



**MINUTES OF THE 86TH ANNUAL GENERAL BODY MEETING
HELD ON SUNDAY, 30TH SEPTEMBER 2018, 10.30 A.M. AT
THE GROUND FLOOR BANQUET HALL.**

The President Mr. Shyam Shroff welcomed and greeted the members present and chaired the meeting. In view of insufficient quorum, the President declared the meeting adjourned to 11.00 a.m. in terms of notice dated 7th September 2018. The President then at 11.00 a.m. called the meeting to order wherein 323 members were present.

The President requested all the members to stand up for the National Anthem. He then requested the members to rise as a mark of respect in memory of our members who left for their heavenly abode, may they rest in peace.

The President Mr. Shyam Shroff thanked the members for giving him this honour to preside over the 86th General Body Meeting of Khar Gymkhana.

He then introduced the Honourable members sharing the dais with him-

“On my right are Mr. Amarjit Singh Chadha, Hon.General Secretary, & Mr. Gaurav Kapadia, Hon.General Secretary”.

“On my left is Mr. Ashok Mohanani, Vice-President, Mrs. Madhavi Ashar, Hon.Treasurer, Mr. Manu Dadlani, nominated Trustee of the Khar Gymkhana”.

Addressing the Members present at the House the President Mr. Shyam Shroff said “I have given a detailed report as appearing the Annual Reports of 2017/18 which should kindly be taken as read.

However, I would like to mention certain points for the knowledge of this August body.

We have finally received a confirmed lease renewal offer from the Collector’s office with certain conditions and one of them is the registration of the Gymkhana under the Maharashtra Public Trust Act, 1950.

The fully renovated Gymnasium will be fully operational during this coming Navratri. My sincere thanks to the members for patiently, bearing this

transition period. My sincere thanks to the Table Tennis Department for allowing the temporary gymnasium to function out of their courts. My sincere thanks to the Yoga Room members for patiently bearing the inconvenience being caused by this renovation. Thank you, Ms. Karishma Jumani and the entire Gymnasium Committee.

Once the renovated gymnasium starts functioning, we have plans to build the ladies washroom on the gymnasium level for which several drawings have already been received and we hope to complete that in next couple of months.

Next in line is the renovation of the pool deck area including the construction of an exclusive washroom for our lady members and their guests, renovation of the ladies changing room on the pool level and the construction of the façade on the 15th Road side.

It really hurts to see the false propaganda being spread about the huge amounts being spent without approvals or sanctions or procedure. The only big amount spent till now is on the renovation of the gymnasium for which each and every rupee is properly and judiciously accounted for. Any one of you is entitled to check this from the office.

The other items are only sanctioned for adhoc payments and the payments are made to the Architects only. The detailed work schedule and costing will be duly presented before the Managing Committee and the Trustees as and when the progress is made.

The arrangements for the 7th floor restaurant are made and I will request the Hon. General Secretary to brief this August Body little later.

We are in talks with the BMC authorities for the removal of the electrical transformers from the Gymkhana premises so that the entire stretch on the 13th Road could be beautified. We must thank the authorities in sparing our tennis courts in their Road Widening Scheme with the least possible inconvenience to the members.

A new caterer was introduced for the Black Dog lounge and the general canteen. Their cuisine is highly patronized by the members and their guests.

Safe Seat Covers have been provided in the ladies washrooms and some of the men's washroom too for better hygiene. Pavilion restaurant was recently revamped with no cost to the Gymkhana. No cooking is being permitted outside the kitchen areas and all the tandoors that were kept outside the cricket dressing room are removed. The clogged gutters outside the cricket dressing rooms are cleaned and covered. The underground water tank which was full of filth has been shut and sealed and potable water is now being

stored in the newly acquired tanks kept in the basement. The illegal washrooms on the 16th Road side outside the kitchen area are now demolished and new washrooms are made for the kitchen staff on the 15th Road side with a separate area for the staff to have their meals. Thank you, Mr. Vijay Gwalani, Mr. Manoj Kalwani, Mr. Nitin Gadekar, Mr. Neville Madan and Mr. Harish Shah for being supportive in this endeavour.

The Constitution of the Gymkhana was updated last year after a gap of 10 years because of the untiring efforts of Mr. Gul Tuliani, Mr. Iqbal Bhabha, Mr. Nanik Kukreja, Mr. Shyam Karmarker, Mr. Sunder Sadhnani and Mr. Nitin Gadekar. We wish to come out with the 2018 version after the completion of the General Body meetings held during this year. Thank you, Mr. Madhukant Acharya for bringing this up in the last AGM.

I must admit everything is not rosy and perfect. There are certain areas which need our immediate attention. Certain vendors are operating without any legally drafted agreements. The Internal Auditors have pointed out certain deficiencies and we shall be closing this gap shortly. We are lacking in good entertaining social programmes. There are certain reasons for that. First is the sound restriction up to 50 decibels and till 10 pm. As a good neighbour we need to keep in mind the comfort level of our neighbours also. Second is the costing. Everything has become so expensive that it is not possible to function without sponsors and they are not easy to come around. Third is the highly entertaining television and web series and streaming programmes that are practically available to the Members at zero cost. Fourth is the lack of parking space and traffic congestion in and around Gymkhana. However, we are looking into this without involving heavy expenses. I request all members to please patronize our in-house programmes. We have some very talented members amongst us.

I will briefly mention about the programme of Mr. Manish Chotrani called Champs where he physically trains our youngsters between the age of 8 and 12 years. There is a programme called Magicrise which is being controlled by the Gymnasium subcommittee and Ms. Karishma Jumani. There is a dramatics class in Khar Gymkhana which takes care of the speech therapy and Mr. Vivan Parashar is looking into this and he is being highly patronized. We have our group of Music Club and Singers, I must admit that some of the singers that we have are the best in Mumbai.

I would also like to thank our Staff for their full co-operation from time to time; they have been having hiccups during the year, but that will always be there because this is a democratic process, and they have some demands while the Management is not always willing to accept. But fortunately, we

came to a conclusion and we renewed the Agreement. We thank you very much for your support from time to time.

We look forward to continue working towards the betterment of the Gymkhana and successfully navigate the pressures and serve our members in the coming year. God Bless and Thank You.”

The President then requested the Hon.General Secretary, Mr. Amarjit Singh Chadha to proceed with the Agenda.

The Hon.General Secretary, Mr. Amarjit Singh Chadha then read out the first point of the Agenda item.

1. To confirm the Minutes of the Eighty Fifth Annual General Meeting held on 17-09-2017.

Mr. Madhukant Acharya (A-58-L)

This time the minutes are very well made. The minutes have been circulated in a very appropriate way. I really appreciate it. But one point is missed out. Normally when you are circulating the minutes of the last meeting a full roster of members who had attended that meeting is always put in most of the clubs. I am making a suggestion; before you give the minutes, you should give a full roster of all the members who have attended the meeting in alphabetical order for two reasons. One is the day the members attended, you have the roster and secondly, they become a witness to the proceedings of the entire House. My second suggestion is that most of the Gymkhana clubs and their institution have their archives and archives means they have a record of the past. The relevant years would be at least past 10-15 years. So, our office should maintain an archive of all the minutes of the last fifteen or twenty years. That also you can make it in a booklet form for those members who are interested only.

The President Mr. Shyam Shroff said we will consider your request.

The above minutes were proposed by Mr. Kishore Malani and seconded by Mr. Nilesh Ashar.

2. To consider any business arising out of the Minutes.

Mr. Vivek Devnani, Mem.No. D-121-L.

I had moved a resolution which was there on page 34 in which the membership at the time of conversion would be Rs 75000/- as the entrance

fees which was unanimously passed. However, at that time Mr. I.V. Solanki came and added that for this resolution to be ever changed in any of the AGM's you will require a 2/3rd majority to be defeated. This has not been added. So erroneously I think Mr. Solanki's suggestion has not been incorporated

The President Mr. Shyam Shroff said we will check on the recording and incorporate subject to verification.

The recording was checked and the same was incorporated in the minutes as per the objections of Mr. Vivek Devnani.

3. To receive and adopt the Annual Report and audited Statements of Accounts, duly audited for the year ended 31st March, 2018.

Mrs. Madhavi Ashar:-

Good morning everybody. I would like to thank you all for trusting your faith in me to hold the post of the Hon.Treasurer of our esteemed club. First of all, I would like to apologize to the House for not being able to present the accounts at this AGM. But I can assure you that we will be calling a Special General Body Meeting very soon to present the accounts. As per our Constitution it is the duty of the Hon.Treasurer to present true and fair accounts to this August Body. When I took over as the Hon.Treasurer I realized that occupying this position comes with two options. One was to occupy this chair as a decorative authority or to actually get hands on and diligently do the required work. Knowingly I took up the second option and very soon realized what a mammoth task I had taken up. The main reason for not submitting the accounts in time is because of the legacy of the accounts and the accounting system that we have inherited. If you can see the slide: -

LEGACY ISSUES:-

1. Bank Reconciliations not done for last 2 years.
2. Large scale of irregularities such as: -
 1. Fictitious FD interest accounting.
 2. Inadequate internal audit coverage.
 3. Member Control A/c not reconciled for last 2 years.
 4. The Chief Accountant absconded in December 2017 without any explanation.
 5. Lack of satisfactory explanations by Statutory Auditors on previous year accounts followed by their sudden resignation.

6. Apart from these legacy issues many accounting irregularities also came to light.

ACCOUNTING IRREGULARITIES: -

1. Fixed Deposit of Rs 75 lacs & Rs 25 lacs (Total Rs 1 cr) prematurely withdrawn from Union Bank of India (UBI) in Feb 17 & Mar 17 respectively, but still appearing in the Audited Accounts as at 31st March 2017. No record of M.C. approval also for the same. It is reflecting in the Audited Accounts of last year. If you would like to see it, the last year's Annual Report.
2. Three unsupported entries aggregating to Rs. 1.07 cr found in Members Control A/c recorded on last day of Jul 16 & Aug 16.
3. An expenditure of Rs 40.13 lacs pertaining to previous years relating to 2014 debited in books in Aug 17 without approval of the Managing Committee. This Rs. 40.13 lacs was regarding the caterers.
4. Sundry Creditors balances of Rs 37.03 lacs been written back as no more payable, while Sundry Debtors balance amounting to Rs. 8.79 lacs written off in 2016-17 for which appropriate evidence and explanations not available.
5. Old advances given to vendors aggregating to Rs. 43.58 lacs more than 2 years old and still pending to be settled.

CORRECTIVE MEASURES

1. Reputed firm of M/s. Gokhale & Sathe (Chartered Accountant) are appointed as Internal Auditors.
2. Reputed firm of M/s. Manohar Chowdhry & Associates (Chartered Accountant) appointed for outsourcing CFO function.
3. Reputed firm of M/s. MSKA & Associates (BDO associate) appointed as Statutory Auditors of Gymkhana subject to the ratification of this Aug Body.
4. Several accounting & internal control processes streamlined and strengthened.
5. Team motivation by creating awareness and teaching of accounting principles in live environment to the existing accounting staff & billing team. This is especially because the accounting team was absolutely at loss about

what is happening, what entries they are passing because our Chief Accountant never ever told them what is happening and what is to be done. They have been mechanically doing their work. The day the Chief Accountant stopped coming all of a sudden since then we had a task to manage the accounts without anybody heading it. We felt that this is where the lacunae is that that the staff themselves don't know what is happening. Now that we took it up, we have Mr. Neeraj from Manoj Choudhary & Associates he has been training them, he has been teaching the Staff the main accounting principles and how they have to be followed.

6. Appropriate allocation of duty timings and work profile to A/c & Billing team to cover the back-log as we as ongoing A/c's activity.

7. Trying to ensure that A/c's team follows the policies of gymkhana vis-à-vis standard accounting principles in order to maintain and present fair & true A/c's to the Management / Stake holders.

TO CONCLUDE

1. There Internal Auditors (Gokhale & Sathe) have raised significant issues in respect of certain matters relating to the period up to 31st March 2017, which could bring a significant impact on the A/c's for the year ended March 31, 2018.
2. Until the Bank A/c's, Debtors / Member Control A/c and Creditors A/c as at 31st March 2017 are fully reconciled, it is not possible to complete the statutory audit of the A/c's for FY 2017-18.
3. In spite of all the adverse factors, our professional team are working very hard to complete all the requirement of the Statutory Auditors so as to obtain the audited accounts as soon as possible. We will definitely be calling a Special General Body meeting to do the needful.

There is some Financial Impact due to Irregularities in Accounts

FD inflated – Rs 1 crore in Feb 17 & Mar 17

Pre-mature withdrawal of FD – Rs 90 lacs on 22nd Sep 2017, 2 days before the election.

Unsupported entries - Rs 1.07 crore in Jul 16 & Aug 16

Prior period expenditure – Rs 40.13 lacs booked in Aug 16

Old Bal of Creditors – Rs 37.03 lacs written back without supporting and approval

Old Bal of Debtors – Rs 8.78 lacs written off without supporting and approval

Unexplained Old Debit Balance of Creditors – Rs 43.58 lacs still pending and not settled

Advance to District Collector – Rs 7.49 lacs not settled

Unexplained Credit Bal – Rs 31.98 lacs in “Member On a/c” ledger more than 2 years

Unexplained various Old advances, deposits, TDS & Tax collected at source Receivables, Cash Bal – Rs 85.10 lacs more than 2 years

Old TDS & statutory liability – Rs 27.73 lacs paid but not accounted in books

Interest Accrued – Rs 23.40 lacs not reversed in 2016-17.

Now all these things will definitely create a lot of impact on the current year's accounts.

I would like to thank the House for a patient hearing and requested the President Mr. Shyam Shroff to please take over.

The President Mr. Shyam Shroff asked the House if any member had any queries relating to the accounts.

Mr. Sanjay Devnani (D-111-L)

Can I address the Hon. Treasurer please?

The President Mr. Shyam Shroff said that he needs to address the House.

Mr. Sanjay Devnani:- I would like to thank Madam Treasurer for the great work done. What surprises me is that in the AGM report they have mentioned that there are so many queries, and me, my committee and my Office Bearers they have asked our help but we did not extend help to clarify these misdemeanours. It was mentioned that in the Managing committee I was told but I don't know because I am not a part of the Managing committee. All I know is that from a Rs. 3.5 crore odd loss we got it to a Rs. 1 crore profit. My question only to the Treasurer is that do you know how much is the turnover of Khar Gymkhana, that's all I wanted to ask. We have not got any answer. We got a notice on a Sunday afternoon at 2.00 clock with queries starting from 2011 to 2017 and the notice said please respond in three days. One year you all have taken and not even accumulated the accounts today. You have got so much data and information on all the misdemeanours supposedly alleged misdemeanours, you have taken one

year and you want to give us three days for us to recollect. I have no access to anything. I am supposed to remember the details of six to seven years even when I was not there on the chair and I am supposed to answer those questions in three days. On a Sunday afternoon some month and half ago, I don't remember the date with 8 queries. I was surprised myself to see such bundles of slides coming out. Three days for six years of accounting when in a year they have not been able to present this year's accounts. All the misdemeanours listed.

Mr. Shyam Shroff:- Which letter are you talking about ?

Mr. Sanjay Devnani:- The letter regarding the accounts.

Mr. Shyam Shroff:- The letter what I have here is dated 16th August 2018 and it is talking about the Audit issues relating to the Gymkhana accounts for the year 2016-2017 & 2017-2018. It is not talking about 2011.

Mr. Sanjay Devnani:- I received this on 19.08.2018 on a Sunday at 1.30 noon which reads we need your written clarifications/explanation on the following transactions latest by 23rd August 2018. Now there is certain list enclosed, the list has not put up over here for your knowledge. But I know that there was one of 2011. If there is any such rectification helping Gymkhana, I appreciate your effort Madam Treasurer for what you are doing. The institution is Supreme in everything. Let us keep the institution clean. If you need my help, I am willing to sit, six years or seven years or ten years let's start positively; please don't look at me for three days without any access to anything. Let us clean out the accounting system in your great endeavour that you are going forward, let us clean it out together. You want my help; we are available all the time for you. Thank you very much.

Mr. Shyam Shroff:- What Mr. Devnani mentioned that this was a notice. This was not a notice. This was a query. I have the letter. The letter reads that we hope you will take immediate steps to give your explanation/clarification on these issues so that we can forward the same to the Auditor. The queries are come from the Auditor. We did not raise them on our own. Mr. Devnani what your letter said was however if you wish to get further clarity on the subject you can take these queries up to the accounts department, internal auditors or Gymkhana. Now you are saying you are ready to help, fair enough. We appreciate this. Of course, we need your assistance, we need your help. This is what you never mentioned in your letter.

Mr. Shiv Malhotra:- The Past President mentioned that he got a show cause notice. It was not a show cause notice; it was just a letter seeking his explanation asking for three days' time. Ideally what the response should

have been I cannot do this in three days. Please give me fifteen days. I would like to come and sit with your accounts department, Auditors, Internal Auditors, the accounts person. I went to the office to check when I came across this issues that the accounts are not going to be presented today. Now according to me what I see is apparently in my opinion there is a big fraud. First your Accountant is absconding. He ran away one fine day leaving this Gymkhana office. Did I name anyone? How come a few people over here are getting agitated.

