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BUILDERS' ASSOCIATION OF INDIA

(All India Association of Civil Engineering Construction Contractors and Builders)

83rd ANNUAL REPORT & ACCOUNTS 2023-2024

83rd Annual General Meeting to be held
on
Saturday 21st September, 2024 at 1.30 p.m.
in
National Institute of Technology, Durgapur



G-1/G-20, 7th Floor, Commerce Centre, 78,
J. Dadajee Road, Tardeo, Mumbai 400034

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📺 Builders Association of India

Glimpses of XXXI All India Builders Convention



Lighting the traditional lamp symbolising inauguration of XXXI All India Builders Convention by Telangana Chief Minister Hon'ble Shri Anumala Revanth Reddy, Shri N.Uttam Kumar Reddy, Minister for irrigation & CAD, Food & Supplies, Shri Komatireddy Venkat Reddy, Minister for Roads & Buildings, Cinematography, Smt. D.Anasuya Seethakka, Minister for PR & RD,RWS, Women and Child Welfare and Shri Ponguleti Srinivas Reddy, Minister for Revenue and Housing, Information and Public Relations.



Devusinh Chauhan releasing the Brochure of XXXI All India Builders' Convention during the Managing Committee and General Council Meetings in Alleppey.



Shri Raju John welcoming Shri Devusingh Chauhan, Hon'ble Union Minister of State for Communication during the Valedictory session of XXXI All India Builders Convention.

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

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83rd

Annual Report and Accounts

2023-2024

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NOTICE

The Eighty third (83) Annual General Meeting of the Members of Builders' Association of India, will be held on Saturday, 21st September, 2024 at 1.30 p.m. at National Institute of Technology, Durgapur to transact the following business :-

1. To confirm the Minutes of the Eighty Second Annual General Meeting held on Saturday, 2nd September, 2023 at 1.30 P.M. at Uday Backwater Resort, Alleppey (*Minutes have already been circulated to Members wide letter No.260/S/2023-24 dated 16th September, 2023 and also printed in Indian Construction November 2023, Page no.54-60 and also hosted on our website www.baionline.in, comments were sought from members on the same, on or before 10th October 2023, no comments received*).
2. To take note of the result of BAI Organisational Election for the year 2024-25 (*Enclosed*) (*Page no.11*)
3. To consider, and if thought fit, adopt the Annual Report of the Association for the year ending 31st March 2024.
4. To consider, and if thought fit, adopt the Audited Balance Sheet and Income & Expenditure Account of the Association for the year ending 31st March 2024. (*Page no.164*)
5. To appoint Auditors to audit the accounts of the Association for the year 2024-25 and fix their remuneration.
6. To consider, any other item, with the permission of the chair. (*Written items to be received at BAI Headquarter on or before 14th September 2024*).



MOHINDER RIJHWANI
Hon. Gen. Secretary
Builders' Association of India

Place : Mumbai

Dated: 20th August 2024

Note: (i) The report is hosted on BAI Website www.baionline.in.

(ii) Please bring this copy of Annual Report.

(iii) Queries on Accounts and Reports should be communicated to BAI Headquarter on or before 14th September 2024, Centres Chairmen are requested to kindly circulate this information amongst their members. Please note no floor queries on accounts and report will be entertained. (Audited Accounts and Annual Report have been approved in 2nd Managing Committee and General Council Meeting held on 21st September, 2024 at National Institute of Technology, Durgapur.

Delhi Office: D1/203, Aashirwad Complex, Green Park Main, New Delhi 110 016 • Tel.: 40612800 / 9555448763 • E-mail: baidelhi16@gmail.com

BAI's Eighty Third years of Glory

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Builders, founded in 1941, during this journey of over 82 years, BAI's membership has grown from 250 members spread over 3 Centres, to more than 25,000 business entities as members through its 214 plus Centres (Branches) throughout the country. Regional, Associations Affiliated to BAI form indirect membership of more than 1,00,000 members. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the Construction Industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Throughout its more than eight decades of existence, BAI has had its ups and downs, trials and tribulations, moments of strengths and weakness, moments of glory and disappointment. But, its umbrella has protected and furthered the cause of the Indian construction industry and its constituents in many ways:

- BAI has been instrumental for incorporation of Price Variation Clause in contract documents of various works authorities.
- BAI is propagating adoption of a 'unified standard equitable contract document', based on FIDIC conditions by all works authorities.
- BAI was instrumental in starting National Institute of Construction Management and Research (NICMAR), which has established campuses at Pune, Delhi and Hyderabad and is soon likely to get the status of a deemed university.
- BAI started Overseas Construction Council of India (OCCI) now known as Project Export Promotion Council of India (PEPCI), which through its members, initiated manpower export to Gulf countries and brought in a lot of foreign remittance. PEPCI is now actively pursuing project exports in its various formats under the aegis of Ministry of Commerce & Industry, Government of India.
- In the matter of Sales Tax on Works Contracts, consequent to 46th Amendment to Constitution, all State Governments were interpreting such amendments to suit their revenue requirements. BAI filed a Writ Petition and the Supreme Court correctly explained the powers of State Governments pursuant to the 46th amendment and cleared all uncertainties and doubts.
- Fighting relentlessly against the applicability of the Provident Fund provisions to the casual and temporary construction workers, BAI has been petitioning the govt. to see reason and has been suggesting ways and means to successfully implement the Provident Fund provisions in such a way that intended benefit reaches the casual and temporary construction workers, who are mostly illiterate and mainly migratory in nature. A Government of India-formed sub-committee has seen reason in BAI's line of thinking and the Central Provident Fund Commissioner is expected to come out with a comprehensive workable solution.
- Filed number of writs at various High Courts in the country on issues like VAT, Entry Tax, Service Tax, Sand Dredging, Labour Welfare Cess etc.
- BAI galvanized the builders and contractors into raising their voice, when cement and steel prices went through the sky, arising out of cartelization by the respective manufacturers. Proper presentation of facts at appropriate forums, arrested the galloping prices.
- BAI filed petition before the Competition Commission of India on the cartelisation of Cement Manufacturers. The Hon'ble Competition Commission have penalised Cement Manufacturers Rs.6,307 Crore and asked them to deposit the same before them. This is the highest penalty ever levied by Indian judicial system. CCI formally allows BAI to implead the Cement Cartelisation Petition.
- Through its monthly journal, 'Indian Construction', the only one of its kind, which is in its 70th year of publication, BAI provides latest and useful information to its members throughout the country. It contains useful statistical information, legal notes, book reviews and expert opinions on latest technological developments in construction industry.
- BAI is an affiliate of the International Federation of Asia and Western Pacific Contractors' Association (IFAWPCA). IFAWPCA in turn is affiliated to Confederation of International Contractors' Associations (CICA), the world body of contractors and builders. While IFAWPCA has a consultative organisation status with Asian Development Bank, CICA has a similar status with the World Bank.
- BAI has a seat as an observer to the Annual Meetings of Asian Development Bank.
- BAI is also affiliated to many national organizations, directly or indirectly connected to the construction industry. This facilitates exchange of thoughts, ideas and views.

-
- BAI has been given representative status in many committees of Central and various State Governments, which decide policies on taxation, labour laws, environment, etc.
 - BAI is one of the founder member of Construction Industry Development Council (formed by Planning Commission).
 - BAI representative is included in the Working Group on Construction in the formulation of Twelfth Year Plan (2012-2017).
 - BAI is one of the promoters of Construction Skill Development Council of India (CSDCI) formed under the National Skill Development Corporation, constituted by the Prime Minister's Office for encouraging the skill upgradation of unskilled workers.
 - BAI obtained 'Stay' order restraining the E.S.I. Department taking action against contractors on coverage of Employees' State Insurance Scheme to the construction workers. BAI is also instrumental in ESIC issuing circular No.T.11/13/11/03/2015 Rev. II dated 26/09/2018, exempting construction site workers from the purview of the provisions of ESIC act.

