

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/ 77

Date 26th May 2025

Chairman / Hony Secy / Branch Election Chairmen and all members of MES BAI

CLARIFICATION /INTERPRETATION FOR STRICT COMPLIANCE

1. Reference to AWARD pronounced by the DRRC on 16th May 2025 (uploaded on website also) and various letters written to HQ MES BAI and numerous complaints / representations received from members pan INDIA;
2. It is intimated that as per AWARD published :
 - I. The present Election Commission, elected during the Council Meeting held at Bhopal on 09th April 2025 comprising Shri Praveen Mahana as Chief Election Commissioner, along with Shri Amit Bhaduri and Shri Naveen Yadav as Election Commissioners stands **dissolved with effect from 16th May 2025 i. e. Date of Award pronounced by the DRRC .**
 - II. The DRRC hereby issues directions to the Council, through the President MESBAI, to **immediately convene a Council Meeting of the current regime (2023–2025)** at a suitable venue and on a convenient date,
3. It is further clarified that
 - I. The decisions of council / DRRC cannot be superseded by the CEC. (Regarding membership approved in the council / members involved in anti-association activities as restricted by Council / DRRC to participate in the election of branches.)
 - II. The Elections will be held as per the provisions of MOA only.
 - III. The provision of MOA Article No 12.3 (c) regarding minimum attendance of five council meeting will be followed strictly. In this connection the following letters issued by the DRRC will take precedence over any circular or instructions issued by the Dissolved Election Commission:-
 - (a) DRRC Letter No. MBAI HQ/ DRRC /2023-2025/59 dated 09th May 2025 under the DRRC pronounced it's verdict referred to the DRRC **FOR PROPER AND JUST CLARIFICATION INTERPRETATION OF ARTICLE 12.3 (c) under Article 23(f) of MOA.**

Which is as under :-

“ From the examination of the Documents as detailed in preceding above, it is clarified that when the present Term of 2023-2025 commenced w.e.f from first Council meeting (Election Meeting for 2023-2025Term), and No further amendments were carried out, as



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P-2

such the Provisions as per Article No 12.3(c) were in the, Provisions of MOA Clause 12.3(c) are & were operative and are Applicable for 2025-2027 Term Elections of Branches as well as of HQ.

b) DRRC Letter No. MBAI HQ/ DRRC/2023 -2025/ 66 Date 16th May 2025 under which Decision on legal validity of Circular No 39 dated 12/05/2025 issued by the Election Commission for 2025-2027 Election Term was pronounced by the DRRC as below:-

" The DRRC unanimously in agreement that the Circular No 39 dated 12 May 2025 issued by the Election Commission is in contravention to the provisions of Articles of MOA and attempt to alter the Applicable Article No 12.3(c) of MOA. As observed by DRRC under preceding Para (2) above the act of Election Commission to issue Circular No 39 dated 12 May 2025 is have no legal sanctity as per the Article No 24.4 (mentioned on page No (34) of MOA amended up to 31/07/2024 and accordingly decided to declare the Circular No 39 dated 12 May 2025 as unconstitutional and decided to scrap the same."

Accordingly circular no 39 of CEC is deemed to be inoperative/ redundant.

IV. CEC has no Authority to interfere in Branch elections (as fixing date, venue , time of elections, postpone or prepone elections etc) except appointing observers only on request of the branch.

4. Please note that any deviation from the MOA / above instructions will attract strict disciplinary action which includes cancellation of election results Of the individual or branch as per merit and termination of membership of individual responsible for it.

sincerely,



(Lakhbir Singh)

Chairman, DRRC MES BAI 2023-3025 email : lakhbirconstructions@rediffmail.com .

Copy to:-

- I. All members of DRRC ,
- II. HQ MES BAI : to upload this letter immediately on official web site.
- III. To all complainants : for info & implementation pl.