

Drug Employees Co-Operative Housing Society Ltd, Thane

(Regd No: TNA/HSG/1563 of 1983)

1st Pokharan Road, Jekegram P.O, Thane (W) – 400606

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The meeting of the Annual General Body of the society on 25th September 2022 at 11:00AM was postponed for 30 minutes for want of quorum. A total of 66 members attended the meeting. The meeting commenced at 11:30 AM. The entire meeting is Video Recorded.

The Chairman Mr Satish Salian commenced the meeting requesting non members of the society to vacate the meeting area as the proceedings are being recorded and any say of the non members would not be recorded in the minutes of the meeting. Member Mr A N Mhatre raised the issue of illegal committee and the election process conducted with alleged irregularities. The Secretary Mr Sudhir Pillai explained that the entire election process has been conducted in accordance with the provisions of the law and as regulated by the Election Officer. The Election Officer responsible for the same has submitted his report to the office of the Dy Registrar, Co-operative Housing Societies, Thane.

The Chairman requested the Secretary to transact the business as mentioned in the agenda. The Secretary requested members to stand and observe two minutes silence to pay respect for the departed souls of our members during the pandemic period.

The Secretary commenced the meeting mentioning that the Agenda of the meeting was circulated on 07.09.2022 and acknowledgement of members was obtained.

The Secretary placed before the General Body the letter received from Mr A N Mhatre & Ors w.r.t the Agenda of the AGM. The letter covers the subject mentioned in the agenda and hence the same was proposed to be discussed as and when the agenda for that subject is being transacted. Mr A N Mhatre exclaimed that the member has also circulated a note narrating facts and mentioning that there is misappropriation of funds of the society. The Secretary opted to address this issue in the beginning.

W.r.t the allegations about the meetings for redevelopment, the Secretary explained that the meetings for redevelopment of the society is being carried out as per the provisions of the law and by taking cognizance of the circulars issued by the Government from time to time and the same will continue. With regards to the appointment of Senior Advocate Mr Malphatak and the allegation of misappropriation of fund in that respect, the Secretary explained that member Mr A N Mhatre is highly mistaken, member has mixed up two

issues and the same are not related. Advocate Mr Malphatak was appointed in year 2019 to represent the society in the Writ filed by Mr A N Mhatre against the order of Hon'ble Jt Registrar, Konkan Division. Now Advocate is being appointed to represent the society in the Writ filed by Mr A N Mhatre in the Stamp Duty matter. The Secretary expressed displeasure on such vague circulations misleading the members of the society and diverting/derailing the entire functioning of the society. Secretary requested that the aggrieved member may approach the society office before making any such bizarre claims. Mr A N Mhatre however publicly apologised for his submissions.

The Secretary continued with transacting the agenda of the meeting as mentioned in the Notice dtd 07.09.2022.

Agenda No.1

To read & confirm the Minutes of the previous Annual General Body Meeting of the society held on 16.09.2019 and the Minutes of the Special General Body Meeting held on 14.02.2022.

The Secretary stated that the minutes of the Annual General Body Meeting of the society held on 16.09.2019 has been circulated to all members of the society and the Minutes of the Special General Body Meeting held on 14.02.2022 has been circulated and the same has been acknowledged by the members.

Resolution No.1

It is resolved to accept and confirm the Minutes of the previous Annual General Body Meeting of the society held on 16.09.2022 and the Minutes of the Special General Body Meeting held on 14.02.2022.

Proposed by: Mrs Sunita Pant
Seconded by: Mrs Pushpa Dhume
Passed Unanimously

Agenda No.2

To receive and adopt from the committee, the Annual Report of its activities on the preceding co-operative years working i.e 2019-2020, 2020-2021 and 2021-2022, together with the statement of accounts showing the Income and Expenditure during the previous co-operative financial years and the balance sheet as at the close of the co-operative financial year 2021-22.

The Secretary placed the annual report on the Managing Committee's activities of the preceding co-operative years working i.e 2019-2020, 2020-2021 and

2021-2022, together with the statement of accounts showing the Income and Expenditure during the previous co-operative financial years and the balance sheet as at the close of the co-operative financial year 2021-22. The same has been circulated along with the agenda for the meeting to all members.

Member Mr Abhichandani raised a issue w.r.t the remark at pg 14 of Audit report 2019-2020 where it is stated that during the year 2018-19 the fixed deposits with the bank decreased by Rs 7,28,662/-inclusive of accrued interest. Treasurer Mr Shaikh explained that funds for the works as approved in the previous SGB Meetings of the society are created by withdrawing the Fixed Deposits which is the reason for this decrease. The approval for the same was obtained from the General Body of the society. Member A N Mhatre wished to know how many FDs were withdrawn and what is the interest lost. It was explained that it would be time consuming to understand the details of the same during the AGM, the member can inspect the passbook of the saving accounts available in the society's office and clear doubts if any.

Resolution No.2

It is resolved to receive and adopt from the committee, the Annual Report of its activities on the preceding co-operative years working i.e 2019-2020, 2020-2021 and 2021-2022, together with the statement of accounts showing the Income and Expenditure during the previous co-operative financial years and the balance sheet as at the close of the co-operative financial year 2021-22.

Proposed by: Mr Vivek Shinde

Seconded by: Mrs Anjali Pisal

Passed Unanimously

Agenda No.3

To consider Audit Report, received from the Auditor appointed for the co-operative financial year 2019-2020, 2020-2021, 2021-2022.

