

# **POONAM PROPERTY COOPERATIVE HOUSING SOCIETY LTD.**

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

## **MINUTES OF THE SPECIAL GENERAL MEETING HELD ON 23<sup>rd</sup> JULY 2023**

### **Regd. Office**

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## MINUTES OF THE SPECIAL GENERAL MEETING HELD ON 23<sup>rd</sup> JULY 2023.

The Special General Meeting was held on 23<sup>rd</sup> July 2023 at 10.00 a.m. at lobby of the B Wing. Due to lack of quorum, the Hon. Chairman, Dr. K. K. Shah, adjourned the meeting to then start after 30 minutes 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.

**Hon. Chairman** put forward Leave of absence was of Mr. Pankaj Shah, Vice Chairman, Mrs. Pratibha Saklecha, Committee Member and Mrs. Amita Patel, Committee Member which was granted by the House.

**Hon. Chairman** informed the house that Mr. Harshal Shah and Mrs. Babita Jhunhunwala, both Committee Members are running little bit late, will join the meeting within 15 minutes.

**Hon Chairman** read out the requisition received from members for joint and associate members attending SGM on their behalf as received up to 21<sup>st</sup> July 2023.

NO.	FLAT NO.	NAME OF MEMBER	NAME OF PROXY MEMBER
1.	A306	Mrs. Rita Shah	Mr. Krushanu Shah

Once again, the Hon. Chairman welcomed everyone and started the meeting.

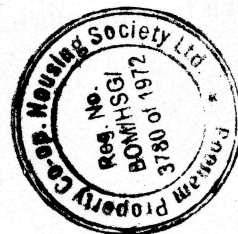
### **AGENDA NO. 1 To decide upon the remaking of the common retention wall that collapsed behind A building on 1<sup>st</sup> July 2023.**

**Hon. Chairman** put forward the agenda and opened to the house for discussion.

**Mr. Shailendra Tripathi (Flat no. B 608)** mentioned that the wall collapsed because of the tree which was growing adjoining it in the compound of Madhuli building, and since they did not ensure that it was trimmed to lessen its weight to not cause load on the wall in heavy monsoons hence all expenses to restore the wall should be borne by Madhuli.

**Mr. Anil Sanganerla (Flat no. B 403)** said that we should negotiate with Madhuli and try to achieve an amicable solution and get quotations both from their vendors as well as ours.

**Hon. Secretary** then informed the house that the managing committee have contacted Madhuli office and have been informed that their Chairman and Secretary are travelling and therefore the managing committee will talk to them as soon as they return. He further informed the house that the managing committee has received a few quotations ranging from Rs. 4.40 lakhs to 7.30 lakhs for the repair of the retention wall using different building methods and materials.





**Mr. Devendra Agarwal, Managing Committee member**, explained to the house that the quotations received for Rs. 4.40 lakhs and 7.30 lakhs are for the Brick wall only with 6 or 7 columns of RCC to strengthen the wall. And that there is a quotation for complete RCC wall which is for Rs. 34 lakhs. He further explained that patch work on this wall is not possible hence the complete wall will need to be redone.

**Mr. Prashant Das (Flat no. A 602)** mentioned that RCC wall will give support whereas brick wall will not give the right structural strength as there is loose soil below the compound surface of Madhuli which is visible now that the retention wall has fallen. And due to the heavy rains, this soil is getting loose and flowing into our compound. This erosion of soil is dangerous and may cause the collapse of the compound of Madhuli itself causing further damage. He also said that both parties should talk and get a proper idea as to how the sharing of cost will take place.

**Hon. Secretary** then stated that the sharing of information and the payment procedure will be sorted out during the official meeting with Madhuli.

**Mr. Rajiv Patel (Flat no. A 508)** said that the wall is 3 feet, and the soil below is shifting which will lead to collapse again and will damage both the sides hence building a RCC wall is better as a mere brick wall will not be able to bear the load.

**Mr. Ravi Bajaj (Flat no. B 406)** opined that we should claim insurance if we have it and build the wall from the money received from the insurance company.

**Hon. Secretary** informed the members that Mr. Devendra Agarwal, Committee Member is doing the needful for insurance and that the managing committee has applied for the claim and the surveyor has come and has given his report.

**Mr. Dharendra Karani (Flat no. A 804)** asked that if Madhuli does not cooperate to repair the retention wall or if both parties do not agree on the terms and conditions and subsequently if further damage occurs who will be responsible? He also asked that will we get the insurance claim for their side also?

**Mr. Gautam Vora (Flat no. D001)** suggested that the best thing would be to take Madhuli into confidence and see what their response is and then move ahead.

**Hon. Secretary** explained that if the managing committee holds another SGM to inform the house of the outcome of the meeting with Madhuli on this matter as and when it happens then rebuilding the wall will get further delayed. Hence it is important that the house should come up with and finalize way forward keeping in mind different permutations and combinations so that the society can conclusion today so that we can move forward without delays.

**Mr. Rajan Kapashi (Flat no. B 505), Mr. Nimish Kothari (Flat no. C 404), Mr. Sanjoy Das (Flat no. B 706) and Mr. B. Mallick (Flat no. B 602)** suggested that a copy of the quotations should be circulated to everyone on the Poonam CHS WhatsApp group and those who want physical copies can get it from the office.



