

Minutes of Meeting

Date : 15th January 2016

The 2nd Meeting was held in Urbana Office, 783 Anandapur , P.O. East Kolkata Township Project , Kolkata 700107 at 11.30 Am till 2.00 pm on 15th January 2016 and was attended by the following :-

The request to meet with the Urbana Managing Directors was made by the Apartment Allotees vide letter dated 23rd December 2015 which was received by Debjani Mukherjee . Further on 11th January 2016 the email was send to Debjani for the request to meet the promoters along with the West Bengal Government Representative which was acknowledged by Sayani Chatterjee on behalf of Debjani Mukherjee, Sr.VP Marketing & Sales to meet on 15th January 2016 . **However, none of the promoters or the representative of the West Bengal Government were present.**

Urbana Management Represented by :-

1. Debjani Mukherjee – Marketing Head
2. Arpita Das Gupta - Customer Service Manager
3. Abhijit Bose -Work Contract Head
4. Mr.Nandy -
5. Sayani Chatterjee

Apartment Allotees Represented by :-

1. Avinash Malpani – T2-0302
2. Vikash Birla T7-2904
3. Tarun Basu T7-3003
4. Basant Goenka T7-0904
5. Arpit Suchak T7-3602
6. Rajiv Ganeriwala T2-2601
7. Susrat Ray T7-2505
8. Shyam Didwania T1-1903/1803
9. Barun Kanti Saha T7-2102
10. Vijay Birla T7-1904
11. Rajesh (R.P.Tradelink Pvt Ltd) T7-1304
12. Satish Birla T7-2104
13. C.S.Dugar T4-1503/1603
14. Indranil Chaudhari T1-2804
15. Sankar Das T7-601
16. Bimal Bhowal T1-2503/T7-0802
17. Rudra Biswas T1-3604
18. Vivek Binani T2-1601
19. N.K.Kothari T1-2402
20. N.Loha T7-1401
21. Meelan Gupta T7-0206
22. Ravi Shankar Agarwal T3-2001
23. Shruti Jain
24. Tanusree Gupta T7-0206
25. Baby Saha T7-2102
26. Manish Chhaochharia T1-2204
27. Mukesh Agarwal T5-2901/2902, T6-3802
28. Abhishek Surana T4-3202

The issue & concern letter was discussed with Debjani Mukherjee & Team and the responses are given point wise here under :-

1. Habitual Condition :-

On 23rd December 2015 : Debjani said Urbana Management will provide Apartment Allottees with a detailed timeline on the subject matter. Roads and Landscaping to be done on priority basis & many other commitments made towards better facilities which will be confirmed in writing from Urbana Management end

On 15th January 2016 : Apartment Allottees : There was no written communication received till date and from Urbana Management on the detailed time line . Further ,Debjani said that the following

- a. Internal Road will be ready by 31st January 2016.
- b. Electricity for Tower 2 & 6 will be ready by 31st January 2016
- c. Fire Clearance for Tower 1 & 7 – Applied in December 2015 –(Apartment Allottees have requested the copy of the application to be furnished)
- d. Car Parking for Tower 1 & 7 – Ready
- e. Environment Clearance Certificate to be furnished to Apartment Allottees

It was requested by the Apartment Allottees to give the infrastructure detailed deadline, such as:-

- i. Internal Road
- ii. General & Street Lighting
- iii. Landscaping
- iv. Sewage Treatment Plants
- v. Garbage Disposal Plant
- vi. Water Treatment Plant
- vii. Complete electric supply network
- viii. Security incl. Video door phone
- ix. Fire fighting systems
- x. Earmarked Car Parking
- xi. Visitors Car Parking Area

2. Agreement for sale :

On 23rd December 2015 : Urbana Management conveyed to Apartment Allottees that it is not required as per law as Government of West Bengal is involved, however Urbana Management will respond to this in their letter. However as per the Apartment Allottees views the Agreement for sale was a compulsory document which as per law the Agreement for sale was necessary once the allotment was done before taking any substantial advance from the Apartment Allottees , as such it was requested to the Urbana Management to urgently enter into a written agreement for sale.

On 15th January 2016 : On request of the Apartment Allottees that the Agreement for sales should have been registered after the allotment letter was given to the apartment Allottees , the Urbana Management ,Mr.Nandy, suggested that since the government is involved the Agreement for sale is not necessary and that the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act ,1993 is not applicable to the BENGAL NRI COMPLEX LIMITED (A joint sector company with the Government of West Bengal) . Apartment Allottees have requested Mr.Nandy to give us in writing that the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act ,1993 is not applicable to the BENGAL NRI COMPLEX LIMITED (A joint sector company with the Government of West Bengal)

3. Final Payment & Extras :

On 23rd December 2015 : Debjani agreed final payment to be done after KMC Completion Certificate is received for the Urbana Project . Further detail time line will be send to Apartment Allottees in writing on the completion of the project.

On 15th January 2016 : Urbana Management agreed allow fit out without making the final payment and that the final payment shall be done after KMC Completion Certificate is received by Urbana Management and forwarded to the Apartment Allottees.

On Extras, Deposits it will be paid at the time of Registration of the Property which shall be 90 days from the possession date as agreed by Debjani.

Further ,The Club final payment will be paid after the KMC completion certificate expected by the end of 2017 for the club is received. And Debjani suggested that in the meanwhile the money will be kept in the ESCROW account with signatory powers both with the Urbana Management and Association of Apartment Allottees. The funds from the Escrow account will only be released after the KMC Completion Certificate for the Club is issued. **Further , the accrued interest earned in the Escrow Account of Club Fit out should be transferred to the Association Fund.**

4. Possession Date :

On 23rd December 2015 : Urbana team will provide the time line.

On 15th January 2016 : Urbana team will provide the time line.

