

URBANA WELFARE ASSOCIATION

(A Representative Body of Urbana Flat Owners)

Minutes of Meeting: Mom No, 6

Date: 2nd November, 2023

Club B1 Conference hall

S. No	Details	Action By
1.	<p>Opening Remarks by President</p> <p>PB expressed his sincere thanks to all members for showing unity in our biggest festival of the year i.e. Duga Puja. This year's Puja was a grand success and conducted maintaining harmony amongst the residents. There are lots of positivity amongst the residents. This spirit should continue in our forthcoming events also.</p>	Fully.
2	<p>Secretarial Report</p> <p><u>Confirmation of Minutes of Meeting held on 12th April, 2023:</u></p> <p>TKB presented the draft MoM No.05 dated 8th October, 2023 which was approved by the House.</p> <p>It was resolved that henceforth the Notice for MC Meetings including Agenda will be posted both in MC Notice Board as well as MC Members group.</p> <p>TKB raised an issues that during Durga Puja Community lunch, it was noticed that few residents had expressed their desire to have confirmed siting arrangements in the buffet dining. The general opinions of the members were that this is not a healthy practice and in future should not encourage such special treatment for few individuals except major sponsors.</p>	
3	<p><u>Stray dogs & Pets issues:</u></p> <p>SB wanted to know the status of "Rottweiler" dog which was involved in an incident in recent past and residents raised a hue and cry. PB stated that a group of residents visited the apartment and checked whether all the necessary compliances are followed to get the certificates that are necessary to have a pet dog. They found that the dog is having all necessary certifications. As per the owner of the apartment we have to wait to complete the tenancy agreement period to remove the tenant.</p> <p>As per PB as far as stray dogs are concern, considering the strict Union law to protect the stay dogs there is no scope to take any action unless a court case is filed.</p> <p>SB pointed out that this cannot be the case if a dog is found to a serial attacker and expressed his views that discussing these at a Committee Meeting is just inaction on the part of the Committee. If we really wanted to show intent, we needed to sit with a Lawyer and discuss this.</p>	
4	<p><u>Legal Notice Served by ArijitBhattacharjee of Tower 7 Flat No.3804</u></p> <p>A Legal Notice was served by the above mentioned resident dated 13th October, 2023 in connection with a post made by Tower 7 coordinator regarding usage of lifts. The relevant documents are as follows.</p> <p>After discussion, it was resolved that TKB and SB jointly will prepare a draft reply and circulate the same in MC group for the review of the members and will finalize the letter. The letter will be forwarded to the appropriate authorities/s asap.</p>	

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OISHIK CHATTERJEE

C/O - Mohan Lal Banerjee
ADVOCATE
HIGH COURT, CALCUTTA
BAR ASSOCIATION ROOM NO. 2

Chamber- P-128, Scheme VI
M, C.I.T. Road, Kolkata -
700054.
(M)- 9903133818
E-mail- adv.oishik@gmail.com

Date: 13th October, 2023

To,

1. Mr K L Lalani, residing at
Flat number 3603, Tower 7,
Urbana NRI Complex, Anandapur
Road, Kolkata - 700107.

2. Mr Vidyut Chojar, residing at
Flat number 2202, Tower 7,
Urbana NRI Complex, Anandapur
Road, Kolkata - 700107.

3. Mr Tarun Basu, residing at
Flat number 3003, Tower 7,
Urbana NRI Complex, Anandapur
Road, Kolkata - 700107.

4. Mr. Pradeep Bhotia
President,
Urbana Welfare Association,
Urbana NRI Complex, Anandapur Road,
Kolkata - 700107.

Sub: illegally and unlawfully prohibiting the pet to use the lift/elevator nos. 1 and 2 in Tower 7, Urbana NRI Complex, Anandapur Road, Kolkata - 700107.

My Client: Mr. Arijit Bhattacharjee, son of Late Dilip Bhattacharjee, residing at
Apartment No.3804, Tower 7, Urbana NRI Complex, Anandapur Road, Kolkata - 700107,
Contact - 9007320994.

