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March 2012

Vol. 05 Issue 12

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EDITORIAL

Dear Members,



RAMESH PRABHU
Chairman, MSWA

Wish you all happy and prosperous New Co-operative Year. Calendar Year 2012 has been announced by United Nations as International Co-operative Year. The Government has planned many programs to celebrate this International Co-operative Year. Your Association has also planned nearly 40 seminars to start from this Month. Every Sunday, your Association is planning to hold seminars to educate about the co-operative societies in Mumbai.

Many books published by your association has been revised and the same is available for sale at the Association office. Development Control Rules has been modified to provide 35% fungible FSI to the existing members without any premium and 60% premium is being collected from the developer against the saleable portion. The modified D.C. Rules notification is available in your Association office.

It is the right time for the societies to go for redevelopment as many of the controversies have been resolved. Income Tax is not applicable to Corpus received from the members. Deemed Conveyance has become the reality and more than 500 societies in Maharashtra have already received the deemed conveyance. The redevelopment rules are being framed by the Govt. of Maharashtra and a circular to this effect is issued under section 79A of MCS Act, 1960 on 3.1.2009.

We wish you all the best. The local Associations/ Federations willing to conduct the educational seminar can contact our association office and arrange the same.

With warm Regards
RAMESH PRABHU

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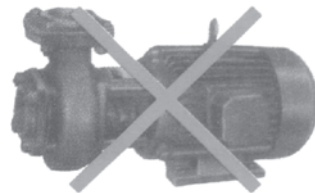
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SELF - REDEVELOPMENT ORIENTATION PROGRAM FOR OFFICE BEARERS AND MEMBERS

Maharashtra Societies Welfare Association has organised two days Self - Redevelopment Orientation Program for Office bearers & consultants on 24th and 25th March 2012, at All India Institute of Local Self Govt. Hall, C. D. Burfiwala Rd., Juhu Galli Naka, Andheri (W), Mumbai - 400 058.

On 24th March 2012 from 02.00 pm to 06.00 pm Discussion will be led by Speakers on,

- ? Introduction, Advantages, Necessity, Disadvantages of Redevelopment and pre requisite for Redevelopment,
- ? Procedures, steps to undertake Redevelopment as per the Government Notification dated 3rd January, 2009 and when to invite Registrar and carry out the Video shooting of the Meeting and how to select the Developer,
- ? Role of Registrar, Inspection and the records to be updated before undertaking Redevelopment,
- ? Income tax, Service Tax, Vat applicability to Housing Society on Redevelopment, &
- ? Precautions to be taken at the time of selection the Developer and system to be adopted for verification of the credentials of the Developers, past experience, reliability etc.,

On 25th March 2012 from 02.00 pm to 06.00 pm Discussion will be led by Speakers on,

- ? Role of Project Management Consultants, How to select them. The scope of the Project management has to be understood as they are going to guide the entire redevelopment process. Preparation of tender, feasibility report, selection of developer etc.,
- ? Role of BMC, Approval of Plans, obtaining various permissions, incentives etc on Redevelopment,
- ? The various Documents to be executed, terms and conditions to be included in the Development agreement, Power of Attorney, Permanent Alternative Agreements, Consent Letters etc. Stamp duty and Registration applicable.,
- ? Documents required for Redevelopment & the Deemed Conveyance-law & Procedure,
- ? Legal Issues, solutions to the problems & the some of the decided cases on Redevelopment,

Office bearers & Management of the Co-operative Housing Societies Requested to Take Advantage this Redevelopment Orientation Program to get the Knowledge for Procedure to be Followed for Smooth & Successful Redevelopment their Society Building.

Enrollment Investment :

The Housing Society office bearers and the member representing the society Rs. 1500/- per person for both the days. In case two office bearers enroll the course, 3rd office bearer will be given a complimentary entry. Consultants will be Charged Rs. 3000/- for both the days. There are limited Seats and will be accepted on first cum first basis. For Enrollment Contact Shri. Shashidhar Kamath on 9324331579 or the association office on 42551414 / 26248589 / 65. Or E-mail on mswa.hsg@gmail.com / rsprabhu13@gmail.com

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Resolving 'key' issues and concerns

The fourth DNA Property Redevelopment Conference-cum-Exhibition held at Bombay Exhibition Centre, Goregaon (E), last weekend witnessed enthusiastic participants and focused deliberations



Conducting a conference for housing societies on a working Saturday is always considered to be a gamble of sorts. Will the members show up or not? And when Sunday has the railways conducting a mega block along the targeted stretch, you can just forget about most people attending.



However, the DNA Property Redevelopment Conference-cum-Exhibition is no ordinary event and this was evident last weekend when the fourth edition witnessed enthusiastic participants and focused deliberations on both days.

Sustained growth

After a successful hat-trick across Mumbai in 2011, the series proceeded to the western suburbs of Mumbai, at an easily accessible venue, Bombay Exhibition Center, Goregaon (E). Given the overwhelming response to previous editions held at Bandra-Kurla Complex, Chembur and Worli, hundreds of societies had wisely registered in advance.

Huge crowd

When the inauguration took place, even finding space to stand was difficult. Extra chairs were set up to accommodate the heavy rush and the hall was packed all through Saturday and Sunday. There were eminent experts discussing solutions and the implications of policies, analysing the concept of redevelopment and highlighting its advantages.

Title issues

Emphasising on the importance of conveyance and the procedure, CA Ramesh Prabhu, Chairman, Maharashtra Societies Welfare

Association (MSWA) pointed out that if conveyance is not provided, it is the duty of the society to take legal steps and get it. Without getting the title in your favour, you will face immense problems in future.

