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PARSI JUNCTION

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Committed to Transparency and Accountability

YAZDI DESAI ATTEMPTS TO CAPTURE THE DEFUNCT ANJUMANS THROUGH FPZAI BY REMOVING OTHER BPP TRUSTEES IN HIS WAY

The Community will recall that in January 2019, the BPP Trustees had passed a **Resolution of NO CONFIDENCE against Yazdi Desai as well as a Resolution to move the Charity Commissioner for his removal/suspension in view of his illegal MOU and Power of Attorney with servant Sharda Sonavne for the 3000 sq.ft Khareghat Colony flat of late Vira Bhiwandiwalla.**

Earlier there was a controversy between Yazdi Desai and other Trustees as to who should intervene in the Delhi High Court matter of allowing entry into Delhi Dadgah members of all communities including all ladies even if menstruating. Yazdi wanted FPZAI to intervene whilst all the other Trustees

wanted BPP as the well known and recognized apex Trust of the community to intervene. Acrimonious debate ensued and ultimately Yazdi Desai wanted both to intervene irrespective of doubling the legal cost on the same issue. The other Trustees agreed with covenant that BPP will not bear the legal cost of FPZAI whose members should contribute from their own pockets if they wanted to intervene. That was the first salvo. The simmering discontent continued thereafter.

The attempt of sale by Chothia and Desai, without the knowledge of other DAC members, of very valuable Neemuch property was exposed by Rayomand Zaiwalla who filed his Objection before

the Neemuch Collector. The Defunct Anjuman Committee (DAC) headed by Sam Chothia of Bulsar was accused by other members of the DAC that all information, correspondence, etc sent to Yazdi Desai was not being sent to other DAC members and instructed him to henceforth send all papers, information, correspondence sent to Yazdi to all members of DAC. Surprisingly Chothia refused which raised doubts about the bonafides of Chothia and Desai about sale of defunct Anjuman properties and further acrimonious mail was exchanged among the DAC members.

An urgent DAC meeting was convened by Farokh Rustomjee, who is not a member and does not represent any

Anjuman, for Saturday 16-3-2019 but not at BPP office as per normal practise but at Hotel Heritage at Byculla. When the other Trustees were informed that the hotel cost would be paid by Yazdi Desai from his own pocket, the others rebelled and ultimately the said DAC meeting had to be cancelled and that is when Yazdi Desai declared war on BPP Trustees and issued a REQUISITION FOR EXTRAORDINARY GENERAL MEETING as under.

Very cunningly, the EOGM is deliberately fixed for 5-5-2019 when most Trustees will be attending the GWG and WZCC meeting fixed on same day at Orlando.

Requisition for Extraordinary General Meeting

From: yazdi [mailto:yazdi@writercorporation.co.in]
Sent: Thursday, April 04, 2019 12:21 PM
To: 'Kersi Randeria'; 'Kersi Randeria'; Zarir Bhathena (zmbhilla@gmail.com); 'noshirbpp@gmail.com'; ArmaityRustomTirandaz (artirandaz@gmail.com); Viraf Mehta (viraf@viraf.com); 'Yazdi Desai'; 'Yazdi Desai'; bppceo1681@gmail.com; Cawas Panthaki (exsecfpzai@gmail.com); Tehempton Ankleseria G.D.Anklesaria & Co. Mumbai (gda.mumbai@gmail.com); sam_stc@yahoo.com; spentoengg@gmail.com; mrbhada@gmail.com; Russi Jeejeebhoy (russi_007@hotmail.com); 'f.m.rustomji@gmail.com'; Ahmedabad Parsi Panchayat (ahdpp2010@gmail.com); sppanchayat@gmail.com; 'sppanchayat@youtele.com'; 'porusd@gmail.com'; 'marazbanbaria@yahoo.com'; 'adil@nargolwalla.com'; 'cyrus@indboilers.com'; dasturjikhurshed@gmail.com;

com; yjkasad@yahoo.com; 'kabyramji@yahoo.com'; Parsi Zoroastrian Anjuman, Mhow <mc.pzamhow@gmail.com> (mc.pzamhow@gmail.com); 'waniafca@gmail.com'; 'NAHNI KAPADIA'; 'poonaparseepunchayet@gmail.com'; dorabbajan@yahoo.com; 'persibuhariwala@yahoo.in'; 'pervizkhan@rediffmail.com'; 'tpza1955@hotmail.com'; 'ronny_dick@yahoo.com'; 'yazdikaranjia@gmail.com'; 'shirazdoongaji@gmail.com'
Subject: Requisition for Extraordinary General Meeting

Dear Executive Council Members,

As per Clause 25 of the Rules and Regulations of The Federation of Parsi Zoroastrian Anjumans of India (FPZAI), I am requisitioning the Executive Council to convene an Extraordinary General Meeting of the FPZAI to discuss and

decide the following matters/objects of the meeting -

1. To change the registered address of FPZAI.
2. Consideration and approval of the proposed amendments to the Rules and Regulations of the FPZAI.
3. To pass a Resolution appointing authorised signatories to the FPZAI Bank Accounts as per Clause 20 of the Rules and Regulations of FPZAI.
4. Reconstitute the Defunct Anjumans Committee for effective working.
5. To consider the draft of the Trust Deed in respect of the Global Working Group (Global Council of Zoroastrians Trust).
6. To effect transfer of funds of defunct Anjumans Khatas from Bombay Parsi Punchayet (BPP) to FPZAI. Since the BPP Trustees have refused to make any payment on behalf of FPZAI and have declined to co-operate

and support the FPZAI, this requisition is being delivered to the members of the Executive Council by email instead of hard copies being delivered to you by the office (BPP Office) on behalf of the FPZAI.
Kind regards,
Yazdi Desai
President, FPZAI

Immediately on receipt of above, the faithful employee Farrokh Rustomji, Jt. Hon. Sec. of FPZAI issued EOGM Notice on 5-4-2019 with the same Agenda but with two extra items:

7. To accept resignation of Noshir Dadrawalla as Hon. Sec. which he has submitted via his email dated 18-9-2017 (Annexure E)
8. To consider draft of the Trust Deed in respect of the Global Working Group (Annexure F)

ITEM 1 - NO REASON IS GIVEN FOR CHANGE OF ADDRESS BUT

OBVIOUSLY IT HAS BEEN WORKED OUT WITH SOME COOPERATING ANJUMAN/TRUST, BUT THE CONSTITUTION OF FPZAI IS CLEAR THAT REGISTERED OFFICE SHALL BE OF BPP AND NO PROVISION FOR ITS CHANGE EXCEPT RULE 38.

ITEM 2- THE ONLY AMENDMENT SOUGHT IS TO REDUCE 4 BPP TRUSTEES ON EXECUTIVE COUNCIL TO ONLY ONE SO AS TO BAN/STOP 3 OTHER BPP TRUSTEES WHO ARE NOT CO-OPERATING IN SALE OF DEFUNCT ANJUMAN PROPERTIES.

SURPRISINGLY 15 PAGES OF ACRIMONIOUS MAILS INTERSE

THE TRUSTEES IS SHAMELESSLY ANNEXED TO THE AGENDA TO GAIN SYMPATHY FROM THE MEMBERS IN HIS FAVOR. THE SAME YAZDI DESAI WHEN THIS MAILS ARE PUBLISHED IN PARS JUNCTION TRIES TO BAN ITS DISTRIBUTION TO BPP COLONIES AND EVEN FILES POLICE COMPLAINTS. WHAT DOUBLE STANDARDS!!

ITEM 3-- THUS YAZDI DESAI AS PRESIDENT AND FARROKH RUSTOMJI CAN OPERATE THE FPZAI BANK ACCOUNT WITHOUT ANYONE ELSE'S KNOWLEDGE.

ITEM 4-- THUS EFFECTIVELY YAZDI DESAI IS REMOVING THREE BPP

TRUSTEES FROM THE DAC SO THAT HIS AND SAM CHOTHIA'S CONTROL ON DEFUNCT PROPERTY CANNOT BE CHALLENGED BY ANYONE.

ITEM 5-- YAZDI WANTS FUNDS OF DEFUNCT ANJUMANS LYING WITH BPP TO BE TRANSFERRED TO FPZAI SO THAT THEN HE AND RUSTOMJI CAN DO WHAT THEY WANT WITH THE FUNDS.

