

From: Ashok Hattangadi <hattanad@gmail.com>

Sent: 20 November 2024 22:53

To: Gautam Padukone

Cc: Talmakiwadi Society; akshata r; aakruti kunder; rupaandamol@gmail.com; SATYENDRA KUMBLE(1A/10); mahesh kalyanpur; Uday Andar; Shivdutt Halady; Gokarn Vaishali Vivek; Aparnaa

Kalbag; Deepa Uday Andar; Dholakia Renu Himanshu; Anand Hoskote; Ajit Madhusudan Bhat; Ravindra

Ramakant Bijoor; Devadutta Chandavar

Subject: Re: Comments and questions to TCHS GBM Notice (of 8-11-24)

Gautam:

I don't see any immediate questions and look forward to the upcoming meeting this coming Sunday. I will not be present there by zoom and don't see any need for me there. Next step I see is for your Team to arrange presentations by the 3 PMCs you have selected. Once you do that, before or during the meeting I may pose some questions.

I do find it strange that PMC and Architect are two separate entities. Typically PMC would get all the cost numbers from the Architect he/she would have worked (with Builder/s) in developing apartment 'complexes' that include buildings, park with garden, swimming pool, tennis court (some items from my vision of the complex). Then why detach them? Another concern I have is using 'too many consultants' that could potentially waste time. What happens if a difference of opinion exists between our consultant and his/her counterpart on the Builder's side, then whose opinion prevails, why etc.etc.? If our consultant's assessment/opinion is for Builder's consideration only, that's fine. Otherwise the Builder may construe that as an 'interference' in his/her scheduled activity for subsequent delays if they happen. My major concern is in reference to the Tower's structural integrity aspect. If we start poking our noses in their (PMC + Architect) design he/she may simply disown any responsibility, and we will assume all the risks when we shouldn't. Remember (TCHS) can be "legally liable as Owners of the Project" but not "responsible (and therefore accountable) for any of Architect-Builder's activities", they

bear all the risks.

Don't comment on these questions/concerns now, just be aware of them. We'll have enough time as and when I participate in the meeting/s or see meeting minutes with specifics on PMC's presentations.

All the best,

Ashok Hattangadi

On Tue, Nov 19, 2024 at 1:34?PM Gautam Padukone <gautam.padukone@gmail.com> wrote:

Dear Ashok,

Thank you so much for your warm words of appreciation. We agree with all the points you have made in your email.

The Sub-Committee will not try to micro-manage this project. It is a large project, and if we try to micro-manage this project, it will lead to spreading our resources very thin, and will only harm the project. Hence, we will not try to do such a thing. To a large extent, the selected Project Management Consultant (PMC) will be responsible for detailed management of this project, and we will mostly manage ths PMC.

We have started work on identifying the various milestones in this project, in the form of a very high-level project plan. Basically, we have broken up the entire project into the following major milestones for now:

1. Basic Design (plot plan, basic flat layouts, project costing, risk identification and

mitigation plans, etc.)

2. Planning (preparation of a rudimentary project plan, to start with. This plan will continue to get refined as we get details like durations, predecessors and successors, etc. of the multiple generations of child activities under each of the milestones. At some point of time, the plan will be "Baselined" after which we will start monitoring the progress and completion of the activities vis-a-vis the project plan.)

3. Detailed Design (which will include detailing the architectural drawings and specifications, structural engineering. Unlike the West, in India, the Architect does not prepare structural engineering drawings and specifications. A separate entity prepares these drawings and specs. This will include audit of the structural drgs and specs by a second pair of eyes, the structural auditor, to ensure structural stability. Both, the structural engineer as well as the structural auditor will certify all the drgs and specs.)

4. Approvals (this is a major milestone in our project plan, before which we will need to do a lot of studies and data collection, for our applications.)

5. Tendering and contracting (The tenders will be primarily prepared by the PMC and reviewed by us (TCHS), including some experts who will report to us (TCHS). Extensive legal help is planned to be taken from our appointed lawyer, at this stage, and other stages also.)

6. Demolition (which will start with the relocation of existing members and tenants to nearby rental homes, and will continue until all demolished material is either carted away or sold)

7. Construction (which will start with soil testing, friction piling, and the rest of the construction, including plumbing, electrical installations, etc.)

8. Possession (after due approvals from the authorities, this will primarily involve the return of our members and tenants to the redeveloped Talmakiwadi.)