Mr. Shyam Shroff:- Please don't say your Accountant. He is the Gymkhana Accountant.

Mr. Shiv Malhotra:- Not only did our accountant abscond, C.A. Gandhi the Auditor also is actually guilty of professional misconduct. He has just left it half way through and gone. So, all these things are of very serious nature and in fact I wonder why the Treasurer began her speech by saying I apologize. I don't think you need to apologize. You have done a fantastic job of bringing to light what has happened and we need to get through the bottom of this. A big complement to our Treasurer.

Mr. Yogesh Talwar- Mem.No. T-85-L- I just have the objection about my friend Mr. Malhotra calling it a fraud. There is nothing proved yet. My bone of contention is that one should not use the word like a fraud. Not yet proved. And I don't think the Treasurer has given the permission to any member to call it a fraud. If the Treasurer with her authority she says yes, I found out the fraud as he said that we are there to help but any member of the August House getting up and saying that the previous Office Bearers committed a fraud and again as this gentleman says it is a wrong choice of words. My friend if you have lost your wallet in Dadar you cannot come and find it in Bandra. Somebody who mentioned fraud should come and say I take my word back.

Mr. Shyam Shroff:- Nobody said that Office Bearer is a fraud. Nobody mentioned it here.

Mr. Zoru Bathena:- Mem.No. B-112-O – The Accounts of Khar Gymkhana definitely needs to be checked into, looked into, no harm in this. I think we all remember in the month of February there was a full-page ad in the Pulse, the magazine of the Khar Gymkhana which most of these accounting issues were already reported. And I personally feel it is very bad, each committee whoever comes one day they are on the seat, one day they are on the seat, it is very unfair to call each other fraud. This is not the way Khar Gymkhana should work. It will never survive if we keep doing this. If in the month of February some issues brought out, they should have first asked before calling these people. I was given a notice in the month of August or

something which is published as a fraud in February even I would be insulted. Would I come and help somebody once you have already called me a fraud? Please understand guys. If the intention and what I am saying is that both sides are at fault very clearly, this is not the way Khar Gymkhana is going to survive for if each person or if every time somebody changes elections or changes sides this issue will go on for years and years and Khar Gymkhana will come to an end with these fights. If there is a problem, if there is an accounting issue please respect the other person as well, don't insult them. Both the sides I am making it very clear. This is just going too much. Both are at fault. You need to stop this at some point of time. It is not going to solve anything.

Mr. Shyam Shroff:- Fair enough. You said something about February.

Mr. Zoru Bathena:- There was a full page article in the Pulse in the month of February, it was written the report of the Internal Auditor has found all these issues. All these issues which have been presented were there. Fixed Deposit issues, un reconciled accounts. Personally, I am saying if Khar Gymkhana needs any help to solve these problems I am ready to help. We cannot keep pointing out fingers to each other by saying fraud is not done. We need to stop this please.

Mr. Shyam Shroff:- It was the extract from the Managing Committee proceedings.

Mr. Rajesh Gursahani:- Mem.No. G-99-L – I was very pleased to hear the Hon.Treasurer's speech highlighting the FD's flowing away, the Staff running away, the Auditor also abandoning the Gymkhana. One thing she has done good here is that she has prepared all of us that there is going to be a huge loss this year. What has not been highlighted is that the committee has not taken care of the expenses of the Gymkhana in a disciplined manner. The discipline when we were there, we made a loss-making Gymkhana of Rs. 3 crore we converted into a profit of Rs. 1 crore. Instead of appreciating us all the time they are just finding mistakes. If the FD is broken where does the money go. It goes to the Gymkhana account. So basically, what has not been highlighted is that we stopped free food and alcohol for all the departments at the cost of unpopularity. The expenses of routine have gone up by leaps and bounds that has not been highlighted. What has been highlighted is the Auditor runs away, the Manager runs away. You have employed four people in one person's place and then also you are not able to present the accounts today. You must also agree that your committee has not been efficient in doing it.

Mr. Shyam Shroff:- Mr. Gursahani we are not talking about profit and loss. We are talking about what is the report of the Auditors. What observations they have. We never said that you made a loss or you made a profit.

Mr. Rajesh Gursahani:- You are talking about observations. Just before the Gymnasium elections you choose a very good extract of the Managing Committee minutes. The Managing Committee is a body which is elected. You have got broad majority as everybody knows. You can print whatever you like. That is wrong. Mr. President I withdraw this statement. I would just request the President instead of blaming the past and blaming what has happened this entry missing and that entry missing all of us together need to sit down in one forum and get the accounts ready. Second what is uncomfortable is that we will come back with the accounts. We should decide the date of the AGM now. We should not leave it ambiguous. That is my request to you.

Mr. Shyam Shroff:- What we said earlier we need time. We need to sit down with the Auditors when are they comfortable to present but you have a promise from me that it will be done on or before 31st December 2018.

Mr. Rajesh Gursahani:- Sir, one more thing I want to point out is that this extract of the minutes was printed in the Magazine. Who was the Secretary responsible for this? Are they audited? Are they observations? Are these findings? What are these? They are experts of a Managing Committee meeting where you are putting the entire onus on the previous committee. Who was responsible for putting it up in the Pulse Magazine should apologize?

Mr. Shyam Shroff:- At this rate we cannot continue with the meeting. You make your observations. You make your point; your answers will be given.

Mr. Rajesh Gursahani:- I want to request them that the person who has printed the extracts of the minutes in the pulse magazine just to malign somebody before the Gymnasium elections is wrong. You chose a political point but this is not the way the things are done.

Mr. Shyam Shroff:- When I am here let me address the meeting. When I can't control, I will tell you to please control the meeting. The point is things do happen before any election. Your question is very simple. Who put this? That's it, we will answer that.

Mr. Amit Majmudar:- Here as I speak I am speaking like a member and as humble member I am speaking on a point which is of significance not to any committee, not to any individual but Gymkhana as a whole. Again, I say that on the cost of reputation whatever I am saying is my personal view. I

think we have to understand the topic which we are discussing. The issue is that the accounts are not being presented and I think it is a very serious issue. As she said that when this whole thing happened, I have spent time with the Auditors just to understand what is happening. Let us go back and all this is there in the President's report, as well as in the Treasurer's report. The Accountant absconded. He was there today and tomorrow he said I am not coming. Just think about it there is a guy who is working in the Gymkhana for so many years, he just goes away. He is not worried about his Provident Fund; he is not worried about his gratuity. There is something wrong, right. There must be something wrong. He had his personal reasons. Whatever it is? Again, what happened was because the Internal Auditor found out certain queries; I don't think anything has been proved. There were certain queries so what the Office Bearers have done they have written to the Statutory Auditors on 17th of April saying that we have found these queries please let us know because this was during the period when the accounts were being audited by you. Please let us know what are your answers? I would like to read out what the Statutory Auditor in his reply has said, "that in this connection, we had commenced the audit for this year in September 2016 when the Tally package and a software for new members were installed. Accounts were made for the first time and accounts staff was not fully trained to operate the package. We discontinued the work after about a fortnight when we detected errors running into Crores of Rupees as in 1. Incorrect classification of accounts in Tally i.e. expenses as assets, liabilities as income etc. 2. Incorrect feeding of opening balances. 3. Incorrect, partial or totally incorrect transportation from members new software to tally". So, in his letter he has said there were problems with the accounts, clearly in his letter he said that there were issues with the accounting system but what is important to note is that with this reply on 24th of April he has also said that because of his health he would not like to accept the appointment as Auditors. After that there was another letter which was written to the Statutory Auditors again making enquiries from him. Again I will quote from his reply stating that "It has now come to light in the past fortnight, that post our verification in around May/June 2017 and after our verification in May /June 2017 and before the accounts statements were presented for signing, the Tally data of March 2017 and part of February 2017 got deleted from the system and took 15-20 days to reconstruct on the basis of bills and vouchers. However, in the case of encashed FDs of one crore in these two months, in the possible absence of bills/vouchers etc. the entries for encashment were missed out in the second run resulting in the final accounts reflecting all FDs including the encashed ones of one crore and corresponding incorrect bank balance". Let us understand what is happening. First the Accountant goes away. Secondly the Statutory Auditor does not resign on his own. There is a letter written to

him asking for queries. He says okay this is what has happened but I am now resigning. So, I think we have to look at these things in that context. Now the Statutory Auditor has resigned. When the new accounts team took this matter up, there were certain discrepancies which were observed. Now let us look at what were the discrepancies. First and foremost a Bank Reconciliation Statement is a very fundamental thing. It is very simple thing where your bank accounts have to be reconciled. When the accounting team took up the work from March 18, except for the Bank reconciliation statement of March 17, thereafter there was not a single bank reconciliation statement prepared from April 17 to March 18. In the bank reconciliation statement of March 2017 there are at least 300-line items which are not subsequently been ticked off. These 300 items may not have a large value but the problem is if you don't reconcile your bank accounts you are not sure whether your accounts are true and fair. The second thing is there is a journal entry which I have a copy of it with me here, if anyone wants to see there are three journal entries which have been passed, the entries passed is Members control account debit to Bank account credit. Now what does this mean? Members control account means you have to receive Rs. 1 crore from your Members, credit bank account means your bank account is reduced by Rs. 1 crore. Now there is absolutely no supporting for this. That deduction in the bank account of Rs. 1.07 crore cannot be traced into the bank statement. Then there is a previous related item an item related to the period 2014 which has been accounted during the year July or August 2017. There are old vendor balances which have not been recovered, possible impact would be Rs. 40 lakhs, there are various things because I don't want to go in all of that because they have been put up in the President's report and Treasurer's report. My only submission is here that we are considering the matter, whatever you have done in postponing the adoption of the accounts is a fair thing because all that as members we should ensure that the accounts of the Gymkhana are true and fair. We are a Gymkhana, we are a club, and we are altogether. I think for me who did what is irrelevant. I think it does not matter. But I think we should look at this as a Club. We have a reputation. We have a brand. You go out in the market place. We don't want a situation where somebody says that Gymkhana accounts were not true and fair. We are proud about our financial statements, we are proud about the Club. My only submission is that I think that the members sitting here on this item, let us agree and go forward rather than having this debate. A few points which were raised during this discussion as Mr. Shiv mentioned about fraud. I don't think it is a fair comment because as you rightly said Mr. Yogesh nothing is proved. I think if there is a fraud the financial statements as and when they are done will indicate that. Mr. Sanjay you are very good personal friend but the tone of the letter, which I have seen was not that you reply in three days as Mr.

Shiv rightly mentioned, it is not a notice, it is not a legal letter. You have all the time in the world to reply. You can still reply now. I know it was mentioned 23rd August but as somebody mentioned you could have said I can't do it by 23rd August, you give me some more time.

Mr. Shyam Shroff:- Mr. Devnani has agreed that he will sit with us and he will help us with that, it is okay.

Mr. Amit Majmudar:- As a member group can we just agree now that this item is done and we move forward. I have one last comment, Mr. Rajesh what you said is very important; let us all sit together in a room and make sure that the accounts are true and fair. I don't think this is the time or this is the place to say who did what is absolutely irrelevant. This is a Club. We are all part of Khar Gymkhana. We may have our differences but we should not get into who did what but let us sit in a room and get a true and fair financial statement.

Mr. Ashok Puri, Mem.No. P-73-O- Have you read the Balance sheet of Khar Gymkhana before? It is prepared by the Management. Auditors only comment on it. These are approved by the AGM which you are a part of. You have all passed these accounts. When we started talking about 2017-18 accounts, we are discussing about 2016-2017. You are writing to the Office Bearers. This is unheard off. Till you prove it is fraud, you have something in your hand, you can't just write letters to the Office Bearers. 2016-2017, tomorrow you will start from 2011. Who gave you the authority, I would like to know this?

Mr. Shyam Shroff:- Sir, you please control your tone. Don't be aggressive.

Mr. Ashok Puri:- Aggression automatically comes out. Tomorrow you will start on 2005-2006 when Mr. Vipin Kohli was the Secretary. Mr. Malhotra was the Treasurer.

Mr. Shyam Shroff:- Let us stick to the point please.

Mr. Ashok Puri:- Sir, I am very much on the point.

Mr. Shyam Shroff:- Please control your tone. You are a seasoned member. Please address the House instead of addressing member personally.

Mr. Ashok Puri:- I am addressing the members. I apologize for that.

Mr. Shyam Shroff:- Despite my requests you are taking further names. I will not allow you to speak further now.

Mr. Ashok Puri:- I want to find out the defect in your notice. You have written that everything is attached. Nothing is attached inside.

Mr. Shyam Shroff:- That Agenda is over now. We are on the accounts. The defect on the notice you should have raised on point number 1, we would have not discussed all this.

Mr. Ashok Puri:- President's Report and Treasurer's report are not part of the accounts. You have mentioned that you are postponing the meeting. If you read the agenda accounts are supposed to be attached.

Mr. Shyam Shroff:- Sir, I don't think I will allow you any further.

Mr. Ashok Puri:- To receive and adopt the Annual Report and audited statement of Accounts duly audited for the year 31st March 2018. It is written over here. Please note it down. I don't like this.

Mr. Shyam Shroff:- First of all you control your tone. You said defective notice. You should have raised this point earlier. I think that is enough now.

Mr. Minesh Babla:- Mem.No. B-167-L, Respected Chairman and all my dear members, I was really impressed when the House gave a patient hearing while Mr. Amit was speaking about the important matter. That shows that we are all interested in this. I have only one suggestion. That before we agree to what he suggested here we should definitely move forward with the rest of the important points on the Agenda. Please make sure that we are constitutionally correct by moving forward in that point. Even if the House is Supreme, we should see what the Gymkhana Constitution says before moving forward because we do not want another problem and then some other committee comes and saying this was wrong and now this is not valid. So, before we move forward it has to be confirmed that whether the Constitution of Gymkhana allows us to move in that direction.

Mr. Brijgopal Roy, Mem.No. R-45-O, The presentation which was made by the Treasurer pointing out the irregularities just a short point it brings to my mind, I being a professional accountant that there must be some internal control system which includes your computer system, your tally, I don't know much about the details but whatever was presented we should take a serious note rather than making allegations. Each and every point takes you to the conclusion that there is a lack of internal control system. You are outsourcing CFO function. For a large club like this sorry sir, I just cannot take it. You need a full time CFO. It is outsourced by a firm. No firm of Chartered Accountants, with all due respect, can do justice to one organization devoting full time of a CFO function. It is a very large club. How can we not have a CFO of our own in our own payroll? He should be accountable, he should be responsible here. If a firm of Chartered Accountants walks out tomorrow, find out some other irregularities with due respect to my Accountant friends. So, I would request you to reconsider your

decision and appoint a full time CFO and have a full-fledged internal control system which will have checks and balances.

Mr. Shyam Shroff:- Thank you Sir, we will certainly consider this.

Mr. V.R. Iyer, I-12-L: - All these things would not have happened, so much time we have wasted on these accounts. Because in your agenda itself there is a small flaw because the Agenda no. 3 says to receive and adopt the Annual Report and audited Statement of Accounts, duly audited for the year ended 31st March 2018. These Audited accounts should not have been there in the Agenda itself.

Mr. Shyam Shroff:- This is the Agenda as per the Constitution.

Mr. V.R. Iyer:- There should have been a footnote that the accounts are not audited should have been included in the Agenda.

Mr. Shyam Shroff:- We need to present the Accounts on or before 31st December 2018. Do you agree with all this?

The House unanimously approved that the Accounts should be presented on or before 31st December 2018.

The postponement of the Accounts to be presented on or before 31st December 2018 was proposed by Mr. Acharya and seconded by Mr. Brijgopal Roy with a single dissent of Mr. Ashok Puri.

4. To elect a Trustee, if not nominated by the Trustees, under Rule 82.

Mr. Amarjit Singh Chadha, Hon.General Secretary read out the letter received from the Trustees that Mr. Manu Dadlani has been nominated as Managing Trustee for year 2018-2020.

5. To appoint Auditors and fix their remuneration.

Mr. Shyam Shroff:- Last year when the Auditors left we went to the Managing Committee and said that this is a mid-term vacancy here, and we need to fill up and filled up the mid-term vacancy subject to the ratification in the General Body. So, I would request somebody from the Accounts team or the Treasurer to read out the appointment of Auditors.

It is resolved that M/s. MSKA & Associates, Chartered Accountants be and is hereby appointed as the Statutory Auditors of the Khar Gymkhana for the years 2017-2019 subject to ratification as to the said appointment at every General Body meeting @ remuneration of Rs. 5 lakhs plus applicable taxes, GST and reimbursement out of pocket expenses if any incurred by them for the purpose of audit.