ITEM 6-- TO ACCEPT RESIGNATION OF NOSHIR DADRAWALA OF 18-9-2017. NOSHIR HAS ALREADY WITHDRAWN HIS RESIGNATION AND HENCE ITEM IS INFRACTUOUS

ITEM 7-- DRAFT OF GWG TRUST

WAS TO BE DISTRIBUTED IN JANUARY 2019 SO THAT MEMBERS CAN DECIDE AND GIVE THEIR OPINION ON IT. THE GWG MEETING IS ON SAME DAY OF 5-5-2019 AT ORLANDO WHEN THEY WERE TO BE INFORMED OF THE VIEWS OF THE ANJUMAN MEMBERS. WHAT EFFICIENCY OF THE PRESIDENT AND THE HON SEC!!

ALL IN ALL THE MEETING IS GOING TO BE VERY CONTROVERSIAL WITH PROBABILITY OF EVEN THE POLICE BEING CALLED TO CONTROL TEMPER.

ZOROASTRIAN CHARITY FUNDS OF HONG KONG, CANTON & MACAO AND WZO TRUST FUNDS COLLABORATE TO PRESERVE THE SANCTITY AND PRIVACY OF NAVSARI ATASHBEHRAM

Our Atashbehrum at Naysari is one of the most important spiritual powerhouses that sustains and nurtures our community. After Iranshah Atashbehrum was consecrated at Sanjan in the 10th century CE, the Naysari Atashbehrum was consecrated after a gap of about 800 years. At that time as there were no records about how an Atashbehrum could be consecrated, the learned Dasturs of Naysari formulated a scheme from various scriptural texts & consecrated the 2nd Atashbehrum of India in 1765 CE. The subsequent three Shehenshahi Atashbehrums, namely Modi Atashbehrum of Surat (1823 CE), Wadiaji Atashbehrum of Mumbai (1830 CE) and Anjuman Atashbehrum of Mumbai (1897 CE), were all consecrated in the light of the Scheme prepared at the time of consecrating the Naysari Atashbehrum.

Various religious ceremonies are performed at Naysari Atashbehrum, which by religious injunction cannot be viewed by individuals who are not Zoroastrians.

In late 2018, we learnt from reliable sources that the building of a Zoroastrian family opposite our Naysari Atashbehrum (House No. 635 in Ward No.8 known as Bacha Dhanji House) was going to be sold and the same purchased by a non Zoroastrian family, from where the main hall of Atashbehrum could be

seen clearly, where jashan & other religious ceremonies are being regularly performed. Even our Dadgah building could also be seen clearly from the building.

This was clearly an unacceptable situation, as it would have meant compromising the sanctity of our revered Atashbehrum.

Since the question of preserving the sanctity and privacy of our Atashbehrum was of paramount importance it had become essential that the building be purchased only by a Zoroastrian individual or entity. Considering the sanctity of the Atashbehrum would be compromised the owners of the property, though offered ₹100,00,000 by the non Zoroastrian buyer, were willing to sell it to for ₹77,00,000/- only to any Zoroastrian.

With registration and stamp duty expected to be additional, the amount required was a total of ₹80,00,000/-, an amount that only someone having not only financial means but also large hearts that had concern for the community's religious institutions, could undertake such a mammoth task at short notice.

Divinity is known to work in mysterious ways and it was nothing short of divine intervention that brought Zoroastrian Charity Funds of Hong Kong, Canton & Macao on to the scene due to the efforts of WZO Trust Funds.

Faced with this dilemma, we contacted Mr Dinshaw Tamboly, Chairman of WZO Trust Funds to assist us in our mission and he readily agreed to do so. He contacted the Trustees of Zoroastrian Charity Funds of Hong Kong, Canton & Macao with a request that they consider supporting this project. It is to the credit of the Trustees of Trustees of Zoroastrian Charity Funds of Hong Kong, Canton & Macao that they considered the request and approved to give a donation to WZO Trust Funds to enable them to purchase the building.

WZO Trust Funds have agreed to enter into an arrangement with Naysari Atashbehrum & Vadi Daremeher Trust Fund to manage and maintain the building for which a token compensation of ₹1,000/- per annum will be paid to them. Naysari Atashbehrum & Vadi Daremeher Trust Fund will maintain the building in pristine condition, and pay the annual rates, taxes, and all statutory charges.

Under the arrangement, Naysari Atashbehrum & Vadi Daremeher Trust Fund shall be entitled to use the said property for various Atashbehrum related issues such as providing accommodation to Mobeds, providing guest house facilities to families of young boys from Athronan Families who are to be initiated as Navar/ Maratab, Zoroastrian pilgrims and so on.

We, Trustees of Naysari Atashbehrum & Vadi Daremeher Trust Fund profusely thank Zoroastrian Charity Funds of Hong Kong, Canton & Macao for their generosity, the Trustees and members of the Naysari Local Committee of WZO Trust Funds for their guidance, especially their Chairman Mr. Dinshaw Tamboly for having used his good offices to quickly steer the project to its quick and satisfactory conclusion.

It was indeed the Blessings of Ahura Mazda that made the Trustees of Zoroastrian Charity Funds of Hong Kong, Canton & Macao, and the Trustees and members of the Naysari Local Committee of WZO Trust Funds, to collaborate and put in collective efforts on account of which to the sanctity and privacy of our beloved Atashbehrum has been preserved.

May the Divine Light of our Atashbehrum always continue to shine bright, guide us all, Bless Trustees of Zoroastrian Charity Funds of Hong Kong, Canton & Macao and the Trustees of WZO Trust Funds with good health and prosperity in the service of our community.

**Atha Zamyad, Yatha Afrinami,
Er. Khurshed Desai,**

Trustee and Hon. Secretary
Naysari Atashbehrum and Vadi Dar-e-Meher Trust Fund

ATTACHMENT OF UNDER CONSTRUCTION GODREJ BAUG OWNERSHIP BUILDING BY BMC FOR NON PAYMENT OF LAND UNDER CONSTRUCTION TAXES

CONSTRUCTION OF A PROPOSED OWNERSHIP BUILDING AT GODREJ BAUG HAS BEEN GOING ON SINCE 1998, i.e. for over 20 years. ORIGINALLY THE PROPOSAL WAS FOR A NINE STOREY BUILDING WITH 6 FLATS PER FLOOR, EACH OF 400 SQ.FT. UNDER ARCHITECT RUSI KHAMBATTA. SUBSEQUENTLY WITH ADDITIONAL FSI BEING MADE AVAILABLE IN 2008, THE PROPOSAL WAS CHANGED BY TRUSTEE JIMMY MISTRY TO 13 FLOORS AND ONLY 3 FLATS PER FLOOR EACH OF 1300 SQ.FT.

HOWEVER DUE TO VARIOUS PROBLEMS MAINLY CONCERNING CRZ NORMS, CONSTRUCTION WORK CAME TO A HALT IN 2010 AND SINCE THEN NO WORK OF ANY CONSTRUCTION IS GOING ON TILL DATE. NO TAXES OF PROPERTY TAX OR LAND UNDER CONSTRUCTION TAX WAS LEVIED OR EVEN RAISED BY THE BMC TILL THE EARLIER TRUSTEES WERE IN OFFICE.

BUT ONCE THE NEW TRUSTEES TOOK OFFICE IN OCTOBER 2015, THE BMC FOR THE FIRST TIME RAISED IN 2016-17 DEMAND OF ABOUT RS. 4 CRORES AS 'LAND UNDER CONSTRUCTION' TAX (LUC TAX) FROM 1-4-2010 TILL 31-3-2017. AT THAT TIME SOLICITORS MULLA AND MULLA ADVISED THEM TO MOVE THE HIGH COURT

AGAINST THIS ILLEGAL DEMAND. BUT SHOCKINGLY THE TRUSTEES FOUND COUNSEL FEES OF ABOUT RS. 2 LAKHS AS EXORBITANT AND INSTEAD OF FILING A WRIT PETITION TO CHALLENGE THE ILLEGAL DEMAND OF LUC TAX APPOINTED SOME RETIRED DY. ASSESSORS FIXERS UNDER GUISE OF CONSULTANT TO REDUCE THE DEMAND OF LUC TAX.

SINCE THE CHAIRMAN WAS BY NOW AN EXPERT IN FIXING MATTERS (REF: THE HIGH COURT ORDERS OBTAINED BY HIM IN THE '104 ALLOTMENT CASES AND THE PANTHAKY BAUG OWNERSHIP FLAT CASES AGAINST HIS NOW COLLEAGUE BUT HIS THEN BITTER FOE IN 2009) THEY PERSUADED THE OTHERS WHO HAD NO KNOWLEDGE OF BMC MATTERS TO OPT FOR CONSULTANCY FEES OPTION.