“Also, society members need to be more forthcoming with the details required. All the information is in the property purchase documents but members often state that they have nothing available instead of trying to locate those documents. Then when the process is half done they suddenly come up with a purchase agreement stating that it was with the bank that had given the home loan,” Prabhu revealed.

Ramesh Prabhu provided numerous instances of societies where the building had collapsed but they could not redevelop the building since the conveyance was not done in their favour. This led to unnecessary delays and things moved forward only after the conveyance was done in their favour.

At such a stage the cost involved in getting conveyance becomes substantially higher. Deemed conveyance, he emphasised, is taking place, but since it involves 28 different Acts, the process takes some time. People should have confidence, do their home work and apply for it, he said.

MILIND PARVATE : 9320024648
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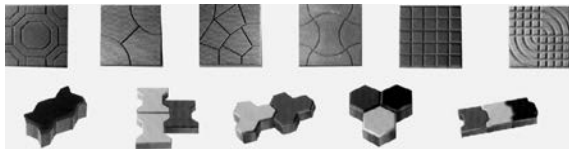
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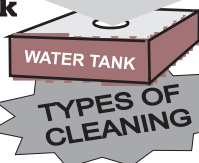
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Redevelopment essentials

Analysing the legal issues involved in the process of redevelopment and its solution, advocate and solicitor, Sandeep Vima Dalal, stressed that if the proper conveyance is refused, the society should go in for deemed conveyance. Till your name is on the property card, redevelopment cannot begin.

Responding to a query, he explained that if a society member has a document that is stamped but does not possess the receipt for it, the document should be submitted to the superintendent of stamps. They would send it for verification and if the stamp paper is genuine, the document would be accepted.

PMC's role

Regarding the role of a project management consultant and its importance, architect Arvind Nandapurkar explained that the experience of the PMC is important in deciding what rate to apply for the feasibility report.

The project report needs to be extensive, giving all the factual information including assessment tax expenses, licensing expenses, etc. Always insist that the feasibility report is passed through the general body, he advised.

Verify credentials

On the precautions to be taken at the time of selection of the developer, Manoj Daisaria, former president, PEATA elaborated on the system to be adopted for verification of the credentials of the developers, past experience, reliability, etc. "Tenders should be invited by public notice and minimum five tenders should be shortlisted. Ascertain the technical capabilities of the developer and the commercial offer. Then ascertain which developer has given the better commercial offer," he said.

Fungible FSI

Shedding light on the implications of the new Development Control (DC) rules and the concept

of 'fungible FSI', Anil Darshatkar, former MHADA chief architect, explained that previously, under clause 35 of the DC rules, certain areas like the balcony, staircase, lobby, dry balcony, flower bed, etc. were exempt from floor space index (FSI). Now, these were covered and formed part of 'fungible FSI' on which premium is charged by the BMC.

However, premium for fungible FSI would not be charged for the members whose flats were being redeveloped, though the space restrictions would be the same.

Team selection

Pankaj Shah, PMC, emphasised on the need to select a team that will not create problems. "The reason why a PMC fails is insufficient knowledge of the project or insufficient study of the DC rules, lack of experience of dealing with societies, over commitment, lack of personal involvement, poor co-ordination skills or a poor team.

Societies fail due to greed, calculating eligibility based on hearsay rather than technical feasibility, lack of complete transparency to further personal interests, not following the official guidelines of the January 3, 2009 circular," he explained.

Reza Kabul, architect



I think MSWA & DNA is doing a great job where creating awareness about

redevelopment is concerned. We have very limited land to build on in Mumbai so redevelopment becomes essential in the current scenario.

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Insights shared on DNA's PROPERTY REDEVELOPMENT PLATFORM



Sanjay Nirupam, MP

I congratulate DNA on this interactive session. Through these conferences, DNA has taken up a big issue like redevelopment in a serious manner. Society members need to be guided, so this forum created by DNA is very important. Societies without conveyance cannot go for redevelopment so we got deemed conveyance passed. Then to facilitate them we opened DDR office in the western and central suburbs.



CA. Ramesh S. Prabhu, Chairman, MSWA

Redevelopment in Mumbai has started about 10 years back with the incentives of TDR Loading. Many members of Housing Societies claim that they are entitled for extra area/higher corpus etc ignoring the fact that it is Govt. Policy of giving better living by increasing FSI / TDR. Societies are able to get new building now all policies are settled for redevelopment & it is a right time to go for Redevelopment.

Krishna Hegde, MLA

I would like to congratulate DNA for its stupendous achievement. You have done a great job, team DNA. Kudos to you, hats off. If societies are going in for redevelopment, conveyance should be taken. See if you want to go for redevelopment of the entire layout or individual societies. Members should come together and get the best deal possible. The new DC rules have created transparency and ensured a level playing field.



Nayan Shah, chairman, Mayfair Housing Pvt Ltd

What DNA has done through these redevelopment conferences has led to a lot of changes in the policies of the government of Maharashtra, so a big thanks. Fungible FSI is going to make a level playing field, it will make the whole process transparent. Fungible FSI is going to be a game changer.



SP Ghorpade, District Dy. Registrar

About 24 deemed conveyance orders have been passed in the last six months. Since conveyance is about the land and building, a lot of paperwork is involved. There are about 28 different acts, which need to be taken into account during the process. Documents required are already mentioned in section 3 of Maharashtra Ownership of Flats Act. We are asking nothing new, just documents you deal with when buying a house.

