

MINUTES

Name of the Meeting	6th Meeting of Managing Committee 2013 – 14							
Meeting Chaired by	Shri Vimal Shah, <i>President, MCHI-CREDAI</i>							
Meeting Conducted by	Shri. Nainesh Shah, <i>Hon. Secretary, MCHI-CREDAI</i>							
Date of the Meeting	Tuesday , November 26, 2013			Time of the Meeting		6:00 pm		
Venue of the Meeting	MCHI-CREDAI Conference Hall							
Total Committee Members (42)	No. of Member Present	15	Leave Granted to	16	No. of Members Absent	7	Guest Attended	---
Member Present	<div>1. Shri Mayur Shah, Vice President</div> <div>2. Shri Deepak Goradia, Vice President</div> <div>3. Shri Boman Irani, Vice President</div> <div>4. Shri Nainesh Shah, Hon. Secretary</div> <div>5. Shri Harish Patel, Hon. Jt. Secretary</div> <div>6. Shri Lakshman Bhagtani, Hon. Jt. Treasurer</div> <div>7. Shri Mukesh Patel, Hon. Jt. Treasurer</div> <div>8. Shri Jagdish Ahuja, Co-ordinator</div> <div>9. Shri Jayesh Shah, Committee Member</div> <div>10. Shri Nayan Bheda, Committee Member</div> <div>11. Shri Munish Doshi, Invitee Member</div> <div>12. Shri Rajni S. Ajmera, Past President</div> <div>13. Shri Johar Zojwalla, President, MCHI-CREDAI Kalyan Dombivli</div> <div>14. Shri Shailesh Sanghvi, Hon. Secretary, MCHI-CREDAI Mira Virar City</div> <div>15. Shri Rajesh Prajapati, President MCHI-CREDAI Raigad</div>							
Leave of Absence Granted to	<div>1. Shri Vimal Shah, President</div> <div>2. Shri Paras Gundecha, Immediate Past President</div> <div>3. Shri Dharmesh Jain, President-elect</div> <div>4. Shri Nayan Shah, Vice President</div> <div>5. Shri Ashok Mohanani, Hon. Jt. Secretary</div> <div>6. Shri Bandish Ajmera, Hon. Jt. Secretary</div> <div>7. Shri Rasesh Kanakia, Co-ordinator</div> <div>8. Shri Sanjay Chhabria, Committee Member</div> <div>9. Shri Sandeep Raheja, Invitee Member</div> <div>10. Shri Rajendra Chaturvedi, Committee Member</div> <div>11. Shri Sunil Mantri, Past President</div> <div>12. Shri Mohan Deshmukh, Past President</div> <div>13. Shri Niranjan Hiranandani, Past President</div> <div>14. Shri G. L. Raheja, Past President</div> <div>15. Shri Shailesh Puranik, President, MCHI-CREDAI Thane</div> <div>16. Shri Arvind Goel, President, MCHI-CREDAI Navi Mumbai</div>							
Name of Members Absent	<div>1. Shri Sukhraj Nahar, Hon Treasurer</div> <div>2. Shri Sandeep Runwal, Hon. Jt. Secretary</div> <div>3. Shri Pujit Aggarwal, Co-ordinator</div> <div>4. Shri Parag Munot, Co-ordinator</div> <div>5. Shri Vikas Walawalkar, Committee Member</div> <div>6. Shri Pravin Doshi, Past President</div> <div>7. Shri Mofatraj Munot, Past President</div>							
Guest Attended	<div>1. Shri Manohar Shroff, Hon. Secretary, MCHI-CREDAI Navi Mumbai</div>							
MCHI-CREDAI Staff	<div>1. Shri S. S. Hussain, CEO, MCHI-CREDAI</div> <div>2. Smt. Anjana Chheda, Legal Advisor, MCHI-CREDAI</div> <div>3. Shri Ashok Lulla, General Manager, MCHI-CREDAI</div> <div>4. Shri C. P. Goyal, Chief Manager – Finance & Admin, MCHI-CREDAI</div> <div>5. Shri Avadhoot Rane, General Manager (Liaison), MCHI-CREDAI</div>							