UNDER SO CALLED EXPERT ADVICE, THE TRUSTEES SOUGHT PAYMENT BY INSTALLMENTS AND STARTED PAYING RS 50 LAKHS EVERY QUARTER OR SO AND HAVE SO FAR PAID AROUND RS 3 CRORES TO BMC AS LUC TAX WHICH IS LEGALLY EVEN NOT DUE. AFTER HAVING PAID ALMOST RS 3 CRORES AS LUC TAX, THE BMC ISSUED ANOTHER NOTICE DATED 5-3-2019 FOR RECOVERY

OF ARREARS OF RS 1.85 CRORES EVEN AFTER HAVING THE TAX REDUCED THROUGH THEIR SO CALLED CONSULTANTS. THIS BMC NOTICE WAS PUBLISHED IN THE PARSI JUNCTION ISSUE OF 17-3-2019 DEMANDING IMMEDIATE PAYMENT OF THE BALANCE RS. 1.85 CRORES.

ON WEDNESDAY 24-4-2019, THE BOMBAY HIGH COURT HAS STRUCK DOWN CERTAIN RULES OF THE CAPITAL VALUE MODE OF ASSESSMENT AS REPORTED IN TIMES OF INDIA AND MUMBAI MIRROR ON 25-4-2019. IT IS STILL NOT TOO LATE TO MOVE THE HIGH COURT AND OBTAIN A STAY ON FURTHER RECOVERY OF THIS ILLEGAL TAX, AND EVEN REFUND OF THE TAX PAID SO FAR.

FURTHER THE LUC TAX WAS LEVIED FOR FIRST TIME IN 2016-17 CHARGING LUC TAX FROM 1-4-2010. AS PER THE HIGH COURT ORDER DELIVERED BY JUSTICE SUJATA MANOHAR IN 1988, THE BMC CAN RECOVER TAXES ONLY FROM THE YEAR IN WHICH THE DEMAND WAS FIRST RAISED. SINCE DEMAND WAS RAISED FIRST ONLY IN 2016-17, THE BMC CANNOT ISSUE RETROSPECTIVE DEMAND OF TAXES FROM 1-4-2010 AS IT HAS DONE IN THE INSTANT CASE BUT CAN LEVY IT EVEN IF LEGAL ONLY

FROM 1-4-2016 OR 2017.

FURTHER THE AREA OF LUC HAS BEEN ILLEGALLY TAKEN OF THE WHOLE FSI OF 13 FLOORS WHILST THE ACTUAL LAND UNDER CONSTRUCTION IS HARDLY 10% AND HENCE RELIEF FROM HIGH COURT IS A VERY DISTINCT POSSIBILITY ESPECIALLY AS OVER 50% OF THE ILLEGAL DEMAND HAS ALREADY BEEN PAID UP.

EVEN NOW WILL THE TRUSTEES TAKE THE LEGAL ROUTE OR WILL STILL DEPEND ON FIXERS TO BRING THEM OUT OF THE PRESENT JAM. THEY HAVE TO REMEMBER THAT NOW THAT LUC TAX HAS BEEN LEVIED FOR FIRST TIME IN 2016-17 THE DEMAND OF ABOUT RS 1 CRORE LUC TAX WILL CONTINUE EVERY YEAR TILL THE BUILDING IS COMPLETED UNLESS HIGH COURT GIVES THE TRUST SOME RELIEF.

NOW WITH THE PRESENT HIGH COURT ORDER SETTING ASIDE THE RULES FOR CAPITAL VALUE ASSESSMENT, BPP MUST GO TO COURT AGAINST THIS UNFAIR AND ILLEGAL DEMAND DUE TO WHICH THE OWNERSHIP BUILDING HAS BEEN SEIZED AND ATTACHED BY THE BMC PENDING PAYMENT OF ITS DUES AND THREAT OF ITS PUBLIC AUCTION FOR RECOVERY OF ITS DUES.

ONCE AGAIN WITHOUT THE BOARD'S APPROVAL OR KNOWLEDGE YAZDI DESAI AGAIN ORDERS BAN ON PARSI JUNCTION DISTRIBUTION

Though having failed to stop the circulation of PARSI JUNCTION on 7-4-2019 in spite of lodging police complaint at Malabar Hill Station, once again this Sunday 21-4-2019, Yazdi Desai warned Wadia Baug in charge Mr. Percy Sigantoria that he would dismiss him if the circulation was not stopped in Wadia Baugs. Yet, the distribution of the Parsi Junction was completed as always. But Noshir Dadrawalla was not amused by this machiavellian attitude of the Chairman and sent out the below message.

"Dear Percy, I tried calling you.

Guess you are busy this Sunday.

I believe once again you are being unnecessarily bullied to prevent distribution of Parsi Junction at certain Wadia Baugs.

Please know and understand that the Board of Trustee have neither discussed nor decided on this subject and neither you nor any staff member should, in principle take instructions from any one trustee, even if the trustee unfortunately happens to be the Chairman of the Board by default.

Please refrain from getting into the politics of this circus.

Let the Board Discuss and Decide.

This goes for Baug Custodians of even baugs other than Wadia Baugs.

Can one prevent venom that is spewed on the internet and social media? Why then should we make fools of ourselves to gag archaic print media?

The more one tries to ban something the more the publicity we give and arouse curiosity of even the uninterested. We know this from books and films that get banned and get read and seen the most.

Grow up and if the going gets too hot in the kitchen, get out!

What is false will never stick and what is true will always hurt.

May wisdom prevail over foolhardy behaviour.

Noshir H Dadrawalla

I am going to add ... who so ever on the Board will not speak up and stop this nonsense I shall deem a supporter of this nonsense and this mad man.

Enough is enough."

It is time that the other Trustees instruct all Managers and Custodians of all Baugs not to obey any instructions of the Chairman, who has no special powers any way, unless supported by a Resolution/Minutes of the Board on the issue. It would be prudent if the Chairman himself was castigated by the Board to refrain from issuing instructions and orders on his own without the Boards approval and especially under threat of dismissal from service.

BAPOO MALCOLM THREATENS BPP AGAIN

PARSI JUNCTION OF 21-4-2019 HAS VERY LOGICALLY POINTED OUT THE FALLACY IN THE ARGUMENTS OF BAPOO MALCOLM TO DEMAND DISTRIBUTION OF THE SALE AMOUNT TO OTHER CHARITIES KNOWING FULL WELL THAT JUNGALWALLA DIED WELL WITHIN THE 10 YEAR LIMIT. THEIR SOLICITOR HOMA PETIT AS WELL AS THE EXECUTRIX HERSELF HAVE ACKNOWLEDGED THIS FACT AND HAVE AGREED TO RECEIVE THE PURCHASE PRICE OF ₹18,66,660/ FOR DISTRIBUTION TO OTHER FOUR CHARITIES.

WHEN BPP ITSELF IS GOING THROUGH A FINANCIAL CRISIS, IT WOULD BE A GROSS MISCARRIAGE OF JUSTICE AND EQUITY IF THE TRUSTEES WERE TO FALL A PREY TO MALCOLM'S THREATS. THIS IS A CASE WORTH FIGHTING FOR RIGHT UP TO THE SUPREME COURT AS ALL FACTS

ARE IN FAVOUR OF THE TRUSTEES OF BPP.

Dr. Bapoo M. Malcolm

To,

The Trustees and Others as addressed Funds & Properties of The Bombay Parsi Panchayet Mumbai 400 001.

The 'Auction' of the Andheri flat

Dear Madam/Sir,

Further to my e mail of 10th April 2019 and the immediate reply by Noshir Dadrawalla, I was asked by Kerssie Wadia to visit him. The meeting was disturbing. He started by implying what I should do and that Randeria had inferred that I was doing this exercise for publicity. I asked Wadia to tell me what was the correct value of the bequests, and the honest thing to do, now that the ten years are over; and have it implemented. His calculations and my response are as under:

- **Randeria is definitely not trustee material, as I had indicated to his colleagues before the election. I just do not need any publicity. I do not buy a newspaper to print my photograph in it, bloodied nose and all, to gain sympathy. And circulate it for free. As for showing off his accumulated wealth, it is not something I would be proud of.**
- **Secondly, I have not made any correspondence public, wanting the matter set right without fanfare, but the BPP, of which Randeria is a trustee, is publishing my mail.**
- **Coming to the point, I am glad that at least Dadrawalla agrees that correct distribution must be made. Wadia refused to jot down the figures he calculated, but I did. They are: ₹31 Lakhs to each of the four public charities, i.e., Petit School, Parsi General Hospital, Surat Parsi Panchayet and The Shri Sai**

Baba Sansthan. The BPP would get ₹26 lakhs. Am sure that Homa Petit will also agree. Wadia is a CA and Income Tax expert and I will go with that.