Sir(s),

Under the instruction and on behalf of my clients, I do hereby state as follows:

That my client is a bona fide owner/resident of the flat mentioned above and he is residing with his family in the said flat since May' 2023. That recently an unprecedented and an unpredicted circumstance cropped up in the Tower 7, Urbana NRI Complex, Anandapur Road, Kolkata - 700107 (hereinafter referred to as the "said tower"), whereby you have raised voice and objected against the pet of the local residents from using the lifts/elevators no. 1 and 2 of the said tower and rather to use lift/elevator no. 3 of the said tower.

That it is a known fact to all of you that all the lifts are synchronized to each other which means at a time only one will go up and one will come down, and as per your instruction is concerned, to de-synchronize the lift/elevator no. 3, is literally not possible as per the safety guidelines it is baseless as a separate lift/elevator cannot be dedicated to the pet and practically it is non-enforceable so, this instruction is *void ab initio*.

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That, the said tower is a skyscraper and it is impossible humanely and from a pet point of view as well to use the staircase to take their pet for a walk or to take them out somewhere or even to reach their respective residences/flats.

That it is to be mentioned here that according to the GENERAL TERMS and CONDITIONS for the Apartments in URBANA (hereinafter referred to as "GTC"), it is nowhere mentioned there that pet cannot be restrained to use the lifts/elevators of the said tower, and till date there is no such condition like that in the GTC. Furthermore, pet just like us humans have all the rights to use the lifts/elevators and there is no embargo upon that.

That according to Pet SOP, i.e. the policy laid out on pet and such is duly approved by UWA dated 3rd August, 2021, it is clear that such untoward situation towards the pet and pet parents is not at all acceptable as it will violate the very fundamentals of the policy.

That it is further stated here that your acts and conducts will only jeopardize the health of the pet and pet parents and that is not at all acceptable.

Now, in the present scenario, I am writing this letter to you, thereby warning you that your act and conduct are vexatious and derogative in nature and as such you are violating the principles as laid down in various laws in India, which are enunciated hereinunder:

- i. That the Constitution of India acknowledges the sanctity of lives of animals and also prescribes the protection and treatment of animals with dignity and your acts and conducts towards the pet are violative of Article 21 of the Constitution of India which speaks of the welfare of animals which is the Right to Life and personal liberty of a person and no person shall be deprived of it.
- ii. That by prohibiting and/or by creating an obstruction upon the pet and pet parents to use the lift/elevator nos. 1 and 2 you have violated the "Magna Carta of animal rights" thereby violated the Fundamental Duty as laid down Article 51A(g) of the Constitution of India.
- iii. That through your acts and conducts the pet will be seriously injured and for such said acts and conducts I will be forced to register a written complaint under the provision of section 429 of the Indian Penal Code, 1860, which is the punishment section for maiming, for which the punishment is imprisonment of either description for term which may extend to five (5) years, or with fine, or with both, and also other charges such as Section 120B, 34, etc. of the India Penal Code.

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CHATTERJEE
Lal Banerjee
ADVOCATE
HIGH COURT, CALCUTTA
URBANA ASSOCIATION ROOM NO. 2

Chamber- P-122, Acharya
M. C. I. Road, Kolkata
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- iv. That by obstructing pet and pet parents to board together in the lift/elevator no. 1 and 2, and if the pet and pet parent want to board in the aforementioned lift/elevator then they have to take permission from the already onboarded person, this is non-enforceable and absolutely unlawful, and if the permission is not granted then the pet and pet parent have to wait for the next lift/elevator which can take anywhere between 15 minutes to 45 minutes, this is no way justified by any reasonable manner. It is further mention here that all these demands are against the policy as it is stated in the GTC, it is also to mention here that in the said GTC there is no embargo upon the pet and the pet parent to board together in the aforementioned lift/elevator. Hence, your acts and conducts are unlawful and inhumane in nature and without any reasonable cause and if you force the pet to use the staircase to reach their respective residences/flats and that will likely render the pet to suffer pain by starvation, and hence your acts and conducts are violative of the provisions of the Section 11(i) of the Prevention of Cruelty to the Animals Act, 1960.
- v. That through your acts and conducts you have damaged my rights and violated the principles of specific performance of contract and I have all the rights under the Specific Relief Act, 1963 to claim for damages.

