

Ref: 910/D/2022-23 dated December 19, 2022

**MINUTES OF SPECIAL GENERAL MEETING OF BUILDERS' ASSOCIATION OF INDIA HELD ON 28<sup>TH</sup> NOVEMBER 2022 AT 1.00 P.M. AT CLARKS EXOTICA RESORTS & SPA, BENGALURU, KARNATAKA.**

The list of members present is attached herewith and marked as **Annexure 'A'**.

President, Shri Niimesh Paatel was in the Chair and called the Meeting to order.

The President welcomed members to the Special General Meeting. He briefed members about the reasons for calling the Special General Meeting as it is mandatory to get the approval of the General Body to give effect to the Constitutional Amendment, passed by the Managing Committee and General Council Meeting to be held on Saturday, 24th September 2022 at Kovalam, Kerala. He also informed members that, Minutes of the said Meetings have already been circulated to members by mail, WhatsApp, courier and also the same have been hosted in our website [www.baionline.in](http://www.baionline.in). He also informed members that, no comments on the contents of the Minutes have been received at BAI HQ.

He then requested the Hon. General Secretary Shri Gyan Madhani to take up the agenda for discussion. He also instructed him to read each item of the Item of Constitutional Amendment mentioned in the Enclosure of the Notice and to take approval of the House as BAI HQ is in receipt of letters from Shri Raghunathan, Managing Committee Member and Past State Chairman, Tamil Nadu and Shri Natrarajan, Chairman, Karnataka (Bangalore) Centre, pointing out the procedure of presenting the same.

The Hon. General Secretary read out the Notice of the Special Annual General Meeting and took permission from President to present the Constitutional Amendment for approval.

Shri R. Radhakrishnan, Past President and Past Trustee observed that, as the Chairman of BAI's Constitutional Amendment Committee is present in the meeting, it is advisable him to present the matter, to which the House Unanimously accepted the proposal.

The President invited Shri O. K. Selvaraj, to the podium to present the Constitutional Amendment to the House for approval. The President instructed him to read out each item and take the approval of the House with the name of a proposer and seconded each Amendment to avoid any controversy in future.

Shri O. K. Selvaraj, thanked the President for the honour of presenting the Constitutional Amendments to the House and sought permission from the house to present the proposal.

Shri O. K. Selvaraj, at the beginning itself informed members that, he will take up each clause of the Constitution Amendment for discussion and approval and presented the following Constitutional Amendment.

Sr. No	Rule	Existing Clause	Approved Amendments by Managing Committee/General Council Meet at Kovalam on 24 <sup>th</sup> September 2022
1	3.2.4	<p>All Patron Members who were admitted on or before 31<sup>st</sup> March 2003 shall be required to pay annual subscription of Rs.200/- towards 'Indian Construction' Journal. Patron members are exempt from payment of any entrance fee. Amounts of lump sum subscription received from Patrons shall be credited to the Reserve Fund of the Association and this amount shall not be allowed to be used to meet the expenses of the administration of the Association. Only income accruing from this Fund shall be utilized for administrative expenses of the Association.</p>	<p><b>Members at the time of enrolment required to pay one time subscription for Rs.200/- towards Indian Construction Journal along with registration and membership fee. Indian Construction journal will be circulated online as journal and members desirous to have hard copy to pay annual subscription for the Journal as per the price fixed by the General Council from time to time.</b></p> <p>Patron members are exempt from payment of any entrance fee. Amounts of lump sum subscription received from Patrons shall be credited to the Reserve Fund of the Association and this amount shall not be allowed to be used to meet the expenses of the administration of the Association. Only income accruing from this Fund shall be utilized for administrative expenses of the Association.</p>

Members unanimously approved the amendment.

The proposal of the approval was given by Shri D.V.N. Reddy, Managing Committee Member and Seconded by Shri K. Jeganathan, State Chairman, Tamil Nadu.

2	3.5	<p>Associate Members</p> <p>Any individual/partnership firm engaged in construction industry may become Associate Member of the Association by paying Rs.3,000/- as lump sum amount for the entire period of his life with admission fee of Rs.100/-. An Associate member can opt to attach himself to any Centre of his choice and can avail of all the information available with the Centre by visiting the Centre's office. In such cases, the Centre shall receive out of Rs.3,000/- an amount of Rs.1,000/-. He will not get any correspondence from Centre or Headquarters. He shall have no vote and he cannot stand in the elections for any post. The number of Associated Member attached to any Centre will not be counted in the membership strength of the Centre.</p>	<p><b>This Clause to be DELETED.</b></p>
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	<p>Note: The aforementioned rates of Associate membership shall remain in force till varied by the General Council. The General Council shall be competent to vary the rate of Associate membership fee and admission fee from time to time by a resolution to that effect.</p> <p>[Incorporated this clause as approved by the Special General Meeting held on 3.12.2000 at Mumbai].</p>	
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Members unanimously approved the amendment.