- **If Dadrawalla can convince the others to tread the straight and narrow, nothing like it. The matter need go no further. The Surat trusts need to be informed.**

(BAPOO M. MALCOLM)

ONCE AGAIN BAPOO MALCOLM HARPS ON THE SAME ARGUMENT THAT NOW 10 YEARS ARE OVER BUT WITHOUT CONSIDERING THE STAY ORDER OF THE CHARITY COMMISSIONER NOT ALLOWING PAYMENT EARLIER. YES, NOSHIR IS RIGHT THAT CORRECT DISTRIBUTION HAS TO BE MADE BUT OF THE PURCHASE PRICE OF THE FLAT AND NOTHING MORE. NO COURT WOULD HOLD IN BAPOO'S FAVOUR AND TRUSTEES HAVE TO TAKE HIM ON.

LEAVE LICENSE DEPOSIT LYING WITH BPP

Let us run an exercise and analyze the LL Deposits lying with the BPP.

For the BPP Baugs (excluding the Wadia Baugs) ₹65 crores was received as Refundable Security Deposit (RSD) for flats given on Leave License basis. An amount of about ₹4 crores has been refunded back to the licensee leaving a balance of about ₹61 crores. But we are informed that at present only about ₹14 crores are in Fixed Deposits and balance 47 crores have been used for the Objects of the Trust. 43 crores used by the previous Board and 4 crores by the current Board.

A closer look reveals that over ₹28 crores have been spent for ongoing construction work mainly Godrej Baug Ownership bldg. and Navsari Ownership bldg. Once Charity Commissioner's sanction is received, BPP will earn over ₹15 crores from the Navsari Bldg alone. Godrej Baug bldg will fetch way over ₹150 crores when sold.

TDS refund of over ₹11 crores is due from the Income Tax Dept. It is an open secret that BPP squandered almost ₹4 crores on the futile Renegade Priest matter mainly due to Yazdi Desai and Khojeste Mistry. An amount of over ₹1 crore was unjustifiably paid to Junior Counsel Percy Ghandhy as both of them were close to him.

The RSD lying in Wadia Baug Accounts is over ₹80 crores. The total Interest Income received from FD Investments for 2018-19 is around Rs. 11 crores of which only an amount of ₹7 crores is spent on Expenditure of Wadia Baugs alone without even a penny being spent on welfare activities for the community poor or the Doongerwadi. Thus the extra ₹4 crores from Interest earned is carried forward and

redeposited as FD. This is the situation year after year. Thus whilst BPP is cash rich from Income of Wadia Baugs it is pathetic that our community poor suffer because its funds are not being used for welfare of the poor as per the Objects of the Trust.

Another point to be noted is that Wadia Baugs have received Donations running into crores, which has to be forwarded to BPP accounts as according to Trust Deed of Wadia Baugs Trust, donation can only be accepted from Jerbai Wadia and her family and from no one else. Hence the Donations collected in Wadia Baug accounts need to be transferred to BPP Accounts.

The cash and Bank Balances of BPP as on 31-3-2018 is ₹101 crores whilst Investments is about ₹184 crores. **THUS THE ALLEGATION THAT BPP IS FACING A CASH CRUNCH IS A FIGMENT OF IMAGINATION OF YAZDI DESAI WHO IS TRYING TO FOOL THE COMMUNITY FOR HIS OWN AGENDA.**

From October 2015 till date, ₹18 crores has been received from the Wadia Baug accounts to the BPP. This is a pittance considering that BPP spends on an average over ₹12 crores every year towards Welfare Objects of the Trust including Doongerwadi maintenance, medical aid, education assistance, doles to the poor, second and third child subsidy, mobed relief and other welfare activities for the benefit of the whole Parsi community including residents of Wadia Baugs.

Thus for the four years from 2015 to 2019, BPP has spent around ₹50 crores for the welfare of the community including Doongerwadi maintenance. It is a disgrace that out of ₹50 crores

spent by BPP towards Objects of the Trust, BPP has received only ₹18 crores from the cash rich Wadia Baugs, even though Noshir and Kersi have reiterated that the Wadia Baugs belong to BPP and also its funds. The same view is shared by all the other Trustees, except Yazdi.

Of course Yazdi, in his usual manner, twisted facts and wrote to the Board

"WOW ! We have depleted FDs worth 22 crores (18 crores from Wadia Funds and 4 crores from BPP Funds)."

It is now to be seen whether the Trustees will start using Wadia Baugs funds for Doongerwadi expenses as well as for Objects of the Trust in favour of the beneficiaries who have been denied funds on the excuse of FINANCE CRUNCH.

During an exchange of emails, Yazdi, who still treats the BPP Baugs and Wadia Baugs differently to pander to Mr. Wadia for his own Agenda, wanted to know how much money the BPP has used from the Wadia Baug accounts, or as he puts it, from the "Wadia Funds". This did not go down well with most of Yazdi's colleagues.

Kersi, with great guts and aplomb with a demand for an answer asked Yazdi to clarify 'who's money he's referring to --the Wadia's? or the BPP's?' as in the eyes of all the other Trustees, the money belongs to the BPP. Appreciating the firm stand taken by his colleague Kersi, Noshir added that it takes guts to ask this question and wanted to see if Yazdi had the gall to answer it. He added **"All the Baugs including the Wadia Baugs and all the funds, assets and properties of the N N and R N Wadia Trust legally**

vest in the trustees of the BPP. Not just the BPP trustees but the entire Parsi community stands beholden to Late Jerbai Wadia." But he did clarify that it was Late Jerbai Wadia's WILL that her trusts and it's properties vest in the trustees of the BPP and not her family due to certain unfortunate events which have been historically documented and are well known. He went on to add that we should be and remain "grateful" to the Wadia family but not degrade ourselves to become "boot lickers"!

Unfortunately this did not go down well with the 'boot licking' Yazdi Desai and instead of a logical reply, he once again began rambling and as has been the trend in the recent past, Dinshaw Mehta was part of his rant. His reply came through as follows **"Voila! Usual conspiring support. Selective trembling guts and gall! Where are the guts and gall where Dinshaw Mehta has kicked you out of Bhabha and Morena ??? You can keep fooling yourselves !"**

Noshir chose to ignore the Chairman's usual noise but did tell Yazdi not to take his not responding as acceptance ... it's just that he would not wish to dignify the frivolous and unconnected. Noshir did point out something very interesting in regards to Yazdi's recent absenteeism on days the BPP meetings are for meeting the public. He found it to be a strange coincidence that something or the other comes up for Yazdi on Tuesdays that the BPP has public meetings. This has been corroborated by others too. Maybe Yazdi prefers to meet the public at the WAPIZ office or when there are agenda items which he feels uncomfortable about.

FORCED ENTRY OF LEGAL HEIRS OF DECEASED TENANT INTO CUSROW BAUG FLAT H-13

One Miss Dilnavaz Behramji Shroff was the sole occupant of Flat No. H-13 at Cusrow Baug who expired on Sunday 14th April 2019 at 4.30 am. When the Baug Manager and Secretary visited the premises they found that 3 persons had inducted into the flat who claimed to be the legal heirs of the deceased tenant. Dilnavaz had a brother Gev Behramji Shroff who expired in 2012.

Gev's wife Marceline and his son Bernard who has never resided in Cusrow Baug but reside in Nancy Colony, Borivli (W) and who did not have even the keys of the Flat have intruded into the flat. They demanded the keys of main door and cupboard from the next door neighbour Mrs. Arsiwalla who handed over the keys, valuables and cash as they claimed to be the legal heirs of Dilnavaz. The Secretary efficiently informed the Chairman on 15-4-2019 and pasted a Notice on the door of H-13 and sought legal opinion from Advocate Bhot on 16-4-2019 and a police complaint was filed on 18-4-2019.

However the said intruders have replied to the notice pasted on the door that they are the legal heirs of Dilnavaz and falsely claimed that they were residing with Dilnavaz during her lifetime right upto her demise as a member of her family and requested Trustees to transfer rent receipt of H13 to the name of Bernard Shroff for which the other legal heirs, Marceline and Tina Shroff have no Objection.

As a concerned resident of Cusrow Baug, Khushroo Mistry has sent a detailed note on the steps to be taken to stop non-Parsis from taking advantage of our Trust property and the failure of the administration/Trustees to protect such properties. We reproduce below the said article as it is informative and will help to avoid future such induction into Parsi colonies.

In view of the clear cut provisions of the NN and RR Wadia Baug Trust deed reserving these Baugs only for residence of Parsi Zoroastrians the Trustees are failing in their duty to uphold the Objects of the Trust Deed, if the Trustees do not take action to evict the non Parsis from Cusrow Baug. If the trustees are of a view contrary to the original Objects of the Trust Deed then they should resign and make way for such Trustees who would uphold the Original Objects of the Trust.