The Audit Report, received from the Auditor appointed for the co-operative financial year 2019-2020, 2020-2021, 2021-2022 has been circulated to all members along with the agenda of the meeting. The details were discussed. Member Mr Abhichandani discussed regarding the remark w.r.t paying above Rs 1500/- in cash. The Secretary explained that care is being taken that no payment in cash or otherwise exceeds the limit of Rs 1500/- All amounts above Rs 1500/- is being issued in account payee cheques only. The Secretary explained there are unavoidable times where payments to labours for petty jobs which exceed Rs 1500/- are paid in cash however care will be taken to avoid any violation. Member Mr Abhichandani requested to discuss regarding the

increasing dues from members as on 31.03.2021 and the remarks of the Auditor to that effect, which is persistent to all the three Audit Reports. Member wished to know who the defaulter members are and what action the M.C has initiated to recover the dues. The Secretary explained that as on date i.e from the date of the Audit report of 2021-2022 till date the MC has been successful in recovering the dues, few regular payees have overdues which is expected shortly. However there are wilful defaulters to whom notices have been issued. The defaulters, as per list below, were placed before the General Body:

Monthly Maintenance Defaulters

SR NO	FLAT NO	NAME OF THE MEMBER	AMOUNT
1	1B/13	Prakash Jadhav	4732.00
2	1C/02	BHISE.PRABHAVATI.C (LATE)	10079. 00
3	2A/ 12	HEMCHANDRAN.BHARATI	16919.00
4	2A/33	DAS. SHOBON	67519.00
5	2A/34	SHOBHAN DAS & SHUBHONEEP DAS	71042.00
			7217.00
6	2B/21	NAIK.RAMESH.N & MRS. MEENA R. NAIK	
7	2B/T1	SAINI ROHIT S	5646.00
			6547.00
8	2B/T2	SAINI. SASHI.SATYAPRAKASH/ SAINI. S. P	
9	4AJ 02	SALIAN.VISHWANATH.D	7984.00
10	4A/ 03	NAIK.ANIL. S / NAIK. SHILPA	6774.00
11	4A/ 22	PALEKAR.VITTHAL.GOVIND	71 127.00
12	4A/32	MHATRE.DHANASHREE/BHAGAT.HARSHAD A/BHAGAT.ROHIT	8354 1.00
		TOTAL	359,127.00

Further there are wilful defaulters of members contribution of Rs 7800/- The said amount was approved in the AGM dtd 30.09.2018 for the works approved therein, further confirmed in the AGM dtd 29.09.2019 and SGB dtd 16.05.2021. Out of 158 members, 111 members have paid the amount; the list below of balance 47 members, defaulters since 2018 was placed before the General Body:

Member's Own Contribution Defaulters

SR.NO	FLAT NO.	NAME OF THE MEMBER	AMOUNT
1	1C-12	MR.VINAY MHATRE AND MRS.YOGITA V MHATRE	7800
2	2A-24	MR.ASHISH MHATRE	7800
3	2A-11	MR.R.L.PINTO	7800
4	2B-21	MR.RAMESH N NAIK AND MRS. MEENA R NAIK	7800
5	2B-23	MR.ARVINDKUMAR S KOCHAR	7800
6	2B-22	BADAMILAL S JAIN AND KAVITA B JAIN	7800
7	1C-21	MR.P.R.MOHARE	7800
8	3A-23	MR.R.V.SHARMA	7800
9	3B-23	MR.SHARAD POTNIS	7800
10	3B-32	MR.ATUL ABHYANKAR	7800
11	1A-11	MR.K.V.JACOB	7800
12	1B-21	MR.SAMEER S DARGES	7800
13	1B-14	MR.S.L.DIAS	7800
14	1C-01	MR.R.J.CLEETUS	7800
15	1C-03	MRS.ROSY SWAMY	7800
16	2A-32	MR.A.R.TAWDE	7800
17	2B-T1	MR.ROHIT SAINI	7800
18	2B-T2	MR.S.S.SAINI	7800
19	2A-04	MR.S.M.DIWATE	7800
20	2A-12	SMT.BHARATHI HEMCHANDRAN	7800
21	2A-14	MR.A.K.SAMSI	7800
22	3C-01	MR.A.R.GANU	7800
23	3B-34	MR.MAHENDRA G KARANIA	7800
24	4A-22	MR.V.G.PALEKAR	7800
25	4A-33	MR.NELSON FELIX LEWIS	7800
26	4A-32	MRS.D MHATRE HARSHAD AND ROHIT V BHAGAT	7800
27	4B-21	MR.J.THOMAS	7800
28	4A-01	MR.ATUL ABHYANKAR AND ANAGHA ABHYANKAR	7800
29	1A-21	MR.J.J.DESAI	7800
30	2B-03	MRS.PUSHPA NAIK	7800
31	2B-14	MRS.S.A.PATIL	7800
32	2B-13	MR.J.L.ABHICHANDANI	7800
33	2A-31	MR.UDAY S.PATIL & MRS.RSHMI PATIL	7800
34	2A-23	MR.S.C.PATIL	7800
35	4A-02	MR.VISHWANATH D SALIAN	7800
36	1B-13	MR.PRAKASH C JADHAV	7800
37	1C-02	MRS.P.C. BHISE	7800

38	2A-33	MR.SHOBHAN DAS	7800
39	2A-34	MR.SHOBHAN DAS & SHUBHODEEP DAS	7800
40	3A-02	MRS.RADHA NAIR	7800
41	1C-23	MRS.PALLAVI P DESHPANDE	7800
42	1A-32	MR.PRAKASH N.PANDKAR	7800
43	2A-22	MR.S.Y.G.KAMATH	7800
44	2A-21	MR.S.Y.G.KAMATH	7800
TOTAL			3,43,200.00

