MES BUILDERS ASSOCIATION OF INDIA (REGD)
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Circular No. 39 Dated: 20th November 2026

To Members,

Minutes of Council Meeting held at "Udman Hotels & Resorts, National Highway 8, Mahipalpur-Rangpuri Road, Near Shiv Murti, New Delhi-110037 on 28th September 2026.

The following Council members were present.

1. Sh. Gurcharan Singh Mago
2. Sh. Kumar Ashok
3. Sh. C. Balasatish
4. Sh. Sandeep Srivastava
5. Sh. Shiv Kumar Gupta
6. Sh. Sunil Panwar
7. Sh. Vinod Behl
8. Sh. Deepak M. Balkawade
9. Sh. Mahesh Jain
10. Sh. Rajesh Bahl
11. Sh. Anil Raizada
12. Sh. Bharat Bhasin
13. Sh. C.M. Saxena
14. Sh. A.K. Upadhay
15. Sh. Anand Pal Kohli
16. Sh. J.J. Singh
17. Sh. Vineet Gupta
18. Sh. Nitin Bhatia
19. Sh. Bala Ram Choudhary
20. Sh. Prem Nath Roy
21. Sh. Ajay Shankar Lall
22. Sh. Prashant Kumar Hui
23. Mr. Hafiz Ahmad Khan
24. Sh. Peeyush Mishra
25. Sh. Vishnu T.P.Kartha
26. Sh. Mokkaraj Jaiganesh
27. Sh. N. Lalith Krishnan
28. Sh. K. Subhash
29. Sh. Vinay Saini
30. Sh. Anil Kumar
31. Sh. Lalit Goel
32. Sh. Pramod Kr. Tomar
33. Sh. Amit Goel
34. Sh. Vimal Goel
35. Sh. Vinod Kr. Gupta
36. Sh. Arivnder Pal Singh
37. Sh. Bhupender Goel
38. Sh. Bhupender Singh Dhapola
39. Sh. Ranbir Singh Bawa
40. Sh. Sahshi Kant Singh
41. Sh. Sish Pal Saini
42. Sh. Sunil Kumar Sharma
43. Sh. Suresh Kumar Sehgal
44. Sh. Avinash Rajput
45. Sh. Murli Kumar
46. Sh. A. Srinivas
47. Sh. K.V. Ramana Reddy
48. Sh. Mujeebur Rehamam
49. Sh. K. Ravi Kiran
50. Sh. K. Shyam Sunder Reddy
51. Sh. Aslam Sheikh
52. Sh. R.P. Parasar
53. Sh. Vinay Kumar Shah
54. Sh. Umed Singh
55. Sh. Sukhwinder Singh
56. Sh. S. Kuldeep Singh
57. Sh. Bawa Malhotra
58. Sh. Harish Sharma
59. Sh. R.M. Singhvi

60. Sh. Rajeev Chowdhary
61. Sh. Naveen Yadav
62. Sh. Anil Kumar Tyagi
63. Sh. Deepak Pandey
64. Sh. Amitabh Pandey
65. Sh. Deepak Bhatia
66. Sh. Diwakar Pandey
67. Sh. C.K. Bansal
68. Sh. Satyapal Singh
69. Sh. Naveen Kumar Yadav
70. Sh. Amit Chaudhary
71. Sh. Ajay Kumar jain
72. Sh. Rajender Aggarwal
73. Sh. Bhajan Kamboj
74. Sh. Paramjeet Singh
75. Sh. Manish Raj Malik
76. Sh. Ashok kumar
77. Sh. Gurjeet Singh Ahluwalia
78. Sh. Deepak Singla
79. Smt. Gejay Jebisow
80. Sh. Narayan Singh Karki
81. Sh. Darshan Kumar
82. Sh. Inderjeet Singh
83. Sh. Vijay Gupta
84. Sh. Sanjeev Singh
85. Sh. Kapil Gupta
86. Sh. Anoop Khajuria
87. Sh. G.V. Reddy
88. Sh. B.V.S. Subbaraju
89. Sh. Ch. Sudarsan
90. Sh. U.V. Rama Krishna
91. Sh. S. Appa Rao
92. Sh. Subhash Verma
93. Sh. Jaspal Singh Mago
94. Sh. Tapan Makhija
95. Sh. Samik Banarjee
96. Sh. Inderjeet Singh
97. Sh. Neeraj Shukla
98. M/s Gaurav Constn. Co.
99. M/s Mukesh Kumar Gupta
100. M/s Mago Construction Co. Pvt. Ltd.
101. M/s City Promoter and Buildwell Pvt. Ltd.
102. M/s R.K. Bhambri
103. M/s Modern Concept Constructions
104. M/s Adhunik Builders
105. Sh. Rajindra Enterprises
106. M/s Sweta Trading Company
107. M/s G.D. Construction
108. M/s Narsingh Developers LLP
109. M/s Mohan Lal Gupta
110. M/s Arun Construction Co.
111. M/s Tridev Construction Co.

Sh. G.S. Mago. Respected friends and esteemed members,
As we commence today's proceedings, let us seek the divine blessings of Almighty God to bestow upon us the strength, wisdom and determination to conduct our business activities smoothly, successfully and in an atmosphere of peace, harmony and mutual cooperation. With these noble thoughts, I now invite our Hony. General Secretary, Shri Sandeep Srivastava, to kindly take the proceedings forward and place the agenda before the House. Thank you, and my best wishes to all

Sh. Sandeep Srivastava. Good morning, friends, Thank you President Sir. It gives me immense pleasure and a profound sense of privilege to extend a very warm and heartfelt welcome to all the distinguished members gathered here for this important Council Meeting at the beautiful venue at "Udman Hotel & Resorts, National Highway-8, Mahipalpur, New Delhi". Friends, as always, the encouraging and exemplary attendance today is a matter of great satisfaction and pride for all of us. It is particularly gratifying to see representatives from our various branches across the country, including many of our members who have travelled considerable distances

to be present here. Your presence in such large numbers is a clear reflection of your dedication, commitment and unwavering faith in our Association. It demonstrates the strength of our collective spirit and our shared resolve to work together for the welfare and legitimate interests of the MES contractor fraternity. I extend my sincere greetings and heartfelt appreciation to each and every one of you for sparing your valuable time and taking the effort to attend this Council Meeting. I am especially delighted and honoured to extend a warm welcome to our esteemed Past Presidents, Sh. Bharat Bhasin, Sh. Rajesh Behl and Sh. Anil Raizada who have graciously spared their valuable time to grace this occasion with their presence. Their vast experience, wisdom, guidance and continued association with the Association remain a constant source of inspiration and strength for all of us. Their presence also reminds us of the rich legacy, traditions and institutional values built over the years through the collective efforts of our predecessors and members. On behalf of the Headquarters, and on my personal behalf, I extend my sincere thanks and deepest gratitude to all of you for your gracious presence, valuable participation and continued support to the Association. I am confident that, with the collective wisdom and active participation of this Council, today's deliberations will be constructive, meaningful and result-oriented, further strengthening the unity and resolve of our Association. Once again, I extend a very warm welcome to all of you. Thank you, and Jai Hind, Jai MES BAI. Friends, before we proceed with the agenda points, I regret to share some sad news as following:

(a) Sad Demise of Sh. S. Shashi Kiran of M/s M. Venkataramanappa & Co. an esteemed member of Bangalore Branch.

(b) Sad Demise of Sh. Vijender Singh of M/s Business Tek India an esteemed member of Delhi Branch.

(c) Sad Demise of Sh. Ankit Malik son of Sh. Rakesh Bhambri of M/s Garnet Engrs & Contractors an esteemed member of Delhi Branch.

(d) Sad Demise of son of Sh. Jitendra Pal Singh of M/s JP Contractor & Suppliers an esteemed member of Agra Branch.

(e) Sad Demise of father of Sh. Arun Khirwar Partner of M/s Balaji Associates an esteemed member of Agra Branch.

(f) Sad Demise of Shri Charanjit Sehgal, brother of Shri Suresh Sehgal, an esteemed member of Delhi Branch.

May I request you all to please stand up and observe one minute silence to pay homage to departed souls.

RESOLUTION

"Resolved that the Council mourns with grief and distress on the Sad Demise of Sh. S. Shashi Kiran of M/s M. Venkataramanappa & Co. an esteemed 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. Vijender Singh of M/s Business Tek India an esteemed member of Delhi 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. Ankit Malik son of Sh. Rakesh Bhambri of M/s Garnet Engrs & Contractors an esteemed member of Delhi 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 son of Sh. Jitendra Pal Singh of M/s JP Contractor & Suppliers an esteemed member of Agra 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 father of Sh. Arun Khirwar Partner of M/s Balaji Associates an esteemed member of Agra 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 Shri Charanjit Sehgal, brother of Shri Suresh Sehgal, an esteemed member of Delhi Branch and conveys its heartfelt condolence to the bereaved family"

1.(A). The following members have applied for leave of absence:-

(i) Sh. Pankaj Kr. Prahladka

(ii) Sh. Ashok Kandoi

(iii) Sh. M. Sundararajan

(iv) Sh. Arvind Mittal

(v) Sh. Ved Prakash Mangla

(vi) Sh. Mahesh Aggarwal

(vii) Sh. G.S. Oberoi

(viii) Sh. Vivek Manghnani

(ix) Sh Divya Prakash Mangla

(x) Sh. HC Bhatia, Past President

(xi) Sh. Bharat Sharma

(xii) Sh. Anil Mahajan

(xiii) Sh. Pawan Soodan

(xiv) Sh. Raman Nargotra

(xv) Sh. Som Nath Khajuria

Now we proceed with the agenda.

Item 1 of Agenda. **Opening remarks by President**.

I request President Sh G.S Mago for his opening remarks please.

Sh. G.S. Mago. Thank You Sh. Sandeep Srivastava ji. It is my proud privilege to welcome all of you to this Council Meeting of the MES Builders Association of India being held today, 28th September 2026, at "Udman Hotel & Resorts, National Highway 8, Mahipalpur Rangpuri Road, Near Shiv Murti, New Delhi-110037.

At the outset, I would like to express my sincere gratitude to all the Council Members and Branch Members who have travelled from different parts of the country to participate in this important meeting. Your presence reflects your commitment towards the welfare and progress of our Association and the builder fraternity at large.

I am particularly privileged to extend a most cordial and heartfelt welcome to our distinguished Past Presidents, Sh. Rajesh Behl, Sh. Bharat Bhasin and Sh. Anil Raizada as well as past Hony. Secretaries Sh. Jaspal Mago and Sh. Vinod Behl and all senior members whose gracious presence has added immense prestige and significance to this Council Meeting. Their visionary leadership, vast experience, invaluable guidance and unwavering commitment to the Association continue to inspire and strengthen us in our collective pursuit of excellence. We remain deeply indebted to them for their enduring association and steadfast support, which serve as a beacon of encouragement for the entire fraternity.

I just received a call from our former President, Shri Lakhbir Singh Ji, from Pathankot. His mother is bedridden and seriously unwell. She has not eaten anything for the past four to six days and is unable to take her medicines as well. Therefore, he has been unable to come here. We pray for her speedy recovery and wish her good health.

Our Association stands today not merely as an organization, but as the collective voice, strength, and institutional platform of thousands of builders serving the nation through the Military Engineer Services (MES). The unity and determination demonstrated by our members across the country have always been the foundation of our Association.

I would first like to place before this august Council an important, significant, and highly encouraging development concerning those contractors whose renewal of enlistment had been adversely affected due to the cancellation of contracts during the previous cyclic period, 2020-2025.

However, before I proceed to elaborate on this important matter and continue with my address, I consider it both appropriate and necessary to pause here and invite the House to hear, first hand, the sequence of events that ultimately led to this remarkable achievement.

This success did not come about by chance, rather, it is the outcome of persistent efforts, collective determination, strategic deliberations, and the unwavering commitment of those who took up this matter with the seriousness and perseverance it deserved. The manner in which this issue was pursued, the challenges encountered along the way, and the eventual achievement of such a favourable outcome constitute a significant chapter in the continued endeavors of our Association.

I would, therefore, like to invite our esteemed Honorary Treasurer and respected colleague, Shri Shiv Kumar Gupta Ji, to kindly enlighten this august House on the entire sequence of events, how the matter originated, how it was pursued at various stages, and how, through our collective efforts and sustained perseverance, we were able to achieve what once appeared to be an almost unimaginable outcome.

This is, undoubtedly, a matter of immense importance to the contractors concerned and to the Association as a whole. At the same time, I wish to make it abundantly clear that, in highlighting this particular achievement, I do not intend to diminish the significance of any other issue or the concerns of any member. Every matter brought before this Association deserves due consideration, and every member's concern commands our respect and attention.

Nevertheless, given the far-reaching implications of this development and the relief it represents for the contractors concerned, I believe the House would greatly benefit from hearing directly from the person who has been closely associated with these efforts. Shri Shiv Kumar Gupta Ji, I would now request you to kindly share your valuable insights with this august Council, so that our members may fully appreciate the efforts undertaken, the challenges overcome, and the collective achievement that we have been able to secure.

I request you to kindly enlighten the House.

Sh Shiv Kumar Gupta. I would like to explain this entire matter to you chronologically, date by date, because considerable confusion and misinformation have been circulating on various social media platforms regarding this issue in recent days. Let us begin with the first week of September, when we sent a letter to the Engineer-in-Chief (E-in-C), highlighting nine important issues and making it abundantly clear that every one of them was crucial to us. We requested an appropriate resolution of all these issues and set the 11th of September 2026 as the date by which we expected a response.

However, we soon realized that a positive outcome was unlikely unless we made our concerns heard in a stronger and more decisive manner. Accordingly, around the 5th of September 2026, we submitted a letter to the Delhi Police and another to the E-in-C, informing them of our intention to stage a protest at the gate of

the E-in-C's office. We were uncertain whether the E-in-C's office would respond, but we promptly received a message from the Delhi Police stating, "Sir, please do not stage a sit-in protest at the E-in-C's gate. It would create a serious law and order problem for us, as Section 144 is invariably in force in that area."

We then asked them a simple question: "If we are not permitted to protest there, what alternative do we have to raise our legitimate concerns?"

We proposed Jantar Mantar as the venue, although the Delhi Police had also suggested this location earlier. There is a prescribed procedure for organizing a demonstration at Jantar Mantar. Prior intimation is required, and the available slots are divided into the first and second halves of the day. The representation submitted by the demonstrators is subsequently forwarded to the concerned ministry. After due deliberation, the headquarters collectively decided to organize a protest at Jantar Mantar on the 29th of September 2026.

I would like to clarify one point here. Although the word dharna occasionally slips into my conversation, we consciously chose to use the term "protest." We believed that the very announcement of a protest would convey the seriousness of our concerns and bring the authorities to the negotiating table. As subsequent developments demonstrated, this decision did have the desired impact.

I would also like to inform the House that, on the 13th of September, our Senior Vice President, Shri Kumar Ashok Ji; Delhi Branch Chairman, Shri Lalit Goyal Ji; Delhi Branch Secretary, Shri Pramod Tomar Ji; and I met with the Delhi Police. During this meeting, the police assured us that the necessary arrangements would be made to provide us with a venue for our proposed protest on the 29th Sep 2026. Our request was accepted.

From the very day the first protest poster was released and circulated among our members and the wider public, our Honorary Secretary and our respected President began receiving messages from the E-in-C's office, urging us to reconsider the protest and suggesting that we explore a mutually acceptable solution.

Discussions continued, but we remained firm in our resolve and continued preparing for the protest. Four or five days passed in this manner. In the meantime, our Honorary Secretary held discussions at the E-in-C's office regarding one of the most pressing issues before us. At this stage, I would like to make an important observation. As our respected President has already mentioned, there was, at one point, a discussion about which of the nine issues was the most critical. Let me explain our position through a simple example.

If parents have four children, all four are equally dear to them. If a mother serves a meal to one child first, it does not mean that she loves or values the other three any less. Similarly, every single issue raised by our Association was important to us, and we never intended to undermine the significance of any of them. Each issue deserved attention, consideration, and a fair resolution.

During one of our discussions, a proposal was put forward. What if we first resolved the issue concerning cancelled tenders and then sat down to address the remaining issues? Would that be an acceptable course of action?

The considered view of our respected President, Honorary Secretary, and other office bearers was that this particular issue demanded immediate attention because of its potentially far-reaching consequences for contractors.

The cancellation of a tender, if allowed to adversely affect a contractor's future enlistment and business prospects, could have repercussions lasting for years, if not decades. If contractors were compelled to work under the constant fear that the cancellation of even a single tender could jeopardize the future of their entire firms, it would create an atmosphere of uncertainty, insecurity, and immense professional pressure. I would particularly like to address those friends who questioned why we postponed our proposed protest after securing progress on what they perceived to be a single issue. I request you to look at the matter in its proper perspective.

The other issues had arisen while we were continuing to engage with the system and seek solutions from within it. This particular issue, however, threatened to push contractors towards a situation in which their very future participation could be jeopardized. There is a fundamental difference between struggling to resolve difficulties within the system and facing the prospect of being excluded from it altogether.

On the day in question, when Shri Sandeep Srivastava Ji spoke to me again, he made his position absolutely clear. He said, "No, Shiv Ji, we must secure an agreement on this issue. If such a precedent is established today, it may become extremely difficult to reverse in the future. Tomorrow, future generations of contractors and future associations may rightly ask us why we failed to act when it mattered most." These words reflected the seriousness of the situation and the responsibility we carried towards our members and those who would follow us.

One of our members also raised a question on WhatsApp as to why this decision was not being extended to E-class contractors as well. This was a legitimate concern, and our respected President and Honorary Secretary had discussed the matter in detail. They understood that, if left unresolved, this issue could become a major source of difficulty for contractors in the years to come.

By the 21st or 22nd of September, it had become increasingly clear that the authorities were likely to issue the necessary letter. Our President and Honorary Secretary personally pursued the matter with the concerned officials. Our respected President even travelled from Agra to be present on the 22nd of September, where he waited for the letter to be issued. This itself demonstrates the level of commitment, determination, and personal involvement required to bring the matter to a successful conclusion.

I would also like to clarify another point concerning the proposed venue at Jantar Mantar. The venue that was expected to be made available to us did not open for our proposed protest. This was not a decision taken specifically against our Association, nor was the venue opened specifically for us. Rather, as part of a

broader policy decision, and in the prevailing circumstances relating to the CJP's agitation, the government decided not to open the venue.

On the 22nd of September, we convened a meeting of our office bearers to assess the developing situation. We realized that, if the venue remained unavailable and it soon became apparent that it would not open at all we risked losing the opportunity to secure the progress already made through our negotiations.

Consequently, our respected President visited the concerned office on the 22nd and held further discussions to ensure that our efforts did not go in vain. At approximately 9:00 p.m. that evening, Shri Sandeep Srivastava Ji, our Honorary Secretary, informed me that, following our internal consultations and sustained discussions, the letter was being drafted.

Finally, on the 23rd of September, the letter was issued, effectively resolving the issue concerning the cancellation of tenders and its adverse implications for the contractors concerned. This was a significant development, and I consider it an important achievement for our Association.

At this point, I wish to express my heartfelt gratitude to our respected President, our Honorary Secretary, and the entire headquarters team. This achievement was not the accomplishment of any one individual, it was the result of collective effort, coordination, perseverance, and a shared commitment to protecting the interests of our members.

I would also like to acknowledge the contributions of Shri Sunil Panwar, who is present here with me and who took considerable initiative in bringing so many people together, as well as Shri C. Balasatish, who approached this issue in his own distinctive and effective manner. The continuous efforts of Shri Vinod Behl, Vice President Northern Region to guide, advise and draft the documents and applications of so many affected builders all over the country has been excellent and remarkable. Every individual who contributed to this effort deserves appreciation. Whether through direct negotiations, coordination, strategic guidance, or support behind the scenes, each contribution played its part in bringing us to this point.

Finally, I would like to address those friends who remain concerned that we chose to prioritize one particular issue at this stage. Please understand that prioritizing an urgent matter does not mean abandoning the others. Our commitment to all nine issues remains intact, and our struggle to secure fair and appropriate solutions will continue.

Thank you, President Sir.

Sh G.S. Mago. First and foremost, I would like to thank Shri Shiv Kumar Gupta Ji for his detailed explanation and for placing before this august House the chronological sequence of events that led to this important achievement. Shiv Ji, you have always been a pillar of strength and a source of support to me personally and to our Association as a whole.

I would now like to place on record my sincere appreciation and heartfelt gratitude to everyone whose dedication, commitment, and collective efforts contributed to this achievement. My special appreciation goes to Shri Sandeep Srivastava Ji, our Honorary General Secretary; Shri Kumar Ashok Ji, our Vice President; and Shri Shiv Kumar Gupta Ji, our Honorary Treasurer. Their sustained efforts, valuable guidance, and unwavering commitment have played a significant role in advancing our cause..

I would also like to acknowledge the consistent support and encouragement extended by Shri Bala Satish Ji, Shri Sunil Panwar Ji, Shri Vinod Behl Ji, Shri Mahesh Jain Ji, and Shri Deepak Balkawade Ji. Mahesh Ji, in particular, has devoted his valuable time to visiting Delhi, coordinating with the concerned authorities, and extending his cooperation whenever required. The entire headquarters team has stood firmly together throughout this challenging period. The collective strength of our team has enabled us to pursue this matter with determination, professionalism, and confidence.