BAI Vision

- To promote and foster feelings of brotherhood, unity, co-operation, mutual trust and to eliminate unhealthy competition amongst the contractors fraternity.
- To build public confidence in the construction industry by advocating ethics in the business through transparency and accountability.
- To establish healthy and cordial relationship between the client, the contractor and the end-users, so that all construction projects are completed without any time or cost over-runs.
- To interact with Government bodies like State Public Works Departments and the Central Public Works Department to modernize methods and specifications of works towards ensuring suitable work ethics in the Industry and standardizing tender procedures. Contracts awarded on the basis of such standardization will ensure uniformity in execution of construction jobs.
- To achieve highest standards of efficiency and quality by adopting methodology which could be derived from both Indian and International Standards with a view to making the construction sector competitive in domestic as well as international markets.
- To ensure that contractors adopt methods which are environment-friendly like use of pre-engineered and pre-manufactured products, seeking inter-alia tax concessions on the same from the Government.
- Organising All India Builders' Convention and Exhibition, which is a large gathering of members of civil engineering discipline including construction fraternity. These events are a focal point for exchange of ideas and transaction of business. BAI through All India Convention and Exhibition, brings about a sense of brotherhood amongst them. Till now thirty Conventions have been organised.

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President

Shri S. N. Reddy

Vice-President's

Shri Pradeep K. Chowdhury
Shri N. S. Muralidhara

Shri Ravindra Tyagi
Shri K. John Paul

Shri Sunil Balkrishna Mundada

Hon. General Secretary

Shri Gyan Madhani

Hon. General Treasurer

Shri Mohinder Rijhwani

State Chairmen

Andhra Pradesh

Shri B. Raghava Rao

Delhi

Shri Sanjeev Bansal

Haryana

Shri Vijay Kumar

Karnataka

Shri Srinivasa Reddy

Maharashtra

Shri Sachin Sharadrao Deshmukh

Tamil Nadu

Shri M. Ayyappan

Chhattisgarh

Shri Kanwaljeet Singh Oberoi

Gujarat

Shri Kalpesh Arunkumar Joshi

Jharkhand

Shri Shiv Kumar Burman

Kerala

Shri Jolly Varghese

Rajasthan

Shri Ravi Kumar Kheria

Telangana

Shri K. Devender Reddy

Uttar Pradesh

Shri Sanjay Tyagi

State Coordinator

Assam

Shri Pinak Pani Nath

Bihar

Shri Bhavesh Kumar

Madhya Pradesh

Shri Arun Kumar Jain

West Bengal

Shri Shailendra Kumar Rawlani

Members of the Managing Committee representing Centres

Shri Anup Mazumder

Shri Ashok Agarwal

Shri B. R. Ravichandran

Shri Baburao L. Shakkarwar

Shri C. G. Deochake

Shri D. Ramesh

Shri K. Rajkumaran Nair

Shri M. Ramesh

Shri N. Mohamed Abdul Khader

Shri N. Raghunathan

Shri N. Ramalingam

Shri O. K. Selvaraj

Shri P. N. Suresh

Shri P. Parameshwaran

Shri P. Subramani

Shri Paul T. Mathew

Shri Prakash S. Panjwani

Shri Pratap B. Salunke

Shri R. Karanaboopathy

Shri R. Nimrode

Shri R. Prakash

Shri R. R. Shridhar

Shri Ravindra Pradhan

Shri S. Balan

Shri S. Kumaresan

Shri S. Ramaprabhu

Shri T. N. Sivakumar

Shri T. V. Chandrasekharan

Members of the Managing Committee representing Patron Members

Shri A. Kasi Visweshwara Rao	Shri Abhay Madhav Garde	Shri B. Anandhan
Shri B. Sugunakar Rao	Shri Basavaraj Totad	Shri D. V. N. Reddy
Dr. Dharmesh Awasthi	Shri Dinesh Nanji Patel	Shri K. Chandrashekar Reddy
Shri K. ChinnaSwamy	Shri K. Muruganadham	Shri K. Someshwar Reddy
Shri K. Venkatesan	Shri L. Shantha Kumar	Shri L. Venkatesan
Shri Madan Mulraj Jagotta	Shri Narendra Kumar	Shri Prince Joseph
Shri R. Sivakumar	Shri Ram Bhatia	Shri S. Ayyanathan
Shri (Col.) Sanjay M. Adsar (Retd.)	Dr. Taro T. Manghnani	Shri V. Rajagopal
	Shri Vilas Kedu Birari	

Members of the Managing Committee representing Affiliated Associations

Shri B. Ramesh	Shri G. Selvakumar
Shri M. Jaishankar	Shri S. Balaji

Trustees BAI 2022-25

Shri Lal Chand Sharma	Shri M. Thirusangu
Shri Mu. Moahan	Late Shri N. M. Patel
Shri N. Sachitanand Reddy	Shri Pradeep G. Nagawekar
Shri Rajendra Singh Kamboh	

BAI Past Presidents

Year	Name	Year	Name
1941-1942	Late Shri M. P. Shah	1989-1990	Late Shri S. R. Kar Roy
1942-1943	Late Shri Motichand G.Shah	1990-1991	Shri Ajit Gulalbhand
1943-1944	Late Shri E. M. Billmoria	1991-1992	Shri Lalit Sangtani
1944-1945	Late Shri Ranade	1992-1994	Late Shri M. Karthikeyan
1945-1946	Late Shri P. P. Kapadia	1994-1995	Late Shri Tilak Raj
1947-1950	Late Shri Motichand G.Shah	1995-1996	Late Shri H. H. Rihhwani
1959-1951	Late Shri P. P. Kapadia	1996-1997	Late Shri A. S. Chinaswamy Raju
1952-1954	Late Shri G. S. Dugal	1997-1998	Late Shri N. D . Golani
1955-1957	Late Shri P. P. Kapadia	1998-1999	Late Shri C. L. Verma
1957-1958	Late Shri Rao Sahib Bagwandas C.Hemrajani	1999-2001	Shri S. A. Vichare
1959-1961	Late Shri H. J. Shah	2001-2003	Shri V. Ramachandran
1962-1963	Late Shri G. R. Jolly	2003-2005	Late Dr. Brahm Datt
1964-1965	Late Shri Y. G. Patel	2005-2006	Shri B. N. Dikshit
1965-1966	Late Shri B. V. Apte	2006-2007	Late Shri C. Raghava Reddy
1966-1967	Late Shri J. S. Ajmera	2007-2008	Late Shri P. R. Mundle
1967-1968	Late Shri U. S. Patel	2008-2009	Late Shri S. P. Goel
1969-1971	Late Shri R. G. Gandhi	2009-2010	Shri A. K. Yussouf
1971-1972	Late Shri K. L. Sapra	2010-2011	Shri Bhagwan J. Deokar
1973-1974	Late Shri M. Nilakandan	2011-2012	Shri Cherian Varkey
1974-1978	Shri S. Harcharan Singh Duggal	2012-2014	Shri B. Seenaiiah
1978-1980	Late Shri Harbans Lal Arora	2014-2015	Shri Sushanta Kumar Basu
1980-1982	Late Shri M. N. Rajaraman	2015-2016	Shri Lal Chand Sharma
1982-1984	Late Shri Amarjit Singh Choudhary	2016-2017	Shri Avinash M. Patil
1984-1986	Late Dr. T. N. Subba Rao	2017-2018	Shri H. N. Vijaya Raghava Reddy
1986-1988	Late Shri S. A. N. Ranganatha Achar	2018-2019	Shri A. Puhazhendi