Sr. No. Agenda	DISCUSSION & DECISION	
1.	To read and confirm the Minutes of the meeting held October 15, 2013	
	Minutes of the Meeting held on October 15, 2013 were taken as read and confirmed.	
2.	To grant leave of absence to members.	
	As mentioned on Page 1, leave of absence granted to names mentioned (Nos.1 to 16).	
3.	Discussion on ATR- Action Taken Report on last Managing Committee Meeting.	
	Discussion on the work allotted to the Task Owners concerned.	
		Above point is not discussed
4.	Legal Matters for discussions.	
	i.	Second SLP for VAT issue at Supreme Court.
		Second SLP for VAT - The SLP filed by BAI will be listed for final hearing shortly. Shri Shankarbhai has requested to make application for clubbing MCHI's SLP along with their matter. The steps will be taken as per the advice of Shri Parimal Shroff, if the SLP is not clubbed in that event MCHI will foot the Sr. Counsel's expenses as the decision in this matter will affect the decision in MCHI's SLP.
	ii.	ULC Matter
		The full bench is formed consisting of J. Oak & others and the writ petition will be placed on board for direction to fix the date of Writ Petition for final hearing.
	iii.	Heritage Matter
		The Writ Petition filed by MCHI and other connected matters came up for admission before CJ & Sanklecha J. J. on 25th November, 2013. The Municipal Corporation applied for time for filing reply. The Assistant Govt. Pleader also applied for time. The Writ Petition is fixed for admission on 17th December, 2013.
	iv.	Challenging the notification on Reserving 20% plot or tenement admeasuring plot area 4000 sq. mtrs. or more
		<p>This is a very important issue and Managing Committee unanimously has taken decision to file Writ Petition through M/s. Wadia Gandhi & Co. to challenge the notification to reserve 20% of plot area or handover constructed tenements.</p> <p>Proposed by Shri Mayur Shah, Vice President Seconded by Shri Harish Patel, Hon. Jt. Secretary</p> <p>Resolved that M/s. Wadia Gandhi & Company, Advocate and Solicitors be and are hereby appointed to file Writ Petition on Reserving 20% plot or tenement admeasuring plot area 4000 sq. mtrs. Or more.</p>
	v.	Office memorandum arranging out of National Green Tribunal's Order
		Shri Deepak Goradia pointed out that one conference was held in the chamber of Shri Milind Sathe, Sr. Counsel, last week and it was advised that even Writ Petition can lie in High Court considering the importance of issues affecting seriously to members it was proposed by Shri Harish Patel, Vice President to file this Writ Petition, Shri Lakshman Bhagtani, Hon. Jt. Treasurer seconded the proposal and it was unanimously decided to file this Writ Petition through M/s. Wadia Gandhi & Co.

Sr. No. Agenda	DISCUSSION & DECISION	
	vi.	Draft received from Advocate, Shri Naresh Jain to file a new Writ Petition at Bombay High Court for challenging Sec. 43(CA).
		<p>Shri Nainesh Shah, Hon. Secretary pointed out the Writ Petition drafted by Shri Naresh Jain is circulated to all Managing Committee Members but nobody has given the comments on it. The members were requested to give the remark through their CFO at earliest and there after the Writ Petition will be filed.</p> <p>Proposed by Shri Boman Irani, Vice President Seconded by Shri Jayesh Shah, Committee Member</p> <p>RESOLVED THAT to file Writ Petition in High Court, Bombay, challenging the provisions of Sec. 43(CA) of Income Tax Act. Shri Naresh Jain is appointed as an Advocate to file Writ Petition and take out all necessary proceedings.</p>
5.	Liaison:	
	i	Information on 3rd Meeting of Technical Study Group for High Rise October 24, 2013
		<p>Shri S. S. Hussain, CEO MCHI-CREDAI informed the committee that 'Peer Review' for High Rise building has been considered by the Technical Study Committee. Extension for 1 year has been given to the High Rise Committee.</p> <p>It was also pointed out in the meeting that the peer review could also be taken for firefighting norms.</p>
	ii	Information on Meeting for Construction workers Colony
		<ol style="list-style-type: none"> 1. Proposal to MMRDA for Rental Housing about 10000 Houses for workers Colony (India Bulls & Marathon). This proposal has to be submitted along with draft of Lease Agreement which is under preparation. 2. Proposal to Collector of Raigad and Thane Districts to identify and mark 20 – 25 acres of land for Workers with its copy mark to Divisional Commissioner of Konkan Division. Land should be close to nearest railway station with adequate place to develop schools and medical facilities. CEO already sent a DO to Collectors of Raigad and Thane District accordingly. 3. The idea and purpose is to develop this colony as principal (MCHI) and other lessees (Developer). We have to maintain the houses which will be taken from MMRDA Rental Housing Projects. <p>A detail project report has to be prepared on behalf of principal, MCHI. For this purpose technically competent professionals like KPMG etc. has to be taken up on board at the earliest, as we have to submit this proposal to State Government a meet was held with Shri Jayesh Kariya of KPMG and his team. They have given a brief report today evening further detailing will be done by them on approval of the proposal.</p>
	iii	Information on Meeting regarding placement of Doppler Radar on October 25, 2013
		<p>CEO briefed the Managing Committee that we already had two meets with State Government and it was informed that the Govt. is trying to indentify some other sites/locations with the help of IMD and BMC for installation of the new Radar for collecting relevant forecast data about heavy rains etc. The process is taken up and is being followed up vigorously, and BMC would take up</p>