The proposal of the approval was given by Dr. Rajiv B. Krishnani, Managing Committee Member, BAI Pune Centre and Seconded by Shri Rajendra Singh Kamboh, Trustee, BAI.

<b>3</b>	<p><b>6.3</b></p> <p><b>6.3.1</b></p> <p><i>Disciplinary action against members.</i></p> <p>In the event of question arising with regard to the conduct of a member, the Chairman of the concerned Centre shall place it before the General Body of the Centre after getting it cleared in the Executive Committee with two-third majority for necessary action. If the General Body of the Centre by a two-third majority decides that the conduct of the member concerned should be inquired into, then the Chairman of the Centre shall forward the decision of the General Body to the Managing Committee of the Headquarters. The Headquarters shall convene a meeting of the Managing Committee to inquire into the matter at which such member shall be invited to attend. If in the opinion of the Managing Committee, the member has been found guilty of misconduct detrimental or prejudicial to the interest of the Association or the reputation or the dignity of trade, industry or profession of construction works or allied trade, the Managing Committee may recommend to the General Body that the said member may be warned or suspended for some period or for life or be expelled for some period or for life or be expelled permanently.</p> <p>[Amended as on 20.9.2008 in the Special General Meeting held at Mumbai].</p>	<p><i>Disciplinary action against members.</i></p> <p>In the event of question arising with regard to the conduct of a member, the Chairman of the concerned Centre shall place it before the General Body of the Centre after getting it cleared in the Executive Committee with two-third majority for necessary action. If the General Body of the Centre by a two-third majority decides that the conduct of the member concerned should be inquired into, then the Chairman of the Centre shall forward the decision of the General Body to the Managing Committee of the Headquarters. The Headquarters shall convene a meeting of the Managing Committee to inquire into the matter at which such member shall be invited to attend. If in the opinion of the Managing Committee, the member has been found guilty of misconduct detrimental or prejudicial to the interest of the Association or the reputation or the dignity of trade, industry or profession of construction works or allied trade, the Managing Committee may recommend to the General Body that the said member may be warned or suspended for some period or for life or be expelled for some period or for life or be expelled permanently.</p> <p><b><u>If any member approaches the Court against BAI without exhausting the Arbitration clause provided in the BAI Rules &amp; Regulations, the member will be summarily suspended from being</u></b></p>
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			<p><b><u>part of BAI activities till date of court ruling.</u></b></p> <p><b><u>The executive committee of the centre shall have the right to suspend the member on grounds considered reasonable and adequate by it till a final decision from the all India general body of the Association is arrived at.</u></b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri R. Radhakrishnan, Past President & Past Trustee, BAI and Seconded by Shri Shri Najeeb Mannel, State Chairman, Kerala

<b>4</b>	<b>6.3.2</b>	No member shall be so warned, suspended or expelled by the General Body of the Association acting on the recommendations of the Managing Committee and the General Body has passed a Resolution to that effect by three-fourths majority of the members present and voting at such General meeting of the Association.	<b>This Clause to be deleted.</b>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri J. Janarthanan, Chairman, BAI, Kanchipuram Centre and Seconded by Shri Youvraj Chumbalkar, Chairman, BAI, Solapur Centre

<b>5</b>	<b>7.2</b>	<p>Annual Subscription of Rs.100/- shall be paid by Annual Members towards subscription of 'Indian Construction' Journal. Annual subscription of Rs.200/- shall be paid by Patron Members and Affiliated Associations towards 'Indian Construction' Journal in addition to their respective subscriptions.</p> <p>Note: The aforementioned rates of subscription shall remain in force till varied by the General Council. The General Council shall be competent to vary the rates of subscription from time to time by a resolution to that effect.</p> <p>[Amended as on 05.12.02 in the Special General Meeting held at Mumbai].</p>	<p><b>This Clause to be deleted.</b></p> <p><b>Also Clause No.7.2 - Annual subscription shall be paid in lump sum on or before the 30th September of each year for which it is due and payable.</b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri J. Janarthanan, Chairman, BAI, Kanchipuram Centre and Seconded by Shri Youvraj Chumbalkar, Chairman, BAI, Solapur Centre

