

POONAM PROPERTY COOPERATIVE HOUSING SOCIETY LTD.

Reg. No. BOM/HSG/3780 of 26th September 1972.

MINUTES OF THE SPECIAL GENERAL MEETING HELD ON 14th MAY 2023

Regd. Office

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MINUTES OF THE SPECIAL GENERAL MEETING ON REDEVELOPMENT SUB-COMMITTEE

The Special General Meeting was held on 14th May 2023 at 10.00 a.m. at the Ota. Due to lack of quorum, the Hon. Chairman, Dr. K. K. Shah, adjourned the starting time of the above meeting to start after 30 minutes, i.e., at 10.30 a.m.

The adjourned Special General Meeting then started at 10.30 a.m.

Hon. Chairman, Dr. K. K. Shah, welcomed all the Members of the Poonam Property Co-operative Housing Society Limited for the Special General Meeting.

At first, he read out the requisition received from members for co and associate members attending SGM on their behalf as received up to 12th May 2023.

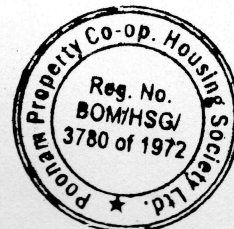
<u>Sr. No.</u>	<u>Flat No.</u>	<u>Name of Member</u>	<u>Name of Member attending the Meeting (Joint / Associate)</u>
1	A 105	Mr. Sharad Saklecha	Mr. Naman Saklecha
2	A 406	Ms. Manju Aggarwal	Mr. Ashish G. Aggarwal
3	A 306	Ms. Rita R. Shah	Mr. Krushanu Shah
4	B 101	Ms. Kokila M. Shah	Mr. Hitesh M. Shah
5	B 105	Ms. Divya Tolat	Mr. L. C. Tolat
6	B 504	Ms. Nita Modi	Mr. Akash Modi
7	C 408	Ms. Kamala B. Bhandari	Mr. Bharat Bhandari
8	C 601	Ms. Hemlata Sanghavi	Mr. Hemant Sanghavi
9	C 607	Mr. Nikunj Sanghavi	Mr. Kailash Sanghavi
10	C 708	Mr. Sandeep Jhunjunwala	Ms. Priya Jhunjunwala
11	C 402	Mr. Ramakrishna Modi	Mr. Aman Modi

Hon. Chairman welcomed everyone for coming together to take a decision with regards to the formation and constitution of the redevelopment sub-committee to be proposed in the SGM by the Managing Committee.

Hon. Chairman then handed over the mike to Hon. Secretary, to continue the proceeding of the meeting.

Hon. Secretary thanked all the members and said that the managing committee had received a large number of applications voluntarily from members who had come forward on their own expressing their desire to be a part of the redevelopment committee.

He reiterated that the Society Office have received an application from 51 members (joint / associate) which has been put up on the notice board / CHS group before SGM. The Society Office has to wait till 48 hours prior to the SGM date / time for any kind of communication from the members (joint / associate) related to the SGM. The Society office has followed all the rules related to calling SGM. The members loud clear voice related Parampara in our society, the Society office have published the list for the members to see and further said that 3 applications had been missed out bringing the total number of applications to 54.



Hon. Secretary pointed out to the house that in 2021, then managing committee had issued a circular asking every member to respond as a part of the signature campaign either for or against redevelopment, he said that today even those members who had responded against redevelopment have come forward as pro redevelopment and wish to be a part of the redevelopment committee and this is a matter of joy.

He then proceeded to read out the entire list of applications as below and at the same time pointed out the ones which were not eligible as they were not members.

The rest of the applications were from members or joint members and those from associate members have the names of the associate members on the share certificates.