9. Retention period (this is the period for which we typically keep a portion of the payment of contractors to ensure that the work they have done is of the required quality.)

10. Warranty period (this is the warranty period for all equipment from simple bathroom fittings to sewage treatment plant, to ensure that all equipment perform as per specs during the entire warranty period.)

These are the broad milestones that we have presently envisaged for our project. If we have missed any, please do let us know.

We hope we have addressed some of your concerns related to this project. Please do let us know if we need to focus on any particular area that we may have missed out in the description above.

Warm regards,

Gautam Padukone

On Tue, 19 Nov 2024 at 20:12, Ashok Hattangadi <hattanad@gmail.com> wrote:

Dear Gautam:

Yes, you have certainly clarified a whole bunch of things for me, and yes of course, I am glad you have introduced me to your Team and thank you for that.

My major points at this stage are:

- \* We should not 'micro-manage' the Project (Re-development Project I mean) under the guise of 'self-redevelopment' and I hope you and your Team can appreciate that.
- \* We need to identify 'major' milestones and stakeholders of the Project and keep the process simple... Permit, PMC/Architect, Constructor/'Brand' Builder, Consultant/s as and when we need them, Legal help etc.etc.
- \* We need to keep the Project timeline rigid and monitor the progress regularly with all the stakeholders.
- \* We need to accept help from PMC/Architect to expedite things...Permit process, as

an example; in fact give them credit for that in some fashion (evaluation perhaps, in their selection).

\* No major risks on our part, such as 'structural integrity of the Towers' for example; pass them on to whom or where they belong, hold them responsible and accountable with Tenders and/or Contract terms and conditions as applicable, legal liability on the part of TCHS notwithstanding.

I invite comments/responses from you and your Team (as appropriate) as we move on. Keep up the good work and I will work with you, Mahesh, Shivdutt and Satyendra in my humble (but candid) manner as you have noted already.

Best regards,

Ashok Hattangadi (Member 1A/6)

On Tue, Nov 19, 2024 at 4:15?AM Gautam Padukone <gautam.padukone@gmail.com> wrote:

Dear Ashok,

Replies to your queries in Underline mode.

I have copied my reply to our Sub-Committee members also. I hope that is ok.

Warm regards,

Gautam Padukone

On Tue, 19 Nov 2024 at 01:58, Ashok Hattangadi <hattanad@gmail.com> wrote:

Gautam: Thanks for the prompt response. Few more questions and comments in

Italics for your response now.

Page 6.

c) Are these PMCs attached to their own Architects for flat design and Constructors/Builders? The data shown on

subsequent pages seem to suggest that they have their own Builder/s in mind. If so, I would think that there is no

need to float Tenders in the open market for a “Brand” builder. We can invite Tenders only from these 4 PMCs and

their specific Architects plus Builders they represent, can we not? Why would we waste time and money developing

and then floating a Tender in the open market for a Brand Builder, it would just complicate things further I would

think. [Comment: No, neither the PMCs nor the architects will be permitted to bring in their favourite builder,

even if they have a favourite builder. To be fair to them, I have to also admit that none of them have even

remotely tried to bring in any of their favourites, in all the meetings that we have had so far. The shortlist for all

stakeholders, PMC, Architect, Financier, Structural Consultant, Site Supervision Agency, etc. will be prepared

by us. All the shortlisted candidates will be asked to make their presentations to the GB members in a

separate SGM. Before the SGM, we will share with the GB members a set of criteria, the Criteria Matrix, on the

basis of which the members can rate each of the presenters. The compilation of the ratings of all the

members will automatically select the candidate for that role in our project.]

\* What is SGM? [Comment: SGM stands for Special General Body Meeting. This is a meeting called for the purpose of discussing a particular topic, in this case, redevelopment.

\*

\* Too many stakeholders, including Financier (most important in my mind), would mean that we are bearing

ALL the risks. Likelihood of finger pointing between stakeholders will drag the Project timeline, hence

Project costs (therefore expense to us) will increase. Financing the Project will be very difficult if not

impossible despite some excellent suggestions from Mahesh Kalyanpur made earlier. Why should

Members bear such a level of risk? Keeping a minimal number of stakeholders particularly when you have

discovered promising PMCs that can recommend architects who can design AND constructors/builders 'in

one package' will transfer such risks to this "architect/ plus constructor/builder" package. Structural

integrity of the design plus construction of the Towers is of utmost importance. We (Members) must not

bear that risk regardless of what level of due diligence you and your Team are capable of. In the process, if

we have to compromise some benefits of self-redevelopment, but that's okay. No Financier where he/she

knows that we as Owners are taking such a risk, will not support Project financing and that in itself is the

acid test for who must bear the risks. Please explain your reasoning and comments on this whole aspect.