Mr. Sanjay Devnani:- It was sad to learn that the statutory auditors had to leave for whatever reasons. My suggestion and request to the current Managing Committee is that since the powers of appointment of Auditors are only with the AGM please request you not to take the powers of the AGM. You could have always called for a Special General Body Meeting for the appointment of the Auditors. I know it was like Mr. Amit has mentioned it was extra ordinary circumstances that this action had to be taken but I request the Managing Committee whatever powers of the AGM, it remain with the AGM. That is my request Chairman Sir.

Mr. Shyam Shroff:- As you said Mr. Devnani, in extraordinary circumstances we did through the Managing Committee but of course with the ratification to be done at the General Body.

Mr. Sanjay Devnani:- I agree with what you said Sir, but Special General Body meeting should have been called because the Appointment of an Auditor in any circumstance is the power of this House and not of the Managing Committee.

Mr. Shyam Shroff:- We are not taking away the powers.

Mr. Sanjay Devnani:- Since you used the word ratification the appointment of an Auditor is in the AGM. The appointment itself is in the AGM. So, it could have been better, of course you'll have done it, we agree with you but it would have been better if the Managing Committee would have not overstepped their powers above the AGM. Thank you, Sir.

Mr. Shyam Shroff:- Noted Sir.

Mr. Madhukant Acharya:- It is correct that the House will approve the appointment of the Auditors. There is absolutely no doubt in that. They have erred slightly by saying ratification but I am sure they meant that they are making the proposal and the House will approve. There is no dispute on this. They can't do it. The House has to do it. So, the House will appoint the Auditors. That is number one. The second point is that since you have not presented the accounts how can you ask for another Auditor. When you present the Accounts in the AGM then you can ask, we want to appoint this Auditor. Please read the history of our Gymkhana and also the history of other Gymkhana's or Clubs. You will appoint only when you are submitting the Accounts then you ask for the new Auditor. You can't ask now. The third point what I am trying to make here as far as the Auditors are concerned if somebody has run away for obvious reasons of health or whatever. Now if

the Auditor has gone away at that time you have the Pulse Magazine. You should have circulated that we have run into these problems so that the whole House is knowing. You should have circulated to 8000 members that our Accountant has run away, our Auditor has run away and we are in huge problems of reconciliation years and years back, as you will be surprised to know that lot of members in the present Managing Committee in some form or other were associated with other or previous Managing committee's so if they are pointing a finger at those people they should point a finger at themselves also. So, it is a joint effort as Mr. Amit said don't put an accusing finger at anybody. Be like a cohesive Khar Gymkhana member and members and try to sort out this problem. So, when you are pointing a finger at your back point it at yourself. Finally, I am very pleased about one thing that Mr. Shyam Shroff and his team are definitely very sincere in trying to do whatever they are doing. Mr. Shyam Shroff and his team are trying to clean the AGM tables, agreed but they also know that the Managing Committee is appointed only for two years right from the time they came into office. They also know that they have to present two AGM's and constitutionally these are the dates. If they ran into trouble why didn't they inform all the Members. And if they had informed the Members, they would have come out with suggestions and volunteered to do certain things. So that the presentation would be today. So, they are good in intentions but the execution was slightly faulty. I am very clear about this. Last point I want to say that this was the first time in the unbroken history of Gymkhana 85-86 years that the accounts were not presented. The final point what I am trying to say is whenever we come to this situation, we should try to be little composed and we try to make up. Mr. Shyam Shroff and his team is good but the execution is slightly faulty. Please correct this and when I said in the unbroken history except for an emergency or some critical situation the accounts have always been presented. We are very happy that at least a date has been announced that before 31st December 2018 SGM will be called and at that time appoint the Auditor and last point, could we have some background of the new Auditor you are proposing? Has he worked for us earlier? We should know his background so that this Auditor will also not run away.

Mr. Ashok Puri:- Mr. Acharya this is for your information this is not the way things move. There is a system in our institute as per law when there is a resignation or death, the Managing Committee or the Board of Directors are supposed to appoint the Auditors he holds office till the next AGM i.e. till today. He is already an Auditor till today. Why did you confirm his appointment? He has already done the Audit in fact. Only the Balance sheet has not been signed. That's all. You are asking what his credentials are, how much experience he has got all these things are irrelevant. What we have to

do is to confirm his appointment and I firmly propose no. He should not be confirmed. He should have signed the Balance Sheet and given to us. This is witch hunting finding errors of 2012, 2013 & 2014.

Mr. Shyam Shroff:- You are not allowed to use such type of words here.

Mr. Ashok Puri:- This is an English word. It is not my word. You are asking the Audit 2016-17. You have passed a resolution saying 2015-2016, 2016-2017. You can only Audit 2017-18 and 2018-19.

Mr. Shyam Shroff- Sir, let me read again. If you have finished your point, I will ask somebody else to speak. Please listen to the resolution when the time comes. You did not hear properly what I have read.

Mr. Yogesh Talwar: - I am speaking because the item of Agenda no. 3 has been passed, proposed and seconded. I just want to make a point. I am not going against that. About 5 minutes back you spoke that the Agenda is according to the Constitution of Khar Gymkhana. So, my query is if Agenda no. 3 is according to the Constitution which is received and adopt in the Annual Report, can the Chairman and the House go against the Constitution of Khar Gymkhana.

Mr. Shyam Shroff:- I am putting the resolution before the House **“Resolved that M/s. MSKA & Associates, Chartered Accountants be and hereby is appointed as Statutory Auditors of the Khar Gymkhana for the years 2017-2019 subject to the ratification as to the said appointment at every Annual General Body Meeting at a remuneration of Rs. 5 lakhs plus applicable GST, and reimbursement of out of pocket expenses if any incurred by them for the purpose of audit”.**

The resolution is before you. Those in favour say Yes, those not in favour say No.

The above resolution was passed with a single dissent of Mr. Ashok Puri.

The above resolution was proposed by Mr. Jiten Ratwani and seconded by Mr. Madhukant Acharya.

7. To consider any resolutions of the Managing Committee.

Rule No. 6

EXISTING	PROPOSED
<p style="text-align: center;"><u>CLASSIFICATION</u></p> <p>Rule 6: The membership of the Gymkhana shall consist of the following classes of Members: -</p> <ol style="list-style-type: none"> a. Patrons b. Life Members c. Ordinary Members d. Honorary Members e. Associate Members f. Casual Members g. Service Members h. Playing Members i. Corporate Members j. Special Category Members k. Sponsored Membership <p>[NOTE: Admission of members under Rules 6(a), 6(b), 6(c) and 6(d) stands closed except conversion cases under Rule 18A (ii).]</p>	<p style="text-align: center;"><u>CLASSIFICATION</u></p> <p>Rule 6: The membership of the Gymkhana shall consist of the following classes of Members: -</p> <ol style="list-style-type: none"> a. Patrons b. Life Members c. Ordinary Members d. Honorary Members e. Associate Members f. Casual Members g. Service Members h. Playing Members i. Corporate Members j. Special Category Members k. Sponsored Membership <p>[NOTE: Admission of members under Rules 6(a), 6(b) and 6(c) stands closed except conversion cases under Rule 18A (ii).]</p>

Mr. Amarjit Singh Chadha, Hon.General Secretary read the above resolution.

Note is Admission of members under Rule 6(a), 6(b), 6(c) **and 6(d)** stands closed except conversion cases under Rule 18A(ii) is the existing Rule. What is proposed is Note: - Admission of members under Rule 6(a), 6(b) **and** 6(c) stands closed except conversion cases under Rule 18A(ii). Only 6(d) goes out.

The above resolution was proposed by Mr. Nitin Gadekar and seconded by Mr. Nanik Kukreja.

Passed unanimously.

Rule No. 7

<p style="text-align: center;"><u>PATRONS</u></p> <p>Rule 7: The following may be eligible to be admitted as Patrons: -</p>	<p style="text-align: center;"><u>PATRONS</u></p> <p>Rule 7: The following may be eligible to be admitted as Patrons: -</p>
---	---

<p>(i) A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes or donates Rs. 2,00,000/- (Rs. Two Lakhs) or more to the funds of the Gymkhana. He shall pay no General Subscription.</p> <p>(ii) A Life Member may be permitted at the discretion of the Managing Committee to convert his membership to that of a Patron by subscribing Rs. 1,00,000/- (Rs. One Lakh) or more to the funds of the Gymkhana. However, a Life Member who has completed 20 years may be permitted at the discretion of the Managing Committee to convert his membership to that of a Patron by subscribing Rs. 25,000/- (Rs. Twenty five thousand only) or more to the funds of the Gymkhana.</p>	<p>(i) A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes Rs.10,00,000/- (Rs. Ten Lakhs) or more to the funds of the Gymkhana. He shall pay no General Subscription.</p> <p>(ii) A Life Member may be permitted at the discretion of the Managing Committee to convert his membership to that of a Patron by subscribing Rs. 5,00,000/- (Rs. Five Lakh) or more to the funds of the Gymkhana. However, a Life Member who has completed 30 years may be permitted at the discretion of the Managing Committee to convert his membership to that of a Patron by subscribing Rs. 1,00,000/- (Rs. One Lakh) or more to the funds of the Gymkhana.</p> <p>(Note: Rule 7 (i) is to be read in conjunction with the foot note of Rule 6 of the Constitution).</p>
<p>LIFE MEMBERS</p> <p>Rule 8: The following may be eligible to be admitted as Life Members: -</p> <p>(i) A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes or donates Rs. 1,00,000/- (Rs. One Lakh) or more to the funds of the Gymkhana. He shall pay no General Subscription.</p> <p>(ii) An Ordinary Member may be</p>	<p>LIFE MEMBERS</p> <p>Rule 8: The following may be eligible to be admitted as Life Members: -</p> <p>(i) A new member over and above the conversion fees residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes Rs. 5,00,000/- (Rs. Five Lakh) or more to the funds of the Gymkhana. He shall pay no General Subscription.</p> <p>(ii) An Ordinary Member may be permitted at the discretion of the</p>

<p>permitted at the discretion of the Managing Committee to convert his / her membership to that of Life Member by subscribing Rs.1,00,000/- (Rs. One Lakhs) if he / she has completed 25 years as an Ordinary Member and Rs.50,000/- (Rs. Fifty Thousand), if he / she has completed 30 years as an ordinary Member.</p>	<p>Managing Committee to convert his / her membership to that of Life Member by subscribing Rs.1,00,000/- (Rs. One Lakhs) if he / she has completed 25 years as an Ordinary Member and Rs.50,000/- (Rs. Fifty Thousand), if he / she has completed 30 years as an ordinary Member.</p> <p>(iii) An associate Member, on conversion under Rule 18A (ii), at the discretion of the Managing Committee, may be converted to Life Membership without any entrance fee for outstanding achievements in the field of Sports at the State / National / International Level in concurrence with the Secretary of the Concerned Department. For outstanding achievements in games not played in Khar Gymkhana, Life membership without any entrance fee may be offered at the discretion of the Managing Committee. They shall, however be liable to pay the prevailing Departmental Fees and shall have all the Rights & Privileges of a Life Member.</p> <p>(Note: Rule 8 (i) is to be read in conjunction with the foot note of Rule 6 of the Constitution).</p>
---	--

Mr. Rajesh Gursahani:- I feel that this is a draconian increase. You cannot increase from Rs. 2 lakhs to 10 lakhs and for Patrons from Rs. 1 lac to Rs. 5 lacs. You can have an increment but you can maximum double it. You can't have higher than that. I propose instead of Rs. 2 lakhs Rs. 3 lakhs and instead of Rs. 1 lac Rs. 2 lacs. I think this is a benefit for all the members who have not yet converted.

Mr. Madhukant Acharya:- On one hand we say that we should be reasonable and not subsidised rates so I agree that the rates should be increased but hiking it five times is injudicious. Hiking it from Rs. 2 lacs to Rs. 10 lacs have no meaning. You should do it according to inflation adjustment. You should do according to reasonable profit but you are making it five times. It has absolutely no meaning. Secondly from Rs. 1 lac to Rs. 5 lac this also needs to be brought down. For me as a Senior Citizen the third one is more important even than the first two ones. On one hand you are saying 75 years and above you are not going to charge any fees, subscription and number two after 30 years of being a member or 35 years you should give concession and not increase the rate. Earlier it was Rs. 25000/- and now you are making it Rs. 1 lac. Why should it be? You should encourage more senior citizens to give something to the Gymkhana. Keep it at the reasonable rate from Rs. 25000/- to Rs. 30000/- or Rs. 35000/- but Senior Citizens should contribute to the Gymkhana. But at the time be reasonable. Don't hike it up to Rs. 1 lac. So as for me I am particularly interested in clause no. 3, going from Rs. 25000/- to Rs. 1 lac should not be there. Make it 10 or 20% increase. Keep it from Rs. 25000/- to Rs. 35000/-. Then there will be much more members who will contribute to become a patron.

Mr. Shiv Malhotra: - Nobody seems to understand the rationale behind this. It was during your tenure that the subscription fees from Rs. 250/- was raised to Rs. 3600/- more than ten times. Please read the last line over here. What does it say? He shall pay no General subscription. If you hike it by just a lakh of rupees today if the general subscription for a year is 3600/- It would be a loss to the Gymkhana. I feel the first one should be raised to Rs. 5 lacs. Gymkhana will not get subscription.

Mr. Nitin Gadekar – Mem.No. G-34-L – When a child at eighteen becomes a Patron and pays only 2 lacs in eight years he is paying back in every year what he paid Rs. 36000/- so the child is going to use the Gymkhana for the next 50 years at least. So, this amount of Rs. 2 lac is too little. That has to be raised. Rs. 2 lacs is not a big sum today. He just becomes a patron and does not pay subscription for the next fifty years. This is just not on. As a member of the committee we had proposed Rs. 10 lakhs and it is reasonable.

Mr. Shiv Malhotra:- And if you can't afford it your membership still stands. You are availing the benefit.

Mr. Vijay Gwalani, Mem.No. G-494-O- The argument we are having right now is for those members who are applying newly to the Gymkhana. Over and above what we would then charge if he wishes to be from an ordinary to

be a Patron, we propose to pay Rs. 10 lacs. Not about conversions. If it is about conversions there is a point which will subsequently follow. Rule No. 7 does not pertain to conversions. It is new member assuming that I am not a member, if I am ordinarily coming in the X amount of charge the House than decides over and above, I pay Rs. 2 lacs which is right now or Rs. 10 lacs which is now been proposed.

Mr. Nitin Gadekar:- I think Mr. Vijay made the point very clear. This is not about conversion. If a young boy comes to the Gymkhana and you make him a member of the Gymkhana, he gets in at just Rs. 2 lacs while when we are opening up membership, we are paying Rs. 18 and 20 lacs and 50 lacs. You are paying to become a Patron in such a small amount. So, this is for an outsider. This is not for conversion.

Mr. Sanjay Devnani:- Is this not for conversion. Is it for a new member? Are you taking new members?

Mr. Shyam Shroff:- We are not taking new members.

Mr. Sanjay Devnani:- I think the explanation is incorrect then. What I have been informed right now is if and when we take new members. When we take new members at that time, we will charge that money but first let us decide whether we are taking new members. Why are we taking a resolution when we have not decided?

Mr. Shiv Malhotra:- The resolution says A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes Rs. 10,00,000/- (Rs. Ten lakhs) or more to the funds of the Gymkhana. He shall pay no general subscription. This is not above new members. This is about your converted members. For. e.g. if my son on attaining the age of eighteen he takes ordinary membership he pays an amount of Rs. 1 lac. Now by this rule immediately I will pay another Rs. 1.25 lac and make him a Life Member and for the rest of his life he will pay no general subscription. This is what it means.

Mr. Sanjay Devnani:- I think what Mr. Shiv is talking about and what I am talking about is the same. There is a difference as far as the resolution. The resolution is not clear. What he is trying to say and also the Chairman and the Treasurer probably were not well informed about it. The resolution has not been drafted properly. This resolution does not talk about conversion membership. When an eighteen-year-old girl or a boy converts into a primary member from an associate member to a primary member we are talking about that. This resolution does not mention about that which is wrong. This is very important because this resolution will be interpreted as new member coming at Rs. 10 lacs. It is a boy or a girl turns eighteen

applies to Khar Gymkhana for a membership. From associate the primary membership is given. This resolution talks about at that time apart from Sports people who have represented our state or country are given directly Life Membership as an incentive to them because of their wonderful achievements in Sports. No other child is given anything, only primary membership which is ordinary. What this resolution is trying to do is at Rs. 10 lacs at that time itself a rich person's son at Rs. 10 lacs he could get patron membership. This resolution does not mention that. It needs to be corrected there. The misinformation was that in Rs. 2 lacs you get Life Membership. It is not true. Twenty-five years of membership as an Ordinary Member qualifies that person to ask for Life membership or Patron. I don't know the figure whether is Rs. 1 lac or Rs. 2 lac. But that is the cost. That is the current position of membership from Ordinary to Life or Patron. I am reading this resolution for everyone's information. A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years and who subscribes or donates Rs. 10,00,000/- (Rupees Ten lacs) or more to the funds of the Gymkhana. He shall pay no general subscription. He becomes a patron.