Khushroo Mistry's write up reproduced below on the incident

requesting comments of the Trustees is worth pondering to avoid future such induction of non-Parsis into Parsi Trust properties.

"Respected Trustees,
ParsiPunchayat Funds & Properties,
Mumbai.

Madam and Gentlemen,
I send respectful greetings.

A Parsi Zoroastrian lady, DilnavazBehramji Shroff, unmarried and residing alone for decades at Block H - 13, CusrowBaug (CB), Colaba Causeway, Mumbai, departed this World in the very early hours of Sunday, 14th April 2019. She had a live-in maid servant. Her younger brother, Gev, married to a non-Zoroastrian, predeceased her by a number of years. He lived with his wife and son independently in the suburbs. It is pertinent to note that neither Trustees/Officials of the Bombay ParsiPunchayat, nor those of the N. N. & R. N. have ever inter-acted with the wife of late Mr.Gev Shroff before this incident. The Secretary of the Wadia Trust present, nor the Custodian, also had no previous interaction with the wife of late Mr.GevShroff. Or with any other members of the wife's family.

Somehow, on receiving news of the demise of Dilnavaz, a lady claiming to be the wife of late Mr.GevShroff, along with other unidentified companions, were the first entrants into the flat. This early in the morning, these unidentified persons should have been stopped by the Security staff at the Main Gate itself. To compound this lapse, they were permitted entry into a flat in the Baug(Lapse No. 1). The Secretary, who lives in CB, arrived at the Block first, and the Custodian, who lives some distance away, arrived at the Block some time later. The logical action on the part of the Secretary should have been to treat these unverified entrants into the flat as trespassers. Instead, he entered the flat and tried to get the intruders to leave (Lapse No.2). No prize to guess the reaction of these intruders. They refused to step out of, or vacate, the flat.

The Secretary then tried to contact the highest official of the Wadia Group by mobile phone. It appears this gentleman did not even pick up the phone. In the meantime, it is reliably learnt that this unidentified woman, who claimed to be the wife of the deceased Gev Shroff, started disposing of the furniture in the flat, and was permitted to do so (Lapse No. 3). Two cupboards and a grand Piano were disposed of, purchased by

the neighbours in Flat H-16. It is quite likely that more such transactions took place thereafter.

The Chairman of the BPP was then contacted by the Secretary, who is reported to have given instructions that another attempt be made to get the intruders to leave, and then place a lock on the main door, failing which to leave the matter at the status quo, to be attended to the next morning.

(At this point of time there were offers from an activist, that subject to the approval of the Authorities, the persons unlawfully occupying the flat would be evicted forthwith. This offer was rejected out of hand by the officials of the Wadia Trust).

The alleged wife was thereafter permitted to carry away the deceased to a crematorium. This should have been resisted by the Secretary. Not having done so, and giving up possession of the body, gives this unidentified woman unwarranted legitimacy (Lapse No. 4).

No meaningful action was initiated by the BPP / Wadia Trust for four days thereafter. Four days later, the highest Representative of the Wadia Trust, the Secretary and the Custodian jointly called on the trespassers to try and resolve the matter peacefully. They were rebuffed, whereupon they approached the Officials at the Colaba Police Station with a written complaint. The Police will now investigate whether a Criminal case can be registered.

The foregoing is merely a narrative, with malice towards none, with the hope that the lapses brought out would be analysed at the appropriate levels, and a corrective mechanism is put into place to ensure that such unauthorised intrusions are not permitted. Activists of the Baug are ever ready to extend their cooperation in all such matters.

In the interests of the Community in general, and CusrowBaug in particular, I take the liberty to analyse the lapses brought out above, and suggest precautions/preventive measures for the future:

1) It is fact that most such incidents involving Senior Citizens of the Baug take place late in the night, or in the early hours of the morning. The Security staff should be instructed to effectively screen all visitors late in the night / early mornings. It is also fact that, for years altogether, it was the routine in the past that the main gate was closed around midnight. A watchman

opened the gate for vehicular traffic when required, while pedestrians used the small gate near the entrance. This worked beautifully. This procedure should be re-started. With the Security staff on duty at the main gate 24 hours, this can be easily implemented. Unauthorised persons would be halted at the main gate itself.

Late Mr. Neville Wadia (may his Soul rest in peace) foresaw this problem, and set up steel barriers at the entry and exit points of the Baug. Some misguided youth opposed this, and physically brought down these barriers. The remnants of the same today stand mute witness. If the main gate will not be closed, perhaps these barriers could be repaired and put to a logical use?

2) In circumstances where there is unauthorised occupation of flats by non-Zoroastrians on the demise of the tenant, no efforts should be made to get them to vacate before a Police case for trespass is lodged. The legal implications should be obvious.

Even today, there may be very Senior Citizen/sick tenants in the Baug, living alone. Cases in point: Block H-9, G-7, to name two. Others could be easily identified by the Custodian. A systematic, discreet, check should be maintained on such premises (there is sufficient man power available to the Authorities to do so). Some servants are employed in case of bedridden/ailing tenants. These servants should be monitored, and in the event of the death of the tenant, unless a Legal Heir takes over the flat immediately, the concerned servant should be immediately escorted out of the flat, and the flat locked by the Trust.

3) In the event of the demise of a tenant who was living alone, under no circumstances should the Security staff permit a third party to dispose of, or remove, any furniture or fixtures.

4) It should be ensured by the Trust Authorities that, in the event of demise of a tenant living alone, the body is removed from the flat for the last rites only by a relative who can be identified as such. Again, the legal implications should be obvious."

CURRENT STATE OF METRO 3 TUNNELS

This is with reference to the on-going efforts of the Parsi community to ensure that the Metro-3 tunneling does not pass underneath the Atashbehrams at Marine Lines.

Right from the leader of this movement Mr Jamshed Sukhadwalla to other stalwarts who have contributed in their own unique way, the whole exercise has been instrumental in uniting the community like never before.

However, we as an enlightened community should access the situation and ask the million dollar question : "Have the Metro authorities done the tunnelling under the two Atashbehrams?"

1. A write-up by Mr Zerick H Dastur in the Jame Weekly of 3 rd February 2019 highlights the efforts of individuals and institutions alike. It mentions that "the tunnel was realigned by 3.5 metres from its earlier location." The community remembers that the MMRC was requested for 7 metres of re-alignment so that the trains do not run underneath the Atashbehrams. Hence, if the tunnelling has already been done, it has gone BENEATH the Atashbehrams, all 3.5 metres of it. This is clearly a case of "MISSION NOT ACCOMPLISHED".
2. A write-up by Mr Jehangir

Bisney mentions: "Many devout Zoroastrians are still confident that the underground tunnel of Metro 3 has NOT reached Kalbadevi. They feel that the Metro 3 authorities are deliberately misguiding the community to make us complacent and accept the issue as a fait accompli."

"There seems to be some merit in this thinking. In order to satisfy the entire community as to the correct position and location of the tunnel, the Trustees of the two Atash Behrams must IMMEDIATELY employ the services of a 3D Laser Mapping Agency or something similar. Such agencies would give a pinpoint location and position of the underground tunnel by using an underground monitoring system. Even if the underground tunnel has reached Kalbadevi, we should know whether MMRCL did realign the tunnel by 3.5 metres as assured by them to the Bombay High Court. If not, it is a contempt of Court."

"I request the legal team to NOT, repeat NOT, close the hearing in the Supreme Court till the above is done. Let not an enlightened community like ours rely on hearsay, rumours and gossip and instead have a scientific finding of the location and position of the tunnel."

3. Behram P. Dhabhar writes on the PIDPZ platform: "There will be no tunnel realignment - so in my opinion there is no victory." and that "nothing to be happy about if the karsh is broken."
4. Mrs Havovi Mistry has opined that "(the) tunnel is very much inside the compound wall as the realignment is only up to 3.5 meters."
5. Mr Behruz Irani on PIDPZ mentions that: "Practically it is impossible to extract the truth out of MMRCL who has been functioning in a very clandestine manner behind an iron curtain. But the court's attitude and verdict so far has never been in our favour. That is why I said that it is in no way good. Courts are just dillydallying. The verdict is fixed against us. They are just wasting time to show that a fair trial is being given." He also writes: "What is good about this news? The tunnel is still below the Aatashbehram and desecrates the karsh. This shift of station is just a cunning attempt by MMRCL into misguiding our community into believing that the problem is solved. So please no celebration at all for now. We are still on the same page as we were after the unfavourable HC verdict."
6. Ketayun Sui says via a WhatsApp

message: "After yesterday's hearing in SC nothing has really changed at all. The tunnel is still going to pass 3.5 m inside the Aatashbehram karsh . The shift is for station access tower which was already outside and is being pushed further (just as an additional precaution against any damage to structure due to blasting which is not likely) to cunningly placate and fool many vulnerable ignorant Parsees into believing that courts and MMRCL are respecting our community's sentiments and religious practices. If any Parsee believes so he/she has to be a big fool."