[Comment: The financing plan is as follows: The members do not pay anything for this project, unless that members wants the additional 150 sqft area at Rs 13,333/- that was offered earlier. The rest of the members do not pay a single rupee. if any member wishes to avail fo teh additional 150 sqft, he needs to pay Rs 20 lakhs; otherwise nothing. The entire balance financing for the project will be done first, by an NBFC (Non-Banking Finance Company) and then by a regular bank. Until we get the IOD/CC (Initiation Of Demolition/ Commencement Certificate, both are approvals by the municipal authorities), no bank is permitted to finance self-redevelopment projects. That's why all expenses until then, are financed by an NBFC. We need to pay a higher rate of interest for this loan. Once the IOD/CC is received by us, we take a loan for the rest of the project cost from a regular bank, who will offer it at a lower rate of interest. We have discussed with one

bank and one NBFC who have, prima facie, shown interest in financing this project. We will not stop there. We will approach more banks and NBFCs so that there is competition, and we can negotiate better terms. Neither the banks nor the NBFCs will give us the loans unless they do their own evaluations and due diligence, of course. We will show them our project costing, and all the other work done, to show them that this project is feasible, and they can get their loans repaid.

Whether you appoint multiple stakeholders or a single entity, the legal liability of the society does not vanish. Because legally the society is considered as a co-promoter of the project. There are multiple court judgements to corroborate this statement. Regarding the possibility of multiple stakeholders blaming each other, yes, that possibility exists. That is why we have people in the Sub-Committee who are experienced in managing projects, and know the tricks and arguments that contractors usually give. It is our job to prevent this. If we give this as a single package to one "architect/ plus constructor/ builder" we lose control of the project and this single entity will take away most of the profits from the project. This is exactly the "builder" option as opposed to the self-redevelopment option. All builders know that there is a huge margin in these projects, because the government is keen to promote redevelopment projects, and provides huge additional carpet areas over and above their existing areas. A large number of builder-led projects have been pushed through by the builder offering private monetary gains, in cash or kind, to people who they feel can sway the society members towards the builder option. The number of cases presently under litigation in our courts, where society members have taken both the builder as well as the corrupt Managing Committee members, is indicative of the popularity of this method. The Sub-Committee therefore does not recommend the builder option to the General Body. However, we will accept the decision of the General Body members. At present, the resolution of the previous SGM to opt for self-redevelopment stands, and we are working as per that mandate.]

d) Do we now have the Permit to proceed from BMC and/or MHADA? If not, will the PMCs help us expedite the



process? If so, does their 'Fee' include assistance to obtain the Permit? [Comment: Helping us prepare the

application to MCGM, and obtaining this permission with an agreed time limit will be the work of the Liaison

Consultant. One of the PMCs quoted is willing to do this work for us too. The Liaison Consultant's fee will

include all expenses until the permissions are received. The project will pay only the Liaison Consultant. On

our part, we will of course try to reduce our expenses in this case, as much as we can.]

\* Noted. What is MCGM? [Comment" MGCM is the Municipal Corporation of Greater Mumbai, basically the municipality.]

e) Once we get detailed Proposals from these PMCs, do we then hire an independent source (Legal Entity) to

develop a Tender that captures our specifications, terms and conditions etc., have our legal rep. comment and

agree on. Then we can ask these PMCs to bid on the specific specs, terms and conditions etc.? [Comment: We

have appointed a lawyer for the entire duration of our project, to look after our interests. All contacts that will

be signed by TCHS will be reviewed and ratified by our lawyer. The tenders are usually prepared by the

selected PMC, which of course will be ratified by our lawyer. I foresee there will be several tenders, one

tender for the Financier, one tender for the Architect, one tender for the Constructor, one for

Pollution Control, during construction and afterwards, one for the Landscaping Consultant, one for the LEEDS

certification, which we are planning to obtain, etc].