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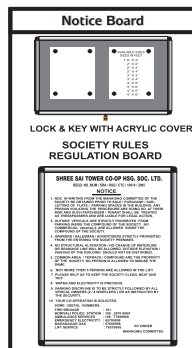
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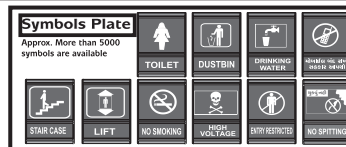
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Parimal Shroff, legal adviser

The redevelopment agreement must provide for proper arbitration clause. To begin the process, there should be a demand for redevelopment from not less than one-fourth members of the society. As long as you substantially follow directive 79 (A) in spirit, even if you don't follow each step of the procedure in sequence, the courts will support you in case any member objects. I am thankful to DNA for giving me this opportunity.



Ashok Mohnani, chairman & MD, Ekta World

Redevelopment is an old stor(e)y constru(ct)ed as a new concept. Using the potential of land, FSI and TDR, we can convert an existing flat into a bigger and swankier apartment. Everyone aspires for a better home and larger spaces for children. Redevelopment adds value and upgrades lifestyle.

Chintan Sheth, director, Sheth Corp Pvt Ltd

Redevelopment has indeed become a major part of our lives. The advantages of redevelopment are multiple; more space, better construction quality, safety and security, contemporary planning and modern amenities. I thank DNA for bringing all the concerned parties here under one roof.



Nimish Ajmera, director, Ajmera Group

Redevelopment is definitely the future for Mumbai and societies with old buildings should go in for it. With families growing, redevelopment is one way to ensure adequate space for every new member. The society members should be clear about what they want before approaching a developer.

Jayant Gehi, AVP, business development & sales, Supreme Universal

Select a partner, not a contractor. Analyse the offer, do individual reference checks. Consider their ability to deliver under adverse market conditions, assess the future value of the redeveloped apartment you will get. Ensure that it is a win-win scenario.



Lalit Hirani, VP, Shamik Enterprises Pvt Ltd

Getting conveyance and a identifying a good project management consultant (PMC) are the two most important steps for a society. Find a PMC who will be with you from the tendering stage up to getting the occupation certificate. Redevelopment is a dream we share with all society members present here.

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Exhibitor profiles - DNA 4th Redevelopment Exhibition

ACME Group

In 1976 Acme laid its foundation stone, with a vision of redefining Mumbai's skyline with a host of iconic developments, including a dynamic mix of residential, commercial & redevelopment projects. The Group's rich history and craftsmanship is portrayed through prestigious landmarks that have defined it as one of the major players in construction and real estate development, a position achieved through constant upgradation of skills and technology.

Three decades and over a 100 landmark projects later, the values that built Acme remain unchanged. Today they are focused towards bringing innovations in architecture and raising benchmarks in living standards. With the perfect combination of design, space utilization and aesthetics, all Acme projects are a testimony of unmatched quality and lifestyle. It conducts intensive market research to understand customer needs and to align its product offerings with their needs.

Ajmera Group

Ajmera upgrades lives. Innovators in the business of homes and infrastructure, and a pioneer of several residential, commercial, retail and township projects, they are backed by a strong nationwide presence in Mumbai, Pune, Ahmedabad, Surat, Rajkot and Bangalore as well as an international project in Bahrain. Ajmera Group has enriched 21 million sq. ft. of space in the country and has upgraded the lifestyle of over 40,000 families.

Solid testament to Ajmera's innovations in wholesome living and supreme residential spaces is Wadala's Bhakti Park, spread across 25 lush green acres, that also serves as the largest private theme garden in Wadala! Ajmera

Group is one of the leading construction houses in India. Quality, innovative construction technology, comfort, aesthetic appeal and maximum value for your money are few attributes that enrich Ajmera with the belief that people have entrusted in them.

D.S. Kulkarni Developers Ltd.

D.S. Kulkarni Developers Ltd. (DSKDL), a part of DSK Group, develops quality residential and commercial spaces. It has several landmark housing destinations in Pune including DSK Vishwa, the 130 acre township. The 32 storied DSK Durgamata Tower at Cuffe Parade, Mumbai won the 'Best Residential Project in India' Award twice. Its projects deliver the combined strengths of good architecture,

appropriate designs, impressive aesthetics and safety features. Backed by the trust of 30,000 customers, it has expanded to Bengaluru, Chennai, Nasik and USA. DSKDL has successfully completed several redevelopment projects in Mumbai and Pune. Over 6,5000 residents benefitted from these projects, where very high-quality construction and all promised amenities were delivered by DSKDL well within agreed time-frames.

Godrej Properties Ltd.

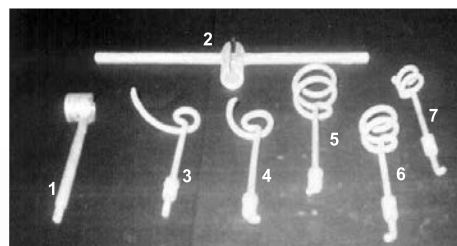
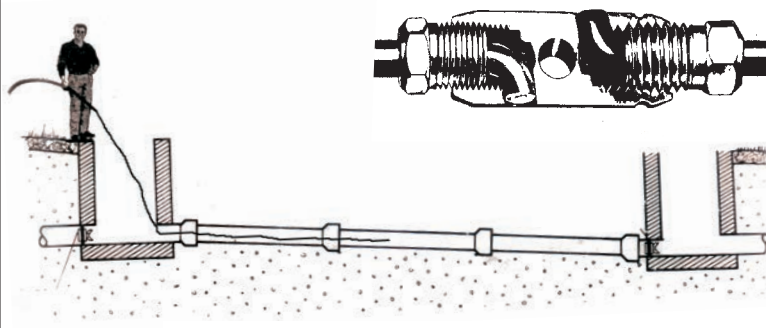
Established in 1990, Godrej Properties Limited (GPL) brings the Godrej Group philosophy of innovation and excellence to the real estate industry. GPL has completed several landmark projects and is currently developing significant projects in 12 cities across India. Godrej Projects Development Pvt. Ltd (GPDPL) is a 100% subsidiary of GPL. It was formed in 2010 as a vertical that would leverage collective redevelopment expertise and experience

accumulated by its parent company. GPDPL will uphold GPL's vision to be among the nation's top 3 real estate companies, while continuing to be the most trusted name in the industry. GPDPL has completed 5 successful redevelopment projects in Mumbai city each in Cuffe Parade, Worli, Dadar, Santacruz and Andheri. GPDPL is committed to deliver superior value to all stakeholders through extraordinary and imaginative spaces created out of deep customer focus and insight.