In light of the above compelling arguments, we as a community need to be vigilant and on guard. We must know exactly whether a complete or partial re-alignment took place, or none at all. This will help us to decide whether the Atashbehrams are Spiritually Safe from the Metro 3 trains or not.

Of course, the Structural Safety factors too should be looked into, but unless we get a scientific green light on the Spiritual Safety, there can be only partial rejoicing, knowing that much work lies ahead.

It would be good if someone, preferably the trustees with the help of some experts, take the steps as suggested by Mr Jehangir Bisney.

Here is wishing all the involved Zarathushtis the very best in their efforts.

Best wishes,
Tehemton B. Adenwalla

Kaikhurro Dastur Minocher
Jamasf Asa M.A. Ph.D.

Linden House
Mahakavi Bhushan Marg
Above HDFC Bank
Mumbai - 400 001
☎ : 2202 0164

15th December 2018.

To,
Shri Ramdas Athavale
Minister of Social Justice and Empowerment,
Government of India,
Bandra East,
Mumbai 400 051.

Respected Sir,

Please find attached letter dated 6th April 2018 of all our Vada Dasturjis (head priests), addressed to the Prime Minister of India with a copy marked to the Chief Minister of Maharashtra. We and the entire Parsi community are greatly anguished that one underground corridor of the upcoming Metro III project in Mumbai (also known as Colaba-Bandra-SEEPZ line) will pass below our 2 of our most revered Atash Behrams (the holy Zoroastrian Fire temples of the Highest Grade of consecrated fire in the whole world), thus negatively affecting their spiritual sanctity as well as the structural safety.

There are only 8 Atash Behrams, all of which are in India, with 4 being in Mumbai. The present issue concerns two of them viz. H. B. Wadia Atash Behram (which is 188 years old) and Zarthosti Anjuman Atash Behram on Jagannath Shankarseth Road (which is 122 years old) in Mumbai.

We are extremely concerned about the impact of the construction activities on the structural stability of these Atash Behrams, which are heritage structures. The proposed Kalbadevi station is planned to be constructed barely 5 metres away from H. B. Wadia Atash Behram and for construction of which the techniques involving controlled blasting are proposed to be used in very close proximity to the Wadia Atash Behram and also beneath the precincts of the Atash Behram. This threatens the structural safety of the Atash Behrams. Further, the construction of the station may likely impact well water levels of the Atash Behrams, thus rendering performance of sacred rituals impossible. This would be disastrous from the liturgical point of view.

All the 5 Vada Dasturjis of India viz. Vada Dasturji Dr. Firoze Kotwal, Vada Dasturji Khurshed Dastur (Member of National Commission of Minorities), Vada Dasturji K. N. Dastoor Meherjirana, Vada Dasturji Cyrus Dastur and the undersigned Vada Dasturji Jamaspasa along with over 35 senior priests of the Atash Behrams all over India have also expressed in writing their serious concern and they have requested the government authorities to immediately intervene to avoid a major spiritual catastrophe. Their letters and affidavits are on record of the High Court of Mumbai.

The Atash Behram is a composite whole comprising not just the consecrated fire enthroned in the sanctum sanctorum but also includes within its definition the whole edifice in which the Divine Fire is enthroned. The composite whole means the complete building of the Wadia Atash Behram and Anjuman Atash Behram and not just the sanctum sanctorum.

The sacred Fire has to be connected to the earth at all times. This is not a belief but a scriptural requirement for which there are evidences too.

Kaikhurro Dastur Minocher
Jamasf Asa M.A. Ph.D.

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We regret to state that though the Metro 3 work inception was in the year 2015, the map of the metro tunnel lines passing beneath the precincts of our 2 holy structures was revealed in October 2017 only after several RTI applications were filed by our concerned community members. 11,000 signatures attached to an online petition to the Prime Minister were submitted in October 2017.

In spite of pursuing MMRCL on mitigation lines to shift the tunnel by only 7 metres outside the boundary wall which forms the external spiritual Laxman Rekha, we were not given any relief by them and thus, a group of Parsis was compelled to approach Mumbai High Court in May 2018, seeking relief to prevent a spiritual catastrophe.

The Parsi community at their own expenses consulted Mr. Nicola Della Valle, independent Tunelling consultant specialized in mechanized tunneling with hard rock TBM and pressurized shield, partner and administrator of Tunnel Consult Engineering Ltd. As per his report, 8 options for shifting of the tunnel upto 7 metres, are technically feasible without much additional cost to MMRCL. But MMRCL has agreed only to 3.5 metres in spite of providing 8 options. These options have been already been submitted in Mumbai High Court in the last week of September 2018.

Thereafter, the Member of the National Commission for Minorities, Vada Dasturji Khurshed Dastur corresponded with the PMO, the CMO, Minister of State Housing and Urban Affairs and Minister of Railways to save the sanctity of our holy structures.

On 30th November 2018, the Mumbai High Court gave its verdict in favour of MMRCL. With one stroke of the pen, the future of the 2 Atash Behrams out of 8 in the whole world, has been wiped out. This dark period would qualify as one of the lowest points in history of our community in its over 1300 years stay in India.

Respected sir, we have categorically stated that the Parsi community is not coming in the way of Mumbai's North - South connectivity elementary for economic growth. The Parsees are forebearers of progress in India. In our 1300 years stay in India, we gave back to India more than we took. We fought shoulder to shoulder with the local armies against invaders and sacrificed our lives. Many leading lights of freedom struggle from the British rule were Parsees. Some of the biggest cosmopolitan charities are established by Parsees. When there was talk for reservation for our community, we refused. Today in one shot, the centuries old record of achievements and sacrifices for our Mother India has been set aside, all at the altar of political expedience and in name of progress. We did not say No to the Metro, we did not impede the progress of this city which we have helped to build. And we had good reason to request this change. We have been mocked in the High Court by the opponents'

lawyer and suggested to stand on the streets and pray and that importance of the connection of the Holy consecrated Fire to the soul of the Mother Earth (Geush Urva) at its core centre is only a mere belief of a minuscule minority of the Parsi community when this is not true. We have been told that even if 2 out of 8 Atash Behrams are desecrated for Economic progress, at least feel blessed that you have 6 Atash Behrams to pray in. All scriptural evidences on our religious practices requiring uninterrupted connection with the Earth till its core centre, have been disregarded.

Kaikhurro Dastur Minocher
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Kindly note Sir, the spiritual constitution of a holy Atash Behram fire is created by vigorous performance of 1128 higher liturgical ceremonies which are performed round the clock for almost 3 years and has to be maintained at all cost. Once consecrated, this Fire becomes a divine power house whose main job is to keep dark evil forces in check. In effect, He is a warrior King gifted by Nature for the protection and progress of mankind. But alas this holy warrior the one who deserves our highest respect and support is now being sacrificed because the ease of transport is deemed more important than the safety and the wellbeing of the Mumbaikars offered by our Holy Fires. MMRCL deputed personnel are now swarming all over the compound and walls of the Wadia Atash Behram premises with various gadgets including camera video graphing the sacred interiors without official permission, deeply offending the community's religious sentiments.

Never have we as a community felt so hurt and bereft of support as now. The entire community stands united and prays that the Prime Minister Shri Narendra Modi, who has showered his love and support to our community out of reverence for our holiest Fire, Pak Iranshah in Udvada, understands our plight and suffering and prevails on MMRCL to move the tunnel away from its existing position on the plan so as to pass completely outside the premises and refrain from doing controlled blasting beneath our holy structures built on hard Basalt Rock, thereby drying up our holy wells.

For your information it was deemed fit to make corrections in plans to save a 100 year old banyan tree in the suburbs of Mumbai for Metro3 and for the Aga Khan Palace in Pune for the metro. But no respect is been shown to our holy fire which are living divine entities.

God forbid if the TBM machine after puncturing the Spiritual Laxman Rekha below the Atash Behram premises becomes dysfunctional for any reason whatsoever how will it be removed from 20feet below the surface of the earth? Would premises of the Atash Behram demolished to extract the gigantic TBM machine using cranes?