\* Same comments I made earlier apply here. One tender for Architect plus Constructor "as a package" to

keep structural integrity risks with the package. I would also recommend Pollution control during and after

construction as well as Landscaping consultant in this "package" if possible. What is LEEDS certification,

and what does LEEDS stand for? [Comment: LEED stands for Leadership in Energy and Environmental Design. It is a rating system that assesses the environmental performance of buildings and certifies sustainable building practices.]

Page 10: Gautam's team seems to have had discussions with Raja Aederi which is great. Frank Lloyd Wright is well

known for his Organic Architecture, and we have visited his creations in Arizona & New Mexico in the US. Do we

have any examples of Raja Aederi's creations by way of apartment complexes (Towers) in the 'organic' environment

in Mumbai or elsewhere in India? [Comment: If you have visited the Le Meridien hotel in New Delhi, where the

coffee shop is suspended in the atrium at a height of some thirty odd floors, that is one of his designs. The

coffee shop not only is a visual treat, but also serves as a balancing counter-weight in times of high winds, and

reduces the eventual sway of the building. They have many more innovative ideas.]

\* I have stayed at the Le Meridien Hotel in Delhi while on business for Siemens. Never realized then that the

coffee shop is Raja Aederi design taken from Frank Lloyd Wright's Organic Architecture. Architect's

innovative ideas should still be the Constructor's responsibility, not ours.

Best regards,

Ashok Hattangadi

(Member 1A/6)

On Mon, Nov 18, 2024 at 5:40?AM Gautam Padukone <gautam.padukone@gmail.com>

wrote:

Dear Ashok,

Thank you for your email. It is heartening to see the interest this self-redevelopment project has generated in the minds of our members. That is our inspiration, that our members are also interested in what we are doing, and therefore we should our best for our wadi.

I will try and answer all your queries point-wise with the best available information.

Quote

AA. Agenda item 2: Withdrawal of MPNV as consultants (“PMC”) on the TCHS Self-Redevelopment Project

(“Project”). Agreed. Did we (‘Members’) already pay the Rs. 9 lakhs fee to MPNV? [Comment: We have paid

MPNV Rs 3.25 lakhs for the feasibility report as was mandated by the General Body (GB). No other

payment has been made to MPNV, nor has anything been committed.]

BB. Regarding the 17-Page TCHS Self-Redevelopment Project (“Project”) comments and specific questions

for each page follow.

\* Pages 1 through 4: Noted, makes sense.

\* Page 5: Noted, agreed.

\* Page 6:

a) Shown are 4 potential PMCs, subsequent information such as Project Cost etc. show only 3 PMCs compared against MPNV. I assume “PMC 1 (RA)”, for example, shown in Project Cost Calculations onwards represents Ramnani & Associates (Dosti Group). Is that correct? If so, there is

no data available for Aederi Raja, the legendary consultants? [Comment: Well-known and established consultants have multiple areas of expertise. In the case of Anil Nagrath, Ramnani & Associates and I M Kadri, they have a long list of projects in which they have played the role of PMC. We are therefore considering them for the PMC role in our project. Aederi Raja is a legendary architect, and we are evaluating them as architects for our project, not as PMC. Therefore, we have not taken figures from them, because this data is usually given by the PMC, not by the architect. In any case, the PMC as well as the architect will be selected by the General Body.]

b) Comment here. I want to congratulate Gautam and his Team in coming up with the 4 alternates

that not only look promising but also in such a short duration since the last GBM meeting. Good job

Gautam and your Team. [Comment: Thank you very much for your compliments. We sincerely appreciate it.]

c) Are these PMCs attached to their own Architects for flat design and Constructors/Builders? The

data shown on subsequent pages seem to suggest that they have their own Builder/s in mind. If so, I

would think that there is no need to float Tenders in the open market for a “Brand” builder. We can

invite Tenders only from these 4 PMCs and their specific Architects plus Builders they represent, can

we not? Why would we waste time and money developing and then floating a Tender in the open market for a Brand Builder, it would just complicate things further I would think. [Comment: No, neither the PMCs nor the architects will be permitted to bring in their favourite builder, even if they have a favourite builder. To be fair to them, I have to also admit that none of them have even remotely tried to bring in any of their favourites, in all the meetings that we have had so

far. The shortlist for all stakeholders, PMC, Architect, Financier, Structural Consultant, Site Supervision Agency, etc. will be prepared by us. All the shortlisted candidates will be asked to make their presentations to the GB members in a separate SGM. Before the SGM, we will share with the GB members a set of criteria, the Criteria Matrix, on the basis of which the members can rate each of the presenters. The compilation of the ratings of all the members will automatically select the candidate for that role in our project.]