**Now therefore be it resolved** that the society office will initiate the talks with Madhuli for the construction of the fallen retention wall by sharing of the expenses, evaluate whether the expense of the construction of the wall is covered under Insurance Policies of both societies and share copies of quotations received by both the Society, do structural audit of the Society for the construction of Retention wall and share the Insurance Claim filled by both the Societies.

Also, that Madhuli will be asked to remove all the flower beds which has been constructed on their side of the common walls with Poonam, as well as trim/remove the trees with due BMC permissions, as these are the root cause of this incident.

That Madhuli should be forewarned to investigate the loose soil below their compound which may and is eroding.

Proposed By: **Mr. Rajan Kapashi (B – 505)**

Seconded By: **Mr. Shailendra Tripathi (B – 608)**

**AGENDA NO. 2: To decide upon action to be taken on the Structural Audit Report received by the society and circulated to the members via WhatsApp as well as made available in the society office for members to peruse and take hard copies.**

**Hon. Chairman** put forward the agenda and opened to the house for discussion.

There was confusion between Structural Audit Report and Structural Stability Report.

**Hon. Secretary** cleared the doubt by stating that buildings which are more than 40 years old must obtain a structural audit report every 3 years which is given by structural engineers.

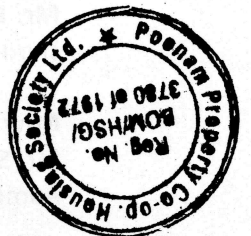
**Dr. Anil Sangneria (Flat no. B 403)** and **Mr. Sanjoy Das (Flat no. B 706)** asked why same person as before was given to do the audit as it amounts to conflict of interest.

**Hon. Secretary** explained that the answer to this has been provided to the house before also and explained once again that the managing committee choose the person for doing the structural audit basis the lowest quotation.

**Hon. Secretary** explained that authenticity letter and the signature of the contractor is attached to the Structural Report and therefore there is no conflict of interest.

**Mr. Sanjay Jhunjhunwala (Flat no. C 406)** mentioned that tapping the walls with 7 different equipment/Hammer testing was not done and that wall cracks above window and below the window not mentioned.

**Mr. Gautam Vora (Flat D001)** stated that the columns were not properly inspected.





**Mr. Sanjoy Das (Flat no. B 706)** mentioned that the Ultrasonic Pulse Velocity is not a certificate of stability in fact it is just like sonography of a human being, Authenticity of repair mandate is not given and there is no signature on the report. He further stated that it was the same person who has done the Structural Audit of the society when the major repair was carried out by the society. He further stated that there is no transparency on the Audit Report put forward in the house.

**Mr. B. Mallick (Flat no. B 602)** said that for doing structural audit and repair and maintenance the society must go with another person who is better qualified not go by the lowest quote.

**Hon. Secretary** then asked the house if they felt that the society should get another audit done.

The house unanimously felt that the society should get another structural audit done with competent person and table the new report for further action.

**Mr. Sanjoy Das (Flat no. B – 706)** recommended that an Advisory Committee comprising of 3 persons should be formed who should take the same forward.

The house put forward the names of Mr. Sanjoy Das, Mr. Anil Sanganerla and Mr. Jesal Rawal should take up the task, with a member of the managing committee to be part of it, Devendra Agarwal's (managing committee member) name was approved by the house to be part of it.

**Hon. Secretary** mentioned that a meeting with the previous contractor Mr. Riyaz Shaikh, Managing Director of Struct Re Tech has been fixed on 26<sup>th</sup> July 2023 as he has asked for the release of the retention money, he then requested that Mr. Sanjoy Das to attend the same in order to come for the society to be able to arrive at the conclusion of the amount of retention money to be returned.

**Hon. Secretary** recommended that instead of calling another SGM for finalizing another contractor for the new Structural Audit report, the house may give the mandate to the above chosen 4 people to call for the new contractors and approve the best person with negotiated quote and get the work started.

**Dr. Anil Sanganerla (Flat no. B 403)** suggested that quotations up to 3 Lakhs can be finalized by managing committee.

**Mr. Sanjay Jhunjhunwala (Flat no. C – 406)** suggested that there should be a limit for the number of days taken by the above four people in finalizing the new contractor and getting the work started and completed.



**Mr. Prashant Das (Flat no. A 602)** and **Dr. Anil Sanganerla (Flat no. B 403)** said that SGM should be called and discussed and finalized by the house.

**Now therefore be it Resolved** that the subcommittee comprising of Mr. Devendra Agarwal, Mr. Sanjoy Das, Mr. Anil Sanganerla and Mr. Jesal Rawal will have the power to do the New Administrative work for the Structural Audit Report and submit the same to managing



Proposed By: Mr. Prashant Das (A - 602)  
Seconded By: Mr. Sanjoy Das (B - 706)

**For Poonam Property CHS Ltd.**

   
Hon. Chairman / Hon. Secretary

**Date:** 11<sup>th</sup> August 2023.  
**Place:** Mumbai