

WESTERN PARK CO-OPERATIVE HOUSING SOCIETIES ASSOCIATION LIMITED

Registration No. MUM/MHADDB/GEN/O/13530/2023-24

Registered Address: Oshiwara MHADA Complex, Plot No. H-51 to H-58, CTS No. 1 (PART) of Village Oshiwara, Off Link Road, Andheri (West), Mumbai- 400 053.

Email: westernparkcoop@gmail.com

1st September 2024

To,
All Association Members of Bldgs: Nos. 16,17,18,19,20,22&23.

Minutes of the Special General Body Meeting ("meeting") of Western Park Co-operative Housing Societies Association Limited ("Association"), held on 1st September 2024 at Vyanjan Hall, Oshiwara at 10.30 am wherein the Managing Committee (3 representatives from each building) and members of all Association Societies were present. The members of Managing Committee of Association welcomed the members of all Association Societies.

112 members physically participated in the meeting and 45 members participated electronically. Considering the rule of "one member one vote" the total eligible votes across all Association Societies came to 197. Accordingly, after having sufficient quorum, the Honorary Chairman Mr. Ajay Tiwari presided over the meeting. The Honorary Secretary Mr. Sanjiv Johar welcomed all members and read out the agenda. Thereafter the Agenda(s) were taken up for discussions.

AGENDA: To discuss the issue of redevelopment of the Association Societies.

The Hon. Secretary - Mr. Sanjiv Johar explained the entire process of redevelopment of the Association Societies including the object of formation of the Association, appointment of legal consultants and shortlisting of PMCs'. This information was well received by all the Members and was carried out unanimously.

Following resolution was passed:

"Resolved that the Managing Committee of the Association shall keep the Association Societies informed and updated on any progress and/or developments in the redevelopment process."

AGENDA: To vote for and elect a PMC (Project Management Consultants) by majority votes of all the members of the Association Societies.

Initially on 11th May 2024, the presentations of all the 3 (three) shortlisted PMC's was organised at Maheshwari Bhavan, Oshiwara for the entire General Body Members of all the 7 Societies. Legal Consultants -Fortis India Law was also introduced to the General Body, the same evening. Videography of all the 3 Presentations were done and uploaded on the website and the entire General Body were informed about the same. Subsequently, it was

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noticed by the Association that each Society in its respective Special General Body Meeting held for electing / appointing a PMC, amongst the 3 (three) shortlisted PMC's, had conducted voting by its members to decide on the said appointment. It was further noticed that pursuant to the aforesaid voting, none of the shortlisted PMC got majority cumulative votes across all the Association Societies. Therefore, upon the Association seeking legal advice, it was advised by the Legal Consultants that all the voting(s) / decision(s), to avoid such conflicting situation, should be done under aegis of the Association only and not independently by each Society. Therefore, the Managing Committee, in the interests of all its members and to ensure that the re-development process is not delayed due to technical issues decided to have re-voting for appointment of PMC, under the aegis of Association, when members of all the societies, who are part of the Association, will come together and jointly vote for appointment of PMC.

Thereafter, the Association called for today's meeting to also decide on the election of the PMC. In the meanwhile, the Managing Committee did its due diligence of the shortlisted PMC's to ensure that there are no misrepresentations made by them and to check and verify their status, credibility, good will, etc.

The Managing Committee of the Association placed before all the members of the Association Societies a short summary of their due diligence.

The election of the PMC and the voting was done by secret ballot method. Each member, who was physically present for the meeting, was provide with a Ballot Coupon / Paper with the name of three shortlisted PMC's for members to vote / select by ticking the box against the name of one PMC amongst the 3 (three) shortlisted ones.

Out of total 112 members who were physically present, 111 members voted, and 1 member abstained from voting. The result of physical voting by Ballot Paper is as under:

Supreme Engicons (India) Pvt. Ltd. – received 104 votes;

S.P. Consulting Engineers Pvt. Ltd. – received 2 votes; and

S. P. Shevade & Associates – received 5 votes.

45 members, who could not remain present physically due to unavoidable circumstances, cast their vote through email. The results of votes by email are as under:

Supreme Engicons (India) Pvt. Ltd. – received 39 votes;

S. P. Consulting Engineers Pvt. Ltd.– received 1 vote; and

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S. P. Shevade & Associates – received 5 votes.

As stated above, considering the rule of “one member one vote” per Association Society, the total eligible votes came to 197 votes out of which 143 votes were in favour of Supreme Engicons (India) Pvt. Ltd. being much more than 51% votes of Association Society. Accordingly, Supreme Engicons (India) Pvt. Ltd was elected by majority votes as PMC for redevelopment of Association Societies.

Following resolution was passed:

“Resolved that based on the majority votes by the members of the Association Societies in favour of Supreme Engicons (India) Pvt. Ltd. as Project Management Consultant (PMC) for redevelopment work of Association Societies.”

AGENDA: To ratify all Acts done by the Association in the past relating to redevelopment of Association Societies.