Mr. Shiv Malhotra:- The clarification here is first of all that the membership is not open. Anybody applying cannot become a member. Now what this refers is to the conversion of member's child. We will need clarity. This is not about a new member. Effectively let me explain one thing to you. I am giving you an easy example. My son turns eighteen and he takes an ordinary membership and pays Rs. 75000/- I immediately thereafter within a month pay another Rs. 1 lac or Rs. 2 lac and make him a Life Member. He for the rest of his life does not pay subscription. This is what it will amount to. I think let us defer this. We need to clarify.

Ms. Sarita Jethwani:- Mem.No. J-109-L – Firstly read the footnote of point no. 7 (Note :- Rule 7(i) to be read in conjunction with the footnote of Rule 6 of the Constitution) which means whenever we open up the membership at that point the General Body fixes a donation amount for membership. In 2015 we had taken members. Suppose the donation amount was fixed at Rs. 15 lacs that means when a new person becomes a member and he want a patron membership over and above that Rs. 15 lakhs he has to pay this amount which has fixed at Rs. 7(i) You read the point 7(ii) A Life Member wanting to convert to Patron. 7(iii) is for ordinary members wanting to convert to Patron.

Mr. Nanik Kukreja:- Mem.No. K-95-L This Rule 7 has to be understood with Rule 6 before. The Rule 6 talks about types of membership. The first happens to be the Patron. Rule 7 is talking about Patrons and at the end of the resolution if you notice that Rule No. 7(i) the first part is to be read in

conjunction with the foot note of Rule 6 which means as of now it is frozen. We are not taking any members. Whenever we open membership, I am talking about 7(i) only. Whenever we take new membership at that time, we will decide all the amounts of which precedent has been set in 2007 at which time we had fixed all different amounts over and above the donations. Whatever 2 lacs was there that plus some amount, we need to understand that properly. That Rs. 2 lacs is been changed to Rs. 10 lacs, which does not mean that new member will get at Rs. 10 lacs. New member will get at the amount decided at that time whenever new memberships open. This is about 7(i) read along with Rule No. 6. What is frozen is frozen. The second part is from conversion from Life to Patron. That is the point we need to discuss. The Managing committee is proposing to increase from Rs. 1 lac to Rs. 5 lacs conversion from Life to Patron. So, 7(i) has got no relevance here. 7(ii) is conversion. Any member presently a Life Member can be converted to a Patron even today. The cost is Rs. 5 lacs earlier it was Rs. 1 lac. This is what to be debated according to me and not 7(i).

The President then said that there is no clarity on this subject, we should defer this point to the next meeting.

Mr. Amarjit Singh Chadha briefed the House about the changes in Rule 8(i) It has to be changed from Rs. 1 lac to Rs. 5 lac and there is an addition 8(iii) An associate Member, on conversion under Rule 18A (ii), at the discretion of the Managing Committee, may be converted to Life Membership without any entrance fee for outstanding achievements in the field of Sports at the State/National/International Level in concurrence with the Secretary of the concerned Department achievements in games not played in Khar Gymkhana, Life Membership without any entrance fee may be offered at the discretion of the Managing Committee. They shall, however be liable to pay the prevailing Departmental fees and shall have all the Rights and Privileges of a Life Member. (Note:- Rule 8(i) is to be read in conjunction with the foot note of Rule 6 of the Constitution).

Mr. Minesh Babla:- Does this say the period in which the Sports was achieved. Giving the power to the Managing Committee is not a problem. For e.g. Supposedly some sportsmen has achieved something ten years back. Today a Managing committee says come and convert this because there is no period mentioned here. I am not saying that a particular Managing committee will do something. But you are giving the powers to the Managing committee. Suppose my son got in the National few years back. Some Managing committee comes and says that yes ten years back he has achieved something we convert his membership from ordinary to life. I don't think it is fair. We should have a period mentioned here. If we do not mention a period you can go back 25 and change. I don't think it is fair.

Mr. Shiv Malhotra:- We can use the word prospective and not retrospective. Of late there has been a sort of controversy and I agree with him that so much discretionary powers should not be given to the Managing Committee. Don't mind I saying but you know how things work in India and Khar Gymkhana is even better. Having said that I find this, very ambiguous when you say outstanding achievement in the field of Sports at the State/National/International. What is outstanding achievement? Do we have a benchmark for that? There is problem here when we say State Level. Most of our children 70% of our children are training here because we have got fantastic facilities are going and playing tournaments which can be termed as State level tournaments. They lose in the first term. Is that an achievement going and playing in a State Level, we need to have clarity as to when you say what is State Level. According to me what it should be should be an individual sport. Because again there will be a problem between a team sport and an individual sport. In an Individual sport that child should have represented the State of Maharashtra in the Nationals. That makes you a State Level Player. Otherwise election ah rahe hai, mera bachae ka karva de. Let deserving good children who are sportsmen not be deprived of this benefit. I am totally for sportsmen. My good friend Mr. Yogesh Talwar says that you cannot change it now. You can change with amendments any resolution can be decided with amendments. That is what the rule says.

Mr. Shyam Shroff:- What is the amendment you are suggesting?

Mr. Shiv Malhotra:- I am suggesting that the minimum state level should be in an individual sport. The child represents Maharashtra State because in every sport there is Sports Federation who conducts one National. There is only one National. There cannot be two or three whether it is chess or tennis. Therefore, your child should be representing Maharashtra State in his age category probably the top five at least that is an outstanding achievement. Simply going and playing because every Badminton tournament is a State Level Championship. Every Squash Tournament is a National level championship because players are coming from Kashmir, Delhi. We are not giving merit. Every ordinary person is getting the membership when other kids are working so hard.

Mr. Dharmesh Ashar, Mem.No. D-126-O- On the subject matter on we are discussing on what Mr. Shiv suggested, what he is saying is we are cooking up a definition. A State Level player has to be at this level. In my opinion what we need to do is to approach the respective federations and ask them for a perfect definition. How do they define a State Level player, A National Level Player or an International Level Player? Once they give their clarification, I think that can be taken up as a bench mark and then we can include it in the Constitution.

Ms. Sushma Thakor:- Mem No. T-105-L – Before I voice my opinion I would like to clarify that I do not have anything personal against anyone with regards to the issue that I would like to address. It pertains to Rule No. 8 and a proposal for its amendment on page 3. As per the Constitution Rule No. 6, specifies 11 classes of members and the criteria required to be eligible to be admitted as a member under that category. However, since the last few years a new category of members has been added to the list though there is no mention of it in the Constitution. Member's children upon attaining the age of eighteen years are directly given Life membership without payment of any fees if they perform at a State/National/or International Level which we still have to clarify. The reasons for why this type of membership is totally unconstitutional as of now, is because there is no provision of this class in the Constitution. The normal flow from associate member to Ordinary member is basically from associate member to ordinary member and then to Life Membership after completion of twenty-five or thirty years as an Ordinary Member and against payment of Rs. 1 lac or Rs. 50,000/- respectively. These members are been given Life Membership for free which is in violation of Rule No. 8. We have a scheme wherein outstanding players are disbursed certain amounts upon submission of their certificate for performance at the State Level, National Level or International Level. These members also claim Sports Payout using the same certificate which amounts to double benefit against the same certificate. My contention here is that as we already have the Sports disbursements scheme for outstanding performance why was this category of free membership introduced and by whom. Isn't it better to follow the Constitution and grant Ordinary Membership to a child upon attaining eighteen years, as per Rule 9 on par with all the other children and if he or she performs well at the State/National or International Level roll out the pay out as per the prescribed norms? If a mistake was committed in the past and it has come to our notice now should not, we rectify it rather than repeating it all over again? I spoke to some of my loyal friends and all of them were of the opinion that this type of membership has no Constitutional validity as of now. The Constitution is silent about this membership. It certainly does not mean that it should be allowed. Silence does not mean consent here. If we follow that logic than it is quite likely that many other activities will be also carried out Khar Gymkhana only because the Constitution does not specifically prohibit them. If the Gymkhana starts giving this kind of membership to many persons it will open a Pandora's box and will be a huge loss to its corpus by way of membership fees. From the data received by me more than 20 such memberships have been given since 2014 and before amounting to a loss of revenue approx. to Rs. 15-20 lacs. The Gymkhana will also be discriminating against these members by conferring a double benefit on such members when they are allowed to claim the payouts as

well. My personal view is two wrongs do not make a right. We should try to correct all past mistakes and set a good precedent. How, if and when and whether that will become and how that will be done lies in the hands of our elected representative. Turning a blind eye to incorrect procedures and then trying to cover them up by amending the Constitution is totally unethical. Amendment to rule no. 8 by adding point no. 3 is certainly not the right way forward as it has raised adverse consequences on the revenue and working efforts of Khar Gymkhana in future. More so because this membership will be given at the discretion of the Managing Committee, which will be changing every one or two years. I hope better sense prevail over Khar Gymkhana members before this amendment is carried out. Thank you very much for hearing me out patiently.

Mr. Vivek Devnani:- D-121-L, I also happen to be the Past Vice-President and the current Managing Committee member. I have played a very important and incidental role in this Sports Payout which have been rolled out and the Life Memberships which have been given to Members children. In case of the other Clubs also which are there within India this gesture of Khar Gymkhana giving memberships to its children who are excelled in Sports has been applauded by all. In fact, there are clubs which are in discussion with me on an individual capacity of how it has been done. As of yesterday, I can tell you that Cricket Club of India has called me next week for a discussion that they also want to follow this. Regarding this membership been given to State/National/International and Sports payout I think everything is Black and White where it is very clear that only if the federation which is the representative body for that Sport confers the letter on that child then is this membership given and if it has been given in the past I think the records can be checked all the attachments the supporting's, I can give you a few names Monique Gandhi, Aditi Dhumatkar, there are so many swimmers who have not only excelled at Nationals but also at International Levels. And it is a great honour that we have such children in our ranks and I think if we are giving them this sort of membership it is right on our part, as I completely agree it should not be on the discretion of the Managing Committee which is in power to give it. It should be there in the Constitution which was not there. It was being followed in the past and I don't feel that there is something wrong in this.

Mr. Sanjay Devnani:- I am coming to the technical part regarding this resolution. Request you all to defer it because there are two resolutions in one. Chairman Sir, this is Sports. We are a Sporting institution. A child what he does who achieves with our facilities we should be proud of them. Yes, create a proper system. I agree to that but do not diminish a fourteen-year-old who has achieved National or State Level whether he is coming to

the first round or the final round or won the Nationals. If he has won the Nationals, he is an International Player. You will be liking him to come here and play. Please do not diminish the achievements of these children. What I would like to point out rather than these the children associate members who become primary members get this benefit, stop the Playing Membership that are being doled out by people for their friends to come and play in Khar Gymkhana to play for Khar Gymkhana. We have a secretary of a department who plays against Khar Gymkhana. The Managing committee knows that very well.

Mr. Shyam Shroff:- I am not aware.

Mr. Sanjay Devnani:- Playing Membership is an alleged fraud that happens on us. Any individual mera bhai, bahen koi bhi hoga. A playing member is a club level member who ordinarily plays somewhere and wants to use Khar Gymkhana facilities you give him Playing Membership. Why we started that facility was because Cricket department had a shortfall of cricketers so they were allowing this. Suddenly all departments take twelve members. Please look into that.

Mr. Vijay Kandhari, Mem.No. K-173-L, I think this point needs to be completely re-drafted, we can defer it because on point no 1 and 2 the House decides what kind of fees they want, point no. 3 there is no definition of State/National which has been said. In this only point if a Sport is not being played in Khar Gymkhana we still give them membership and they will pay department fees of which department they will pay which is not there in Khar Gymkhana. This is completely wrong. This has not been taken in this particular manner. It has to be deferred.

Mr. Nimay Ashar, A-96-L, I have been swimming all my life for Khar Gymkhana. I have been a National Level Medallist and it takes a lot of effort, money everything into that Sport and we put in our hearts. So, this is something which is an incentive to all of us. It is an incentive to all our children to go, perform and excel at that sport. The remuneration or whatever we get from Khar Gymkhana is peanuts compared to what we spend on every trip. So, there is a lot of effort put, I think that should be applauded. I am a beneficiary of this Life Membership. Thank you.

Mr. Shiv Malhotra:- I want to share my personal experience. I am very proud of my son who represented India in the Commonwealth games who got the benefit of this life membership. It is highly appreciated. I totally agree with Nimay too that the amount of money we put in and even these Pay outs are very good. In fact, another piece of good news he has just won the PSA Pro tour tournament early this morning. He has beaten the world junior champion in the finals. He for the first-time last year was the

recipient of this Sports Pay out. It is highly appreciated. He lives in America, it is not easy. It is very expensive. Training is very expensive. Hats off to the Management and the Trustees for coming out, with this scheme. My son represents Khar Gymkhana his T-shirts carries a Khar Gymkhana logo wherever he travels all over the world he uses a Khar Gymkhana Logo.

Mr. Nikhil Makhija, M-954-O, Suggestion of Life membership without any entrance fees may be awkward, but instead of discretion of the Managing Committee why don't you approve it in the AGM.

Mr. Amarjit Singh Chadha:- You will have to wait for one year for his membership if you want to get it to the AGM.

Mr. Pradeep Ajila, A-73-L, This should not be in the hands of the Managing Committee. I am speaking of 40 years of experience for being on and off on the Managing Committee. This is a very important role. Our children must get the benefit of Life Membership as Mr. Shiv said they give their lives and heart here. Mr. Sanjay also said the same thing. This is an incentive. We are a Sporting institution and this is an incentive to those children. We should be proud of them. I am totally agreeing with the Pay out as well as the membership to them but this should be a criterion. The State Association guidelines should be there. The State Association must write a letter to Khar Gymkhana saying that this boy or girl is a State Player or a National Player. It should come in the General Body with all the supporting documents and it should be the General Body which passes it.

Mr. Minesh Babla:- There is no problem in giving powers to the Managing Committee. All we need to do here as a General Body is have a proper wording of the power, we are giving to the Managing Committee. The resolution was silent. Constitution was silent. Now we are wording it. If we word it strongly there is no way Managing Committee can misuse it. Word it properly, have a period for it. Once the child has played Tennis, Swimming or any sport he gets a Medal and a certificate, this is enough he has won it that is the proof. If I go and play a State level and I have a medal, now if we word it clearly here what is the criteria you want to give the membership on. Then the Managing Committee can take power. Why not word it clearly at the AGM. Every time keep bringing it to the AGM that is not fair. Have a Constitution which is strong enough, then the Managing Committee can take the action. I suggest how much back period you are going to go there should be a limitation on that. You award it to the child fine. The child has played at fourteen and today he is eighteen. You have to make it clear. You credit the Sportsmen but there should be clarity. Give the powers to the Managing Committee. But the wording should be clear. This wording is very ambiguous and the Managing committee can misuse it.

Mr. Shyam Shroff:- The idea is that children should be encouraged but we need some clarity here.

Mr. Robert Lawrence, Mem.No. L-71-L, I want to congratulate the Chairman and the Managing Committee particularly the Treasurer who has very nicely brought up and we leave it to the August Body to decide. I am only talking about Sports. There was a kind gentleman, Mr. Anshi Gursahani. Mr. Gursahani was a very dear friend of my father and believe me I became a member here in 1977. Thanks to Mr. Vivek and I got converted into Life Membership. I am a Sportsman. I will tell you how it ends. I played Junior National field Hockey in St. Mary School and St. Xaviers college. I was picked up at the age of 17 by Tata's and played for Tata's Sports club for 19 years. Mr. Gursahani spoke to my dad. He said why you don't become a member of Khar Gymkhana. I could not afford it. I got membership of Khar Gymkhana by paying. I got free membership of Catholic Gymkhana. I converted it into paying. I got free membership of Bandra Gymkhana, I converted, I am a Life Member. I am only saying is that when you play for State it comes in the newspapers. I still have newspaper cuttings how one gets selected at Junior Nationals. You don't have to run right to the federation. Please encourage sportsmen.

Mr. Shyam Shroff:- Let me conclude this. It is a very good suggestion that sportsmen should be encouraged. But we need a proper resolution we will take it up in the next General Body.

