

MES BUILDERS ASSOCIATION OF INDIA (REGD)
807-808 Sahyog 58, Nehru Place, New Delhi –110019

Circular No.05
All Members,

Dated: 23.01.2024

Minutes of Council Meeting held at Hotel Bel La-Monde, Delhi on 27th December, 2023.

1. The following Council Members and Special Invitees were present:-

1. Sh.G.S.Mago
2. Sh.Kumar Ashok
3. Sh.Sandeep Srivastava
4. Sh.C. Balasatish
5. Sh.Shiv Kumar Gupta
6. Sh.Kumar Ashok
7. Sh.Prasanta Mahanta
8. Sh.Gurdvinder Singh Oberoi
9. Sh.Sunil Kumar Panwar
10. Sh.Pankaj Prahladka
11. Sh.Ashok Kandoi
12. Sh.Vinod Behl
13. Sh.Deepak Balkawade
14. Sh.M.Sundararajan
15. Sh.Mahesh Jain
16. Sh.Rajesh Bahl
17. Sh.Anil Raizada
18. Sh.Harish C.Bhatia
19. Sh.Bharat Bhasin
20. Sh.Varinder Kumar Garg
21. Sh.Lakhibir Singh
22. Sh.Amit Kumar Bhaduri
23. Sh.Praveen Mahana
24. Sh.Anil Kapoor
25. M/s.Mahinder Pal Constn. Pvt.Ltd.
26. M/s.K.M.Constn.Co.
27. M/s.Gaurav Constn.Co.
28. M/s.Mago Construction Co. Pvt. Ltd.
29. Sh.C.M.Saxena
30. Sh.A.K.Upadhay
31. Sh.J.J.Singh
32. Sh.Arun Khirwar
33. Sh.Vineet Gupta
34. Sh.Mahesh Agarwal
35. Sh.Parvesh Kumar Gupta
36. Sh.Rakesh Garg
37. Sh.Atul Jain
38. Sh.Mahesh Gaur
39. Sh.Sukhchain Singh
40. Sh.Sandeep Mahajan
41. Sh.Gurpeet Singh
42. Sh.N.Thilak
43. Sh.S.Ravindra Reddy
44. Sh.Azeezulla Khan
45. Sh.Rakesh Kumar Gupta
46. Sh.Sarvjeet Singh
47. Sh.Sanjay Varshney
48. Sh.Rajeev Sharma
49. Sh.Harpal Singh
50. Sh.Sahjal Sharma
51. Mr.Mohd.Tausif Khan
52. Sh.Nitin Bhatia
53. Sh.Atul Arora
54. Sh.Papinder Singh Gujral
55. Sh.Subhamoy Banerjee
56. Sh.Anil Tiwari
57. Sh.Prem Nath Roy
58. Smt.Irani Basu
59. Sh.Inderjit Mehta
60. Sh.Vimal Mandil
61. Sh.Hafiz Ahmad Khan
62. Sh.Peeyush Mishra
63. Sh.Ramesh Aggarwal
64. Sh.Jagmohan Singh
65. Sh.Rajnish Aggarwal
66. Sh.Rajnish Jain
67. Sh.Yash Pal Arora
68. Sh.Vipan Bansal
69. Sh.Kunal Aggarwal
70. Sh.Navin Singh
71. Sh.Balram Singh
72. Sh.B Magesh
73. Sh.S Kumar
74. Sh.S Dillibabu
75. Sh.K Prabakaran
76. Sh.Jackson Rebello
77. Sh.Vishnu T.P.Kartha
78. Sh.Vivek gupta
79. Sh.Vinay Saini
80. Sh.Anil Kumar
81. Sh.Gaurav Jain
82. Sh.Lalit Goel
83. Sh.Pramod Kumar Tomar
84. Sh.Amit Goel
85. Sh.Nitin Bhambri
86. Sh.Vimal Goel
87. Sh.Vinod Kumar Gupta
88. Sh.Pankaj Walia
89. Sh.Tejbir Singh Malik
90. Sh.Virender S.Chauhan
91. Sh.Anil Kumar Tomar
92. Sh.Arinder Pal Singh
93. Sh.Bhupender Goel
94. Sh.Ranbir Singh Bawa
95. Sh.Sish Pal Saini
96. Sh.Sunil Kumar Sharma
97. Mohd.Mubeen Saifi
98. Sh.Sangeet Gupta
99. Sh.Avinash Rajput
100. Sh.Murli Kumar
101. Sh.Ramesh Kumar Garg
102. Sh.A.Srinivas
103. Sh.K.V.Ramana Reddy
104. Sh.Satya Prakash Surana
105. Sh. Mujeebur Rehaman
106. Sh.K. Ravi Kiran
107. Sh.K. Shyam S.Reddy
108. Sh.Sulakhan Singh
109. Sh.Tarun. Mahajan
110. Sh.Pankaj Chowdhary
111. Sh.Asalam Sheikh
112. Sh.Dhiraj Khattar
113. Sh.Bijender Singh
114. Sh.R.P.Parasar
115. Sh.Manmeet S.Kohli
116. Sh.Narendra Narwariya
117. Sh.Kashmiri Lal
118. Sh.Sadhu Singh
119. Sh.Yogesh Mittal
120. Dr.Ajay Shukla
121. Sh.Vinay Kumar Shah
122. Sh.Kuldip Singh
123. Sh.Manmohan Sharma
124. Sh.Bawa Malhotra
125. Sh.Anil Mahajan
126. Sh.Karan Kapoor
127. Sh.Naresh Bakshi

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| 128. Sh.Rajinder Kumar | 163. Sh.Devendra Yadav | 198. Sh.Jaspal Singh Kohli |
| 129. Sh.Raman Nargotra | 164. Sh.Amit Chaudhary | 199. Sh.Sunil Kumar Panwar |
| 130. Sh.Virendra S.Patel | 165. Sh.Manoj Kumar Singh | 200. Sh.Satish Kumar Singh |
| 131. Sh.Rajesh N.Parmar | 166. Sh.Ajay Kumar Jain | 201. Sh.Gurjeet S.Ahluwalia |
| 132. Sh.Ketan V.Modi | 167. Sh.Rajender Aggrwal | 202. Sh.Manmohan S. Kapoor |
| 133. Sh.Harsh Dubey | 168. Sh.Manoj Kumar Gupta | 203. Sh.Suman Chowdhury |
| 134. Sh.Narendra Kr.Gupta | 169. Sh.Anil Kumar Gupta | 204. Sh.Abhishek Sikdar |
| 135. Sh.Harish Sharma | 170. Sh.Sanjeev Kumar Jain | 205. Sh.Bhupinder S.Barmi |
| 136. Sh.R.M.Singhvi | 171. Sh.P.V.Mukundan | 206. Sh.Ashim Dutta |
| 137. Sh.Rajendra S.Rathore | 172. Sh.Jagdish Shetty | 207. Sh.B. Bhattacharjee |
| 138. Sh.Rajeev Choudhary | 173. Sh.Rajendra Muppidi | 208. Sh.Debendra Pandey |
| 139. Sh.Partha Pratim Dhar | 174. Sh.Sanjay Srivastava | 209. Sh.Biraj Kuar Saha |
| 140. Sh.A.D.Chowdhury | 175. Sh.Anand G.Nunse | 210. Sh.Shaukat Dar |
| 141. Sh.Surjit Gogoi | 176. Sh.Chetan Dave | 211. Sh.Umar Yousuf Shah |
| 142. Sh.A.M.Choudhury | 177. Sh.Pramod Aher | 212. Mr.Mohd.Yousuf Mir |
| 143. Sh.Ratan Kumar Saha | 178. Sh.Rajeev Puri | 213. Mr.Mohd.Afzal Wani |
| 144. Sh.Pranob Roy | 179. Sh.Sunil Balotra | 214. Sh.Darshan Kumar |
| 145. Sh.Deepak Panday | 180. Sh.Paramjeet Singh | 215. Sh.Sandeep Kumar |
| 146. Sh.Ravikant Yadav | 181. Sh.Ashwani Basotra | 216. Sh.Naresh Kr.Sharma |
| 147. Sh.Vivek Jhawar | 182. Sh.Mohit Gupta | 217. Sh.Sanjay Kumar |
| 148. Sh.C.K. Bansal | 183. Sh.Kunal Mahajan | 218. Sh.N.Saravanan |
| 149. Sh.Raj Kr.Chaudhary | 184. Sh.Rakesh Attri | 219. Sh.S.Ashak Ali |
| 150. Sh.S.C.Dhawan | 185. Sh.Sunil Kumar Sharma | 220. Sh.S.Ramachandran |
| 151. Sh.Satypal Singh | 186. Sh.Sanjay Sharma | 221. Sh.Sanjeev Khanna |
| 152. Sh.Morup Namgyal | 187. Sh.Manish Raj Malik | 222. Sh.Kulpreet Singh |
| 153. Sh.Stanzin Norboo | 188. Sh.Badri Mander | 223. Sh.Naveen Jain |
| 154. Sh.Rabindra N.Dubey | 189. Sh.Kirit I.Shah | 224. Sh.Narender Kr.Verma |
| 155. Sh.Sanjay Yadav | 190. Sh.Nilesh Burde | 225. Sh.Anil Kumar |
| 156. Sh.R.K.Dwivedi | 191. Sh.Gorakshanath Shitole | 226. Sh.Satbir Dhiman |
| 157. Sh.Rajesh Agarwal | 192. Sh.V.P.Sanjiv | 227. Sh.Vivek Maria |
| 158. Sh.Anoop Kr.Asthana | 193. Sh.Naresh Ray | 228. Sh.Yogendra Singh |
| 159. Sh.Saurabh Chinda | 194. Sh.Sourabh Kr. Singh | 229. Sh.Jaspal Singh Mago |
| 160. Sh.Rajendra S.Yadav | 195. Sh.Dhiraj Kumar Singh | 230. Sh.R.K.Sharma |
| 161. Sh.Tarun Mangla | 196. Sh.Amit Kumar | |
| 162. Sh.Divya P.Mangla | 197. Sh.Harvinder Singh Kohli | |

2. Following other members were present:

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| 1. Sh. Santosh Jain | 19. Sh.Arvind Singh |
| 2. Sh.Abhinav Sharma | 20. Sh.Keshar |
| 3. Sh.Anil Kumar | 21. Sh.Raman Kumar |
| 4. Sh.Manish Bensal | |
| 5. Sh.Suckhain Singh | |
| 6. Sh.Sandeep Mahajan | |
| 7. Sh.Gurprit Singh | |
| 8. Sh.Munish Kalia | |
| 9. Sh.Rajeev Solonki | |
| 10. Sh.Jatinder Singh | |
| 11. Sh.Tarun khiwar | |
| 12. Sh.Vishal Jain | |
| 13. Sh.Munishjindal | |
| 14. Sh.Ankush Mahajan | |
| 15. Sh.Rajeev Nagotra | |
| 16. Sh.Sunil Gupta | |
| 17. Sh.Anil Kharbanda | |
| 18. Sh.Pawan Sharma | |

3. Welcome and Introduction:

Prior to the council meeting, the office bearers of the Delhi Branch, under the leadership of Chairman Sh.Lalit Goel, warmly welcomed attendees, including Headquarters office bearers, Past Presidents, and Council members from various outstations. Sh.Lalit Goel expressed wholehearted gratitude to President Sh G S Mago and other HQ office bearers for entrusting them with the opportunity to host the council meeting. He conveyed that hosting a significant gathering of members from branches across the country was a great pleasure and privilege for the Delhi Branch.

