

JAL VAYU VIHAR HOUSE OWNERS WELFARE ASSOCIATION

MINUTES OF THE RESIDENT MEMBERS MEETING HELD ON 01 JUNE 1, 2014 AT 5.00 PM
AT AKASH GANGA JALVAYU VIHAR, KUKATPALLY HYDERABAD

1. The following Board of Managers were present:

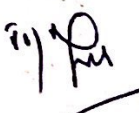
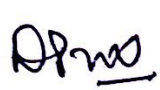
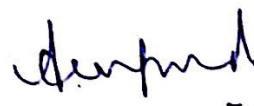



Cdr(Retd) JVR Moorty	President
Sri D Papa Rao	Secretary
Sri URK Prasad	Security I/C
Sri Ramesh Babu	Treasurer
Cdr(Retd) AVV Subba Rao	Member
Wg Cdr(Retd) VS Samsi	Member

2. Forty three (43) resident members were present.

3. Cdr(Retd) JVR Moorty, President, JVVHOWA welcomed the resident members and brought out the necessity to call for the meeting in view of the seriousness and urgency of the matter in conformity with Chapter III para 6 of Bye Laws of JVVHOWA. On unanimous approval of the members, the meeting proceeded to consider the agenda:

4. **DEMOLITION OF DU NO.300**, The President informed the Members that the owner of DU No.300, Mrs M Geetha Gayathri had purchased DU 300 from its first allottee Wg Cdr(Retd) KS Ramaiah on 10 Dec 2012. Mrs. Geetha Gayathri approached the Association on 12 Feb 2013 with a request for an NOC to permit her to carry out certain modifications to her house to comply with Vasthu. She also gave an undertaking on 12 Feb 2013 that being a member of the Association she agrees to abide by the bye laws of the Association. The Association vide its letter dated 22 Feb 2013 issued her a "No Objection Certificate" in terms of Bye law No. 3(d) of Chapter – VII of the Byelaws and that permission is restricted to internal modification/alterations only. This was duly acknowledged by the owner. In early May 2014, when it was noticed that the building was being demolished the Association served the owner a notice dated 04 May 2014 and to provide an explanation by 10 May 2014. The owner informed the Association on 18 May 2014 that in the course of alterations certain cracks developed in the outer walls making the building totally unfit for occupation and necessitating total demolition of the building. She also informed that she has obtained a Building Sanction for a Ground plus two. On further enquiries made by office bearers, they came to know that the owner obtained sanction of GHMC for building plan envisaging Ground plus two on 24 March 2014 itself.

JVVHOWA also wrote to GHMC on 06 May 2014 quoting a letter from Zonal Commissioner, GHMC dated 03 March 2010 and asking whether GHMC had given permission for demolition. No reply has been received to date.

An online grievance was submitted to GHMC on 05 May 2014. Mr MK Prem Kumar, ACP, GHMC replied on 24 May 2014 stating Bye Laws of JVVHOWA are not applicable to GHMC but remained silent on Zonal Commissioner's directive.

When the matter stood thus, a question arose whether the proposed building plan is in consonance with the Policy of the AFNHB which acquired the entire land from AP Housing Board for the purpose of providing housing accommodation to the serving defence personnel as a welfare measure; the dwelling units were constructed by AFNHB with specified strict plan in order to have planned development of the area, one of the objects of the association is to take over and manage the entire area of 25 Acres 38 Guntas and whether in the context of this avowed policy an owner of a dwelling unit is entitled to demolish the entire building and reconstruct it with a plan which is not in accordance with standard building plans approved, adopted and executed by the AFNHB, uniformly for entire colony.

The Board of Managers reviewed the grave situation and resolved the need for legal counsel. It was decided to therefore call for a Residents Meeting. The sole matter for consideration of the General Body is therefore, whether to initiate legal action to stop construction.

5 The following views/apprehensions and suggestions were expressed by a cross section of the members:

i. Whether the GHMC authorities can be alerted and advised to stop further construction on the vacant site until the building plan is altered so as to bring it in conformity with the standard plan originally approved for the DU 300.

ii. Whether AFNHB can be taken into confidence in the matter;

iii. Whether there is any precedent;

iv. Whether the NOC issued by the Society in favour of the Owner of DU 300 is time barred.

v. Whether there is a need for preventing irregular constructions in the colony totally which are subversive of ethos of AFNHB.

vi. Whether we can let the event under debate pass in silence and let the owner persist in continuing her construction activity, with impunity, if so, whether it would breed further irregular constructions in the colony.

vii. Whether any action against a single owner is fair and not discriminatory.

6. President clarified that dealing with GHMC is proving dilatory whereas the event under debate needs urgent preventive measures, AFNHB in the past advised the Association in similar cases to approach GHMC thus showing no inclination to interfere in such cases and that no time limit was stipulated in the NOC and further that no precedent exists where a building has been demolished and razed to ground.

19/5/14 *DP 300* *Approved. 20/5/14*
Dhanraj *Ramesh*

7. President also informed the members that the neighboring owner viz., owner of DU No. 299 has also lodged a complaint that as a result of demolition of DU 300 his party wall and roof and other parts of the building suffered severe damage.

8. After deliberations, the house put the following resolution to vote:

"The house with a majority vote resolves that the entire demolition and bringing down the complete structure of DU 300 is a serious cause of concern and demands immediate action against the owner of DU 300. The house has also taken note of the extensive damage caused by owner of DU 300 to DU 299, a twin duplex configuration abutting DU 300 having a party and common wall extending from ground to first floor and having a common roof and demands action to be taken in this regard against owner of DU 300.

The house therefore resolves to authorize the Board of Managers to initiate necessary legal action to stop any further activity and construction at the site of DU 300. The house also authorizes the Board of Managers to take preventive measures in law to stop and prevent any construction material entering the Colony meant for DU 300."

9. The resolution was passed by majority vote.

10. Mr D Papa Rao, Secretary proposed a vote of thanks and the meeting came to a close.

Handwritten signatures and initials:
- 19/12
- DP Rao
- Secretary
- DP Rao
- DP Rao