The Secretary at this juncture exclaimed that the complainant members are defaulter members yet the Managing Committee is allowing and discussing the contents of their complaint as an effort to clear ambiguity/misunderstandings if any. Member Mr A N Mhatre, Mr Abhichandani, Mr S C Patil and others exclaimed that they would refrain from making the payments since no work as approved has commenced. The Secretary explained that member's contribution was approved in the AGM dtd 30.09.2018 against the budget for the works approved therein. As per the approval, members were required to start contributing immediately upon raising the invoice, irrespective of whether the work commenced or no. The payments to the contractors executing the works were expected to be made from the member's contribution. Moreover the Secretary explained that works like repairing the collapsed sewerage lines, damaged pathways, repair of common areas, changing of plumbing lines and other wear and tears of the society has been attended. The society is in deficit since members are not clearing the dues. At this juncture the members like Mr Kalpal Nerlekar, Mr Gopal Kurpe who have paid the contribution on time got agitated and expressed their discontent.

The Notices to defaulter members has been issued by the society and further necessary action whatsoever to recovery the monies will be initiated by the society. This issue was also be taken up while dealing with Agenda No 5 (Annual Budget) of this AGM.

Resolution No.3

It is resolved to accept the Audit Report, received from the Auditor appointed for the co-operative financial year 2019-2020, 2020-2021, 2021-2022.

Proposed by: Mrs Nandita Ganguly

Seconded by: Mr Ritesh Jaiswal

Passed Unanimously

Agenda No.4

To appoint an Auditor from the panel approved by the State Government for auditing the books of the society for the current co-operative financial year.

Mr Ashok L Gawade, Panel No. B/12808, Auditor in the Government panel is proposed for auditing the books of records of the society for the next cooperative financial year i.e 2022-2023. The General Body was of the unanimous decision to approve as proposed.

The Secretary placed before the General Body complaint from Mr A N Mhatre & Ors w.r.t the Audit Report being submitted in English. It is understood that as per the Government Circular, in year 2019 the Government has made it mandatory for the audit report to be in Marathi and if the General Body approves the same may be allowed in English. A resolution to that effect needs to be annexed while issuing appointment letter to the Auditor. This issue was discussed, debated and argued in length. Since there was disagreement amongst the members the decision was put to vote, the majority voted for the Audit report to be circulated in English. A resolution to that effect was recorded. However upon the request of member Mrs Pushpa Naik & Ors and with due respect to the state language the Secretary proposed that the Auditor will be requested to print the Audit report in both languages subject to other reservations like time and fees.

Resolution No.4

It is resolved to appoint Mr Ashok L Gawade, Panel No. B/12808 from the panel approved by the State Government for auditing the books of the society for the current co-operative financial year i.e 2022-2023 and further resolved by way of voting to allow/accept the Audit Report in English.

Total No of Votes = 66

Votes in favour of Marathi= 12

Votes in favour of English = 54

Proposed by: Mr Mahadeo Desure

Seconded by: Mr Sameer Amonkar

Passed by way of Voting

Agenda No.5

To place the Annual Budget for the Co-operative financial year 2022-2023 for consideration.

The Secretary explained that the buildings of our society have lived its lifetime and there are recurring expenses on account of repairs to the common areas and infrastructure of the society. The society in the pandemic period incurred major expenses towards maintenance of infrastructure. The society has

attended to collapse in sewerage system, collapse of ceiling plaster in common areas, repairs to downtime lines (water and storm water drains), repair of pathways, electrical repairs, repairs to water pumps etc. Further the increase in Municipal and Water Charges also needs to be considered. The Secretary explained that the society is in deficit as the monthly collection is less compared to the expenses being incurred.

The Secretary placed before the General Body the chart of monthly maintenance being currently charged (shown in Table 'A' below) and the proposed revised monthly maintenance charges as shown in Table 'B' below. The chart is circulated in the beginning of the meeting for ready reference:

TABLE 'A' **CURRENT RATES**

Sr No	Head Of Account	580 SFT	590 SFT	640 SFT	805 SFT	1005 SFT	1200 SFT	Apeksha Maternity
1	MUNICIPAL TAX	144.59	146.28	158.78	200.38	250.89	298.87	1940.75
2	WATER CHARGES	230.00	230.00	230.00	260.00	300.00	350.00	460.00
3	AUDIT & ACCOUNT CHARGES	27.00	27.00	27.00	27.00	27.00	27.00	81.00
4	WATCH & WARD , SWEEPER & OFFICE ASSISTANT	718.00	718.00	718.00	718.00	718.00	718.00	2154.00
5	MAINTENANCE & GERNAL EXPENSES	152.00	152.00	152.00	152.00	152.00	152.00	456.00
6	LAND REVENUE	11.60	11.80	12.80	16.10	20.10	24.00	40.50
7	PAINTING FUND	11.60	11.80	12.80	16.10	20.10	24.00	40.50
8	SINKING FUND	18.21	19.12	20.62	24.42	29.91	35.13	63.25
9	INSURANCE CHARGES	11.00	12.00	13.00	16.00	20.00	24.00	40.00
10	EDUCATION & TRAINING FUND	10.00	10.00	10.00	10.00	10.00	10.00	30.00
	TOTAL RS.	1334.00	1338.00	1355.00	1440.00	1548.00	1663.00	5306.00