Therefore, I will urge you to stop creating anymore further problems for the pet as well as the pet parents and stop creating any ruckus regarding the issue of the pet cannot use the lift/elevator no. 1 and 2, within Three (3) days from receiving this letter or else I will be compelled to take necessary legal actions against you, and to file an application within the purview of the Specific Relief Act, 1963, and to prefer an application under the provisions of the Prevention of Cruelty to the Animals Act, 1960, and to bring criminal charges against you under the Indian Penal Code, 1860 and to invoke the Jurisdiction as laid down under Article 226 of the Constitution of India.

Yours Sincerely

Oshik Chatterjee
Oshik Chatterjee
Advocate

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Posted by Mr. Lalaní Ji on 11th October, 2023

6:31



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T 7 Official UWA Group
Ajay Loharuka T7, Ambika ji T7, Anba...



In the backdrop of several unpleasant experiences over the past few months, the harmony among the residents of Tower 7 has been repeatedly disrupted due to the usage of the four lifts, pets, and service personnel. Yesterday in our residents' group we held a vote to determine whether exclusive access to the lifts should be granted to residents and others. All participants voted in favor of the proposed system. Thanks a lot to all, Following this, a meeting was conducted this morning with the participation of the UFM General Manager, Mr. Shankar Mukherjee, Security Head Mr. Rahul, Tower Captains Vidyut Chojar and Proteeti Mullick, UWA Secretary Mr. Tarun Basu, and myself. The decisions reached are as follows:

1. Lifts No. 1 and No. 2 will be reserved exclusively for residents and their guests (excluding pets).
2. Lift No. 3 will be accessible to all, including residents, guests, helpers, service personnel, maids, servants, drivers, and pets.
3. The service lift will also remain available to all service personnel and others.

12:44 PM



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Posted by Tarun Basu On 13th October, 2023

Subject: Lift Usage Policy (Tower 7) Clarification

Dear Residents,

We have noticed recent emails regarding the Lift Usage Policy and would like to provide a clear clarification for everyone's understanding:

Stage 1: Over the past few months, we have witnessed ongoing difference of opinions between pet owners and non-pet owners within our tower community. These disagreements have significantly impacted social harmony among our residents.

To address this issue, both the UWA and Tower Captain have taken steps to resolve the situation. We have collected 33 screenshots from our WhatsApp group discussions as evidence of the issue. It is important to note that the Tower Captain's responsibility is to resolve day-to-day problems, while the UWA is there to maintaining social harmony, social activities along with other responsibilities.

Stage 2: To seek a resolution, an opinion poll was conducted. The results indicate that 58 votes were in favor of the proposed changes, with only 1 vote against it. It has been confirmed that the majority of residents have read the message regarding this poll.

Stage 3: Following the overwhelming support for the proposed changes, a joint meeting was convened with the UWA, UFM, Security Head, and Tower Captains. During this meeting, we decided to implement the new Lift Usage Policy and communicate this decision to our community. We will also be placing posters inside and outside the lifts to raise awareness and reduce potential conflicts between security guards and lift passengers.

Stage 4: In light of our observations and the feedback from pet owners, the UWA has reviewed the situation. As promised in our previous message, we are removing the phrase "Pets not allowed" for Lifts No. 1 and 2. This means that pet owners who are residents are now allowed to use these lifts, provided their co-passengers are comfortable with this arrangement.

We hope that this clarification helps to address any concerns or confusion. Our goal is to enhance social harmony within our community while ensuring the convenience and comfort of all residents. If you have any further questions or require additional information, please feel free to reach out.

Thank you for your understanding and cooperation.

