

Minutes of meeting held on 21 August, 2025 at 7 pm at Patrakar Society office

Attendance: Mahesh Vyas (Chairman), Sunil Singh & Ajit Rai were present physically through the meeting and Sunil Tyagi & Sanjay Kher attended the meeting throughout on video, Zoom call. Ashish Raikar was granted leave of absence.

1. Draft minutes of the meeting held on 12 August were approved.
2. The meeting ratified the Financial Strength Analysis of the 6 Shortlisted Developers finalised and emailed to the Managing Committee (MC) on 20 August 2025. The committee decided to correct the reports title from “Financial Analysis Strength of the 6 Shortlisted Developers” to “Financial Strength Analysis of the 6 Shortlisted Developers”. The note was also posted on the RdC Patrakar WhatsApp group later the same day.
3. The committee noted that the MC had failed to act on our communication sent to it over a month ago, in mid-July regarding convening a SGM to consider the RdC’s new Rules and approve a process to hire consultants. It took an inordinately long time to respond, but only to seek time to discuss the proposals although we had made it clear that these were not for the MC to discuss but the SGM to consider. Nevertheless, on 13 August, we provided them three dates 14, 15 and 16 August to meet. However, they failed to meet on any of these and have failed to give any alternate date(s).

The MC’s conduct in this matter is discourteous and unprofessional. It is also directly harmful to the redevelopment project since the non-clearance of the process note on hiring consultants directly delays the hiring of any consultant, including those that may be required very soon. The MC’s stance seems to suggest that it is not only unwilling to work with the RdC and is wilfully ignoring the decision of the SGM in this regard, it also suggests that it is willing to jeopardise the redevelopment project in its stubborn stance of non-cooperation. The MC also continues to meet to discuss matters related to redevelopment but it neither invites the RdC nor does it share minutes of its meetings.

4. The committee noted that the MC has not acted on the RdC direction that it should write to the Markand Gandhi & Co. instructing him to start work on the DA and Lol. The delay, or apparent unwillingness, to write to the law firm to draft the DA potentially endangers the redevelopment project as it can delay further work. The RdC directs, again to the MC that it write to Satyen Vora (Partner, Markand Gandhi & Co.) and keep the RdC informed of the developments on this front as suggested by it in its earlier communication.
5. The committee noted and discussed the feasibility report sent by the PMC.
6. The committee discussed a note prepared by Sanjay Kher to facilitate e-voting by members. This note is attached in Appendix A. We recommend this to the MC and suggest that it be used to pass a resolution in the upcoming SGM to enable members who do not reside in Patrakar and those in particular, who live overseas to also participate in the activities of the Society. This is of particular importance in the redevelopment project. We therefore urge the MC to take this up at the earliest.

The committee discussed the regulations regarding this and concluded that while new regulations may be announced soon, an SGM resolution to enable e-voting would be useful to have in place. Once the SGM passes such a resolution, the Registrar may be informed of our decision to go ahead with e-voting.

As a next step, it would be important to ensure that the processes to enable e-voting are robust.

7. Sanjay Kher reported that he had a meeting with Ashish Raikar regarding documentation. A new and easier to read format was in the process of being drafted. Ashish has been travelling and work will resume after his return next week.
8. Sunil Singh suggested that the new law now requires an increase in the Share Capital of the Society. The RdC decided to recommend the MC take appropriate steps in the matter and issue fresh share certificates to all members at the earliest.
9. The committee noted that while the RdC is providing suo motto tangible help and guidance to the MC, the MC chooses to ignore or not provide any feedback or even acknowledgement of the communications. The RdC has so far,
  - i. conducted outreach sessions along with some MC members to help Society members understand the redevelopment project and the RdC continues to actively engage with members on the RdC WhatsApp group;
  - ii. prepared a note on the process to follow while hiring a consultant;
  - iii. analysed the bids to shortlist developers based on their conformity with the Tender document;
  - iv. prepared a financial strength analysis of the short listed developers;
  - v. prepared a note to enable e-voting by members;
  - vi. initiated the process of helping members with their documentation, and
  - vii. drafted Rules to govern its functioning vis-à-vis the GB and MC.

However, the MC has preferred to ignore the RdC, remain aloof, and has remained largely non-communicative.

In the light of these developments, the committee discussed the possibility of approaching the GB directly to empower the RdC and be a real counter-balance to the rather independent ways of the MC. While it would consider going down this path it will not stop its work on redevelopment.

The meeting ended at about 8 pm.