Following this, Hony. Secretary of the Delhi branch, Sh.Pramod Kumar Tomar, delivered a welcome address expressing gratitude to all the members who participated in large numbers in the Council meeting-cum-diary release function. Flowers and mementos were presented to all HQ office bearers, Past Presidents, and Past EC member as a gesture of welcome.

4. Commencement of the Meeting:

Following the welcome ceremony by the Delhi Branch, the council meeting commenced under the Chairmanship of ShGSMago, President. The meeting was inaugurated by lighting the traditional lamp, with the participation of office bearers from HQ, Delhi Branch and Past Presidents. The National Anthem was played, and all members present took part.

5. Agenda item 1 - Opening remarks by the President:

President ShGSMago welcomed all attendees to the **4th** council meeting of the year, held in Delhi alongside the Diary Release Function of the Delhi Branch. He expressed his pleasure at the presence of members from various branches and extended his wishes for a comfortable stay and the success of all programs.

Acknowledgment was made to the esteemed Past Presidents: Sh.Rajesh Behl, Sh.Anil Raizada, Sh.Bharat Bhasin, Sh.H.C.Bhatia, Sh.Varinder Garg, Sh.Amit Kumar Bhaduri, Sh.Lakhbir Singh, Sh.Praveen Mahana, and Sh.Anil Kapoor, who graced the meeting with their valuable time.

President ShGSMago sought Almighty's blessings for progress, and long healthy lives for all members. President emphasized the importance of remembering and appreciating the contributions of parents.

The President thanked the Delhi branch for their warm welcome and bonhomie treatment towards attendees from outstations. Special appreciation was extended to Sh.Lalit Goel (Chairman), Sh.Parmod Kumar Tomar (Hony. Secretary) and all other office bearers for excellent arrangements.

Key issues and pending cases pursued with the Department were outlined, including:-

- 1) Regarding pending cases of renewal of enlistment
- 2) Issue of Tenders to 'E' Class Contractors for value up to Rs 50.00 Lakh pending reclassification
- 3) Abolition/merger of 'E' class to 'D' class contractors
- 4) Performance Security
 - a) Performance security should be released after completion
 - b) Request to reduce Performance Security from 5% to 3%
- 5) To consider pending cases of Renewal of Enlistment
- 6) GST

a) Tender Bids may be Invited for Exclusive Of GST (as applicable)

b) Deduction of TDS with reference to GST, IT and LWC (CLWT) on basic amount of Services

7. Review on Comprehensive Maintenance Contracts

President stated that Association has addressed these concerns with the esteemed DGW and the Jt.DG (Contract), and they were deliberated upon in the Technical Session conducted in Agra. Presently, instructions to be issued by the E-in-C's Branch are awaited on all issues and anticipating positive and productive outcomes on the same in the near future.

President Sh G S Mago emphasized the importance of the 49th Annual Day Function and requested active participation. Shri Sandeep Srivastava, Hony. Gen. Secretary, was tasked with elaborating on this agenda item. The President urged all branches to be well-represented, secure sponsors for events, and contribute to the success of the function.

Expressing disappointment with branches still in election mode, he highlighted issues such as anti-association activities in Ranchi, ill-treatment of an elected council member in Jalandhar, and lobbying by Southern (S) Region branches in collective manner against opening of a new branch in Coimbatore.

President Sh G S Mago also expressed deep concern about the matter of direct interactions with E-in-Chief's Branch by certain Branches which he strongly stated as unacceptable and warned that strong disciplinary action will be taken against the Branches if the same is repeated in future.

Disappointment was expressed over the lack of support and contributions from Branches, especially the Southern Region, for the upcoming Annual Day function. The President stressed that these issues would be further discussed in the meeting.

Acknowledging the lengthy agenda and the scheduled Technical Session and New Year's Diary Release in the evening, President Sh G S Mago concluded his opening remarks, welcoming all attendees once again and expressing hope for the success of the day's programs.

With these words, he passed the floor to Sh.Sandeep Srivastava, Hony.Gen.Secretary, to proceed with the remaining points of the agenda.

6. Opening Address of Hony.Gen.Secretary Sh.Sandeep Srivastava to the House

Sh.Sandeep Srivastava, Hony.General Secretary expressed gratitude to President Sh G S Magoji, welcoming all attendees to the council meeting at the Hotel Bella Monde, Delhi. Acknowledging the excellent attendance, including members from various branches and distant locations, he extended a warm welcome.

Recognition was given to Past Presidents - Sh.Rajesh Behl, Sh.Anil Raizada, Sh.Bharat Bhasin, Sh.H.C.Bhatia, Sh.Varinder Garg, Sh.Amit Kumar Bhaduri, Sh.Lakhbir Singh, Sh.Praveen Mahana, and Sh.Anil Kapoor for gracing the meeting with their valuable time. Sh.Sandeep Srivastava expressed heartfelt thanks to all office bearers and members of the Delhi Branch for hosting the meeting alongside their New Year Diary Release Function, offering warm hospitality to the delegates.

Appreciation was extended to the members of the Delhi Branch for their efforts in making attendees comfortable. Sh.Sandeep Srivastava, Hony.General Secretary specifically thanked Sh.Lalit Goel, the dynamic Chairman of the Delhi Branch, for his leadership and motivation in ensuring the success of the event. He commended the tireless efforts of all office bearers, especially Chairman Sh.Lalit Goel, Hony.Secretary Sh.Pramod Kumar Tomar, and Sh.Mahesh Jain, Vice President Western Region, in making the event memorable.

Before addressing the agenda points, Sh.Sandeep Srivastava, Hony.General Secretary conveyed with regret the unfortunate news reported from various branches.

i) Sad demise of Sh.Mahavir Singh Verma of M/s.Ravi Associates an esteemed member of Gwalior Branch.

ii) Sad demise of Sh.Ravi Parkash Gupta respected uncle of Sh.Vivek Gupta an esteemed member/Chairman of Dehradun Branch.

iii) Sad demise of Haji Habibulla Mir of M/s. Habib Mir an esteemed member of Srinagar Branch.

iv) Sad demise of beloved wife of Sh.Arun Vaid of M/s.Satpal & Co., an esteemed member of Pathankot Branch.

v) Sad demise of respected mother of Smt.Dhira Barthakuria an esteemed member/Council Member of Guwahati Branch.

vi) Sad demise of Sh.S.Monoharan partner of M/s.Emkay Contractors an esteemed member of Wellington Branch.

vii) Sad demise of Sh.Eswarappa Reddy respected Father-in-Law of Sh.M.H.Sundereshan of M/s.Mathunga Associates an esteemed member/Council Member of Bangalore Branch.

viii) Sad demise of Smt.Prabhavati Pandey respected mother of Sh.K.K.Pandey of M/s.Prabha Enterprises an esteemed member of Lucknow Branch.

ix) Sad demise of Sh.Vinod Kumar Gupta, brother of Sh.Ravinder Gupta of M/s.Universal Engg.Co., an esteemed member/Hony.Secretary of Jhansi Branch.

A moment of silence, lasting for 2 minutes, was observed to pay condolences in memory of the deceased members and their family members.

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Sh.Mahavir Singh Verma of M/s.Ravi Associates an esteemed member of Gwalior Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Sh.Ravi Parkash Gupta respected uncle of Sh.Vivek Gupta an esteemed member/Chairman of Dehradun Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Haji Habibulla Mir of M/s.Habib Mir an esteemed member of Srinagar Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of beloved wife of Sh.Arun Vaid of M/s.Satpal & Co., an esteemed member of Pathankot Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of respected mother of Smt.Dhira Barthakuria an esteemed member/Council Member of Guwahati Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Sh.S.Monoharan partner of M/s.Emkay Contractors an esteemed member of Wellington Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Sh.Eswarappa Reddy respected Father-in-Law of Sh.M.H.Sundereshan of M/s.Mathunga Associates an esteemed member/Council Member of Bangalore Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise of Sh.Vinod Kumar Gupta brother of Sh.Ravinder Gupta of M/s.Universal Engg. Co. an esteemed member/Hony. Secretary of Jhansi Branch and conveys its heartfelt condolence to the bereaved family”

RESOLUTION

“Resolved that the Council mourns with grief and distress on the sad demise respected mother of Sh.K.K.Pandey of M/s. Prabha Enterprises an esteemed member of Lucknow Branch and conveys its heartfelt condolence to the bereaved family”

7. Leave of absence was granted to the following members:-

1. Sh.Joseph Michael
2. Sh.Kanchan Kanti Baksi
3. Sh.Balbir Singh Vij
4. Sh.Mihir Shah
5. Sh.Amit Bedi
6. Sh.Tapan Makhija
7. Smt.Dhira Barthakuria
8. Sh.Naresh Vij
9. Sh.Arun Mittal
10. Sh.Satish Ghai

Sh.Sandeep Srivastava, Hony.General Secretary then invited Regional Vice Presidents to present the report on the activities in their respective regions before addressing the agenda items. Starting this process, he invited Sh.Kumar Ashok, Senior Vice President, to share a few words.