6	9.9	<p>The term of office of Chairman of the Centre will be for one year. He shall however be eligible to be elected as Chairman for the successive year. Thereafter he shall not be elected as Chairman of the Centre for a minimum period of 2 years.</p> <p>The term of office of President of the Association will be for one year. He shall however be eligible to be elected as President for the successive year. Thereafter he shall not be elected as President for a minimum period of 2 years.</p> <p>The term of office of Vice President of the Association will be for one year. He shall however be eligible to be elected as Vice President for the successive year. Thereafter he shall not be elected as Vice President for a minimum period of 1 year.</p> <p>[Amended as on 05.12.02 in the Special General Meeting held at Mumbai].</p>	<p><b>The term of office of Chairman of the Centre will be for one year. He shall however be eligible to be elected as Chairman for the successive year or any one more year. Thereafter he shall not be elected as Chairman.</b></p> <p><b>The term of office of State Chairman of the State will be for one year. He shall however be eligible to be elected as State Chairman for the successive year or any one more year. Thereafter he shall not be elected as State Chairman.</b></p> <p><b>The term of office of President of the Association will be for one year. He shall however be eligible to be elected as President for the successive year or any one more year. Thereafter he shall not be elected as President.</b></p> <p><b>The term of office of Vice President of the Association will be for one year. He shall however be eligible to be elected as Vice President for the successive year or any one more year. Thereafter he shall not be elected as Vice President.</b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri R. Radhakrishnan, Past President & Past Trustee, BAI and Seconded by Shri Sushanta Kumar Basu, Past President, BAI.

7	10.1	<p>For successful implementation of the functions and programmes of the Association and for administrative convenience, the area of operation of the Association for the purpose of its activities shall be divided into four regions:</p>	<p><b>To update the names of the Centre as on date in the respective regions.</b></p> <p><b>Association for the purpose of its activities shall be divided into five regions:</b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri Jawahar Mutha, General Council member, BAI Ahmednagar centre and Seconded by Shri K. Sriram, General Council member, BAI Mysore Centre

8	10.4	Qualification for becoming Vice President shall be that He is member of the General Council from the Region.	<p>a) He should be a patron Member and General Council Member.</p> <p>b) He should be a member of the Association at least for 10 years and during this period he should have served as Chairman of that particular region where his nomination to the post of Vice President is proposed.</p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri Dattatray Mule, State Chairman, BAI Maharashtra State and Seconded by Shri Sunil Kumar S., Chairman, BAI, Kochi (Cochin) Centre.

9	16.0	Resolutions at all General Body Meetings Shall be Passed by majority votes. Members of the Association if they so desire, can exercise their right of vote by proxy.	<b>Resolutions at all General Body Meetings and all Special General body meetings Shall have the same powers and shall be Passed by majority votes. Members of the Association if they so desire, can exercise their right of vote by proxy.</b>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri B. Raghava Rao, State Chairman, Andhra Pradesh and Seconded by Shri K. Chandra Sheker Reddy, Chairman, BAI, Hyderabad Centre

10	24.4	The Managing Committee shall be empowered to appoint sub-committee/s for any special purpose/s within the limit of and as enumerated in the objects of the Association and such sub-committees/s shall have power to co-opt members persons like qualified Architects, Lawyers, Chartered Accountants and others as the sub-committee may deem fit even if they are not members of the Association.	<b>Names of Sub-Committee Chairmen and Sub-Committee Co-Chairmen to be announced by Newly elected Headquarter office bearers within 30 days on the recommendation of respective Centre Chairman.</b>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri Bhagwan J. Deokar, Past President, BAI and Seconded by Shri N. Sachitanand Reddy, Trustee, BAI.

11	34.1.1.4  (b)	The Board of Trustees of the Association shall consist of seven members elected by the General Council Members. Out of the 7 Trustees, 3 Trustees are elected from Southern Region, 2 Trustees are elected from Western Region, 1 Trustee is elected from Northern Region and 1 Trustee is elected from Eastern Region.	<p><b><u>Approved with modification i.e.</u></b></p> <p><b>The Board of Trustees of the Association shall consist of Twelve (12) members elected by the General Council Members.</b></p> <p><b>Southern Region I – 2 Trustees.</b></p>
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	<p>Trustees will be elected by the General Council Members and the election will be conducted for the Trustees on Region wise i.e. each region will elect the Trustees as per the allotment given to that Region.</p> <p>The term for the Trustees will be a maximum of 3 years. The qualification of a Trustee shall be :</p> <p>He should be a Patron Member.</p> <p>He should have served as an office bearer of the Headquarter or he should be a member of the Association, atleast for 10 years, and during this period he should have served as Chairman of any Centre.</p> <p>[Amended as on 14.12.2009 in the Special General Meeting held at Mumbai]</p>	<p><b>Southern Region II – 3 Trustees.</b></p> <p><b>Western Region – 3 Trustees.</b></p> <p><b>Northern Region – 2 Trustees.</b></p> <p><b>Eastern Region – 2 Trustees.</b></p> <p><b>The term of the Trustees will be maximum of 2 Years.</b></p> <p><b>The above will be effective from 1<sup>st</sup> April 2025 after completing the existing Trustee’s tenure.</b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri N.M. Patel, Trustee, BAI and Seconded by Shri R.N. Gupta, Imm. Past President, BAI.