TABLE 'B' **PROPOSED**

Srno.	Head Of Account	APEKSHA								
		580 SFT	590 SFT	640 SFT	805 SFT	1005 SFT	1200 SFT	580 SFT	640 SFT	805 SFT
1	MUNICIPAL TAX	144.59	146.28	158.78	200.38	250.89	298.87	554.59	614.78	771.58
2	WATER CHARGES	230.00	230.00	230.00	260.00	300.00	350.00	230.00	230.00	0.00
3	AUDIT & ACCOUNT CHARGES	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00
4	WATCH & WARD , SWEEPER & OFFICE ASSISTANT	1075.00	1075.00	1075.00	1075.00	1075.00	1075.00	1075.00	1075.00	1075.00
5	MAINTENANCE & GERNAL EXPENSES	307.00	312.00	340.00	428.00	535.00	638.00	307.00	340.00	428.00
6	LAND REVENUE	11.60	11.80	12.80	16.10	20.10	24.00	11.60	12.80	16.10
7	PAINTING FUND	11.60	11.80	12.80	16.10	20.10	24.00	11.60	12.80	16.10
8	SINKING FUND	18.21	19.12	20.62	24.42	29.91	35.13	18.21	20.62	24.42

*	INVENTORY CHARGES	11.00	12.00	13.00	16.00	20.00	24.00	11.00	13.00	16.00
10	EDUCATION & TRAINING FUND	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
	TOTAL RS.	1862.00	1873.00	1916.00	2089.00	2304.00	2522.00	2272.00	2372.00	2400.20
	Non Inventory	143.00	143.00	146.00	155.00	165.00	176.00			

Proposed Parking charges Four wheeler Rs. 300/-, Two wheeler Rs.80/- (For Rent out Flat Four wheeler Rs 400/-, Two wheeler Rs.120/-)

The Secretary explained in detail the flat wise revised rates against each head and the same was discussed in length. If approved by the General Body of the society the revised invoice will be in effect from 1st October 2022.

Member Mr Atul Abhayankar suggested that a certain amount from the parking charges collected be kept aside and spent to ensure that the parking premises is kept free of muck. Further it was suggested to charge additional parking fees to owners who have rented their flats at the rate of Rs 100 for four wheeler and Rs 40 for two wheeler. The General Body unanimously approved the increased rate of Rs 400 for four wheeler and Rs 120 for two wheeler parking for owners who have rented their flats.

Further it was discussed that the amount towards member's contribution (approved in the Annual budget for cooperative financial year 2018-2019) be merged with the monthly maintenance and the interest be levied on the said amount effective from 1st.October 2022 by taking cognizance of the fact that majority of members of the society has made the timely payments and the willful defaulters are a reason for the deficit which is unacceptable. Member Mr Atul Abhayankar further requested the MC to broadcast the estimates for the works to be now executed as per the Agenda and budget approved in the AGM dtd 30.09.2018. The Secretary agreed to the same.

Resolution No.5

- i. It is resolved to accept and approve the revised rate as explained and proposed in Table 'B' (Annexed with AGM MOM)above effective from 1st October 2022 i.e in the co-operative financial year 2022-2023 as per the budget for the works estimated during the previous co-operative years and foreseeing the estimated budget for the upcoming co-operative years and considering all the revisions and increase in rates against the respective heads.

**Proposed by: Ganesh Bhalerao
Seconded by: Mangesh Mahadalkar
Passed Unanimously**

9	INSURANCE CHARGES	11.00	12.00	13.00	16.00	20.00	24.00	11.00	13.00	16.00
10	EDUCATION & TRAINING FUND	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
	TOTAL RS.	1862.00	1871.00	1916.00	2089.00	2304.00	2522.00	2272.00	2372.00	2400.20
	Non Occupancy	143.00	143.00	146.00	155.00	165.00	176.00			

Proposed Parking charges Four wheeler Rs. 300/-, Two wheeler Rs.80/- (For Rent out Flat Four wheeler Rs 400/-, Two wheeler Rs.120/-)

The Secretary explained in detail the flat wise revised rates against each head and the same was discussed in length. If approved by the General Body of the society the revised invoice will be in effect from 1st October 2022.

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Further it was discussed that the amount towards member's contribution (approved in the Annual budget for cooperative financial year 2018-2019) be merged with the monthly maintenance and the interest be levied on the said amount effective from 1st.October 2022 by taking cognizance of the fact that majority of members of the society has made the timely payments and the wilful defaulters are a reason for the deficit which is unacceptable. Member Mr Atul Abhayankar further requested the MC to broadcast the estimates for the works to be now executed as per the Agenda and budget approved in the AGM dtd 30.09.2018. The Secretary agreed to the same.

Resolution No.5

- i. It is resolved to accept and approve the revised rate as explained and proposed in Table 'B' (Annexed with AGM MOM)above effective from 1st October 2022 i.e in the co-operative financial year 2022-2023 as per the budget for the works estimated during the previous co-operative years and foreseeing the estimated budget for the upcoming co-operative years and considering all the revisions and increase in rates against the respective heads.

**Proposed by: Ganesh Bhalerao
Seconded by: Mangesh Mahadalkar
Passed Unanimously**

- ii. It is further resolved by way of voting to merge the amount of Rs 7800/- (members contribution) to the monthly maintenance and levy interest with effect from 1st October 2022 and recover the same from defaulter members at the earliest.