8. Key Address by Sh.Kumar Ashok, Sr. Vice President:

a) Sh.Kumar Ashok, Senior Vice President, took the floor to address the council. He reassured the forum that significant progress is being made to address the ongoing issues with the E-in-C (Engineer-in-Chief) / Dte of Contract Management. He expressed optimism that these matters would be resolved soon for the benefit of the Builder community.

b) He asserted that the matter of resolving the enhancement limit issue will be got approved in the near future. Additionally, he mentioned that the Engineer-in-Chief (E-in-C) is contemplating expeditiously addressing the renewal cases currently held up in the Department. The files will be relocated from the Command office to the E-in-C's office to facilitate the commencement of the necessary procedures. It is anticipated that the necessary relief in the matter of the renewal cases is imminent.

c) Regarding the issue of merging 'E' and 'D' class contractors, discussions are currently underway, and significant progress has been made in that direction. There's a positive outlook, and if things align favorably, solutions to our challenges will come soon.

d) In his address, Sh.Kumar Ashok emphasized the importance of maintaining discipline within the Builder community. He stressed the need to deploy best practices, ensure fair play and honesty in all dealings, and affirm the adoption of best pricing policies. These principles, he noted, are critical for fostering a positive and collaborative environment within our fraternity and to maintain healthy relationship with the MES Department.

9. Key Address by Sh.M.Sundararajan, Vice President Southern (S) Region:

Initially, Sh.M.Sundararajan, Vice President of the Southern (S) Region expressed gratitude to the office bearers of the Delhi Branch for their warm welcome at the airport and their hospitality on behalf of all the branches. He extended sincere thanks to all the members of the Delhi branch.

He underscored the importance of unity and cohesion within the Military Engineering Services Builders' Association of India (MESBAI). In his address, Sh.Sundararajan strongly affirmed that MESBAI operates as a harmonious, cohesive and unified entity, functioning seamlessly as one collective body. He emphasized that there is no division between the southern and northern regions within MESBAI.

10. Agenda item 2 - Confirmation of minutes of previous Council meeting.

Sh.Sandeep Srivastava, Hony.General Secretary conveyed that the minutes of the recent Council meeting in Agra on October 28, 2023, await confirmation. These minutes were distributed under Circular No. 04 dated November 25, 2023, via both WhatsApp and email channels, with the hope that all council members have received them. Furthermore, the minutes have been made accessible on the Association's website for the convenience of all. He further stated that no objections have been raised thus far. If the Council approves, the minutes of the last council meeting may be considered as read and approved.

Sh.Varinder Garg, Past President, raised an objection to the confirmation of the minutes, requesting a reconsideration and suggesting a postponement to the next council meeting. In response, President Sh G S Mago emphasized that now is not the opportune moment to revisit deliberations, affirming the Association's commitment to acting in the best interest of its members rather than individual satisfaction. President encouraged all members to extend their energy towards resolving the pressing issues faced by the Association's members.

Sh.Lakhbir Singh, Past President, emphasized the need to move away from the election mode and urged the confirmation of the minutes during this meeting. He suggested that any observations could be addressed at a later time.

Sh.Anil Kapoor, Past President, called upon all members to transition away from the election mindset and rally behind the current leadership to collectively achieve the goals of the Association.

Sh.Lalit Goel, Chairman Delhi Branch raised concerns about the termination of members, expressing dissatisfaction with the historical practices associated with this issue. In response, Past President Sh. Anil Kapoor clarified that during his term as President, no memberships were terminated unless individuals had taken legal action against the Association.

Sh.Bharat Bhasin, Past President, emphasized the importance of adhering to the set agenda during the council meeting, urging that discussions proceed sequentially. He stressed that the smooth functioning of the meeting should not be disrupted by raising irrelevant points.

Then thereafter the minutes of the Agra council meeting, conducted on October 28, 2023, were unanimously approved via voice assent, as no objection was received in the prescribed manner.

11. Agenda item 4(a) – Discussion on the progress of matters related to the 49th ADF.

a) *Travel arrangements*

Sh.Sandeep Srivastava, Hony.General Secretary passionately encouraged all members to actively participate in the upcoming Annual Day Function (ADF) scheduled for February 1st and 2nd, 2024, to showcase our collective strength and unity. Emphasizing the significance of the event, he underscored the need for members to promptly make their travel arrangements and book tickets in advance. This proactive measure is crucial to avoid any last-minute rush and potential instances of non-attendance.

b) *Cultural programme update (1st February, 2024)*

Sh.Sandeep Srivastava, Hony.General Secretary stated that this year, the proposed program includes a lineup of diverse performances, featuring folk dances, an act by the Prince Dance Group (from India's Got Talent), a presentation by Sh.Sunil Paul (Laughter Champion), a live band, and performances by two male singers and one female singer.

Alternatively, the customary option remains available, with the possibility of hosting a *Hasya Kavi Samellan*, anchored by Prof.Ashok Chakradhar and featuring a team of renowned poets.

Furthermore, he extended an invitation to the forum to contribute budget-friendly yet enjoyable ideas for the cultural program slated for the ADF. This collaborative effort aims to create an engaging and festive atmosphere for the upcoming celebration.

Council Member of Jodhpur Branch, Sh R M Singhvi, proposed the inclusion of poet Sh Manjit Singh from Faridabad for the upcoming cultural program. He expressed his intention to personally initiate discussions with Sh Manjit Singh to explore and plan his participation in the event.

Honorary General Secretary informed that a proposal from Sh V P Sanjiv has also been received. Sh.V P Sanjiv was requested to present the details to the assembly. However, there was no response from him.

c) Events update

The pivotal aspect of upcoming ADF revolves around the collection of funds. Unfortunately, the current status of funds is not as encouraging as it was expected.

Sh.Sandeep Srivastava, Hony.General Secretary extended heartfelt birthday wishes to Sh R M Singhvi, and in a generous gesture, Sh R M Singhvi graciously volunteered to sponsor the lunch on the 1st of February 2024. The house responded with resounding applause and sincere appreciation for his kind gesture.

The Honorary General Secretary, in an encouraging appeal, urged all esteemed members to actively participate in sponsoring the aforementioned events. Subsequently, Sh Manik Singhal graciously accepted the sponsorship responsibility for the morning tea on the 1st of February 2024. The house responded with applause, acknowledging and appreciating his generous commitment.

As on 27/12/23, the following events have been sponsored for the 1st of February, 2024:

Event	Amount (₹)	Sponsor
Lunch	3,00,000	Sh.R.M. Singhvi (Jodhpur Branch)
Evening Tea	2,00,000	M/s. Jaybee Industries
Cultural Programme	4,00,000	M/s. Tata Bluescope (Jodhpur Branch)
Cocktail (2 nd Feb)	4,00,000	M/s. Apex Buildsys Ltd.
Morning Tea (1 st Feb)	2,00,000	Sh.Manik Singhal (Delhi Branch)
Cocktails (1 st day)	4,00,000	Seeking Sponsor
Dinner (Both days)	4,00,000	Seeking Sponsor
Lunch (2 nd day)	3,00,000	Seeking Sponsor
Evening Tea (2 nd day)	2,00,000	Seeking Sponsor
Decoration	2,00,000	Seeking Sponsor
Morning Tea (2 nd Feb)	2,00,000	Seeking Sponsor

Prices do not include GST (GST will be borne by the sponsoring firm under the Reverse Charge Mechanism).

d) Stall Reservations Update

Sh.Sandeep Srivastava, Hony.General Secretary updated that confirmations have been received from the following firms for participating in the Product Display (Stalls) at ADF:

M/s. Bentek India

M/s. Alluminium Udyog

M/s. Prakash & Co.

M/s. Orient Bell (by Delhi Branch)

M/s. S.F.M.C. (by Delhi Branch)

The participation rate for the "Product Display" for two days has been set at Rs. 1,00,000/- plus GST at 18%.

Honorary General Secretary requested all members to reach out to manufacturers and suppliers of construction materials, encouraging them to participate in this valuable opportunity.

e) Update on Souvenir

The set targets for Branches, along with the tariff for advertisements and the minimum amount fixed for HQ/Patrons/Council Members to all Branches has already been communicated.

Till date advertisements only from the following Branches have been received:

Branch	Amount (INR)
Bareilly	Rs. 28,000/-
Delhi	Rs. 25,000/-
Jodhpur	Rs. 60,000/-
Mumbai	Rs. 3,500/-

Recently, a request from Ambala Branch has been received, expressing concerns about the increased advertisement amount for Patrons in the Souvenir. They believe it has been raised significantly compared to Council Members. It's important to clarify that there has been a distinct amount difference for compulsory advertisements between Council Members and Patron Members since the inception of Patron membership. This difference is as follows:

Annual Day	HQ Office Bearers	Patrons
39th AD	5000	8000 (Full Page B/W)
41st AD	5000	8000
43rd AD	10000	15000(FullPage 4 Colour)
47th AD	15000	15000 (Full Page 4 Colour)
48th AD	20000	20000 (Full Page 4 Colour)

The President noted that there is a reduced distinction between HQ Office bearers and patrons. In light of this, he requested their input on whether to maintain the current pricing structure or consider adjustments based on different variants.

Sh.Rajnish Jain, Chairman Chandimandir suggested that members across council, HQ office bearers, and patrons should be treated equally. He pointed out that HQ office bearers and council members incur expenses for attending meetings, including costs for accommodation and meals, while also taking time off from work. Additionally, they often engage in less business during these periods. Patrons also played a vital role in establishing and nurturing the Association. It is recommended that their financial contributions should be made with goodwill, avoiding any sense of penalization. To ensure a fair approach, the membership should be consistent for everyone, aligning with council members.

Sh.V.P.Sanjiv, Chairman Ranchi branch informed that he received numerous calls from patrons during the discussions on MOA amendments. They expressed their desire for their fees to be on par with council members. Despite their willingness to accept a rate double that of council members, they emphasized the importance of distinguishing it from the fees set for HQ office bearers.

Sh.J.S.Mago, Council member Agra emphasized that patron members hold a distinct status and should not be equated with regular council members. Given their elevated standing, he suggested that Patrons refrain from seeking reductions, as the association values and appreciates their steadfast support.

Sh.Shiv Kumar Gupta, Hony.Treasurer echoed President Sh G S Mago's sentiments, emphasizing that being a patron member is a prestigious privilege and should be viewed as a matter of respect. He highlighted that the contribution amount, which has been in place for a considerable time, is not exorbitant. Recognizing the ongoing expenses of the Association, he appealed to the assembly to maintain the current amount at Rs.20,000/- plus GST. He expressed gratitude to the house for its approval.