The Hon. Secretary Mr. Sanjiv Johar apprised the members of the Association Societies of various steps which were undertaken by the Association in furtherance of the redevelopment process such as calling for tenders for Legal Consultants and PMCs’, launching of the Association’s Website, shortlisting of Legal and PMCs’ and the appointment of Legal Consultants. The members were also apprised that all the above steps were taken in consultation with all the members of Managing Committee and the members of respective Association Societies. Therefore, the members were required to ratify the past actions of the Federation relating to redevelopment of Association Societies. All the members of the association societies unanimously agreed in favour of the aforesaid Agenda.

Following resolution was passed:

“Resolved that all Acts done by the Association in the past relating to redevelopment of Association Societies stands ratified and approved.”

AGENDA: To hand over to the Association all consent letters given by the members of respective Association Societies.

The Managing Committee of the Association was informed that most members have already handed over their consent Letters for redevelopment to their respective societies. Mr. Johar, Hon. Secretary, informed the members that a list of documents that would be required is to be handed over to their respective Societies representatives in the Association’s Managing Committee. The members were requested to share those documents with their respective

Sgt A. V. M.



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representatives at the earliest. The members unanimously agreed to do so and the Agenda was unanimously resolved.

Following resolution was passed:

“Resolved that all the members of the Association Societies shall hand over all the documents, as per the list to be circulated by the Association, to their respective representatives in the Managing Committee of the Association at the earliest.”

AGENDAS 6: To authorize the Association to do all acts but not limited to negotiating, taking decisions, executing, and entering into agreements on behalf of the Society in relation to appointment of Legal Consultants, PMC, Architects, Developer, etc., for the redevelopment of Association Societies.

AGENDA 7: To authorize the Association to deal with Maharashtra Housing and Area Development Authority (MHADA) and any other authority, whether governmental or private, judicial, quasi – judicial statutory, administrative, etc., on behalf of all the Association Societies.

AGENDA 8: To authorize the Association to apply for all requisite permissions / no-objection certificates (NOCs') including but not limited to making applications for amalgamation, etc., on behalf of all Association Societies, which may be required in the opinion of the Association.

AGENDA 9: To authorize the Association to take all the steps as it deems fit, proper, and necessary for the purposes of redevelopment of the Association Societies.

RESOLUTIONS to AGENDAS - 6,7,8,9:

All the above Agendas, being inter-connected, were taken up together.

There were quiet a few questions and apprehensions on the above Agendas. The Honorary Secretary, with utmost clarity, explained in the best possible way to all members present to ensure that all members understand the reasons for having above agenda's.

The members were informed that the 21 MC members of the Association are representatives of all the 7 Member Societies. The General Body is the Supreme Authority in all decisions that are made for e.g. electing and voting for PMC as was done today. The Association cannot and will not decide on a Developer. Due process as set out in circular dated 4th July, 2019 issued by Government of Maharashtra under section 79 (A) of the Maharashtra Co-operative Societies Act, 1961 will be explicitly followed. A few more meetings will be called, as and when required, to update the General Body on various aspects of the redevelopment.

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Feasibility report given by the appointed PMC will be shown to all members for their understanding. The members were also informed that the feasibility report given by the appointed PMC is just an idea of expectation of what we can expect to get in terms of Area, Corpus, Rentals, Amenities, etc.

During the presentation by the Developers which will be selected only by the General Body, all and only Authorised Members will be notified well in advance to be physically present for all the members queries to be answered.

During the Developers voting process, again each and every Authorised Member (only) will have to remain present at the Venue. The Deputy Registrar and his representatives will also be present and supervise the entire voting process.

Further, in addition to the Developer, the Association may need to engage with MHADA or other relevant authorities, hence the word ET CETERA was used to ensure that the Association can take timely and necessary action to prevent delays, procedural hindrances that might disrupt or slow down the redevelopment process.

The members were informed that the Association is working in the interest of all Members with utmost transparency and fairness and it looks forward to continuous support and co-operation of all its members in making this redevelopment a success.

Majority of members had no reservations and/or objections to the aforesaid Agendas and accordingly agreed and voted in favour of the aforesaid Agendas. The aforesaid Agenda(s) were agreed and resolved by majority in favour thereof.

Following resolution was passed:

Resolved that all the Association is authorised on behalf of all the Association Societies and its members to:

- (i). To do all acts but not limited to negotiating, taking decisions, executing, and entering into agreements on behalf of the Association Societies in relation to appointment of Legal Consultants, PMC, Architects, Developer, etc., for the redevelopment of Association Societies;
- (ii). To deal with Maharashtra Housing and Area Development Authority (MHADA) and any other authority, whether governmental or private, judicial, quasi – judicial statutory, administrative, etc., on behalf of all the Association Societies;

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(iii). To apply for all requisite permissions / no-objection certificates (NOCs') including but not limited to making applications for amalgamation, etc., on behalf of all Association Societies, which may be required in the opinion of the Association.

(iv). To take all the steps as the Association deems fit, proper, and necessary for the purposes of redevelopment of the Association Societies.

There being no other matter for discussions the meeting was concluded with a vote of thanks to the Chair and all Members present for their active and positive participation in the SGM.

Yours faithfully,

For Western Park CHSAL


Hon. Secretary


Hon. Chairman


Hon. Treasurer