Total Number of Votes: 66

Voted NO for merging member's contribution in Monthly Maintenance = 05

Voted YES for merging member's contribution in Monthly Maintenance = 61

Passed by way of Voting

Agenda No.6

To place, discuss & ratify the decision of M.C, of appointing Chartered Accountant for managing accounts and filing TDS Returns for the society beginning from year 2021-2022.

The Secretary placed before the General Body the proposal to appoint Chartered Accountancy firm for managing accounts and filing TDS Returns for the society beginning from year 2022-2023. The Secretary explained that the Managing Committee in its meeting has approved the appointment of Chartered Accountancy firm for an amount of Rs 55000/- annually beginning from current co-operative financial year. The decision has been taken by taking cognizance of the remarks of Auditor for internal audit and also the fact that the society is going ahead with redevelopment which will eventually require the consultancy of a chartered accountant to understand the tax liabilities which will include stamp duties, GST etc. Hereinafter the monthly bills will also be issued by the said professional firm and the society will be discontinuing with the service of the accountant. The difference in amount (increase) has been considered while preparing the revised table for maintenance approved above.

Resolution No.6

It is resolved to ratify the decision of M.C, of appointing Chartered Accountancy firm for managing accounts and filing TDS Returns for the society beginning from year 2022-2023.

Proposed by: Ramesh Jadhav

Seconded by: Samarth Narahari

Passed Unanimously

Agenda No.7

To place, discuss & approve the Redevelopment Working Committee (RWC) of the society for Redevelopment of Society.

The Secretary placed before the General Body the letter from Mr A N Mhatre questioning the authenticity/legality/powers and the roles and responsibilities of the Redevelopment Working Committee (RWC). The Secretary explained that it was proposed to form the RWC in the SGB Meeting of the society dtd 17.10.2021. Thereafter the notice to that effect was issued and interested members were called upon to approach the society office with their written expression of interest. Accordingly the MC received various application and after due diligence/scrutiny the member was admitted as member of RWC. Taking cognizance of the fact that there is no specific provision in the act to create any such committee, the RWC is a committee formed specifically to assist the Managing Committee in all works related to the redevelopment of the society. The purpose of the committee is also to ensure transparency and to spread better understanding of the process of redevelopment in the society. The meetings of the RWC conducted in the society office have seen healthy discussions and suggestions from members in this regards.

The final list of members of the Redevelopment Working Committee to be approved by this General Body is circulated vide Notice dtd 12.09.2022 and the same is also displayed on the notice board of the society.

Resolution No.7

It is resolved to approve and accept the Redevelopment Working Committee (RWC) as circulated vide Notice dtd 12.09.2022 and displayed on the notice board of the society.

Proposed by: Sunil Pillai .

Seconded by: Mangesh Mahadalkar

Passed Unanimously

Agenda No.8

To discuss decide and resolve regarding the further process to be adopted for Redevelopment of the Society.

The Secretary explained that the draft tender document has been circulated on a short notice. The only intention is that the same can be a subject of discussion thereby all members can understand the present progress of the scheme since last SGB meeting. The salient features of the tender document can be discussed and decided and the further processing of the tender document can be taken up on the basis of the decisions/suggestions. A Special General Body Meeting for finalizing the tender document will be schedule accordingly.

The Secretary explained the Salient features beginning with the cost for

preparing the tender document and issuing the same. The PMC will issue the tender document at a cost of Rs 1,00,000/- which will be paid by the interested/aspirant developer to the PMC by way of DD/Payorder. It was explained that the ultimate responsibility of the contents of the tender document which includes technical, legal and financial aspect will be that of the PMC for which the said fees is appropriated. The members were of the consented agreement in this regards. It was explained that this draft is circulated only for the member to submit their suggestions as per the pointers therein, the final tender document would be in a two bid format which will include technical bid & financial bid. Further, the EMD proposed was Rs 1 Crore, pursuant to the joint meetings with MC & RWC it was reduced to Rs 50,00, 000/- where 25,00,000/- would be EMD to be paid at the time of submission of bid and if the developer is selected he/they will have to submit additional 25,00,000/- towards EMD. Further, it is proposed not to demand Bank Guarantee instead the Developer will be asked to pledge a Carpet Area admeasuring 10,000 sq.ft. in the name of the Society. This Area, will be kept as collateral with the Society & shall be released in stages as the construction activity progresses. The final percentage of area will be released only on satisfactory completion of entire construction work, after receiving occupation Certificate from TMC, and successful handing over the flats to members. Further, the TDR to be loaded will be purchased in the name of the society which is definitely an additional security. Further the Hardship Allowance as per the approved feasibility report @Rs 1000/- per sqft (minimum) on existing Carpet Area is proposed. The Hardship Allowance is proposed to be shared equally between the Individual member and society & the same will be paid in stages as narrated in the draft tender. The percentage of sharing can be discussed & decided by members. Such an arrangement is proposed for creating funds by foreseeing the drastic increase in monthly maintenance after redevelopment i.e once the new flats and infrastructure comes in existence. The new members inducted in the society will not have any claim on this fund period. The Secretary explained that upon receiving the Commencement Certificate from TMC the members will be required to shift to temporary alternate accommodation for which a rent @ Rs 50 per sqft (minimum) of existing carpet area is proposed in the draft. Further one way shifting charges is proposed which needs to be decided and finalized. Regarding Registration & Stamp Duty charges it was discussed that the developer will be liable to pay for the new area and the additional area incentive offered to the members. However, if the member wishes to purchase additional area at discounted rates (arrived after negotiation with developer) the Registration & Stamp Duty for the same will be the liability of the member. The existing Carpet Areas of typical flats were measured and noted in the feasibility report, however, few members have conducted a physical survey by appointing surveyor and a variation in 10sqft is observed. Members are requested to submit the survey report with plan to the society office, the same will be forwarded to the PMC for verification and rectification if required as the case may be. Parking, one 4 wheeler parking and two 2 wheeler parking per member is proposed. Further, the additional

incentive area demand is 50% (minimum) on the existing carpet area and the interested developers will bid accordingly. With all other conditions, an additional eligibility criteria of 15,00,000 sqft area of completed development is proposed to be incorporated in the tender document.