The main pages of the souvenir are still available for booking:

Souvenir Page	Rate (INR)	GST (5%)
Inside of Front Cover	1,20,000	6,000
Inside of Back Cover	90,000	4,500
First Page immediately after Cover Page	1,20,000	6,000
Book Marker	20,000	1,000

**** as on that date**

Given the limited time available, Honorary General Secretary urged members to secure the prominent positions in the souvenir and to promptly submit the advertisement content along with the required amount. This will ensure the timely publication of the souvenir.

Inside Front Cover Page reserved by President Sh G S Mago, Inside Back Cover Page reserved by Hony. Gen.Secretary Sh.Sandeep Srivastava, First Page following the Cover reserved by M/s. Vishnu Infrastructure, and Book Marker reserved by Hony. Treasurer Sh.Shiv Kumar Gupta.

12. Agenda item 3(a) – Follow up action on various Technical Matters:

Subsequent steps have been executed concerning a spectrum of technical and administrative issues highlighted in the minutes of the previous month's council meeting.

13. Agenda item 3(b) – Deliberation on Agenda Points for the Technical Session/Meeting with the E-in-C on the Occasion of the 49th AD Function:

This agenda item involved a discussion on the points to be addressed during the Technical Session and the meeting with the E-in-C, scheduled to take place on the occasion of the 49th Annual Day Function.

Honorary General Secretary informed the house that Association is actively pursuing the following issues with the Department:

1. Reclassification of Contractors/Enhancement of Tendering Limit

a) Issuing Tenders to 'E' Class Contractors for values up to Rs 50.00 lakh pending reclassification

b) Request for abolition of 'E' class and merging it into 'D' class contractors

2. Performance Security

- a) Advocating for the release of performance security after project completion
- b) Requesting a reduction in Performance Security from 5% to 3%

3. Deliberation on pending cases of Renewal of Enlistment

4. GST

- a) Proposing that Tender Bids be invited for Exclusive Of GST (as Applicable)
- b) Advocating for the deduction of TDS with reference to GST, IT, and LWC (CLWT) on the basic amount of services

5. Inclusion of MESBAI Representative in CMPT Board at Appropriate Levels

6. Conducting a review of Comprehensive Maintenance Contracts

7. Proposing a Change in the constitution of firms enlisted based on the proprietor/partner having qualifications in engineering.

8. Ensuring uniformity of makes to be used in Tenders/Works and the interconnection of Command/Zonal approved lists for PAN India.

9. Advocating for the inclusion of a modified escalation clause in all contracts with a value exceeding 50 lakh, irrespective of the completion period.

Sh.Sandeep Srivastava, Hony.General Secretary informed that the subject was deliberated upon in the previous Council meeting held in Agra. Following the decision made during that meeting, all outstanding points were disseminated to every branch with a request to deliberate on these issues during their respective executive/general body meetings and to provide their valuable suggestions. Additionally, branches were encouraged to identify any other points they deem necessary for discussion at the level of DGW/E-in-C. Regrettably, no responses have been received from any branch so far.

Honorary General Secretary further stated that we have received correspondence from **Sh.Nitin Bhambri, Chairman of the Technical Committee**, stating that the aforementioned issues were deliberated upon during their virtual meeting conducted on December 17, 2023. The committee has put forth the following recommendations:

- a) *Enhancing the tendering system and revising the BOQ system to address the current challenge of quoting non-workable low rates.*
- b) *Providing contractors with the flexibility to bid one class higher than the tender, regardless of the existing system, which presently permits only one class below for bids less than 7.*
- c) *Amend the current Extension of Time (EOT) system, ensuring the prompt issuance of provisional extensions immediately after the expiration of the actual completion time. This adjustment will contribute to maintaining the momentum of work progress.*

The President extended gratitude to the Technical Committee members for their dedicated efforts in identifying key issues to be addressed with the E-in-C. Simultaneously, he urged all other committees to convene meetings at their discretion, providing valuable suggestions to enhance our professional endeavors. Anticipating comprehensive reports from each committee before the Annual Day Function, he emphasized the need for active engagement. Committees were established not merely for show, but to share and assume responsibilities. Confidence has been vested in them, and their feedback is eagerly awaited.

Sh.Vinod Behl, Vice President Northern Region, highlighted a pressing concern in our community—the nationwide renewal policy that has been causing widespread challenges. During a past Dehradun council meeting under Sh.Ravi Wig's presidency, the policy was announced but not implemented. Emphasizing the permanency of enlistment certificates, he communicated that authorities had ample means to debar or remove contractors if necessary, vehemently opposing the idea of labeling us as temporary contractors. Despite this, authorities persist in demanding renewal applications, leading to unwarranted demands and documentation every five years.

Sh.Vinod Behl said that anticipating further unwarranted demands, it appears to be evolving into a renewal-centric business. Unity is essential to oppose this trend. He suggested deferring routine points for discussion next year, prioritizing the renewal issue. He argued that the policy, serving the vested interests of departmental officials, leads to both malpractice and widespread harassment. Additionally, he highlighted an impractical rule of upgrade. Highlighting the imperative to eliminate the renewal policy due to the abundance of established Departmental rules, facilitating the resolution of challenges without the necessity of resorting to such a policy.

President Sh G S Mago expressed gratitude to Sh.Vinod Behl for raising the issue. He acknowledged the historical origins of the five-year cycling policy and voiced conviction that it primarily serves vested interests, resulting in unnecessary correspondence and time wastage for builders. Highlighting the existing mechanism within the MES administration capable of taking swift actions against any wrongdoing by builders, he proposed the formation of a committee comprising of knowledgeable individuals to address the issue and present a strong case, emphasizing the costs and time wasted by both parties. He assured a serious consideration of the matter, expressing a commitment to resolving it effectively. Stressing the need for a collaborative atmosphere within the E-in-C's branch, he emphasized strong support from the department to end the cycling process or limit submissions to a single letter, minimizing unnecessary bureaucracy.

The suggestions received from Sh.Harish C.Bhatia, Past President are as follows:

1. Sh.Bhatia highlighted concerns about accountability within the Department. He noted that many MES projects experience delays, some even surpassing expectations, due to the following reasons:

(a) Contracts are inadequately drafted, exhibiting discrepancies in the provisions of numerous specifications, resulting in disputes. The department consistently insists on adopting the superior provisions.

(b) Tender documents, particularly Technical Drawings (TDs), often include drawings that are two to four decades old. Additionally, some items appear in more than one drawing with variations, leading to disputes.

2. *Pre-pricing of buildings is inadequately conducted, primarily relying on plinth area rates that do not adhere to the guidelines set by the E-in-C. Moreover, these rates are based on outdated scales of Authorization of ACCN, exceeding a decade in age. The comparison with the 2023 CPWD PLINTH AREA RATES for similar types of buildings reveals that the current rates are significantly lower.*

3. *According to the law of the land, the benefit of doubt is granted to the accused. In contractual matters, the builder is often treated as the accused. Therefore, in cases of discrepancies in provisions, the favour should lean towards the builders. If the Department wishes to explore alternative options, it should be accompanied by a price adjustment.*

4(a) *The resolution process for such disputes is excessively intricate, involving numerous channels. In cases of divergent opinions at any level, the process is reiterated, adding to the complexity.*

(b) *The majority of decisions in such disputes tend to be unfavorable to the builders, resulting in additional disputes that often escalate into arbitration or litigation. Ironically, in many instances, the outcomes favour the builders.*

5. *The Department faces challenges in keeping the Standard Schedule of Rates (SSR) updated by incorporating new elements along with their corresponding rates. Regarding the Tendering System, the current practice of accepting the L1 (Lowest Bidder) is detrimental to all stakeholders. A limited number of builders actively engage in tender workouts/estimates. Those tenderer who believe they have a higher chance of securing tenders are often guided by prevailing percentage rates or misguided by administrative approval, regardless of the feasibility of the quoted rate.*

The Department rarely analyzes whether the rates proposed are workable or not. Accepting unworkable rates from the L1 Bidder frequently results in inferior workmanship, the use of substandard materials, disputes during execution, prolonged completion periods, contract cancellations, and eventual engagement in arbitration or litigation. This, in turn, leads to financial losses for the government.

It is evident that the government is not inclined towards low rates at the expense of quality. However, the current tendering system provides little opportunity for improvement. In my view, a necessary improvement lies in a change in the tendering system. The proposed system suggests rejecting tenders where the highest bid exceeds the next highest by more than 5%, and the lowest bid is lower than the next lowest by less than 5%. The mean is then calculated from the remaining tenders, and the one closest to the mean is accepted. This approach would encourage genuine tenderer to carefully evaluate their quotations and eliminate any guidance to bidders. Similar systems are successfully employed in some countries.

President Sh G S Mago expressed gratitude to Sh.H C Bhatia, acknowledging the views shared. However, he regretfully noted that the Department's administrative guidelines leave no room for rejecting the lowest tender. Stressing the importance of builder being aware of the quoted prices, President Sh G S Mago referred to DGW's analogy, stating that, like in shopping, one tends to choose the lower-priced option to avoid unnecessary financial burden on the exchequer. While agreeing with the logic, President Sh G S Mago proposed a solution for tenders coming in at unworkable rates compared to the estimated cost. He suggested allowing

MES representatives, along with our representatives to visit individual sites, taking suitable action against any party found at fault. Additionally, a written instruction from the Department was sought to address cases where there is a variation of more than 20% from the estimated cost, the contractor should submit an FDR for the difference in amount. This initiative is designed to uphold fair quoting practices and necessitates active engagement and commitment from all stakeholders.

Sh.Sandeep Srivastava, Hony.General Secretary urged all members to provide their suggestions on the aforementioned points. He further expressed gratitude for the valuable contributions of the Past Presidents, acknowledging their role in bringing the Association to its current status. He encouraged all Past Presidents in attendance to recommend any tasks or improvements to the current headquarters office bearers, particularly those left incomplete during their tenure or initiatives they aspired to undertake but were unable to accomplish.

Sh.Anil Kapoor, Past President, informed the assembly about the impending reclassification of tendering limits, stating that the official letter is expected soon. He urged the leadership to review past correspondences and noted the department's tendency to maintain secrecy. Sh Anil Kapoor anticipated that, while the reclassification might **double** the tendering limit, the department could introduce a **fourfold** increase in standing security. He emphasized the need to protest against this, as it had been a persistent issue even before his presidency. Sh Anil Kapoor highlighted that the standing security, which initially played a role in covering performance, is no longer justified in today's context. He stressed the potential negative impact of quadrupling the standing security, urging immediate protest against this policy to safeguard builders, considering the financial challenges they currently face.