<u>ORDINARY MEMBERS</u>	<u>ORDINARY MEMBERS</u>
<p>Rule 9: The following may be eligible to be admitted as Ordinary Members:</p> <p>-</p> <p>A person residing permanently within the limits of Greater Mumbai and</p> <p>who has completed the age of 18 years may be admitted as an Ordinary Member on payment of the following fees:-</p>	<p>Rule 9: The following may be eligible to be admitted as Ordinary Members:</p> <p>(a) A person residing permanently within the limits of Greater Mumbai and who has completed the age of 18 years may be admitted as an Ordinary Member on payment of Rs.100,000/- (One Lakh) as Entrance Fee.</p> <p>(b) On conversion under Rule 18A (ii),</p>

<p>(i) On conversion under Rule 18A (ii), entrance fee of Rs. 20,000/- with an increase of 10% 5% every calendar year plus a deposit of Rs. 2500/-, with a cap of Rs.75,000/- plus taxes (Cap resolved in AGM 17/09/2017)</p> <p>ii. Upto the age of 25 years, entrance fee of Rs. 25,000/- plus a deposit of Rs. 5000/-</p> <p>iii Above the age of 25 years upto the age of 35 years, entrance fee of Rs. 50,000/- plus a deposit of Rs. 5,000/-.</p> <p>iv. Above the age of 35 years, entrance fee of Rs. 75,000/- plus a deposit of Rs. 5,000/-</p>	<p>entrance fee of Rs. 20,000/- with an increase of 5% every calendar year plus a deposit of Rs. 2500/-, with a cap of Rs.75,000/- plus taxes (Cap resolved in AGM 17/09/2017)</p> <p>(ii) to be DELETED</p> <p>(iii) to be DELETED</p> <p>(iv) to be DELETED</p> <p>(Note: Rule 9 (i) is to be read in conjunction with the foot note of Rule 6 of the Constitution).</p>
---	--

Mr. Amarjit Singh Chadha: - As per the first point is concerned an additional payment has to be made of Rs. 1 lac as Entrance fees. The conversion fees what are there is (i) On conversion under Rule 18A (ii), entrance fee of Rs. 20,000/- with an increase of 10% every calendar year plus a deposit of Rs. 2500/- with a cap of Rs. 75000/- plus taxes (Cap resolved in AGM 17.09.2017). What is to be deleted is ii) iii) & iv). Note:- Rule 9(i) is to be read in conjunction with the footnote of Rule 6 of the Constitution.

Mr. Nanik Kukreja:- I repeat here that part a of Rule 9 is about new membership. It is not about conversion. It is part B which is for conversion in which instead of having separate, separate age clauses we have tried to consolidate into one which is a Rs. 75000/- cap Rs. 20,000/- to begin with, with an increase of 5% every calendar year plus a deposit of Rs. 2500/- We

have already crossed that Rs. 20,000/- it is already in the Constitution therefore it is repeating. We have already crossed it. We are therefore now a new conversion. Present conversion of eighteen years is almost Rs. 60000/- to Rs. 70000/- there we are putting a cap of Rs. 75000/- (a) is for New Membership. (a) is a blocked item as of now. Whenever it opens, we can discuss it at that time.

Mr. Shyam Shroff:- If there is no clarity let us defer it to the next meeting. Come with lot of clarity Sir. Let's us defer this to the next General Body meeting.

<p>HONORARY MEMBERS</p> <p><u>Rule 11:</u></p> <p>(a) The Managing Committee may at its discretion, invite sportsmen or sportswomen at the State and/or National/International level to be Honorary Members of the Gymkhana for a period not exceeding 3 years.</p>	<p>HONORARY MEMBERS</p> <p><u>Rule 11:</u></p> <p>(a) The Managing Committee may at its discretion, invite sportsmen or sportswomen at the State and/or National/International level to be Honorary Members of the Gymkhana for a period not exceeding 3 years with the concurrence of the relevant Department Secretary.</p>
---	--

Amarjit Singh Chadha:- Rule No. 11 there is an addition with the concurrence of the relevant Department Secretary. We need to pass this. Whatever members are given membership for achieving at National/State level the department secretary should be knowing about it before it is passed.

The above resolution was unanimously approved.

It was proposed by Mr. Vijay Kandhari and seconded by Mr. Rajiv Punwani.

Rule No. 12

<p>ASSOCIATE MEMBERS</p> <p><u>Rule 12:</u> The following may be eligible to be admitted as Associate Members:-</p> <p>Children under the age of 18 years, spouse and unmarried daughters over the age of 18 years of Patrons,</p>	<p>ASSOCIATE MEMBERS</p> <p><u>Rule 12:</u> The following may be eligible to be admitted as Associate Members:-</p> <p>Children under the age of 18 years, spouse and unmarried daughters over the age of 18 years of Patrons, Life</p>
--	---

<p>Life and Ordinary members shall be admitted as Associate Members. However, they shall cease to be Associate members of the Gymkhana if the member ceases to be a member of the Gymkhana under the Constitution. Unmarried daughters shall cease to be Associate Members upon getting married. The sons shall cease to be Associate Members upon attaining the age of 18 years, with six months extension as stipulated under Rule 18B. Associate members shall have all the privileges of an Ordinary Member but shall not be entitled to attend and to vote at any General Meeting of the Gymkhana except Meetings of Departments of which they are members.</p>	<p>and Ordinary members shall be admitted as Associate Members. However, they shall cease to be Associate members of the Gymkhana if the member ceases to be a member of the Gymkhana under the Constitution. Unmarried daughters shall cease to be Associate Members upon getting married. The sons shall cease to be Associate Members upon attaining the age of 18 years, with six months extension as stipulated under Rule 18A(ii). Associate members shall have all the privileges of an Ordinary Member but shall not be entitled to attend and to vote at any General Meeting of the Gymkhana except Meetings of Departments of which they are members. However, an Associate Member shall not be eligible to contest for the post of Departmental Secretary.</p>
--	---

Mr. Amarjit Singh Chadha:- It should be with six months extension as stipulated under Rule No. 18A(ii) and there is an addition made, However, an Associate Member shall not be eligible to contest for the post of a department Secretary. This is also good enough because an associate member cannot contest for the post of Departmental Secretary.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Nilesh Ashar and seconded by Mr. Rajiv Punwani.

Rule No. 13

<p>CASUAL MEMBERS</p> <p>Rule 13: (ii) The following may be eligible to be admitted as Casual Members: -</p> <p>a) Subject to Rule 13(i), persons</p>	<p>CASUAL MEMBERS</p> <p>Rule 13: (ii) The following may be eligible to be admitted as Casual Members: -</p> <p>a) Subject to Rule 13(i), persons</p>
---	---

<p>eligible for enrolment as an Ordinary Member of the Gymkhana residing permanently out of Mumbai but who have temporarily come to Mumbai, may be admitted as Casual Members for a period not exceeding 3 months in a year from the date of admission. Such persons shall have to submit necessary evidence to show that they are ordinarily residing out of Mumbai. However, before being admitted as a Casual Member their application form together with photographs shall be exhibited on the Notice Board as required under Rule14B (iii).</p>	<p>eligible for enrolment as an Ordinary Member of the Gymkhana residing permanently out of Mumbai but who have temporarily come to Mumbai, may be admitted as Casual Members for a period not exceeding 3 months in a year from the date of admission. However, the spouse of such Member shall NOT BE eligible to apply for membership under the same provision in the same calendar year. Such persons shall have to submit necessary evidence to show that they are ordinarily residing out of Mumbai. However, before being admitted as a Casual Member their application form together with photographs shall be exhibited on the Notice Board as required under Rule14B (iii).</p>
--	--

Mr. Amarjit Singh Chadha:-

What needs to be added here is that However, the spouse of such Member shall NOT be eligible to apply for membership under the same provision in the calendar year.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Rajesh Gursahani and seconded by Mr. Vivek Devnani.

SERVICE MEMBERS

Rule 13 A: The following may be eligible to be admitted as Service Members: -

(i) Commissioned Defence Services Personnel and/or Class I Gazetted Union or State Government Employees while in Service residing temporarily or on transfer within Greater Mumbai may be admitted as Service Members for a maximum period of 3 years and not for any further period. Service Members shall pay an Entrance Fee of Rs.30,000/- in 3 (Three) installments of Rs.10,000/- each per year plus a Deposit of Rs. 5000/-.They shall have all the privileges of an Ordinary Member of the Gymkhana but shall not be entitled to attend or vote at any General Meetings of the Gymkhana nor any meetings of the Departments of which they are members. The Proposer and Secunder of a Service Member shall be jointly and severally liable for all dues to the Gymkhana and also his conduct subject to Rule 24. Application for service membership shall be displayed on the Notice Board.

(ii) Any person applying for Service Membership under Rule 13 A (i) above shall attach with his/her application for membership a certificate from his/her department certifying that he/she is a

SERVICE MEMBERS

Rule 13 A: The following may be eligible to be admitted as Service Members: -

(i) Commissioned Defence Services Personnel and/or Class I Gazetted Union or State Government Employees **and / or Assistant Municipal Commissioner of H West Ward and / or Senior Inspector of Khar Police Station** while in Service residing temporarily or on transfer within Greater Mumbai may be admitted as Service Members for a maximum period of 3 years and not for any further period. Service Members shall pay an Entrance Fee of Rs.30,000/- in 3 (Three) installments of Rs.10,000/- each per year plus a Deposit of Rs. 5000/-.They shall have all the privileges of an Ordinary Member of the Gymkhana but shall not be entitled to attend or vote at any General Meetings of the Gymkhana nor any meetings of the Departments of which they are members. The Proposer and Secunder of a Service Member shall be jointly and severally liable for all dues to the Gymkhana and also his conduct subject to Rule 24. Application for service membership shall be displayed on the Notice Board.

(ii) Any person applying for Service Membership under Rule 13 A (i) above shall attach with his/her application for membership a certificate from his/her department certifying that he/she is a Commissioned and/or Class I Gazetted Officer **except in case of the Assistant Municipal**

<p>Commissioned and/or Class I Gazetted Officer.</p> <p>(iii) Service Members shall not be eligible for credit facilities.</p> <p>(iv) The Service Membership shall stand cancelled upon the Service Member being transferred out of Greater Mumbai and/or ceasing to be qualified as a Service Member under the Constitution.</p> <p>v) After admission as a Service Member, if it is found that the person concerned was not a Commissioned Defence Service Personnel and/or Class I Gazetted Officer, his membership as Service Member shall be deemed to be void <i>ab-initio</i> and it shall be so declared by the Managing Committee and their decision shall be final. Any amount paid by such a member by way of Subscription, entrance fees or under any head of account shall be forfeited to the Gymkhana and the decision of the Managing Committee shall be final.</p>	<p>Commissioner of H West Ward and / or Senior Inspector of Khar Police Station.</p> <p>(iii) Service Members shall not be eligible for credit facilities.</p> <p>(iv) The Service Membership shall stand cancelled upon the Service Member being transferred out of Greater Mumbai and/or ceasing to be qualified as a Service Member under the Constitution.</p> <p>(v) After admission as a Service Member, if it is found that the person concerned does not qualify as stated in application as one of the categories described in Rule 13 A (i) his membership as a Service Member shall be deemed to be void <i>ab-initio</i> and it will be so declared by the Managing Committee and their decision shall be final. Any amount paid by such a member by way of Subscription, entrance fee or under any head of account shall stand forfeited to the Gymkhana and the decision of the Managing Committee shall be final. An updated list of Service Members currently enrolled shall be made available by the Gymkhana Office.</p>
--	---

Mr. Amarjit Singh Chadha:-

What is to be added is and/or Assistant Municipal Commissioner of H West Ward and /or Senior Inspector of Khar Police Station. There is a further correction except in case of the Assistant Municipal Commissioner of H West Ward and /or Senior Inspector of Khar Police Station.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Pradeep Ajila and seconded by Mr. Nitin Gadekar.

Rule No. 13B(i)

<p>PLAYING MEMBERS</p> <p>Rule 13 B: (i) The total number of Playing Members shall not exceed 12 at any Point of time in each Department. The Department concerned shall recommend the Playing Member to the Managing Committee.</p>	<p>PLAYING MEMBERS</p> <p>Rule 13 B: (i) The total number of Playing Members shall not exceed 6 at any Point of time in each Department except the Cricket Department, which may enroll 12 playing Members. The Department concerned shall recommend the Playing Member to the Managing Committee.</p>
--	--

Mr. Amarjit Singh Chadha:-

What we are saying is that the Playing members shall not exceed 6 at any point of time in each department except the Cricket department which may enrol 12 Playing Members.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vivek Devnani and seconded by Mr. Minesh Babla.

Rule No. 13E

<p><u>SPONSORED MEMBERSHIP</u></p> <p>Rule 13 E: A person sponsoring a Social or Sports event may be admitted as an Ordinary member for</p>	<p><u>SPONSORED MEMBERSHIP</u></p> <p>Rule 13 E: A person sponsoring a Social or Sports event may be admitted as an Ordinary member for a</p>
---	---

<p>a limited duration of one year by the Managing committee on payment of Rs.5 Lakh or more as determined by the Managing committee from time to time, plus Rs. 5,000/- as deposit & Rs. 12,000/- as general fees and there should be not more than 2 sponsored members per department. Amounting to 16 members in all. The Sponsored member shall have all the privileges of an Ordinary Member of the Gymkhana but shall not be entitled to attend or vote at any General Meetings of the Gymkhana nor any meetings of the Departments of which they are members. The Proposer and Secunder of a Sponsored Member shall be jointly and severally liable for all the dues to the Gymkhana. Application for sponsored membership shall be displayed on the Notice Board.</p>	<p>limited duration of one year by the Managing committee on payment of Rs.3 Lakh or more as determined by the Managing committee from time to time, plus Rs. 5,000/- as deposit & Rs. 12,000/- as general fees and there should be not more than 2 sponsored members per department. Sponsored member shall have all the privileges of an Ordinary Member of the Gymkhana but shall not be entitled to attend or vote at any General Meetings of the Gymkhana nor any meetings of the Departments of which they are members. The Proposer and Secunder of a Sponsored Member shall be jointly and severally liable for all the dues to the Gymkhana. Application for sponsored membership shall be displayed on the Notice Board.</p>
--	---

Amarjit Singh Chadha:-

What we are saying is reducing the amount of Sponsored Membership from Rs. 5 lakhs to Rs. 3 lakhs which is already there. We are just getting it into the Constitution.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Rajesh Gursahani and seconded by Mr. Prem Asrani.

Rule No. 15(i)

<p>SCRUTINY COMMITTEE</p> <p>Rule 15: (i) The Scrutiny Committee shall consist of the following persons: - a) All Trustees b) Four immediate Past-Presidents</p>	<p>SCRUTINY COMMITTEE</p> <p>Rule 15: (i) The Scrutiny Committee shall consist of the following persons: -a) Trustee nominated on the Managing Committee. b) Four immediate Past-Presidents</p>
--	--

c) Vice-President	c) Vice-President
d) Two Hon. General Secretaries & Hon. Treasurer	d) Two Hon. General Secretaries & Hon. Treasurer
e) Current President as Ex-Officio Member.	e) Current President as Ex-Officio Member.

Mr. Amarjit Singh Chadha:-

Addition is Trustee nominated on the Managing Committee.

Mr. Rajesh Gursahani:- I do not the logic of having only one Trustee. As it is nobody comes. If all Trustees come how does it matter? What is the disadvantage to have all the Trustees to come and attend? I don't see any harm in that.

Mr. Shiv Malhotra:- In anyway there is one Trustee nominated for the day to day affairs of the Managing Committee. Why do you need all five Trustees? Why not the full Managing committee? Why not this one and why not that one? Even the Managing Committee is in charge. Why only the Office Bearers? It is perfectly alright and I propose this.

Mr. Vivek Devnani:- The entrance fees which is collected when a child converts goes to the Trust Fund. So, the custodian of membership as it lies with the Trustees. It does not lie with the Managing Trustee.

Mr. Shyam Shroff:- Instead of saying Trustee nominated on the Managing Committee, why not say any one Trustee. Instead of four Past President make it two or three. What will four Past President's do? Can we change with the consent of the House?

Mr. Shiv Malhotra:- I am proposing an amendment to the Rule. I am proposing there is no need of any Past President to be present. What is the need. The present committee is vested with all the papers required.

Mr. Shyam Shroff:- That is for the House to decide. That is his proposal.

Mr. Rajesh Gursahani:- I would like to propose only one change, any one Trustee.

Mr. Shyam Shroff:- That is what I was saying any one Trustee, if somebody is not well or out of town.

Mr. Shiv Malhotra:- It is not the question of any one Trustee. Even in case of departmental representatives in the Managing Committee when the Secretary is not there a letter is given and the Chairman attends. There is a precedent to that and therefore if our Managing Trustee for whatever reasons is not available at that stage you can get another Trustee.

Mr. Shyam Shroff:- Can I suggest something ? Any one trustee and 2 Past Presidents.

The proposal before the House is 1 Trustee and 2 immediate Past-Presidents.

The above resolution was unanimously passed with a single dissent of Mr. Yogesh Talwar.

The above resolution was proposed by Mr. Shiv Malhotra and seconded by Mr. Ajit Mathur.

