

MINUTES

Name of the Meeting	9 th Core Committee Meeting						
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, March 11, 2014			Time of the Meeting		6:00 pm	
Venue of the Meeting	MCHI-CREDAI Conference Hall						
Total Committee Members (18)	No. of Member Present	9	No. of Members Absent		6	Leave Granted to	3
Member Present	1. Shri. Vimal Shah, President 2. Shri Dharmesh Jain, President-elect 3. Shri Mayur Shah, Vice President 4. Shri Boman Irani, Vice President 5. Shri Nainesh Shah, Hon. Secretary 6. Shri Harish Patel, Hon. Joint Secretary 7. Shri Ashok Mohanani, Hon. Jt. Secretary 8. Shri Bandish Ajmera, Hon. Jt. Secretary 9. Shri Jagdish Ahuja, Co-ordinator						
Leave of Absence Granted to	1. Shri Deepak Goradia, Vice President 2. Shri Rasesh Kanakia, Co-ordinator 3. Shri Parag Munot, Co-ordinator						
Name of Members Absent	1. Shri Nayan Shah, Vice President 2. Shri Sukhraj Nahar, Hon. Treasurer 3. Shri Sandeep Runwal, Hon. Jt. Secretary 4. Shri Lakshman Bhagtani, Hon. Jt. Treasurer 5. Shri Mukesh Patel, Hon. Jt. Treasurer 6. Shri Pujit Aggarwal, Co-ordinator						
Guest Attended	----						
Name of the officials from MCHI-CREDAI	1. Shri S. S. Hussain, Chief Executive Officer 2. Shri C. P. Goyal, Chief Manager, Finance & Admin 3. Shri Avadhoot Rane, General Manager (Liaison)						

Sr. No. Agenda	DISCUSSION & DECISION
1	<p>To read and confirm the minutes of core committee meetings</p> <p>Minutes of the Core Committee Meetings held on January 7, 2014 was taken as read and confirmed.</p>
2	<p>Legal Matter :</p> <p>i. Writ Petition 2572 of 2013 filed by M/s. Redstone Realtors (Doppler Radar Issue) <i>MCHI-CREDAI has intervened in this Writ Petition for affidavit in reply. The matter was placed on board on January 23, 2014. His Lordship J. Mohta was not sitting hence the matter did not come up for hearing; the matter will appear on any date.</i></p> <p>The case is not yet taken up for further hearing.</p> <p>Since there was a meeting with Hon'ble Chief Secretary, Shri J. S. Sahariya, today only, on the subject, the C.E.O. briefed the Committee about the Points discussed therein. (Enclosed).</p> <p>ii. GR and Gazette Notification of 20% EWS/LIG scheme to challenge in Court. <i>Petition filed by D. B. Realty is on board for final hearing. If the matter does not progress till 30th March then decision will be taken whether to file on behalf of MCHI-CREDAI</i></p> <p>In the Petition filed by the D B Realty the Chief Justice of High Court has given the date of final hearing on 27th March 2014, otherwise the matter will be disposed off and no extension will be provided. According to the decision on 27th March 2014 the committee will decide next course of action.</p> <p>iii. New petition to be filed in VAT matter <i>Challenging Rule 58 (1A) as per notification January 29, 2014 in VAT matter.</i></p> <p>Shri Vimal Shah, President informed to the committee that filing of the new Writ Petition on VAT issue our Advocate, Shri Parimal Shroff require some instances with examples as to what are the difficulties the builders are facing due to the new notification issued on 29th January 2014 relating to rule 58 (1A). After getting the feedback from the members, our counsel will take next course of action. Shri Vimal Shah requested members present in the meeting in which Shri Mayur Shah, Vice President; Shri Ashok Mohanani, Hon. Jt. Secretary and president himself are ready to give some instances early.</p> <p>iv. To file a new Writ Petition at Bombay High Court for challenging Sec. 43 (CA)</p> <p><i>To prepare Writ Petition on the same we asked suggestions and objections from Managing Committee Members.</i></p> <p>President informed the committee members that this is a very dangerous amendment in income tax act for real estate industry. The President was of the point of view to request all the present members to produce 2-3 illustrations in which builders have sold their property to the government in less than the Ready Reckoner rate.</p> <p>v. To discuss about MOEF Writ Petition to be filed against NGT order <i>The draft petition is finalized by Shri Milind Sathe , Senior Counsel. The petition shall be filed by M/s. Wadia Ghandy & Co.</i></p>