President Sh G S Mago expressed gratitude to Sh.Anil Kapoor for shedding light on the augmentation of standing security, specifically in correlation with the elevation of the tendering limit. He stated that Association is committed to taking a firm stance on this matter, emphasizing the importance of a rational approach rather than arbitrary increments based on individual perspectives. He assured the builders that Association will staunchly oppose any unwarranted policies, ensuring that they only prevail when justified and reasonable.

Sh.Ranbir Punia, Special Invitee, Hisar branch highlighted that the PMO has initiated a Start-up India scheme that MES E8 section is currently not enforcing. He has formally communicated this concern to all Commands/Zonal authorities. If the Start-up policy is adopted, it has the potential to significantly alter our current situation, particularly addressing reclassification and upgrading challenges. The E8 section seems to selectively implement policies that offer earning opportunities, potentially leading to situations where contractors are coerced or manipulated. He further stated that the policies announced by the Government of India, ostensibly aimed at benefiting contractors, often appear to lack active involvement from individuals engaged in policy implementation. It seems as though those responsible for shaping these policies may merely be going through the motions. A thorough examination of the policy reveals that addressing 80% of our issues could be achieved by understanding its nuances.

Sh.Sandeep Srivastava, Hony.General Secretary recommended that Sh.Ranbir Punia engage in discussions with Sh. Nitin Bhambri within the Technical Committee. Once deliberated there, the matter will be brought to HQ's attention to take necessary actions.

Sh.Lav Vinayak, Honorary Secretary, Pathankot, pointed out that the criteria for upgradation from B to A is challenging. Specifically, as tenders to B class are being issued up to Rs. 3 crore, whereas, they are being asked to submit experience of two tenders of 4 crore each for upgradation. Sh. Lav Vinayak requested a reconsideration of this requirement.

Another concern raised was regarding the GST refund. Some officers are not providing the refund as per the stipulated 5.86% for tenders concluded before 17th July, 2022. Even though the vouchers were submitted a month or two ago, there is a delay in processing due to a lack of funds. When funds are eventually received after July 2018, officers are refusing the GST refund. Department officials are asking to obtain a letter from the E-in-C's branch to facilitate the refund process. The President mentioned that there is already a policy in place, but Sh Lav Vinayak contended that the officers claim there is no clear-cut policy. The President suggested requesting written reasoning from the officers to enable headquarters to take further action.

Sh.Rajnish Jain, Chairman Chandimandir, underlined the importance of maintaining consistency in the 'makes' used in Tenders/Works. This concern has been specifically addressed in the 2022 policy, which unequivocally declares its nationwide applicability (PAN India). He urged for collective efforts to ensure its proper implementation and normalization. Sh. Jain also expressed willingness to share the 2022 policy letter, highlighting its provision that once a 'make' is approved by any Command, it becomes applicable across the entire country.

Sh.Rajesh N Parmar, Honorary Secretary, Jamnagar Branch, urged for a more organized approach to the renewal and reconstitution correspondence. He emphasized the need to conclude these cases, which have been ongoing for three years. To expedite the process, he proposed setting a deadline for finalization, ideally before the Annual Day Function, and urged for prompt attention to genuine old cases.

The Honorary General Secretary responded on this, stating that approximately 65 cases have been communicated to the E-in-C's branch. He further noted that subsequent to this response, they will not consider any additional cases.

14. Agenda item 4(f) - Deliberation/Consideration of the issue pertaining to unworkable rates quoted by Builder members.

Sh.Sandeep Srivastava, Hony.General Secretary informed the forum that in the recent discussion at the E-in-C's Branch, the Director General (Works) emphasized the importance of advising builders to quote workable rates to enhance the overall quality of work. Additionally, the Department suggested that inspections of projects where unworkable rates have been quoted should be carried out jointly by a team comprising officers and representatives of the Association. If any responsibility is identified, stringent actions will be taken against both the contractors and the executives involved.

Finally, members were urged to contribute their suggestions on the most effective ways to advise fellow members against quoting unworkable rates in order to foster a culture of promoting fair and reasonable pricing practices.

The President called upon the house to share insights on how to effectively address the current situation and urged members to encourage builders to provide competitive yet viable rates. This proactive approach aims to prevent situations where MES and MESBAI representatives jointly inspect contracts with low quotations, potentially leading to unfavorable outcomes. The

President pointed out that even Delhi station is on the radar for inspections, which could commence soon.

Sh.Naveen Yadav, Council Member Lucknow branch, pointed out that the matter at hand had been deliberated upon during the Agra Council Meeting, where DGW was in attendance. It is essential for us to analyze the root causes of this issue, understanding why builders are submitting low quotations. In this context, the department needs to take necessary measures against those responsible for obtaining work at unfeasible rates.

Sh.Peeyush Mishra, Council Member Bhopal branch, raised a pertinent point regarding the Department's criticism of low rates and questioned the feasibility of controlling such rates without adequate mechanisms in place. He emphasized that many builders, especially those not affiliated with our Association, operate in the station, making it challenging to influence external contractors. Sh.Mishra highlighted that if work is being carried out at lower rates, the responsibility lies solely with the Department, indicating potential unethical practices at various levels. He asserted that it is crucial to convey this message to the Department and not accept unwarranted blame. While acknowledging the need to educate our builder members about avoiding unworkable rates, Sh.Mishra also expressed concerns about the risk associated with non-members quoting low rates and escaping consequences. He also cautioned against potential conflicts within the Association, where members could face backlash for proposing the removal of a builder. To address this, he suggested that the Department should establish a minimum percentage below which tenders should be rejected, providing a more systematic approach to dealing with unreasonably low rates.

Sh.Rajeev Choudhary, a Council Member Jodhpur branch, echoed the sentiments expressed by Sh.Naveen Yadav and Sh.Peeyush Mishra regarding the issue at hand. While acknowledging the challenge, he emphasized the need to find solutions. He proposed immediate cessation of the registration of 'E' class contractors to curtail the influx of new contractors enlisted in 'E' class who are mainly responsible for this issue which is snatching away the Bread & Butter of established contractors who are rendering their services to MES for past so many decades. Drawing a parallel with CPWD practices, he suggested that only registered contractors be considered for small-scale projects. Sh Rajeev Choudhary further recommended that the association advocate for a similar policy within the Department, urging that unregistered contractors should not be awarded projects. Additionally, to address the problem of unworkable rate quoting, he proposed making it mandatory for contractors seeking reenlistment to be members of MESBAI. This, he argued, could contribute to better control and regulation of rates within the Association.

Sh.Anil Tomar, a Council Member Delhi branch, pointed out a prevalent issue in the estimation process. He observed that in many cases, Technical Sanction (TS) are being significantly underestimated. Contractors, anticipating that a contract with an estimated value of Rs. 50 lakh may not be secured at that price, tend to submit even lower bids, such as Rs. 25 lakh. Sh.Tomar emphasized the need to address this problem by ensuring that Technical Sanction accurately reflect the project's scope and requirements. He stressed that underestimating the TS could lead to distorted bidding practices and proposed that steps be taken to prevent such discrepancies in future estimations.

Sh.Manoj Gupta, Council Member Meerut branch, expressed serious concerns about the prevailing conditions, attributing the issue of unworkable rates to the Department.

The President, in response, asserted that the responsibility lies with the contractor to quote accurate and reasonable rates, as the Department is not obligated to reject lower rates. Moreover, the President recommended the establishment of a vigilant committee to address the use of duplicate or substandard products. He highlighted the earlier suggestion to implement a system where, if the variation exceeds 20%, a Fixed Deposit Receipt (FDR) should be initiated to cover the difference. The President further disclosed an agreement with DGW that a joint team comprising MES and Association representatives would monitor projects associated with unworkable rates. In cases of shortcomings, both the contractor and the relevant MES official would be held accountable. The proposed system garnered unanimous support from the house

Sh.Karan Kapoor, Council Member, Jammu branch suggested that the proposed joint committee should be facilitated by the Regional Vice Presidents. This would ensure that supervision is carried out through the respective Commands, leading to accurate reports, with the branch playing a pivotal role in the process.

Sh.Naveen Singh, Honorary Secretary, Chabua Mohanbari, emphasized a significant point regarding the department's accusations about unworkable rates. He proposed a countermeasure by requesting a review of all contracts that have been canceled or subjected to risk and cost assessment. By scrutinizing the contractors who quoted for these contracts, it would likely be observed that a majority of the quotations were submitted by un-enlisted contractors. Furthermore, he pointed out that a substantial number of contracts awarded to un-enlisted contractors are either canceled or subjected to risk and cost assessments.

The President extended his gratitude to Sh.Naveen Singh and requested him to provide these statistics in writing. This documentation would be instrumental in presenting and supporting his viewpoint with authority.

Sh.Naveen Yadav, Council Member Lucknow branch, emphasized that the primary cause for the decline in Association members is the practice of quoting low rates. He also expressed concern about the proposal to establish a joint committee of MES officials and Association representatives to oversee contracts with low rates, fearing it might lead to animosity among fellow contractors.

Sh.R.N.Dubey, Chairman Lucknow branch, suggested that the Accepting Officer should conduct an analysis when encountering low quotations, as this analytical approach could significantly address the prevailing issues. Currently, there is no demand for the analysis of quotations.

Sh.Atul Arora, Council Member Bareilly branch, pointed out that during the tender quoting process, there are two folders – technical and financial. He suggested the inclusion of a space in the technical folder to facilitate the analysis and justifications of quotations. This proactive step would preemptively provide the contractor an opportunity to present rate justifications during the initial quoting stage. By attaching rate justifications in the technical folder at the time of quoting, it would serve as concrete evidence for the contractor, addressing the department's later inquiries about lower rates. This, according to Sh Atul Arora, could be an effective solution in dealing with the issue of low quotations.

Sh.V.P.Sanjiv, Chairman Ranchi branch shared that there have been regular meetings with CWE, where five GE representatives were present to discuss unworkable rates and unethical

practices. A comprehensive discussion took place during these sessions. He mentioned that GE Gaya had recently requested a rate analysis of low quoted tenders, but it has not been addressed yet. He further expressed his belief that if the branch actively addresses the issue of low rates with the Department, it can lead to a resolution of this problem.