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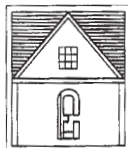
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Exhibitor profiles - DNA 4th Redevelopment Exhibition

Hiranandani Group

Hiranandani Group is an organization driven by people. Community is their reason of existence and its happiness their motivation. Face

of the new generation, Hiranandani is acknowledged for its emphasis on humanizing the urban environment and striking a balance between greenery and concrete. Be it through the flagship business of real estate or its foray into education, healthcare, hospitality, retail and

entertainment; with the vision, expertise and experience of its dynamic promoters, Niranjan and Surendra Hiranandani, it continues to deliver better experience in every aspect of life, thus leading the Hiranandani Group of its mission, of creating better communities. RODAS Enclave is the latest project launched by them in Hiranandani Estate, Thane. In all 18 buildings have been launched. All the buildings have been designed by architect Hafeez Contractor and landscape is designed by Peridian Singapore.

Kalpataru Group

Kalpataru Group was established in 1969 by Chairman and Founder, Mofatraj P. Munot. Its flagship company, Kalpataru Limited, is one of the leading real estate companies in India. The Group is focused on the development of premium residential, commercial and retail spaces, integrated townships, lifestyle gated communities and redevelopment projects primarily located in Mumbai, Thane, Pune and any other growth centres. Today, it has over 73

landmark addresses to its name and is known for innovative and sustainable projects. With over 42 years of experience and a strong emphasis on quality, it continues to shape the skyline while changing the way people live. Its philosophy is to develop properties that are high quality in terms of their design, construction and environment sustainability. With many redevelopment projects in the pipeline, Kalpataru has ventured in the redevelopment space with a renewed focus.

Lalani Group

Lalani Group, a Mumbai based construction house has seen tremendous growth since its inception in 1985. The hall mark of the group is to timely deliver quality products and services. The trust, the belief, the quality projects and services that they have been delivering comes back in form of customers; it's their faith, which drives Lalani group to constantly deliver world class

construction and constantly reinvent themselves. From residential homes to commercial offices, to shopping arcades, to IT parks the Group serves a spectrum of clientele who have come to expect the best from it, as they get the best quality, service, innovation, variation in layouts, or creating luxury and comfort; with an exceptional meticulous eye for every inch of detail. The Group develops the best designs and uses state of the art construction technology.

Shamik Enterprises Pvt. Ltd.

Shamik Enterprises Pvt. Ltd., a dream venture by the veterans in the industry is backed by a combined experience of around 5 decades. Standing on a strong foundation the group's mission is to provide quality homes with completely developed modern infrastructure. It has successfully executed area of about 5,31,214 sq. ft. 12 plus projects have been completed with OC and zero litigation. It maintains transparency with society members by conducting fortnight

meetings. It reaches beyond commitments by providing modern useful amenities to the societies. Being in this industry from last 12 years Shamik Enterprises is through with issues like conveyance, registrar procedures, legal formalities, MCGM approvals etc. They have 20 upcoming redevelopment projects all over Mumbai suburbs. They look beyond the obvious to explore alternatives before developing solutions that enrich the way people work, live and play.

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Exhibitor profiles - DNA 4th Redevelopment Exhibition

Sheth Corp Pvt. Ltd.

Sheth Corp Pvt. Ltd. is envisioned by the pioneering spirit of Ashwin N. Sheth, Founder & CMD of Sheth Developers Pvt. Ltd., who dedicated 25 years in building over 15000 homes, developing over 15 million sq. ft. of land and in completing over 60 projects in India and abroad. Expertise comes from efficiently executing varied projects. With the advanced foresight and dynamic leadership of Chintan A. Sheth, Sheth

Corp is poised for a dynamic growth into the future. Amongst the company's many strengths are financial soundness; strong technical capabilities in terms of equipments and expertise; trained, skilled and highly qualified manpower; timely projects execution and delivery; government liaison skills; good reputation and goodwill in the market. A new initiative from Sheth Corp is the dedicated 'Redevelopment Cell' exclusively catering to the needs of societies interested in redevelopment.

Siddhitech Homes Pvt. Ltd.

SiddhiTech Homes is a well-known and reputed name in real estate. They bring trust, integrity, and value in their life long developments. They continuously focus on taking our realty business to new altitudes, and trying to create ourselves as a national pride for global economic development. Agrawal Group of Companies is active in real estate development in and around Mumbai. It is led by Mr. Hemant M Agrawal, a

Chartered Accountant. Siddhitech Homes Pvt. Ltd. is currently executing two housing projects - one at Borivali and the second one at Badlapur. Siddhi Samarpan Co-operative Housing Society is being developed at Dr. Jaywant Sawant Marg, off S.V. Road, Borivali (W). Siddhi City at Kharvai Road, Badlapur (East), has two seven-storied buildings with five flats on each floor. It has six row houses. They have launched Tapasya Apartments at Collector's Colony, Chembur.