d) Do we now have the Permit to proceed from BMC and/or MHADA? If not, will the PMCs help us

expedite the process? If so, does their 'Fee' include assistance to obtain the Permit? [Comment: Helping us prepare the application to MCGM, and obtaining this permission with an agreed time limit will be the work of the Liaison Consultant. One of the PMCs quoted is willing to do this work for us too. The Liaison Consultant's fee will include all expenses until the permissions are received. The project will pay only the Liaison Consultant. On our part, we will of course try to reduce our expenses in this case, as much as we can.]

e) Once we get detailed Proposals from these PMCs, do we then hire an independent source (Legal

Entity) to develop a Tender that captures our specifications, terms and conditions etc., have our legal

rep. comment and agree on. Then we can ask these PMCs to bid on the specific specs, terms and

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\* Pages 7 through 8: Noted.

\* Page 9: IMK's credentials look impressive. Fact that they have designed 'almost all Taj Hotels'

and with a team that includes 'architects....even a municipal consultant' duly support this impression. This municipal consultant can help us get the 'Permit to proceed' if we don't have one

already. Perhaps others also have access to their 'municipal consultant', do they? [Comment: We

agree. I M Kadri has offered that they could do the Liaison work for this project. For this, we will ask them to quote for this work, and also get competing quotes from other Liaison Consultants. The GB may then select the Liaison Consultant.]

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Lloyd Wright is well known for his Organic Architecture, and we have visited his creations in Arizona &

New Mexico in the US. Do we have any examples of Raja Aederi's creations by way of apartment complexes (Towers) in the 'organic' environment in Mumbai or elsewhere in India? [Comment: If you

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\* Page 11: Noted. IMK shows Total Area (BUA) almost 40% higher than the rest, yet MHADA area

(BUA) almost 70% less than others. Does that make sense? If the Table is 'being worked out and

fine-tuned' per Gautam & Team. I look forward to seeing that. [Comment: We agree. We have gone

through the detailed calculations of IMK, and we feel that IMK seems to have done a much more extensive evaluation of the area calculations as well as the costs related to the project. We have not had detailed meetings with the other consultants, but we intend to. Logically speaking, all the PMCs should actually come to the same ultimate number of square feet available to us, because that is based on the government rules. We expect to

reach this commonality after our detailed discussions.]

\* Page 12: Project Cost Calculations. PMC 2 (AN) shows the lowest Professional Fees and Project

Cost. I did not see any pictures of 'Apartment Complexes' (Towers) they have designed in earlier pages. Do we have pictures of examples? [Comment: All the pictures in the presentation were pictures that I picked up from their individual websites. We are sure that in their presentations, which they will make to the GB, we will get more references as well as pictures.]

\* Page 13: Income/Expenditure. All PMCs now under consideration show Corpus to Members/Tenants more than 200% of what MPNV promised. Yet MPNV show their Sale Rate is 20%

to 38% higher than other PMCs. Another observation - MPNV shows Project income 20% to 35%

higher, yet Corpus to Members/Tenants 100% to 300% less. Shows you how much MPNV were planning to pocket. Again, great job Gautam & Team in discovering these new RMCs. Look forward

to seeing more data and information from them. [Comment: We agree. MPNV showed us a very low corpus amount for reasons that can only be guessed by us. The present lot of PMCs have been much more open to giving honest and realistic figures, which of course are much more attractive to all of us. We would not like to be quoted, but we feel even these figures are conservative.]

\* Pages 14 through 17: Next Steps. Agreed. Make sense.

Warm regards,

Gautam Padukone

On Mon, 18 Nov 2024 at 00:17, Ashok Hattangadi <hattanad@gmail.com> wrote:

To: Shivdutt Halady, Hon. Secretary, TCHS

Mahesh Kalyanpur, Hon. Chairman, TCHS

Gautam Padukone, Leader, TCHS Self-Redevelopment Project Sub-committee

Satyendra Kumble, Hon. Treasurer, TCHS

Comments and questions to TCHS GBM Notice (of 8-11-24) with Agenda items & Attached 17-page Self-

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