

THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd. No. BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai – 400104.

Ref no:Ref: BSCHS/MC/15-2022

Date: 30th, November 2022

To
The Deputy Registrar,
Cooperative Society P Ward,
Room no. 303, 3rd floor, A wing,
BMC Godown bldg.
Near Sanskruti Complex,
Thakur Complex, Kandivali west,
Mumbai 400 101.

Dear Sir,

Subject: Submission of copy of Redevelopment SGM's attendance, Minutes of Meeting, and members acknowledgement of MOM.

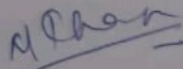
Please find attached the subject documents related to Redevelopment of The BEST Sanman Co-operative Housing Society Limited as per 79(A) of M.C.S. Act 1960, w.e.f. 04th July 2019.

Please take the same on records and oblige.

Thanks & Regards

Yours Sincerely,

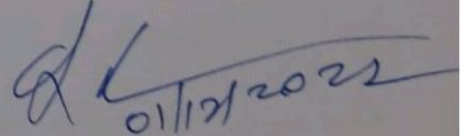
For BEST Sanman Co-op Housing Society Ltd


Md Mujeeb Khan
Chairman



Attachments:

- Redevelopment SGM's attendance sheets,
- Minutes of Meeting and
- members acknowledgement of MOM sheets.


01/12/2022
लिपिक
उपनिबंधक, सहकारी संस्था पी विभाग मुंबई
रूम नं. ३०३, तिसरा मजला अ जिम सी ब्लॉक
गोडावुन, संस्कृती कॉम्प्लेक्स बिल्डिंग, कान्दिवली
१० फुट रोड, कान्दिवली (पूर्व) मुंबई ४००१०१

THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd No BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai - 400104.

Date: 19th November 2022

Minutes of Meeting of Special General body Meeting (SGM) for written consent from Individual Member for Redevelopment of The BEST SANMAN CO-OPERATIVE HOUSING SOCIETY LTD.

The SGM was scheduled to start on 13th November 2022 at 10:30 a.m. at BEST SANMAN Sports Ground, there was a total **163 members** were present and **5 members** staying abroad who participated in the meeting via ZOOM.

Mr. Mujeeb Khan, the Chairman started the proceedings of the Meeting by welcoming all the members on behalf of the Managing Committee.

Distribution of Agenda Notice:

The Agenda Notice dated 23rd October 2022 of the said subject was presented in front of the members and stated that the agenda notice has been hand delivered to each member in their respective flats, and was put on display in each buildings notice board and in the main notice board.

The Chairman further informed the members present that the Committee has also forwarded a copy of the Agenda Notice to the Deputy Registrar 'P' Ward Kandivali, Mumbai.

Structural Audit of Society Building:

The Chairman explained the members that the Structural Audit of Society buildings was done on 1st December 2021 by a Government Panel Auditor, this Auditor had certified that the buildings and Main Water Tank are under C2B Category, which states that the Buildings and Main Water Tanks needs Structural Repairs.

Explanation of Society Redevelopment process under Section 79 (A) of MCS Act, 1960 w.e.f. 4th July 2019:

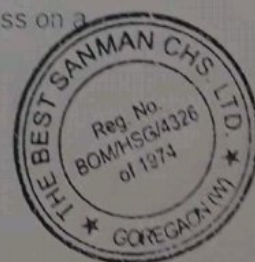
Chairman explained to members the step-by-step procedure under Section 79 (A) of MCS Act, 1960 w.e.f. 4th July 2019 for Society Building Redevelopment.

Session for Suggestion, Recommendation & Objection by members present in the meeting:

The Members were invited by the Chairman for their Suggestion, Recommendation & Queries, the following members were the participants in this session:

Mr. Michael Lobo B-16/13 asked the Committee members whether the Letter of consent of members on Stamp Paper was draft or Final document for members signature, whether it was discussed with members.

Mr. Anil Dushputre B-16/08 suggested unequivocal, irrevocable words are not required in the consent letter and that members consent should be taken at each step and not for the entire process, the consent should be to start the process on a



THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd. No. BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai - 400104.

plain paper. It means that if signed on stamp paper he has given the authority to Managing committee for entire redevelopment process.

