

Tel Nos.26418776/26442749
Fax No: 011-26442749
E-mail:mesbai75@yahoo.com
Website: www.mesbai.in

MES BUILDERS ASSOCIATION OF INDIA (REGD)
807-808, Sahyog 58, Nehru Place, New Delhi-110019
Dispute Redressal and Reconciliation Committee (DRRC) 2023-25

Ref. No. MBAI HQ / DRRC /2023 -2025/ -45

Date 16th April 2025

Sh Brijender Singh
Council Member Gwalior Branch

Meeting of DRRC on 23rd April 2025 in office of HQ MES BAI New Delhi

1. Reference your letter no BS/DRRC2023-25/01/2025 DT 15.94.2925 through email.
2. The correspondences referred by you are matter of Records.
3. Para (1) of your letter under reference is totally biased and incorrect. The same is totally unwarranted and rejected. You are requested please to examine Article No 23. Disputes Para (e) of Memorandum and Articles of Association of M E S BUILDERS ASSOCIATION OF INDIA (REGD) { Hereinafter referred as MOA} before putting blame on DRRC. The onus of delay rest on your part in raising dispute in this matter since the matter is more than 06 months old and you had made your complaint with the DRRC only on 24/03/2025 , just 20 days ago.

The provisions of MOA Article No 23(e) is reproduced here in below if you are not conversant with that :- " (e) DRRC shall decide the matter pertaining to all disputes and the decision of DRRC shall be final and binding on all the parties. The DRRC shall have all the powers as per the Arbitration Act,1996 and shall settle the matter within 2 months of referring of the dispute " .

And in this present dispute, just 20 days had been passed away after receiving your complaint through email and putting unwarranted blame of delay on the part of DRRC is totally disagreed and condemned.

It is nowhere written down in MOA that your complaint should be dealt with immediately and there is no way justice denied as blamed by you in view of the succeeding reply herein above. Moreover if you think that matter was so important to be adjudicated immediately than :-

- (i) why you had waited to raise the issue for more than 06 months' time before approaching to the DRRC.
- (ii) if in your opinion the matter was so important to be adjudicated immediately, than why you had not again approached to the DRRC after lodging your complaint with specific request to do so ignoring the provisions of MOA.

- 4 Para (2) of your letter itself proving your intention incorrect where in you had communicated that " I understand ___ ceases ones the CEC is constituted".



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It is pertinent to mention that Institutions does not runs on anybody's understanding or presumptions. The Institutions run by their bylaws and in MES BUILDERS ASSOCIATION, same is governed by MOA.

- 5 Moreover can you explain/ let the DRRC known about any provision of MOA relied upon to establish your communication.
- 6 Further to the quarries raised by you under Para (2) of your letter, I wish to clarify :-
- (a) that HQ & DRRC both are having eligible to exercise their powers vested upon them by the MOA even after Election Commission (for your corrections CEC is not correct word in this context) constituted by the Council at Bhopal Council meeting. No provision of MOA restricted both to utilize their vested duties as entrusted on them by the MOA. However if any such clause exists in MOA , you are welcome to put the same to the Notice of DRRC immediately for compliance please.
- (b) As regards about your understanding regarding that the DRRC role of adjudicating the projected cases ceases once the CEC (no such provisions, only Election Commission be referred) is constituted is totally disagreed and rejected.
As a matter of fact the status of DRRC at present after constitution of Election Commission and that on date of your complaint i.e. 23 Mar 2025 doesn't changed, and on the 23/03/2025 when you are well aware to the fact that the Council meeting is scheduled on 09 April 2025 at Bhopal (Refer Circular Folio No 197 & 198) and the one of agenda point was to Constitute Election commission and now writing the letter to the DRRC challenging it's authority is not appropriate.
- (c) Your Further submission regarding what to do by DRRC and what to not to do is not your preview to dictate to DRRC. The DRRC is well conversant about its duties entrusted to it by the MOA.
- (d) Moreover Article 23(g) of MOA is reproduced below for your reference if you are not conversant with that :-
Term of any such elected/ selected DRRC will expire immediately after the new council elects the new DRRC for the tenure in the 2nd council meeting ". From the perusal of this Provision, it is well established that constitution of Election Commission (EC) (in your submission referred as CEC) have no suspension of powers of DRRC after the EC constituted .
- 7 Concluding para of your letter is totally incorrect and summerly rejected since the same are based on your understanding and not as per the bylaws of Association. The meeting called upon by DRRC on 23 -04-2025 is in order and doesn't be converted into without any legitimacy and against the MOA on your opinion. It is pertinent to mention here that you made your opinion without referring any provision of MOA as per your whims & wishes which have no legal sanctity.
- 8 Your directions/ request based on your opinion without legal validity to call of the scheduled meeting is rejected since the DRRC meeting called for to Adjudicate matters put before it is well within the provisions of MOA and doesn't warrant any interference without any valid reason or relevant provisions of MOA which restrict it to do so .
- 9 Now, with above observations and facts the onus rest with you for not to take part in the scheduled DRRC meeting and no further cognizance will be taken by DRRC in case of you racked up the matter later on , please take note of that your end .
With the above observations, the Scheduled Meeting of DRRC will be held as scheduled on 23 April 2025 and adjudicate all pending matters before it as circulated.



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10 This has been observed that after losing in last HQ Election(2023-25) you are continuously writing such letters and approached the court also, during this 23-25 year, you have written so many baseless letters which have been replied suitably also by HQ team. All the issues raised through all your letters /issues were never raised by you in the council meetings which is our supreme decision-making body. Always approaching DRRC without exhausting council meeting is condemned. All your moves are politically motivated which are effecting the aims and objects of association. You are attracting strict disciplinary action against you. Please treat this as FINAL NOTICE in this regard.

11 With these observations, your letter stands disposed off .

This letter has the approval of all DRRC members.

Kindly acknowledge.



(Lakhbir Singh)

Chairman DRRC 2023-2025 TERM, lakhbirconstructions@rediffmail.com .

Copy to (email only) :- All DRRC MEMBERS, HQ MES BAI NEW DELHI – for information please.