Year	Name	Year	Name
1988-1989	Shri R.Radhakrishan	2019-2020	Shri Sachin Chandra (01-04-2019 to 23-12-2019)
		2020-2021	Shri Mu. Moahan
		2021-2022	Shri R.N. Gupta
		2022-2023	Shri Niimesh Paatel

Chairpersons of various Committees of BAI for 2023-24

Name of Committee	Chairperson	Co-Chairperson/Member
Banking & Finance Committee	Shri Mahesh M. Mudda	Shri Joseph George
		Shri Sabu Cherian
		Shri Baburao L. Shakkwarwar
		Shri Vijay Kumar Bansal
Bureau of Indian Standards (BIS) Committee	Shri Aniruddha Nakhawa	Dr. Lamanto T. Somervell
		Shri V. Srinivasan
Corporate Affairs Committee	Shri Mahendra Kumar Sethi	
CPWD Committee	Shri Ram Avtar	Shri T.I. George
		Shri Uday Mundhe
		Shri P.N. Sivasankararaja
Environment Committee	Shri Sudhir Dnyandeo Gharge	Prof K. Purushotham Reddy
Green Building & Eco friendly Material & Method Committee	Shri K. Subramani	Shri S. Ramaprabhu
		Dr. G.S. Venkata Subramanian
Grievances Committee	Dr. Tarro T. Manghnani	Shri Dhairyshil M. Khairepatil
		Shri Awadh Kishore Mishra
Housing / RERA Committee	Dr. Anand J. Gupta	Shri Jawahar Mohanlal Mutha (West)
		Shri Randhir R. Bhoite (West)
		Shri Sanjay Walchand Sanghavi (West)
		(South-I)
	Shri Attaluri Nagamalleswara Rao	
	Shri L. Shantha Kumar (South-II)	Shri George Mathew Palal (South-II)
Indian Construction Journal Committee	Shri Neerav Parmar	Shri Manoj Mathew
Image Building Committee	Dr. Rajiv B. Krishnani	Shri Biji Stephen

Name of Committee	Chairperson	Co-chairperson/member
		Shri Pelexy K. Varghese
		Shri R. Prakash
IFAWPCA Committee	Shri S. N. Reddy	
ISRO Committee	Shri G. Ved Anand	Shri V.S. Mytheen
Labour & Social Security Welfare Committee	Dr. Dharmesh C. Awasthi	Dr. C. Ashokan
Legal & Arbitration Committee	Dr. Vandana Bhatt	Shri Dattatray Sampatrao Ranavare
		Shri Sudip Kumar Dutta
MES Committee	Shri P.P. John	Shri Prakash H. Menda
Membership Development Committee	Shri Ashok Kumar Chandak (East)	
	Shri D.V.N. Reddy (South-I)	
	Shri R. Sivakumar (South-II)	
	Shri Ranjeet More (West)	Shri Pratap B. Salunkhe (West)
		Shri Datta Ghule (West)
		Shri Mahesh Gundecha (West)
		Shri Mahesh P. Gundecha
Mechanization Committee	Shri V.G. Sakthikumar	Shri Sahil Suresh Khatri
	(M) 9444034050	Shri Sushil Agarwal
MSME Committee	Shri CH. Ramakotaiah	Shri M.V. Antony
		Shri L. Venkatesan
		Shri Jaiprakash Bhatia
		Shri Ravi Kumar Bhattad
NHAI Committee	Shri N. Ramalingam	Shri Sajil Satheek
		Shri R. Raghu
		Shri V. Bhaskar Reddy
		Shri Kirti M. Thacker
Private Contractors Redressal Committee	Shri K. Viswanathan	Shri S.R. Sajeew
		Shri R.R. Shridhar
		Shri Mayank Tyagi

Name of Committee	Chairperson	Co-Chairperson/Member
		Shri Sola Ramasubramania Raja Karthik
Railway Committee	Shri K. Venkatesan	Shri Bijoy K. Abraham Shri Saju Mathew
Skill Development Committee	Shri Arun Sahai	
	Shri P. Parameswaran (South-II)	Dr. Anil Joseph (South-II)
Standard Contract Condition	Shri R.N. Gupta	Shri Akhil Vinayak
Taxation -Direct Tax	Shri Tarun Ghia	Shri S.D. Kannan Shri Charles J. Thayil Shri Joby Kurian
Taxation - Indirect Tax Committee	CA M. Raveendaran	Shri Gaurav Goyal CA V.S Sudhir
Water Resources & Sanitation Committee	Shri Praveen Tyagi	

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Ref.: 1817/M/2023-24 dated 30th March, 2024

TO:

THE TRUSTEES

THE VICE PRESIDENTS

THE STATE CHAIRMEN/CENTRE CHAIRMEN

THE MANAGING COMMITTEE AND THE GENERAL COUNCIL MEMBERS

Dear Sirs,

Reg.: BAI Organisational Elections 2024-25

Further to our letter dated 7th March 2024, please be informed that, the following candidates have been elected and are hereby declared as Office Bearers of BAI HQ for the year 2024-25 in the respective post.

It is also requested to them to take charge of their respective offices from 1st April 2024 and inform the same to the Executive Secretary by email baihq.mumbai@gmail.com and raju_john_in@yahoo.co.uk

President	:	Shri K. Viswanathan (<i>Coimbatore</i>)
Vice-President – East	:	Shri Ashok Kumar Chandak (<i>Durgapur</i>)
Vice-President – North	:	Shri Rajiv Goel (<i>Gurgaon</i>)
Vice-President – South-I	:	Shri D. Pankaj Reddy (<i>Nellore</i>)
Vice-President – South-II	:	Shri R. Sivakumar (<i>Southern-Chennai</i>)
Vice-President – West	:	Shri Anand J. Gupta (<i>Raigad</i>)

Hon. Gen. Secretary	:	Shri Mohinder H. Rijhwani (<i>Mumbai</i>)
Hon. Gen. Treasurer	:	Shri Aniruddha V. Nakhawa (<i>Mumbai</i>)

State Chairmen / State Coordinators

State Chairmen	Andhra Pradesh	Shri A. Nagamalleswara Rao (<i>Amaravati</i>)
State Coordinators	ASSAM	Shri Pinak Pani Nath (<i>Silchar</i>)
State Coordinators	BIHAR	Shri Manikant (<i>Patna</i>)
State Chairmen	Chhattisgarh	Shri Kanwaljit Singh Oberoi (<i>Durg Bhilai</i>)
State Chairmen	Delhi	Shri Sanjeev Bansal (<i>Delhi North</i>)
State Chairmen	Gujarat	Shri Sanjiv B. Shah (<i>Por-Ramangamdi</i>)
State Chairmen	Haryana	Shri Vijay Kumar (<i>Karnal</i>)
State Chairmen	Jharkhand	Shri Shiv Kumar Burman (<i>Jamshedpur</i>)
State Chairmen	Karnataka	Shri Srinivasa Reddy (<i>Bangalore</i>)
State Chairmen	Kerala	Shri P.N. Suresh (<i>Thrissur</i>)
State Coordinators	Madhya Pradesh	Shri Ashin Shrivastava (<i>Bhopal</i>)
State Chairmen	Maharashtra	Shri Anil B. Sonawane (<i>Ahmednagar</i>)
State Chairmen	Rajasthan	Shri G. K. Gupta (<i>Jodhpur</i>)
State Chairmen	Tamil Nadu	Shri B. Palanivel (<i>Tirunelveli</i>)
State Chairmen	Telangana	Shri U. Surender (<i>Karimnagar</i>)
State Chairmen	Uttar Pradesh	Shri Naresh Kumar Agarwal (<i>Ghaziabad</i>)
State Chairmen	West Bengal	Shri Sanjay Dasgupta (<i>Eastern Kolkata</i>)