The individuals sitting before you today are those in whom you placed your trust and entrusted with the responsibility of representing your interests, the Honorary General Secretary, the Honorary Treasurer, myself as President, and the entire headquarters team.

I would also like to make a special mention of our dedicated Delhi Branch Chairman, Shri Lalit Goyal Ji, and our Delhi Branch Secretary, Shri Pramod Tomar Ji. Their commitment, coordination, and continuous engagement have been invaluable throughout this process and above all, there is one individual whose contribution deserves special recognition. I honestly find myself at a loss for words to adequately describe his ability to inspire, the strength and confidence he provides, and his comprehensive understanding of every aspect of our work.

Shri Rajiv Chaudhary Ji possesses exceptional knowledge, remarkable foresight, and an extraordinary eye for detail. His guidance and expertise have been instrumental in enabling us to prepare and present our case with clarity, precision, and professionalism.

You are all familiar with the journey from the beginning of the tenure of the Engineer-in-Chief to the present day. You have witnessed the challenges we encountered, the issues we raised and the efforts required to bring matters to this stage. Throughout this journey, Shri Rajiv Chaudhary Ji has been a source of immense strength and guidance. His contribution has been invaluable in helping us navigate this complex process and achieve a favourable outcome.

I would therefore request this august House to join me in giving a resounding standing ovation to our respected Shri Rajiv Chaudhary Ji. Sir, this standing ovation is not merely an expression of appreciation from the headquarters team; it is a tribute to your guidance, your vision, and your unwavering support for the Association and its members. I am deeply grateful to you. Your contribution will always remain a source of inspiration for us.

While we have achieved a significant breakthrough concerning the issue of cancelled tenders and the adverse consequences for contractors, I would like to emphasize that this achievement is not the end of our efforts, it is the beginning of the next phase of our struggle for the legitimate interests of our members.

As you have seen in the agenda circulated for today's meeting, several important issues remain to be discussed. Some of them have not yet been fully addressed, and certain additional concerns have emerged even after the issuance of the recent letter.

We must therefore continue our efforts with the same unity, seriousness, and determination that brought us this far.

One of our immediate priorities is to seek a comprehensive policy letter from the Engineer-in-Chief at the earliest possible opportunity. The recent communication has been an important development, but we must ensure that its benefits are extended appropriately to all eligible contractors who have been affected by cancellation, removal proceedings, or pending enlistment matters.

There are contractors who have already received removal notices, those whose enlistment renewals are pending and others who have been running from pillar to post even approaching the High Courts in an attempt to obtain relief. Behind every such case is a contractor, a family, a livelihood and the future of children whose wellbeing depends upon the continuity of their business.

We are dealing with approximately 400 to 500 affected contractors. As Shri Rajiv Chaudhary Ji has already pointed out, the situation was on the verge of becoming considerably more serious. Had we not exerted timely and sustained pressure through our proposed protest and negotiations, the number of affected contractors could potentially have increased into the thousands. This is precisely why we considered the matter so urgent. Once the legitimate grounds for seeking relief are properly recognized, there should be no reasonable justification for denying appropriate consideration to eligible contractors.

Our next objective is therefore clear, we must pursue an immediate and comprehensive policy decision that provides meaningful relief to all eligible contractors affected by these circumstances. We have also been exploring the possibility of securing an unconditional extension of validity for three months, with immediate effect, for the affected registrations or enlistments, including cases involving cancellation appeals.

The purpose of this proposed relief is to provide contractors with a reasonable window to fulfil the prescribed requirements, particularly those relating to working capital and solvency. These requirements were established after considerable deliberation and must be addressed in accordance with the applicable policy. During our discussions, the authorities suggested that contractors should be permitted to meet these requirements within the proposed period.

We explained that the original policy did not contain this additional condition and that it was important to avoid imposing unnecessary new burdens on

contractors. The authorities, however, pointed out that the circumstances involved a break in continuity and cancellation, and therefore considered the additional requirement relevant. After carefully examining the matter among ourselves, we concluded that compliance with this requirement would be manageable for most of our members, particularly in comparison with the substantial relief that could be secured on the more fundamental issue of livelihood and business continuity.

We therefore considered it appropriate to remain constructive and explore a practical compromise on this aspect, without losing sight of our larger objective.

Let us remember that this was not merely a question of paperwork or administrative formalities. It concerned the future of businesses, the financial security of families, the education of children, and the peace of mind of hundreds of contractors. Throughout this period, our colleagues at headquarters were deeply concerned. Calls came in the morning and evening, with members enquiring about developments and expressing their anxieties. We, too, were under considerable pressure, constantly weighing the available options and trying to determine the best possible course of action.

We fully understand the distress experienced by our members, and we assure you that we shall continue to make every possible effort to secure the relief that is still required.

Apart from the matter of cancelled tenders and enlistment, several other significant issues require our continued attention. These include Earnest Money Deposit (EMD) requirements, acceptance of Bank Guarantees (BGs), appropriate treatment of bitumen price variations, extension of time for completion of works, and other contractual and administrative difficulties being faced by contractors at various stations.

We have also received a positive indication regarding the inclusion of a force majeure provision in relation to the prevailing warlike situation, as reflected in the communication issued to us. However, these matters must be followed through carefully to ensure that the intended relief is implemented effectively and consistently at the ground level.

Our responsibility does not end when a letter is issued. We must ensure that its provisions are properly understood, appropriately implemented, and translated into tangible relief for our members.

Another matter of serious concern has been brought to our attention by members from various stations. We have received representations alleging that, at certain locations, some officials may be using the Government e-Marketplace (GeM) procurement process in ways that do not adequately reflect the actual nature of the requirement. In particular, concerns have been raised about tenders being floated for services when the underlying requirement may relate primarily to the supply of goods or materials. Such representations require careful examination. Any procurement process must be transparent, consistent with the applicable rules, and aligned with the genuine requirements of the work.

Recently, we received a communication from Barmer highlighting a case involving a contractor who reportedly incurred expenditure of approximately Rs 4-5 crore on Gem procurement. This matter, along with similar concerns raised by members, needs to be examined in detail and taken up with the appropriate authorities wherever necessary.

I would like to assure the House that we take such representations seriously. We request members to provide the relevant facts and supporting documents so that these matters can be presented appropriately and pursued through the proper channels. We need your continued support, cooperation, and timely communication to address these issues effectively.

Whatever we have achieved so far would not have been possible without the time, guidance, and confidence that you placed in us during our General Body Meeting. You entrusted us with responsibilities, shared your concerns, and gave us the mandate to pursue these issues on your behalf. We are, after all, your representatives and workers, entrusted with the responsibility of translating your expectations into practical action. You are the source of our strength. It is because of your support, your blessings, and your active involvement that we are able to stand before the authorities with confidence, present our arguments firmly, and pursue solutions to the problems confronting our fraternity.

I once again extend my sincere gratitude to every member, every branch, every office-bearer, and every colleague who has supported us throughout this journey. We look forward to your continued cooperation so that, together, we can resolve the remaining issues and achieve further meaningful results for the entire MES builders' fraternity.

There is one more important matter that I would like to bring to the attention of this august House. It concerns the previous enlistment cycle, 2020–2025, and the cases that remain pending despite the policy and instructions issued by the Engineer-in-Chief.

As we understand it, the policy provided for the Engineer-in-Chief to grant the necessary approval where the Competent Financial Authority (CFA) had approved the relevant initialization process. However, a number of such cases are still awaiting a decision. It is a matter of considerable concern that these cases have remained unresolved for such a long period. At the same time, applications submitted after 30 November are reportedly not being processed, resulting in further difficulties for our builders.

Our members cannot reasonably be expected to bear the consequences of administrative delays that are beyond their control. If the prescribed process has been followed and the relevant approvals have been obtained, the cases deserve timely consideration in accordance with the applicable policy.

We shall therefore take up this issue firmly with the concerned authorities and seek a clear, time-bound resolution. Our objective is to ensure that no eligible contractor suffers merely because of delays in the processing of applications or

decisions within the administrative system. We shall continue to pursue this matter until a fair and appropriate outcome is achieved.

Before I conclude, I would like to make one thing absolutely clear. The doors of the headquarters remain open to every branch chairman, branch secretary, vice president, office bearer, and member of our Association. If any issue has been overlooked, if any concern has not been adequately addressed, or if you have suggestions regarding the matters discussed today, please do not hesitate to communicate with us.

You are welcome to contact us directly. You may also share your concerns and suggestions through WhatsApp. A formal letter is not always necessary for us to take note of a genuine concern, although written representations and supporting documents can be helpful when a matter requires formal submission to the authorities. We will acknowledge your inputs, examine them carefully, and take them forward through the most appropriate channels. I firmly believe that an effective association is one that listens to its members, remains accessible to them, and responds to their concerns with sincerity and responsibility.

I would also like to say a few words about our engagement with the Delhi Police during the period leading up to the proposed protest at Jantar Mantar. As Shri Shiv Kumar Gupta Ji has already explained, our Association established constructive communication with the police authorities responsible for the area. They assured us that, should the need arise, they would extend the necessary cooperation and assistance, provided that any gathering or demonstration remained peaceful and complied with the applicable requirements. We are grateful for their professional approach and cooperation.

I would particularly like to acknowledge Shri Lalit Goyal Ji, Shri Shiv Kumar Gupta Ji, Shri Mahesh Jain Ji, Shri Kumar Ashok Ji, and Shri Pramod Tomar Ji for their continuous coordination and engagement throughout this period. They kept us informed, maintained regular communication, and ensured that important developments were promptly shared with the concerned members of our team. Shri Sandeep Srivastava Ji played a particularly important role in facilitating communication and coordination between us.

Over time, these interactions have strengthened our working relationships and demonstrated the value of constructive engagement. Our objective has never been confrontation for its own sake. Our objective has always been to secure solutions to legitimate problems. Our strength does not lie in disruption. Our strength lies in unity, discipline, constructive dialogue, and collective determination.

We believe in raising our voice firmly, but responsibly; in pursuing our demands resolutely, but democratically; and in seeking solutions through dialogue, without compromising the legitimate interests of our members.

Conclusion.

My dear colleagues, the issues before us are not confined to individual contractors or isolated establishments. They affect the stability, continuity, and long-term

sustainability of the entire builders' fraternity associated with the Military Engineer Services.

Every unresolved issue has implications for businesses, employment, families, financial commitments, and the confidence of contractors who contribute to the nation's infrastructure and Defence establishment. It is therefore imperative that every member, every branch, and every representative remain united, vigilant, and steadfast.

We must continue our efforts through appropriate representations, constructive dialogue, sustained follow-up, and, wherever necessary, peaceful and democratic action in accordance with the law.

We shall pursue every legitimate concern with dignity, determination, and perseverance. We shall strive to ensure that no genuine grievance remains unattended and no legitimate issue goes unrepresented. At the same time, we shall remain responsible in our conduct, professional in our approach, constitutional in our methods, and unwavering in our commitment to finding practical solutions.

My dear friends, the road ahead may not always be easy. There will be challenges, delays, and occasions when our patience is tested but a united fraternity, guided by a common purpose and supported by collective wisdom, has the strength to overcome these obstacles. Let us transform our collective concerns into coordinated action, our difficulties into constructive representations, and our unity into meaningful achievements.

Let us stand together, speak with one voice, and move forward with a shared commitment to the welfare, dignity, and rightful interests of the entire MES builders' fraternity. I once again thank each and every one of you for your trust, encouragement, and unwavering support.

With this spirit of unity, responsibility, and determination, I welcome you all once again and wish this All-India Council Meeting every success.

Jai Hind!

Jai MES BAI!

Sh Bharat Bhasin. First and foremost, I believe that our President, Honorary General Secretary, and the entire headquarters team deserve a resounding standing ovation from all of us for their remarkable achievements, unwavering commitment, and dedicated efforts.

I would therefore request all the members present here to rise and join me in giving a well-deserved standing ovation to our President, Hony Gen Secretary, and the entire team in recognition of their outstanding contribution.

Thank you.

Shri G. S. Mago. Before we proceed further, I would like to express my sincere appreciation for the enthusiasm and active participation demonstrated by the members of this august Council. It is indeed heartening to see representatives from many branches gathered here, representing diverse regions of our country from the North-East to the South, from Central to Punjab, and from every corner of the nation. The presence of many members at this meeting is truly encouraging and reflects the growing unity, solidarity, and collective commitment of our fraternity. Your presence here today demonstrates your unwavering support for the headquarters and, above all, your dedication to the cause of the MES builders' fraternity. Such enthusiastic participation strengthens our resolve and reinforces our belief that, through unity, collective deliberation, and constructive dialogue, we can effectively address the challenges confronting our members.

This meeting provides us with a valuable opportunity to discuss the day-to-day difficulties faced by our builders, exchange views, and collectively develop a practical roadmap for taking these issues forward. Our objective is to ensure that every genuine concern is properly represented before the appropriate authorities and that meaningful efforts are made towards securing timely and effective solutions.

With these few words, I once again thank all the members for their valuable presence and participation. I now request our respected Honorary General Secretary to kindly proceed with the agenda.

Sh. Sandeep Srivastava. I regret to inform the House of a sad demise that I inadvertently failed to mention earlier. Shri Charanjit Sehgal, the brother of Shri Suresh Sehgal, a Council Member of the Delhi Branch, has passed away. I request all the members present here to kindly rise and observe a minute's silence in his memory as a mark of respect and to express our heartfelt condolences to the bereaved family.

Sh Jaspal Mago As highlighted by Chowdhary Sahab, the repercussions of this issue were likely to extend to the 'E' and 'D' classes, a fact of which many people are unaware. This aspect particularly the extent to which the situation could have escalated and the plans that were being considered needs to be highlighted, as this was a genuine possibility. Furthermore, the minutes must clearly record how the successful resolution of the matter helped contain and prevent this potential escalation.

Sh. Sandeep Srivastava. Since this topic has come up, I would like to share something. We were in constant touch with Mahesh-ji around the time that letter was issued, and I used to speak with him regularly as well. That evening, Mahesh Sir remarked, "Sandeep-ji, I am going to sleep very soundly tonight, knowing that I have saved the families of at least 150 builders."

I replied, "Mahesh Sir, a builder does not represent just one family. At least 10 to 20 families depend on a single builder for their livelihood. Therefore, you have not just helped 100 or 150 builders; you have helped thousands of people." This is an absolute fact.

Initially, people might have viewed this as a minor issue. However, when Chowdhary Sir first explained the matter and we discussed it among ourselves, we were able to understand the bigger picture. Having dedicated 30 to 40 years of our lives to this department, we understand how things work here. This trend is bound to reach the 'E' class eventually, and it must be acknowledged that, once it does, the number of people affected could run into the thousands. I personally know people whose four or five contracts have been cancelled or who have been forced to cancel their contracts. This is an important point that needs serious consideration.

Let me reiterate that, in view of our discussions, the immense pressure exerted over this issue, and the numerous discussions we have had with the E-in-C, I would like to highlight a specific point made by the E-in-C. He stated, "I wanted the builders to understand the extent of the difficulties they could face, both during the process of contract cancellation and in its aftermath." It is possible that a provision may be introduced in the contract manual in the future specifying penalties for such cases. This possibility must be clearly understood and taken seriously.

We have repeatedly emphasized to those whose contracts are likely to be cancelled in the next three months that contract cancellation is not necessarily the builder's fault or responsibility alone. In many cases, the department also bears an equal share of responsibility. For instance, the site may not have been ready, trees may have obstructed the work, the user may have changed the site, or the user may no longer require the work. Under such circumstances, the builder cannot be held solely responsible.

Therefore, it is essential to proceed with due care and careful consideration. Once these details are available to us in black and white, particularly through a contract manual clearly outlining the penalties applicable to work contracts, our builders will be in a better position to assess the situation, exercise their judgment, and make informed decisions. We would also like to extend our heartfelt thanks to the Delhi Branch, especially its Chairman, Mr. Lalit Goyal, for the manner in which the branch handles the additional pressure that inevitably arises whenever such meetings are organized in Delhi.

I am truly impressed by the excellent arrangements made by Mr. Lalit and his team for builders travelling from far and wide. For instance, I saw them at the hotel as late as midnight or 1:00 AM just yesterday, while people began arriving as early as 6:00 AM today. Considering the tremendous support you extend to this association and your fellow builders, as well as the dedication with which you fulfil these responsibilities, I would request the entire gathering to welcome you with a big round of applause.

Item 2 of Agenda Confirmation of minutes of the last Council Meeting held on 25th June 2026.

Sh. Sandeep Srivastava. Friends, our last meeting was held on 25th June 2026 at Jacaranda Hall, India Habitat Centre. The minutes of the meeting were circulated via email on 7th August 2026 under Circular No. 34, and no objections have been raised regarding the same. I would, therefore, request the House to approve the minutes so that we may proceed with the agenda.

The House unanimously approved the minutes of the previous Council Meeting held on 25th June 2026.

Sh. Sandeep Srivastava. Let me mention one thing here. Just the day before yesterday, we received an email from Mr. Tilak, Chairman of Bangalore Branch. The email does not contain any objections, rather, it raises a few points to which we are responding separately. With this clarification, let us proceed to the technical session.

Item 3(a) of agenda To apprise the Council of the non-cooperative attitude of MES Officials in addressing policy matters concerning the builders' fraternity.

Sh. Sandeep Srivastava. The Council may kindly note that, in the recent past, several policies and procedures affecting the builder fraternity have repeatedly been brought to the attention of the E-in-C Branch and the E-in-C's office through representations, meetings, and correspondence. However, despite the persistent efforts of the office bearers at the Headquarters, many important matters remain unresolved due to the lack of timely consideration and decision-making at various levels.

This lack of cooperation has resulted in delays in addressing the genuine grievances of contractors and builders, leading to operational difficulties, financial implications, and uncertainty in project execution. The absence of constructive dialogue and timely policy decisions has adversely affected the working relationship between the MES administration and the builder fraternity.

Regarding the programme scheduled for tomorrow, the 29th, I would like to highlight that we have raised several demands. We have been facing difficulties for quite some time. Decisions are simply not being taken. Although the E-in-C listens to our concerns and understands the issues, the necessary decisions have not materialized.

Meetings are held, and the issues are discussed in detail, however, the outcome is invariably a decision to meet again at a later date. We are often assured that a decision will be taken within a specified timeframe, but the scheduled meetings are subsequently postponed by another month or two. This disrupts continuity, and, for one reason or another, we repeatedly fail to achieve the desired results.

Nevertheless, in view of the recent development, particularly the letter issued on the 23rd and the assurance that a meeting would be scheduled for the second or third week, I hope that we will approach the meeting with thorough preparation and secure positive outcomes for our fraternity.

Sh. G.S. Mago. During our last interaction with the E-in-C's office, which was attended by the DGW, the Joint DG, and other officials, we raised this issue along with several other important concerns. We expressed our apprehensions regarding

workable rates, two major issues relating to the tender limit issue, and the GST issue. These matters have been referred to the Ministry, but no decisions or responses have been received so far.

We had also requested the relevant file status, reference numbers, and other necessary details so that we could pursue these matters through our contacts, including Sh Balaji, Sh Shiv Ji, and others who have political connections. Sh Sanjeev Ji, who is from Lucknow, has access to Rajnath Ji and contacts within that circle. He had also made efforts to pursue these matters earlier. We hope that these efforts will yield constructive results soon. In the meantime, we have written to the DM and the Defence Secretary, seeking an appointment to discuss the matter and explore ways to strengthen our efforts to secure a resolution.

Coming back to the issue under discussion, we have been pursuing the matter with the E-in-C. The E-in-C's office has assured us that a round of meetings will be held within October, and we are awaiting the outcome. If the House permits, I would suggest that we remain optimistic and allow some time for the ongoing discussions to yield results. We may hope that a resolution will be reached on two to four of our key demands, while the remaining matters may be addressed through the regular administrative process.

In the meantime, we may keep our proposed course of action under consideration. If the outcome of these discussions is not satisfactory, we can intensify our efforts and increase the pressure through a protest, in accordance with the approval granted by the General Body Meeting. After discussing the matter with all members, we can decide on a suitable date and finalize our future course of action. If necessary, we may once again organize a protest at Jantar Mantar should the desired results not materialize.

As you may have noted from the letter circulated by the Headquarters, we have requested the members to suggest a suitable date for the proposed action. We have deliberately kept the matter open ended and have not withdrawn or closed this option. We should keep this position in mind while allowing the ongoing dialogue with the E-in-C and the concerned authorities to progress. Depending on the direction and outcome of these discussions, we can deliberate further and decide on the appropriate next steps.

Thank you.

Sh. Rajesh Bahl. This achievement is the result of the collective efforts of all our members and the strength of our association. It is, indeed, a remarkable accomplishment. However, I believe that we should continue to maintain pressure on the concerned authorities. We should inform the E-in-C's office that we have obtained the members' approval to defer the proposed course of action for the time being, as agreed upon during our meeting. However, we would like the remaining pending issues to be resolved, or at least a clear outcome to be communicated, before our next Council Meeting, which is scheduled to be held two months from now.