Similar concern was raised by Mr. Maxim Saldanha B-19/04, Mrs. Lekha Dalvi B-16/05, Mrs. Vinita Mishra B-19/10, Mr. Sandeep Kulkarni B-15/08

Mr. Rajendra Tawade B-19/16 suggested that the words unequivocal, irrevocable, further should be removed from the Consent letter.

Mr. Raj Dingra B-20/08 clarified to the members in the meeting that the unequivocal means "it is unmistakable" and irrevocable means "I am not going to revert back to my consent". Further he explained that giving our consent on the stamp paper will give weightage to our process towards redevelopment. Hence there should not be any objection.

Mr. Shriish Chitre B-17/02 suggested to the Committee if the Resolution is passed in the meeting, then all members are bounded and hence there is no need to take consent of members on stamp paper, he further stated that the members were not taken into cognizance about the Letter of Consent.

Smt. Theresa Dsouza B-18/09 asked why it is mentioned as Rs.20,000/- on stamp paper.

Mr. Prakashchandra Mishra B-17/19 suggested that before this meeting we should have taken a prior meeting to discuss the redevelopment issue.

Mr. Salim Jariwala B-15/16 stated that he is giving his consent as there is nothing wrong with the process carried by the MC and that everybody should take their own decision, as one is giving consent to the MC who are your own people.

When 51% of the members in meeting gave their consent Mr. Michael Lobo B-16/13 said that the consent is not a problem but signing the document on stamp paper is an issue.

Mrs. Pooja Rane A-15/15 raised issue on why to submit a copy of Aadhar and Pan card.

Mr. Shiv Kapoor B-18/13 presented in the meeting, letter of consent signed by him in other society where he is a member which is undergoing redevelopment and even, they have taken consent with Franking on it, thus making it legal.

Mrs. Prachi Parab A-16/06, said that she is a member of 2 societies where redevelopment process is going on and she has not given her consent on the stamp paper than why to give it here.



THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd. No. BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai - 400104

Mr. Amit Paradkar A-15/14 suggested that let the members take a call of signing on stamp paper or on plain paper.

Mr. Shirish Chitre B-16/02 suggested that the entire process should be followed as per 79(A) MCS Act 1960 and to mention in the consent letter as and where required

Mr. Mahesh Vanjha B-15/17 said that there shall be full transparency in the Redevelopment process

Mr. Matkari B18/19 suggested that the resolution should be stated on the consent letter to be and hereby added with quote '**as per New Redevelopment Rules u/s 79(A) of MCS Act 1960 effective from 4th July 2019**'

Explanations by the Managing Committee to the members in the meeting:

Secretary Mr. Radhakrishnan Nair explained to the members that the consent for Redevelopment letter on stamp paper was done after consultation with various authorities taking into consideration of the huge size of the project, he further explained that it was printed on stamp paper because of the fact that in our Society majority of members have inherited property from their parents and are nominees, there could be possibilities of objections raised by siblings which could complicate matters to other society members during the process of redevelopment.

Chairman also explained that "unequivocal and irrevocable" words are used in the letter of Consent cannot be removed since whenever there is sale of flat or change of name to the nominee, under such circumstances the new member should also agree with this letter of Consent signed by the previous member.

Treasurer Mr. Mahesh Nigudkar B 16/10 stated that the consent letter begins with reference of 79(A) and hence it is implied that Redevelopment process is as per the same and repeated mention can be excluded, the Chairman has explained the whole process of Redevelopment u/s 79(A), which requires members approval in SGM at various steps such as appointment of PMC, Legal adviser, Developer and hence there is no ambiguity in the quote 'further process of redevelopment' of the consent letter. he further stated that the consent letter refers to the Resolution passed in the SGM, resolution passed in SGM has verbiage New Redevelopment rule u/s 79 (A), hence no change is required in the consent letter, it is very important document and is not possible to allow any one or more members to make any changes in the same. The Consent letter is important to secure the member's interest collectively, not only from Management committee but also from each other, any change to the Uniform format and the consent letter will lose its authenticity.