Members Of The Managing Committee, Representing Centres (28 Posts)

1. Shri K. Rajakumaran Nair (<i>Butibori</i>)	2. Shri Shri N. Raghunathan (<i>Poonamally</i>)
3. Dr. Dharmesh Awasthi (<i>Kanpur-South</i>)	4. Shri Jolly Varghese (<i>Cochin</i>)
5. Dr. Tarro T. Manghnani (<i>Mumbai</i>)	6. Shri K. Chinnaswamy (<i>Coimbatore</i>)
7. Shri B.R. Ravichandran (<i>Kanchipuram</i>)	8. Shri Gyanchand Madhani (<i>Mumbai</i>)
9. Shri K. John Paul (<i>Kottayam</i>)	10. Shri Sabu Cherian (<i>Muvattupuzha</i>)
11. Shri P.P. John (<i>Alleppey</i>)	12. Shri L. Shantha Kumar (<i>Southern-Chennai</i>)
13. Shri R.R. Shridhar (<i>Southern-Chennai</i>)	14. Shri A.N. Balaji (<i>Southern-Chennai</i>)
15. Shri R. Nimrode (<i>Southern-Chennai</i>)	16. Shri T.V. Chandrasekaran (<i>Southern-Chennai</i>)
17. Shri Ravindra Pradhan (<i>Ranchi</i>)	18. Shri Prabir Kumar Mukherjee (<i>Ranchi</i>)
19. Shri M. Ramesh (<i>Bangalore</i>)	20. Shri M. Ayyappan (<i>Thanjavur</i>)
21. Shri Basavaraj S. Totad (<i>Bangalore</i>)	22. Shri Madan Mulraj Jagotta (<i>Nashik</i>)
23. Shri Neerav Parmar (<i>Mumbai</i>)	24. Shri Abdul Faizy (<i>Aluva</i>)
25. Shri Shri K. Khalid (<i>Calicut</i>)	26. Shri P. Subramanian (<i>Shimoga</i>)
27. Shri Shri N. Mohamed Abdul Khader (<i>Dindigul</i>)	28. Shri Rajesh G. Nathan (<i>Thiruvalla</i>)

Members of The Managing Committee - Representing Patron Members (Total 25 Posts)

1. Shri Narendra Kumar (<i>Patna</i>)	2. Shri Dhanwant Lal Gupta (<i>Allahabad</i>)
3. Shri A. Kasivisweswara Rao (<i>Vishakapatnam</i>)	4. Shri K. Chandra Sheker Reddy (<i>Hyderabad</i>)
5. Shri Dinesh Nanji Patel (<i>Hyderabad</i>)	6. Shri K.N. Babu Reddy (<i>Bangalore</i>)
7. Shri K.S. Someshwara Reddy (<i>Bangalore</i>)	8. Shri G. Santosh Reddy (<i>Nalgonda</i>)
9. Shri P. Miju Lal (<i>Cochin</i>)	10. Shri R. Prakash (<i>Kanchipuram</i>)
11. Shri C. Satishkumar (<i>Poonamallee</i>)	12. Shri P. Harikumar (<i>Trioandrum</i>)
13. Shri S. Ayyanathan (<i>Southern - Chennai</i>)	14. Shri O.K. Selvaraj (<i>Southern - Chennai</i>)
15. Shri K. Venkatesan (<i>Southern - Chennai</i>)	16. Shri L. Venkatesan (<i>Southern - Chennai</i>)
17. Shri S. Ramaprabhu (<i>Southern - Chennai</i>)	18. Shri V. Rajagopal (<i>Thanjavur</i>)
19. Shri D.R. Sekar (<i>Coimbatore</i>)	20. Shri Rajendra S. Athawale (<i>Butibori</i>)
21. Shri Prakash Panjwani (<i>Ulhasnagar</i>)	22. Col. Sanjay Madhukar Adsar (<i>Pune</i>)
23. Shri Sunil Balkrishna Mundada (<i>Dhule</i>)	24. Shri C. G. Deochake (<i>Mumbai</i>)
25. Shri Ram M. Bhatia (<i>Mumbai</i>)	

Members of the Managing Committee representing Affiliated Associations (4 Nos) :

1. Shri B. Ramesh (<i>Chennai</i>)	2. Shri T.M.S. Sivakumar (<i>Chennai</i>)
3. Shri E. Manohar (<i>Chennai</i>)	4. Shri V. Balasubramanian (<i>Tiruchirappalli</i>)

The new office bearers will assume charge of their respective offices with effect from 1st April 2024 for a Period of 1 year as per the BAI Constitution.

Please use Tel: 91-22-23520507, 23514802 Cell: 9323576860, What's app 9325190879 or E-mail: baihq.mumbai@gmail.com / raju_john_in@yahoo.co.uk for faster communication.

Thanking you,

Yours faithfully,



RAJU JOHN
RETURNING OFFICER
BAI ORGANISATIONAL ELECTIONS 2024-25

Copy to:

1. Shri Bhagwan J. Deokar	} Scrutinisers, BAI Organisational Elections for 2024-25
2. Shri K. Subramani	
3. Shri D.V.N. Reddy	

Report of the President and Managing Committee of Builders' Association of India for the year 2023-24

Friends,

The President and the Managing Committee have great pleasure in presenting the 83rd Annual Report of the Association along with the Statement of Accounts and the Auditors Report for the year 2023-24.

The Indian Construction Industry - an Overview

Construction industry has seen remarkable growth in recent years, positioning it to become the world's third-largest construction market within the next 3 years. According to reports, India's overall construction value is projected to reach **USD 1.4 trillion** by 2025. In 2023, India's construction sector was the 6th largest recipient of Foreign Direct Investments (FDI).

The inflows in the infrastructure segment between April 2000 to March 2024 totalled USD 33.91 billion. This influx of investment has significantly bolstered the sector, which now contributes 14% to India's overall GDP. It employs over 51 million people.

As India's construction sector diversifies and expands, understanding regional dynamics through zonal analytics becomes crucial. Each of India's six zones – **North, South, East, West, Central, and North-East** – presents unique challenges and opportunities shaped by geographical, cultural, and political factors. These factors profoundly influence construction activities, from infrastructure priorities to economic development strategies.

The Union Budget 2023-2024 for India underscores the importance of the construction sector and makes significant provisions for its growth. It earns an enhanced capital expenditure outlay of INR 10 lakh crores, with substantial allocations for railways, regional airports, and transport infrastructure projects. The budget emphasizes the Public-Private Partnership model to promote coastal shipping as an energy-efficient transport option.

A proposed Urban Infrastructure Development Fund aims to facilitate urban infrastructure development, especially in Tier 2 and 3 cities. The budget also provides viability gap funding for battery storage and renewable energy, supporting the Green Growth initiative.

Additionally, an increased allocation of Rs 79,000 crores towards the Pradhan Mantri Awas Yojana (PMAY) to stimulate the supply side and boost end-user demand for affordable homes. Changes in income tax slabs are expected to increase disposable income, thereby accelerating home demand.