Sh. Jaspal Mago. We have with us Mr. Rajesh Behl, our Past President, whose tenure was highly successful. He effectively highlighted the issues faced by the builder fraternity and ensured that these concerns were brought to the attention of the appropriate authorities. We are all grateful to him for his valuable contributions and dedicated efforts.

Sh. Shiv Kumar Gupta. Respected President, I have a small request to make. Regarding the proposed protest at Jantar Mantar, it is possible that the venue may remain unavailable for another month or two, given the prevailing political situation in the country. Therefore, with the Council's permission, I would like to propose an alternative course of action. Since the challenges we face are different, we may need to explore different ways of addressing them. In this regard, could we consider organizing a candlelight march in Delhi Cantonment instead? I would like to seek the President's and the Council's approval for this proposed protest.

Another alternative to Jantar Mantar is Ramlila Maidan. However, it is a large venue, and a fee is charged for its use. Moreover, I do not believe that simply gathering there and staging a sit-in would have the desired impact. Our initiative has been linked to the Defence sector, and there is a larger context behind this proposal. Given the discussions at our previous meeting, however, I do not think it would be appropriate to revisit all those details at this stage.

I would, therefore, like to seek the Council's views on whether we could proceed with such an initiative. A candlelight march would naturally attract public attention and help us highlight our concerns effectively. Just as we invited the press on the previous occasion, we could invite media representatives to cover this event as well. We have our members and staff in the Cantonment area, and we believe that we could mobilize approximately 1,000 to 2,000 people to participate in the march.

In view of the above, I would like to know whether the Council considers this proposal feasible and whether we may proceed with the necessary preparations, subject to the requisite permissions from the concerned authorities.

Sh. Sandeep Srivastava. If such a situation arises, we can certainly consider this option. In my view, we could convene a meeting of the Council through video conferencing, if required. Instead of waiting for a physical Council Meeting, we could hold an online meeting in the event of any such emergency to seek the Council's approval and take the necessary decisions promptly. This would enable us to respond to the situation without unnecessary delays and proceed accordingly, subject to the Council's approval.

Piyush Mishra. First of all, I would like to extend my heartfelt thanks to all of you. The entire MESBAI fraternity is grateful for the relief provided in connection with the renewal issue. However, while we appreciate this achievement, I would like to emphasize that the remaining eight issues out of the nine demands raised in connection with our proposed protest are equally important and require urgent attention. As rightly emphasized by our respected Shri Rajesh Behl Ji, the intensity of our protest and the pressure on the E-in-C must not diminish. We must continue our efforts to ensure that all eight pending issues are resolved at the earliest.

In particular, I would like to draw attention to the difficulties we are facing at the ground level due to the e-MB system. The current e-MB process is resulting in payment delays of up to a month. By the time payment for the submitted bill or voucher is received, the builder has already completed another month's worth of work. The same cycle then repeats, creating a continuous financial burden on contractors. Despite these delays, when builders approach the concerned officials for their next payment, they are often told, "You have just received a payment, and you are already asking for another one."

This situation is extremely difficult for builders to manage. Therefore, the e-MB system must either be rectified immediately or replaced with a more efficient mechanism. This concern needs to be firmly conveyed to the E-in-C, and a time-bound solution must be sought.

The second important issue is GST. Our long-standing demand has been that GST should be paid separately, over and above the contract amount. On several occasions, we have been informed that our demand has been accepted in principle. However, the matter is still pending with the Ministry of Defence (MoD). We must therefore ascertain why the issue has not progressed further and what is preventing a final decision. The Headquarters should pursue this matter vigorously with the concerned authorities until a satisfactory resolution is achieved.

The third, and perhaps the most crucial, issue is the need to resolve the internal differences within our association. This matter requires immediate attention because its repercussions are being felt at every level, from the branches to the CWE offices and the office of the Chief Engineer.

In several branches, a few individuals are spreading the impression that the association no longer exists or has effectively ceased to function. Such statements are damaging the association's image and undermining its credibility. As a result, the attention and importance that the association previously received from the Chief Engineer and CWE offices appear to be gradually diminishing.

It is, therefore, imperative that these internal differences be resolved at the earliest. The matter should not be allowed to remain unresolved indefinitely. The Headquarters has a responsibility to take the initiative and bring this issue to a conclusion as soon as possible. I would particularly request you, Sir, in your capacity as President, to make a sincere effort to resolve this matter. Both parties should be brought together for constructive discussions, and every effort should be made to ensure that there is no communication gap between them. Discussion must continue, and differences should be addressed through mutual understanding and cooperation.

I would urge you to take the necessary steps to resolve these differences at the earliest so that the association can regain its unity and strength and move forward towards the next elections in a positive and harmonious manner. That is my humble request, Sir.

Thank you.

Sh. Naveen Yadav. I would like to extend my sincere thanks to the entire Headquarters team for its efforts and achievements in resolving the renewal issue.

As rightly pointed out by our Respected Past President Shri Rajesh Behl Ji and Shri Piyush Mishra Ji, we must not lose sight of our remaining pending issues. We need to maintain consistent pressure on the concerned authorities until these issues are resolved. Whether it involves organizing a candlelight march or holding a sit-in protest in the Cantonment area, we are all prepared to support whatever course of action is decided upon.

Furthermore, with regard to the internal issues raised by our colleague, Shri Piyush Mishra Ji, I would like to emphasize that, Sir, you hold a position of great responsibility. We all believe that if these issues are not resolved promptly, our association could be pushed to the brink of collapse. It is now 2026, and if we fail to resolve this matter by 2027, there is a genuine risk that the association may cease to function or fragment along regional lines, with different groups potentially establishing separate associations in the Eastern, Central, and Southern regions. Discussions in this regard have already begun, which is a matter of serious concern.

We must, therefore, set aside our internal differences, find common ground, and work towards a mutually acceptable solution as soon as possible. Otherwise, the very issue we are discussing today that the E-in-C is not giving due attention to our concerns could gradually extend to the lower levels of the organization, affecting everyone from the CWE and GE to the AGE.

These officials remain well informed about our activities, as well as our strengths and shortcomings, and act accordingly. Everyone was aware that we were attending today's Council Meeting. As soon as we leave, people will naturally want to know what transpired during the meeting, what decisions were taken, and when the elections are likely to be held. They will also want to know whether the association will continue to function as a united body or face the possibility of dissolution.

Therefore, regardless of the efforts or sacrifices required, we must take the necessary steps to safeguard our fraternity, protect our collective interests and livelihoods, and steer the association in the right direction. As the head of the association, I would earnestly request you to take an active interest in resolving this matter, bring all concerned parties together, and facilitate constructive dialogue. As I have stated earlier, pursuing a court case for 40 years is unlikely to provide a timely resolution. We must recognize that the responsibility for finding a solution also rests with us. All of us need to sit together, discuss our differences openly, and work towards a practical and mutually acceptable settlement. If we rely solely on the courts, a resolution may take a considerable amount of time.

I, therefore, once again urge you and your entire team to intervene actively and make every possible effort to resolve this matter at the earliest, in the larger interest of our association and all our fellow builders.

Thank you.

Sh. Aslam Sheikh. I would like to add to the points raised by Shri Naveen Yadav Ji. The realization has already begun to set in across the Eastern (B) Region that attending meetings in Delhi does not necessarily lead to any solutions or tangible results. This is evident from the fact that, apart from me representing the Guwahati Branch and two representatives from Tenga Valley, no one else from the Eastern (B) Region has attended this meeting.

We had made repeated requests to other members to participate. However, despite our efforts, many of them did not turn up. To clarify, I am referring specifically to the Eastern (B) Region, not the Azad Group. There are only nine branches in Eastern (B), yet representatives from just three branches have attended the meeting. This clearly indicates the growing level of disengagement among our members.

As you are all aware, interest in MESBAI is gradually declining. As I mentioned earlier, and as was discussed this morning, there have been deliberations about forming separate associations under the name MESBAI in different regions, with each association operating independently at the regional level.

The primary reason behind this development is that, over the past two years, we have not witnessed any meaningful progress or tangible results from the Headquarters or the other concerned stakeholders. As a consequence, members are gradually losing interest and confidence in the association. My humble request is that a solution be found as soon as possible, whether through an amicable out of court settlement or through the legal process, so that our association can be preserved and its unity restored.

Otherwise, do we genuinely expect members to remain interested and continue participating in the association in the coming years, particularly beyond 2026 or 2027. This is especially concerning for members who have to travel long distances to attend meetings. I am quite certain that members from the Eastern Region and even from far flung areas such as Ladakh will gradually become reluctant to participate if the situation continues in this manner.

Therefore, I earnestly urge you to take this matter seriously and make every possible effort to find a lasting solution at the earliest. We must act promptly to restore the confidence of our members and safeguard the future of our association.

Thank you, Sir.

Sh. R. M. Singhvi. Sir, I would like to make a point. I believe we should not discuss this matter any further at this moment.

However, I would like to clarify that I am not suggesting that the discussion should be stopped altogether. I disagree with the point raised by the gentleman, which is why I have stood up to express my views. With your permission, I would like to speak.

First, let me introduce Shri Aslam Sheikh Ji, who has come all the way from the Eastern Region. Sir, you have made a very important observation, and I respect your right to express your thoughts and feelings. However, I would like to point out that, over the past four years, I have attended almost every meeting of this

association. On each occasion, our achievements and the work undertaken by the association have been presented, documented, and circulated to all members via email. Perhaps, Bhai Sahib, you may not have had the opportunity to go through these communications.

I would, therefore, request you to take some time to read the detailed account of the work and achievements of the association during this period. It is important that we review the facts and records before reaching any conclusions about the association's performance. If, even after going through the records, you feel that our efforts have not yielded the desired results, you are certainly entitled to express your views. However, it would not be appropriate to make such observations without first examining the facts and the work that has been carried out.

The remarks made by the gentleman prompted me to stand up because I felt that the work and efforts of the association were not being adequately acknowledged. That is why I felt compelled to put forward my point of view. Thank you very much for giving me the opportunity to speak.

Sh. Lalit Goel. The Association has worked at every level to address these issues. With regard to the elections, the first meeting was held at the MESBAI Headquarters. When the elections could not be conducted, the President convened a meeting with the past presidents rather than with the general membership. However, the outcome of that meeting was never implemented, and this was also one of the contributing factors behind the present election related situation.

If meetings of past presidents are convened but the suggestions and points raised during those meetings are not accepted or implemented, what is the justification for holding such meetings in the future? Therefore, any decision in this regard must be taken after careful consideration. Whenever a meeting is held, its outcome should be implemented in letter and spirit. Only then can such meetings serve their intended purpose and produce meaningful results.

Subsequently, a mediation meeting was held at Siri Fort Auditorium in compliance with a court directive. Another mediation meeting was also conducted with the assistance of a retired judge. Efforts were made at various levels to resolve the election-related issues. However, whatever decision is taken now must be clear, conclusive, and in the best interests of the Association.

Amid this ongoing conflict, our concerns were not being adequately heard by the E-in-C Branch. Nevertheless, we continued to address the day-to-day issues faced by contractors through personal efforts and persistent engagement. Despite the challenges, we somehow managed to get the renewal policy implemented, and the results are now evident to everyone.

Even at this stage of his life, Mr. Mago ji continues to participate actively and contribute to the Association. For those who believe that participation has declined, I would like to remind them that during Mr. Kapoor’s tenure, only around 20 to 25 members used to attend council meetings. If we look at the past ten years, the highest attendance at council meetings was recorded during Mr. Mago’s tenure.

I would also like to recall the situation during the days of 'Dibex', although I do not wish to dwell on the weaknesses of our past. We should remember what the strength of our meetings was at that time and what the E-in-C had remarked. I still remember an E-in-C's party where only seven members were present.

Today, the situation is very different. We are witnessing excellent participation, with around 150 members attending our meetings. This is a significant achievement, and we should appreciate the collective effort behind it. Ultimately, it is the moral responsibility of every member to participate actively rather than place the blame on Headquarters. Headquarters has already sent emails to everyone, communicating the relevant information and inviting participation. If members are not participating actively, the respective branches must also take responsibility and place their trust in Headquarters.

Trust is the foundation of any strong organization. Only when the branches and members have confidence in Headquarters can it function effectively, become stronger, and deliver meaningful results. Unity, mutual trust, and the implementation of decisions are essential for the progress of the Association.

Sh. G.S. Mago. Thank you, Lalit ji. At the outset, I would like to emphasize that we must accord due respect and consideration to every individual present in this august gathering. Keeping this in mind, we must exercise restraint in our choice of words and ensure that our remarks are neither misconstrued nor interpreted out of context. At the same time, we must remain mindful of the sanctity of judicial proceedings and refrain from making any observations that could be construed as an encroachment upon the domain of the Hon'ble Court.

Nevertheless, with regard to the issues raised by Naveen ji and Aslam ji, I would like to place a few facts before the House. Aslam ji, may I kindly have your attention, please? My personal conversations with you have never been intended to become a matter of public discussion. I understand that certain individuals may not wish to bring personal matters into the public domain, and I fully respect that sentiment. However, each one of us knows, in our conscience, who has discharged their responsibilities sincerely, who has failed to do so, and who has remained unresponsive when a response was expected.

This is not the appropriate forum to name individuals or engage in personal allegations. Nevertheless, the facts remain on record, and the members of this House are sufficiently aware of the circumstances. There is, therefore, no necessity to single out anyone by name. The undeniable fact is that Headquarters has been arrayed as a respondent in all these court cases, rather than being the petitioner.

Let us consider the sequence of events. A meeting takes place on a Saturday, attended by all the past office bearers, with the signatures of Sh Sandeep Srivastava ji, myself, Sh Balbir Singh ji, and Sh Azizullah ji duly recorded. Yet, by the following Monday, a court case is filed. I would prefer not to dwell further on this aspect, as the facts speak for themselves.

Coming to the question of continuity, Headquarters has already spent lakhs of rupees on mediation in its sincere endeavor to resolve the dispute amicably.

Subsequently, pursuant to the directions of the Hon'ble High Court, another meeting was convened at PHD House. Apart from this, further discussions were also held here in response to a call for intervention and reconciliation. Unfortunately, despite these repeated initiatives, the desired resolution remained elusive. Whenever an understanding appeared to have been reached, certain parties subsequently withdrew from their commitments.

I would particularly like to recall the meeting held at the Signature Hotel, if I remember correctly. Sandeep Sahab, please correct me if I am mistaken. Secretary Sahab was present, and a constructive discussion took place in the presence of the concerned individuals. A resolution was arrived at with the participation of Chowdhary Sahab, Naveen ji, and representatives from his side. However, regrettably, the very next day, that understanding was repudiated.

Under these circumstances, I would like to pose a simple but pertinent question. What further efforts can reasonably be expected from Headquarters when understandings reached through dialogue are subsequently set aside? More recently, Bharat Bhasin ji, one of our respected past presidents, initiated a call, which was shared by our esteemed Honorary General Secretary and Sh Shiv ji, with the singular objective of resolving this long-standing issue. During that process, an appeal was made to the past president, and personal conversations were also undertaken in the hope of arriving at a mutually acceptable solution.

I hope the members of this House appreciate the seriousness and sincerity of these efforts. We must now collectively determine the way forward rather than perpetually revisit the same impasse. Allow me two minutes to apprise the House of the present situation. As President, I have already made my position unequivocally clear. I have conveyed, endorsed, and reiterated our willingness to resolve this matter with sincerity, transparency, and an open mind. Our doors remain open, and we are prepared to engage constructively with anyone willing to come forward in the larger interest of the Association.

We have relied upon credible information and responsible channels of communication, and there is no need to publicize every discussion or disclose every conversation. In situations of this nature, consultations and deliberations are inevitable. However, the collective understanding that emerged from these discussions were that a definitive resolution could ultimately be secured only through the judicial process. In the circumstances prevailing at that time, what other viable course of action remained available to us?

We are duty bound to discharge our responsibilities with integrity and accountability. At no point have we sought an extension of our tenure merely by invoking past precedents or circumstances. My team at Headquarters and I, are guided by a strong moral obligation to ensure that the Association does not suffer from a leadership vacuum or an administrative breakdown.

The pertinent question therefore is: Should the institutional stability, administrative continuity, and collective achievements of the Association be allowed to come to nothing merely because the election process has encountered obstacles? The very system through which we are functioning today has ensured that the

Association continues to operate despite these challenges. We have carried this responsibility with patience, perseverance, and a deep sense of commitment. We remain determined to resolve the outstanding issues and facilitate the conduct of elections without unnecessary delay.

Let me assure the House that conducting the elections and resolving this matter will remain the foremost priority of Headquarters. My entire team is committed to this objective, and we shall spare no effort in achieving it. At the same time, we are morally accountable to the members who have reposed their faith and confidence in us and entrusted us with this responsibility. We cannot disregard that trust, nor can we permit a discontinuity that might adversely affect the functioning of the Association.

I request the members to keep this larger institutional responsibility in perspective while assessing the present circumstances. On a personal note, with your blessings and goodwill, I completed 80 years of age on 16 September and have now entered my 81st year. I express my heartfelt gratitude to all of you for the affection, encouragement, and respect you have extended to me over the years.

Whatever I have learnt through this profession, through my association with this fraternity, and through my interactions with all of you, I have endeavoured to translate into meaningful action. Like many others who have benefited immensely from this profession, I have always believed that when a fraternity gives you so much, it becomes your moral responsibility to give back to it with sincerity and dedication. You provided me with a platform to serve, and I have endeavoured to discharge that responsibility to the best of my ability. Working shoulder to shoulder with an experienced, capable, and distinguished team at Headquarters, we have made every possible effort to safeguard the interests of the Association and advance its objectives.

Considering the work undertaken over a tenure spanning approximately five to seven years, alongside the challenges and unresolved issues inherited from preceding years, the task has certainly been neither straightforward nor insignificant. It has demanded sustained effort, considerable patience, and the collective commitment of the entire team.

With regard to the developments discussed today, I would like to draw attention to one important aspect. Although we are presently in the year 2026, the list under discussion extends as far as 2033. I shall refrain from naming individuals, particularly as Sandeep bhai has advised me to exercise restraint in my remarks. I respect his advice, nevertheless, I feel strongly that certain facts must be placed before the House so that the situation is viewed in its proper perspective.

Headquarters must not be made a scapegoat, nor should its commitment be questioned on the pretext that it has shown insufficient interest in resolving the matter. Such an impression would be wholly inconsistent with the sustained efforts, sacrifices, and initiatives undertaken by the team. Let me reiterate that we remain fully committed to resolving the impasse, restoring normalcy, and ensuring that the electoral process moves forward in the best interests of the Association.

At this juncture, I do not believe that further deliberation without tangible action will serve any meaningful purpose. What is required now is a clear, decisive, and pragmatic course of action, supported by mutual understanding and a genuine willingness to move forward. Headquarters stands ready to make every necessary adjustment, extend all reasonable cooperation, and facilitate whatever constructive measures are required to bring this matter to a conclusion.

Our objective is not to prolong the dispute, apportion blame, or defend positions for their own sake. Our objective is to protect the dignity of the Association, preserve its institutional continuity, uphold the trust of its members, and ensure that the elections are conducted through an appropriate and definitive process.

I sincerely hope that all concerned will rise above individual differences, demonstrate statesmanship, and work collectively towards a resolution that serves the larger interests of our fraternity. The time has come to replace confrontation with cooperation, uncertainty with clarity, and prolonged deliberation with decisive action.

Thank you.

Item 3 (b) of agenda. **Discussion on policy letters received from Engineer-in-Chief's Branch on various issues:-**

Sh. Sandeep Srivastava

(a) Insurance Surety Bonds as Performance Security. The House was Informed that approval had already been obtained for the acceptance of Insurance Surety Bonds as an alternative form of Performance Security. However, it had come to our notice that certain zones were not implementing this provision, as the relevant clause was not being incorporated into their respective Notice Inviting Tender (NIT) documents. Following receipt of complaints in this regard, the matter was taken up with the office of the E-in-C. Subsequently, on 14 July 2026, the E-in-C's office issued instructions to all Commands, clarifying that Insurance Surety Bonds were an approved and permissible form of Performance Security

In view of the above, all members of the House and representatives of their respective zones were requested to examine the NIT documents carefully. Wherever the provision for accepting Insurance Surety Bonds as Performance Security has not been incorporated, the matter should be brought to the notice of the concerned authorities, along with a copy of the aforementioned letter issued by the E-in-C's office, which explicitly endorses their acceptance.

Furthermore, if any zone is still not adhering to these instructions, the concerned members may bring the matter to the attention of Headquarters so that the necessary intervention can be initiated and appropriate directions issued to ensure uniform implementation across all zones.

The speaker sought to know whether any members were still facing such difficulties in their respective zones.

(b) <u>Appointment of ADGs as Arbitrators.</u> In this connection, the House was also apprised of the representation submitted earlier regarding the appointment of ADGs against two vacant positions designated for Arbitrators. Hony General Secretary informed the House that, just five days prior to the meeting, Sh. Madan Lal of Central Command had been appointed as ADG (Arbitrator) at Chandi Mandir, while Sh. S. K. Jain had been appointed to the corresponding position at Pune.

With these appointments, the long-pending issue concerning builders whose disputes could not be resolved due to the non-availability of designated Arbitrators has now been addressed. Both vacant positions have been filled, which is expected to facilitate the expeditious resolution of pending arbitration matters.