<u>Sr. No.</u>	<u>Flat no.</u>	<u>Name of Applicant</u>
1	A 206	Mr. Nipun Patel (non-member)
2	A 302	Mr. Bharat C. Vora
3	A 306	Mr. Krushanu Shah
4	A 404	Ms. Kumi Kotwal
5	A 406	Mr. Ashish G. Aggarwal
6	A 504	Mr. Jayesh Vora
7	A 508	Mr. Rajiv Patel
8	A 603	Mr. Ajoy D'Souza
9	A 605	Mr. Rahul Gomes
10	A 608	Mr. Viren Shah
11	A 802	Mr. Jayant Karani
12	A 804	Mr. Dharendra N. Karani
13	A 903	Mr. Murtuza Khorakiwala
14	B 101	Mr. Hitesh Shah
15	B 105	Mr. L. C. Tolat
16	B 202	Mrs. Rita Billimoria
17	B 203	Mr. Surendra Kumar Agarwal
18	B 207	Mr. Devang Shah
19	B 303	Mr. Malcom T. Pandol
20	B 308	Mr. Jesal S. Raval
21	B 402	Mr. Bhaskar Satawat
22	B 406	Mr. Ravi Bajaj
23	B 408	Mr. Jayraj Kantilal Sonawala
24	B 503	Ms. Nita Modi
25	B 504	Mr. Ramkrishna Modi
26	B 505	Mr. Rajan Kapashi
27	B 508	Ms. Shefali J. Sancheti
28	B 603	Mr. Arvind Kothari
29	B 605	Mr. Heeralal Doshi
30	B 706	Mr. Sanjoy Das
31	C 003	Mr. Aldrin Gomes
32	C 107	Mr. Vishrut Zaveri
33	C 206	Mr. Rajesh Vora
34	C 306	Ms. Rina Shah
35	C 406	Mr. Sanjay Jhunhunwalla

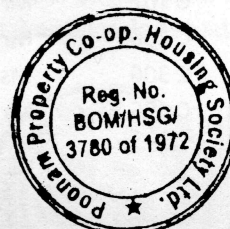


36	C 408	Mr. Bharat Bhandari
37	C 507	Mr. Sanjay Ranka (non-member)
38	C 607	Mr. Kailash Sanghavi
39	C 704	Mr. Dinesh Jain
40	C 706	Ms. Sarika Jhunjhunwala
41	C 707	Mr. Prashant Das
42	C 708	Ms. Priya Jhunjhunwala
43	D 001	Mr. Gautam D. Vora
44	D 010	Mr. Marzy Farokh Parakh
45	D 103	Mr. Tapan Sanghvi (non-member)
46	D 108	Mr. Kirti Shah
47	D 205	Mr. Rajesh Shah
48	D 209	Ms. Salma Khan (non-member)
49	D 308	Mr. Shailendra Tripathi
50	D 408	Mr. Manish M. Shah
51	D 409	Mr. Deepak Sanchety
52	D 603	Mr. Dilip Jhaveri
53	D 604	Mr. A. K. Basar
54	D 607	Mr. Bipin L. Thakkar

Hon. Secretary stated that after scrutinizing the above mentioned 54 applicant it has been observed that 4 applicants are Non-Member, so their application has been rejected and rest 51 applicants are eligible to be part of the Redevelopment Committee.

Hon. Secretary further stated that in the previous SGM the managing committee had been mandated to propose to the house, a total of 12 members, in such a way, where each building of the society is represented by three members from the building. And that these proposed members would then constitute the redevelopment committee with the approval of the house. He then proceeded and proposed that the redevelopment committee be constituted of the following 12 members.

<u>Sr. no</u>	<u>Flat Number</u>	<u>Proposed Name for the Redevelopment Committee.</u>
1	A 508	Mr. Rajiv Patel
2	A 603	Mr. Ajoy D'Souza
3	A 605	Mr. Rahul Gomes
4	B 105	Advocate L. C. Tolat
5	B505	Mr. Rajan Kapashi
6	B 605	Mr. Heeralal Doshi
7	C 406	Mr. Sanjay Jhunjhunwala
8	C 408	Mr. Bharat Bhandari
9	C 607	Mr. Kailash Sanghavi
10	D 010	Mr. Marzy Farokh Parakh
11	D 205	Mr. Rajesh Shah
12	D 308	Mr. Shailendra Tripathi



Mr. Dharendra Karani (A – 804) asked the Hon. Secretary to apologize for using such harsh words against members.