<b>12</b>	<b>A.1.4</b>	<p><u>.Appendix A, Organization Chart</u></p> <p>Five Vice Presidents shall be elected from five regions from among the elected General Council members of that region. The Hon. Gen. Treasurer/Hon.Gen. Secretary shall be elected among all General Council members of the Mumbai Centre but they will be elected by the General Council members from all the Centres, including those from the Mumbai Centre.</p> <p>Provided, however, that no member shall be eligible to be elected as the Hon. Gen. Secretary or Hon. Gen. Treasurer for more than two successive terms.</p>	<p><b><u>Approved with modification.</u></b></p> <p><b>Hon. General Secretary, the eligibility is now decided to any General Council Member from Maharashtra, instead of a General Council Member, only from Mumbai Centre.</b></p> <p><b>For Electing Hon. General Treasurer, it will be only be from a General Council Member of Mumbai Centre. However, if there is an election to be conducted for Hon. General Secretary or Hon. General Treasurer, due to multiple candidates filing nomination for the same, election will be done at national level and all India General Council Members will be the electorate.</b></p>
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Members unanimously approved the amendment.

The proposal of the approval was given by Shri G. Ved Anand, Vice President, South – II, BAI and Seconded by Shri Mu. Moahan, Past President, & Trustee, BAI

13	B.0.1	<p>Appendix B Standard Bye-laws for Centres (Model Rules &amp; Regulations of Centres) Centres and their functions</p> <p>The General Council as well as the Managing Committee may recommend opening of Centres in different parts of the Union of India: provided there are not less than 20 (twenty) members of the Association operating in that area: provided however that it shall be optional with the Association as a special case on the recommendation of the Managing Committee to open a Centre at any place even if there are less than 20 Patron Members or 50 Annual Members if the Association is satisfied that the industry or trade at that particular place is of an important nature and as such opening of a Centre in that place will be beneficial to the Association. As soon as minimum number of 20 Patron Members or 50 Annual Members are enlisted, action for opening the Centre as aforesaid would be taken and provisionally the Centre would be opened with the approval of the Managing Committee subject to the final ratification by the General Body</p>	<p><b>The General Council as well as the Managing Committee may recommend opening of Centres in different parts of the Union of India: provided there are not less than 20 (twenty) members of the Association operating in that area: provided however that it shall be optional with the Association as a special case on the recommendation of the Managing Committee to open a Centre at any place even if there are less than 20 Patron Members or 50 Annual Members if the Association is satisfied that the industry or trade at that particular place is of an important nature and as such opening of a Centre in that place will be beneficial to the Association. As soon as minimum number of 20 Patron Members or 50 Annual Members are enlisted, action for opening the Centre as aforesaid would be taken and provisionally the Centre would be opened with the approval of the Managing Committee subject to the final ratification by the General Body.</b></p> <p><b>The name of proposed new Centre shall in no way be similar to the names of existing names of any other Centre and there shall be no conflict of interest with other Centre's.</b></p> <p><b>Name of a Centre once registered under the Association shall in no way be changed for any reason.</b></p> <p><b>The above amendment will be reviewed as per the statutory announcement of name change by the State / Central Government.</b></p> <p><b>The above amendment will be reviewed as per the statutory announcement of name change by the State / Central Government.</b></p>
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After discussion, Members unanimously approved the above amendments.

The proposal of the approval was given by Shri Manikant, Vice President, BAI and Seconded by Shri M. Thirusangu, Trustee, BAI.

It is also informed to the Members that the approved amendments will be incorporated in BAI Rules with immediate effect.



The President thanked members for their support and co-operation.

The President then felicitated Shri O. K. Selvaraj for his wonderful presentation of the Constitutional Amendment Proposals with detailed explanation. Members present also applauded the detailed explanation provided by Shri O. K. Selvaraj, on each constitutional amendment provisions.

The meeting terminated with vote of thanks to the President.

With a hearty vote of thanks to the Chair, the meeting terminated.

*Nimesh Paatel*

**NIIMESH PAATEL**  
**PRESIDENT**  
**BUILDERS' ASSOCIATION OF INDIA**

*Gyan Chand Madhani*

**GYAN CHAND MADHANI**  
**HON. GEN. SECRETARY**  
**BUILDERS' ASSOCIATION OF INDIA**