Moreover, the budget has a strong focus on transitioning to green energy and reducing emissions, which aligns with India's commitment to Net Zero developments. The increased income tax rebate from Rs 5 lakhs to Rs 7 lakhs is expected to boost disposable income and drive

consumer demand for homes. Lastly, the government's plan to accelerate development in tier-2 & tier-3 cities is expected to increase demand for residential buildings.

The major highlights of the union budget 2023-2024 are;

- An augmentation of 33% has been announced in the capital investment outlay, taking it to INR 10 Lakh Crore.
- The Pradhan Mantri Awas Yojana allocation has received a substantial boost of 66%, raising it to more than INR 79,000 crore.
- An annual allotment of INR 10,000 Cr has been proposed for the Urban Infrastructure Development Fund to foster urban infrastructure in tier 2 and 3 cities.
- It proposes an enhanced capital expenditure outlay of INR 10 lakh crores, representing 3.3% of the GDP. This includes the highest outlay for railways, further development of regional airports, and transport infrastructure projects. This boost in investment aims to improve last and first mile connectivity.
- The budget provides viability gap funding for battery storage, renewable energy evacuation, and a green credit program. These are intended as strong initiatives to support Green Growth.
- The Public-Private Partnership (PPP) model is emphasized, focusing on promoting coastal shipping as an energy-efficient and economical mode of transport.
- There is a proposal for an Urban Infrastructure Development Fund that will facilitate the development of urban infrastructure and thereby improve the population's lifestyle in Tier 2 and Tier 3 cities.
- The budget seeks to foster continued growth, enhance domestic consumption, create jobs, and focus on training and skilling the youth for digital India.
- There's a significant emphasis on infrastructure development, urban planning, affordable housing, domestic manufacturing, ease of doing business, and energy transition with a focus on sustainability.
- The budget increased the allocation towards the

Pradhan Mantri Awas Yojana (PMAY), a housing initiative, by Rs 79,000 Crores. This is expected to stimulate supply-side activity, support real estate developers, and boost end-user demand for affordable homes.

- There has been a revision in the income tax slabs and rates that will provide more disposable income, further accelerating the demand for homes.
- The Government has committed to transitioning to green energy and reducing emissions. This step towards sustainable development positions India well on its path to meeting its commitment to Net Zero developments.
- The increased income tax rebate from Rs 5 lakhs to Rs 7 lakhs is expected to boost disposable income and drive consumer demand for homes.
- The focus on mitigating climate risks via green development will impact India's Sustainable Development Goals through energy-efficient buildings and construction methods.
- The increase in outlay for the PMAY scheme to INR 79,000 Cr is seen as a positive indicator for the industry and opens opportunities for newer homebuyers, especially in the affordable segment.
- The government's plan to create urban infrastructures is expected to accelerate development across tier-2 & tier-3 cities, thereby creating a demand for residential buildings.

Green Development was one of the critical themes of the Budget, which is expected to create awareness regarding the importance of green buildings and environmentally 'conscious' construction activities, further enabling India's ambitious sustainability goals.

Considering the current statistics and recent developments, the future of the construction sector in India from 2023 onwards appears to be promising and is expected to evolve on multiple fronts:

1. **Urban Development:** With the urban population set to contribute 75% to the GDP and an increase in the number of cities with a population exceeding 1 million, the demand for construction and infrastructure development in urban areas is expected to increase significantly. This is expected to drive growth in the construction industry.

2. **Affordable Housing:** The increase in the urban population, expected to reach over 40% by 2030, will create a high demand for affordable housing. This presents an opportunity for construction companies to focus on building mid-end and affordable housing units supported by schemes like Pradhan Mantri Awas Yojana.

3. **Infrastructure Investment:** The allocation of \$1.4 trillion under the National Infrastructure Pipeline for various sectors will lead to a surge in construction activities across renewable energy, roads and highways, urban infrastructure, and railways.

4. **Smart Cities:** The Smart City Mission, aiming to modernize 100 cities, will boost construction projects involving technology-driven urban planning. This will likely spur innovation and adoption of new technologies in the construction sector.

5. **Green and Sustainable Construction:** The focus on green development and the transition to sustainable energy sources suggests a future where the construction industry must adopt environmentally friendly practices and technologies.

6. **Logistics Parks:** The plan to develop 35 Multimodal Logistics Parks will open up opportunities for the construction sector to build large-scale logistics and warehousing facilities.

NITI Aayog expects the Indian real estate sector to reach a market size of \$1 trillion by 2030 and account for 13 percent of India's GDP by 2025. The real estate industry is already the third-largest sector to bring about economic growth, and it is expected to continue its upward trajectory in 2023-2024.

The year 2023 witnessed significant transformations in India's construction industry, driven by digitalization, sustainability, skilling initiatives, and infrastructure investment. While these developments have propelled the sector forward, challenges such as regulatory complexities, workforce shortages, and environmental concerns remain pressing issues that has been addressed collaboratively by industry stakeholders and policymakers.

Looking ahead, continued innovation, strategic partnerships, and policy reforms will be essential to sustain the momentum and unlock the full potential of India's construction industry, paving the way for inclusive growth, sustainable development, and resilient infrastructure for generations to come.

Real Estate Regulatory Authority, Regulation Current Scenarion and BAI's Initiative

It is now almost six years since the Real Estate (Regulation and Development) Act (RERA) has been introduced to the domestic real estate market. After having come into being the Central regulation has completely changed the dynamics of the real estate sector, which had been moving in an unorganized manner. RERA has been a watershed event for the real estate industry, which in the last couple of years, has witnessed a series of disruptive policy initiatives. While, post RERA, the industry is still under transition, the regulation presents tremendous potential to transform the entire landscape of the industry, going forward.

Reforms led by RERA are helping the property sector to commence its second growth phase, where market will move in a much transparent and organized manner. The process has started to create a market place, where all

stakeholders act in a much accountable fashion and thus entail the much-needed depth to the market structure and its functions in the long run. While the market is gradually in the process of coming out of the short-term disruptions like demonetization, GST and others, the long-term reform such as RERA is showing its impact on the overall functioning of the real estate business in the country.

MahaRERA Vide its circular No. 26/2019 dated 1st November, 2019 has made it mandatory from 1st December, 2019 for promoters of real estate projects registered with MahaRERA to be a member of a MahaRERA registered 'Self-Regulatory Organisation' (SRO). Such real estate promoters are required to mandatorily disclose their membership details with an SRO on the website of MahaRERA.

BAI is a registered SRO with MahaRERA.

Ref.:372/J/2023-24 dated 10th July, 2023

To,

Shri Hardeep Singh Puri Ji
Hon'ble Minister of Housing and Urban Affairs
Government of India,
Room No. 104- C,
Nirman Bhawan, Maulana Azad Road,
New Delhi - 110 001

Respected Sir,

Sub.: Request to include a nominee from BAI to the Central advisory Council of RERA.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 22,000 business entities as members through its 214 plus Centres (Branches) throughout the country. The fundamental aim of the Association is to bring about all round improvements in the construction sector, which constitutes infrastructure and housing sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Sir, BAI Membership consists of a huge number of Real Estate Developers across the country.

Sir, BAI is honoured to have its representatives at various Committees of both Central and State Government, so that, it could provide with valuable inputs which helps the Government to bring unanimity in implementing the provisions in the industry more effectively.

Sir, with this purpose in mind, may we request you to kindly include the name of a senior member of BAI in the Central Advisory Council of RERA, so that the Housing and Real Estate Industry could make its view points for consideration.