Supreme Universal

Supreme Universal has been in real estate for more than 3 decades. It is an ISO 9001:2000 accredited company, & has successfully completed & delivered projects of approximately 50 lakh sq.ft. housing more than 3,000 families and commercial establishments. They construct state-of-the-art buildings completed in time and total transparency in all financial and legal

aspects. Currently Supreme Universal has upscale projects of approximately 16 lakh sq.ft. under construction across Mumbai and Pune. Their core strength and specialty has been the redevelopment of old societies in the suburbs of Mumbai and also developing large layout projects. In the last 4 years they have completed more than 15 redevelopment projects and handed over the new flats to residents of these societies within the time committed to them.

Rustomjee

With nearly 3.2 million sq. ft. of completed development and over 30 million sq. ft. of planned development in the Mumbai Region, Rustomjee has a reputation of delivering homes that are high-quality and value for money. Rustomjee endeavors to provide thoughtful stimulation in and around the home premises to foster convenience, growth and well-being to everyone starting from children to the elderly by

creating sports facilities, plush clubhouses, hobby rooms and play areas. Their unique concept of having amusement park and a knowledge centre in certain projects gives a distinct edge over competitors in terms of nurturing a child's potential to its best possible levels. Rustomjee's modern state-of-the-art townships, Global City, Virar (W) and Urbania, Thane (W) have redefined the standards of urban living and take it to a level that will make it the destination where imaginations would meet desires.

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website - www.rexgroup.in

To register your problems / suggestion about redevelopment email to gruhusankalp@ymail.com.

THE SALIENT FEATURES OF THE DCR AMENDMENTS

The salient features of the DCR amendments are as follows:

1. Under new DC Rules, areas of balcony, flower beds, terraces, voids, niches etc. will be counted in the FSI. To compensate for the loss of free of FSI areas, the Government has allowed compensatory fungible FSI to the extent of 35% for residential development and 20% for Industrial & Commercial developments.
2. Fungible FSI will be available at 60%, 80% and 100% of the ready reckoner rates for residential, Industrial and Commercial respectively.
3. Fungible FSI is usable like any other FSI i.e. it can be used for making flower beds, voids etc. or can be used for constructing bigger habitable areas.
4. No premium will be charged for fungible FSI to be used in rehabilitation component under redevelopment of cessed buildings under 33(7) and 33(9) etc. In suburbs where buildings are not cessed, the fungible FSI on the FSI already consumed in the existing buildings will be available free of premium. This will help MHADA developments as also regular proposals for the redevelopment of the existing buildings using TDR in suburbs.
5. Parking will be available not only according to the provisions of the DCR but 25% more at the option of the developer. This will be without premium and without being counted in the FSI.
6. Open space requirements for development of small plots under 33(7) i.e. redevelopment of cessed buildings has been relaxed. The requirement under the new rules will be only 1.5 mtrs. open space on all sides of plots measuring 600 sq.mtrs. or less. This relaxation will also be available for small plots' development under 33 (10).
7. Requirement of two staircases for buildings above 24 mtrs. has been relaxed for buildings of height upto 70 mtrs. and in case the floor plate of buildings is less than 500 mtrs. Restrictions on the number of basements for parking has been removed.
8. Reconstruction based on the percentage of the area where loft can be constructed in a room has done away with.
9. For buildings above 70 mtrs. provision has been made for emergency evacuation device and also construction of fire check floor to stop the spread of fire on other floors.
10. Reduction of floor height in residential flats and shops from 4.2 mtrs. to 3.9 mtrs. will eliminate the need to inspect illegal mezzanine floors.
11. Balcony used to be free till now and can only be given on cantilever projection under the DC Regulations. There have been cases where balcony has been made without cantilever projection in the past by violating the FSI Rules. Keeping in view that the balcony was being given free of premium, we have reduced the rates of premium on fungible FSI to only 60% of the ready reckoner rate.

The detailed following Notifications are available in our office at nominal rate.

1. **DC Rules Notification Dated : 6th January, 2012**
2. **Procedure for Implementation of DC Rules Dated : 12th January, 2012**
3. **Proposed Modification to DC Rules regarding 20% of area to be given to LIG / EWS schemes Dated: 18th January 2012.**

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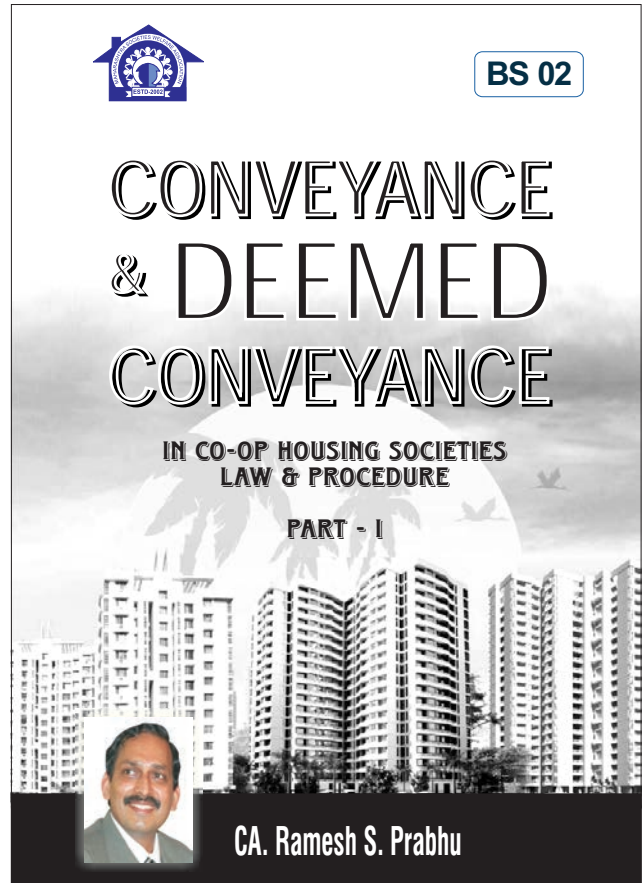
**A BOOK ON
CONVEYANCE AND DEEMED CONVEYANCE ,
WRITTEN BY CA. RAMESH PRABHU ,
GUIDELINES FOR
CO-OPERATIVE HOUSING SOCIETIES**