<u>Item 3 (c) of agenda</u> To discuss and decide the action plan for inclusion of MES BAI as third party in the existing policy in unworkable rates.

<u>Sh Sandeep Srivastava</u>. Invited the attention of all members to a matter that has remained unresolved for a considerable period. For the past two years, if not longer, the issue of contractors quoting abnormally low rates has been a recurring subject of discussion. Despite repeated deliberations, the problem continues to persist, and no effective or mutually acceptable solution has emerged.

Before elaborating further on this matter, he apprised the House of the ongoing efforts being made to persuade the E-in-C's office to provide representation to the builders' fraternity in matters relating to policy formulation, approvals, and the issuance of policy directives that have a direct bearing on their interests.

It was emphasized that at least one representative from the builders' fraternity should be associated with such deliberations to ensure that their concerns, practical difficulties, and industry-specific perspectives are adequately considered before decisions are taken. The E-in-C's office has responded encouragingly to this proposal, and the speaker expressed optimism that a formal communication would soon be issued, providing for the inclusion of a builders' representative in the policy-making process. In continuation of these efforts, the issue of abnormally low rates has also been taken up repeatedly with the E-in-C's office. The department has, on previous occasions, contemplated constituting a committee or board to examine the matter and is presently exploring various other measures to address this persistent concern.

He further suggested that representatives of the respective local branches should also be associated with this exercise. Such representation could include the Branch Chairman, Secretaries, or any other members nominated by the concerned branches. Their practical experience and first-hand understanding of ground realities would undoubtedly contribute towards formulating more effective and implementable recommendations.

However, it was observed that there were differing opinions regarding the approach to be adopted for resolving this issue. The problem of contractors quoting abnormally low rates has been deliberated upon time and again, yet the industry has been unable to arrive at a concrete and lasting solution.

In this regard, Hony Gen Secretary informed the House that the E-in-C's office had recently issued a communication to all Commands, seeking their comments and recommendations on certain proposed amendments to the existing tendering procedures. One of the proposals under consideration relates to the existing requirement for MES registered contractors to furnish Performance Security within 28 days of being declared the lowest bidder (L1). The department is examining the feasibility of revising this provision by making it mandatory for bidders to submit the requisite Performance Security along with their tender documents.

Although this proposed amendment represents a significant change in the existing procedure and may have considerable implications for contractors, it is among the measures presently being examined by the department to discourage unhealthy bidding practices. Another proposal draws upon the practices adopted by certain State Governments, wherein contractors quoting rates substantially below the estimated cost, particularly by 5% or 10%, are required to furnish additional Performance Security.

The E-in-C's office has already circulated a communication seeking feedback from the Commands on both these proposals. Hope that, following the examination of the responses received, the department would introduce an appropriate policy framework within the next one or two months to address this long-standing concern.

He also highlighted another significant development, namely the introduction and gradual implementation of the EMB (Electronic Measurement Book) system. With continuous technological advancements and the proposed upgradation of the software, it is anticipated that, within the next one or two years, the system will become considerably more sophisticated and efficient.

It may eventually incorporate mechanisms to identify previously uploaded projects and prevent duplicate submissions, particularly in cases where the work has already been completed and the prescribed Defect Liability Period (DLP) has expired. Such technological interventions would be a welcome step towards strengthening transparency, improving monitoring mechanisms, and ensuring greater accountability within the system.

Shri Piyush Mishra, Whenever you have an opportunity to speak with the Engineer-in-Chief (E-in-C), and he suggests that contractors themselves are responsible for quoting such abnormally low rates, you should clarify that contractors do not independently determine or set the tender rates. The reality is quite different. It is the department itself that is facilitating and orchestrating the submission of tenders at abnormally low rates.

First and foremost, you should point out that, at a time when inflation is at an all-time high, tenders are being quoted at 30% to 40% below the estimated cost. In many such cases, it is alleged that the department's own Junior Engineers (JEs) and Assistant Engineers (AEs) are orchestrating these bids through their associates. Moreover, most of the contractors involved in such practices are not even members of your association.

At present, new contractor enlistments are taking place almost every day, with two to three enlistments being processed daily at the CWEs office. Whenever new officials, particularly JEs and AEs, join the department through transfers or fresh postings, they often bring contractors associated with them. These contractors allegedly operate in collaboration with dummy firms, through which tenders are submitted at unusually low rates.

As a result, even experienced and professionally competent contractors are reluctant to participate in the tendering process, despite being willing to quote rates that are exactly in line with the estimated costs. To address this issue, the most effective solution would be the one you have already suggested: making it mandatory for contractors to furnish additional security equivalent to the differential amount between their quoted bid and the estimated cost, either in the form of a Bank Guarantee (BG) or a Fixed Deposit Receipt (FDR).

This provision would discourage contractors from participating in 10 or 15 tenders simultaneously without having the requisite financial capacity to execute them. Once a contractor submits a bid and furnishes the required additional security, their available financial capacity would naturally limit their ability to participate in multiple tenders. This is an excellent approach and is similar to the practice followed in departments such as the Public Works Department (PWD), where contractors quoting rates more than 10% below the estimated cost are required to furnish an FDR or BG against the differential amount.

On the other hand, when you suggest introducing additional checks and balances by asking the CWEs, department to constitute a separate team to scrutinize every tender, it only creates another layer of bureaucracy. In practice, genuine and hardworking contractors are the ones who suffer the most from such procedures, while those involved in under-the-table dealings and other questionable practices continue to operate without much difficulty.

The more layers of scrutiny and administrative procedures you introduce, the greater the difficulties faced by honest contractors. Such measures will neither address the root cause of the problem nor bring about any meaningful improvement.

Consider the IFA system, for example. What tangible improvement has it actually brought about? Even after payments are processed, IFA continues to approve tenders quoted at 30% to 40% below the estimated cost without raising any effective objection. It simply accepts such bids, irrespective of the unusually low rates quoted.

So, what has actually changed in the Military Engineer Services (MES) following the introduction of IFA? Has it improved transparency and accountability, or has it merely created another administrative channel? There is no justification for adding more layers and channels without addressing the fundamental shortcomings in the existing system.

Instead, the policy itself needs to be reformed. There should be a clear and stringent provision under which any contractor quoting below a prescribed threshold is subjected to appropriate financial penalties. For example, the department could

consider withholding the contractor's security deposits or other eligible funds for a period of two to five years, subject to clearly defined rules and due process.

Shri Rajesh Goel, The suggestion I had in mind has already been put forward by our respected colleague, and I would like to express my strong support for it. I firmly endorse the approach adopted by the Public Works Department (PWD) to address the issue of bids quoted at 10% or more below the estimated cost by requiring contractors to furnish additional security in the form of a Bank Guarantee (BG) or Fixed Deposit Receipt (FDR) against the differential amount.

In my opinion, this is the most practical and effective solution to the problem. Without introducing such a provision, it will be extremely difficult to resolve the issue. Otherwise, the blame game will simply continue, with contractors holding the department responsible and the department, in turn, holding contractors responsible.

Therefore, I strongly believe that adopting this mechanism is the best possible way to address the issue and bring about a lasting solution.

Thank you very much.

Shri Rajendra Aggarwal. Sir, as per the provisions of our contract, all work carried out within a building must be properly recorded in the PSMB and RPMB. Therefore, it is essential to monitor whether the work executed is being accurately and systematically recorded in these registers. Once the entries are made properly, it will become much easier to identify and verify the details of the work carried out.

The system and procedures are already well defined; there is no need to introduce anything new. What is required is the proper implementation of the existing provisions. For instance, the PSMB should clearly mention the specific building numbers such as Building Nos. 10, 12, or 8 in which whitewashing or periodic maintenance has been carried out under a particular contract.

Shri Sanjeev Seth. With regard to the point which you have just raised concerning the issue of abnormally low tender rates, a suggestion has been put forward to introduce a 10% additional security margin. However, such a provision could seriously affect the survival of smaller contractors. Financially strong contractors with substantial fixed deposits (FDs) and sufficient financial resources would easily be able to furnish the additional 10% security. But what about small scale contractors who have limited financial resources? They may simply not be in a position to arrange such a substantial amount.

Consequently, financially well-established contractors would have a greater advantage in securing most of the contracts, while smaller contractors would gradually be pushed out of the tendering process. This would create an uneven playing field and adversely affect smaller contractors.

Instead of adopting the suggestion of simply increasing the Bank Guarantee (BG) by 10%, a more practical approach would be to make it mandatory for contractors to provide specific building numbers or similar identifiable details of the work to be executed under each contract. Increasing the BG requirement would

primarily benefit financially strong and well-established contractors, while putting smaller contractors at a further disadvantage. After all, how much additional BG can a small contractor realistically afford to furnish?

Such a measure would not necessarily improve the rates quoted in tenders or address the underlying problem of abnormally low bidding. Rather, it would strengthen the position of financially dominant contractors while making it increasingly difficult for smaller contractors to compete. Therefore, instead of imposing additional financial burdens through an increased BG requirement, it would be more appropriate to introduce a system that mandates the submission of building numbers or other specific identifiers of the work to be undertaken.

Sh. Arpit Jain. When the Bank Guarantee (BG) system was introduced, the expectation was that it would reduce the number of contractors and bring down the overall cost of works. However, the present situation is quite different. Whether an 'E' Class contractor or an 'SS' Class contractor, everyone is undertaking work far beyond their actual financial and operational capacity. Furthermore, contractors are required to deposit 10% or 20%, or whatever percentage is prescribed by the department. But how much can a contractor realistically afford to manage? Ultimately, it is the contractor who suffers the most.

The problem begins right at the initial stage, when the foundation of the work is laid. For instance, a user may request the MES to undertake 'special repairs' to a building, with an estimated allocation of Rs 1 crore. However, neither Notice Inviting Tender (NIT) is prepared, nor is a proper record maintained in the DCS (Draft Costed Schedule). In some cases, a 'special item' may be included in the estimate at a rate of Rs 1,000, even though its actual market value is Rs 1 lakh. Such discrepancies are introduced despite the fact that everyone is aware that the contractor will eventually incur substantial losses while executing the work.

Earlier, maintenance programs used to be prepared systematically. When I was young and just beginning my career, I was told that maintenance programs were drawn up at the beginning of every financial year. However, the question today is how many maintenance contracts are actually being awarded on the basis of a properly planned maintenance program.

There are instances where, under the same Garrison Engineer (GE) unit, one maintenance contract is awarded for Rs 1 crore, while another contract involving a similar scope of work is awarded for just Rs 50 lakh. Such significant variations raise serious questions about the consistency and transparency of the estimation and tendering process.

Another concerning practice is the preparation of Notice Inviting Tenders (NITs) with abnormally high negative percentage rates to circumvent the 30% clause. For example, instead of keeping the tender at an appropriate rate of -15%, it may be floated at -50%. This effectively creates a price differential from the outset and is intended to ensure that the final contract value crosses the 30% threshold. There are also certain locations where contractors are reluctant to participate in tenders because of the excessively stringent approach adopted by the officials

concerned. This further discourages healthy competition and affects the effective execution of maintenance works.

The fundamental requirement is to establish a proper maintenance programme before awarding any contract. The DCS should be developed and regulated centrally. Just as the Electronic Measurement Book (eMB) has been implemented, the DCS should also be digitized so that the applicable deduction percentages are standardized, monitored and controlled through a centralized system.

No maintenance contract should be awarded without an approved maintenance programme in place. Once the scope of work, estimates and applicable rates have been properly defined, the contractor should be held accountable for any errors or deficiencies arising during execution.

At present, however, contracts are often structured in a manner that leaves considerable scope for irregularities, theft and malpractice at later stages. Therefore, the need of the hour is to bring greater transparency, accountability and standardization into the entire maintenance contracting system. A well-defined maintenance programme, supported by a centralized and digitized DCS, would go a long way towards protecting contractors' interests while ensuring better financial discipline and effective utilization of departmental funds.

Shri Naveen Yadav. First of all, most of the 'E' category tenders across India are valued at more than Rs. 25 lakh. If we analyze the data branch-wise, we would probably find only a handful of tenders perhaps 2, 4, 5, or 10 in an entire year valued below Rs. 25 lakh. The vast majority of tenders are valued above this amount.

It has been more than 10 years since the financial limit for 'E' category contractors was fixed at Rs. 50 lakh. At that time, as it was not immediately possible to formally revise the limit, an official letter was issued clarifying that bids submitted by 'E' category contractors for tenders valued up to Rs. 50 lakh would be opened and considered. This arrangement continued for several years. However, the new generation of officers who have since taken charge are now unwilling to recognise or follow this established practice.

Under these circumstances, where are 'E' category contractors supposed to go out of sheer necessity, they are compelled to quote abnormally low rates in smaller tenders simply to secure some work and sustain their businesses. Otherwise, even when an 'E' category contractor submits a bid for a project, the tender is not even opened for consideration.

Another important concern is the granting of contractor registrations without adequate prior experience or proper verification. When we obtained our registrations 30, 35, or even 40 years ago, the procedure was quite different. Initially, our enlistment was provisional, and we were required to work under provisional registration for one or two years. Only after assessing our performance during that period was our enlistment made permanent.

Unfortunately, the situation today is entirely different. An individual can simply submit the required documents and complete the necessary formalities to obtain enlistment. There appears to be very little time or effort devoted to verifying the documents or assessing the applicant's actual technical knowledge and experience. It does not seem to matter whether the applicant genuinely understands the nature of the work or even knows basic technical distinctions, such as the difference between PCC and RCC.

Another emerging trend is the clubbing together of various minor works and special repairs into large special repair projects, with estimated costs ranging from Rs. 20 lakh to Rs. 25 lakh or even Rs. 30 lakh. More concerning is the fact that contractors who are not on the officially approved list are also being allowed to participate in such projects.

The problem with entertaining bids from contractors who have no practical knowledge of MES procedures, working methods, or quality requirements is that they may quote as low as Rs. 14 lakh, Rs. 15 lakh, or Rs. 16 lakh against an estimated tender value of Rs. 20 lakh. Initially, they may commence the work satisfactorily, but as the project progresses, they begin compromising on quality. Eventually, some of them fail to complete the work and abandon the project midway. Such incidents seriously damage the reputation of MES in the eyes of the user departments and also adversely affect the credibility of genuine, enlisted contractors.

Our enlisted contractors are required to comply with numerous conditions, prescribed procedures, and technical requirements. Any failure to meet these obligations can even result in the cancellation of their enlistment. However, in the case of contractors who are not on the approved list, there appears to be no comparable accountability mechanism. In many cases, even their submitted documents are not properly verified.

Recently, we verified the documents submitted by one or two such individuals and discovered that certain documents were forged. Despite this, their tenders had already been accepted by the department. Subsequently, they had to be called upon and asked to withdraw their bids. Sir, I am sure you are aware of such instances as well. These irregular practices must be stopped immediately.

My next concern relates to the preparation of tenders based on the SSR (Standard Schedule of Rates). As per the existing policy, wherever items are covered under the SSR, the rates adopted in the tender should be in accordance with the prescribed SSR rates.

However, in practice, tenders are frequently being quoted at rates substantially below the SSR rates, and DCS are being prepared accordingly. While preparing the DCS, many smaller contractors, who may not have sufficient technical expertise or may not thoroughly examine the tender documents, tend to follow a particular pattern. They simply refer to the percentage below the estimated cost at which the previous tender was awarded and quote an even higher percentage below the estimate in the current tender. Since the previous project was already awarded at reduced rates, this practice results in progressively lower and more unrealistic quotations.

There should be a uniform, all India policy governing the preparation of tenders based on either the SSR (Standard Schedule of Rates) or the DSR (Delhi Schedule of Rates), as applicable. Irrespective of how much lower a contractor quotes compared to the estimated cost, the DCS and all related documents should continue to be prepared on the basis of the prescribed SSR or DSR rates. This would help maintain uniformity, transparency, and consistency in the tendering process. Finally, I would like to highlight the policy adopted by CPWD and various State PWD departments concerning abnormally low bids and performance security.

In these departments, an Engineer-in-Chief-level mechanism has been introduced under which the Chief Engineer of the concerned zone is responsible for constituting a committee to conduct inspections and examine such matters. Although inspections may have been carried out under this arrangement, no report has so far come to light indicating that any Executive Engineer or other departmental official has faced disciplinary action or punishment in connection with such matters.

Under the newly introduced policy, the additional performance security requirements are structured according to the extent to which a bid falls below the estimated cost:

(a) For bids up to 10% below the estimated cost, the contractor is required to furnish the standard performance security.

(b) For bids between 10% and 15% below the estimated cost, an additional performance security equivalent to 50% of the difference amount is required.

(c) For bids between 15% and 20% below the estimated cost, an additional security equivalent to 100% of the difference amount is required.

(d) For bids more than 20% below the estimated cost, an additional security equivalent to 150% of the difference amount is required.

I would like to share an example from another department where I had previously worked. Contractors would often submit their bids without even properly reading or understanding the tender conditions. Some of them quoted rates as much as 35% to 37% below the estimated cost. When the tenders were opened, their bids emerged as the lowest.

However, they were subsequently issued notices requiring them to deposit an additional amount of Rs. 31 lakh as performance security. In effect, they had secured a project with an estimated value of Rs. 1 crore for just Rs. 63 lakh, but were then required to deposit an additional Rs. 31 lakh as security. As a result, most of these contractors chose to withdraw their bids, even though they had already deposited 2% as earnest money deposit (EMD).

In my opinion, instead of linking additional performance security so heavily to the initially quoted tender rates, as is currently being practiced by PWD and several other government departments, we should consider a more balanced approach. Moving away from such a stringent mechanism could encourage more realistic and

competitive bidding, prevent unnecessary withdrawal of tenders, and ultimately help the department obtain better and more reasonable rates. This is my submission and suggestion.

Sh. C. Balasatish. Everyone has shared their views and opinions so far. However, before moving forward with a solution, I believe it is essential that we first establish clarity on what we expect from the Department and what is expected from the contractors.

In this regard, I would like to make a request to the respected President, sir. Since the E-Class contractors are among the most affected by these issues, I propose that a committee comprising representatives of contractors from all regions be constituted to examine the matter comprehensively.

I request you to kindly grant us 45 days to undertake this exercise. The committee will carefully examine all the issues raised during this discussion, taking into consideration the valuable suggestions and observations made by Mr. Naveen ji and other members. We will identify the key problems, deliberate on them in detail, and come up with practical and constructive solutions.

Within this 45-day period, we will consolidate all the issues and submit our recommendations to the Council at its next meeting, scheduled to be held in Kochi in November. The Council can then deliberate on our recommendations and decide on the appropriate course of action. There are several important issues that need to be addressed. I believe that discussing these matters repeatedly in Council meetings without arriving at concrete decisions or solutions will not serve any meaningful purpose.

Therefore, I sincerely request the respected President to kindly approve the formation of a committee with representation from contractors across all regions and allow us 45 days to complete this exercise. We assure you that we will take up all the concerns seriously and come back to the Council with well-considered suggestions and workable solutions at the next meeting.

Thank you, sir.

Sh. G.S. Mago. Previously, there were limits of Rs. 25 lakh and Rs. 50 lakh, along with an embargo restricting the number of tenders to 75. However, through the sustained efforts of the MBA and a proper assessment of the ground realities, this restriction has now been removed. Consequently, the GE (Garrison Engineer) can now finalize any number of tenders, provided that sufficient funds are available and the necessary sanction has been accorded by the Station Headquarters. There is no longer any restriction on the number of tenders being limited to 75. Therefore, this should not be considered an impediment.

Another very important point raised by Mr. Naveen ji was the need to move beyond mere references and examine the actual rules and regulations. If we consider the extent to which the rates quoted were below the estimated cost last year and then use those figures as benchmarks, we could theoretically reach a situation where the rates approach zero. However, fundamental engineering norms

and principles determine the actual cost of executing any work. There is a proper technical assessment and sound engineering rationale behind these costs. It is on this very foundation that the SSR (Standard Schedule of Rates) and DSR are formulated. We cannot simply take a contractor's quoted rates, or the reasons behind those quotations, as the benchmark for determining the actual cost of a project.

This aspect will certainly be incorporated into our recommendations in a comprehensive and robust manner. Until the DSR (Delhi Schedule of Rates) is adopted, the SSR (Standard Schedule of Rates) remains the sole basis for determining the rates. These rates are further adjusted by a percentage enhancement determined by the respective zone or command for a particular quarter or year. This process is based on the systematic collection and assessment of prevailing market rates, on the basis of which the final figures are worked out. It is not an arbitrary exercise, nor are these figures simply arrived at without any technical justification.

Furthermore, an excellent point was raised regarding the specification of building numbers in maintenance contracts. I have raised this issue on several occasions, and I would particularly like to emphasize its importance in the context of maintenance contracts currently being finalized. When contractors, at their own discretion, restrict the scope of these contracts or tailor them towards specific and limited outcomes, often under the pretext of securing better rates, they are making a fundamental mistake.

At present, the Station Headquarters submits its requirements, clearly identifying the work to be carried out in a particular building. When a contract is finalized for such specific work, why should the contract not explicitly mention the building number in which the work is to be executed? If the nature of the work, the building number and the specific locations are clearly recorded in the contract, alongwith the relevant details in the eMB and other supporting documents, the possibility of subsequent adjustments, discrepancies or misuse can be minimized considerably.