Therefore, we request your good self to intervene and assist in shifting the route of the Metro 3 line to preserve the sanctity of the Zoroastrian fires, which will avoid a major spiritual catastrophe, and the entire city of Mumbai in particular and the country at large will be spiritually blessed and will continue to enjoy protection and blessings of the 8 Atash Behrams (Ashtadam), thus preserving the customs, precepts and beliefs of the entire Parsi community.

Yours in His service,

K. M. Dastoor.

Vada Dasturji Dr. Kaikhurro M. Jamaspasa

Encl.

HUGE BACK LOG OF MINUTES CONTINUES IS IT DELIBERATE TO MANIPULATE THE MINUTES

Earlier we had reported about the huge back log of Minutes, not just to be approved but to be even sent to the other Trustees. The Chairman Yazdi Desai allegedly coming from a Corporate background has been amiss in his basic duties as the Chairman. Is there some method in this deliberate delay in sending the Minutes of the meeting to his colleague Trustees as who would remember what happened in a meeting months after the event.

Yazdi never comes on time to convene the board meeting and now the Trustees start the meeting on time after nominating Noshir Dadrawala or Armaity Tirandaz as Chairman of the meeting. Several such recent meetings have commenced with others as Chairman and later even when Yazdi ultimately arrives the pro-tem Chairman of the meeting continues as Chairman and Yazdi occupies his chair as a Trustee only. If Yazdi Desai does not have the time to come on time or update the arrears of Minutes since months then he is duty bound to resign from the Chairmanship and nominate another Trustee as Chairman. **Noshir Dadrawala who got the highest votes in the October 2015 elections is the ideal choice to be made Chairman for the rest of the term of the present Board.**

Will Yazdi oblige the community by letting a better person take over the reigns

to lead the BPP for the remaining three year term of the present board. As it is there have been many scams under Yazdi's leadership leading to great loss of face for the whole Parsi community. The fiasco of first nominating Dinshaw Tamboly, the community's best social worker, as a member of the Minority Commission without the approval or even knowledge of his colleague Trustees and then his equally fast volte-face withdrawing his nomination made us the laughing stock. Similarly his attempt to move the Chief Minister seeking Exemption from paying Bonus based on fraudulent and manipulated accounts of Profit Loss is another instance of his dubious personality.

He shamelessly carries on even though his colleagues passed a vote of NO CONFIDENCE against him as well as a Resolution to move the Charity Commissioner for his removal. His recent attempt to reward the servant with an Ownership flat in Borivli/Thana plus ₹10 lakhs without the knowledge of other Trustees is enough to send him to jail if the Trustees decide to take action for the criminal breach of faith. His bribing the judiciary to get favorable orders is now well known to the community. His abject failure to be proactive in the Metro tunnel matter under the Atashbehrams is another dereliction of duty of the apex body of the

Parsi community. One can go on and on and his misdemeanors would not end.

But this article is about the back log of Minutes to be sent to other Trustees. The Agenda of Board meeting of 24-4-2019 sent to the other Trustees on Saturday 20-4-2019 at 1.46 am has an Item of Confirmation of Minutes of Board Meeting of a) 27-12-2018- almost four months after the meeting, b) of 3-1-2019, c) 8-1-2019 d) 15-1-2019 over three months after the meeting e) 21-1-2016, f) 27-1-2016 and g) 28-1-2016 almost 39 months after the meeting.

Further whilst Minutes of meetings are sent for approval after three and four months of the meeting, the draft Minutes were actually sent to all the Trustees only with the Agenda on 21-4-2019. Thus whilst Yazdi takes 3 to 4 months to prepare the Minutes the other Trustees have just three days to study the validity and truthfulness of the Minutes. The Minutes of the **three January 2016** Minutes were sent by the CEO to the other Trustees on 31-1-2019.

Once again at 1am in the night of 23/24-4-2019 Yazdi sends an amendment of the Agenda along with Draft Minutes of above six Board Minutes and now adds thereto the Draft Minutes of Board Meeting of h) 22-1-2019, i) 29-1-2019, j) 5-2-2019, k) 12-2-2019, l) 26-2-2019 along with the Summary maintained by

the administration of their version of the Draft Minutes for the same 9 board Meetings. These amendment of Agenda to incorporate draft minutes of five more board meetings are in breach of the High Court Orders as they were sent less than 24 hours before board meeting at 4.30 pm of 24-1-2019. **But then Yazdi Desai hardly cares for such niceties having been a fixer of judiciary orders earlier.**

As per the High Court Orders, Minutes are to be maintained by the Chairman as well as by the administration. Since the Chairman has no time to prepare and get approved the Minutes of a board meeting, it would be in interest of equity and avoid possible manipulation of Minutes that the administration was requested to send the draft Minutes within four days of the board meeting and any changes if required by any Trustee **including the Chairman** could be incorporated in the next board meeting. This way the need of another draft Minute to be prepared by the Chairman would be eliminated and all Minutes would be on track and in time.

The Trustees must pass a Resolution that there is no need for two Minutes of every meeting-one by the Chairman and another by the administration. In view of the inordinate delay of the CHAIRMAN'S MINUTES the same should be dispensed with forthwith.

Dr. SYRUS IRANI SUGGESTS WAYS AND MEANS TO SAVE PARSI GENERAL HOSPITAL BY SENSIBLY USING THE DONATION FROM JAL SHROFF

This has reference to your Article "Hongkong-based Parsi couple renew pledge to donate \$ 22.5 mn to hospital at Breach Candy" by Nauzer K Bharucha (TOI correspondent).

On going through the said article, the couple Jal and Pervin Shroff have been kind enough to extend the date beyond 31st March 2019, but for how long? Yes, the honourable couple have promised, after their recent discussion with the executive committee and the consultant Parsi doctors, to continue to support the hospital in any way deemed prudent and also financially to ensure PGH's future survival and wellbeing, but, nowhere is the deadline to build the state of art hospital under Agreement with Medanta will be extended mentioned, as per the Article I have read.

We all know the complaint at the Charity Commissioners Office will be a long drawn battle, and then what? Either of the parties may move a regular court which will consume time and money.

What is the solution? Let us try and find a resolution to this impasse. I have great respect for the eminent consultant doctors at B.D. Parsi General Hospital who have come out openly to support the cause to protect and preserve our last of the Parsi Hospitals, a few of which have been lost in the yester years. Normally doctors keep away from controversial issues but this time, according to me they have a case, if my thinking is right the sincerity of the doctors must be respected. How? Let us find a solution.

I know Khusroo R.Zaiwalla, an eminent advocate of Bombay High Court personally and I don't think he will even relent as he is a thorough orthodox. He will do his best to protect the PGH come what may. Then let us shun all our egos and find a solution.

May I suggest the following:-

1. A part of the 10-acre plot at PGH is demarcated for Shroff Medical Centre along with Gurugram Medanta Group. I am not aware of the agreement

between the parties but there must be some hidden agenda which has aroused the orthodox views of Khusroo.

2. A panel of seven Parsis from the present set-up must be formed - Two consultant doctors from PGH committee in all probabilities, Shri Homa Petit along with Shri Jal Shroff; two from the petitioners and one senior BPP trustee in all probabilities either Shri Noshir Dadrawalla or Shrimati Armaity Tirandaz. Nauzer Bharucha can become an observer to report.
3. Presently the new hospital building must be allowed to be built by a good Parsi builder without Medanta by the munificent donation from the Shroff family funds directly without donating a single rupee to any other trust fund. The agreement with Medanta must be temporarily suspended by consent terms.
4. In the meanwhile as the hospital

building comes up, the panel so formed must go into the pros and cons and find a via media to the impasse.

5. Once a solution is found, we must go deeper into the issue of the agreement between the warring parties and safeguard the interest of the land in issue and sentiments of the petitioners.
6. After the building is complete, the panel so formed must approach Medanta (to safeguard the interest of Pervin and Jal Shroff) to run the hospital under the Aegis of PGH as per terms and conditions applied by the Panel, without alienating PGH trust lands. This will ensure safeguarding the interest of all concerned parties.
7. If and when Medanta refuses to comply (I hope not) to the new agreement then these eminent doctors along with PGH committee can run this state of the art hospital under the auspices of Pervin and Jal Shroff Medical Centre Trust.

I hope and trust my above averments are not taken in a bad light.

I too stress that our landmark hospital retains its identity even though a state of the art hospital comes up in its premises.

**Yours faithfully,
Dr. Syrus D. Irani**

ONE MORE SCAM OF YAZDI DESAI EXPOSED

It has now come to light why the Chairman, Yazdi Desai, no longer meets community members alone at BPP Office on Fridays but prefers to meet them alone in Wapiz office on Saturdays away from the prying eyes of the staff and colleagues. He plans, coaches and rehearses those he wants to favor with valuable free housing AT WAPIZ OFFICE in order to ensure a vote bank for himself and his wife for future Trustee election. What long term planning to the detriment of our community!!