When we spend our hard earned money on purchasing ownership flats and take possession of the flat and starts to stay there with our family, but whether we are real owner of the flat, the answer is No. Till the land and building stand on it is not conveyed in the name of the Housing Society ,the real owner is builder. Many people or even Co-operative Housing Societies do not know how to follow conveyance procedure.

Recently, C.A. Shri Ramesh Prabhu has written a book on this subject viz. 'Conveyance and Deemed Conveyance in Co-op. Housing Societies, Law and Procedure' . The book is written in simple and lucid language. While going through the book we all know that how the conveyance is simple and why we not consider it earlier.

The book is appreciated by none other than President of India. Her excellency Smt. Pratibhatai Patil, Chief Minister of Maharashtra Shri. Prithviraj Chavan ,and the Principal Secretary of Housing department, Govt. of Maharashtra and Secretary of Co-operation, Govt. of Maharashtra .

The author C.A.Ramesh Prabhu is Chairman of the Maharashtra Societies Welfare Association , which look after the co-operative societies matters. The author has last 20 years experience in this field. Government of Maharashtra has appointed him on the committee on Deemed Conveyance and many suggestion made by the author to government are incorporated in the Maharashtra Ownership Flat Act.(MOFA)



The author touches each and every aspect of the conveyance and Deemed Conveyance . There are 76 chapters in the book which focused on right from Housing Complex and its management , origin of Housing Societies, construction activities, Maharashtra Ownership Flat Act 1963, conveyance and its advantages, Stamp duty, Registration, FSI, TDR, Preparation to obtain conveyance , Redressal through civil suit, Consumer Protection Act, Criminal Prosecution, Competent Authority and so on.

The book is really guideline for the people for obtaining conveyance. This book will solve all

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questions, doubts in the mind of people about conveyance. This book will be useful to all Co-operative Housing Societies and its members for obtaining conveyance or Deemed conveyance in the name of their society without much hindrance. All people should have to read this book for updating their knowledge not only about conveyance or Deemed conveyance but

also about MOFA Act, Stamp Duty, Redressal from various courts, etc.

(This book is available in the office of the Maharashtra Societies Welfare Association, A-2/302, Laram Centre, Opp. Platform No 6, Andheri (W) - Mumbai -58. Tel.: 022 - 42551414/ 26428589/65)

DEEMED CONVEYANCE NEED OF THE HOUR



Shri. S. R. Desai
M - 9820687418

We spent all our hard earned money on purchasing ownership flat/Apartment and our only desire is of peaceful, happy life with our family and of course with our neighborhood. But these all depends on the mercy of the builder we get. We spent lakhs and crores of rupees in purchasing flat but before entering any transaction in this respect we hesitate to avail services of experts like legal professional, C.A., Architects etc. to verify the authenticity of builder for some thousands rupees and then blame to our flat.

It is found that many builders procrastinated in forming the Co-operative Housing Society and flat owners by coming together from the Co-operating Housing Society on their own for managing and conducting day to day affairs of the society. But they forget that merely forming society they are not owners of the land and building where they reside. The benefit of the land in form of F.S.I. and T.D.R. goes in the pocket of builder. Actually the flat owner has

paid the price of land to the builder and therefore he should be beneficiary of the F.S.I and T.D.R. but since conveyance is not completed the beneficiary is builder.

The main purpose of the Co-operative Housing Society is conveyancing land and building in its favour but this purpose is kept aside and generally people think main purpose of the society is to maintain and administer day to day work of the society.

Government of Maharashtra noticed this cheating on the part of builder lobby and therefore Amendments have been made in the prevailing Maharashtra Ownership Flats Act and the Deemed Conveyance concept evolved. The Dy. Registrar, Co-operative Societies is designated as Competent Authority for execution Deemed Conveyance Deed in favour of the Society.



Hear in the absence of Co-operation from the builder the Co-operative Housing Society on its own can submit Deemed Conveyance proposal before the Registrar. Hear of course there is lot of paper works to be done and have to follow rules and procedures and this can be easily done with the guidance of experts in this field.

If we follow proper procedures and abide with

rules and regulations, getting Deemed Conveyance in our Co-operative Housing Society's name will not be a distant dream. Once we get Deemed Conveyance we can think for redevelopment of our building. We get the benefit of F.S.I. / T.D.R. and of course we get precious space for residing peaceful and enjoyable life with our family that's what once we dream.

VASAI TALUKA CO - OPERATIVE HOUSING FEDERATION LTD.

To
Dear Our Readers,

It gives me immense pleasure to announce that upon the circular from the Commissioner of Co - operation, Pune to form **ward wise federation, Vasai Taluka Co - operative Housing Federation Ltd.**, is registered on 25 of August 2011. You must be aware that as per bye-law no. 5 of the housing societies, every housing society has to become the member of the local area federation or the district federation. The job of the federation is to guide, educate and propagate the co-operation movement in Maharashtra. The year 2012 commensurate with co-operative movement year in Maharashtra.