Hon Secretary pointed out that he never took the names of any member of the Society, the members of the house feels that the he should apologize, he apologized the house for the same.

Other members asked for them to calm down and once the house to come back to decorum the meeting continued.

Mr. Rahul Gomes (A – 605) stated that since everyone has read the GR in which there is no provision of Redevelopment Committee in a GR.

At which point he was interrupted by Mr. Sanganerla, Mr. Prashant Das and Mr. Sanjoy Das and he had to request them multiple times to let him speak.

Mr. Rahul Gomes (A – 605) further stated that proposed redevelopment subcommittee is comprising of members from each building, and it is a very healthy mix who will not allow the managing committee to take arbitrary decisions. He then said that even then whatever the subcommittee proposes will again come to the SGM for the house to decide. It is important that we obtain the papers which all of us for decades have been trying to get and that this is a good starting point. He said that when members are questioning this committee about the papers, they need to understand that this is not in the capacity of the past and current managing committee to get the papers it is time to get a professional. The managing committee is taking small proper steps to move towards redevelopment. It is time to get back to being a united society that we have been and move forward.

Mr. Sanjoy Das (B – 706) said that the house should hear him out as he will go point by point before anyone reacts, he said that of the things that have been said before not all are correct. He said that the point that a subcommittee for redevelopment is not required is incorrect as there are two GRs one for 2009 and one for 2019.

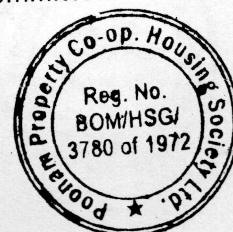
The 2009 GR was challenged for the necessity of redevelopment subcommittee, but the 2019 GR was not challenged and there are high court judgements for that. So as per law the subcommittee is necessary.

Before the last SGM it was mandatory that the managing committee take 3 quotations from 3 different project management consultants and that this was not done. Had this been done then the PMC chosen would have told us two things how much FSI is there and how much we can get and that there are two kinds of development, self, and cluster. Also, the PMC would have found out the conveyance papers.

He then said that he has asked the managing committee that let there be transparency and to do this publish the bio data of the applicants. Give the general body time to think and mull over the candidates and make an informed choice.

He said the criteria for selection and rejection should have been told and invitation for applications with start and end date should have been put.

He said the frame of reference for the subcommittee should have been put up, their tenure, the work they will do, what will be the process for exit of a member of the subcommittee and entry of a new person. How will one measure the efficacy of the subcommittee.



He said these are the things other society are discussing and deciding and he knows this because he is in talks with other housing society's that are undergoing redevelopment process and that the entire process will take 8 years.

He said that the last SGM was done under section 79A of MCSA and as such anything passed in such SGM must be passed by 51% or more of people in the society and this was not done.

He said if you do it otherwise section 107 will apply under which one should have done a headcount of those for and those against and this was not done.

He then questioned the legitimacy of the last SGM as well as the current SGM.

He also questioned as to why should we redevelop at all? He stated that there are 3 criteria for redevelopment. One being that that a government agency says the building is unsafe, second the building is unsafe for the neighboring society and three it is unsafe for the passersby and number four if by an independent chartered engineer's study, it is found the building needs redevelopment and for that structural engineer's report should have been put before us.

He also clarified that if the society is over 50 years old, we are eligible for redevelopment but not qualified for it.

He went on to say that there are serious typos and that it is written that PMC has to be appointed but selection does not mean appointment.

After speaking for 7 minutes when he went to collect further notes from his chair to continue talking members started murmuring and the Hon. Chairman asked him to come to the point.

Hon. Jt. Secretary said to him that he has forgotten the first point that he had spoken about.