We hope you will consider our request favourably, as it will be result mutual benefit to all concerned.

Further, we would also request you to kindly grant us an audience at any place and time suiting to your goodself, to discuss with you about BAI associating with Government agencies in developing, Affordable Housing' and 'Smart Cities'.

Thanking you,

Yours faithfully,



S. N. REDDY
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

To,

Smt. Nirmala Sitharaman Ji,
Hon'ble Finance Minister, Government of India.
Ministry of Finance,
Room No. 134, North Block,
New Delhi - 110001

Sub: GST sought to be charged on flats constructed free of cost for existing Tenants, occupants, slum dwellers in re-development projects impeding progress in achieving the goal of "Housing for All".

Respected Madam,

At the Outset we would like to thank you for the remarkable Job that you, your Ministry and the entire Government of India has done in these uncertain Post Covid times to launch our country into fast stream towards double digit growth while the rest of the world is languishing towards recessionary times. India has truly become a beacon of hope for the entire world as we forge ahead to take our rightful place as a "World Leader".

The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 plus chapters (branches) across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

Mumbai is the financial capital of our country and attracts some of the best human talent not only from across the Country but from overseas as well. This has led to a habitation problem as Mumbai is a linear city surrounded by water on nearly all sides and presently it is unable to provide accommodation at the pace required to fulfil the requirements of this maximum city.

A. Predominant form of Real Estate Construction in the city is through the medium of redevelopment.

- a) 50-55% of the city's population resides in Slums
- b) There are many dilapidated buildings which need urgent development to safeguard the lives of existing users as well as provide additional housing stock by vertical expansion.
- c) Existing Housing Societies want to go into redevelopment to construct modern homes with all amenities to move with the times.
- d) MHADA and public body owned housing societies which are in urgent need of redevelopment.

B. Regulations governing Redevelopment in the city.

DCPR 2034 are the regulations which govern

redevelopment in the city of Mumbai. Through various incentive based regulations like 30A-regular redevelopment, 33(10)-Slum redevelopment, 33(5) & 33 (7)-Mhada redevelopment, 33(7A&B)-redevelopment of dilapidated buildings, 33(12)-redevelopment of contravening structures, 33(9)-Cluster redevelopment and many more are all schemes floated by the government to entrust the private developers with making new homes for existing slum dwellers/occupants/housing society members/Mhada tenants etc. by incentivizing them with additional FSI with which they can further construct house for their Sale Component which can then be sold in the open market to recoup cost of construction for the Rehab as well as Sale. The DCPR 2034 are designated legislation and have the force of the statute behind them and the Developers are governed by them in terms of their redevelopment projects.

C. How is GST adversely affecting redevelopment in the City of Mumbai?

The GST department is seeking to charge GST on the provision of free houses for the existing slum dwellers/occupants/housing society members / Mhada tenants etc. This is misplaced for the following reasons.

- a) The Houses are being provided free of cost and hence there is no consideration. The Department is seeking to link the receipt of Sale FSI as consideration for charging GST. The FSI flows through the regulations and not through the existing tenants / slum dwellers / Mhada tenants / occupants as the case may be.
- b) Leads to double taxation as the cost of Rehab is already ingrained in the cost of flats being sold in the open market (sale component) on which the developers are already collecting GST and discharging their liability. The settled Judgement of Vasantha Greens in the service tax era makes it abundantly clear that GST cannot be charged for something constructed for internal consumption when the finally end product is offered for GST.

- c) DCPR 2034 being designated legislation have the power of statute and once the statute demands the functioning in a particular manner, GST cannot be charged on such actions governed by the regulations and imposed upon the developers.
- d) The Developers are not in the business of constructing free houses. The imposition of construction of rehab house is effectively shifting the burden of redevelopment of the city from the public to the private domain.
- e) The Department is seeking to value the notional transaction of provision of free houses at full market prices which further aggravates the issue as the Developer is then eventually paying GST @10% in composite scheme and 36% (24% after land abatement) on sale of flats to customers as the cost of bearing the GST on Rehab is factored in the price which is so increased to cover the additional cost. Please find herein below the example to corroborate our point.

Plot of Land Area:	10,000 sq.mtrs.
Land Rate as per RR=	Rs.100,000/- sq.mtrs
Residential rate as per RR:	2,15,000/ sq.mtrs
Existing construction used by tenants:	10,000 sq.mtrs
FSI available on redevelopment:	2 plus Fungible FSI
Area to existing tenants:	13500 sq.mtrs
Area for Sale:	13500 sq.mtrs 43200 sq.mtrs
Construction area: (13500 + 13500)*1.6	43200 sq.mtrs
Cost of Construction: (43200* 10.764 * Rs 3000 psf)	Rs. 140 crores
GST on Input for both rehab and sale (average 18%)	Rs. 25 crores
Premium FSI cost = (5000 sq.mtrs * 100,000 * 60%)	Rs. 30 crores
TDR Cost (5000 sq.mtrs * 100,000 * 50%)	Rs. 25 crores
Fungible cost (3500* 100,000 * 50%)	Rs. 17.5 crores
MCGM & other costs (assumed at Rs 500 psf)	Rs. 25 crores
Total Cost	Rs. 262.5 crores
Sales	Rs. 290 crores
Profit before Tax	Rs. 27.5 crores
GST on Sale	Rs. 14.5 crores (paid by Customer)
GST on Rehab (sought to be charged by Department)	Rs.14.5 crores
Profit After GST burden on Developer =	Rs. 13 crores
GST charged on GST on input materials/services:	Rs. 1.25 crores

Therefore, it can be seen from the above example that the Developer is paying 10% GST on sale component (5% by customers and 5% to be borne by

him). As can be seen from the above example, the GST sought to be charged on Rehab is making the project and development unviable.

D. OUR HUMBLE SUBMISSION

We humbly request you consider the spirit of the entirety of the transaction and the fact that the construction of rehab houses is only a means to an end and not the end itself. Under the circumstances in order to boost the real estate development of the city and remove uncertainty we request you humbly consider our request to do away from seeking to charge GST on rehab flats given free of costs to existing occupants / members / tenants / slum dwellers etc. We request you to direct your department to issue a clarificatory circular stating that the provision of free houses shall not attract GST.

To discuss about the captioned matter it is therefore, requested to kindly grant us an appointment on any date suitable to you at your office, at any time of your convenience.

Thanking you in anticipation.

Yours faithfully,



S.N. Reddy
President
Builders' Association of India

To,

Shri Narendra Modiji
Hon'ble Prime Minister of India
Government of India
152, South Block, Raisina Hill,
New Delhi – 110 011

Smt. Nirmala Sitharaman Ji,
Hon'ble Minister of Corporate and Affairs,
Government of India,
A -Wing, Shastri Bhawan,
Rajendra Prasad Road, New Delhi – 110001

Shri Arjun Ram Meghwal Ji
Hon'ble Minister of State, Ministry of
Law and Justice (Independent Charge)
Ministry of Law and Justice
4th Floor, A-Wing, Shastri Bhawan
New Delhi-110 001

The Chief Justice Office,
Supreme Court of India,
Tilak Marg,
New Delhi-11 0001

Respected Sir,

**Sub.: Request for intervention and direction to Sahara India Real Estate Corporation,
M/S Aamby Valley Limited and its wholly owned subsidiary companies for making
payments of the due amounts to the contractors.**

We respectfully submit before your honour as under.