Rule No. 18A:-

<u>MEMBERS CHILDREN</u>	<u>MEMBERS CHILDREN</u>
<p><u>Rule 18A:</u></p> <p>(ii) Members enrolled upto 30th Sept. 2005 under Rules 6 (a), 6 (b), & 6(c) (excluding late conversion members enrolled upto 31st March 2003) shall be entitled to apply for enrolment of their children as members of the Gymkhana on completing the age of 18 years, but not after crossing the age of 21 years. The Entrance fees for Children admitted at the age of 18 years and within the extension of 6 months shall be charged regular fees, but members applying for membership after expiry of 18 years 6 months till the age of 21 years shall be liable to pay Rs. 1 lakh over and above the existing fees.</p> <p>On being admitted as members, the children of the member shall pay the regular subscription/entrance fee, deposit and General Subscription as</p>	<p><u>Rule 18A:</u></p> <p>(ii) Members enrolled upto 30th Sept. 2005 under Rules 6 (a), 6 (b), & 6(c) (excluding late conversion members enrolled upto 31st March 2003) shall be entitled to apply for enrolment of their children as members of the Gymkhana on completing the age of 18 years, but not after crossing the age of 25 years. After the age of 25, unless the rule is amended, membership shall not be granted to them by taking up in AOB or any other item of AGM. The Entrance fees for such Children shall be:-</p> <p>(a) Admitted at the age of 18 years and within the extension of 6 months shall be charged regular fees as per Rule 9 (b).</p> <p>(b) Members applying for membership after expiry of 18 years 6 months till the age of 21 years</p>

<p>applicable under the Rules.</p>	<p>shall be liable to pay Rs.1 Lakh over and above the existing fees as per Rule 9 (b).</p> <p>(c) Members applying after 21 years but before or on age 25, shall pay Rs.5 Lakh over and above the existing fees as per Rule 9 (b).</p> <p>On being admitted as members, the children of the member shall pay the regular subscription / entrance fee, deposit and General Subscription as applicable under the Rules. No admission form shall be issue by Hon. Gen. Secretaries / Trustees to Member's Children who have crossed 25 years of age as per 18 (ii) & 18 A (ii) of the Constitution.</p>
------------------------------------	--

Mr. Amarjit Singh Chadha:-

After the age of 25, unless the rule is amended, membership shall not be granted to them by taking up in AOB or any other item of AGM.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Gul Kriplani and seconded by Mr. Sunder Sadhnani.

a) Admitted at the age of 18 years and within the extension of 6 months shall be charged regular fees as per Rule 9(b)

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vivek Devnani and seconded by Mr. Ranee.

Mr. Amarjit Singh Chadha:-

This is already passed. We need to add it in the Constitution.

a) Members applying for membership after expiry of 18 years 6 months till the age of 21 years and shall be liable to pay Rs. 1 Lakh over and above the existing fees as per Rule 9(b).

b) Members applying after 21 years but before or on age 25 shall pay Rs. 5 lakhs over and above the existing fees as per Rule 9(b)

The above resolution was unanimously passed.

Proposed by Mr. Vivek Devnani and Seconded by Mr. Ranee,

<p>CASUAL ABSENCE</p> <p>Rule 37: Any member ceasing to reside within the limits of Greater Mumbai for 3 or more calendar months consecutively and intimating his absence in writing to the Hon. General Secretaries may be treated as an Absent Member subject to his paying the subscription mentioned in Rule 32 (f).</p> <p>However if during the period of absence of a member if his family avails of the facilities afforded at the Gymkhana, full subscription for that month shall be charged. He shall not be entitled to receive any circular notices etc. from the Gymkhana during his period of absence.</p>	<p>CASUAL ABSENCE</p> <p>Rule 37: to be DELETED</p>
---	---

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Ravi Ahuja and seconded by Mr. Omi Malhotra.

<p>PAYMENTS</p> <p>Rule 52: Subject to any stipulations or conditions set out in the Constitution and governing any part of the Trust Fund, the Trustees shall out of the Trust Funds and the income thereof make such payments as the Managing Committee may from time to time direct. The Trustees however may require the Managing Committee to obtain the sanction of the General Body for incurring expenditure out of the Reserve Fund, if the Trustees consider such a sanction either necessary or desirable. Disbursements from the Reserve Fund shall only be for major additions to the Gymkhana immovable property and the same shall not be utilised for ordinary and current repairs and maintenance of the Gymkhana Property. However major work / renovation below Rs. 5 Lakhs will be carried out by the Managing Committee after notifying the details of the project on the Notice Board of the Gymkhana.</p> <p>For such projects, the Managing Committee shall call for 3 competitive quotations and award the contract to the lowest bidder. The reserve fund shall also be utilized or payment and discharge of all expenses incurred by Trustees in or about the execution of the Trust or Trust Management.</p> <p>Any work / renovation exceeding Rs. 5 Lakhs will be approved by the Trustees after examining tenders / quotations received by the Managing Committee from contractors / suppliers, subject to pre-internal & post-external Audit of the contracts.</p>	<p>PAYMENTS</p> <p>Rule 52: Subject to any stipulations or conditions set out in the Constitution and governing any part of the Trust Fund, the Trustees shall out of the Trust Funds and the income thereof make such payments as the Managing Committee may from time to time direct. The Trustees however may require the Managing Committee to obtain the sanction of the General Body for incurring expenditure out of the Reserve Fund, if the Trustees consider such a sanction either necessary or desirable. Disbursements from the Reserve Fund shall only be for major additions to the Gymkhana immovable property and the same shall not be utilised for ordinary and current repairs and maintenance of the Gymkhana Property. However major work / renovation below Rs. 15 Lakhs will be carried out by the Managing Committee after notifying the details of the project on the Notice Board of the Gymkhana.</p> <p>For such projects, the Managing Committee shall call for 3 competitive quotations and award the contract. The reserve fund shall also be utilized or payment and discharge of all expenses incurred by Trustees in or about the execution of the Trust or Trust Management.</p> <p>Any work / renovation exceeding Rs. 15 Lakhs will be approved by the Trustees after examining tenders / quotations received by the Managing Committee from contractors / suppliers, subject to pre-internal &</p>
--	---

<p>The Depreciation Fund – Buildings shall be used for major, alterations or heavy repairs to the Gymkhana immovable property and the Repairs and Replacement Fund – Furniture and Fixtures for the purchase of new or for the repairs and replacement of old furniture and fixtures.</p>	<p>post-external Audit of the contracts.</p> <p>The approval of the Trustees shall be intimated to the Managing Committee within 2 weeks. However, no Project over Rs.3 Crores to be carried out without the approval of the General Body of Members.</p> <p>The Depreciation Fund – Buildings shall be used for major, alterations or heavy repairs to the Gymkhana immovable property and the Repairs and Replacement Fund – Furniture and Fixtures for the purchase of new or for the repairs and replacement of old furniture and fixtures.</p>
--	---

Amarjit Singh Chadha: -

Rule No. 52 regarding payments Any work/renovation exceeding Rs. 15 Lakhs will be approved by the Trustees after examining tenders/quotations received by the Managing Committee from contractors /suppliers, subject to pre-internal & post-external Audit of the contracts. The approval of the Trustees shall be intimated to the Managing Committee within 2 weeks. However, no Project over Rs. 3 Crores to be carried out without the approval of the General Body of Members.

Mr. Rajesh Gursahani:- You have not explained why do you need this increment from Rs. 5 lakhs to Rs. 15 lakhs.

Mr. Amarjitsingh Chadha:- It is because of escalation.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Ronie and seconded by Mr. Jiten Ratwani.

Rule 61:-

<p>AGENDA</p> <p><u>Rule 61:</u></p> <p>(g) To consider any proposal of change of Rules in respect of which a notice has been given by a member before 31st March of the relevant calendar year.</p> <p>(i) Any other business with the permission of the Chair.</p>	<p>AGENDA</p> <p><u>Rule 61:</u></p> <p>(g) To consider any proposal of change of Rules in respect of which a notice has been given by a member before 30th June of the relevant calendar year.</p> <p>(i) To appoint an external Agency for conducting Elections / Polling in the Election Year, if not appointed under Rule 80 (i), (ii), (iii).</p> <p>(j) Any other business with the permission of the Chair.</p>
---	--

Amarjit Singh Chadha:-

(g) for any proposal of change of rules in respect of which a notice has been given by a member before 31st March of the relevant calendar year is changed to 30th June.

(i) To appoint an external Agency for conducting Elections/Polling in the Election Year, if not appointed under Rule 80(i), (ii), (iii).

Mr. Ajay Babla:- I don't agree to this proposal at all. The Trustees have to conduct the elections. They are the custodians of Khar Gymkhana. They have been conducting elections till date absolutely well. Nobody has got any objections. There is also a financial implication to this because external agencies are going to be very expensive. It is our money that we are going to spend to do this. If we can resolve it inside have a good election commission inside the Khar Gymkhana along with the Trustees it can hopefully be solved.

Mr. Shiv Malhotra: - The first point is that Trustees are custodians. Where do we say that they are not custodians? They are custodians. But nowhere in the Trust Deed does it say that they are in charge of elections. It became a part of the procedure; it became a part of the Constitution in due course.

Therefore, there is no rule as such that the Trustees should conduct elections. Their conducting elections has come under a big cloud which I am surprised that you are not aware of it. There have been court cases and as far as the financial implications are concerned in fact, I want to know what kind of money was spent by the Trustees defending this issue which came out before the courts regarding elections. There was zero transparency. There was no recounting. People had to go to court to get the recounting done. My simple point is what is the issue. Because sitting over there the Trustees control a lot of things within the podium area also and otherwise also and the observers, they appoint also are not so under this circumstance let us have free and fair elections. Gymkhana can spend crores of rupees on renovation on bathrooms etc. I don't think there is any problem to worry about financial implications and other financial implications are more grave and nobody will have any grievance. As far as India is concerned you have the Election Commission. It is an outside agency.

Mr. Vivek Devnani:- Appointing an external agency very good, no problem. But regarding this external agency I want just two clarifications. Who will they report to in case of the elections in the day to day operations? In case of the Managing Committee let's take 2019 with the elections coming up I am sure 12 candidates out of all 12 candidates are eligible to contest next year. There are people with vested interests also on the part of the Managing Committee. What I mean vested interest is those who are going to continue to contest the elections next year. Do you think this external agency reporting into informing about the day to day operations of the elections? I think they should be reporting to the General Body or some external agency. But not to the current President or the Managing Committee. My apologies for using the word vested interest. Vested interest may not be the right word, there is a wrong choice of words, however, what I am trying to say here is that if the President and the Managing Committee are contesting elections for the next future year this external agency coming back and giving them the operations, I don't think that is the right thing. This is my view point.

Mr. Pradeep Ajila:- I have been observing a lot of elections and contested a lot of elections in Khar Gymkhana. Now many a times the Trustees family members stand for elections. So obviously members who are standing opposite him things could go wrong. In the past it has happened, court cases are there. The Trustees never wanted to have recounting. The problem arose only on that. Let us not have any aspersions cast on the Trustees. So, let it be absolutely transparent and let us have an outside agency to come so that no allegations are made on the Trustees. That is what we want. I have a clarification. Polly asked me who are they answerable to. My thing is that

they are answerable to the House. The House is Supreme. They are not answerable to the Managing Committee.

Mr. Shiv Malhotra:- They are answerable to the Chairman of the AGM which is the outgoing President. The Trustees do not have to do anything in elections. We don't want them to pay. Gymkhana can pay. And they report to the Chairman of the General Body meeting.

Mr. Madhukant Acharya:- When an election is conducted normally the Trustees are responsible for it historically. The problem which has come up is that there are vested interest on either side. I would like to make a departure from this if the Trustees have a vested interest or the Managing Committee has a vested interest, I recommend that the AGM takes a decision and appoints three members who are neither in the Managing Committee or the Trustees and the stalwarts who will be conducting that is the outside agency can report to them. If you want to even improve that have nominated Trustees, nominated Managing Committee members and have nominated persons from the AGM. Make a 5 or 7 members who will conduct it. It cannot be either the Trustees or either the Managing Committee.

Mr. Prem Asrani:- Mem.No. A-131-L – This way the departments will also say we want outside agencies. Our Gymkhana expenses are increasing year by year. We are already in deficit and our departments are not able to function without sufficient funds.

Mr. Vipin Kohli, Mem.No. K-40-L – Regarding the election procedure I have a very bad experience with the Trustees conducting election. In the year when you stood against Mr. Mukesh Khubchandani and you won Chairman Sir, I was one of the observers. And I was tired so I went up for a drink. Suddenly I was called down and there was a whole group of people sitting in the Old Table Tennis Hall. There was a Mela, counting is going on and a Mela running there. The moment I entered Mr. Gowriker coming and telling me you are not allowed. Because I know the game. You got 24 votes. I got 12. Your 24 votes are going on my total and my 12 votes are going on your total. The totals match. Everybody else was sitting there and because of me everyone had to go out including Baba Siddique was told that because of you we all have to go. Because they couldn't do whatever they wanted to do. But it was already done. This is not the right way. Please stop the involvement of the Trustees. You have doubt on the committees; everyone is expecting doubt on the committees. I am telling you on oath and on face and I am naming that I was told that you are not allowed inside when everyone was sitting and they all had to leave. Why all had to leave when I came there

because they were not supposed to be there. Any other system without the involvement of the Trustees would be fine.

Mr. Ashok Puri:- Today we have reached the height of suspicion. We have started doubting everybody. We doubt the Managing Committee, we are doubting the Auditors, we are doubting the General Body. Please understand the Balance Sheet is made by the Management, we only comment as Auditors.

Mr. Ajit Mathur:- M-621-O I have seen the elections year after year and there is lot of involvement of all the members. Even the members who are in the General Body, Mr. Acharya made a point three or four members can be picked up from the General Body. They can also be influenced. I feel why not we have an outside agency. Let the General Body decide the names can be given of the outside agency in a Special General Body meeting, 2 names or 3 names. And the General Body can decide along with all the members present here. So, let the outside agency conduct the elections. It will be a fair election and everybody will be pleased whosoever new committee is appointed.

Mr. Manoj Chadha, Mem.No. C-401-O It is very sad that we do not trust our own Trustees now for a thing like election. Then why are they called Trustees of the Club. My point was that if you don't trust your own Trustees and you want an external agency for election it is very sad. If you are doubting your own Trustees, then why are they remaining as Trustees of the Club.

Mr. Vijay Gwalani:- It is Rule No. 61(i) To conduct an external agency for conducting elections/polling in the Election year, if not appointed under Rule 80(i), (ii), (iii). If you see Rule 80(ii) The Managing Committee shall appoint an agency out of the big four, this has been proposed which are currently Price Water House Coopers, Ernst & Young, Deloitte or KPMG to conduct the polling process for the posts of President and 12 members of the Managing Committee. This appointment shall be made at least 3 months prior to the date of the Election which limits the Trustees or the Managing Committee for anybody who is authorized to choose the agency whether internal or external to the tune of this Big Four. The Big Four world over tenders more than millions of dollars' worth of issues from people so today we should wish to resolve that the Managing committee out of these four should have the discretion to choose anyone and integrity issues are put to rest. In terms of expenditure I think this has become very sensationalized, it has become very stressful, we should get the burden of the Trustees back and give it to a neutral third-party agency.

Mr. Shyam Shroff:- I think Mr. Gwalani has summarised it very well.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Ajit Mathur and seconded by Mr. Vipin Kohli.

REOPENING THE QUESTION	REOPENING THE QUESTION
<p>Rule 71: Any question decided at a General Body Meeting shall not be re-opened at any subsequent General Body Meeting until after the expiry of a period of 5 Years. However, provisions of the Constitution adopted in any General Body Meeting can only be altered in accordance with procedure prescribed under Rules 124 and 124A.</p>	<p>Rule 71: Any question decided at a General Body Meeting shall not be re-opened at any subsequent General Body Meeting until after the expiry of a period of 2 Years. However, provisions of the Constitution adopted in any General Body Meeting can only be altered in accordance with procedure prescribed under Rules 124 and 124A.</p>

Mr. Amarjit Singh Chadha:-

Previously it was 5 years. The Managing Committee is proposing 2 years.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Kishore Malani and seconded by Mr. Nanik Kukreja.

VOTING MEMBERS FOR ANNUAL GENERAL MEETINGS

Rule 73: (i) The Managing Committee shall decide all complaints as to errors omissions or improper inclusions in the list if received at least 15 days before the day of the Annual General Meeting and their decision thereon shall be final. No person whose name is not included in such a list shall be entitled to record his vote at the Annual General Meeting or at any adjournment thereof or be elected on the Managing Committee.

(ii) Voter's list shall be finally amended 3 days before the date of the Annual General Meeting. Under no circumstances shall the voter's list be amended thereafter.

VOTING MEMBERS FOR ANNUAL GENERAL MEETINGS

Rule 73: (i) The Managing Committee shall decide all complaints as to errors omissions or improper inclusions in **the voter's list if received on or before 25th August** and their decision thereon shall be final. **Only those Members whose name appears in such final list** shall be entitled to record his vote at the Annual General Meeting or at any adjournment thereof or be elected on the Managing Committee.

(ii) Voter's list shall be finally amended **by 1st of September. The final list of members entitled to vote shall be put up on the Notice Board and the website on or before 3rd September of the relevant year.**

NEW

(iii) The expression "entitled to vote and attend at the Annual General Meeting" shall mean and include Patrons and Life Members and Ordinary Members who have completed one year of membership and who are not in any arrears whatsoever to the Gymkhana and its various departments on 30th June of the current year as per Rule 35 and who continue to be members of the Gymkhana on the date of the meeting.

Amarjit Singh Chadha:-

The change is the voters list if received on or before 25th August and their decision shall be final. Only those Members whose name appears in such final list shall be entitled to record his vote at the Annual General Meeting or at any adjournment thereof or be elected on the Managing Committee.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Hari Mehra and seconded by Mr. Nanik Kukreja.