Under the able, valuable and priceless leadership of CA. Ramesh Prabhu, who is also the founder Chairman of the federation. We intend to take the co-operative movement further in Vasai Taluka. There are about 5000 co-operative housing societies in Vasai Taluka i.e. between Naigaon and Virar and the disputes are many.

Enroll themselves as the member of the Vasai Taluka Federation having its registered address at Swagat Bhawan, Near Indian Oil, Opp : MSEB colony, Station Road, Vasai Road (E) Dist. Thane 401 202 having Tel no. 0250 - 2390170 / 71 / 239 377 3 / 74 / 645 75 85 / 95 by filling up a application form, passing a resolution in the managing committee meeting and paying a sum of Rs. 1600/- (Rupees One Thousand Six Hundred Only) being Rs. 1000/- towards share money, Rs. 100/- Towards entrance fees, Rs. 500/- Towards Annual subscription.

The federation also intends to start a branch office in Royal Shopping Centre, Ambadi Road, Vasai Road (W). For more details and to avail the benefit, please contact the Vasai Taluka Federation office at the registered address or send email
Thanking you.

V.Viswanathan
Secretary - MSWA
Secretary - Vasai Taluka Co-operative Housing Federation

ARE YOU STILL WATCHING TV ON ANALOG CABLE? YOUR TV WOULD BE BLACKED OUT POST 30TH JUNE 2012

TIME TO SWITCH TO VIDEOCON D2H

The recent amendment to Section 4A of the Cable Regulation Act, 1995, legalizes an ordinance issued in October this year for implementing mandatory addressable digitization (MAD) throughout the country in phases starting June 30, 2012.

The bill mandates complete digitization in the four metros of Delhi, Kolkata, Mumbai and Chennai by June 30, 2012. Digitization means that there will not be any analog signals as these signals will be switched off after the cut off date. The local cable operator will not be able to beam any analog signals. The TV will be completely blacked out if the viewer is still on analog cable.

Mr. Saurabh Dhoot, Director - Videocon d2h added, "The DTH industry is growing rapidly and it is only set to spiral upwards in the next few years with the government announcement of obligatory digitization of satellite transmission. As all the consumers currently on analog transmission will have to shift to the digital space, this essentially would lead to huge growth in the sector. Videocon d2h is vying for a good portion of this 'crossover pie' to create a dominant position during this transition phase."

The bill mandates complete digitization in the four metros of Delhi, Kolkata, Mumbai and Chennai by June 30, 2012. The cities with more than one million populations like Pune, Ahmedabad and Bangalore will have to mandatorily shift to digitization by March 31, 2013. The deadline for complete digitization in urban areas is September 30, 2014 while the entire country is expected to achieve digitization by December 31, 2014.



One will not be able to view any television programs unless he is receiving digital signals. The operators need to carry only the digitized signal & to get these digitized signals, one needs to have a set top box which will be decoding the signal in digital format. There will be no prime band after introduction of digitization. With the digitization, the signals will be strong, as the set top box will be decoding the signals locally.

The difference between the set top box of a digital cable and a DTH set top box is the availability of many value added services. These value added services are not available with the digital cable services. The services provided by DTH companies are much more organized. There are many channels which are currently available only on DTH platform. With the digitization, the subscribers will be able to enjoy high quality DTH services with good clarity and sound. They will be able to enjoy the minutest details of the program. As the industry is growing, there are significant new subscriber additions every month and the switch towards high definition is quite high.

The major advantage of the DTH services is the availability of High Definition channels. High Definition means the signals which have better resolution, better picture clarity than the normal standard definition signals & better sound clarity. The quality of high definition signals leaves the

viewer spell bound when watched through Videocon d2h HD Box. Videocon d2h provides High definition signals which are of 1080i resolution and are not upscaled ones like some other DTH operators. It offers the High definition channels in HDD Sound, 5x digital picture and 16: 9 ratio, which the analog and digital cable operators will not be able to offer. It provides the highest number of Asli "HD" channels.

There are currently 6 private DTH players in the Indian market. Videocon d2h is the fastest growing DTH service in India, with highest number of 333 channels and services, highest number of sports channels, all leading GEC channels and a gamut of regional channels. It is poised to gain advantage from this development of mandatory digitization.

Powered by the MPEG-4 and DVB-S2 technology, Videocon d2h offers unmatched services like 12 PIP Mosaic, movies on demand, weather updates, High Definition channels and multiple tickers to transform your TV into a hub of entertainment and knowledge. Apart from these, it has Active Music which includes 21 audio / video active music channels 24 hrs a day. In addition, you get a round-the-clock prompt and efficient customer support in over nine languages from the dedicated customer care team present in 7 locations.

Videocon d2h offers channel packages catering to various regional preferences. It had launched India's first Satellite HD DVR with 3D. It offers interesting features like auto serial recording, pause live TV along with rewind, forward & slow motion.

Mr. Anil Khara, CEO - Videocon d2h stated, "With a strong set of features, excellent technology backed by a service team geared up to provide 24 * 7 services, it's time to subscribe

to Videocon d2h services, to avoid the black out of the analog cable services and enjoy the wide range of channels and services provided."

Common Antenna is a customized solution for connecting multiple houses within the same multi storied building to receive Direct-to-Home services. Households do not need to install individual antennas, as their individual set-top boxes will be linked to a common antenna installed on the terrace of the multi storied building. It keeps the terrace tidy and clutter free. Videocon d2h offers Common Antenna services and has been a front runner in the same. Videocon d2h Common Antenna service offers advantages like Clutter

Free Terrace, Good Signal Strength and Normal Rain Proof.