Mr. Sanjoy Das (B – 706) told him that since his memory is short, he should get it checked.

Continuing he said the justification of redevelopment itself is in question.

Hon. Chairman intervened and told him that he is not speaking on the point which is about forming the redevelopment subcommittee and all these things he can talk later on.

Mr. Sanjoy Das (B – 706) said there must be transparency in forming the subcommittee which is not there.

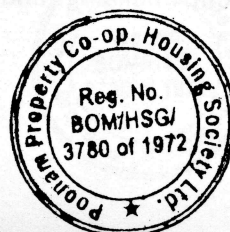
Mr. Nimish Kothari MC Member intervened and asked him does he not trust the managing committee as he keeps talking about transparency.

Mr. Sanjoy Das (B – 706) said the bio data of applicants and those selected should be put up.

Mr. Nimish Kothari MC Member intervened and said that the members of the proposed subcommittee like Mr. Rahul Gomes and others are all ex managing committee members / office bearers and why does he need their bio data about their work and they are so well known with the members of the Society.

Hon. Jt. Secretary requested that he be allowed to speak for 2 minutes. He said that Mr. Sanjoy Das has asked why the managing committee has not asked for PMC. He reminded him that even last time the managing committee has informed the house that it was very much possible for them to have done invited quotations, appointed etc. but they didn't want to do so because they first wanted to come to the house, they wanted the house to instruct for starting the process, for calling for PMC quotations, and then the managing committee would call for the quotations for PMC and keep them in front of the house itself for the house to decide and not for the managing committee to decide. So therefore, how much more transparency does he want?

He further added that as far as the structural audit being undertaken in concerned it has to be done every 3 years whether redevelopment is in question or not, he also said that Mr. Rahul Gomes last time had said that once the structural audit report is tabled it will be presented to the



house and if the house feels that we should get another one then another one will be undertaken and the managing committee agreed. So therefore, how much more transparency does he want?

Hon. Secretary steered the discussion back to the agenda and asked that the managing committee has proposed 12 names should we go ahead with that or not?

Mr. Prashant Das (C – 707) said no, and he was told by the Hon. Secretary that the decision will be of the majority and further added that this should have been informed earlier that 12 names will be proposed, and the house will agree or disagree.

Mr. Rajesh Shah (D – 205) intervened and said that it was decided in last SGM that the managing committee will propose 12 names which they have done, and now the house must decide to approve the same or change them. Also, it is incorrect to say that people have been left out because out of approximately 180 members 51 applications have come. He said let's vote through a show of hands on the proposed names. And if someone else wants to be part of the redevelopment subcommittee then let them come forward and the house will do a show of hands and vote for or against them too.

Mr. Ravi Bajaj (B – 406) proposed that next Sunday should be voting on choosing the members from the applications and in the meantime if someone else wants to apply or withdraw they can.

Hon. Secretary intervened the meeting and said in the first place the provision of subcommittee isn't there, but the managing committee is going with it because PARAMPARA and wishes of the house and is currently not in favor of doing the entire procedure being delayed again and instead via show of hands the house can vote now instead of delaying this further. He also informed Mr. Ravi Bajaj that his point will be noted in the minutes.

Mr. Ajoy D'souza (A – 603) suggested that there is no point in having so many arguments, let us do this by consensus. He reiterated that if as Mr. Sanjoy Das says it is going to take 8 years then everything will anyways come to the house.

Mr. Dharendra Karani (A – 804) questioned whether associate members can be a part of the redevelopment committee? He asked where is it written in the minutes of the last SGM?

Mr. Nimish Kothari MC Member showed him the minutes of the SGM and that it was written associate members.

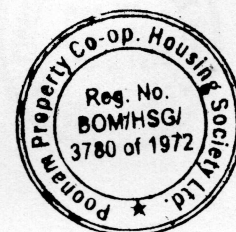
Mr. Dharendra Karani (A – 804) asked if involving members who are builders in the redevelopment committee will not be influencing.

