



## Office of Election Commission (2025-27)

HQ, MES Builders Association of India (Regd.)

807-808 Sahyog 58, Nehru Place, New Delhi - 110019  
Tel: 49537644/ 7217621629 E-mail: ecmbai2527@gmail.com



### Chief Election Commissioner

**Praveen Mahana**

Mobile No. 9956293311  
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### **Election Commissioner**

**Naveen Kumar Yadav**

Mobile No. 9415102714, 6394075105

### **Election Commissioner**

**Amit Bhaduri**

Mobile No. 9434044236

To  
The President,  
MES Builders Association of India (MES BAI)

30 May 2025

**Subject: Strong Objection and Cancellation of Undemocratic & Constitutionally Invalid  
“Special Council Meeting” Notice Dated 29.05.2025**

**Ref:**

1. Special Council Meeting Notice No.01 dated 29.05.2025
2. DRRRC Award dated 16 May 2025
3. MOA & AOA of MES BAI (as amended up to 31.07.2024)
4. Societies Registration Act, 1860

**Respected President Sir,**

As the democratically elected **Chief Election Commissioner (CEC)** of MES BAI, I am compelled to place on record a **categorical and legally substantiated objection** to the convening of the Special Council Meeting on 02 June 2025 and, more importantly, to **formally declare the said meeting and its notice as cancelled and nullified**, in exercise of the constitutional and administrative authority vested in the Election Commission during the electoral period.

## 1. The Special Council Meeting Notice Dated 29.05.2025 Stands Cancelled

As per **Articles 12.3 and 24.4 of the MOA**, and consistent with the provisions of the **Societies Registration Act, 1860**, the Election Commission, once constituted and entrusted with the conduct of elections, assumes **exclusive administrative control over all electoral matters**.



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Accordingly, any meeting, directive, or institutional action — including the one proposed on 02 June 2025 — that interferes with or prejudices the ongoing election process **cannot be permitted and stands automatically vitiated.**

Therefore, in exercise of the powers vested in the Election Commission:

**The Special Council Meeting Notice No.01 dated 29.05.2025 is hereby declared CANCELLED, and any proceedings or decisions emanating from it shall be treated as unconstitutional, illegal, and void ab initio.**

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## 2. DRRC Award Lacks Legal Standing to Override a Constitutionally Elected Body

The DRRC's "Award" dated 16 May 2025 is:

- **Unratified** by the Council,
- Passed **without hearing the Election Commission** — a violation of natural justice,
- Beyond the DRRC's jurisdiction under Article 23(f), which only allows interpretation, not executive or disciplinary orders.

Hence, **any reliance on such an award to dissolve a democratically elected Election Commission is ultra vires** the MOA and devoid of legal sanctity.

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## 3. Interference in the Electoral Process is a Direct Violation of Law

The Special Meeting's agenda — to dissolve the EC, cancel elections, and install a new Commission — is not just unconstitutional but a **direct attack on the autonomy of a statutory election body**, akin to contempt of court in spirit.



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It is settled law, as per multiple High Court and Supreme Court rulings, that **election commissions function independently once appointed**, and **no body, including the executive or council, may interfere** once the process is underway.

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## 4. Legal Consequences of Proceeding Further

Should the Council or President proceed despite this formal cancellation, the Election Commission will be **constrained to initiate the following legal remedies**:

- Filing for an **injunction and stay order** from Civil Court and Registrar of Societies,
- Seeking **personal accountability and contempt proceedings** for any willful breach,
- Convening an **Emergency General Body Meeting (as per Article 11.2)** to protect democratic norms,
- Issuing a **public legal notice** to maintain transparency and institutional integrity.

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## 5. Upholding Democratic Values

The Election Commission was democratically elected at the Bhopal Council on 09 April 2025 and is functioning in full constitutional capacity. Any attempt to destabilize or replace it through extrajudicial or politically motivated means **will be seen as an affront to the democratic will of MES BAI's members**.

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## Conclusion

The **Special Council Meeting Notice dated 29.05.2025** is declared **illegal, undemocratic, and nullified** with immediate effect.



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All office bearers and members are hereby advised to desist from participating in or organizing any meeting in defiance of this order.

I once again urge you, as the President of a respected institution, to respect the **MOA, democratic ethics, and rule of law**, and to cooperate in ensuring **free, fair, and peaceful elections** under the existing Election Commission.

Failing which, appropriate legal consequences will follow.

Yours Faithfully

(Praveen Mahana)

Chief Election Commissioner (2025-2027)  
MES Builders Association of India (Regd.)