1. We Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies with more than 21,000 business entities as members through its 200 plus Centres (Branches) throughout the country out of these 28 centres are in Maharashtra also. Regional Associations affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvement to the construction sector while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the national economy.
2. Our members are involved in various real estate and infrastructure development projects all across country and are doing their bit to increase revenue of government through their business also increase housing stock in affordable house as well as improve infrastructure of state to fulfil mission of our Hon'ble Prime Minister of Home to Every Family.
3. Sir, on behalf of our members, we wish to draw your kind notice that several contractors, who have, over a period of time, executed various works in Sahara Group namely in Aamby Valley City in Pune District, Maharashtra pursuant to work orders issued by M/S Aamby Valley Limited (Now known as
4. AAMBY VALLEY CITY LIMITED) and its wholly owned subsidiary companies. The fact that works undertaken have duly completed by the contractors
5. long back to the satisfaction of M/S Aamby Valley Limited (AVL) and its wholly owned subsidiary companies. The bills have raised for the works executed have been certified but not paid or/ partly paid by the M/S Aamby Valley Limited and its wholly owned subsidiary companies.
5. We further state that a substantial amount of time had passed since the amounts became due to the contractors. At that point, they approached M/S Aamby Valley Limited and its wholly-owned subsidiary companies, requesting assistance in finding a way to make payments that were due but had not been made by AVL and other subsidiary companies of Sahara. Following discussions between AVL, other Sahara subsidiary companies, and the contractors, AVL allotted plots in Aamby Valley City by issuing letters of intent to the contractors. The purpose was to secure the payment of dues to the contractors. However, AVL neither made payments nor executed agreements for the plots allotted to the contractors. The contractors are now facing a severe financial crisis after completing the works and investing a huge amount.
6. As it was not possible for the contractors to endure further delays in payment, some contractors approached the Hon'ble Court seeking necessary directions for AVL and other subsidiary companies of Sahara to make payments of the due amounts. The Hon'ble High Court in Mumbai issued an order, directing AVL and other subsidiary companies of Sahara to make the payments to the contractors. We have attached a copy of the order passed by the Hon'ble High Court in the case of AYG Realty Private Limited (AYG), one of the contractors.

However, there has been no response from AVL and other subsidiary companies of Sahara, despite the Hon'ble Court order.

7. Thereafter, contractors approached to the National Company Law Tribunal (NCLT) for necessary intervention and directions to the AVL & other subsidiary companies of Sahara to make payment of the dues amounts to the contractors. The NCLT issued notice to AVL and other subsidiary companies of Sahara for reply and further action in the matter. The AVL and other subsidiary companies of Sahara filed their reply and produced Hon'ble Supreme Court order dated 7th February, 2023 (Copy Enclosed) where in para (viii) stated that "As this court is in seisin of the matter, no other court in the country shall entertain any litigation pertaining to Aamby Valley City". Accordingly, NCLT passed an order dated 26.09.2023 (copy of order is enclosed) in the matter of Aamby Vally Limited (Now known as AAMBY VALLEY CITY LIMITED) and stated that "Parties are at liberty to mention the matter before this Bench whenever subsequent development, if any, takes place before the Hon'ble Supreme Court or the stay is vacated by the Hon'ble Supreme Court." The same order has been passed by the NCLT in other subsidiary companies of Sahara. It is very surprised that the AVL and other subsidiary companies of Sahara never disclosed even during the proceedings in High Court regarding the

Encl: As above

Hon'ble Supreme Court order dated 7th February, 2023.

One side Hon'ble court passed the order for making payment to the contractors and other side Hon'ble court interim order dated 21.11.2013 in CA No.9813 & 9833/2011, restraining the Sahara Group of companies from parting with any moveable and immovable properties. In this situation, many contractors are suffering heavily without any fault and not getting the justice and it is effecting the cash flow for their business. The list of Contractors is attached herewith for reference.

In the above facts and circumstance, it is humbly prayed that this Hon'ble Prime Minister Office may be pleased to intervene in this matter and direct to the AVL (Now known as AAMBY VALLEY CITY LIMITED) and other subsidiary companies of Sahara to make the payment of dues amounts payable to the contractors.

Thanking you,

Yours faithfully,



S. N. REDDY
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

GST : Construction Industry

The Government of India has identified infrastructure and construction as the key drivers for economic growth of the country and major investment is planned in this sector under the current plan.

Construction sector provides major employment opportunities to the citizens of the country.

The changes in the GST Act and Rules will substantially increase the ease of doing the business in the country. It is pertinent to note that GST amendments reduces the cascading effect of tax by allowing seamless credit. Also it will increase compliance across the value chain very

effectively. It is important that GST Act/Rules are modified suitably so that it facilitates the business and reduces legal hassles. This will enable the business houses focus on productive future.

Since its inception on 1st July, 2017, GST has had many contentious provisions, which BAI tackled by engaging in regular interaction with the Government. While some contentious issues were favourably addressed by the Government, some still remain. Mr. S. N. Reddy, President BAI has addressed a detailed all-encompassing representations to Government of India on these contentious issues, which is reproduced below:

BAI has vigorously pursued the reimbursement or adjustment of the increased GST rate from 12% to 18% to contractors who were executing ongoing projects under the Government Department, by submitting various representations to the Union Ministers, State Chief Ministers/ Finance Ministers etc.

In this regard, we are happy to inform you that the State Finance Ministry of Tamil Nadu State have issued a letter to the Head of the Department concerned for revised administration sanction for the additional expenses arise on accounts of revision of GST rate.

Recommendations of 52nd GST Council Meeting

GST Council recommends amendments in conditions of appointment of President and Member of the proposed GST Appellate Tribunals regarding eligibility and age

GST Council recommends nil rate for food preparation of millet flour in powder form and containing at least 70% millets by weight when sold in loose form, and 5% if sold in pre-packaged and labelled form

GST Council recommends to keep Extra Neutral Alcohol (ENA) used for manufacture of alcoholic liquor for human consumption outside GST

GST Council recommends reducing GST on molasses from 28% to 5% in relief to cane farmers for faster clearance of dues and to reduce cost of manufacturing cattle feed

To promote tourism, GST Council recommends conditional and limited duration IGST exemption to foreign flag foreign going vessel when it converts to coastal run

Posted On: 07 OCT 2023 4:58PM by PIB Delhi

The 52nd GST Council met under the Chairpersonship of Union Minister for Finance & Corporate Affairs Smt. Nirmala Sitharaman in New Delhi today. The meeting was also attended by Union Minister of State for Finance Shri Pankaj Chaudhary, Chief Ministers of Goa and Meghalaya holding finance portfolio, besides Finance Ministers of States & UTs (with legislature) and senior officers of the Ministry of Finance & States/ UTs.

The GST Council inter-alia made the following recommendations relating to changes in GST tax rates,

measures for facilitation of trade and measures for streamlining compliances in GST.

A. Recommendations relating to GST rates on goods and services

I. Changes in GST rates of goods

1. GST rates on "Food preparation of millet flour in powder form, containing at least 70% millets by weight", falling under HS 1901, with effect from date of notification, have been prescribed as:
 - a. 0% if sold in other than pre-packaged and labelled form
 - b. 5% if sold in pre-packaged and labelled form
2. To clarify that imitation zari thread or yarn made out of metallised polyester film /plastic film, falling under HS 5605, are covered by the entry for imitation zari thread or yarn attracting 5% GST rate. However, no refund will be allowed on polyester film (metallised) /plastic film on account of inversion.
3. Foreign going vessels are liable to pay 5% IGST on the value of the vessel if it converts to coastal run. GST Council recommends conditional IGST exemption to foreign flag foreign going vessel when it converts to coastal run subject to its reconversion to foreign going vessel in six months.