Sr. No. Agenda	DISCUSSION & DECISION	
		<p>all necessary steps required for the same.</p> <p>The management committee wanted that one representation should be submitted for interim relief for the ongoing projects. It was also suggested that a suitable antenna could be placed on High Rise Buildings to get appropriate information / data about heavy rains, storms and cyclones etc.</p>
6.	Finance:	
	i	Meeting held with Dr. Nitin Kareer (IAS), Sales Tax Commissioner regarding VAT Issue on October 23, 2013.
		We have already submitted our request to Service Tax Commissioner for giving the guidelines on section 58(1A) as per instructed by Hon'ble Supreme Court. The meeting with Principal Secretary, Shri S. K. Shrivastava (IAS) is being requested.
	ii	To discuss on suggestions given by finance minister, Shri P. Chidambaram for VCES.
		As discussed in the Managing Committee Meeting we have already circulated the suggestions given by the Finance Minister, Shri P. Chidambaram to all members of MCHI-CREDAI as an advisory.
	iii	Seminar on REIT by M/s. KPMG on November 28, 2013 from 5.00 pm at MCHI Office.
		A Seminar is arranged on RETI at MCHI-CREDAI Office on November 28, 2013 at 5.00 pm onwards by Shri Jayesh Kariya from KPMG. Reminders sent to members for participation.
	iv	Pre Budget memorandum received from MHUPA to CREDAI.
		Secretary had requested to all the Managing Committee Member to give their feedback and suggestions on the finance Budget 2014. The letter received from MHUPA is already forwarded to M/s. KPMG, PWC and our Tax consultant Advocate, Shri Naresh Jain for their feedback and suggestions.
	v	To discuss collection of Rs. 1 lakh against Legal Fund.
		<p>It is suggested to send one more email and SMS to all members for the collection of Rs. 1,00,000/- Legal Fund.</p> <p>At the time of last Managing Committee meeting the total legal fund amount received was Rs. 60,90,000/- and till this meeting we have received 84,40,000/-.</p>
7.	Exhibitions:	
	i	To discuss the statistics of 22nd Mega Exhibition held from 17th to 20th October 2013 and also discuss the plans for future exhibitions.
		As Chairman Exhibition Committee, Shri Bandish Ajmera was not present in the meeting hence this matter is deferred for the next Managing Committee Meeting. However it was informed that we were in profit.
	Secretariat :	
8	i	To discuss and updates on restructuring MCHI-CREDAI Secretariat.
		CEO informed to the Committee that the short listing of the candidates was done by Shri J. S. Augustine and Shri Shantnu Vaidya by getting list from nokri.com etc. 7 applicants had already interviewed on November 21, 2013 the candidates have been shortlisted for an appointment. It was informed that the advertisement for 3 senior positions is coming tomorrow.

