

COMMUNITY STALWART PHIROZE AMROLIWALLA ASKS CANDIDATES:

Are you aware of the issues and do you have solutions to offer?

Introduction:

Readers must be aware that there are two main candidates Ms Anahita Desai, wife of present Chairman, Yazdi Desai & an independent Mr. Xerxes Dastur.

Ms Anahita had contested in 2011 & lost against Mr Cama who was then supported by Mr. Dinshaw Mehta & Mr. Kersi Randeria as they both, on principle, were then opposed to the wife of a sitting trustee joining the BPP board. This time however Anahita is actively being promoted by her husband, the present Chairman Mr. Yazdi Desai, and also has the covert/overt support of trustee Mr. Randeria who controls the two Parsi weeklies.

Mr. Xerxes Dastur had contested in 2015 and had narrowly lost the election when there were five vacancies. This time it is a one on one contest between Xerxes & Anahita.

There are allegations that Mr. Dastur is supported by Ex Chairman Dinshaw Mehta. Even if the allegation is true, when a sitting Chairman can promote and campaign for his wife, with overt and covert support from another sitting trustee, Kersi Randeria I wonder why anyone should object to Mr. Mehta supporting an educated Chartered accountant, especially since Mr. Dastur is NOT even distantly related to him.

It is to the credit of Mr. Mehta, that he has stood by his principle that no two members of a family should be on the BPP board simultaneously, whereas Mr. Randeria seems to have changed his mind.

The issues facing the community and the functioning of the BPP

It is imperative to examine the issues facing the community and the working of the BPP before casting one's vote.

1. Finances of the BPP:

From reports available the financial position of the B.P.P. appears to be extremely precarious and this demonstrates very poor financial management. Mandatory/statutory repairs of buildings are not being carried out. There are delays in salary disbursement, property tax payments etc. Schemes for moped and the poor of our community framed by the present board for monthly grants & doles are in arrears.

Despite the strain on finances, huge legal fees are being shelled out to contest unwarranted issues before the charity commissioner and other courts. Staff selection and emoluments are made in a haphazard and arbitrary manner. Selected few and favored staff members are "rewarded", without following any guidelines or norms, at the cost of heart-burning to the other staff. On the other hand, ad hoc selective senior staff appointments (with large salaries) are made without advertising these posts or offering promotions to the existing staff.

2. Service Charges:

With effect from February 2017 a steep service charge of Rs.750/- p.m. was enforced on all occupants of flats in all baugs and colonies, irrespective of the size, area or number of rooms, location, amenities, facilities etc. In other words 'one size fits all'. The B.P. Board refused

to hear or meet individuals, activists and resident's associations for almost three months until the looming threat of a federation of residents being formed, forced the chairman to condescend to meet me along with others to hear our grievances. **The meeting was a farce as Mr. Randeria and Mr. Desai refused to reconsider this extremely steep service charge, even though Mr. Viraf Mehta, Ms. Armaity Tirandaz, and Mr. Noshir Dadrawalla were willing to reconsider it.** The service charge was then enforced under coercion by threatening to not accept rents unless the increased service charges were also paid. When I followed up this issue, Trustees Randeria, Bhatena and Dadrawalla met me and assured that deserving cases would be given a subsidy. Several such applicants still await this subsidy!

3. Repairs to BPP properties:

Hitherto repairs to B.P.P. properties were jointly undertaken with residents and B.P.P. contributing equally. The new policy requires the residents to contribute 100%, towards the cost of repairs with the B.P.P. assuring to pay their share of 50% after the work is completed. There are several instances where these assurances have not been fulfilled. This despite the law requiring that tenable repairs must be carried out by the landlord and thereafter a percentage of costs of repairs could be recovered from tenants/occupants in a phased manner along with the monthly rents.

4. Allotment of Flats:

The majority Trustees claim that they have allotted 135 odd flats to the needy and the deserving without accepting any monetary consideration. However, there is no transparency on this important issue. No information is available regarding who the flats have been allotted to and the terms and conditions on which these flats are allotted. **There are no published guidelines or schemes on the basis of which allotments are done, and in the absence thereof there appears to be rampant favoritism and out of turn allotments to a favored few.** There are known cases of allottees owning two/three high end cars, installing multiple split A.C.s and spending several lakhs in renovating the flats allotted to them. Can such people be termed poor, needy or deserving? Perhaps a flat or two may have been given to the homeless only to demonstrate their sympathy towards the poor of our community. The ad hoc and arbitrary manner in which most allotments are made are supported by the recent emails from Mr. Viraf Mehta and Mr. Noshir Dadrawalla. These e-mails and the manner in which the board functions are in the public domain. **Mr. Dadrawalla from the 'majority' group, who wanted to hear the grievances of the poor and needy was termed as a friend and**

sympathizer of the "enemy" of the BPP! This is how honest dissent from a fellow trustee is treated.

