

MAHARASHTRA SOCIETIES WELFARE ASSOCIATION (Regd.)

One day Orientation course on deemed conveyance of HOUSING CO-OPERATIVES

Organised by

Committee for Deemed Conveyance of
Maharashtra Societies Welfare Association (MSWA)

Jointly with:

Vidharba Vaibhav Mandir Trust

Co-organizer :

Black Arrow Conferences

Duration : 6 hours for full one day :

8 SESSIONS OF 45 MINUTES EACH and Panel Discussion.

Day & Date Saturday 2nd August, 2014 from 10.00am to 6.00pm
Conference Hall, Second floor, Local Self
Government, Juhu Gally, Near BMW, Navneet Show
room , C.D. Barfiwala Marg, Andheri (West) ,

Venue Mumbai – 400 058

Session	Time	Particulars	Speakers
	9.30am to 10am	Registration and Breakfast	
	10am	Inauguration & Welcome Address	CA. Rajkumar Adukia, Chairman of Committee for Co-operatives and NPO of ICAI and Ca.Tarun Ghia, Central Council Member of ICAI
1	10.00am to 10.30am	1. Discussion on Maharashtra Ownership Flat Act, 1963 2. Provisions of Amendment in MOFA, 1963 to bring Deemed conveyance provision and important milestones in achieving the same.	Shri. Sunil Deshmukh Former Competent Authority and District Deputy Registrar of Raigad and Pune
2	10.30am to 11.00am	1. Procedure involved and the amendment to MOF Rules, 1964 to bring the procedure and forms to be used for implementing the deemed conveyance provisions. 2. Documents to be collected and studied for issue of legal notices and to initiate process required for deemed conveyance	Shri. Sunil Deshmukh Former Competent Authority and District Deputy Registrar of Raigad and Pune
3	11.00am to 11.30am	1. Issue of legal notices, reply received and the meeting to be conducted by the society to discuss and decided about the deemed conveyance, quotation to be obtained for deemed conveyance, issue of notice to the members, format of the minutes and the resolution to be passed. 2. Steps involved, time frame, responsibilities of different stakeholders like society, members, consultant, department. Use of RTI and its format to obtain different records and remedies of documents are not received.	V.Viswanathan Hon. Secretary, Vasai Taluka Co-op Housing Federation Ltd.

		3. Format of application to be filled, scrutiny of the application done by the department and how the objections to be handled and get the application admitted. Comply with the notice in form No. IX for complying with the defects and issue of notice in form No. X and also publish advertisement in the news paper.	
	11.30am to 11.45am	Tea Break	
4	11.45am to 12.30pm	1. Latest High Court and supreme Court judgments related to MOFA and its reference to be taken in the case of Deemed conveyance at the time of hearing and submission to be made before the Competent Authority. Latest two judgments of supreme court on Deemed conveyance one SLP dismissed filed by builder and in another SLP matter was remanded back to DDR for reconsideration and also discussion on Campa Cola Case and why the same is remanded back and other HC orders which have promoted the deemed conveyance irrespective of various pending documents like OC, Completion certificate, pending litigation, layout plot, pending dues on the documents between the builder and the Land owner etc	Advocate K K Ramani Author of Deemed Conveyance book
	12.30pm to 1.15pm	Question and Answers	
	1.15am to 2.00pm	Lunch	
5	2.00pm to 2.45pm	1. Hearing, written submission, reply to the stand taken by the defendant and rejoinder. Various samples to be discussed. 2. Oral arguments to be done, written arguments on behalf of the society to be submitted and then get the file closed. Follow up to get the deemed conveyance order.	Advocate Mr. Ameet Mehta
6	2.45pm to 3.30pm	1. Over view of changes that has been done in the Maharashtra Housing (Regulation and Development) Act 2012 and how they are detrimental to the interest of the flat owners and the housing societies. 2. Consumer Protection Act, 1986 and how the consumers can make use of the same and the remedies available even after getting deemed conveyance for OC, recovery of amount spent etc	Adv. Anand Patwardhan President of Consumer Court Bar Association of Maharashtra and Goa
	3.30pm to 3.45 pm	Tea Break	
7	3.45pm to 4.30pm	1. Drafting of Deemed conveyance deed on receipt of deemed conveyance order, annexure to attached to the deemed conveyance deed, getting the approval of the Competent Authority . 2. Adjudication application to be filed before the collector of stamps and various circulars to give relief of stamp duty and treatment given of the agreements prior to 10.12.1985 which are not registered, TDR potential, Amenity space, LBT, Chain of transaction, Unsold flats etc. 3. The entire sequence of the events, time frame and the role of each parties concerned society, members, consultant and department and the remedy to get the work done at the allotted time.	Mr. Krishnaraj Rao Journalist and RTI Activist

		<p>4. Registration of the documents, process adopted, documents demanded and issue of notices to the opponents, Provision of the MOFA, 1963, Provision under Registration Act, 1908, Provision under MOF Rules, 1964 and the issue of G.R for getting the same done without hearing. The letter to be issued by the Competent authority claiming to be exempted from appearing etc.</p> <p>5. Filing RTI application and obtaining the required documents.</p>	<p>Mr. Naresh Pai Executive Director of Prabhu Associates Consultants</p>
9	4.30pm to 5.15pm	<p>1. Remedy available on rejection of deemed conveyance to go to Deemed conveyance Adalat and getting the direction to reply and if rejected to move to High Court.</p> <p>2. Application to City survey office, format of the application to be filled. Documents to be submitted. The hearing conducted, survey insisted and the letter of requirement issued. The issues arise and remedies. The circular issued by the Revenue department to do away with hearing etc.</p> <p>3. Provision related to sub-division of property, conveyance in a layout plot having two or more societies. The circular issued by the department dated 25.2.2011 raising issues that may arise for granting deemed conveyance in the case of layout and the provision made in new Law under section 19 of Mah. Housing (Regulation and Development) Act, 2012.</p>	<p>Ca. Ramesh Prabhu Chairman of MSWA. Chairman of Swagat Housing Finance Co. Ltd.</p>
	5.15 p.m. to 5:45 p.m.	Panel Discussion and Q &A	
		Close	