

Resident Welfare Association, R.H.R.S., Sonipat (Regd. 2018/2814)

No.2020/RWA/RHRS/MISC/1

Date :- 30.12.2020

To,

MD/IRWO

New Delhi

Sub:- No action on agenda items discussed in meeting with MD-IRWO on 24.01.2020.

Ref:- RWA, RHRS's letter dated 20.11.2020, 12.02.2020 and 11.12.2020

In reference to above, it is reiterated that RWA has taken over maintenance part of Society after **promise given by the then MD/IRWO** to help in completing all issues like safety, security and basic amenities works of Society. These items were also agreed in the meeting with the then MD/IRWO held on 10th April, 2019. Present MD/IRWO (Shri A. K. Gupta) also expressed his consent in meeting with RWA office bearers held on 24.01.2020 and opined that IRWO has no objection in completion of these issues of Society subject to recommendation of RWA's Executive Committee. Accordingly, a letter dated 12.02.2020 was sent enclosing minutes of AGM, GBM & EC with detailed position. But, nothing (feedback/ action) was received from IRWO as yet.

The details of issues raised are given below:-

1. Transfer of **Capital fund** in form of FD and details of Project fund is one of high priority item of RWA and allottees which was reminded several times. Liabilities on project fund & balance sheet of last two years, how many officials are getting pay from project fund etc. was also agreed sought by RWA/allottees. This is also resolution of AGM & GBM and EC which was also agreed by IRWO. But, nothing was done on ground and demand is **pending for last 3 years**. Copies of **Item No. 13(a) of AGM dated 14.04.2019, Item No. C (a) of GBM dated 24.11.2019** are relevant and copy of complete minutes were sent vide letter dated 12.02.2020 .
2. **One time expenditure from Project Fund** on several works of cleaning of Rain water harvesting, cleaning/repair of sewer main holes, all expenses related to frequent electricity faults in Society, STP repairs/replacement for basic works and AMC, one time expenditure on paint in common area stair case, railings, OBD, spray paint on all electrical panels, polls, stilts, meters, parks railings etc. Fire fighting equipments repair / replacement, Heritage work outside of Society was promised by the then MD /IRWO. This was passed in GBM dated 24.11.2019 also. **Item No.13(g) of AGM dated 14.04.2019, Item No. C (d) of GBM dated 24.11.2019 and Item No. 2 of minutes of Executive Committee for the month January & February, 2020** are relevant and copies of the same were sent vide RWA's letter dated 12.02.2020.
3. May also please connect RWA letter dated 20.11.2020 sent on email on 25.11.2020 whereby status fund of RHRS society was explained and requested to make provision of DRF & RF from project fund or from any other source as no repair & maintenance work of Society Buildings was done by IRWO and any other maintenance agency from 2015 to till date. This has been resulted in damaged/peeled out outer facade of buildings like paint, falling of plaster, falling of RCC jail, reinforcement can be seen with naked eye on balcony corners & sunshades, leakage from outer side buildings, water tanks on roofs etc are in dilapidated condition. Repair was not done for Society Building till date i.e. for 6 years which requires major repairs on immediate basis otherwise it will be dangerous for residents. In this regards, **IRWO had not made provision of following funds:-**

1st Depreciation Reserved Fund (DRF): As per item No. 24.1 of IRWO Rules a DRF will be created for each housing project for the purpose of having adequate funds available for replacement of items of capital expenditure as lifts, water supply arrangements, DG sets etc. The fund will be created by charging 1% of cost of the dwelling unit from the allottees before making over possession of dwelling unit.

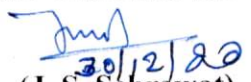
2nd Reserve Fund: As per item 25 of IRWO rules, "a Reserve Fund has been created by contribution of 1% of cost of the dwelling unit to meet the unforeseen expenditure arising generally after completion of the projects" (major repairs like repair of damaged/peeled out outer facade of buildings, paint, falling of plaster, falling of RCC jail, leakage from outside etc.).

3rd Arrear of Common Area Maintenance Charges (CAMC): As per item 19.2 (b) of IRWO rules, IRWO will collect, in addition to maintenance fund, amount from the allottees at the rate of 50 paise per sq. feet per month for one year before issue of possession letter. The possession letter was issued in the year 2015 and collection should have been made from all allottees since 2015. But this has not been implemented by IRWO which resulted in reduction from Capital Fund to a tune of more than 3 crore.

4. Since, June, 2020, several letters were sent to IRWO for arranging meeting with MD to discuss and resolve the burnt issues of Society in person. RWA, RHRS President and Secretary have also separately visited in IRWO office and requested personally for a meeting. There is no response till date. Allottees have shown their deep concern on completion of aforesaid items and pressing hard for supply of above information on funds. **Current AGM held on 18.10.2020 (copy of minutes already sent) has also strongly recommended for compliance of above items on high priority.**

In continuation to above, it is further stated that RWA is maintaining daily routine utilities services of Society like electricity, lifts, housekeeping, motor pumps etc. One side IRWO is not cooperating and other side allottees are not depositing maintenance charges which are utmost requirement. Society is striving hard for funds for maintaining routine utility services as well as major repairs indicated in para '3' above. Response from owners coming to reside in Society is also very poor. In current RWA, Treasure had stopped working in Feb, 2019 and President has shifted to Noida in March, 2020 and resigned from his assignment. Occupancy of flat owners is very low. **In view of compelling circumstances and personal reasons, current RWA is not willing to continue further beyond April, 2021** which has already been declared in AGM on 18.10.2020 for further continuance. Fresh election will be conducted in March/April, 2021. In case of non availability of willing persons for RWA, IRWO should keep their staff in readiness to maintain the society further.

In this regards, attention is invited on condition No.3 of **DG/Town & Country Planning Deptt.'s letter No. ZP-200/AD(RA)/2018/16320 dated 30.05.2018** whereby it has been specified that:- '.....You (IRWO) shall maintain the internal services to the satisfaction of the Director till the colony is handed over after granting final completion. **Therefore, IRWO should maintain the society further.**


(J. S. Schrawat)
President, RWA, RHRS, Sonipat
Residents Welfare Association
Rail High Risers Society,
Sonipat