Rule No. 74:-

VOTING MEMBERS FOR SPECIAL GENERAL MEETINGS	VOTING MEMBERS FOR SPECIAL GENERAL MEETINGS
<p>Rule 74: (iii) The expression “entitled to vote and attend at the Annual or Special General Meeting” shall mean and include Patrons and Life Members and Ordinary Members who have completed one year of membership and who are not in any arrears whatsoever to the Gymkhana and its various departments on 30th June of the current year as per Rule 35 and who continue to be members of the Gymkhana on the date of the meeting.</p>	<p>Rule 74: (iii) The expression “entitled to vote and attend at the Special General Meeting” shall mean and include Patrons and Life Members and Ordinary Members who have completed one year of membership and who are not in any arrears whatsoever to the Gymkhana and its various departments 3 months prior to the date of such meeting as per Rule 35 and who continue to be members of the Gymkhana on the date of the meeting.</p>

Mr. Amarjit Singh Chadha:-

The change is 3 months prior to the date of such meeting. From 30th June we are making it 3 months prior.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Ajay Babla and seconded by Mr. Madhukant Acharya.

Rule 78:-

<p>Rule 78: The Hon. General Secretaries for Table Tennis, Card Room, Snooker / Billiards, Badminton, Cricket, Tennis, Squash, Swimming, Gymnasium / Health Club, Pickle Ball and such other games and committees as the Managing Committee may consider it necessary shall be ex-officio members of the Managing Committee.</p>	<p>Rule 78: The Hon. General Secretaries for Table Tennis, Card Room, Snooker / Billiards, Badminton, Cricket, Tennis, Squash, Swimming, Gymnasium / Health Club, Pickle Ball shall be ex-officio members of the Managing Committee.</p>
---	---

Mr. Amarjit Singh Chadha:-

The change here is Pickle Ball is also included and shall be ex-officio members of the Managing Committee.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Pavan Arora and seconded by Mr. Vijay Kandhari.

Rule 80:-

<p>Rule 80: The Managing Committee shall scrutinise these nominations and prepare a list showing the names of all those candidates whose nominations are in accordance with the Rules.</p>	<p>ELECTIONS</p> <p>Rule 80</p> <p>(i) The Election for the post of the President and 12 members of the Managing Committee shall be conducted by an external Agency.</p> <p>(ii) The Managing committee shall appoint an Agency out of the big four which are currently Price Water House Coopers, Ernst & Young, Deloitte or KPMG to conduct the Election and Polling process for the posts</p>
---	--

	<p>of the President and 12 members of the Managing Committee. This appointment shall be made at least 3 months prior to the date of Election.</p> <p><u>(iii)</u> The Hon. Gen. Secretaries shall after receiving the Nominations, forthwith forward the same for scrutiny to the Agency appointed to conduct the Elections for the posts of the President and 12 members of the Managing Committee. The Agency shall scrutinize the Nominations received from the Hon. Gen. Secretaries and prepare a list showing the names of all those candidates whose Nominations are valid in accordance with the Rules.</p>
--	---

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Shiv Malhotra and seconded by Mr. Vijay Kandhari.

<p>Rule 81: Not less than eight days before the date fixed for the election, the Hon. General Secretaries shall put up on the Notice Board of the Gymkhana the above list stating the numbers of members to be elected from the list; none but such candidates shall be eligible for election subject to Rules 82 and 83.</p>	<p>Rule 81: Not less than ten days before the date fixed for the election, the Agency appointed for holding Elections for the posts of President and 12 members of the Managing Committee, the Agency shall handover the list of valid nominations for all the above posts to the President to put up on the Notice Board of the Gymkhana and the website of the Gymkhana the above list stating the number of</p>
--	--

<p>the time of commencement of the polling.</p> <p>(iv) Polling for the President and 12 members of the Managing Committee shall be held every alternate year and shall be held one week after the date of the Annual General Body Meeting between 8.00 a.m. to 2.00 p.m. on Sunday next after the Sunday on which the Annual General Meeting was held. However in the event the valid nomination declared under Rule 81 are less than 12, then the remaining no. of members shall be elected in the General Body Meeting in accordance with Rule 83(i) even before the election of the rest of the members is held.</p>	<p>(iv) Elections / Polling for the President and 12 members of the Managing Committee shall be held every alternate year and shall be held one week after the date of the Annual General Body Meeting between 8 a.m. to 7 p.m. on Sunday next after the Sunday on which the Annual General Meeting was held. However in the event the valid nomination declared under Rule 81 are less than 12, then the remaining no. of members shall be elected in the General Body Meeting in accordance with Rule 83(i) even before the election of the rest of the members is held.</p>
--	--

Mr. Amarjit Singh Chadha:-

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vijay Kandhari and seconded by Mr. Nilesh Ashar.

Rule No. 84

<p>VOTING PAPER</p> <p>Rule 84: At the time of polling, a voting paper bearing the names of all eligible candidates and stating the number of members to be elected, shall be given to each voter only on</p>	<p>VOTING PAPER</p> <p>Rule 84: At the time of polling, a voting paper bearing the names of all eligible candidates and stating the number of members to be elected, shall be given to each voter only on</p>
---	---

<p>production of valid Identity Card of the Gymkhana. The voting paper shall not bear the name or signature of any outgoing office bearer, except in the case of re-election of the member. Two non-contesting Trustees shall sign the voting paper.</p>	<p>production of valid Identity Card of the Gymkhana.</p>
---	--

Amarjit Singh Chadha:-

The change is at the time of polling, a voting paper bearing the names of all eligible candidates and stating the number of members to be elected, shall be given to each voter only on production of valid Identity card of the Gymkhana.

Mr. Vivek Devnani:- I think we are talking about electronic voting. So how does the question of voting paper arise. I think this should be deleted, however in case of departmental elections we don't have voting paper. We don't have electronic voting.

Mr. Shyam Shroff:- delete the first four words.

Mr. Amarjit Singh Chadha:-

Polly why don't you read the new one.

Mr. Vivek Devnani:- I have read, however, in case of departmental elections there will be a voting paper because I don't think there will be electronic voting in departments as of now.

Mr. Shyam Shroff:- Let us keep it on production of valid identity card only.

The above resolution was passed by deleting the first four words and by keeping it on production of valid identity card only.

The above resolution was proposed by Mr. Malani and seconded by Mr. Ranee.

	<p>NEW</p> <p><u>Rule 86A:</u></p> <p>In the event the polling is conducted through Electronic Voting Machines, the Rules 84, 85 & 86 shall stand suspended.</p>
--	---

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Nanik Kukreja and seconded by Mr. Vijay Gwalani.

<p><u>Rule 87:</u> The Trustees shall appoint 3 days before the date of election, a minimum of three scrutineers to count the votes. During the counting of votes, the contestant or his one representative shall be permitted to be present.</p>	<p><u>Rule 87:</u> to be DELETED</p>
--	---

Mr. Amarjit Singh Chadha:-

What is proposed is to be deleted.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Nanik Kukreja and seconded by Mr. Vijay Gwalani.

<p><u>Rule 88:</u> At the conclusion of the polling, the votes shall be counted by the scrutineers who shall make their signed report to the Trustees and the Trustees shall forward the same to the Chairman of the meeting, who will thereupon declare the names of the</p>	<p><u>Rule 88:</u> At the conclusion of the polling the votes shall be counted by the Election Agency who shall thereupon declare the resultant Elected Candidates for each post and put up on the Khar Gymkhana Notice Board and the website.</p>
--	---

successful candidates on the Notice Board of the Gymkhana on the day of elections.	
--	--

Mr. Amarjit Singh Chadha:-

The proposed resolution is at the conclusion of the polling the votes shall be counted by the Election Agency who shall thereupon declare the resultant Elected Candidates for each post and put up on the Khar Gymkhana Notice Board and the website.

Mr. Pavan Arora, Mem.No. A-60-L, the outside agency who will be conducting the votes in case of any clarity they want the suggestion which was given I propose that it is a very good suggestion one of the Trustees the present President and one of the Managing committee will announce. Who will announce if there is some problem? There should be some accountability to whom they will talk. It should be clarified. In case if there is any problem the outside agency cannot take a decision. There should be a committee of three members comprising of one Trustee, present President. Who will take the decision? My question is in case of any discrepancy if any clarification required who will be the authority to guide them.

Mr. Shiv Malhotra:- When we are giving the contract of conducting the elections to the Big Four where is the question of any discrepancy. The Elections result are announced. They are put up on the Notice Board. Where do Trustees come in or anybody else comes in.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Gul Kriplani and seconded by Mr. Robert Lawrence.

Rule 89:-

<p>EQUALITY OF VOTES</p> <p>Rule 89: In the event of there being an equal number of votes in favour of two or more contestants and in the event of the number so such contestants exceeding the number of vacancies available, the result of the election shall be determined by lots, drawn by the Trustees in the presence of the Chairman of the</p>	<p>EQUALITY OF VOTES</p> <p>Rule 89: In the event of there being an equal number of votes in favour of two or more contestants and in the event of the number of such contestants exceeding the number of vacancies available, the result of the election shall be determined by lots, drawn by the Agency in the presence of available candidates.</p>
---	--

Meeting.	
----------	--

Mr. Amarjit Singh Chadha:-

The change is drawn by the Agency in the presence of available candidates.

The above resolution was unanimously passed.

The above resolution was proposed by Ms. Sarita Jethwani and seconded by Mr. Jayesh Agarwal.

Rule 90:-

<p>VICE-PRESIDENT, HON. GEN. SECRETARIES & HON. TREASURE</p> <p>Rule 90: (i) All Office Bearers of the Managing Committee in Khar Gymkhana shall be directly elected by the General Body.</p>	<p>VICE-PRESIDENT, HON. GEN. SECRETARIES & HON. TREASURE</p> <p>Rule 90: (i) The Managing Committee shall elect from amongst themselves one Vice-President, two Hon. General Secretaries and one Hon. Treasurer collectively known as Office Bearers.</p>
---	--

Mr. Amarjit Singh Chadha:-

The change is The Managing Committee shall elect from amongst themselves one Vice-President, two Hon.General Secretaries and one Hon.Treasurer collectively known as Office Bearers.

Mr. Madhukant Acharya:- Five years back I had made this resolution which was passed by the House. This resolution after a lot of consideration was presented, I authored it. This was proposed for this reason because there was a lot of problem as regards the Office Bearers and how this should be conducted and what the other clubs are doing. The Office Bearers are in a very critical position in Gymkhana. These people should be number 1. These should be of stature. When I say stature normal level or higher-level credibility in such persons. They should be very experienced in handling these jobs and they have very good knowledge and skill of handling this job.

If you take it in CCI and some of the bigger clubs they are having the elections of the Office Bearers generally by the AGM because the General Body is very concerned what is the quality of the people, they choose for these positions I would recommend that this be kept in mind that you allow the General Body to elect the position of the Office Bearers.

Mr. Shyam Shroff:-

The proposal over is here the Managing Committee shall elect from amongst themselves one Vice-President, two Hon.General Secretaries and one Hon.Treasurer collectively known as Office Bearers.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Nitin Gadekar and seconded by Mr. Vipen Kohli.

PERIOD OF OFFICE	PERIOD OF OFFICE
<p>Rule 91: (i) A person who has been elected as President for two consecutive terms of two years shall not be eligible for re-election and/or co-option as a President or Vice-President or a member of the Managing Committee/Departmental Secretary at any time thereafter.</p> <p>ii) No member shall be eligible to be elected, nominated or co-opted for 3rd consecutive terms of the Managing Committee after he has completed 2 consecutive terms. Such member can neither become a Departmental Secretary nor a member of such sub-committee for one term thereafter.</p>	<p>Rule 91: (i) A person who has been elected as President for two terms whether consecutive or otherwise shall not be eligible for re-election and / or co-option as a President or Vice-President or a member of the Managing Committee / Departmental Secretary at any time thereafter.</p> <p>(ii) No member shall be eligible to be elected, nominated and / or co-opted for 3rd consecutive term of the Managing Committee after he has been elected and / or co-opted for 2 consecutive terms. Such member can neither become a Departmental Secretary nor a member of such Sub-Committee for one term thereafter.</p>

Mr. Amarjit Singh Chadha:-

It is proposed whether consecutive or otherwise. And in (ii) been elected and/or co-opted for 2 consecutive terms.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Minesh Babla and seconded Mr. Vivek Devnani.

Rule No. 92:-

<p>MEETINGS</p> <p>Rule 92: There shall be one regular meeting of the Managing Committee called by the Hon. General Secretaries with concurrence of the President on or before the 15th day of every month, when in addition to other business transacted, the Hon. Treasurer shall submit a monthly statement of accounts and the Hon. General Secretaries shall submit monthly reports and/or minutes from all the Sub-Committees. In addition to the regular monthly meeting, the Hon. General Secretaries may call special meetings of the Managing Committee as and when necessary or on the advice of the President or on requisition from four members of the Managing Committee. The Chairman of the meeting shall have a casting vote in case of equality of votes by the members of the Managing Committee in addition to his own vote.</p>	<p>MEETINGS</p> <p>Rule 92: There shall be one regular meeting of the Managing Committee called by the Hon. General Secretaries on or before the 15th day of every month. The date and Agenda for the Managing Committee Meeting shall be drawn in concurrence with the President. In addition to the other business transacted, the Hon. Treasurer shall submit a monthly statement of accounts and the Hon. General Secretaries shall submit monthly reports and/or minutes from all the Sub-Committees. In addition to the regular monthly meeting, the Hon- General Secretaries may call special meetings of the Managing Committee as and when necessary or on the advice of the President or on a requisition from four members of the Managing Committee. The Chairman of the meeting shall have a casting vote in case of equality of votes by the members of the Managing Committee in addition to his own vote.</p>
--	---

Mr. Amarjit Singh Chadha:-

What is proposed here is the date and Agenda for the Managing Committee meeting shall be drawn in concurrence with the President.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vimal Bhatia and seconded by Mr. Sunder Sadhnani.

Rule No. 98B

QUORUM Rule 98B: At every meeting a Sub-Committee formed for each game, five members shall form a quorum.	QUORUM Rule 98B: At every meeting of Sub-Committees - Special Games, (as defined in rule 98 (i) three members shall form a quorum.
--	--

Mr. Amarjit Singh Chadha:-

The change is (as defined in rule 98(i)), three members shall form a quorum at every meeting of a subcommittee.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vijay Gwalani and seconded by Mr. Sunder Sadhnani.

Rule No. 113

MANAGING COMMITTEE Rule 113: (i) To conduct and chair all such condolences meetings in memory of those members who have expired and have either represented the country/state in sports or has been a long standing member who has rendered yeomen services to the Gymkhana.	MANAGING COMMITTEE Rule 113: (i) to be DELETED
--	---

Mr. Amarjit Singh Chadha

Rule No. 113 is to be deleted.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vimal Bhatia and seconded by Mr. Nanik Kukreja.

Rule No. 114(c)

HON. GENERAL SECRETARIES	HON. GENERAL SECRETARIES
Rule 114: (c) to spend a sum not exceeding Rs. 10,000/- on any single item in a month for the purpose of the Gymkhana and to obtain sanction thereof at the next meeting of the Managing Committee.	Rule 114: (c) to spend a sum not exceeding Rs.50,000/- on any single item in a month for the purpose of the Gymkhana and to obtain sanction thereof at the next meeting of the Managing Committee.

Mr. Amarjit Singh Chadha:-

The change is Rs. 50,000/- from Rs. 10,000/-

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Shiv Malhotra and seconded by Mr. Sanjay Bachani.

Rule No. 118

Rule 118: Complaints and suggestions shall be made in writing in a book kept for the purpose. No member shall strike, abuse or punish any employee of the Gymkhana. Any member having a cause to complain against any employee may enter his complaint in the book or otherwise bring the matter to the notice of the Hon. General Secretaries.	Rule 118: Complaints and suggestions shall be made in writing in a book kept for the purpose. No member shall strike, abuse or punish any employee of the Gymkhana / employee of any Contractor/s appointed by the Gymkhana. Any member having a cause to complain against any employee may enter his complaint in the book or otherwise bring the matter to the notice of the Hon. General Secretaries.
--	--

Mr. Amarjit Singh Chadha:-

The change is /employee of any Contractors appointed by the Gymkhana.

Mr. Vipin Kohli:- I absolutely agree with this but you are very lax with your contractor especially the new canteen contractor. For e.g. I ordered for eggs and toast. The eggs came; the toast came after half an hour. What do you tell that guy? You say write a complaint. You got to whip him because he is not listening to the members.

The above resolution was unanimously approved.

The above resolution was proposed by Mr. Rajesh Gursahani and seconded by Mr. Jiten Ratwani.

Rule 122A(ii)

INTERPRETATION OF RULES	INTERPRETATION OF RULES
Rule122A: (ii) The Trustees shall be the sole authority for interpretation of rules relating to the elections.	Rule122A: (ii) to be DELETED

Mr. Amarjit Singh Chadha:-

The change is to be deleted.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Madhukant Acharya and seconded by Ms. Kavita Bhavnani.