## **Concept Note & Rules To Enable Remote Voting**

### **Background and Context:**

Patrakar CHSL is presently undertaking a redevelopment of its premises, a decision of far-reaching and long-term implications for all its members. It is therefore imperative that every member, particularly those that do not ordinarily reside in Mumbai and those for health reasons are unable attend meetings, are given an equal and effective opportunity to participate in the governance of the Society, especially during critical General Body Meetings (GBMs).

Currently, members who reside outside Mumbai or are otherwise unable to be physically present are effectively disenfranchised. While the option of appointing an Associate Member is technically available, many members are not inclined to go down that route.

In this context, the Society proposes to adopt a structured framework for convening General Body Meetings via electronic means (online GBMs) and to enable remote voting through an acceptable mechanism. This will promote democratic participation, procedural fairness, and administrative efficiency.

### **2. Legal Basis and Enabling Provisions**

The Maharashtra Cooperative Societies Act, 1960 and Rules, 1961 do not yet explicitly mandate online voting, but there are enabling provisions and progressive trends within our legal system that is supporting of this initiative:

- Model Bye-Laws (2014/2019 Versions) allow technological adoption and are silent on mode of meeting, thereby not prohibiting online formats.
- Draft Government amendments propose enabling online GBMs and e-voting.
- Registrar circulars during COVID-19 permitted virtual meetings, establishing procedural precedent.
- Courts uphold inclusive participation as integral to fair governance.
- The Companies Act, 2013 already recognises online shareholder meetings and e- voting mechanisms.

### **3. Practical Advantages of the Proposed Scheme**

- Allows non-residents and members with acknowledged health issues participate fully.
- Improves attendance and quorum.
- Facilitates future-ready governance especially after we vacate the Colony.
- This system would in the future reduces costs and administrative burden.
- Digital recording of meeting enables verifiable record and transparent voting.
- Accurate and verifiable Minutes of Meetings
- Reduces reliance on proxies and misinformation.

### **4. Operational Safeguards**

- Use of a secure, authenticated platform (e.g., Zoom, Google Meet, or custom portal).
- Pre-meeting circulation of agenda, explanatory notes, and technical instructions.
- Digital recording of meetings.
- Digital audit trail of votes.

- Clearly defined cut-off dates and formats for advance registration and voting rights.
- Backup procedures and technical support for online members.

## 5. Protocol for Hybrid GBMs

Before transitioning to a full-fledged online GBM format (which would become a necessity reality once members vacate their premises for redevelopment), the Society shall adopt a transitional hybrid model.

This hybrid model will initially permit 'Only 2 (two) categories of members' to attend and vote online:

- Members not ordinarily residing in Mumbai, and
- Members incapacitated by age or health members

### Protocol Guidelines:

- Eligible members must inform the Managing Committee via email at least five (5) days prior to the meeting.
- Upon joining, the Hon. Secretary shall record their attendance in the physical register with the remark: "Online Attendance".
- Online meetings will be video recorded and stored securely as part of Society records.
- Online attendees must keep their camera turned on during voting and interaction.
- Secure e-voting mechanisms will be used; votes will be time-stamped.
- The Society shall appoint a credible and experienced technology partner.
- The Registrar of Co-operative Societies will be informed of the resolution passed and of the implementation of the hybrid format.

## 6. Way Forward:

The Managing Committee to:

- Table the attached resolution before the next General Body Meeting.
- Appoint a technology service provider and establish secure, user-friendly systems.
- Circulate to Members SOPs for hybrid meetings.
- Inform the office of the Registrar with documentary evidence of compliance and member safeguards.

## 7. Proposed General Body Resolution

Resolution No. [●]/2025 – Enabling Conduct of Online General Body Meetings and Remote Voting by Members

**RESOLVED THAT** the General Body of Patrakar CHSL hereby authorises the Managing Committee to:

1. Convene General Body Meetings through online or hybrid platforms;
2. Permit online attendance and voting strictly for members not ordinarily residing in Mumbai and senior citizens who are unable to participate and vote for health reasons;
3. Frame and enforce appropriate protocols, including prior registration, authentication, and digital attendance marking;
4. Record all such meetings and retain digital archives;

5. Submit a copy of this resolution to the Registrar for their information and guidance;
6. Gradually move toward fully online GBMs once redevelopment is underway and physical premises are vacated.

#### **8. Explanatory Note**

This resolution represents a progressive step toward future-ready, inclusive governance. By enabling non-Mumbai based members and senior citizens to attend and vote online, we uphold the democratic fabric of the Society while maintaining procedural safeguards and transparency. This also ensures continuity of governance even during the redevelopment phase when physical meetings may not be feasible.