It must be clearly stipulated that the work shall be confined to the designated building and the specified areas. For example, the same tiling work cannot be claimed and executed twice merely because six months or a year has elapsed since its previous execution. Once the work has been completed and recorded, it cannot be repeated as a fresh item without proper justification. Therefore, we must insist that tender documents explicitly specify the building numbers in which the work is to be undertaken, along with the exact areas and locations involved.

At the same time, the contract should provide sufficient flexibility to accommodate genuine contingencies. For instance, if an unforeseen situation arises, an important requirement emerges or an inspection identifies additional work, the necessary variations can be incorporated in accordance with the prescribed provisions. However, such flexibility should not become an excuse for adopting an open-ended arrangement as a matter of routine.

I would also like to recall the discussion we had during our previous meeting. At that time, we were asked to provide the names of five to ten contractors who quote such abnormally low or negative rates. We responded quite strongly and challenged them to provide even five names of contractors who had actually resorted to quoting such 'minus' rates. Some people ask us, "Why don't you provide the names?"

Our response is equally straightforward, Why don't you provide the names of those officers who issued satisfactory completion certificates despite the work being executed 40%, 60% or even 30% below the contracted scope? Just provide us with the names of four or five such cases, and we will be able to provide you with twenty. Let us begin by identifying the accepting officer who justified a shortfall of 40%. How exactly was such a substantial deficit justified? Was the work not executed at all, or was there some other explanation? We have every right to know how such cases were accepted and certified.

We have been making every possible effort to address these issues. During today's deliberations, our Secretary has taken extensive notes, and we, too, have gained a much clearer understanding of the various issues involved. Your valuable contributions have also been duly noted and appreciated. We will compile all these points comprehensively and present them to the concerned authorities in a detailed and strongly worded representation.

I would also like to draw your attention to another important issue included in the agenda. Although it is not part of our routine discussion, we will take it up separately in due course.

Item 3 (l) & Item 3 (m) of Agenda. **To discuss the enhancement of tendering limits for all classes, a matter currently pending with the Ministry of Defence (MoD), and to discuss the issuance of tenders up to Rs. 50 lakh to 'E' Class contractors in accordance with the E-in-C's policy dated 28 September 2015.**

These issues have remained pending for the last 15 to 16 years. What, then, is preventing the authorities from implementing their own policy? Now that the tendering limit has been enhanced to Rs. 50 lakh and all the necessary provisions are in place, why is there still a deviation from the prescribed policy? Tenders of up to Rs. 50 lakh must be issued to 'E' Class contractors in accordance with the applicable policy.

On this issue, we will stand firm and will not compromise. We will pursue the matter with determination, and together, we will ensure that the policy is implemented.

Absolutely, if you have the requisite authority, then simply withdraw or cancel this letter. The fact remains that the letter continues to exist in the office of the E-in-C. If I am reading the document correctly, it was issued on 26 September 2015. We are now in September 2026, which means that 11 years have already passed.

What is even more surprising is that the same provision was subsequently incorporated into the Manual of Contracts in 2020, where, for reasons best known to the authorities, the relevant paragraph was modified in a manner that has created further complications.

Frankly, this reflects an extremely irresponsible and unprofessional approach, particularly from an engineering perspective. Such decisions should be based on careful consideration, sound engineering principles and a proper assessment of practical requirements. After all, the original proposal to enhance the tendering limits was submitted nearly 16 years ago, based on the cost estimates and prevailing market conditions of that time. Now, after 16 years, the cost of materials and labour has increased substantially, with many prices having almost doubled.

The actual volume and nature of the work remain largely unchanged, but the cost of executing that work has increased significantly. Consider the prevailing market prices, a brick that previously cost Rs. 3 now costs Rs. 6, a bag of cement that cost Rs. 250 now costs approximately Rs. 400, and steel (reinforcement bars) is priced at around Rs. 70 per kilogram.

The situation regarding labour is equally challenging. Today, it is difficult to find a worker even at Rs. 600 per day, and, despite paying that amount, one cannot necessarily expect a full six hours of productive work.

In view of these realities, it is imperative that the tendering limits and related policies be reviewed and updated in line with present-day market conditions. Continuing to rely on outdated limits and provisions, without taking into account the substantial increase in the cost of materials and labour, is neither practical nor justified.

Sh. Naveen Yadav, Sir, a new trend has emerged wherein a Technical Sanction (TS) is accorded for an amount of Rs 10 lakh, followed by the issuance of a Notice Inviting Tender (NIT) for the same amount. Under this practice, contractors are invited to quote a percentage above or below the estimated cost. They quote one percentage for items covered under the Standard Schedule of Rates (SSR) and a separate percentage for certain non-SSR items, generally comprising 15–20 or 25 items that were not previously covered under the SSR.

Earlier, these non-SSR items were paid for at par. Their rates were approved by the Accepting Officer and payments were made at the exact quoted rates, without applying any additional percentage. However, from this year onwards, a new practice has been introduced whereby contractors are also being asked to quote a percentage against these non-SSR items.

The key concerns are how these two different percentages are being applied, how the tenders are being evaluated and accepted, and how a contract initially sanctioned and tendered for Rs 10 lakh is eventually being inflated to as much as Rs 90 lakh or even Rs 1 crore through this process. This raises serious questions regarding the procedure being followed, the justification for such escalation, and the financial implications involved.

We are strongly opposing this practice at our level and are making every possible effort to resist it. Initially, this practice was introduced in one GE office, subsequently spread to another, and has now reached a third GE office. If this practice is allowed to continue unchecked, there is every possibility that it will spread to other GE offices as well. This issue therefore requires our immediate attention and intervention to ensure that the practice is examined, challenged, and brought under control before it becomes widespread.

We must take serious note of this emerging trend and act promptly to safeguard the established procedures and financial discipline**.**

Sh. Sandeep Srivastava. We will not allow this practice to spread under any circumstances. We certainly will not let it gain further ground, particularly when the Government itself has expressed concern over such issues.

Coming to the points raised earlier, Naveen ji, you mentioned figures in the range of Rs 15–20 lakh or Rs 30 lakh. However, the actual figures involved are in crores, not lakhs. Several major projects are being undertaken at various stations, involving extensive maintenance and special repair works. The estimated costs of these projects range from Rs 10 crore to Rs 15 crore, Rs 20 crore and even Rs 25 crore.

The fundamental issue remains the same. I still have not received a satisfactory answer to the question I raised earlier. The fact is that we have not yet been able to find a solution. We need to arrive at a concrete and practical solution.

Let us consider how things function at the Engineer-in-Chief's (E-in-C's) office. There are two or three Directors from the Surveyor cadre, each having more than 25 years of service. In addition, there is a Jt Director General (Contracts) and a Director General of Works (DGW). Occasionally, one of the Directors may be called upon to explain an issue, and the E-in-C himself is also present..

Therefore, when we approach the E-in-C's office, we must present arguments that are so logical, technically sound and convincing that there is hardly any room for counterarguments. Our objective should be to make the authorities immediately understand and appreciate the builders' perspective.

There are more than 100 builders operating within this large establishment. Many of them may also be undertaking projects outside the Military Engineer Services (MES). I, too, undertake work outside MES, and I say this without hesitation: the quality of work delivered by builders working outside MES is considerably better than what we generally observe here. Moreover, the rates offered outside MES are also more reasonable and attractive. Why does this disparity exist? Those who have experience of working in both systems should certainly share their observations and perspectives with this House.

Outside MES, there are comparatively fewer levels of supervision and inspection. Generally, one Junior Engineer (JE) handles a substantial workload, supported by an Assistant Engineer (AE) who has considerable authority and responsibility.

In contrast, within MES, we sometimes find four JEs deployed at a single site. At any given time, there may be six different wings or agencies involved in inspections and supervision. These may include the STE (Superintendent Technical Examiner) team, the Technical ('T') Wing, the Test Audit team, surprise inspection teams and, more recently, the IFAX (Internal Financial Audit/Inspection) officials.

Despite such an extensive system of checks and balances, the fear of accountability appears to have diminished considerably. We see situations where point wiring is undertaken at Rs 200, plastering at Rs 115, and contractors quote as much as 25% below the Standard Schedule of Rates (SSR). Yet, the projects are still completed, and their performance is considered satisfactory.

I can recall only one instance during my long professional career when a builder's performance score fell below 40. That was when I first came to know that if an officer awards a builder a performance score of less than 40, the matter is escalated to the Command Chief. The Command Chief then has the authority to take action that could seriously affect the builder's future, and the entire executive team associated with the project may also face serious consequences.

We have created such an elaborate system of checks, procedures and accountability mechanisms. Perhaps, in the future, we will introduce even more layers, including provisions for constituting additional boards whenever performance scores fall below 30%. But the real question is, why is the fear of accountability continuing to diminish despite all these arrangements?

Why is there no adequate concern about the quality of work, particularly when something as basic as point wiring is involved? A few metres of wire may simply be connected and the system made operational, but does that necessarily mean the work has been executed properly? What kind of technical standards are we following? Why are these issues not being addressed effectively?

I remember very well that whenever I undertook work, particularly in MES, I ensured that substandard materials, such as inferior quality bricks, were never used. If good quality distemper was specified, I made sure that the specified quality was maintained. The objective was always to deliver work that met the prescribed standards. Therefore, I want everyone to reflect on this issue.

Our collective objective should be that, when we next meet the E-in-C to discuss these matters, we should be able to present a strong and convincing case. We must demonstrate that the excessive layers of supervision and inspection being added one after another are not necessarily improving the system. Instead, they are creating unnecessary complications and becoming a source of inconvenience for everyone concerned.

Just recently, we explained to the E-in-C that the online payment system has become a major burden for builders, with payment processing taking approximately 30–40 days. Is there any builder who can genuinely get an online payment processed within a week?

What kind of online system is this? In many respects, the earlier offline system was far more effective. Despite the difficulties involved, we could at least meet the concerned officials, sit with the JE, follow up on the progress and ensure that the Running Account (RA) Bill was prepared by the evening.

Now, the response is invariably that the concerned official has not examined the bill, someone has not acknowledged it, another person has not completed their part, and so on.

Thereafter, we are required to print hard copies and obtain physical signatures. Sometimes, the USR is on leave, while on other occasions, some other concerned official is unavailable. This defeats the very purpose of digitization. Based on the feedback received from builders, the online payment process is currently taking approximately 35–40 days. The main point I wish to emphasize is that, since we have taken the Council's discussions in a new direction today, all members should actively contribute their suggestions at the next meeting. Alternatively, they may send their suggestions directly to the Headquarters in writing or through WhatsApp.

A considerable amount of unnecessary material is circulated on WhatsApp every day. Why can we not use the same platform constructively to communicate meaningful suggestions and practical solutions?

We should explain to the Headquarters how such an extensive system of inspections and supervision can be managed effectively, particularly when Technical Examiner, STE officers, inspection teams and representatives of the CWE or the Chief Engineer's office may all be involved at different stages. Despite the involvement of so many agencies, neither the rates nor the quality of work appear to be improving.

Why is the situation different in State Government departments? Contractors also execute works there. In fact, a builder from our own region is performing exceptionally well in State Government projects, primarily because he receives better and more viable rates. The fundamental point is simple, when contractors are offered reasonable and workable rates, they are in a much better position to deliver quality work.

The Surveyor cadre has repeatedly argued before the Department and the executive leadership that, irrespective of whether the rates are high or low, contractors will inevitably deliver poor quality work. I strongly disagree with this argument and do not subscribe to this viewpoint. I would particularly like to hear the expert opinions of members who have experience of working in both MES and State Government departments.

In MES, projects are being completed even when the quoted rates are extremely low and, in many cases, commercially unviable. This is happening despite the fact that our system of checks and balances is exceptionally extensive, arguably more elaborate than that of almost any other department in the country. Yet, the quality of work continues to remain unsatisfactory.

Clearly, there are certain fundamental issues that we are overlooking. Members should bring these issues to the notice of this House and the Headquarters. We need to understand how State Government departments operate and what lessons MES can learn from their working practices.

This will help us present a more convincing case before the E-in-C. We must also question the justification for maintaining such an extensive supervisory and inspection establishment when the primary objective should be the timely and quality execution of works. After all, we are builders, and our responsibility is to execute the works efficiently. We are not preparing for a war with Pakistan.

Look, we are builders. Our primary objective is to get the work done. The Department should issue straightforward, transparent and technically sound tenders. Instead, the tender documents are often made unnecessarily complicated. One provision appears in Schedule A, another in the drawings, and something entirely different in the BPS. Even the various schedules sometimes contradict one another. As a result, builders are left running from one document to another, trying to understand what is actually required.

Therefore, any builder who wishes to contribute towards helping the Headquarters resolve these issues should come forward. Suggestions may be submitted through WhatsApp or by letter, in any language they are comfortable with, whether Hindi, Urdu or any other language. We need practical suggestions on how to overcome the present crisis. The Department itself appears to be struggling to find a solution, and we, as builders, are also facing difficulties without having a clear solution at present..

With the introduction of the eMB details such as building numbers, dimensions and actual built-up areas will gradually become available. However, this is a lengthy exercise and will certainly take at least two to three years. For instance, a building that was originally constructed with an area of 10,000 square feet may now have expanded to 12,000 square feet. Its entire veranda may have been enclosed and incorporated into the main building structure. Such changes create several practical and technical complications, which will have to be addressed systematically. Naturally, this process will take time.

However, what is particularly concerning is that the quality of work has not improved despite such extensive supervision and monitoring. At the same time, builders are not receiving reasonable and viable rates, even though they are ultimately responsible for executing the work.

The issue of fresh enlistments is another major concern and deserves serious attention. All members should ensure that these issues are adequately represented during the Council meeting.

Coming to the issue of rates, which remains one of our biggest concerns, I sometimes feel that builders themselves are not taking this matter seriously enough. Perhaps many of them believe that since everyone else is somehow managing to continue working, they will also be able to manage.

This attitude must change. We cannot afford to remain passive on such an important issue. I, therefore request all members to communicate their concerns and suggestions clearly to the Headquarters. We must also guide the leadership on how to present our arguments more effectively before the E-in-C and, more importantly, how to establish through sound technical reasoning that the present system and practices are not producing the desired results.

Our objective should not merely be to highlight the problems but to present concrete, technically justified and implementable solutions.

Sh. Shiv Kumar Gupta. It is a matter of immense pride and honour for all of us that, as displayed on the slide, our Honorable President has been conferred with the prestigious **"Vishwaguru Bharat Gaurav Samman."**

I would like to request all members present here to rise and join me in giving our President a standing ovation, accompanied by a resounding round of applause!

Our President has not only brought laurels to the MBAI but has also made valuable contributions in several other fields. In recognition of his remarkable achievements and contributions, he has been honored with the prestigious Vishwaguru (Global Mentor/Leader) award.

On behalf of all the members of the Builders' Association, I extend my heartfelt congratulations and best wishes to our Honorable President on receiving this distinguished recognition.

Congratulations, Sir, and our very best wishes for your continued success.

Thank you.

Shri Sandeep Srivastava. As you are aware, we regularly bring the issues and concerns faced by builders to the attention of the Engineer-in-Chief (E-in-C) office. In this regard, Diamond Technologies Pvt. Ltd. has prepared a digital presentation highlighting these issues. Let us begin by viewing the presentation, after which we will proceed with our meeting and further discussions.

Item 3 (d) of agenda. To discuss and decide the action plan for enhancement of NTC Limits of CsWE and TC work orders by GEs and final bill checking limit by AOs

Sh. Sandeep Srivastava. Moving on to the next item on our agenda, Point 3(d), I would like to invite the views and suggestions of the House on the following proposal, preparing an action plan to enhance the Term Contract (TC) financial limits NTC for the CWE and increase the threshold for final bill checking verification by the Accounts Officer (AO)/Assistant Accounts Officer (AAO).

Discussions are currently underway at the Engineer-in-Chief (E-in-C) office regarding the enhancement of the TC limit, particularly the proposal to increase it

from Rs 1.5 lakh to Rs 3 lakh. Considering the prevailing inflation and the substantial increase in costs over the years, I believe this revision is both justified and necessary.

I would also like to seek the views of the House regarding the enhancement of the work order NTC limit at the CWE office, which is currently Rs 15 lakh. We propose increasing this limit to Rs 50 lakh.

To take this matter forward, we will first consult the E-in-C's office and subsequently raise the issue with the Controller General of Defence Accounts (CGDA) for further consideration.

Similarly, if the threshold for final bill scrutiny by the AO/AAO is increased to Rs 50 lakh, it would provide considerable relief to builders. It would also reduce the need for them to make repeated visits to the CDA office, thereby saving both time and effort.

As you are well aware, working with builders often involves addressing various challenges. Wherever there are genuine issues, we must make every effort to resolve them. Based on our experience, we have realized that the E-in-C office alone may not be in a position to resolve every issue. Therefore, we need to broaden our approach and explore additional channels to address the concerns of the construction fraternity.

In this regard, we have requested an appointment with the Honorable Defence Secretary, Mr. R. K. Singh, and are hopeful of receiving an opportunity to meet him.

Furthermore, the Chief of Defence Staff (CDS) is increasingly playing an important role in matters relating to works and infrastructure development. In fact, under the present arrangement, the CDS has emerged as a key authority in this domain. Accordingly, we have initiated communication with both the CDS and the Defence Secretary, and the necessary correspondence is currently underway. We have formally requested appointments with both offices.

If any member of the House or builder can assist us in facilitating an appointment with Mr. R. K. Singh, perhaps through their professional or administrative contacts within the IAS fraternity, it would be greatly appreciated. We have already submitted a formal letter, and I am hopeful that we will be able to secure a meeting with the Defence Secretary in October.

Item 3(f) of Agenda. To discuss & decide the action plan for long pending renewal cases for the cyclic period 2020-2025 awaiting final decision at E-in-C's Branch.

Sh. Sandeep Srivastava. I would like to draw the attention of the House to the issue of the renewal of enlistments. The previous enlistments were valid until June 2025. We are now in September 2026, and more than a year has passed. However, the renewal lists across various Commands are still incomplete.

Despite considerable efforts and repeated representations, we had succeeded in getting the validity period extended from five years to seven years. We had expected the renewal process to be relatively straightforward, particularly because the documentation and formalities involved were minimal.

Unfortunately, the process has continued to face various hurdles, particularly at the Surveyor cadre level. As a result, even today, no Command can claim to have completed the entire renewal process.

We have raised this issue repeatedly, including during our most recent meeting with the DGW. We specifically requested that a consolidated status report be circulated, clearly indicating :-

(a) The total number of builders who applied for renewal.

(b) The number of applications that have been processed and approved.

(c) The number of applications that are still pending.

We also suggested that this information should be made available in the public domain or uploaded to the official website. Such transparency would enable builders to understand the current status of the renewal process and identify how many applicants are yet to complete their renewals.

Sh. Naveen Yadav. Earlier, the renewal process was carried out on the basis of a common cut-off date, such as December 31, 2025, or December 31, 2020, as applicable.

However, this time, a seven-year renewal period has been introduced, with the validity being calculated from the date of issuance of the respective renewal letter.

Even with a common deadline, builders are already facing considerable difficulties in completing the renewal process on time. Despite our continuous efforts to assist them through reminders in our group and personal telephone calls, many builders are still struggling to submit their applications within the prescribed timeframe due to various practical difficulties.

If the renewal deadlines are further staggered across different dates, the process is likely to become even more complicated and create additional difficulties for builders. This is a serious concern that needs to be addressed.

Furthermore, Sir, a new amendment has recently been issued, which you may already be aware of. According to this amendment, if a builder has not submitted any tender or participated in the tendering process during the prescribed seven-year period, their enlistment renewal may not be granted. In other words, builders who have neither participated in any tender nor undertaken any work during the seven-year period may face difficulties in obtaining renewal of their enlistment.

This new provision is another important concern for the construction fraternity and requires careful consideration, as it may adversely affect several builders.

Sh G.S. Mago. The actual agenda was intended to cover the 20–25 range, although you have also touched upon the 25–32 range. I would like to bring this to your attention so that there is no ambiguity regarding the scope of our discussion.

First and foremost, through this forum, I would like to request all Vice Presidents, Chairmen and Secretaries to take up these matters on priority. A formal communication in this regard will also be issued separately by Headquarters through the Secretary's Office.

With regard to their respective branches and areas, merely approaching the Engineer-in-Chief (E-in-C) or the concerned Command does not necessarily resolve the issues. Unless we establish direct communication with the builders themselves, it becomes difficult to understand the actual position and achieve a meaningful resolution. For instance, in certain cases where we have intervened, the builders have refused to cancel the contracts.

Similarly, in cases where approval is required under the E-in-C's policies, if the concerned Command grants approval by providing its final endorsement, the E-in-C will also accord the necessary approval. It has come to our notice that several cases are still pending in the E-in-C's office. Whenever we take up these matters with the concerned office, we are informed that there is a shortage of staff. This, however, cannot be considered an acceptable justification, particularly when the careers and professional interests of our builders are at stake.