The members were in unanimous consent to the above conditions and it was decided to schedule a Special General Body Meeting of the society to finalize the Tender Document. As per the discussions above, the MC along with RWC will be giving inputs to the PMC for processing/preparing the tender document.

Resolution No.8

It is resolved to accept the conditions as incorporated in the draft tender document and to schedule a Special General Body meeting of the society at the earliest however beyond 20 days or more of the circulation.

Proposed by: Mrs Nandita Ganguly

Seconded by: Mr Kalpak Nerlekar

Passed Unanimously

Agenda No.9

To discuss, decide and resolve regarding the period to reimburse the Sinking Fund of the society.

The Secretary explained that the SGB Meeting conducted on 16.05.2021 had resolved to

Resolution No.1

It was resolved by giving consent via voting for erecting weather shed on terraces of all building in the layout of the Society.

Resolution No.2

It was resolved by giving consent via voting for Utilization of Sinking Fund for erecting weather shed for an estimated expense of Rs 55 to 60 lakhs.

Resolution No.3

It was resolved by giving consent via voting for utilizing full amount of sinking fund towards erecting weather shed and collecting 50% of total expenses of said work and reimbursing the same to sinking fund account in 6 monthly installments.

The discussions for Agenda No. 9 & 13 of this AGM is merged since the same pertains to weather shed works & the sinking fund utilized for the said work.

The Secretary explained that the work was awarded to M/s Om Enterprises and the total billed amount at the end of the project is Rs 43,92,330.44. As per Resolution No.3 of SGB dtd 16.05.2021 the 50% of total expenses, in this case amounting to Rs 21,96,165.22 is to be collected in 6 monthly installments from

158 members and reimbursed to the sinking fund. For reimbursing the amount in a period of 6 months the collectible amount would be Rs 2316.62 per month per member. Members desired to also know the amount payable if the same is collected in a period of 12 months. The amount so worked out was Rs 1144.07 per member per month for a period of 12 months. The Secretary explained that the said amount will add up to the monthly maintenance payable by each member. The matter was discussed in length and a unanimous decision was taken.

Resolution No.9

It is resolved to collect 50% of total expenses of said work in 12 monthly installments by adding up the amount in monthly maintenance bill of each member and reimbursing the same to the sinking fund of the society.

Proposed by: Mr Sandesh Hiwale
Seconded by: Mr Bhushan Jadhav
Passed Unanimously

Agenda No.10

To discuss decide and approve the yearly increment/ increase in wages for the direct employees of the society.

The Secretary explained that the following persons are on the payroll of the society:

Office Assistant= 1 no
Housekeeping = 2 nos
Caretakers = 2 nos
Security Guards = 4 nos

The rest of the security manning the gates (6 nos including day & night) is being provided by the agency appointed.

Since the buildings have lived its life time it is seen that there are increasing wear and tear/ damages to the common areas/amenities of the society. During the pandemic and the period that follows it was not possible to physically attend the same with efficiency hence the MC has specially selected 2 capable security guards to function as caretakers. The said caretakers would attend to all complaints in the society with the approval of the MC. Further it is seen that the entry/exit gates of the society are left unattended as security guards are entrusted with the additional duty of operating/controlling the water pumps. This work is now delegated to the caretaker and the security has been instructed not to leave any gate unattended without informing the caretaker for reasons whatsoever. The Security guards are also given strict instructions to keep the society gates closed at all given point of time to avoid trespassing/ theft of cycles or other assets of the society (which has happened in the past)

by swift entry & exit. The caretakers are also entrusted with responsibility to monitor the housekeeping works in the society premises. The society is currently paying Rs 8000 - Rs 8500 to the guards since the last increment given i.e in the year 2019. It is proposed to give a raise in salary and pay Rs 10000/- per guard which includes the caretakers.

The housekeeping is shared between two persons namely Mr Jitendra Walmiki for building no. 1 & 2 and Mr Satveer Brijpal Chouhan (appointed in October 2022) for building 3 & 4. Mr Jitendra Walmiki is being paid Rs 6000/- per month since the last increment given in year 2019. It is proposed to give a raise in salary to Mr Jitendra Walmiki and pay an amount of Rs 8000/- with effect from September 2022. Mr Satveer Brijpal Chouhan is recently appointed and he will be under scrutiny and if his work is found satisfactory he will be continued and paid an increment as and when eligible, if not then Mr Jitendra Walmiki will be appointed for additional pay of Rs 8000/- for bldg 3 &4.

The Secretary explained that the roles and responsibilities have been explained in detail and the concerned has understood, accepted and agreed to the same. It is explained and clear instructions are given that any lapse, default observed or reported by the MC Members or society members will attract fines/penalties as decided by the Managing Committee.

Resolution No.10

It is resolved to approve the yearly increment/ increase in wages for the direct employees of the society as proposed herein above.