He explained Irrevocable means the member cannot withdraw the consent and support to the Redevelopment process when the process of 79(A) is followed.



THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd. No. BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai - 400104.

Consent letter was prepared based on the examples of other societies and approval of legal advisors. Our society, franking or notarizing the Consent letter is not the only example.

Consent letter draft was shared as Heads up to members and subsequently printed after the confirmation from Legal experts.

Members can raise their own queries and avoid pretending it as the representation of collective group and treat all other members equal and capable, also a What's App group was created for the society redevelopment SGM consisting of 2 buildings each with their respective representatives to share the information related to the consent letter and its process, days before the day of SGM.

Committee member Mr. Pragnesh Abdar B-17/05 also explained to the members that the execution of Society Redevelopment process was thoroughly scrutinised by the MC during past 5-6 months, the Committee members had visited legal authorities, govt. authorities, other Society members having similar redevelopment.

Smt. Medha Patale A-15/08, Committee member, explained to members that the Committee and the Society members are all united. She also informed the members that prior to this consent letter the MC had distributed form for getting the detail information like members mobile no., email ID, share certificate, name of members on share certificate, etc. since many members had not submitted this information despite repeated reminders, so we avoided circulation of the said consent letter.

ResolutionS passed by members.

Resolution #1:

The Managing Committee requested members to raise hand to vote for the passing the resolution for Consent for Society Redevelopment. More than 51% members present in the meeting voted for passing the resolution for Consent for Society Redevelopment as per Section 79(A) of the MCS Act 1960 w.e.f. 4th July 2019.

Resolved:

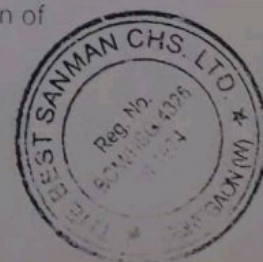
"Resolution is passed to give unequivocal and irrevocable consent to the Society for carrying out the redevelopment of the Society as per the New Redevelopment Rules under Section 79(A) of the MCS Act 1960 w.e.f. 4th July 2019."

Resolution #2:

Resolved:

Quote:

I am aware that as per the new Redevelopment rules under section 79(A) of MCS Act 1960 effective from 4th July 2019, the special general body meeting of the society is called on 13th November 2022 to approve the primary resolution of



THE BEST SANMAN CO.OP.HSG.SOCIETY LTD.,

(Regd. No. BOM/HSG/4326 OF 1974)

B-20/3, BEST Nagar II, Goregaon (West), Mumbai - 400104.

redevelopment. I am aware that the appropriate resolution is passed and I am in favour of the redevelopment of our society and agree to the resolution approved for the same. I hereby give my unequivocal and irrevocable consent to the society for carrying out the further redevelopment process and shall co-operate with the society for the entire redevelopment process, as per section 79 (A) of MCS Act, 1960 w.e.f. 4th July 2019' with the last para.

Unquote:

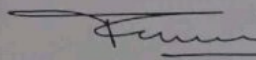
It was resolved in the meeting to add as per section 79 (A) of MCS Act, 1960 w.e.f. 4th July 2019' with the following para at the end "I am aware that as per the New development rules under section 79(A) of MCS Act 1960 effective from 4th July 2019, the special general body meeting of the society..... and shall co-operate with the society for the entire redevelopment process.

The resolution was proposed by Mr. Ninad Sawant A-14/04 and seconded by Mr. Raghunath Matkari B-18/19.

Remaining Members willing to sign after the above resolution was passed, were requested by Committee member Mr. Pragnesh Abdar to proceed forward to sign the Letter of Consent on the stamp paper.

Chairman Mr. Mujeeb Khan thanked all the members present in the meeting and adjourn the Meeting.

A total of 144 members signed the Letter of consent for Society Redevelopment as per section 79 (A) of MCS Act, 1960 w.e.f. 4th July 2019' on stamp paper during the meeting.


Secretary