We therefore request all concerned to provide their feedback on a priority basis. More specifically, we need an accurate account of the number of pending cases, along with the names of the builders concerned and the precise reasons for the delay. Recently, there have been one or two instances in which Headquarters brought specific matters to our attention. When we subsequently raised these issues with the concerned offices, they were unable to locate the relevant correspondence and simply stated that the letters could not be traced. This is truly astonishing. Letters dispatched six, eight or even ten months ago remain unacknowledged and unattended.

As a result, Headquarters is now compelled to intervene, either by requesting the concerned offices to trace the original correspondence or by asking the respective Commands to resend the letters. Such a situation is neither desirable nor acceptable and calls for immediate corrective action.

Before we finalize and consolidate the entire exercise and examine the issues in depth, I would request everyone to take sufficient time one, two or, at the most, three weeks to compile the complete information. This will ensure that when the

Engineer-in-Chief (E-in-C) fixes a date in October, we are fully prepared with all the relevant facts, figures and case details.

You had also mentioned a list of Commands and builders, but so far, only 25 cases have been addressed. What exactly does this figure of 25 represent? We need clarity on this point. The present situation cannot be allowed to continue, and all such matters must be treated as a priority. That brings me to my first point.

As far as the perspective from which a particular issue is viewed is concerned, that is a separate matter and needs to be examined independently.

Secondly, regarding the renewal policy, Mr Naveen ji has rightly pointed out that, as per the policy, renewals in increments of 25 units are calculated from the date on which the official letter is issued. This clearly indicates that the intention was to establish a specific date from which a coordinated exercise would commence across all concerned offices, with the necessary attention and resources devoted to this process.

Earlier, the responsibility rested with the builder to notify the client once the prescribed tenure period had expired for instance, upon completion of the 30 days period. This would then initiate an exchange of correspondence between the concerned parties, often resulting in delays and unnecessary back-and-forth communication. Under the revised arrangement, however, this responsibility has now been entrusted to the builder, which is also advantageous to them. From a positive standpoint, this ensures that the validity and expiry dates are clearly known in advance.

Accordingly, we are required to initiate the necessary compliance procedures before the stipulated expiry date. Although the initial steps may have been completed promptly, the subsequent stages of the process may naturally be spread over a period of one, two or even three months.

Since 25 December has already passed and we are now in September, a period of approximately nine months has elapsed. Consequently, the entire process is bound to be staggered rather than completed simultaneously. This arrangement should, in fact, make it easier for both the engineers and the department to monitor progress, undertake follow-ups and ensure timely compliance.

The decision was taken with precisely this consideration in mind. Had the effective date determined by the Engineer-in-Chief (E-in-C) been made uniform for everyone, the nine-month benefit currently available might instead have been shifted to the 33-month category, which is an entirely separate issue requiring independent consideration. It is true that those who received the benefit before December effectively lost approximately four months. Nevertheless, the segregation of these cases into different categories may prove beneficial to both sides, as it could facilitate more focused monitoring, smoother coordination and an early resolution of the pending matters. The overall objective should be to ensure clarity, accountability and timely action so that the interests of both the builders and the department are adequately protected.

Sh. Vinod Behl. Sir, there are several cases in which the renewal of enlistment for the 2020–2025 period was not completed. Subsequently, certain circumstances arose in respect of some firms, such as changes in their constitution or the death of one of the partners. When these firms applied for renewal for the 2025–2032 period, they were informed that their enlistment for the previous 2020–2025 period had not been renewed. In some cases there had also been a change in the constitution of the firm, for which an application and required documents had already been submitted, they were advised to initiate an entirely fresh process and apply for new enlistment.

Sir, the issue becomes even more complicated in cases where only one or two partners remain, or where a partner has passed away and the legal heirs subsequently become involved in the matter. These cases require a practical and sympathetic consideration. One of the conditions stipulated in the policy requires applicants to submit a list of works executed during the preceding five years as proof of their experience. However, the question is: if a firm's enlistment itself was not renewed during the previous five-year period, how could it possibly have executed any work during that period and furnished the required experience details. This condition was not there in earlier years.

After all, when the enlistment itself was not renewed, how could these firms have undertaken any work between 2020 and 2025. This is a genuine difficulty faced by several existing contractors, and it deserves due consideration.

My second point, Sir, concerns the discrepancy in the cut-off dates prescribed under successive renewal orders. In the renewal orders issued up to the end of 2025, the three-to-four-page renewal letter clearly stipulated that further renewal would not be granted unless the contractor had been employed or engaged with MES or another department by 31 December 2025.

However, when applications were subsequently submitted for renewal under the 2025–2032 cycle, several cases were rejected on the ground that the contractors had not been employed or engaged by 31 July 2025 in MES. The most recent letter, issued in March 2025, announcing the renewal process, had prescribed 31 July 2025 as the cut-off date.

Sir, in many known cases, the terms and conditions of the previous renewal clearly permitted to undertake works up to 31 December 2025. There are several other contractors who also executed works during October, November and even December 2025. Yet, their cases are not being considered, and the authorities are applying 31 July 2025 as the cut-off date.

In fact, the provisions of the earlier enlistment and renewal orders, which expressly permitted contractors to undertake work up to 31 December 2025, are being disregarded and flouted. This creates a serious contradiction between the terms of the previous renewal and the conditions now being applied. These are two extremely important issues affecting a considerable number of our members, whose cases are presently caught in this situation.

Sir, as you are well aware, I had the opportunity to work closely with you on the renewal-related matters. I devoted myself wholeheartedly to this exercise, working day and night across the country and handling everything from documentation to the various other responsibilities involved in the process.

To sum up, these contractors are going through tremendous hardship. They have already incurred substantial expenditure, approached the courts for relief and pursued every possible avenue, yet their problems remain unresolved. Even in certain cases where favourable court orders were obtained, the directions were not duly implemented.

May I request this forum to issue a formal representation or letter to the concerned authorities, specifically highlighting these two important issues and seeking appropriate clarification and necessary relief for the affected contractors.

I believe that a formal intervention by this forum would go a long way towards addressing their genuine grievances and securing a fair and practical resolution.

Thank you, Sir.

Sh. G.S. Mago. This is a very valid point, and it could potentially apply to any department. We have taken note of it, Sir, and will certainly incorporate it into our action plan when we discuss the matter with the Engineer-in-Chief (E-in-C).

The current practice of rejecting applications merely on the ground that they were submitted late is not justified. There should be a more considerate and flexible approach, with a provision for a grace period of two to three months. We will, therefore, need to take a firm stand on this issue.

When an office is professionally established, well-organized, and specifically entrusted with handling such matters, yet fails to deliver effectively, it raises serious concerns. How, then, can it be expected to appreciate the various practical challenges and difficulties that contractors have to deal with? A delay of a month or two in submitting an application is hardly a matter of such serious consequence that it warrants outright rejection. We will ensure that this aspect is also taken up and suitably addressed..

Furthermore, Sh. Vinod ji, there was one point raised by you that I could not fully understand. If you have any additional points or suggestions, please do share them.

Sh. Vinod Behl, Sir, there was one more point I wanted to clarify. You had mentioned that no work had been assigned to them. In this regard, the issue concerning the dates of 31st December and 31st July, which you raised, has indeed come up for discussion.

However, my original point was that, in the case of fresh enlistment following the constitutional change, they were required to furnish details of the work executed by them during the preceding five years.

Sh. Sandeep Srivastava, Many builders are facing this issue, and repeated efforts are being made to resolve it. The most significant point, and the first one you raised, relates to the fact that your enlistment was valid up to 31st December 2025. Their contention is that, although your registration was valid until that date, they had already informed you, through their letter dated 11th March, that you were required to submit your application by 30th November. They remained quite rigid in their stand on this issue.

Ultimately, we held discussions with various stakeholders across different areas. For instance, General Jothwani was absolutely firm that the deadline should not be extended. Nevertheless, there are three specific issues that we still need to pursue vigorously.

I am hopeful that, following this episode, they will have a better understanding of the practical difficulties faced by builders and contractors. The concerns raised are entirely valid. Whenever a company undergoes a process of reconstitution, for whatever reason, it is quite common for the process to take six months, a year, or even eighteen months.

Our longstanding concern with the department has also been the inordinate delay in processing such cases, which often takes anywhere between eighteen months and two years. Consider situations where the father or brother of a proprietor or partner passes away, or where a firm has to undergo reconstitution following the demise of the proprietor's or a partner's mother. In such circumstances, the affected firm is made to go through an extremely difficult and prolonged process merely to obtain renewal of its enlistment.

Such cases should be treated as a matter of utmost priority. Unfortunately, under the existing system, they are accorded the lowest priority, with matters relating to reconstitution being pushed to the very bottom of the list. During this entire period, the firm is unable to carry on its business smoothly, its payments remain stuck, and it has to face numerous operational and financial difficulties.

We will strongly take up this issue in our forthcoming meeting with the Engineer-in-Chief (E-in-C) and emphasize the need for a time-bound and more practical mechanism for dealing with such cases. Another constructive suggestion would be to consider giving additional weightage or preference to firms having ten years of experience, instead of retaining the existing five-year experience requirement. I believe that such an approach could provide a reasonable and mutually acceptable solution. That would certainly be a welcome step.

Sh. G.S. Mago. Our General Secretary, Sh. Sandeep Srivastava, has understood the matter very well and has presented the issues before you in a comprehensive manner. If you have any further suggestions or inputs to offer, we would be happy to incorporate them so that we can present our case even more effectively.

Another related issue concerns the existing procedure for renewal. Until now, the renewal process, which generally involved the 2020–25 requirement, was communicated through individual letters issued by the office of the Engineer-in-Chief (E-in-C) and sent directly to the respective builders.

However, with regard to the 2025–32 matter, a communication was issued only to the Association. We have pointed out that not every builder is a member of the
MESBAI. While several builders are members of the Association, many others are not. Consequently, those who are not members may not even have been aware of the guidelines issued by your office. Furthermore, it is possible that some of our own members may also have inadvertently overlooked the communication.

Therefore, it would not be appropriate to presume that the letter issued by your office automatically constitutes an order or direction applicable to every builder. This aspect needs to be reviewed and reconsidered so that we can communicate our position accordingly. I am sure you would appreciate the need to examine this matter, particularly because a major concern is that several builders, for various reasons, including slow progress of work, have not even participated in the tendering process for some of the 2020–25 projects.

I have two or three specific cases in mind where, owing to the ban and the resulting slowdown in work, the progress was delayed. However, extensions were subsequently granted, the work was eventually completed, and even completion certificates were issued. Now, despite all this, the same builders are being denied the requisite clearance or approval on that very ground. This position is neither logical nor legally sustainable and is difficult to justify.

Furthermore, while the authorities have given builders the discretion to decide whether or not to undertake a particular work, the requirement is merely to demonstrate their participation in the tendering process.

At the very least, we should educate ourselves as well as our members that, even if they are not interested in undertaking a particular project or are otherwise reluctant to do so, they should nevertheless participate in the tendering process from time to time. This would help maintain continuity and ensure that a proper record of their participation is available. That way, whenever an application for renewal or enlistment is submitted, the builder can legitimately demonstrate that they have participated in the tendering process, even if they have not ultimately undertaken the work.

With these observations, I would now like to hand over to our General Secretary to take the proceedings forward and continue with the remaining agenda.

Sh. Rajesh Behl. Sir, this is a very important point. I believe, Mr. President, that the fact that the communication was addressed to our Association rather than being sent directly to individual members raises another significant concern.

Let me elaborate further. This approach seems to imply that every builder working with the MES is necessarily a member of our Association. If the department assumes that all MES contractors, including those who have already approached us, can simply be informed or educated about its policies through the Association, it is working under a misconception.

You may recall that we had raised this issue earlier as well, emphasising that all contractors working with the MES should become members of our Association. This would enable us to effectively communicate the department's policies, guidelines, instructions and decisions to all builders and ensure that the information reaches everyone concerned.

I believe we should also formulate a strong and clear statement on this issue and take it up for further discussion with the department. This would help establish that important departmental communications and policy decisions should not be conveyed solely through the Association, particularly when all contractors are not necessarily its members.

Sh. G.S. Mago. I would like to thank our Past President, Sh. Rajesh Behl, for bringing this important issue to our attention. In this regard, as far as I am aware, the enlistment application form submitted by builders contains a specific column asking whether or not the applicant is a member of the MES Builders Association.

It would, therefore, be appropriate to suggest to the department that membership of the Association be made mandatory or, at the very least, that an effective channel of communication be established to ensure that all builders are kept informed of important departmental policies, guidelines and decisions.

Although the decision ultimately rests with the department, we can certainly take up this matter with the concerned authorities and put forward our suggestion for their consideration. Thank you.

Sh. Sandeep Srivastava, When the requirement of 'Performance Security' was introduced, we strongly opposed the decision and made every possible effort to explain the practical difficulties it would create for builders and contractors. However, our concerns were not given due consideration.

At that time, the department's argument was that final bills were generally settled promptly and that the introduction of this provision would ensure the timely settlement of dues. Unfortunately, that assurance has not materialized. Even today, the settlement of final bills takes anywhere between two and four years.

We are, therefore, once again taking up this issue with the office of the Engineer-in-Chief (E-in-C).

The very term 'Performance Security' makes it clear that the security is linked to the contractor's performance in executing the work. A contractor is awarded a tender and furnishes the prescribed Performance Security. Once the work has been successfully completed and the department has issued the completion certificate, there should be no justification for withholding that security any further. It is as simple as that. The term itself is quite specific 'Performance' refers to the contractor's performance in executing and completing the work. It should not be unnecessarily linked to the Defects Liability Period (DLP) or the settlement of the final bill.

The department's representatives, particularly the surveyors, often raise the argument that the final bill could potentially result in a negative balance. However, it

must be appreciated that we are enlisted contractors with the department, and the department already holds our Fixed Deposit Receipts (FDRs) as security. In the event of any discrepancy, outstanding recovery or other financial liability, the department has sufficient safeguards and mechanisms available to recover the amount due. Therefore, withholding Performance Security for an extended period on such grounds is not justified.

At present, the MES retains a substantial amount of builders' funds in the form of Performance Security, sometimes for as long as two to two-and-a-half years, even after the successful completion of the work.

This capital remains unnecessarily blocked, creating significant financial constraints for builders and contractors. Its timely release would improve their liquidity, ease their financial burden and enable them to deploy their funds more effectively in ongoing and future projects.

Ultimately, this would also benefit the department by strengthening the financial capacity of contractors and enabling them to execute works more efficiently. We must, therefore, strongly pursue this issue and seek a clear policy decision for the timely release of Performance Security upon successful completion of the work and issuance of the completion certificate.

Sh. Rajeev Chowdhary. When we initially raised this issue, a comprehensive proposal was prepared, which included a specific recommendation that 50% of the Performance Security should be released immediately upon commencement of the work or issuance of the Board Proceedings.

Several other recommendations were also put forward in relation to these Board Proceedings, most of which were accepted by the department. For instance, the maintenance period for maintenance contracts was reduced from two years to one year, and the interval for periodic servicing was reduced to six months.

Although the committee's recommendations have been accepted, the matter is still pending consideration at the Ministry level. It would, therefore, be advisable to pursue the matter with the Ministry on priority. A timely follow-up could help secure approval for the proposal and, at the very least, facilitate the release of 50% of the Performance Security. The proposal has already been submitted, and we should now make concerted efforts to ensure that it is taken to its logical conclusion.

Sh. Naveen Yadav. This is specifically a Performance Security Deposit, and its purpose must be understood in that context. It is not a general security deposit or any form of continuing guarantee unrelated to the execution of the work.

As the very name suggests, Performance Security is directly linked to the contractor's performance during the execution of the project. It is intended to safeguard the department's interests by ensuring that the contractor does not abandon the work midway or fail to fulfil the contractual obligations.

Once the contractor has successfully completed the work and fulfilled all performance-related obligations, the very purpose for which the security was obtained stands fulfilled. Consequently, the Performance Security should be

released without any unnecessary delay. In simple terms, the deposit is intended to secure the contractor's performance during the execution of the work, and once that performance obligation has been duly discharged, there should be no justification for continuing to withhold the amount.

One Member. Sir**,** with regard to the release of Performance Security, the department has prescribed a period of one year for periodic services and sewage-related contracts. However, in many cases, the same work is subsequently assigned to another contractor at the very same location within a month or two, and the corresponding entries are recorded in the same Measurement Books (MBs).

In such circumstances, when the work continues at the same location and is carried out through another contractor within such a short interval, what is the justification for continuing to retain the Performance Security of the previous contractor. This aspect needs to be examined, as withholding the Performance Security in such circumstances does not appear to serve any meaningful purpose.

Sh. Sunil Panwar. Last month, I attended a General Body Meeting in Bareilly, where an issue concerning the swimming pool contract was raised, as mentioned earlier. The contractor had been operating the facility continuously, and the contract was not brought to a formal conclusion upon expiry of its original term. Instead, it was extended for another year and awarded to the very same contractor who had held it during the first year.

Interestingly, even after the completion of the second year's term, the contract was neither formally concluded nor discontinued. It was subsequently awarded to the same individual for a third consecutive year.

In effect, the same contractor has continued to hold and operate the contract for three consecutive years, with successive extensions or renewals, without the earlier contractual terms being formally brought to a close. This raises an important question regarding the manner in which such contracts are being administered and the justification for repeatedly extending them without following a clearly defined closure and renewal process.

Item 3 (i) of Agenda. To discuss in all tenders the prevalent rate of GST should not be included in the quoted rate but charged extra excess amount separately.

Sh. Sandeep Srivastava. We have been pursuing this issue for quite some time, and an agreement has now been reached in principle. The matter has undergone an extensive and prolonged process, during which opinions were sought from the Department of Expenditure and the Chief of Defence Staff (CDS) regarding the separate treatment of GST.

For nearly five years, we have consistently been advocating that the basic rates should be quoted separately and GST should be paid as a distinct component over and above the basic rates. Many of our colleagues present in this House may have faced similar difficulties or might have even received notices from the GST authorities on account of discrepancies and mismatches in tax calculations.

The issue is quite fundamental, yet the concept of reverse calculation does not seem to be properly understood. For instance, when a payment of Rs100 is made, the first step should be to determine the basic value, that is, the actual cost of the work executed, and thereafter calculate the applicable taxes on that amount. However, different departments and authorities seem to be following different methods of calculation, resulting in unnecessary confusion and discrepancies.

I was also discussing the issue of Income Tax. That is comparatively easier to manage, as the system is fairly straightforward. You can claim refunds wherever applicable, and if any additional tax liability arises, the amount can simply be deposited with the Income Tax Department. That is understandable and manageable.

However, GST is an entirely different challenge. Dealing with GST related discrepancies and mismatches can put a contractor in an extremely difficult situation. I have personally experienced a GST raid, so I am fully aware of the complications and difficulties that such issues can create.

Therefore, it would be in the interest of both the department and the contractors if the basic rates were quoted separately and GST were charged as an additional component. This would ensure greater transparency, clarity in accounting and compliance with GST requirements, while also protecting contractors from unnecessary tax-related complications.

Unfortunately, despite explaining this straightforward requirement on numerous occasions, the matter does not seem to have been adequately understood or acted upon. At times, one is left wondering whether the department is simply reluctant to introduce even a small procedural change that could provide some relief to builders and contractors.

It often appears that the existing system leaves contractors constantly running from one office to another, dealing with one complication after another, and unnecessarily exhausting their time, energy and resources.

We have explained this issue repeatedly, on numerous occasions. In fact, during our last Annual Day function, we had even invited the GST Commissioner to address the gathering. The GST Commissioner himself explained the matter to the concerned authorities in the presence of everyone and strongly recommended that GST should be charged separately as an additional component over and above the basic rates.

In view of the detailed discussions already held and the in-principle agreement reached, we sincerely hope that this long-pending issue will now be resolved and the necessary instructions will be issued without any further delay.

One Member Sir, payments against Running Account Receipts (RARs) have been facing significant delays due to issues arising from the ERP system. What steps is the department proposing to take to address these difficulties, and within what

timeframe can we expect the payment process to be streamlined and made more efficient.

Sh. Sandeep Srivastava, We raised this issue during our last meeting with the Engineer-in-Chief (E-in-C) on the 11th. The department informed us that efforts are already underway to resolve the problem. Whenever a new system or software is introduced, certain modifications are often required to align it with the specific operational requirements. This is a normal part of the implementation process. The department has assured us that all the existing issues and bottlenecks will be resolved by 31st December.

Moving beyond this issue, I recently attended a meeting in Lucknow with the Zonal Chiefs and Command Chiefs. I made it very clear to them that our builders and contractors are facing considerable difficulties and are extremely distressed by the delays. With the festive season approaching, the situation is likely to become even more challenging for them if these issues are not addressed promptly.

I, therefore, earnestly request that instructions be issued to all Zonal Chiefs and Command Chiefs to obtain a monthly report from the respective Garrison Engineer (GE) offices. The report should clearly indicate the following details :-

(a) The date on which the Running Account Receipt (RAR) was received.

(b) The date on which the Contract Bill (CB) was submitted.

(c) The date on which the cheque was finally issued to the builder.

This would help establish accountability at every stage and enable the department to identify the precise reasons for delays in processing payments.

I would also like to make a special request to my fellow builders, particularly those belonging to the 'E' and 'D' classes. It is high time that we adapt ourselves to the changing system, as the entire tendering process has now become online.