Proposed by: Jadhav Rajdatt
Seconded by: Atul Abhayankar
Passed Unanimously

Agenda No.11

To discuss, analyze, decide and resolve regarding the overall security of the society.

This has been dealt with in Agenda No.10 above and the resolution to that effect has been recorded.

Agenda No.12

To place and ratify all the transfer of flats/admission of new members as approved by the Managing Committee from the date of the preceding Annual General Body Meeting.

1. The following transfers were approved during the Co-operative Financial year 2020-2021 which requires ratification of the General Body of the Society.

Table: 1

Sr No	Flat No	Name of Transferor	Name of Transferee	Date of M.C Meeting approving the transfer
1	3C/23	Mrs Geetanjali Mohare	Mr Vivek Shinde	13.03.2021
2	1A/31	Mr Sunil Ramkeval Singh	Mr Vishal Singh	13.03.2021
3	1A/23	Mrs Chayya Rathod (Late)	Mr Amit Rathod & Mr Vikram Rathod	13.03.2021

2. The following transfers were approved during the Co-operative Financial year 2021-2022 which requires ratification of the General Body of the Society.

Table: 2

Sr No	Flat No	Name of Transferor	Name of Transferee	Date of M.C Meeting approving the transfer
1	3C/33	Mr Kumar Nerlekar	Mr Kalpak Nerlekar	17.04.2021
2	4A/24	Mrs Hemlata Rajiv Srivastava & Mr Aditya rajiv Srivastava	Mr Sunil Easwara Pillai & Mrs Rugmini Easwara Pillai	09.10.2021
3	3A/02	Mrs Radha Nair (Late)	Mr Sreekumar Nair	09.10.2021
4	3C/11	Mr Ashutosh Patil (50%)	Mr Rajesh Patil	13.11.2021
5	3C/34	Mr B Raja	Mr Kalpak Nerlekar & Mrs Snehal Kalpak Nerlekar	13.11.2021

3. The following transfers were approved from the previous financial cooperative year till date (September 2022) i.e during the Co-operative Financial year 2022-2023 which requires ratification of the General Body of the Society.

Table: 3

Sr No	Flat No	Name of Transferor	Name of Transferee	Date of M.C Meeting approving the transfer
1	4B/14	Mr Suresh Nambiar	Mr Ritesh Jaiswal/Mrs Yuvika Jaiswal	31.06.2022
2	3B/02	Mr Ashok Gunaji/Sushma A Gunaji	Mrs Jayanti Bhate/Mrs Krupa Rege	04.09.2022
3	3B/14	Mr Peter Mendonca	Mr Anand Mendonca	04.09.2022
4	4B/23	Mr N C Panchal	Mr Rakesh N Panchal	04.09.2022
5	1B/34	Mrs Swaran Kaur Bamrah	Mr Harjinder Singh Muktiyar Singh Bamrah	04.09.2022
6	1A/23	Mr Amit Rathod/Mr Vikram Rathod	Mr Amit Rathod	04.09.2022

The Secretary on behalf of the Managing Committee and the society welcomed all the new members.

Resolution No.12

It is resolved to ratify the transfer of flats/admission of new members as approved by the Managing Committee from the date of the preceding Annual General Body Meeting as mentioned in Table- 1, 2 & 3 above.

Proposed by: Mr Bhushan Jadhav

Seconded by: Mrs Anjali Pisel

Passed Unanimously

Agenda No.13

To place, discuss & ratify the decision of Managing Committee to award the work of installing weather sheds in the society premises to agency M/s Om Enterprises.

The SGB Meeting dtd 16.05.2021 witnessed the opening of sealed tenders from four agencies for the work of installing weather sheds on the terraces of the buildings. M/s Kunal Enterprises emerged as the lowest bidder with a quote of Rs 36,80,000/- including GST for the said work. Immediately after the SGB the agency was called for joint meeting with MC and issuing the work order. The Agency in the said meeting mentioned that there is a technical snag from their

end as they have not included the amount towards GST in their sealed tender. This was not acceptable to the MC however the MC requested the agency to submit their written representation in this respect which will be placed before the General Body of the society. However the agency did not turn up or make any submission, in fact after a considerable period the agency again approached the society, this time with a different narration. As per the agency there has been an exceptional increase in material rates and the quote submitted (sealed tender) is now not feasible. The MC in its joint meeting with the agency again requested the agency to submit its written submission in this respect so that the same could be placed before the general body of the society for approval, despite repeated requests the agency did not respond or make submissions.

Considerable time was lost negotiating with this agency. The first showers had already hit Mumbai and since there was no time for conducting a General Body Meeting therefore the M.C decided to forfeit the EMD of the defaulter agency M/s Kunal Enterprises and award the work to the agency with the next lowest quote which was of M/s Om Enterprises, Rs 43,42,400/- . The issue with M/s Om Enterprises was that the agency was technically sound but lacked funding to commence the work. It was mutually agreed to obtain the material at society's cost and the work would be executed by the agency on labour basis. A work order to that effect was issued to the agency and the work commenced. The entire work was completed to the satisfaction of the society at a full & final cost of Rs 43,92,330.44. The same reflects in the balance sheet of year 2021-2022.

Further it was discussed that, the agency M/s Kunal Enterprises started demanding that the EMD be refunded since the work has not be awarded to them. The agency was asked to submit their detailed representation/explanation in the matter which could be kept before the General Body of the society. The agency opted to pressurize the office bearers of the society using their political clout and further moved the matter before the local Police Station. The Secretary briefed the local police station in the matter and the officer in charge instructed the agency to submit its say to the society so that the issue can be dealt with by the General Body of the society which is till date not submitted. Secretary placed the facts of the case before the General Body of the society and requested to know whether the EMD should be refunded to the agency. This issue was discussed in length however the General Body could not arrive on a unanimous decision. The Secretary raised a poll to that effect and decision on the basis of votes was taken.