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		<p>The draft petition finalized by Shri Milind Sathe has been approved and it has decided to file a new Writ Petition by Shri Rahul Dwarkadas of M/s. Wadia Ghandy & Co.</p>
	vi.	<p>Shri Rahul Dwarkadas has been asked to prepare a draft representation in the light of Delhi High Court order in the case of Delhi Pollution Control Committee addressing the MPCB.</p> <p>The draft points sent by Shri Dwarkadas were finalized by CEO. A DO was prepared and sent to MPCB Chairman and to Principal Secretary of environment, requesting to issue directions in the light of order dated 23rd January 2012 passed by Hon'ble High Court of Delhi. Personal meeting have also been requested.</p>
	vii.	<p>Service Tax : <i>Service Tax should not be levied for construction prior to 1st July 2010. Should we file a new, Writ Petition to be discuss?</i></p> <p>It is also decided to file a new Writ Petition through Shri Rahul Dwarkadas of M/s. Wadia Ghandy & Co. with the help of renowned Service Tax Consultant Shri S. S. Gupta for challenging the issue that Service tax should not be imposed on the flats sold after getting the OC.</p>
	viii.	<p>Kohinoor: <i>To apprise of the one review order dated 19th February 2014 issued by Hon'ble Supreme Court.</i></p> <p>Review petition filed by MCHI-CREDAI was dismissed. It was decided to file a curative petition.</p>
	ix	<p>Heritage Matter: <i>MCHI-CREDAI has asked for written opinion of Sr. Counsel Shri Milind Sathe clarifying the 3rd February interim order by the Hon'ble High Court. Written Opinion is awaited.</i></p> <p>The written opinion of Shri Sathe was received and it was decided to circulate the opinion to all Managing Committee members. And it was also discussed to make a representation to Hon'ble Municipal Commissioner Shri Sitaram Kunte (I.A.S.) with the same.</p>
	x	<p>ULC: <i>The Hon. Secretary has informed that the four bench is going to be formed in this matter.</i></p> <p>It was informed by the Hon. Secretary that a four bench committee is going to be formed by end of month of the March 2014.</p>
3.		<p>Liaison Matter :</p> <p>i. Discussion on CEO's Meeting with New IGR of State of Maharashtra Shri Shrikar Pardeshi (I.A.S.) held on March 4, 2014 at IGR Mumbai Office</p> <p>The courtesy meeting was held in between new IGR and CEO of MCHI-CREDAI. New IGR seeking co-ordination and help from MCHI-CREDAI members for the purpose of e-registration. He assured our CEO to hold meeting at the earliest with our</p>

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		task members. Shri Hussain explained the details of the discussion to the core committee. Our Sr. Officer is expected to come to MCHI to discuss the process of the e-registration and seek our cooperation.
	ii.	<p>Discussion on CEO's meeting with Shri J. P. Dange, (Retd. I.A.S.) Chairman 4th Maharashtra State Finance Commission held on March 4, 2014 at MCHI-CREDAI Office</p> <p>Shri S. S. Hussain explained the details about this meeting with Chairman 4th Maharashtra State Finance Commission Shri J. P. Dange came for a meeting with Shri S. S. Hussain relating to the point of to prepare the final report to the State Government for 4th Maharashtra Finance Commission. He generally discussed the real estate industry in state and MMR and seeking information in brief on the points of difficulties faced by housing industry, request and demand for easing and facilities for housing sector, infrastructure development, role of government, urban local bodies, facilities for providing housing stock etc.</p>
	iii.	<p>Discussion on CEO's meeting with Mr. Babak Eslahjou, CORE Architects, Canada through the office of Shri Kishore Mundargi held on February 28, 2014 in MCHI-CREDAI Office</p> <p><i>Shri S. S. Hussain, CEO MCHI-CREDAI had a meeting with Mr. Babak Eslahjou along with 5 of our members. They had a discussion on Indian Real Estate Industry and their designee Architecture capability. Mr. Babak Eslahjou very much appreciated the efforts taken by our members to build the new future for real estate industry in Mumbai. Comparative features of Canada and Mumbai Architecture rules were also deliberated.</i></p>
		Not taken up
4	Finance	
	i.	To discuss about organizing seminar on Service Tax and VAT by our knowledge partner PWC
		It has been decided to have the Seminar on Service Tax and VAT and also decided to have one more seminar on DCR.
5	Exhibition	
	i.	To decide the dates and venue for the exhibition to be held in September-October 2014.
		Shri Bandish Ajmera, Chairman of Exhibition Committee informed that ground of Goregaon exhibition ground is not available on the dates according to our requirement and the regular ground of BKC also not available so the core committee has decided to trace out the availability of Somaiya ground as well as check with the ground MHADA ground, Opp. Lilavati Hospital.
6.	Secretariat Matter:	
	i.	To discuss initial development of our Web site.
		It has decided to share the initial development with the task owner of the website development.
	ii.	Email received from Shri Rushabh Mehta from Haren Textiles Pvt. Ltd. for enrolment of his name in task list of MCHI-CREDAI

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		Shri Nainesh Shah, Hon. Secretary has instructed to CEO to take-up the above issue and finalizes the same with him.
5	Any other matter with the permission of Chair	
		It has been unanimously decided by the Core Committee that MCHI's current President & Secretary shall continue for another term of one year.
		It has been also decided that to take Core Committee Meetings & Managing Committee Meeting regular from April 2014 onwards. All Tuesdays of every month shall occupy for Core Committee Meetings & 1 Managing Committee Meeting.
		It has been decided to take the agenda of the next managing committee that if any Managing Committee Member not present in Core Committee as well as Managing Committee a nominal amount of Rs. 11,000/- shall be imposed as penalty.

For **MCHI-CREDAI**

Sd/-

Nainesh Shah

Hon. Secretary