Please prepare your abstract, complete the necessary details, generate a copy of your Running Account Receipt (RAR), and ensure that it is formally submitted through the prescribed process. This will at least provide you with documentary evidence of the date on which your RAR claim was submitted.

Those who are already familiar with the online system will understand the significance of this point. Under the existing online procedure, an entire stage is completed before the process moves to the CB stage. Consequently, the initial 20–25 days often remain unaccounted for, with no specific officer or authority being held responsible for that period.

Once you formally submit your RAR, you will have confirmation that the claim was submitted on a particular date, say, the 1st of the month. This will provide a clear record and help establish accountability for subsequent delays. Under the existing e-MB system, however, the builder often comes to know about the progress of the bill at a much later stage. There are several internal stages involved, and it is

only when the process reaches the stage of generating the printout that the CBI number is entered. Until the builder's involvement becomes necessary, the entire process remains within the departmental system, leaving the contractor with little or no visibility into its progress.

I would, therefore, like to put forward two important suggestions regarding improvements to the software :-

Firstly, Whenever an RAR is submitted or uploaded through the software, its status should be simultaneously visible to all the concerned stakeholders, including the builder, the Garrison Engineer (GE) and the Principal Controller of Defence Accounts (PCDA). This would ensure transparency and allow everyone concerned to track the progress of the claim.

Secondly, A clearly defined time limit or time lock should be introduced for every stage of the processing system. Organizations such as the National Highways Authority of India (NHAI) and several other government departments already follow prescribed timelines for processing and clearing bills.

For instance, a Garrison Engineer (GE) should be allowed a maximum of 12 hours to examine and process a Measurement Book (MB), during which the officer may either approve it or make the necessary corrections. Similar time limits should be prescribed for every officer involved in the subsequent stages.

If an officer fails to act within the stipulated time, the system should automatically generate a visual alert, perhaps through a blinking notification or a change in colour, and escalate the matter to the next higher authority. This would ensure that no file or bill remains pending indefinitely at any particular level.

These are some of the practical suggestions we have put forward to improve the system. The department has requested a period of two months to examine these proposals, and we intend to raise all these points again during our next meeting.

Most importantly, I would urge all builders to make it a practice to submit their RAR claims along with a formal forwarding letter. This may seem like an additional procedural step, but it is extremely important from the standpoint of maintaining documentary evidence. In the event of any future dispute or delay, you will at least have proof of the date on which the claim was formally submitted. This would also strengthen your case for claiming interest, wherever admissible, for delays extending beyond the prescribed period of 30–45 days.

Furthermore, it would be even more beneficial if the department could upgrade the existing software to incorporate the builder or contractor directly into the system. This would allow builders, along with the GE and PCDA offices, to monitor the movement and status of their bills at every stage.

Such an arrangement would bring greater transparency, accountability and efficiency to the entire payment process, while significantly reducing unnecessary delays and hardship for contractors.

Sh. Vishnu T.P. Karta, Sir, letter was received from the Engineer-in-Chief (E-in-C) Branch on 18th September, informing us about the implementation of the e-MB (Electronic Measurement Book) system. Previously, the e-MB system was not applicable to lump-sum contracts. However, the letter clearly stipulates that, with effect from 30th November, the e-MB procedure will be made mandatory for all works, including both ongoing projects and newly awarded works.

At present, we are able to process only one Running Account Bill (RAR) per month. However, as soon as one RAR is settled, the contractor approaches the department for the next payment. The department, in turn, responds by saying, "We have just released your payment yesterday; why are you asking for another payment so soon?"

Sir, the fundamental issue is that it is taking approximately 40–50 days to process a single RAR. This is completely unacceptable and defeats the very purpose of the payment mechanism. How can contractors be expected to execute works efficiently when even their legitimate running payments are subjected to such prolonged delays? We must formally register our protest against this situation by writing to the concerned authorities and demanding immediate corrective action.

Another important issue is that the contract itself contains a provision for cloud-based support. However, no such facility has been implemented so far, as the necessary cloud infrastructure has not yet been procured or made operational. The question, therefore, is whether this issue is likely to be addressed under the second phase of the project, namely 'Meghraj 2'.

Even to date, the difficulties being faced by both the Accounts Officers (AOs) and the contractors remain unresolved. The existing system is creating unnecessary complications for everyone involved in the payment process.

Sir, merely waiting and hoping that these issues will resolve themselves will serve no purpose. We must take a firm stand, formally communicate our grievances to the department and press for immediate action. It is high time that we raise our voice collectively and pursue these issues vigorously until a satisfactory solution is achieved.

Sh. Sandeep Srivastava, We have been consistently pursuing these issues, taking up the matter with the concerned authorities and raising our concerns quite forcefully whenever we get an opportunity to meet them. It is not that you alone are facing these difficulties, we are all in this together. After all, we are all builders. You are builders, and so are we. The very challenges you are experiencing are also being faced by those of us sitting here on the dais.

The most important point I would like to highlight is that this issue arose around the time of a festival last year, sometime in August, if I recall correctly. At that time, Sh. Mago became so concerned and distressed that he went to great lengths to convince the Engineer-in-Chief (E-in-C), repeatedly pleading with him to accept our proposal. In fact, the situation became somewhat uncomfortable, and we even told Sh. Mago that there was no need to plead with the authorities to such an extent.

However, he remained absolutely determined and kept assuring us, saying, "No, no, don't worry. I have 400 GEs, and 250 of them have already provided their confirmation. They have collectively made payments amounting to Rs 200 crore."

But the point we need to consider is this: if a particular project stakeholder has already made payments amounting to Rs 100 crore, then that contribution is already accounted for. However, what about the remaining 375 GEs? How much are they actually contributing or able to pay? That is an important question that needs to be examined.

We all know that he is an extremely firm and stubborn person who is unlikely to change his position easily. Therefore, the only way forward is to make the authorities understand that this is not merely a problem faced by builders and contractors, the department itself is also suffering as a consequence of the existing situation.

I would now like to share a few thoughts on the discussion that has just taken place regarding the e-MB system. However, before I proceed, I can see that a few of our members would also like to express their views. It appears that Sh Piyush ji and Sh Naveen ji wish to speak.

Are there any other members who would like to contribute?

Please go ahead, one by one. Once everyone has had an opportunity to express their views, I will also share my observations and whatever understanding I have gained on this subject.

Sh Piyush Mishra. With regard to the problems being faced in the e-MB (Electronic Measurement Book) process, which are resulting in considerable delays in the release of payments, I would suggest that the department be given a clear ultimatum. The system must be rectified within the next one to two months; failing this, we should consider initiating a strike across all our branches.

Rather than organizing a protest in Delhi at a designated location such as Jantar Mantar, as suggested earlier, I believe it would be far more effective to call for an all-India strike. We should make our position absolutely clear, if the e-MB system is not streamlined and the pending payments of our contractors and builders are not released within the stipulated period of 7–10 days, we will be compelled to resort to an all-India tool-down strike.

Secondly, Sir, I would like to raise another important point. If there is no restriction or regulatory impediment in this regard, I would request you to consider reopening membership enrolment in the Association.

Following the recent enlistment process, a number of new contractors have entered the field. Many of them are not yet members of our Association but are keen to join. In fact, it appears that each branch has approximately 10–15 builders who are interested in obtaining membership.

Therefore, provided there is no existing restriction, I would suggest that the respective branches be authorized to grant membership to these new contractors. This would help expand our membership base, strengthen the Association and ensure that more builders are brought under its collective representation. These are the two points I wanted to place before the House. I shall conclude here.

Shri Sandeep Srivastava. We will share the bylaws with you and can also send them across via WhatsApp. Additionally, we will provide the relevant page of the Memorandum of Association (MOA), which clearly states that once the election process commences on or after 1st April, no additions or deletions of members' names are permitted.

This is precisely where the issue may arise. You are well aware of the caliber and integrity of the people we are working with. There is absolutely no benefit to anyone in exploiting this situation or creating unnecessary legal complications. Since the rules clearly stipulate that no new members can be enrolled and no existing members can be debarred during this period, this is where the concern arises.

However, I have a suggestion. I was speaking with the Kanpur Branch over lunch, and they informed me that they have received approximately 20–25 membership applications. This clearly indicates that the branches are continuing their activities and functioning as usual. As I understand, the builder is currently in touch with you regarding his requirements. If you have already collected his membership form and retained it, and even if he has been involved in the day-to-day activities of the branch, I do not see any issue with that.

However, we will not be in a position to allot him an MES membership number until the election process is completed. In the meantime, you may forward his application to the Headquarters for further reference and necessary action.

Shri Naveen Yadav. When the online system was first introduced, whether for payments or other administrative matters, we were genuinely pleased. We believed that moving processes online would make things much easier, streamline the system, and enable us to receive payments more efficiently and without unnecessary delays.

However, Sir, the reality has been quite the opposite. We are now facing difficulties at almost every stage of the online process. The problem is particularly serious in the case of EMB (Measurement Book) payments, which are taking as long as a month to get processed. Earlier, payments that were processed offline in a single step are now routed through an online system, only to be returned for further processing offline and subsequently subjected to additional verification. As a result, it takes several months for these payments to finally reach the AO (Accounts Officer).

Even after a payment reaches the AO, there can be further delays. For instance, if an unforeseen situation arises at the AO's office, or the AO is unavailable due to prior commitments or leave, the entire process comes to a standstill. Since the AO is the sole authorized signatory, there is no one else available to operate the

digital dongle and complete the process. Consequently, the work can resume only when the AO returns. Alternatively, another AO at the same location should be authorized and provided with a digital dongle to ensure continuity of work. Instead of simplifying the process, the online system has made things considerably more complicated, Sir.

Take Lucknow, for example. We originally had three AOs (Accounts Officers), but unfortunately, none of them is available now. Such administrative gaps are making the entire process increasingly difficult to manage.

We were assured that shifting the system online would improve efficiency. However, for nearly the past year, we have been struggling with payment delays. Earlier, our payments were generally processed by the 31st of each month. The punching media (payment submission data) used to close on the 25th, and payments were processed in the following cycle.

Under the current online system, however, the punching media is submitted on the 25th, and consequently, no payments are released to builders between the 25th and the 30th or 31st of the month. This effectively means that five days are lost every month. In addition, there are four Sundays and usually one or two public holidays each month. As a result, approximately 10–15 days are lost, during which builders receive no payments despite having substantial work and financial commitments.

What is particularly disappointing is that, despite the considerable amount of work involved, there is an expectation that whenever a request is raised, it should be addressed almost instantly, sometimes within 30 seconds. However, when it comes to our own legitimate requirements, even tasks that could be completed in 30 seconds or a minute remain unattended. We repeatedly follow up, express our concerns, and struggle to get things moving, but unfortunately, there is very little response or resolution.

Sir, the entire purpose of introducing an online system was to make processes faster, more transparent and more convenient. Unfortunately, the present experience suggests that the system is creating more hurdles than solutions. We sincerely request that these practical difficulties be looked into and that necessary corrective measures be taken to ensure timely payments and smoother functioning**.**

Sh. Sandeep Srivastava Shri Naveen-ji, I have some good news for you. Piyush Jain Sahib, who is working with you, has signed the letter today. As a result, the punching deadline for the entire Lucknow Zone has now been extended to the 31st of each month.

Shri G.S. Mago, Regarding your observation that findings are not being made, I would like to clarify that, to the best of my knowledge, this is not the case across all AO (Accounts Officer) or GE (Garrison Engineer) offices. Payments are generally being processed and released on a regular basis. In certain instances, however, some officials may create unnecessary hurdles, make excuses or adopt delaying tactics. Nevertheless, such instances are no longer representative of the general situation.

Shri Sandeep Srivastava, Just today, Sh Prashant Srivastava, the Deputy Director (Budget) informed me that the Chief Engineer has accorded the necessary approval. He specifically asked me to convey this information to you. I received his call this afternoon.

Shri Prem Nath Roy. Sir, my point is very simple. We are already facing numerous difficulties, and despite repeated efforts, very little progress is being made in resolving them. Under these circumstances, I believe it is time to take a firm and decisive stand. We have reached a point where we feel we have very little left to lose. Therefore, I request you to take a decision that sends a strong and clear message across the country to the E-in-C (Engineer-in-Chief), demonstrating the unity, strength and collective resolve of the MES Builders Association.

At present, it appears that our concerns and representations are not receiving the attention they deserve. I am not suggesting that none of our issues have been resolved; certainly, some matters have been addressed. However, considering the sentiments and concerns expressed by members across the entire house, I strongly feel that the time has come to take a meaningful and decisive step.

Our action should make the E-in-C fully realize the strength of the MES Builders Association, the seriousness of our concerns and the importance of addressing the issues faced by its members. Thank you, Sir**.**

Shri G.S. Mago, This is very encouraging. The advice and suggestions offered by Shri Piyush-ji are also extremely valuable, particularly given the difficult circumstances and the considerable distress we are currently facing.

Regarding the eMB (Electronic Measurement Book) issue, as my respected colleague, Shri Sandeep Srivastava, brought to your attention during our discussion, the present E-in-C, Lt Gen. Rohella, was serving as the Zonal Chief Engineer at Gandhinagar at the time, with Shri V.P. Singh Sahib as his Director (Design). Subsequently, he served as the Chief Engineer at Nagpur and later as the ADG at Chennai.

He was entrusted with the responsibility of finalizing the eMB process and took considerable pride in having successfully completed the initiative and developed the software. The software was developed in collaboration with a Chandigarh-based firm. On the day this matter was discussed, he was present and, with the support of the Chief Engineer, made every effort to convince us of the merits of the system. However, we were already aware of the difficulties and hardships faced by the builder who had suffered as a consequence of its implementation.

There is considerable pain, frustration and emotion surrounding this issue. At the same time, there are certain limitations beyond which it becomes difficult for us to take matters further. What is particularly painful is the manner in which negative developments are dealt with. Whether an issue concerns the department, the builders or the convenience of the existing system, any adverse matter is acted upon with remarkable speed, and the existing arrangements are immediately dismantled. However, when a positive decision or relief is expected, we are made to run from pillar to post for days, sometimes even for a week. Once everything has been

discussed and finalized with us, we are simply told that the matter has been forwarded to the Ministry.

Let us consider the issue of Force Majeure. The Government of India officially invoked Force Majeure in view of the war-like situation. Since the department follows the CPWD model, it is worth noting that CPWD has already issued minutes clearly indicating that extensions of time should be granted even in respect of ongoing projects.

We brought this matter to the department's attention through several representations, enclosing all relevant government directives, security protocols, railway orders and other official instructions.

Furthermore, in the case of the bituminous runway project at Jodhpur, which was facing considerable delays, the Engineer-in-Chief personally intervened and urged the concerned authorities to ensure completion of the work. He also assured them that the additional expenditure incurred would be reimbursed.

That was the rationale behind the decision and the subsequent recommendations. However, despite recommendations being made at every stage, the matter has still not been implemented. To make matters worse, a circular was subsequently issued stating that there is no provision under our 2249 Manual of Contracts for reimbursement of such additional expenditure.

A fresh and serious problem has now emerged for builders engaged in road-paving and pre-mix bituminous work at the GE and CWE levels. The resulting hardship and financial burden will inevitably fall upon these contractors. A large contractor may have the financial capacity to absorb some losses, but smaller builders certainly cannot be expected to bear such additional costs indefinitely.

On the one hand, delays are leading to recoveries along with interest, while on the other, these contractors are constantly under the threat of cancellation of their contracts. They are caught in an extremely distressing situation: they cannot simply abandon the work, they cannot sustain themselves under the prevailing financial pressure, and they cannot afford to give up either. What kind of situation are we putting our builders in?

We therefore requested that at least a three-month extension be granted so that some immediate pressure could be relieved and the contractors could continue their work without the constant threat of punitive action. The proposal was agreed to, formally recorded in the minutes and put in writing. We were expecting an official communication granting the extension, which would essentially have provided us with much-needed relief and breathing space.

That letter would have been a lifeline for our builders at that critical juncture. Irrespective of the eventual outcome, it would at least have bought us some additional time, perhaps another month or so, allowing us to reorganize our work and manage the situation more effectively.

However, once the preliminary exercise began, everything was completed with surprising speed. Within just three, four or five days, the entire process was wrapped up, leaving us with virtually no opportunity to secure the relief we had been seeking.

Coming to the question of our proposed protest, I strongly believe that we need to handle the situation with firmness, unity and determination.

Ever since our discussions in October, during which we placed every aspect of the matter before you without concealing anything, we have remained fully committed to the cause of our builders. Whether one chooses to describe our approach as efficient or inefficient, the fact remains that our entire team is working with complete dedication towards this objective.

Our team members are using their experience, professional contacts and knowledge to gather information and explore every possible avenue. We are carefully incorporating their feedback and suggestions into our strategy. Personally, I am taking every possible precaution to ensure that no issue, however small or specific, is overlooked.

There are numerous details that need to be examined carefully, and we certainly do not want anything important to be missed. Accordingly, as we approach October, we intend to hold detailed and comprehensive discussions with the team and prepare a well-researched, properly documented representation covering every aspect of the builders' concerns.

At the same time, we must ensure that our builders understand the seriousness of the situation and appreciate the perspective from which we are approaching these issues. We need to communicate our position clearly and make every possible effort to secure a meaningful response from the authorities.

If repeated representations and direct communication fail to produce the desired results, we must be prepared to consider appropriate collective democratic measures, whether a tools-down protest, a press conference, a peaceful demonstration, a sit-in or any other lawful form of protest that may be necessary to make our concerns heard.

Our position is very clear, if you stand with us, we will stand firmly with you**.** I cannot achieve this objective single-handedly. Your support, guidance and collective strength are essential. With your cooperation, we are prepared to take this matter forward with determination and pursue it to its logical conclusion.

I assure you that I am fully committed to this cause, and I have complete confidence in my entire team. Together, we are prepared to go the distance to protect the legitimate interests, dignity and future of our builders.

Shri Sandeep Srivastava, Next, I would like to highlight the problems we have been facing with the CCE Portal. The portal frequently encounters technical issues, and whenever such a problem arises, it generally takes three to four days to get resolved.

We do make efforts to address these issues. We have the relevant contact numbers and regularly lodge complaints with Mr. Sharma. However, the recurring nature of these problems clearly indicates that the system requires certain modifications, or perhaps a comprehensive software upgrade. This is another important issue that needs to be taken up with the concerned authorities.

Moving on, we have also received certain points from our Srinagar Branch. Most of these are common issues that we have discussed repeatedly in our meetings, such as price escalation, inadequate completion periods, insufficient allocation of funds, and delays in the processing and finalization of bills.

These are challenges being faced by builders across the country, and Srinagar is no exception. There is nothing particularly unique or region-specific about the issues raised by the Srinagar Branch; they are essentially the same concerns affecting our members nationwide.

Item 3(l) of agenda. To discuss enhancement of tendering limits for all classes.

Regarding the enhancement of the tender limit, as you are all aware, a proposal was first submitted to the E-in-C (Engineer-in-Chief) sometime in 2010–11. Over the past 15–16 years, the proposal has moved back and forth on three or four occasions, but unfortunately, it has still not reached its logical conclusion.

As far as the latest developments are concerned, I must admit that it is somewhat awkward even to mention this. The previous E-in-C had intended to present this enhancement to us as a special gift on the occasion of our 25th Annual Day. However, our 25th Annual Day has already passed, the 26th has also gone by, and we are now approaching the 27th.

Thankfully, the proposal has finally reached its last stage. It has already received clearance from the Ministry of Defence (MoD) and the CDA. However, I understand that the Defence Minister wants a presentation on the proposal, and the E-in-C's office has so far been unable to provide the required presentation.

Under these circumstances, what more can we do? We have been following up continuously, maintaining regular correspondence and making repeated representations. The authorities acknowledge the issue and understand our concerns, yet the matter continues to remain pending.

However, the biggest problem, and something I particularly want to bring to everyone's attention, is the mindset with which the department views its builders. Unfortunately, they do not seem to consider builders an integral part of their own team.

If the builders were regarded as an important and integral part of the departmental system, perhaps matters would be handled with greater urgency, commitment and a sense of responsibility. Instead, there seems to be a perception that we are outsiders and have little or no stake in the functioning of the department.

If a file is held up at a particular level, why can't the concerned officials personally visit the Ministry of Defence and follow it up? Why can't someone be assigned the responsibility of visiting the MoD regularly, even on a daily basis if necessary, to pursue the matter and provide timely reminders?

Unfortunately, we have to follow up six times just to get one reminder issued from their end. This is the level of difficulty we are dealing with. Anyway, let us move forward for now. I would request everyone to share their respective points and suggestions during the closing remarks so that all concerns can be discussed comprehensively.

Item 3 (m) of agenda. To discuss issue of tenders upto 50 Lacs to E Class contractors as per E-in-C's Branch letter No A/95533/22-20/Pol/E2W/PCC dated 28 Sep 2015.

Coming to the other important matter concerning the letter relating to the Rs 25 lakh tender limit, we have been making continuous efforts at our end to pursue the issue.

I would like to make a suggestion to all of you, particularly those who are in a position to extend assistance to the Headquarters. The Headquarters is also pursuing this matter independently at its own level, but we can strengthen these efforts through our collective contribution.