Rule 128: Every year, the Managing Committee shall present an Annual Budget to the General Body in AGM in two sections: a) Operational budget for the year consisting of day to day expenditure which would be inflation adjusted, not exceeding 10% of the expenses incurred in the previous year.	Rule 128: <u>to be DELETED</u>
---	---------------------------------------

b) Capital budget giving details of all capital expenditure above Rs. 2 lakhs which shall be presented to the General Body for approval by General Body of Members. Once approved, there shall be no additional capital expenditure incurred by the Managing Committee for the year.

There shall be no adhoc clearances without approval of General Body.

Tenders of minimum three reputed vendors shall be evaluated after a cost audit of each tender by certified body of Chartered Accountants or Evaluators to ensure competitive rates and quantities.

Following this, the contract with predetermined penalty clauses shall be released. The Trustees shall ensure obtaining the Cost Audit of approval tenders with contract orders to release funds.

Mr. Amarjit Singh Chadha

The change is Rule 128 to be deleted.

Mr. Madhukant Acharya:- This was again resolution authored by me few years back. There is a gap now. Rs. 15 lakhs can be approved by the Managing Committee can send a requisition to the Trustees and that shall be passed. But there is a huge gap between Rs. 15 lakhs and Rs. 3 crores. Who will approve the expenditure after Rs. 15 lakhs. This money belongs to the General Body members. The General Body itself should approve this high valued contract. Suppose it is after Rs. 15 lakhs and below Rs. 3 crores does it mean that the Managing Committee on its own will pass that and the Trustees will pay that money. It should never happen like that. It is a huge amount of funds. If you in one year you spend a huge amount of money between Rs. 15 lakhs and Rs. 3 crores you think this should be passed. No. This is the money of the General Body. They should bring a proposal these are the schemes which want to do for this year whether Rs. 50 lacs, 2 crores or 3 crores once the General Body approves it all tenders, contracts between

Rs. 15 lacs and Rs. 3 crores must be brought to the General Body. Because this is a huge amount of money. Suppose I may ask how much money you have spent. Rs. 10 crores. Rs. 10 crores of rupees mean it is 40% of the reserves of Gymkhana. How can you allow you to spend like that? What I am trying to say is this is a very critical component; the money belongs to the members. The members have the right to know what is the money being spent on and approve it. When a requisition is sent between Rs. 15 lacs and 3 crores they should ask have you got the approval of the General Body. The Trustees have no right to pass such a huge expenditure on their own. The money belongs to us. How can they pass such blind fold? They should put their foot down. If you have got the approval, they will give you the money straight away. But if you have not got the approval go back to the General Body, take the approval and then only we pass it. This is a huge amount of money being spent without the approval of the General Body. The General Body owns the money so you cannot allow Rs. 15 lacs to Rs. 3 crores to be spent just like that.

Mr. Shiv Malhotra:- The resolution that is proposed is that it shall go through the Trustees. There shall be no adhoc clearances without the approval of the General Body, fine. Tenders of minimum three reputed vendors shall be evaluated after a cost audit of each tender by certified body of Chartered Accountants or Evaluators to ensure competitive rates and quantities Point 1. The second point is following this, the contract with predetermined penalty clauses shall be released. The Trustees shall ensure obtaining the Cost Audit of approval tenders with contract orders to release funds. Can you point out one instance where this has been followed by the Trustees? Why are you going back to the Trustees? They have never followed anything which is there in the Constitution. The Trustees are present here and I am asking this open question have the Trustees followed this. Show me in past five years records one time then don't take the name of Trustees again and again.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vijay Gwalani and seconded by Mr. Rajgor.

Rule No. 129

<p>Rule 129: Khar Gymkhana shall be converted from a Trust to a Public Limited Company by September 2015, subject to a feasibility report being submitted by a Steering Committee by</p>	<p>Rule 129: to be DELETED</p>
---	---------------------------------------

December 2013.	
----------------	--

Mr. Amarjit Singh Chadha:-

Rule No. 129 to be deleted.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vijay Gwalani and seconded by Mr. Nanik Kukreja.

Rule No. 130

Rule 130: Khar Gymkhana will not subsidize the cost of any social events. These can be provided at cost or sponsored fully by interested parties.	Rule 130: to be DELETED
--	--------------------------------

Mr. Amarjit Singh Chadha:-

Rule No. 130 to be deleted.

Mr. Ajay Babla:- Subsidising of funds was an issue which was brought two years back by Mr. Acharya and we had all agreed that there should not be any subsidization of cost for any events. Why are we going back? Let us not have any events. Don't worry about it. But why do we want to run our social events in a loss. Don't do it. If people cannot afford to pay Rs. 500/- and come for an event don't do it. I don't agree to subsidizing of any social events.

Mr. Shyam Shroff:- Sir, you proposed it in the Managing Committee.

Mr. Ajay Babla:- Yes in the Managing Committee but I still don't propose of subsidizing of any social events.

Mr. Nitin Gadekar:- Our Gymkhana is also a social organization and if the Gymkhana spends some money on their members you cannot say that Gymkhana shall spend no money on the members for social entertainment. It has to be deleted.

Mr. Shyam Shroff:- I will just specify what I said in my opening remark. Things have become very expensive. It is not possible to do good functions

unless you get a Sponsor. That does not mean you stop doing it. You have to be reasonable. Earlier what happened is that if we could request some film star to come, they used to come free.

The above resolution was unanimously passed.

It was proposed by Mr. O.P. Malhotra and seconded by Mr. Ravi Ahuja.

Rule 131: Any building of Khar Gymkhana shall be allowed to be demolished/replaced only after living out its full life and receiving the structural audit report from three Engineering entities and approval of General Body.	Rule 131: to be DELETED
---	--------------------------------

Mr. Amarjit Singh Chadha:-

Rule No. 131 to be deleted.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Hari Mehra and seconded by Mr. Vinod Mehta.

Rule No. 132

Rule 132: Khar Gymkhana is declared a No smoking zone.	Rule 132: Khar Gymkhana is declared a No smoking zone except in the designated smoking areas.
---	---

Mr. Amarjit Singh Chadha:-

The proposed is that Khar Gymkhana is declared a No smoking zone except in the designated smoking areas.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Madhukant Acharya and seconded by Mr. Nitin Gadekar.

Rule No. 134

<p>Rule 134: The President of Khar Gymkhana shall have power to spend a sum not exceeding Rs. 25,000/- per month for incidental expenses on any single item in a month for the purpose of the Gymkhana and to obtain sanction thereof at the next meeting of the Managing Committee.</p>	<p>Rule 134: The President / Vice President of Khar Gymkhana shall collectively have the power to spend a sum not exceeding Rs.1,00,000 (One Lakh only) per month for incidental expenses on any single item in a month for the purpose of the Gymkhana and to obtain sanction thereof at the next meeting of the Managing Committee.</p>
---	---

Mr. Amarjit Singh Chadha:-

The change is The President /Vice President of Khar Gymkhana shall collectively have the power to spend a sum not exceeding Rs. 1,00,000/- (One lakh only).

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Vivek Devnani and seconded by Mr. Rajiv Punwani.

Mr. Shyam Shroff, President adjourned the meeting for half an hour for refreshments.

7. To consider any proposal of change of Rules in respect of which a notice is given by a member before 30th June, of the calendar year.

<p>MADHUKANT ACHARYA (A-58-L)</p>	<ol style="list-style-type: none"> 1. Annual budget should form integral part of Balance Sheet every year. 2. Major contracts awarded above 5 lakhs value should show completion value paid and be a part of Appendix in Balance sheet certified by Auditor and in line with Budget figures. 3. Managing Committee and Trust Board should never file court cases against each other using member funds of Khar Gymkhana. 4. Khar Gymkhana Auditors should definitely be selected from one among four leading Auditors in
--	--

	<p>the country.</p> <p>5. To pass the recommendations of the report of the Investigation Committee in matter of 301 new memberships in Khar Gymkhana enrolled from 2007-2011 submitted on 30th June 2013.</p> <p>6. Preparation of draft balance sheet of Khar Gymkhana should involve opposition members along with Managing Committee members to maintain harmony and continuity of accounts. Dissent notes should be incorporated for resolution when presenting accounts to General Body.</p> <p>7. To have a Constitution External Ombudsman for Khar Gymkhana.</p> <p>8. Illegal grant of memberships to members children who were or are beyond 25 years of age should be revoked. Alternatively all pending requests for similar memberships should be granted after due diligence.</p> <p>9. No member should be appointed to more than two nominated sub committees.</p> <p>10. 5 year period should be deleted for any rejected resolution to be brought back for passing in AGM and be replaced with a three year moratorium.</p>
--	---

1. Annual Budget should form integral part of Balance Sheet every year.

Why always insists on a Budget is you should have a Budget very clear at which direction you are going. Suppose you don't have a budget you will just not have the discipline to spend money in what you should be spending. In any Corporate and in any country's financial Balance Sheet there is always a Budget. That is a guide line which you will try to be disciplined and will be able to spend very judiciously. So, Budget is essential. Suppose you have spent Rs. 5 lacs last year suddenly you will say I will spend Rs. 25 lakhs this year, there is no meaning to that.

Mr. Amarjit Singh Chadha:-

The House is agreeing to is that let him speak all the points he has proposed and then the House will propose and second.

The above resolution was unanimously rejected.

2. Major contracts awarded above 5 lakhs value should show completion value paid and be a part of Appendix in Balance Sheet certified by Auditor and in line with Budget figures.

Mr. Madhukant Acharya:- Here what happens is you have a contract of Rs. 5 lakhs and you end up paying Rs. 15 lacs. All these anomalies should be shown in the Balance Sheet. Then you will know exactly what you had Budgeted and what you had spent. The outcome figures should be there. The targeted figure and the outcome figures must be mentioned in the Balance Sheet to know how much you have over spent. This is very important for the General Body members to know how much we have over spent or spent within the Budget.

The above resolution was unanimously passed.

The above resolution was proposed by Mr. Yogesh Talwar and seconded by Mr. Ajay Babla.

3. Managing Committee and Trust Board should never file court cases against each other using member funds of Khar Gymkhana.

Mr. Shiv Malhotra:- In the course of the work being conducted regarding Managing committee and Trustees there are lot of differences even now and if there is no resolution here within the Gymkhana it has to go out. Already there is a problem going on regarding the alleged, illegal dismissal of a Trustee. There is a major issue right now. The Managing Committee are elected representatives. The Trust operates on its own. I think there is nothing wrong if there is some dispute. If it amounts to personal thing may be a defamation case, personal case they should made to spend their own money.

Mr. Nitin Gadekar:- Going to court is a fundamental right of every citizen. You cannot stop anybody from going to court whether it is a committee, Trustee or anybody. It is absolutely our fundamental right and Gymkhana must support it.

Mr. Madhukant Acharya:- I am saying Managing Committee and Trust Board should never file court cases against each other using Members fund of Khar Gymkhana. You should not use the Members funds. If there is a Managing Committee and Trust let the individual members of the Managing committee pool their funds and let the Trust pool their funds and fight how much as they like. Why are they using our money? We don't want our money to be used.

Mr. Rajesh Gursahani:

This question is to you Mr. Chairman. We have all got the Annual Report. The Trust Deed says 5 Trustees and we find photographs of 6 Trustees. So that means you have proclaimed yourself that you are a Trustee Sir, Is it true? Now I want to ask that this case on the Trustees has been done by Mr. Shyam Shroff on his individual capacity on the four trustees and the Institution. I would like to ask how the Managing Committee has sanctioned funds for this.

Mr. Shyam Shroff:-

What you are speaking is not relevant.

Unfortunately, or fortunately the matter is sub-judice. I would not like to make any statement which would lead to contempt of court.

Mr. Rajesh Gursahani:-

I would like one of the Trustee to come and explain to us. Our money is being spent. I am a member and beneficiary of the club.

Mr. Shyam Shroff:-

Correct

Mr. Gaurav Kapadia:-

The best option here should be to appoint an arbitrator for this.

Mr. Rajesh Gursahani:-

Five people clapping here does not tell the truth. Let us be honest with each other.

Mr. Shyam Shroff:-

Let us restrict ourselves to the Agenda please.

Mr. Rajesh Gursahani:-

Sir, this point is pertaining to the point Mr. Acharya has raised. Why is the Gymkhana money being spent for these personal battles?

Mr. Shyam Shroff:-

He is not asking why?

Mr. Madhukant Acharya:-

My point is very clear Managing committee and Trust Board should never file court cases against each other using the funds of Members. I am more

worried about my funds. I am not bothered about the Trustees or the Managing Committee. My money don't spend. I don't want you to spend my money.

Mr. Vipin Kohli:- Whatever has been spent by the Trustees and the Managing Committee in the past ten years they should reimburse the Gymkhana funds from their personal pocket. How much the Trustees have spent our money that you are not bothered. They should reimburse first whatever Gymkhana funds they have used in the last fifteen years.

Mr. Madhukant Acharya:- When I presented my resolution it is from now. It is not about the past or the future.

Mr. Gaurav Kapadia:- You cannot pass a rule against the Constitution of the country.

Mr. Madhukant Acharya:- I am saying very clearly, you can go to court, you can spend your personal money. My funds should not be used while fighting Trustees and Managing Committee.

Mr. Shiv Malhotra:- I am a Member of the Gymkhana and therefore I am a beneficiary of the Gymkhana also. As a member the Trustees are allowed to use Gymkhana money to fight me, but they can't use Members money to fight each other. What kind of nonsense is this? I am also a beneficiary, I am also a member and I may be aggrieved. I will tell you about the case also. In that a process was issued, therefore prima facie the Trustees were found to be accused. Now he is asking me a question so let me answer. He said who files the case. In that case prima facie, the court filed the Trustees and therefore they were accused in that matter.

Mr. Rajesh Gursahani:- I would like to enlighten the House whether the Trustees have spent the beneficiaries money is not that when they have done the case on someone. They are defendants. They have defended the Gymkhana. They have spent money to defend the Gymkhana. Whereas in this case a Private member is filing against them because he is the President.

Mr. Shiv Malhotra:- Are they defending themselves in their personal capacity.

Due to the uncontrollable commotion the President then adjourned the meeting for half an hour.

The President convened the meeting after half an hour.

Mr. Madhukant Acharya:-

I was on point no. 3 Managing Committee and Trust Board should never file court cases against each other using member funds of Khar Gymkhana. This was the last point I had mentioned. I suggest to the House that this be passed through and that we adjourn the meeting when the Special General Body meeting is there from the point which I am on to the point which I have concluded and other members will conclude and the accounts will be presented at that time. Because we are now exhausted and we are not able to now concentrate. Till the point which is passed we will not take again. After the point which is not passed from there, we will proceed.

Mr. Pradeep Ajila:- We need to have a lot of discussion on this. You cannot say that this is passed. It is at is 3.30 p.m. All the staff are waiting there. They have not even had their lunch.

Mr. Shiv Malhotra:- This matter is anyway sub-judice right now. By you saying no it does not happen. The matter is vested with the court and other authorities. As far as this matter is concerned this being sub-judice this cannot be discussed.

Mr. Madhukant Acharya:- I have put my point as of now The Trustees and Managing committee should not file court cases using members funds. Take this point and finish it off, yes or no. When I say court cases it means as of now. Whatever you do now and in future it should be there prospectively. It should not be ten years back or five years back. In future we will not pay.

Mr. Nilesh Ashar:- My question to Mr. Acharya you have mentioned that Managing Committee and Trust Board should never file court cases against each other using member funds of Khar Gymkhana. My question is, does this House has any control over the funds the Trustees are spending. Do we have control over Trustees Fund? Can we direct the Trustees not to spend for court cases? Please answer this question first and then pass this resolution.

Mr. Nitin Gadekar:- Mr. President Sir, Mr. Asher has raised a very pertinent question. We cannot tell the Trustees where to spend and how to spend. The Trustees have said the AGM does not have anything to alter or anything. They will not listen to us. When they will not listen to us how are you even taking up this point Sir. Point no. 2 the fight is between one Trustee and other Trustees. So, you'll Trustees decide whether you want to spend your money or not. This is not the problem with us. You cannot take this point because you cannot tell the Trustees how to spend their money and my last point is the Trustees have spent huge amount of money in 2011-2012 when we as Managing Committee members has lost the elections. Eight or eleven of us just asked a recount, they refuse the recount and spend Rs. 30 lakhs, whose money was that? my money, your money everybody's money. Mr.

President I would request you, you cannot take this point on this agenda at all today.

Mr. Rajesh Gursahani:- The money spent by the Trustees were as defendants. They have not filed a case against anybody. The Managing Committee is funding a private case because it is Mr. Shyam Shroff v/s the Trustees.

Mr. Pradeep Ajila:- Managing Committee has passed it.

Mr. Rajesh Gursahani:- The Managing committee has misused its powers.

Due to the unmanageable commotion, the President adjourned the meeting and agreed to take the balance items of the agenda, along with the presentation of the accounts, when the adjourned general meeting takes place.

Confirmed by:-

President

Hon.General Secretaries