Sh.H.C.Bhatia, Past President expressed apprehension that a department responsible for finding faults might not take action and take a significant amount of time to address issues involving their own staff. As a solution, he suggested that the Department provide assurance that not only the contractors but also MES officials would be held accountable for any discrepancies. This ensures a fair and timely resolution of issues involving both parties.

Sh.Bijender Singh, Council Member Gwalior branch, highlighted a concern about the current situation where experienced contractors are sitting idle while new contractors, often retired JE or family members of other PWD contractors, are receiving the majority of the work. He suggested that the committees formed by the Department may be inadvertently promoting these questionable practices.

Sh.Papinder Singh Gujral, Council Member Baroda branch, proposed a straightforward solution. He suggested establishing a fixed estimated rate, and no one should be allowed to submit a bid lower than that. This system, he emphasized, would help in curbing the practice of submitting unrealistically low bids, and contractors would be more likely to adhere to approved rates.

Mr.M.A.Wani, Council Member Srinagar branch, emphasized the importance of having MESBAI representatives in any committee that is formed. He expressed concern that many contractors are not members of the Association, making it challenging to have control over their actions. He accused the department of contributing to the decline in membership by encouraging contractors not to join the Association. He urged the leadership to encourage contractors to become members so that the Association can have more influence and control over their actions.

Sh.Gurjeet Singh Ahluwalia, Council Member Sagar branch, discussed the challenging nature of the current issue. He echoed the President's viewpoint that the responsibility for quoting low rates lies with the contractors. Sh.Ahluwalia provided a nationwide example, citing the cost of wiring materials in tenders across India, where a significant percentage of stations have wiring done at lower rates than the standard. He specifically highlighted the situation in the Sagar branch, suggesting that the branch should strongly address the matter with GE and AGE. He emphasized the need for the branch office bearers to take a firm stand in these discussions, indicating that there are no constraints, especially when headquarters is supportive.

Sh.Navin Singh, Honorary Secretary Chabua Mohanbari branch, informed the assembly that it would be inaccurate to claim that the Department has taken no action regarding the issue of low quoted rates. He explained that the Department had introduced the IFA system to accept tenders, but unfortunately, this system proved ineffective. He questioned why the rates are still not coming in reasonably quoted despite the Department's efforts to address the issue.

Sh.Rajesh Parmar, Hony.Secretary Jamnagar branch explained the IFA system, stating that if rates are found to be unreasonably low, IFA has the authority to request justification from the GE.

The President added that he had discussions with a Chief Engineer about the IFA system's shortcomings. He emphasized the need to understand the Department's mindset – while the system has drawbacks, it also allows for questioning unworkable rates. The President suggested that the matter be discussed within the assembly, leaving the decision to address the issue to the members. He urged everyone to focus on transparency, work towards reasonable rates, and appreciated the speakers for sharing their concerns, ensuring that policies are made in the best interest of builders without rushing into decisions.

Sh.C.Balasarish, Vice President E class, shared that he has been receiving numerous calls from around the country about the issue at hand. He proposed a solution, suggesting that as representatives, they should not show any leniency to the Department. He requested the formation of a committee, consisting of the Vice President of 'E' class, Regional Vice President, and branch Chairman or Honorary Secretary. He proposed identifying, in coming months, specific projects from each of the nine regions where objections have been raised. Sh.Balasarish committed to visiting those branches along with the Regional Vice President. Additionally, he raised the idea of recognizing contractors who bring forth complaints against GE/AGE, similar to how the CBI puts cases on contractors. By acknowledging and rewarding those who expose corruption within the Department, Sh.Balasarish believes it could be a way to deter such behavior and ultimately eliminate corruption.

15. Agenda item 4(b) – To discuss/consider proposed amendments to MoA & AoA

Sh.Sandeep Srivastava, Hony.General Secretary informed that the Constitution Amendment Committee, led by Sh.V.P.Sanjiv, submitted its report as per the Council's decision. Following discussions in the previous Council meeting and incorporating suggestions from esteemed members, proposed amendments were sent to all branches for consideration. Ranchi Branch has agreed with the proposed changes.

Letters/Emails from Sh.Bijender Singh (Council Member, Gwalior Branch), Sh.Karan Kapoor (Council Member, Jammu Branch), and Sh.Amit Bedi (Hony. Secretary, Gwalior Branch) were received, suggesting that the large-scale amendments require more time and consideration, proposing that eligibility criteria for office bearers be eliminated both at HQ and Branches.

Hony.General Secretary acknowledged that not all amendments need to be discussed in one Council meeting, and if necessary, addressed in future meetings.

Sh.Vinod Behl, Vice President, Northern Region suggested treating Past Hony.Gen. Secretaries as ex-officio Council Members.

Additionally, Chairman of Pathankot Branch provided suggestions in a letter dated 22.12.2023, which will be forwarded to the Constitution Review Committee for further consideration and recommendations on the proposed amendments.

Hony.General Secretary invited Sh.V.P.Sanjiv to go through the proposed amendments one by one. Members were encouraged to share their suggestions.

Sh.V.P.Sanjiv Chairman Constitution Amendment Committee explained that discussing all the amendments in one day is not feasible. The Amendment Committee team had separate meetings to address each point, considering suggestions received over time. He mentioned that

they hadn't received the letters referred to by the Honorary General Secretary earlier. Sh. V P Sanjiv suggested that branches or individuals should copy the committee on such letters to avoid unnecessary delays in consideration.

Starting with the definition of the Articles of Association (AOA), Sh V P Sanjiv noted that they received views about it. They proposed changing the term '**elected**' to '**constituted**' for positions like Past Presidents, Immediate Past President, and Patron, as the term 'constituted' encompasses a broader scope. He read out the proposed amendments and clarified that they are not adding a term but replacing '**elected**' with '**constituted**' in the definition of **THE COUNCIL**.

The Honorary General Secretary proposed the idea of arranging a one-day virtual conference (VC) involving Branch Chairmen, Secretaries, HQ Team, and MOA Constitution Review Committee. The goal is to have a comprehensive discussion during this meeting to reach conclusions for a better outcome.

Sh.V.P.Sanjiv raised an objection to the suggestion that attendance in past VCs has been very low. He pointed out that all members are present in this meeting, making it suitable for discussing the points here and now.

President Sh G S Mago assured the house that the HQ team is committed to ensuring that every suggestion is considered. They believe in transparency and seek the opinion of every branch on the matter. While acknowledging that the process may take some time, he expressed the hope of completing the task by the February council meeting. Even if this deadline is not met, the President assured an extension without rushing the process. All members will have the opportunity to contribute, and any lack of suggestions will be considered as agreement to the amendments. He emphasized transparency, noting that the information is available on the website without any hidden agenda. The goal is to take the best approach in moving forward.

The Honorary General Secretary recommended empowering our branches, making them more resilient against Departmental pressure. This would allow HQ to focus on other matters with minimal interference. He highlighted the importance of creating foolproof amendments to ensure their effectiveness. The suggestion is that if the current amendments for the term 2023-25 are well-crafted and robust, the next amendment/s should occur only after a decade. He stressed the value of taking sufficient time to ensure that the committee can thoroughly analyze and present their best possible recommendations for the benefit of the Association.

Sh.V.P.Sanjiv mentioned that the committee completed its work in 20 days, but it doesn't imply that the amendments should be implemented right away. They are taking their time to carefully consider the inputs received from branches and members. The main goal is not to rush the amendments but to thoroughly discuss and evaluate each point raised.

Sh.R.M.Singhvi, Council Member Jodhpur branch, disagreed with the Honorary General Secretary's opinion that amendments should not be done every year, citing the example of the Parliament. He argued that if the Parliament, a much larger body, can introduce and confirm numerous amendments, then there shouldn't be an issue for our smaller Association to make amendments for its betterment. Additionally, he emphasized that the proposed virtual conference should have the status of a Council meeting.

Sh.Amit Kumar Bhaduri, Past President appreciated President ShGSMago's reassuring statement about making genuine amendments without any rush. He thanked the President for assuring the Council about the careful approach to amendments. Furthermore, he highlighted the usual challenge where branch opinions don't often reach the Council. Therefore, he suggested establishing a timeline for these amendments to ensure thorough discussions at the branch level to prevent disputes. Sh. Amit KumarBhaduri likened it to our important guiding religious scriptures, emphasizing the need for a foolproof approach. To achieve this, he proposed setting a timeline for branches to discuss the amendments in their General Body or Executive Body meetings.

Sh.R.M.Singhvi, council member Jodhpur branch, inquired from the Past President Sh. Amit Kumar Bhaduri about the source of advice he considered while serving as the Chairman of the Constitution Review Committee.

In response, Sh.Amit Kumar Bhaduri explained that the ongoing elections, even a decade later, were influenced by amendments he had implemented during his tenure.

Sh R MSinghvi commented that this was the reason for the significant controversy surrounding the matter.

Sh.J.S.Mago, Council member Agra highlighted that a lot of work went into making the previous amendments. Let's not cast doubt on anyone's integrity. The process took a long time. Each sentence was carefully examined multiple times, thoroughly checked, and all the changes were the outcome of hard work, meticulous review, and finalization.

Sh.Rajeev Choudhary, Council member Jodhpur branch inquired Past President Sh.Amit Kumar Bhaduri that why Sh.Amit Kumar Bhaduri, who takes the credit for past constitution changes, issued a notice for re-election for HQ Office Bearers Term 2023-2025 when already elections were completed satisfactorily and under which section of the Memorandum of Association (MOA) the same was issued by him ?

The President wrapped up the agenda by urging all participants in the amendment process to provide their insightful feedback. The timeline will be sent out as suggested, and after that point, If no suggestions are received by then, it will be assumed that the proposed changes are acceptable to those who didn't provide input.