Whenever you come across any GE (Garrison Engineer) tenders, I request you to obtain a printout of the complete tender list and share the relevant information with the Headquarters.

As far as I understand, the GE offices are presently not issuing any NITs (Notice Inviting Tenders) for contracts valued below Rs 25 lakh. I believe this is the prevailing practice across the board. Is that correct?

If we can collectively gather the relevant tender information and supporting documents, it will help the Headquarters present a stronger and more comprehensive case before the concerned authorities.

Administrative Matters

Item 4 (a) of agenda. Brief Discussion on Court Hearing.

Sh Sandeep Srivastava. Regarding the court cases concerning the elections, which you are probably already aware of through WhatsApp, the media and other sources, I believe the matter has now reached a critical and decisive stage.

The next hearing is likely to focus on issues relating to the maintainability of the cases. One of the parties may not be satisfied with the outcome, but the Headquarters will not interfere in the matter in any manner. If any party decides to pursue the matter further, it will be entirely their decision and responsibility.

Our position, however, is quite straightforward. We must ensure that we have our own authorized representatives at the Headquarters and that no legal or contractual complications arise in the process. The moment we find a clear opportunity and there are no legal impediments, we must act immediately, without wasting a single moment, to initiate and take forward the election process.

Our priority should be to remain fully prepared so that we can proceed with the elections at the earliest possible opportunity, in accordance with the applicable rules and legal requirements.

Item 4 (c) of agenda. To deliberate and decide appropriate relief and humanitarian assistance for flood affected people of Assam as proposed by V.P. Eastern 'B' and Chairman Guwahati Branch.

Shri Sandeep Srivastava. As you are all aware, Assam has suffered considerable damage due to the recent heavy rains, and several of our builders with whom we have ongoing professional engagements have been adversely affected.

Sh Ashok ji, the Vice President representing that region, has forwarded letters received from the local office to the Headquarters, requesting financial assistance for the affected members.

In this regard, I would like to propose that the Headquarters create a dedicated WhatsApp group for those members who wish to contribute voluntarily towards this relief effort. Members may contribute directly, and contributions of any amount would be welcome. Every contribution, irrespective of its size, would help support our affected colleagues during this difficult time.

Alternatively, if the members and the leadership approve, the Headquarters could also consider allocating an appropriate amount from its funds towards this relief initiative. I would, however, like to leave the decision regarding any financial allocation by the Headquarters to the Hon'ble Secretary.

I believe this would be a meaningful gesture of solidarity and demonstrate that the MES Builders Association stands united with its members in times of need.

Shri G.S. Mago, The appeal for financial assistance to support the flood-affected areas was initially received by us, and we subsequently forwarded it to the Service Trust for necessary action. Through this initiative, approximately Rs 2,00,000 to Rs 2,50,000 has been collected, with contributions coming from various members.

Shri Shiv Kumar Gupta. As suggested by the Secretary, we could take the appeal, which was initially circulated only among the trustees of the Service Trust, and extend it to our general membership as well.

We could keep the appeal open for one week, collect voluntary contributions from interested members during this period, and subsequently request the Service Trust to forward the total amount collected towards relief for the flood-affected areas.

One Member. I hail from Assam, and I would like to give you a brief overview of the flood situation in the state. As you are aware, the floods began on 18th July, severely affecting four districts, with Silchar being the worst-hit. According to government estimates, approximately 100 people have lost their lives, and the estimated financial damage is around Rs 450 crore.

Furthermore, nearly 7.5 lakh people have been affected by the floods, with approximately 300 households impacted by this devastating situation.

Shri G.S. Mago, To address the situation, we have undertaken a relief initiative in Assam, with contributions and support from all our branches in the Eastern Region, collectively known as our 'Eastern Wing'.

The Jorhat, Dinjan and Likabali branches personally visited the affected areas and distributed relief materials to the people in need. The Guwahati Branch also extended its support by making a financial contribution to the Chief Minister's Relief Fund.

Additionally, we had submitted a request to the Vice President, and the Chairman of the Guwahati Branch had also forwarded a letter to you seeking assistance. Through this representation, we are requesting whatever support can be extended to help the flood-affected people.

The floods have also caused extensive damage to educational infrastructure, with approximately 790 schools reportedly affected. We have already initiated repair and restoration work in some of these schools to help restore normal educational activities.

Beyond the efforts already undertaken, much more support is needed. We sincerely look forward to your kind consideration and request you to extend whatever assistance may be possible to the people of Assam during this difficult time .

Your support would go a long way in helping the affected communities rebuild their lives**.**

Shri Shiv Kumar Gupta. So far, approximately Rs 2 lakh has been collected towards the relief initiative. The President and the Hony Gen Secretary will jointly issue an appeal to the general membership, requesting contributions from all branches. We have proposed a minimum contribution of Rs 10,000/- to Rs 11,000/- from each branch, as we believe that every branch should be in a position to contribute at least this amount. All right; the suggestion is noted. We will proceed with issuing the appeal.

There is another important matter concerning the Service Trust that we had intended to include in the agenda but inadvertently missed.

Renewal of the Service Trust's 80G Registration

The renewal of the Service Trust's 80G registration was pending but could not be completed within the prescribed time. Since the application was submitted late, it was rejected by the Income Tax Department.

Consequently, the entire process will now have to be initiated afresh within the next three months. Only after completing the necessary formalities will the Trust be able to continue its activities and function within the legal and regulatory framework under which it was established.

We must remember that the Service Trust is, in many ways, an offshoot of MESBAI. Unfortunately, a situation arose recently in which differences developed between the management of the Service Trust and that of MESBAI. However, irrespective of these differences, the Service Trust ultimately belongs to our larger institutional family, namely, the MES Builders Association of India.

Moreover, the funds utilized by the Service Trust are primarily directed towards the welfare and benefit of our members, and such expenditure is generally undertaken on the basis of recommendations received from our association.

Verification of the Trust's Registered Address

Regarding the matter raised by the President, the Government has introduced a new requirement for trusts. Under the revised procedure, the registered address of every trust must be verified with the relevant property registration authority to establish that the trust actually exists and operates at the declared premises.

In our case, the address in question is **807–808, Sahyog Building** -58, Nehru Place, New Delhi.

This verification requirement has apparently been introduced because the Government has identified instances of financial irregularities and fraudulent activities being carried out in the name of charitable trusts.

Transfer of Funds and Necessary Authorisation

Regarding the question raised by the President, based on the information available to me, the funds can certainly be transferred. However, certain registration and verification formalities must first be completed from the Income Tax Department's perspective.

For this purpose, someone from our Headquarters will need to visit the concerned authority and provide the necessary authentication and documentation. We would therefore require your approval and permission to proceed with this exercise.

As far as the proposed financial assistance is concerned, we can certainly consider transferring an appropriate amount. I will consult the Council and seek its views on the amount to be sanctioned, whether Rs1 lakh or Rs 2 lakh, depending on the requirements and the availability of funds.

It is important to clarify that these are funds belonging to the Service Trust.

Clarification Regarding Financial Contributions by MESBAI and the Service Trust

To the best of my knowledge, in my capacity as the Treasurer of MESBAI, the association itself has not made any such financial contribution in the past. Rather, it has been the Service Trust that has extended financial assistance on such occasions.

The Treasurer of the Service Trust, in consultation with its management, has the authority to approve expenditure of up to Rs 1.5 lakh for any particular purpose. However, MESBAI, as an association, has not independently provided such financial assistance. This distinction is important and should be clearly understood by everyone.

Nevertheless, MESBAI is certainly entitled to raise questions and seek clarification on such matters. As suggested by Shri Piyush Ji, the Council could also initiate a detailed discussion on the subject. Other members present may likewise offer their suggestions and recommendations so that we can arrive at an appropriate and mutually acceptable decision.

I would just like to add one more point here. I do not wish to present it as a definitive conclusion or impose it as the final view on the matter, but I believe it is worth considering and discussing further.

Shri G.S. Mago. I believe we should continue to keep everyone fully informed, as we have always done, and ensure that they are aware of the actual situation and the ground realities.

As Shri Shiv Kumar Gupta ji rightly mentioned, differences of opinion may occasionally arise within MESBAI. However, that certainly does not mean that we will abandon the mission, vision or objectives for which this organization was established and has continued to work over the years. We remain firmly committed to carrying that mission forward, working together shoulder to shoulder, irrespective of any differences that may arise.

There should be no ambiguity on this point. After all, we have several important responsibilities and matters to pursue, including issues relating to Income Tax and other statutory compliances. We must continue to work collectively towards resolving these matters in the larger interest of the organization and its members.

Shri Shiv Kumar Gupta. Sir, earlier, individuals could claim income tax deductions under Section 80G for donations made to eligible charitable trusts and institutions. However, many of us who are taxpayers have now opted for the New Tax Regime, under which deductions such as those available under Section 80G are generally not permitted.

Coming to the point raised by the President, I believe his concern primarily relates to the interest income generated by the Service Trust.

The Service Trust has a specific financial policy, which I followed during my tenure as its Treasurer for several years. Under this arrangement, the Trust maintains a Fixed Deposit (FD) of approximately Rs 50 lakh, which generates an annual interest income of around Rs 3–4 lakh.

Since the Service Trust is a charitable trust, its income may qualify for tax exemption, subject to compliance with the applicable provisions of the Income Tax Act. The Trust accounts for this income by demonstrating that the funds are being utilised or appropriately allocated towards its charitable objectives and activities.

If we fail to renew the FD or do not maintain the necessary tax registrations and exemptions, the interest income of approximately Rs 3–4 lakh could become subject to taxation, potentially at a rate of 30%, depending on the applicable tax provisions. This would result in an avoidable financial loss to the Trust, reducing the funds available for activities and initiatives intended for the benefit of our builders.

Therefore, our request is that we should extend the necessary support to the Service Trust and ensure that its financial and statutory compliances are maintained so that these funds can continue to be utilized for their intended purposes.

I would also like to clarify that this issue is entirely separate from the matter of 80G registration. Both matters need to be considered independently.

One Member. I spoke with the concerned officials, and they informed me that this facility is not available for small projects, small companies or partnership firms. It is offered only for large-scale projects and companies registered as limited companies. Do you have any further information or clarification regarding this matter?

Shri G.S. Mago, Look, even if the project value is as low as Rs 15 lakh, it is my responsibility to arrange the necessary insurance surety for it. All you need to do is provide the complete details and documents that I have already mentioned.

I am not sure why this matter is being raised again, as we have already communicated all the relevant information. I had even taken the initiative to establish the company and share the necessary details with everyone. However, it appears that this information may not have been properly noted or taken into consideration, which is why the issue is being raised once again.

There are two important aspects that need to be considered. First, our Chairman, Secretary, builders and other concerned members must remain vigilant and proactive. Whenever a tender is floated, they must carefully examine the relevant conditions and submit their observations or objections, wherever necessary, in accordance with the established policy and prescribed procedures.

Item 4 (d) of Agenda. The Cochin Branch has cordially invited to all members to attend the All India Council Meeting proposed to be hosted by the Branch on 25th & 26th November 2026 at Bolgatty Palace, Kochi, Kerala.

Shri G.S Mago. We have already provided security-related services for a major contract undertaken by Kamal Builders in Visakhapatnam. At the time of our engagement, we had given them an assurance that, irrespective of the size or value of the project, we would extend our services across the country.

The gentleman who made today's presentation has recently entered into a service arrangement with us. I would suggest that, on his next visit, he should bring some brochures and relevant informational material about the services being offered. This would be extremely beneficial for many of our builders, particularly in facilitating the issuance of insurance bonds and other related financial instruments.

As I understood the proposal, I discussed the matter with you and obtained your approval. Accordingly, we invited the representatives and arranged for them to make a presentation before you.

Initially, our builder was somewhat reluctant to participate, but I personally insisted that he attend the meeting in Kochi. I have also arranged for him to meet the concerned representatives there. We expect four or five senior representatives, possibly even more, to be present. This will provide an excellent opportunity for a larger group of builders to become familiar with these services and understand how they can benefit from them.

These are relatively simple arrangements involving only a few formalities. Frankly, the cost of obtaining three or four such instruments is negligible compared to the overall benefits they can provide.

I take this opportunity to extend my warm greetings to all Chairmen & Secretaries. I would also like to reiterate a very important policy matter, which I believe I have already communicated to everyone.

The established policy is that **any product or make approved by one Command should also be considered approved across all other Commands.**

We have mutually agreed that a formal policy letter should be issued to clearly communicate this principle. Accordingly, every tender document should contain a specific clause at the bottom stating:-

“Any make approved by any one Command shall also be considered approved by all other Commands.”

If this provision is missing from any tender document, please bring it to the attention of the concerned authorities and ensure that the necessary clause is incorporated. I would request everyone to take particular care to ensure that this provision is implemented consistently so that builders do not face unnecessary difficulties at a later stage.

I can assure you that this policy is already in place. If you come across any tender in which this provision has not been incorporated, please bring it to our attention immediately. I assure you that the matter will be taken up appropriately, and the benefit of this policy will be made available to builders across the country,

irrespective of their location or Command. I will share the complete details and relevant documentation with everyone shortly.

Sh Sandeep Srivastava. Moving on to the next point, as you are probably already aware, Shri Vishnu-ji and his team from the Kochi Branch have agreed to host our forthcoming Council Meeting. This is indeed very welcome news.

I would request everyone to go ahead and make their travel arrangements for **25th and 26th November** so that we can all participate in the meeting at Kochi.

However, I would like to emphasize that there are several aspects to consider beyond simply organizing a Council Meeting. We must also look at the larger objectives and opportunities that such gatherings can offer.

You may recall that when Vishnu-ji first proposed hosting a Council Meeting during our previous gathering, the suggestion was warmly welcomed and appreciated by everyone with a round of applause. There may have been some members, including the concerned Vice President, Shri Sundararajan, who were not present at that particular meeting. Nevertheless, the arrangements have now been finalized.

Vishnu-ji is like a younger brother to me, and I had spoken with him yesterday, although I did not get an opportunity to speak to him personally in detail.

My suggestion to Vishnu-ji and his Branch is that, while organizing such programme-oriented Council Meetings, the local Branch and the Vice President of the concerned region should play the leading role. They should work together to plan the programme, coordinate the arrangements and decide on the activities to be included.

As Shri Mago Sahib also suggested, if you can organize the programme effectively, Vishnu-ji, it would be a matter of great pride and satisfaction for MESBAI.

For instance, you could consider inviting a senior dignitary as the Chief Guest and also organizing a technical session as part of the programme. This would add considerable value to the meeting.

There are also two CWEs in that region who are personally well known to me, and I would be happy to speak to them on your behalf if you require any assistance.

One is Col Gaurav Mitra, and the other is Shri Anish Sharma, an IDES officer. Both are based in the same region. I will share their contact details with you, and they should be able to extend the necessary assistance in organizing the programme.

Importance of Technical Sessions and Direct Interaction with the Department

I would particularly like to highlight the importance of organizing technical sessions with the participation of departmental representatives. Whenever senior officers from the department attend such programmes and participate in technical discussions, the entire atmosphere becomes more constructive and meaningful.

Such a platform gives us an opportunity to discuss our issues more openly, effectively and forcefully. It also allows us to raise practical concerns directly with the concerned officers and seek their views and clarification. This kind of interaction is often difficult to achieve in ordinary association meetings.

One major gap that we have experienced over the past year is the lack of adequate one-to-one interaction between our builder community and the departmental authorities. At present, most of our interactions take place in small groups, either through the Zonal teams or through a delegation of four to six representatives meeting the concerned officers.

While this is certainly a welcome initiative, and I appreciate the efforts being made in this direction, we need to create more opportunities for direct and meaningful interaction between builders and departmental representatives. Such technical sessions and structured meetings can go a long way towards bridging this gap.

We extend our best wishes to the Kochi Branch for taking this initiative forward. Please do not hesitate to seek our assistance whenever required.

Whether you need technical support, guidance regarding the format and design of invitation cards, coordination with dignitaries or assistance in managing the invitation process, we will be happy to help.

Regarding invitations to the Zonal Chiefs and other senior departmental officers, I would suggest that you prepare the invitation cards at the earliest and dispatch them after obtaining the signatures of the concerned Vice President or the appropriate office-bearer.

It is important to send these invitations well in advance and seek appointments at the earliest, as senior officers generally have very busy schedules and their availability needs to be coordinated accordingly. I would now request Shri Vishnu-ji to share his plans, proposed arrangements and other details regarding the forthcoming Council Meeting at Kochi.

We look forward to making this meeting meaningful, productive and memorable, with active participation from our members and constructive interaction with the departmental authorities

Shri Vishnu T.P. Karta, Respected President, we would like to have the E-in-C (Engineer-in-Chief) attend the Council Meeting at Kochi. I would request you to kindly make the necessary arrangements in this regard.

Sir, following the Council Meeting, scheduled for the 26th, we have prepared a tour programme for members and their families who may wish to explore Kerala. I am sharing a leaflet containing the details of these arrangements. We have curated four different tour packages, covering five-day, six-day, seven-day and eight-day itineraries.

For those planning to visit Kerala, we have designed these packages to make their travel convenient and enjoyable. In particular, members opting for the seven-day or eight-day tour are advised to book their onward flights to Kochi, whether travelling from Delhi or any other city, and their return flights from Thiruvananthapuram (Trivandrum). This will allow them to enjoy a well-planned journey covering the route from Kochi to Thiruvananthapuram.

I will circulate the complete tariff, itinerary and other relevant details across all our WhatsApp groups within the next day or two.

Regarding the main programme, it will be a two-day event. The 26th will be entirely dedicated to our official agenda, as already communicated. We have planned a Council Meeting along with a technical session, which will provide an opportunity for meaningful discussions and interaction. We have also made comprehensive accommodation arrangements for the participants. A total of 40 rooms at the venue have already been blocked exclusively for our members.

If anyone checks the online availability of rooms at the venue, the property may appear as fully booked or sold out. This is because we have already reserved all 40 rooms for our Council Meeting. Out of these 40 rooms, 15 have already been booked, leaving 25 rooms currently available.

Based on the information received from our senior representatives at the Headquarters and other members who have contacted us, we are expecting further bookings. For the convenience of everyone, I have assigned a dedicated staff member from our office to coordinate all accommodation-related requirements.

All Council Members from across the country will receive a call tomorrow. During that conversation, you can communicate your accommodation requirements and obtain the necessary assistance.

In case anyone is unable to secure accommodation at the main venue, please rest assured that we have also reserved rooms at four or five nearby hotels. The details of these alternative arrangements have already been shared through a circulated letter.

Once again, I warmly welcome all our members, along with their families, to Kochi.

We look forward to your participation and hope that this gathering will provide an excellent opportunity not only for productive discussions and meaningful interactions but also for everyone to experience the warmth, hospitality and beauty of Kerala.

We will make every possible effort to ensure that the Council Meeting is conducted successfully and that all participants have a comfortable, enjoyable and memorable experience.

Thank you very much. We look forward to welcoming you all to Kochi!

<u>Item 4 (e) of Agenda.</u> Any other point (Except Elections related exclusively) with the permission of the Chair.

<u>Shri Sandeep Srivastava,</u> There is one final point that I would like to bring up in today's session.

Sh Vinod Behl, Vice President Northern Region has also apprised me of the issues that arose at the Baramulla Branch. These issues, which came to light around the time of our Annual Day on 20th February 2025, had also been brought to the attention of the Council at that time.

I would like to acknowledge that there was an error on the part of the Headquarters in issuing the letter. I accept responsibility for the lapse, particularly with regard to the delay in communicating the update, even though the letter had originally been dispatched on 10th May 2025.

However, the matter has now been resolved, as Shri Behl has also confirmed. Since he is the Vice President and the differences have been amicably settled, I believe it is time to restore the branch to its normal functioning and bring everything back into the mainstream.

We have no objection to this, and I do not believe the Council should have any objection either, provided all the necessary formalities are completed.

However, there is one technical and procedural aspect that needs to be considered. The letter was issued on the 26th, whereas today is the 28th. Consequently, there was insufficient time between these dates to complete the necessary groundwork and formalities.

There is another important consideration that I would like everyone to examine carefully. Once the election process has commenced, we cannot proceed with the termination, renewal or extension of anyone's tenure without first examining the applicable rules and legal provisions. This aspect needs to be reviewed thoroughly before any decision is taken although the present issue is not of termination, renewal or extension but only of restoration and to amend the decision taken in an earlier meeting in the interest of our unity, brotherhood and strength in a far-flung branch.

I would therefore request that a detailed report will be submitted on the Baramulla Branch matter, confirming that the issues have been resolved and that the necessary discussions have taken place between the concerned parties. Additionally, please ensure that the department's official intimation letter granting the necessary permission is attached to the report and placed before the Council at its next meeting for consideration.

My view is that the Headquarters should first examine the matter in light of all applicable legal requirements, the relevant provisions of the MoU and the association's byelaws. Once the Headquarters is satisfied that all procedural and

legal requirements have been fulfilled and grants the necessary approval, we can proceed accordingly.

Upon receiving such approval, the Headquarters can leave the remaining administrative formalities to us, and we will take care of them internally.

To sum up, we are agreeable to moving forward with the matter, provided the necessary approval is obtained and all applicable legal and procedural requirements are duly complied with**.**



(Sandeep Srivastava)
Hony General Secretary