Flat no. E-23 at Jer Baug, a 2RK Flat on first floor ad-measuring over 700 sq. ft. carpet area, was in possession and occupation of Dara and Tehmina Davar till their demise in 2008. Dara expired on 5-3-2008 and a week later his wife Tehmina too expired. One Mani Kolah who claimed to be the sister of Dolly Davar who was sister-in-law of Dara Davar inducted herself into the said flat as their relative and legal heir and continues to stay there till date. She is a distant relative of the Davars and was actually employed by them on salary as caretakers to look after their needs due to their fragile health. From being their nurses, she moved into the flat on demise of Tehmina claiming to be their legal heir.

Sam Daruwalla brother of late Tehmina Davar who resides at Daruwalla Bldg. Grant Road claimed a right of tenancy of Flat E-23 Jer Baug and filed a Declaratory Suit No. 554/825/09 against the Trustees as well as Mani Kolah claiming right to tenancy to the suit flat.

Mrs. Katy Dalal, sister of Dara Davar, resides at Kalyan and has also claimed title to the said Flat.

Trustees of BPP filed in January 2009 an eviction suit being RAE 594/883/2009 against Sam Daruwalla, his brother Rustom Daruwalla acknowledging them as legal heirs of statutory tenant Dara Davar, and also intruder Mani Davar, as the illegal occupant on ground of induction, arrears of rent and non-user.

In spite of this, since the flat was in a bad condition, to avoid damage to the building, permission for repairs was given to Mani Kolah under advice and opinion of Adv Bhot with incorporation of necessary clauses in the permission letter as per his advice.

Further, Sam Daruwalla has filed two Appeals in Court Room 2 for disposal of his Application for striking out the name of Mani Kolah and directing Registrar to take possession of said premises. **Now comes the new twist master minded and engineered by our crafty Chairman after the Sharda Sonavne episode.**

One Mehru Nalavala, sister of the illegal inductee Mani Kolah, her son Farzan Nalavala, having Mobile No. 9821283376, his wife Parinaz and their daughter Ushta used to reside in Doongerwadi Staff Quarters on first floor in staff building next to Lower Bungli. They have been residing there originally as their father was the hearse Driver many years ago. But even after his demise more than 10 years

ago, when he was offered alternate premises in Bharucha Baug/Nirlon he refused to move insisting on a South Mumbai flat only.

Farzan works in a logistic company earning a very high income. He has an Ownership 2 bedroom, hall flat near Viman Nagar at Pune which he has given on leave and licence on high license fee. His mother Mehru Nalavala has also got another flat in Viman Nagar at Pune which has also been rented out and earning a high Income. They continued to reside in Doongerwadi on assurance of Yazdi Desai that he would transfer them to a suitable accommodation in South Mumbai. Recently they were seen visiting Wapiz office regularly. Since January 2019 we have been receiving reports that every weekend furniture items from the first floor residence of Mehru Nalavala was being shifted to some place outside Doongerwadi.

On 1st March 2019 at 10 am when a Trustee sent mail to legal dept of Wadia Baug to inquire the status of Mani Kolah's flat, that the two Managers of Jer Baug informed Legal Dept, by their letter dated 28-2-2019, that the Occupant Mrs. Mani Kolah has inducted the Nalavala family into flat E-23 Jer Baug who are now staying with her since last week. Although the legal Dept. are supposed to inform the BPP Trustees it is not known what steps the Trustees have taken to safe guard Trust property after the recent case of induction into Cusrow Baug Flat H-13 of non-Parsi relatives forcing their way into the flat.

In view of this planned induction by the loyal workers of Yazdi Desai, it remains to be seen how Yazdi will get them out of E-23, Jer Baug. In the RAE&R suit filed by the Trustees on 16-1-2009 against Sam Daruwalla, Mrs. Katy Dalal and Mrs. Mani Colah, there is a specific prayer "(c) restraining them from further inducting into and/or parting with possession of the suit premises or any portion thereof either through themselves and/or through their agents, servants and representatives acting on their behalf" and interim and ad-interim reliefs in terms of prayer (c) are also sought.

It is not known whether the interim prayers were granted. If so then Mani Colah can be prosecuted for Contempt of Court as well as striking off all her defenses till the Contempt is purged and the new inductees are all removed from the flat. In the Alternative, if no interim relief has been granted then the suit will have to be amended to add all four of them as co-Defendants with their right to claim protection. The Trustees can move for appointment of a Court Receiver to take vacant possession of the flat till further hearing but doubtful. With Yazdi on their side the matter seems to be lost from community coffers. What is more galling is that every weekend some member of the Nalavala family comes and resides in their original Doongerwadi premises. Thus they enjoy the benefit of two residences.

THIS SEEMS TO BE A REPETITION OF THE SHADES OF SHARDA SONAVNE EPISODE. EITHER WAY THE TRUST IS THE LOSER.

The Zoroastrian Premier League successfully completed its third Gameweek

The Zoroastrian Premier League successfully completed its third Gameweek on the 21st of April at the Dadar Parsi Colony Gymkhana. The event that involves 10 team owners each buying a team, saw some high quality football games that kept the score table as tight as it was when it began. The event involves a league and knockout stage. The top 4 teams after the league phase make it to the knockouts. With only 14 league games to go, the table still remains open and the last stretch of the competition shall see some crucial fixtures.

Sterling F.C practically bid the tournament farewell after they lost yet another game, giving Saturday Supremos a much needed win. The team owned by Delna Daruwala seemed to have a lot of strength on paper, but lacked the ability to put results on the board. Saturday Supremos who had a rough start to the tournament, managed to turn things around, winning some tricky ties and finding themselves in second place at the end of GWK 3.

Websters who seemed to be struggling, proved their metal after putting up a brilliant performance this Saturday,

with Cyrus Karbhari starring in the 3-1 victory. He scored a brace which involves a stunning top corner goal in the first half. The game however saw Yohan Malao who scores the third, pick up a red card, which means he shall miss the next game for the men in orange.

Panthers who were thrashed by the Websters seem to be on a downward spiral. Losing games left light and center, the team led by Rushad Parbhoo and Karl Kalianiwala, need to pick up momentum and perform like they did on the opening day of the tournament. Rushad scored a consolation goal on Wednesday to maintain the lead on the top goal scorer table, but it will be a task for him to inspire his team to a tournament comeback.


Pink Panthers drew both their goals this weekend, maintaining their place on top of the table. Shazen got off the mark scoring an equaliser against the Giants to give the team a much needed goal in the second half. Giants led by Ratan struggled in the absence of Arzhan Doctor who picked up a groin injury. They also drew both their games over the weekend, and find themselves with a mountain to climb in GWK 4.

Storm 11 who were placed second before GWK 3 lost both their games over the weekend, and seemed to be struggling on the pitch. Predators got the edge over them with a 1-0 victory on Saturday. Sunday saw a brilliant game in which Storm 11 managed to cancel out Byculla's goal within seconds, but a goal keeping error from Sheroy Kohla cost them the game, and perhaps the tournament.

Predators who seemed to be only drawing games throughout the tournament, managed to get 4 points over the weekend that pretty much sealed their place in the knockouts. A top of the table clash with the Panthers gave them an opportunity to shift to first place, but the game ended in 0-0 draw. The team remains the only unbeaten team in the league. And may just finish the season being invincible

. Byculla United who has scored only one goal in the tournament this season managed to score twice on Sunday giving them a win that put them up in 4th position after GWK - 3. It will be imperative for them to keep up the performance quality and get results in the next couple of games if they want to make it to the knockouts.

Mondy's drew both their games over the weekend, with their Goal Keeper picking up a direct red card in Saturday's game. This means the star keeper shall miss the first game of GWK - 4 as well. The team find themselves tied at 4th position.



FIXTURES		POINTS TABLE					STATS	
#	Team Name	P	W	L	D	GD	Pts	
1	Pink Panthers	7	4	1	2	3	14	
2	Saturday Supremos	7	3	2	2	2	11	
3	Predators CF	7	2	0	5	2	11	
4	Byculla United	7	2	1	4	1	10	
5	Mondy's Patraos	7	2	1	4	1	10	
6	Storm 11	7	2	3	2	0	8	
7	Iranian Giants	7	1	1	5	0	8	
8	Persian Pirates	6	1	3	2	0	5	
9	Websters	6	1	3	2	-1	5	
10	Sterling FC	7	1	4	2	-8	5	