5. Interest :

On 23rd December 2015 :Apartment Allottees strongly protest that the equity to law was not maintained while the agreement allowed the Urbana Management to charge interest @ 18% p.a. for delay in payment and on the other side only 8% p.a was offered for delay in completion of the project by Urbana. Urbana team will reply officially to this.

On 15th January 2016 : No communication was received from Urbana Management.

6. Open Car Parking :

On 23rd December 2015 : Debjani agreed that the Urbana Management will not sale open car parking at this moment and that the Visitors Car parking is only 100 .

On 15th January 2016 : As discussed and agreed that 10% of the Total Car parking (2589) has to be for visitors i.e nearly 259 car parking should be kept for Visitors.

7. Extras & Deposit & Club Fit out :

a. Hidden Charges –

On 23rd December 2015 : It was agreed that the Electricity, Gas, Documentation charges will be renamed to reimbursement of Electricity, Gas, Documentation charges which will save us Service Tax .

On 15th January 2016 : Urbana Management went back on the agreement made on 23rd December 2015 which was strongly opposed by the Apartment Allottees. The views are explained below :-

i. Documentation Charges : As per Debjani the documentation will be issued by Government of West Bengal, the question were raised if it will be issued by the Government of West Bengal then why should it be charges @ 30 per sqft and service tax on such documentation charges.

ii. Electricity Charges : The calculation Electricity charges has to be explained before charging the Apartment Allottees . Further, as per GTC , it is mentioned “**Cost incurred** by the company in making arrangement with CESC for giving L.T Connection” and hence the question of Service Tax is not applicable as it is the cost incurred which is being payable by the Apartment Allottees.

iii. Gas Connection Charges : The calculation Gas Connection charges has to be explained before charging the Apartment Allottees . Further, as per GTC , it is mentioned “**All Cost**

of making arrangement for GAS Connection to the Apartment ” and hence the question of Service Tax is not applicable as it is the cost incurred which is being payable by the Apartment Allottees.

- iv. **Generator facility for inner consumption:** Generator Facility is a Capital Cost which is being proportionately divided on the basis of the KVA requested by the Apartment Allottees . Since it is part of Capital Cost which is being proportionated the service tax will not be applicable.

b. **Club Fit Out Charges :-**

On 23rd December 2015 : It was agreed that the club fit out charges will be recovered at the time of registration – Club charges to be deducted while making final payment at the time of registration and will be payable when the club opens with full facilities .(expected by the end of 2017).

On 15th January 2016 : **The Club final payment will be paid after the KMC completion certificate expected by the end of 2017 for the club is received.** And Debjani, suggested that in the meanwhile the money will be kept in the ESCROW account with signatory powers both with the Urbana Management and Association of Apartment Allottees. The funds from the Escrow account will only be released after the KMC Completion Certificate for the Club is issued. **Further , the accrued interest earned in the Escrow Account of Club Fit out should be transferred to the Association Fund.**

c. **Electricity Charges :** As per 7a above

8. **Service Tax :**

On 23rd December 2015 : Urbana team will reply officially to this.

On 15th January 2016 : No official communication received from Urbana Management Team

9. **Window :**

On 23rd December 2015 : Detailed discuss was carried out with Mr.Suvashis Mukherjee & the Project Manager Mr.Avijit Basu . Mr.Mukherjee is meeting Mr.Basu on Monday to discuss this further to ensure there is opening of the window from 15 degrees can be increased and what are other possibilities. Also to check the height of the window is more than 800 mm as per the building code.

On 15th January 2016 : The Urbana Team confirmed that the height is according to the building code and after the strong opposition of the Apartment Allottees , Mr.Abhijit Bose agreed to contact the Window supplier and technical consultant to suggest any possible ways to make sure that the window can be further opened , either a sliding opening or bay opening.

10. **Utilities :**

On 23rd December 2015 : Urbana team will reply officially to this.

a. **Electricity :**

b. **Gas :**

c. **Water :**

- d. **CCTV & Video Door Phone :** As said Video door phone will not be available but the infrastructure will be made available by Urbana. However the same was listed as to be provided in the agreement

On 15th January 2016 : No official communication received from Urbana Management Team

11. **Interior Work :**

On 23rd December 2015 : It was agreed that the sub meter can be installed and paid to Urbana accordingly and no PDC is payable for interior work.

12. **Car Parking Area:**

On 23rd December 2015 Urbana Management need to discuss and come back with this issue.

On 15th January 2016 : No communication received from Urbana Management Team , the apartment Allottees suggest that a flexible canopy be installed so that the movement from the Tower to the basement is possible during summer and rainy season.

13. Maintenance Company :

On 23rd December 2015 : The details will be provided to us.

On 15th January 2016 : No Details were provided by Urbana Management Team except that verbally said the it is 100% wholly owned subsidiary of by Bengal NRI Complex Ltd.

14. Sub Standard Internal Work :

On 23rd December 2015 : The snag list was discussed and , Debjani has asked the project team to resolve the issue.

On 15th January 2016 : No information received from Urbana Management Team

15. Carpet Area :

On 23rd December 2015 : Urbana Management will provide the details.

On 15th January 2016 : No information was furnished by Urbana and was suggested to the Apartment Allottees why do you need this information.

Further, other issues were discussed :-

On 23rd December 2015

1. Urbana has ensured that the Sanitary Line & Storm drainage system are separate pipe line system.
2. Zoning & DE zoning will be done for Phase II
3. Tower 1 & 7 – CC is planned to be received in Feb 2016 . OC after 90 days of CC.
4. One way communication from Urbana and they have agreed to take care of this from now to ensure there is two way traffic.

The meeting ended with a positive note and Debjani said she will share all our points with the directors and will reply to us on 19th January 2016 which was not received till date.