Resolution No.13

- i. It is resolved to ratify the decision of Managing Committee to award the work of installing weather sheds in the society premises to agency M/s Om Enterprises.

Proposed by: Mr Kalpak Nerlekar
Seconded by: Mr Ritesh Jaiswal
Passed Unanimously

- ii. It is resolved to forfeit the EMD of Rs 1,00,000/- of defaulter agency M/s Kunal Enterprises and to deposit the same in the Sinking Fund of the society.

Total No of Votes = 66
Voted YES to forfeit = 53
Voted NO to forfeit = 13
Passed by way of Voting

Agenda No.14

To place and ratify the decision of Managing Committee, appointing Senior Advocate K.K Malphatak to appear on behalf of society in the Hon'ble High Court of Bombay in Writ Petition No 8797 of 2021 (Stamp Duty Case) filed by Mr A N Mhatre where the society is made party.

The Secretary explained that Mr A N Mhatre has filed a Writ Petition No 8797 of 2021 in the Hon'ble High Court of Bombay being aggrieved by the inaction of Jt District Registrar/Collector of Stamps, Thane. The society was made party in the Writ more specifically Respondent No.3, however the Writ was not served upon the society. From the records it is seen that the matter came up on board and was heard and the matter was disposed off vide order passed by the double bench of Hon'ble Justice G S Patel & Hon'ble Justice Madhav J Jamdar on 13.12.2021. The petition was disposed off with simple directions to the 1st respondent i.e Jt District Registrar/Stamp Collector to complete the inquiry/notice reference no. 1185-59 of 2017 within period of eight weeks. This relates to the demand for payment of the stamp duty by 44 members.

The Jt District Registrar/Stamp Collector instead of proceeding with the inquiry w.r.t the 44 members opted to issue inquiry notices to about 130 members of the society thereby extending the scope of inquiry which as per the opinion of the MC was uncalled for. The MC however extended full cooperation to the Authorities and forwarded the notices to all members of the notice who in turn submitted their respective title document to the Authority. Further it is seen from the records that the Jt District Registrar/Stamp Collector has filed an interim application before the Hon'ble Court for extending time for the inquiry. Being aggrieved by the actions of the Jt District Registrar/Stamp Collector the MC in its meeting has decided to appoint Senior Advocate K.K Malphatak to appear on behalf of society in the Hon'ble High Court of Bombay in Writ Petition No 8797 of 2021. The MC has paid an amount of Rs 25000/- as advance for the works. The total fees will be informed and depends on the scope of work which can be determined only after obtaining all requisite

documents related to this case from the concerned Advocates/Hon'ble Court. This was discussed in detail and a unanimous decision was taken.

Resolution No.14

It is resolved to ratify the decision of Managing Committee, appointing Senior Advocate K.K Malphatak to appear on behalf of society in the Hon'ble High Court of Bombay in Writ Petition No 8797 of 2021 (Stamp Duty Case) filed by Mr A N Mhatre where the society is made party.

Proposed by: Mr Mangesh Mahadalkar

Seconded by: Mr Suresh Diwate

Passed Unanimously

Agenda No.15

To consider any other matter related to the society needing the approval of the General Body, with the permission of the chair

i. Debris Deposit

The society collects refundable debris deposit in cash from members carrying out repair works/renovation works/major painting works which includes repairs to plaster works. Upon completion of works and upon verifying that the debris has been moved from the society premises the said debris deposit is refunded. The amount of Rs 2000/- in cash was being collected in the past, however considering the inflation it is proposed to collect an amount of Rs 5000/- in cash towards refundable debris deposit.

Resolution No.15(i)

It is resolved to approve the increase in Refundable Debris Deposit and authorize the Managing Committee to collect Rs 5000/-in cash towards Refundable Debris Deposit.

Proposed by: Mr Sandesh Hiwale

Seconded by: Mr Gopinathan Nair

Passed Unanimously

ii. Liability to S.P Pump

The Secretary explained that there is an amount of Rs 22677.00 shown as society's liability to one S.P Pumps in the balance sheet. The same is unclaimed since many years. The said amount needs to be either written off or moved to reserve funds or any other account of the society. It was discussed that the advice of the CA appointed also be taken in this respect.

Resolution No.15(ii)

It is resolved to move the amount of Rs 22677.00s earmarked as liabilities in the balance sheet to the reserve fund or any other funds of the society subject to concurrence from the Chartered Accountant of the society.

Proposed by: Mr J L Abhichnadani
Seconded by: Mr Suresh Diwate
Passed Unanimously

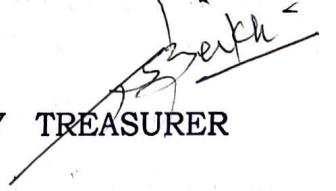
Other issues like disorganised parking of vehicles in the premises and at the gates of the society by society members were discussed. Members were of the consented opinion that the society should initiate action against such members as decided and resolved in its previous AGM dtd 29.09.2019.

Tea & Snacks were served to all attendees.

The meeting concluded with the vote of thanks to the chair and the Secretary thanking all members present.

On the 25th Day of September 2022

For Drug Employees CHS Ltd

  
CHAIRMAN SECRETARY TREASURER