Best regards,

Tarun Basu -Secretary (UWA)

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5	<p><u>EV Charging Station:</u></p> <p>TKB stated that as EV population Last 2 years will be going up with passage of time, a robust plan for EV charging facility is need of the time. Last 2 years this subject are under discussion. Now it is high time to take a decision and go ahead with the installation of EV charging points.</p> <p>Two options are on the table.</p> <p>(A) Received offer from TATA Power- it is built and operate basis. They will charge Rs.6/- per unitover and above CESC charges. Disadvantages are:</p> <ul style="list-style-type: none">(i) Each time vehicle need to place for charging at designated station and move out upon charging.(ii) Acceptability in view of higher charges(iii) Blocking already stressed parking space near Towers. <p>(B) Other option of individual supply to parking areas. UFM will provide power source nearby at basement, from where the residents need to draw wire to connect their charger. UFM will runs wiring across the basement and install a sub-meter to bill the residents for the power consumed and realize from them with an additional service charge.</p> <p>After discussion will was agreed that option (B) will be beneficial for the residents and house approved Option (B). It was decided that TKB along with GB will take the responsibility to start working on it and periodical reporting will be there.</p>
6	<p><u>Lift Issues:</u></p> <p><u>De-synchronization and usage:</u></p> <p>Earlier it was decided that we will go for de-synchronization of lifts in all towers. Accordingly PB discussed this issue with BNRI/UFM. They agreed but residents objected. Hence The matter was on hold.</p> <p>After discussion at length it was decided that considering the negative feedback from the residents UWA will not pursue this issue any further.</p> <p>SS stated that at present most of the fit out jobs are over and service lifts are very much available to use. This is the high time we have to ensure that maximum maids as well as pet fogs trainers are using the service lifts.</p>
9	<p><u>Any other matter</u></p> <p><u>Status of RWA formation:</u></p> <p>HK wanted to know the present status of RWA registration. Earlier it was advised that final form has been submitted and soon the registration process will be completed.</p> <p>Since members are not aware of the status, it was resolved that PB will be in touch with the chairman of RWA formation committee and will get the latest status and will advise the members of the same.</p> <p><u>Diwali/Deep Utsav</u></p> <p>NK updated the members as follows:</p> <ul style="list-style-type: none">(a) Rangoli completion @ Towers will be held on 8th November'23. UWA will handover Rs.2,000to the team of each tower for arranging decorations. Prize money will be 1st Prize Rs.21K, 2nd prize Rs.11K and 3rd prize Rs.7K. JyotiSapru will be in charge of organizing this competition.(b) Diwali celebrations will be held on 12th November'23. Fireworks show along with refreshments. Due to heavy constructions are going on beside the roundabout, it was decided that this event will take place at central lawn.(c) Deep Utsav will be held on 18th November.23 at central lawn. AmalMallick and Nikita Ghandi booked for live performance. Finalization of caterers are going on. <p>Members appreciated the efforts of Deep Utsav committee headed by NK.</p> <p><u>Sports activities - Khelo Urbana 2</u></p> <p>UK once again raised the issue of using Razorpay app for registration purpose which was not agreeable to the convener of UPL. As per UK Mr. Imam was not at all agreeable to allowing Indoor Sports to use Razorpay since he had created it and last year there had been a problem. SB pointed out that if a mistake had been made it was regrettable and steps should be taken to ensure such mistakes did not happen. Further, since the UWA Bank</p>

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account was being used and all sports are also a part of the UWA, sharing should be the norm. Members at large agreed that UPL is functioning under the aegis of UWA it is desirable that the app to be used by sports activates. However, owing to the lack of time, it was suggested that UK consider using the QR system currently and if sorting data was a problem he could take the help of the UWA Office person failing which utilize outside service and UWA would pay for it.

Closure of meeting:

The meeting was concluded with a positive note.

URBANA WELFARE ASSOCIATION

President

Secretary

URBANA WELFARE ASSOCIATION

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Secretary