

**MOST URGENT**

**OFFICE OF ADMINISTRATOR,  
ASHA DEEP COOP GH SOCIETY.**

**PLOT NO.- 3B, SECTOR-2, DWARKA, NEW DELHI-110075**

F.No.- DOE/ASHADEEP/RCS/2023/

Dated: 02.05.2024

**NO.-41** (44)

To

1. Shri K. Chopra, Ex-President,
2. Shri Gobind Khattar, Ex-Vice-President,
3. Shri R. K. Prabhakar, Ex-Secretary,
4. Shri Sayaji Alapati, Ex-Treasurer
5. Shri Bijender Singh, Ex-Member and Incharge, Construction Committee,  
Asha Deep CGHS Ltd., Sector 2, Plot 3B,  
Dwarka, New Delhi 110075

**Sub:- IRREGULAR PAYMENT TO THE CONTRACTOR - RECOVERY THEREOF  
AS PER THE DECISION OF THE SPECIAL GENERAL BODY MEETING  
HELD ON THE 21<sup>ST</sup> APRIL, 2024 – REG.**

**Reference is invited to:-**

- a) A letter under the signature of Shri Ramesh Kumar Prabhakar dated 27.07.2023 addressed to M/S Hadiso Construction Pvt. Ltd., Sector 10, Dwarka, New Delhi conveying the decision of the Escalation Committee to increase 6% to 8% in escalation cost with conditions that the left-over construction would be completed before 30.09.2023 failing which an imposition of penalty of Rs. 5000/- per day including a defect liability as per DCS Act and Rules (copy enclosed as Annexure 1);
- (i) Payment of ₹7,35,000 to M/s Hadiso Construction Private Limited on 04.08.2023 under escalation cost vide cheque number 946060 PNB (Annexure 2);
- (ii) Minutes of the meeting of the Managing Committee dated the 5<sup>th</sup> August 2023 regarding the decision of the MC in principle to the cost escalation @ 8% as recommended by the Escalation Committee but the cheque of Rs. 7,35,000/- was issued to the contractor on the 4<sup>th</sup> August 2023 (Annexure 3);
- (iii) "INTERNAL NOTING" dated 18.09.2023 in which you were the signatories who passed the 18<sup>th</sup> R/A Bill (Phase-III) – (Revised) to make payment of Rs. 12,05,026/- (Twelve Lakh Five Thousand Twenty-Six Only) which included Rs. 11,79,383.43 escalation amount paid up to 18<sup>th</sup> RA bill dated 10.09.2023 (Annexure 4);
- (iv) Clarification on representation/complaint vide letter dated the 30<sup>th</sup> March 2024 regarding financial irregularities during the tenure of the erstwhile Managing Committee in which you have mentioned/admitted under para 4 that escalation cost was approved by the Managing Committee based on the recommendation of the committee for escalation between 6 to 8%. (Annexure 5)
- (v) Apart from the payment of ₹11,79,383.43, a payment @ 18% GST was also made which amounts to ₹2,12,289.
- (vi) Thus, an unauthorised expenditure of Rs.13,91,672/- including Rs. 2,12,289 towards GST payment was incurred to the loss of the society in making payment to M/s Hadiso Construction Pvt Ltd. beyond the provisions of the Agreement dated 29.06.2019 signed with the contractor, against the provision under Section 92(4) of DCS Act, 2003 and without the approval of AGM/Spl. GBM.

  
21/5/24

The available records show that you were members of the erstwhile Managing Committee which decided to make irregular payments of Rs. 13,91,672 including 18% GST to the Contractor. The aforesaid facts have been admitted by you (Shri K. K. Chopra and Shri R. K. Prabhakar) as mentioned in para 4 of the minutes of the Special General Body Meeting held on 21.04.2024.

The Special GBM after detailed deliberation has authorised the undersigned to take necessary action to initiate the recovery of the irregular and unapproved payment of Rs. 13,91,672/- to the contractor from the members of the erstwhile Managing Committee, who had agreed to this irregular payment.

Before necessary action is initiated against you to recover a proportionate amount of Rs. 2,78,334 (Rupees two lacs seventy-eight thousand, three hundred & thirty-four) each out of a total recoverable amounting to Rs.- 13,91,672/-.

you are hereby given an opportunity as part of the natural justice to make your written submission with necessary documents, if any, to counter the findings as mentioned against points (i) to (vii) above on or before 10.05.2024. Failing which, it would be presumed that you have nothing to say against the above-mentioned findings and proceeding would be initiated as per the provisions of DCS Act and Rules to recover the aforesaid amount.

  
(V. S. Malik)  
Administrator

Asha Deep CGHS Ltd.

**Copy for information to :-**

1. Asstt. Registrar (Sec.-VII/GH) Co-operative Societies, Old Court Building, Parliament Street, New Delhi- 110001
2. Notice Board of the society – for information to all.