Hon. Secretary clarified that no one from the managing committee or subcommittee will build the new Poonam.

Mr. L.C. Tolat (B – 105) stated that none of the members need state that their objection be noted because the entire meeting is being filmed and therefore it is all noted. He further added that all these discussions are out of the way.

Today's agenda as per the last SGM which is legally called pursuant to the directions and resolutions passed at the last SGM.

The agenda is only one to select the members of the redevelopment committee. Number is also fixed 12 from 4 buildings and 3 from managing committee, total 15, now it is proposed by them,



and it is for the house to decide whether the 12 members suggested by them are appropriate or not.

To cut short that matter he said he proposes that the names be read out by the managing committee and the house do a vote by show of hands and if there is an approval via majority then matter ends.

Hon. Secretary said that now the vote should be conducted, and he has noted all objections.

At this point there was some chaos and **Mr. Nimish Kothari MC member** took the mike and repeatedly requested for decorum and after some chaos finally decorum was regained.

Mr. Nimish Kothari MC member and read from the previous SGM's minutes quoting from page number 5 the resolution passed in the previous SGM.

"Hon. Secretary then asked how many members from the managing committee to be a part of the redevelopment subcommittee. The members in the house proposed that 3 members. The Hon. Secretary told the house to let the MC decide which three members should be a part of the redevelopment committee. Hence it was decided that the redevelopment committee will comprise of 15 members. 12 from the 4 building and 3 members from the MC."

In the same SGM the house gave the approval to the managing committee to propose the 12 names in the forthcoming SGM as and when called.

He said that the managing committee has proposed the 12 names to the house and now that the house is in decorum, he then proposed that all the eligible members, associate members and joint members who are there and present in this house raise their hands only in favor of the 12 names.

Mr. Dhirendra Karani (A - 804) took objection as to how associate members can be voted for to become members of the redevelopment committee.

Hon. Secretary informed him that if associate members can stand for elections of the managing committee, then why can't they become members of a subcommittee for which there is no provision in their first place.

Mr. L.C. Tolat (B -105) who is a member of the society since inception and a practicing lawyer and asked him if associate members can stand for elections. Mr. L.C. Tolat in his opinion stated that associate members are eligible.

Hon. Treasurer then took the camera man along to record and count all those eligible who had raised hands in favor of the 12 names.

Mr. Prashant Das (C - 707) accompanied him and together they finished the count of votes by show of hands.

Some members asked for the 12 proposed names to be read out again and the Hon. Secretary read them out again building wise.

He also pointed out that only Mr. Sanjay Jhunjhunwala would be in the redevelopment subcommittee and not any of the other members of the Jhunjhunwala family.

On doing the count it was found that 54 members voted approving the 12 proposed names by raising their hands in favor and 9 members voted against.



Mr. Nimish Kothari MC Member further stated that it has been resolved by the raise of hand, out of 83 members present in SGM, 54 members voted in favor of the resolution, 9 members voted against, some refrained from doing the voting and some had left the SGM, it has been resolved that that the 12 names proposed by the managing committee have been voted for, approved, and adopted to be the member of the Redevelopment Committee. The 12 names part of the Redevelopment Committee (Name of the subcommittee as decided by the members) as decided by and approved by the raise of hand are as follows:

Sr. no Flat Number Approved Names for the Redevelopment Committee.

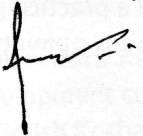
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11	D 205	Mr. Rajesh Shah
12	D 308	Mr. Shailendra Tripathi

Proposed by: Mr. R. K. Mody B - 504

Seconded by: Mr. Nimish Shah C - 407

The chairman thanked all the members for attending, participating and bring forth the resolution. The meeting concluded with vote of thanks to the chair.

For Poonam Property Cooperative Housing Society Ltd.


Hon. Vice Chairman / Hon. Secretary

Place: Mumbai

Date: 6/6/23