16. Agenda item 4(c) – To consider applications for enrollment as Members/Associate Members of the Association

Membership applications have been submitted by the following Branches:

For Members

Branch	Number of Applications
Jamnagar Branch	01
Leh Branch	03
Andaman & Nicobar Branch	02
Gwalior Branch	03
Wellington Branch	01

Branch	Number of Applications
Delhi Branch	06 (05 Ordinary + 01 LM)
Mumbai Branch	01
Bangalore Branch	01

For Associate Members

Branch	Number of Applications
Jalandhar Branch	01 (ALM)
Delhi Branch	02

Every applicant seeking membership as ordinary member is a builder enlisted with MES. The subscription and entrance fees have been received, and all cases have been endorsed by their respective Branches. Details of the applicant firms were shared along with the Council Meeting Notice. Sh.Sandeep Srivastava, Hony.General Secretary urged the Council to consider and grant approval. It was unanimously approved via voice assent. Accordingly the following were enrolled as members/associate members:

Members

Jamnagar Branch

1. M/s.Raj Security Services & Manpower Supplier **(13812)**
(Sh. Bharat Sinh Jadeja)
Opp Brook Bond, Gandhinagar Road,
Jamnagar-361002
Mob: 9727715251/ 9974691345
Email: bharatsinh68@gmail.com

Mob: 9622960832
Email: ashrafhussain999@gmail.com

Andaman & Nicobar Branch

5. M/s.JLR Agency Pvt. Ltd. **(13816)**
(Sh. L Raj)
1st Floor, No 3/17,Opp. BSNL
Residential Colony
Gurudwara Lane, Port Blair,
South Andaman -744101
Tel No – 03192 - 216606
Mob: 9933288222, 9531871234
mail: rajosekar.lokasundaram@gmail.com

Leh Branch

2. M/s.Kalon Infracon **(13813)**
(Sh. Asif Mujtaba Mehdi))
Shey Yokma Shey, Leh,
Jammu & Kashmir-194201
Mob: 8130614829
Email:koloninfracon@gmail.com

3. M/s.Indus Himalayan Explorers **(13814)**
(Sh.Tsering Wangchok)
Village Nimoo, B.P.O. Nimoo,
U.T. Ladakh-194101
Tel: 01982-252788
Mob: 9622963653/ 9419177668

6. M/s.Simon's Construction **(13817)**
(Sh. Shibu Simon)
Brichgunj Chowk, Prothrapur,
South Andaman, Port Blair-744103
Mob: 9474226997/ 9933271445
Email:shibusmn@gmail.com

4. M/s.Ashraf Hussain **(13815)**
(Sh. Ashraf Hussain)
Chuchot, Yokma, Leh, Ladakh-194101

Gwalior Branch

5. M/s.Shourya Engineering Enterprises **(13818)**
(Sh. Mukesh Singh Baghel)

Om Sai Apartment, S-201, Rajni Gandha
Colony, Gola ka Mandir, Lashkar,
Gwalior-474005
Mob: 7987379641

Email: mukeshbaghelme@gmail.com

6. M/s.J.P. Enterprises (13819)

(Sh. Tarun Narwariya)
House No.197, CP Colony, Morar,
Gwalior-474006 (M.P.)
Mob: 8770291840

Email: enterprisesjp197@gmail.com

7. M/s.Guru Kirth Builders (13820)

(Sh. Jaswinder pal, Sh. Ram Sewak,
Sh. Rohit Pal)
B-123/1, BSF Colony, Bhind Road,
Gwalior-474005
Mob: 9827646615/ 9407258400
Email: gurukirth@gmail.com

Wellington Branch

8. M/s.J.L. Constructions (13821)

(Ms. Jenny M)
25-30 B, Vempanamvilai, Mamootukadai,
Viricode PO,
Vilavancode, Kanyakumari, DT,
Tamil Nadu-629165
Mob: 9655330121
Email: jkconstructions2019@gmail.com

Delhi Branch

9. M/s.Bijender Singh (13822)

Sh. Bljender Singh
171, Pochan Pur, Village
Sector-23, Dwarka
New Delhi-110077
Mob:- 9968265834

Email:- bijendersingh970@gmail.com

10. M/s.Sanwariya Enterprises (13823)

Sh. Nitish Gupta
WZ-88A, Janak Park,

Hari Nagar, New Delhi-110064.
Mob:- 9871413941
Email:- nitishgupta089@gmail.com

11. M/s.Balram Sethi (13824)

Sh. Balram Sethi
Plot No. 79, SIS Park,
Dichaon Enclave, PP 2914,
Najafgarh New Delhi-110043
Mob:- 9717257762
Email:- sethir118@gmail.com

12. M/s.Universal Enterprises (13825)

Sh. Braj Pal Singh
RZ-42, Gali No. 25/B
Indra Park New Delhi-110045
Mob:- 9313779210, 9911500250
Email:- universal.enterprises015@gmail.com

13. M/s.Yanshika Security Services (13826)

Smt. Anshu
H-5, First Floor, S`ita Niwas
Nanda Block, Mahavir Enclave,
Palam New Delhi-110045
Mob:- 9990842225
Email:- yanshika2351@gmail.com

14. M/s.Om Sai Enterprises (LM) (13827)

Sh. Brij Mohan
WZ-130/A, Naraina
New Delhi-110028
Email:- omsai5896@gmail.com

Mumbai Branch

15. M/s.Unitech Enterprises (13828)

(Sh. Murtuza Akberali Rajotwala)
46, Huseni Lakda, Bazar, 242, Bellasis Road,
Nagpada, Mumbai-400008
Mob: 9821051086
Email: hogylok@gmail.com

Bangalore Branch

16. M/s.SMLP Asphalts (13829)

(Sh. B.B. UMESH)

No.1265, SMLP Arcade, Karnataka BankBuilding,
3rd Floor, Major Sanjdeep Unnikrishnana Road,
Yelahanka New Tower, Bangalore-560064
Mob: 7338481199/ 9886213563
Email: smlpunesh@gmail.com
smlpasphalts@gmail.com

Associate Members

1. M/s.Asian Granito India Ltd. (ALM) (ALM - 652)
202, Dev ARC, Opp. ISKCON Temple, SG
Highway, Ahmedabad-380015 Gujarat
Mob: 9650011503/ 9316313880/ 9099004675
Email: info@aglasiangranito.com

Delhi Branch

1. M/s.Jaipuria Brothers Electricals Pvt. Ltd. (AM)
(AM - 653)
(Sh. R.K Jain Sh. Mehul Jain)
12/56 DB Gupta Road, DR Chamber, 2nd floor
203 Karol Bagh
New Delhi-110005
Tel:- 011-45052660
Mob:- 9818347489, 9810030230
Email:- jaipuria.sales@gmail.com
Sales.jaipuriabrothers@gmail.com

2. M/s.Manoj Enterprises (AM) (AM - 654)
Sh. Manoj Aggarwal
Plot 14,15 Block R, Dal Mill Road
Manjeet Farms Uttam Nagar
New Delhi-110059
Tel:- 011-25352691
Mob:- 9818835581, 9818260011
Email:- manojenterprises81@gmail.com

Enrollment of the following firms as members of the Association from Delhi Branch:
i) M/s. Nav Durga Builders (13810)
ii) M/s. Adhikari Construction Company (13811)

Enrollment of the aforementioned members has been approved by the Council as HQ has received the required documents (Affidavit), and confirmation letters have been dispatched.

17. Agenda Item 4(d): To discuss termination of membership of few members of Ranchi Branch as per recommendation of the General Body of the Branch.

Sh. Sandeep Srivastava, Hony. General Secretary informed that we have received a letter (No. MBAI/RAN/HQ/25/2023-25 dated 11.10.2023) from Ranchi Branch, reporting that individuals, Sh. Randeep Anand, Sh. Subir Kundu, Sh. Amit Kumar, Sh. Shambhu Sharan Singh & Sh. Tarkeshwar Singh have been involved in anti-association activities after losing the branch election. The branch issued show cause notices, and responses were received.

During their General Body meeting on 25.09.2023, Ranchi Branch passed a resolution for the termination of membership for the mentioned individuals as per Article 9 (d) of MOA & AOA.

In an effort to maintain harmony, the HQ advised the members to acknowledge their mistakes and engage in discussions with the Branch for reconsideration. Their reply has been received and is under review. The issue will be presented to the Council in the next meeting for further consideration.

The President noted that regarding the Ranchi branch's recommendation to terminate specific members, he wishes to present for discussion the proposal to end the membership of certain individuals, as put forth by the General Body of the branch.

President concluded this matter by stating that, a letter was received from some members of the Ranchi Branch in response to the Headquarters' letter. The HQ had advised these individuals, who were recommended for termination from the association by the General Body of the Ranchi branch, to reconcile. Now, the HQ is seeking comments from the Chairman of the Ranchi branch. As such, the further action against these members, as recommended by the Ranchi branch, is deferred and shall be discussed in the upcoming Council meeting. In the spirit of brotherhood, if anything harsh has been said or done from both sides, intentionally or unintentionally, we encourage reconciliation. As all involved are senior members, we won't take immediate action. President expressed his confidence that this issue can be resolved amicably and desired everyone's cooperation in doing so.

18. Agenda item 4(g): To consider termination of membership of members who have not paid subscription for two consecutive years, i.e., 2021-22 & 2022-23.

The issue of 137 members from various branches being in arrears of subscription for two consecutive years (2021-22 & 2022-23) was brought to attention by Sh. Sandeep

Srivastava, Hony.General Secretary. As per Article 9 (b) of MOA, members failing to clear arrears for two consecutive years are automatically removed. However, due to ongoing considerations for MOA amendments, a request is made to keep this matter pending until a final decision on MOA amendments is reached by the Council. Forum's consideration on this was solicited.

List of branches that have outstanding subscription dues for the consecutive years 2021-22 & 2022-23.

Branch	Members in arrears	Branch	Members in arrears
AGRA	2	JAMMU	14
ALLAHABAD	2	JAMNAGAR	2
AMBALA	4	JODHPUR	1
AMRITSAR	1	LUCKNOW	5
ANDAMAN & NICOBAR	6	MHOW	1
BANGALORE	38	NAGPUR	3
BARAMULA	7	PATIALA	1
BATHINDA	1	PUNE	1
BINNAGURI	1	ROORKEE	1
DEHRADUN	4	SILIGURI	3
DELHI	6	UDHAMPUR	1
FEROZEPUR	4	VISHAKHAPATNAM	7
GREATER HYDERABAD	1	WELLINGTON	4
GWALIOR	12	YOL	1
JAIPUR	3	TOTAL	137

After consideration it was decided to request branches to collect subscription due from their esteemed members by 31st March, 2024.

19. Agenda item 4(e): To consider termination of membership of Sh.Anil Mittar M/s. Micky Traders, Delhi Branch due to anti-Association activities

Sh.Sandeep Srivastava, Hony.General Secretary informed the house that Sh.Anil Mittar of M/s. Micky Traders, a member from the Delhi Branch, had disseminated false information about the reelection of HQ office bearers through various media channels, causing significant damage to the Association's reputation and the elected office bearers for the term 2023-25. Additionally, he sought PMO and police intervention to cancel and postpone the scheduled council meeting (in Delhi on 11SEP23) without proper authority. These actions were deemed against the Code of Conduct, detrimental to the Association's interests, and a show cause notice was issued on September 9, 2023.