To avail the Videocon d2h MDU services, please mail at the following email ids:

For Mumbai : Mumbai.mdu@d2h.com
For Chennai : Prasanna.r@d2h.com
For Delhi : Abhishek.anand@d2h.com
For Kolkatta : Richeek.dey@d2h.com
Rest of India : info@d2h.com

Digitization would undoubtedly result in a win - win situation for everyone involved, right from government, broadcasters to DTH operators & above all the consumer.

Go Digital Today! Call **09082099999** or log onto **www.videocond2h.com**





AB WATCHMAN HI CHOR BANGAYA, TOH GHAR KA TOH KALYAN HOGAYA"

-Vishwas Nagre Patil, Additional Commissioner of Police (West), Mumbai

We have no choice but to agree with the words of our Police officers. Do you think your watchman is trustworthy? Is he trained / equipped enough to handle a threatening situation? Do you know who enters your building throughout the day? By being in control, you can ensure your housing society is safe, and thus protect your homes.

After all, your housing society is home to all that you value, to everything that matters to you. And yet you tend to assume, that one watchman (who often takes care of the water, washes your car and also runs errands) is enough to protect your most cherished possessions, and more importantly the meaning and purpose behind your hard work.

Statistics reveal that crime rates in the city are at an alarming high. But statistics also reveal that 50% of crime and even fire hazards can be averted, if only a few preventive measures can be taken.

Preventive measures are most effective, as they are a lot cheaper in comparison with the consequences, and ensure your housing society is better prepared against miscreants and fire-related hazards.

So why would you not want to undertake preventive measures for your housing society, such as:

- o A Free Security Assessment Survey of your Housing Society
- o Education and awareness programs for society members on security and safety awareness
- o Free consultation on ideal security measures for your building premises
- o And installation of a surveillance system that you need not own or manage.

You can ensure the safety of your housing society by joining hands with Zicom SaaS, the pioneer of electronic security in India, and pledge to Make Mumbai Safe.

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You can choose from Economy, Value and Premium services according to the degree of security you think your housing society needs.

Just call us for a Free Security Assessment of your Housing Society on [1-800-270-888](tel:1-800-270-888) (toll free) or SMS ZICOM to 58888.

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PROCEDURE OF NOMINATION IN A CO-OPERATIVE HOUSING SOCIETY.

(NOMINEE DOESN'T HAVE TO BE AN HEIR OR RELATIVE)

The process of nomination, in Co-operative Housing Societies, is a very important one. A nomination comes into force, after the death of the member of a society who has made the nomination. The purpose of a nomination is to clearly identify the person with whom the Society has to deal with.

A nominee cannot be said to have become the owner of a property, in place of the other legal heirs, just because he has been nominated. If there are more than one nominee, the nominees must make a joint application and indicate the name of the nominee whose name should stand first in the share certificate.

That person will be treated as the member and others will be treated as Associate Members.

If the nominees desire that the shares are to be transferred to only one nominee, they should inform the society accordingly. In such cases, the nominees should execute an Indemnity Bond agreeing to indemnify the society against any adverse claims.

As per model bye-law No.32, a member of a Society may, in writing fill the prescribed form to nominate a person to whom the whole or part of shares and/or interest of the member in the capital/property of the society can be transferred, in the event of his death.

A member can nominate one or more persons to whom the flat and the member's share in the capital of the society must be transferred after the member's death. A member is entitled to revoke the nomination at any time and make fresh nomination. The society should not charge any fee for the first nomination, but for every subsequent nomination, society can charge.



Adv. Vijay Thilakan
M - 9869051947



The acceptance of the Nomination Form by the Secretary shall be deemed to be acceptance by the Society. A nomination is made by executing nomination form.

After the death of a member, the nominee or nominees should submit the application for membership to the Society within six (6) months from the death of the member.

The nominee must make an application for membership and comply with the requirements of membership. If the Nominee satisfies the conditions of membership, shares and interest of the deceased member in the capital of the Society will be transferred to the name of the Nominee.

If the Flat is jointly purchased by the member and Associate member, after the death of the member, only the share of the property held by the member will be transferred to the Nominee.

CERTIFICATE COURSE FOR MANAGERS (Admission Started)

MSWA EDUCATIONAL INSTITUTE has decided to start 3 Months Certificate course for Hsg. Society Managers from **01-04-2012**. So far 100 Managers are trained. Persons undertaking the training successfully will be awarded the course certificate.

The subjects being covered in the course are Overview of the Course, Duties and Role of Housing Society Manager, MOFA and Apartment Act, Records Maintenance and Administration, Redressal of Complaints, Accounts, MCS Act / Rules / Circulars, Bye Laws and Soft skills. Such an extensive course is being conducted for a very nominal rate of Rs. 6000 & for Members Rs. 5000/-.

The enthusiastic faculty consists of subject matter experts associated with MSWA. Shri. Ramesh Prabhu has played a pivotal role in gathering the best faculty and study material and thus enriching this course. On every Sunday at Sharadashram Vidyamandir, Bhavanishankar Rd, Dadar (W), from 10.00 am To 2.00 pm.

For more details kindly contact:

MSWA Office - 42551414, 26248589 / 65 or Mr. Shashidhar Kamath -9324331579

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Your association has printed the sufficient number and is made available at very nominal amount.

For latest and updated copies of Housing Manual & Co-operative Housing Societies FAQ in Marathi and English as approved by the Commissioner for Co-operation and Registrar of Societies, Maharashtra State, you may contact the Association office.

You will also be given the required guidance for adoption of the same.

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4. Shri. S. R. Desai, Engineer / Consultant - MSWA



VENUE & DATE & TIME

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Date : Sunday, 18th, March, 2012

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9. How to handle disputes / queries arising from day to day operations of Housing Societies.
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