr Ravindra Hegde a civil engineer by profession was working at Muscat till recently. Currently he is staying in J5 Block with his family. He took a brilliant initiative to install CCTV cameras at his block with an investment of Rs 1 lakh. He has taken consent from all the owners at his block and approached Board seek the permission to install CCTVs inside the elevators and also at other important points. Sought a little space at the CH under lock and key facility to keep the equipments. Mr Nagesh Rao and Mr Samidh wholeheartedly appreciated his efforts and requested block representatives to come out with such revolutionary ideas / initiatives as it shall be difficult for the association to fulfill all the needs of the owners due to budgetary constraints. Mr Nagesh Rao also
insisted the importance of forming block committees, Tower committees and come out with such proposals. He also informed byelaw also insists on block wise representation of members.

Vice president Adv Nitin informed the team that when the association decides and installs CCTVs across all the locations in full fledged manner, the above CCTVs will be amalgamated and shall have right to access to the same.

## Recovery process to collect the Huge MC outstanding

Vice president Adv Nitin informed the members that Board will not shy away in taking stringent action against defaulting owners who owe huge outstanding towards the MCs. Apart from penalizing them with the applicable intrest, they shall cut down all the services being rendered. Those who filed cases against the association and brought an injection order for the reasons such as not producing financial statements, non availability of transfer documents, not allowed access the information at the club house etc., shall be addressed when next dates for ADR ( alternate dispute resolution ) are announced and the same shall be closed in front of the Honorable Judge. Those who continue to owe the association huge amount of MCs in excess of one lakh, appropriate legal action shall be initiated.

## KANNADA RAJYOSTAVA CELEBRATIONS ON $11^{\text {th }}$ and $12^{\text {th }}$ DEC 2021 by " PWC Kannada Janapara Sangha (PKJS)"

A team led by the President Mr Raju of "PWC Kannada Janapara Sangha" , Jt. Secretary Mr KS Sathyanarayana and erstwhile President of the PWCAOA Mr Sanjay Hampanavar met the BOARD OBs on $4^{\text {th }}$ Dec 2021 at 7 pm to seek BOARD's permission to use premises of Amphitheatre, area adjacent to the Amphitheatre to put the stalls by different vendors, entire road stretch up to clubhouse for conducting various cultural events and for making seating arrangements with strict social distancing , use of community hall (only in case of any disturbances due to rain or any other reasons). Mr Hampanavar requested the Board to offer these community areas / facilities in line with decisions taken in the earlier BOARD. They also assured that these will be used strictly as per the time slots and shall not occupy throughout these two days.

President PKJS Mr Raju briefed the details of the program and the dignitaries invited. He also informed the BOARD that they have taken all the precautions as per the existing covid protocols including organizing $\mathbf{2 0 0 0}$ plus face masks. They also informed the board that this is a cultural event, festival of the land, a non political event and hence no politicians, outsiders shall be invited other than the PWC residents. The charges thus collected from the vendors for putting up the stalls shall be used by PKJS to meet their own expenses for conducting the events. They said any contribution from the BOARD is also welcome. Team requested the president Mr Abdul Sattar to address and grace the occasion which he wholeheartedly agreed.

Mr Hampanavar also took the opportunity to share his perspectives on the various issues concerning the PWC. BOARD was pleased with the way the meeting was held in a most cordial manner and
thanked the members of PKJS the kind of meticulous arrangement made and assured PKJS all the support from the BOARD.

As informed by the members of PKJS , dignitary invited for this occasion is Dr Doddarange Gowda who has contributed immensely to the kannada literature, art and culture.

## Brief of Chief guest :

" Dr. Gowda, from Tumakuru district, studied Kannada Literature at Bangalore University and taught Kannada for over three decades in the city. He has brought out 48 poetry collections, six ballets and 29 anthologies of critical essays and travelogues, among other works. His main area of work has been folk literature. He has also worked in Kannada films as a lyricist and dialogue writer and won three State film awards for lyrics. He was awarded the Padma Shri in 2018 "


Dr Doddarange Gowda
Schedule of various events, competitions organizined by PKJS and their invite is pasted below.


## Other Points:

Head - Fin, audit and legal Mr Nagesh Rao has taken a decision to go ahead with the automation, upgradation and customization of Tally. Below are the slides on the necessity, scope of work, quotes received and the short listed vendor.



## Registration of the Association

Vice president Adv Nitin has made it very clear, whoever wants to get our association registered under appropriate and applicable law are most welcome to do so and association shall render all the support. They even can make a committee of interested owners to pursue the matter further.

## Reward and recognition of the Board Memebers

Mr Senthil member of the current Board has recommended some sort recognition and reward should be offered to the Board Members who spend lot of time in addressing various issues on the ground. He is of the opinion that owners will not come forward if board do not incentivize for their efforts / contribution and time. Board informed him that the matter will be taken up for further discussion and decide on this.

## Issues related to Security

Few members highlighted that number of security guards were reduced to 29 and unable to trace them in case of emergency. Board informed that they have already noted down this issue and increased their strength. Their place of deployment shall also be intimated.

President thanked all the owners and the board members who took their time out and actively participated in the meeting.


[^0]:    In the initial rounds of discussions and points received from some of the owners, the following basic rules and regulations for board of managers have been pointed down.

    1. Every board member shall attend board meetings regularly and in the absence of being present for two consecutive meeting their membership to the board shall be terminated.
    2. The Members of the board who are unable to contribute towards the associations operations shall be terminated.
    3. The members shall not have any conflict of interest while operating as board of manager failing which the said board member's membership shall be terminated.
    4. Member shall act towards the betterment of the society any action against the association and the society shall be considered as a ground for termination or removal.
    Upon further discussion additional rules and regulations shall be added from time to time.