A single Trustee feels that surrender of tenancy rights for a consideration amounts to a sale and alienation of Trust property. But the amended Maharashtra Rent Control Act of 1999 allows a tenant/occupant to accept consideration and the



landlord to pay the same for surrender of Tenancy rights thus eliminating the evil of "pugree" and court cases. This does not amount to a sale as the incoming occupant is given the premises on leave and license basis and the Trust collects a large interest free security deposit thus augmenting the Funds. On the other hand with the upcoming election in

mind there are reports that two trustees have promised to transfer, without any financial gains to the Trust, properties worth millions to the Wadia Baug and Aderbad societies. Does this not amount to permanently alienating trust property, violation of the code of conduct as well as buying votes? It is another matter that going by their past records this could be another false election promise which in all probability may not be fulfilled, once the elections are over!

5. Garbage segregation:

Last year the municipal authorities wisely introduced segregation of wet and dry garbage. This was followed by an order to landlords of large properties with more than 20000 sq.ft. to install treatment plants to treat wet garbage. A preposterous idea was mooted by a Trustee to use the Doongerwadi lands for installing such a plant, and he went to the extent of claiming that all arrangements were made and that garbage would be collected from all the colonies and baugs and transported to Doongerwadi for treatment. Instead of meekly accepting this responsibility to treat garbage as envisaged by this trustee, would it not have been better for him to get the entire board, along with the Property Owners' Association and other landlords to represent to the Municipal corporation that the waste management is the statutory and mandatory duty of the Municipality and if any new rules are to be enforced, then the corporation, since it collects various taxes and charges, must compensate all such affected landlords and not go on burdening the already overburdened community. It is only massive protests by the traditionalists of the community and the undersigned, coupled with the thought that it could adversely affect the results of this upcoming election, that compelled a rethinking on the part of the said Trustee.

6. Unprofessional conduct of the Trustees:

Groupism and partisanship is the

order of the day among the Board of Trustees and dissent in any form is ruthlessly put down as evidenced by the recent mails of Trustees Viraf Mehta and Noshir Dadrawalla.

The two main community newspapers are owned/controlled by a certain Trustee which though not illegal, should tantamount to a conflict of interest in any organization. Obviously, news published in these weeklies will be biased in favor of those whose interest the owner of the paper wishes to promote.

Readers must have by now read the manifesto of Xerxes which focuses on encouraging entrepreneurship among the youth and the interview of Anahita in which she has candidly stated that there are a myriad problems in the BPP. She went on to suggest: "On Maharashtra Day, the BPP can send a congratulatory letter to the governor" and "wish government officials on Diwali and give them sweets on our community festivals!"

I am bringing up these burning issues at the time of this election in order to urge the community and all its members to carefully consider all the above points and then cast their valuable vote.

My plea to the winning candidate: Upon assuming trusteeship, please do not forget your promises and that you have chosen to serve the institution and the community voluntarily. Whereas you have a duty to the trust, you also have a duty towards the beneficiaries for whom the trust was created and that for your acts of commission and omission you are all jointly and severally responsible.

For the record I must state that I do not have any personal or professional connections with either Anahita or Xerxes.

**In the interest of our Kom-Unity,
Phiroze Amroliwalla**

PS: After writing, emailing and forwarding the above message, I received on social media a forwarded "you-tube" interview by Ervad Xerxes Dastur. I suggest our community in general and voters in particular see and hear this interview. Ervad Xerxes has spoken very eloquently on his vision and mission for the community.

When elections were announced, I had just arrived in Toronto and some wellwishers had expressed their desire that I should offer my candidature. I was considering doing so, but several factors prevented me from returning.

After hearing Xerxes views and his statesmanlike approach, I have no hesitation in endorsing his candidature and extending my full support. I appeal to my community and Voters to please hear him out and you will be convinced too that Xerxes IS the ONLY candidate who unconditionally deserves not just your vote but also your support. The institution of the BPP is more relevant than any individual, for individuals come and go but the BPP must, and has to go on.

May our Kom-Unity prevail,

Phiroze Amroliwalla