Sr. No. Agenda	DISCUSSION & DECISION	
		Shri Mayur Shah, Vice President of MCHI-CREDAI suggested to CEO that cost and expenditure as monthly and annual basis of MCHI-CREDAI Staff after restructuring should be put up. For past, present and future so that our financial liability could be clear or whether it will fill up our revenue earning also?
	ii	To discuss names of Invitee Members for the year 2013-2014.
		<p>Shri Nainesh Shah, Hon. Secretary and Shri Boman Irani, Vice President informed that committee that they met 4 interested members for the post of Invitee member. Shri Boman Irani suggested that Shri Domnic Romell of Romell Group, suggested by Shri Nayan Shah is a very much positive for the post of invitee member also Shri Pritam Chivukula from Tridhaatu Realty, Shri Anish Shah from Amal Corporation and Shri Milan Shah from Imprint Estates were also a positive gain for the post of Invitee members. The Hon. Secretary Stated that the names would be finally approved in consultation with the President.</p> <p>Shri Shailesh Sanghvi Suggested the name of Shri Jitendra Jain, Neev Group for the post of Invitee Member. Vice Presidents and some of our members recommended his name to be considered.</p>
9		Others :
	i	To discuss for the invitation to Shri Narendra Modi, Chief Minister, Gujarat.
		With reference to email received from President, Shri Vimal Shah, MCHI-CREDAI will prepare a final letter to Shri Narendra Modi and will submit that letter to him after taking approval for this in next core committee meeting.
	ii	To discuss about the new office premises as suggested by Shri Sandeep Runwal.
		Shri Nainesh Shah suggested to sale and shift the current premises of MCHI-CREDAI in suburban Mumbai but Shri Mayur Shah and Shri Boman Irani strongly objected to this issue about shifting office premises as it will create problems in routine liaison working and communication with Government head quarter (Mantralaya) and High Court related matters which are close by. Therefore it has been decided that this point will be deferred to the next Managing Committee Meeting due to absence of President.
	iii	To discuss about meeting held with CREDAI Maharashtra at MCHI-CREDAI Office on November 19, 2013.
		Shri Nainesh Shah, informed the members that 6 issues as joint/ common agenda were discussed with CREDAI Maharashtra members which are related to the real estate sector. Issues of 20% EWS, ULC, MoEF, Automatic NA, Royalty, VAT were discussed with Shri Satish Magar of CREDAI Maharashtra.
	iv	Presentation for uploading at our website all the acts, rules and regulations, circulars, GR, notifications related to Real Estate Industry, may be helpful to our members.
		<p>CEO informed to the Committee Member that he will write a DO to Shri Pramod Nalavde (IAS) who is Director General of Information and Public Relation (DGIPR) of Government of Maharashtra to help in getting various GRs and Government orders immediately with technical link.</p> <p>Shri Nainesh Shah and Shri Boman Irani welcomed on this note of CEO and they also suggested</p>

Sr. No. Agenda	DISCUSSION & DECISION	
		and informed that to create innovative ideas to make MCHI-CREDAI portal more smooth and easy to access which can provide a better facility to accessing certain information/document to the all members of MCHI-CREDAI.
	v	To discuss the Bulk Procurement – 2 or 3 meetings held at office of M/s. Kalpataru and MCHI-CREDAI.
		1 meeting held at the office M/s. Kalpataru Construction and 2 meetings at the office of MCHI-CREDAI with the Procurement head of around 10 – 12 companies like Rustomjee, Kalpataru Constructions, Marathon Realty, Runwal Group etc. They all have agreed to participate for Bulk Procurement under the umbrella of MCHI-CREDAI. Now within a period of 8 to 10 days we are going to held a meeting with the manufacturers and suppliers of cement.
	vi	To discuss cricket season II – Forthcoming matches.
		<p>Shri Shailesh Sanghvi informed that committee that MCHI-CREDAI going to form their cricket team, the admission fees is Rs. 5000/- + Taxes.</p> <p>Practice session will be started from 3rd December at Hindu Gymkhana, Marine Drive. He also said that 2 matches will be held in a month.</p>
	vii	Any other matter with the permission of Chair
		Regarding the order dated 26/09/2013 of Hon. Chief Information Commissioner not to give building plans to RTI applications and amended order clarifying that public authority to provide all details except interior layout of building.
		CEO informed the Committee members about RTI Commissioner's order letter and clarification letter issued later.
		CEO also informed briefly that the workshop was held at Yashada, Pune by IGR Shri S. Chockalingam. Various important issues of land titling change from physical to electronic land record maintenance.
		New Memberships for approval
		<p>The Managing Committee accepted new members to MCHI-CREDAI and pass the following resolution:</p> <p>“RESOLVED THAT Haren Textiles Pvt. Ltd. (Rep.: Shri Rushabh Mehta/ Shri Nishant Mehta) be and hereby admitted as Life Member (Corporate) of MCHI-CREDAI”.</p> <p>“Further Resolved that Sheth Corp Pvt. Ltd.(Rep Shri Ashwin Sheth/Shri Chintan Sheth) be and hereby admitted as Patron Member (Corporate) of MCHI-CREDAI”.</p>

Meeting ended with thanks to the chair.

For **MCHI-CREDAI**,

Sd/-
Nainesh Shah
Hon. Secretary