Despite the opportunity for reconciliation, he insisted on revocation of show-cause notice without a written apology. Subsequently, another show-cause notice for termination was issued on September 16, 2023 on which no response received till date.

The President highlighted the sequence of events, including the issuance of the show-cause notice, receipt of Sh. Anil Mittar's reply via email on September 14, 2023, and the inadequacy of his response. No further communication has been received from Sh. Anil Mittar regarding the termination notice.

The President presented observations justifying termination under Article 9(f) of the Association's Memorandum and Articles of Association, citing Sh. Anil Mittar's engagement in spreading false news and seeking intervention without authority.

The President proposed termination, emphasizing Sh. Anil Mittar's active involvement in activities detrimental to the Association's interests. The Council was urged to consider the show-cause notice to Sh. Anil Mittar, Sh. Anil Mittar's reply, and accord approval for the termination of Sh. Anil Mittar.

Members were asked to express their consent for the proposal to the termination of Sh. Anil Mittar by raising their hands. A significant majority, more than 80% of present members, supported the proposal for the termination of Sh. Anil Mittar by raising their hands and thereafter the President announced the termination of Sh. Anil Mittar's membership in accordance with the **Article 9(f)** of the Memorandum and Articles of Association (MOA).

20. Agenda item 4(h) pertains to the consideration of resignations submitted by members of the Wellington Branch.

The individuals listed below from the Wellington Branch have tendered their resignations from the Association membership, directed to the President. The resignation letters were sent to the Branch, urging them to dissuade the members from resigning. Despite the Branch and Regional Vice President's efforts, the members insist on their resignation. The Council is urged to approve and accept their resignation from Wellington Branch membership.

1. M/s. Saraswathi Construction
2. M/s. Kumar Agencies
3. M/s. D.R. Associates
4. M/s. Anand Refrigeration
5. M/s. Jayapathy and Co.
6. M/s. A.S. Enterprise
7. M/s. Naveen Enterprises

Sh. M. Sundarajan, Vice President Southern (S), shared that among the seven individuals who had submitted resignations, two have since withdrawn their resignations.

Sh. N. Saravanan, Chairman Wellington branch, conveyed that among the seven individuals who resigned, two have also been terminated.

The Council accorded the proposal and approved the resignation of all members who had resigned from the Association under article **7(b)** of Memorandum & Articles of Association from the date they had resigned from the Association.

21. Agenda item 4(i) – Administrative Affairs.

(a) Amendment in Constitution

Requests for changes in the constitution of the following firms have been submitted:

1. M/s. Anil Arora, Lucknow Branch

Change: From firm proprietorship to partnership

Partners: Sh. Abhay Kumar Yadav and Sh. Anil Arora

2. M/s. Gupta Builders, Bareilly

Change: From proprietorship firm to partnership

Proprietor: Sh. Rakesh Kumar Gupta

Partners: Sh. Rakesh Kumar Gupta and Sh. Pushpit Gupta

3. M/s. Baba Amarnath Enterprises, Bareilly

Change: Alteration in partners

Previous Partners: Sh. Anoop Kumar Agarwal and Sh. Onkar Nath Agarwal

New Partners: Sh. Anoop Kumar Agarwal and Sh. Taukir Khan

Approval for these changes is sought, and copies of acceptance letters from the respective departments have been provided for Council's consideration. Thereafter, the Council accorded the approval.

(b) Transfer of membership

Requests for membership transfer have been received from the following members:

1) M/s. Prajapati Engineers from Pathankot Branch to Jammu Branch.

2) M/s. Yauk Engineers from Dehradun Branch to Agra Branch.

No objections were received from the concerned branches. Council was requested to consider and approve these transfers. Thereafter, the Council accorded the approval.

22. Agenda item 4(j) on the agenda pertains to any additional administrative matters that may be discussed with the Chair's permission.

(1) Improving GeM Procurement: Resolving Issues and Increasing Transparency in MES Bidding Processes.

Sh.Sandeep Srivastava, Hony.General Secretary reported that a GeMP Committee has been established, and Sh.Atul Arora has submitted an extensive report on the subject. Commending Sh.Atul Arora for his dedicated efforts, the report will soon be disseminated to all branches, inviting valuable feedback for our subsequent actions.

Sh.N.K.Gupta, Council member Jhansi branch discussed three steps in GeM during the meeting. The first step involves local purchases through GeM. He provided an example of a Rs.85 lakh tender issued by CWE Bhopal through Sagar, where 20 items under Rs.10 lakh were processed through GeM, but the overall contract of Rs.85 lakh was awarded outside of GeM. He highlighted this as a potential conspiracy and shared that detailed information has been communicated to all branches. He encouraged branches to report similar issues to HQ for collective discussion.

Sh. N KGupta also addressed a current manning operation contract, expressing concern that GE allegedly takes a 13% commission for its acceptance. While it is perceived that manning operations are beneficial through GeM, Sh. N KGupta suggested exploring the possibility of working with a 3.75% commission on a labor basis, factoring in GST, department expenses, and potential profits. He argued that the current situation is intentionally designed to keep the builders entangled and busy, relating it to the overarching concern of unworkable rates he urged the dais to consider and rectify these issues promptly.

Furthermore, Sh. N KGupta discussed the procurement process through GeM, noting that the Department has the freedom to purchase items up to Rs.25 thousand from anywhere. He proposed the establishment of a common policy by the E-in-C, ensuring uniformity and preventing any GE from deviating from the set guidelines.

(2) Opening of new Branch in Coimbatore

The President informed all Council members about the progress of opening a new MESBAI Branch in Coimbatore. He mentioned that the decision to open this branch was initially agreed upon in the previous Council meeting held in Agra. During that time, a total of 30 applications were received—25 for ordinary membership and 5 for associate membership.

It was noted that some of the applicants for ordinary membership were previously members of the Wellington branch but had resigned from the Association. The Council has accepted their resignations, and they now have the privilege to reapply after depositing the required entrance fees and annual subscription for three years. The applications and necessary fees have been received at HQ.

Additionally, there are nine more applications for ordinary membership from individuals seeking to join the Coimbatore branch. These applications are accompanied with the required entrance fees and subscriptions as per the Memorandum of Association.

According to Article 3 of the Memorandum of Association (MOA), the criteria for opening a new branch require a minimum of 30 applicants for membership, with at least 25 of them being enlisted contractors in the Military Engineering Service (MES) operating in the designated area. Furthermore, there should be a CWE's office in the area or a GE's office in the case of a difficult and remote area, with no existing branch of the Association within a radius of 50 kilometers.

Presently, we have received a total of 34 application forms from enlisted builders and 5 from Associate Members. Even if we exclude existing members who have resigned, there are still 27 forms from enlisted contractors and 5 from suppliers for Associate members, meeting the MOA criteria.

Considering these factors and to enhance MESBAI's presence in the Coimbatore area while minimizing the difficulties faced by working contractors which cannot be addressed by the nearby branch i.e. Wellington branch which is situated at hilly and

difficult area and have a distance of 80 Km from Coimbatore, the President declared the opening of a new branch at Coimbatore after verifying the documents and realizing the entrance fees and subscriptions submitted by all applicants.

Mr.Azeezullah Khan, Council member Bangalore branch expressed concerns. He clarified that Coimbatore is not a remote area, and there is no CWE office in the city. He also mentioned the emotional attachment of nearby branches, such as Bangalore, Gr. Hyderabad, and Cochin, urging to reconsider the decision and avoid splitting the MESBAI family.

In response, the President highlighted that thorough consideration has been done before taking this decision. He explained the dissatisfaction among members of the Wellington branch which leads to them to abstain from the Branch election process. Despite giving ample opportunities for reconsideration, the issues persisted for eight months. The President emphasized the importance of unity and joint efforts, expressing the view that opening a new branch in Coimbatore aligns with the MOA criteria, and it is not intended to harm Wellington, Bangalore, or Cochin branches. He declared the opening of the Coimbatore branch in accordance with the Association's rules.

Sh.N.Thilak, Chairman Bangalore branch emphasized that, according to the stipulations outlined in the Memorandum of Association (MOA), the establishment of a new branch necessitates the presence of a CWE (Commander Works Engineer) office. Alternatively, if the branch is intended to be located where a GE (Garrison Engineer) office was previously situated, the designated area should qualify as a remote location. Notably, Coimbatore does not meet the criteria for a remote area, as it has a designated AGE (Asst.Garrison Engineer) only, lacking a GE presence.

Sh.Vinod Behl, Vice President Northern Region, in response, conveyed that the organization currently boasts 21 branches across India in non-remote areas where no CWE is present. These include Roorkee, Barrackpore, Mathura, Binnaguri, Hasimara, Gurdaspur, Jaisalmer, Baramulla, Kargil, Ranchi, Sagar, Hisar, Karwar, Silchar, Babina, Bhuj, Chabua Mohanbari, Chandipur, and Dinjan.

Sh.Thilak responded to Sh.Vinod Behl, stating that two wrongs don't make a right. If you are pointing out the mistake made previously, it is your responsibility to take appropriate action. The President assured Sh.Thilak that his concerns are duly noted.

Sh.M.Sundararajan, Vice President Southern (S) Region, noted that the branch election was concluded by June, followed by the HQ election. Across all 73 branches in India, issues arising from branch elections were widespread. He emphasized that facing challenges in branch elections, such as not securing a position, should not lead to breaking the branch. If that were the case, other branches would face similar issues. After the election, he was tasked with providing insights into the ground realities of the Coimbatore branch, which he promptly submitted. Sh.Sundararajan stressed that the location of the CWE should be in a CWE area, and in the case of a GE, it should be in a remote area.

The President affirmed that after careful consideration of each point on its merits, he had come to the decision to proceed with opening of the Coimbatore branch. Once again, he officially declared the Coimbatore branch as open, following the thorough verification of documents and the receipt of entrance fees and subscriptions from all applicants and requested the Council to accord the approval for opening of new branch at Coimbatore. The Council accorded the approval of opening new branch at Coimbatore as per the decision of President of Association.

The President also provided assurance that, at present, there will be no consideration given to any requests for the transfer of membership.

The meeting concluded with expressions of gratitude extended to the Chair, with special acknowledgment given to the Delhi branch.



Sandeep Srivastava
Hon. General Secretary