II. Other changes relating to Goods

1. GST Council recommended to keep Extra Neutral Alcohol (ENA) used for manufacture of alcoholic liquor for human consumption outside GST. Law Committee will examine suitable amendment in law to exclude ENA for use in manufacture of alcoholic liquors for human consumption from ambit of GST.
2. To reduce GST on molasses from 28% to 5%. This step will increase liquidity with mills and enable faster clearance of cane dues to sugarcane farmers. This will also lead to reduction in cost for manufacture of cattle feed as molasses is also an ingredient in its manufacture.
3. A separate tariff HS code has been created at 8 digit level in the Customs Tariff Act to cover rectified spirit for industrial use. The GST rate notification will be amended to create an entry for ENA for industrial use attracting 18% GST.

III. Changes in GST rates of services

1. Entries at Sl. No. 3 and 3A of notification No. 12/2017-CTR dated 28.06.2017 exempts pure and composite services provided to Central/ State/UT governments and local authorities in relation to any function entrusted to Panchayat/ Municipality under Article 243G and 243W of the Constitution of India. The GST Council has recommended to retain the existing exemption entries with no change.
2. Further, the GST Council has also recommended to exempt services of water supply, public health, sanitation conservancy, solid waste management and slum improvement and upgradation supplied to Governmental Authorities.

IV. Other changes relating to Services

1. To clarify that job work services for processing of barley into malt attracts GST @ 5% as applicable to "job work in relation to food and food products" and not 18%.
2. With effect from 1st January 2022, liability to pay GST on bus transportation services supplied through Electronic Commerce Operators (ECOs) has been placed on the ECO under section 9(5) of CGST Act, 2017. This trade facilitation measure was taken on the representation of industry association that most of the bus operators supplying service through ECO owned one or two buses and were not in a position to take registration and meet GST compliances. To arrive at a balance between the

need of small operators for ease of doing business and the need of large organized players to take ITC, GST Council has recommended that bus operators organised as companies may be excluded from the purview of section 9(5) of CGST Act, 2017. This would enable them to pay GST on their supplies using their ITC.

3. To clarify that District Mineral Foundations Trusts (DMFT) set up by the State Governments across the country in mineral mining areas are Governmental Authorities and thus eligible for the same exemptions from GST as available to any other Governmental Authority.
4. Supply of all goods and services by Indian Railways shall be taxed under Forward Charge Mechanism to enable them to avail ITC. This will reduce the cost for Indian Railways.

B. Measures for facilitation of trade:

- i) Amnesty Scheme for filing of appeals against demand orders in cases where appeal could not be filed within the allowable time period: The Council has recommended providing an amnesty scheme through a special procedure under section 148 of CGST Act, 2017 for taxable persons, who could not file an appeal under section 107 of the said Act, against the demand order under section 73 or 74 of CGST Act, 2017 passed on or before the 31st day of March, 2023, or whose appeal against the said order was rejected solely on the grounds that the said appeal was not filed within the time period specified in sub-section (1) of section 107. In all such cases, filing of appeal by the taxpayers will be allowed against such orders upto 31st January 2024, subject to the condition of payment of an amount of pre-deposit of 12.5% of the tax under dispute, out of which at least 20% (i.e. 2.5% of the tax under dispute) should be debited from Electronic Cash Ledger. This will facilitate a large number of taxpayers, who could not file appeal in the past within the specified time period.
- ii) Clarifications regarding taxability of personal guarantee offered by directors to the bank against the credit limits/loans being sanctioned to the company and regarding taxability of corporate guarantee provided for related persons including corporate guarantee provided by holding company to its subsidiary company: The Council has inter alia recommended to:
 - (a) issue a circular clarifying that when no consideration is paid by the company to

the director in any form, directly or indirectly, for providing personal guarantee to the bank/ financial institutes on their behalf, the open market value of the said transaction/ supply may be treated as zero and hence, no tax to be payable in respect of such supply of services.

- (b) to insert sub-rule (2) in Rule 28 of CGST Rules, 2017, to provide for taxable value of supply of corporate guarantee provided between related parties as one per cent of the amount of such guarantee offered, or the actual consideration, whichever is higher.
 - (c) to clarify through the circular that after the insertion of the said sub-rule, the value of such supply of services of corporate guarantee provided between related parties would be governed by the proposed sub-rule (2) of rule 28 of CGST Rules, 2017, irrespective of whether full ITC is available to the recipient of services or not.
- iii) Provision for automatic restoration of provisionally attached property after completion of one year: The Council has recommended an amendment in sub-rule (2) of Rule 159 of CGST Rules, 2017 and FORM GST DRC-22 to provide that the order for provisional attachment in FORM GST DRC-22 shall not be valid after expiry of one year from the date of the said order. This will facilitate release of provisionally attached properties after expiry of period of one year, without need for separate specific written order from the Commissioner.
- iv) Clarification on various issues related to Place of Supply: The Council has recommended to issue a Circular to clarify the place of supply in respect of the following supply of services:
- (i) Supply of service of transportation of goods, including by mail or courier, in cases where the location of supplier or the location of recipient of services is outside India;
 - (ii) Supply of advertising services;
 - (iii) Supply of the co-location services.
- v) Issuance of clarification relating to export of services:- The Council has recommended to issue a circular to clarify the admissibility of export remittances received in Special INR

Vostro account, as permitted by RBI, for the purpose of consideration of supply of services to qualify as export of services in terms of the provisions of sub-clause (iv) of clause (6) of section 2 of the IGST Act, 2017.

- vi) Allowing supplies to SEZ units/ developer for authorised operations for IGST refund route by amendment in Notification 01/2023-Integrated Tax dated 31.07.2023: The Council has recommended to amend Notification No. 1/2023-Integrated Tax dated 31.07.2023 w.e.f. 01.10.2023 so as to allow the suppliers to a Special Economic Zone developer or a Special Economic Zone unit for authorised operations to make supply of goods or services (except the commodities like pan masala, tobacco, gutkha, etc. mentioned in the Notification No. 1/2023-Integrated Tax dated 31.07.2023) to the Special Economic Zone developer or the Special Economic Zone unit for authorised operations on payment of integrated tax and claim the refund of tax so paid.

C. Other measures pertaining to law and procedures:

- i) Alignment of provisions of the CGST Act, 2017 with the provisions of the Tribunal Reforms Act, 2021 in respect of Appointment of President and Member of the proposed GST Appellate Tribunals: The Council has recommended amendments in section 110 of the CGST Act, 2017 to provide that:
 - an advocate for ten years with substantial experience in litigation under indirect tax laws in the Appellate Tribunal, Central Excise and Service Tax Tribunal, State VAT Tribunals, by whatever name called, High Court or Supreme Court to be eligible for the appointment as judicial member;
 - the minimum age for eligibility for appointment as President and Member to be 50 years;
 - President and Members shall have tenure up to a maximum age of 70 years and 67 years respectively.
- ii) Law amendment with respect to ISD as recommended by the GST Council in its 50th meeting: GST Council in its 50th meeting had recommended that ISD (Input Service Distributor) procedure as laid down in Section 20 of the CGST Act, 2017 may be made mandatory prospectively for distribution of ITC in respect of input services procured by Head Office (HO) from a third party but

attributable to both HO and Branch Office (BO) or exclusively to one or more BOs. The Council has now recommended amendments in Section 2(61) and section 20 of CGST Act, 2017 as well amendment in rule 39 of CGST Rules, 2017 in respect of the same.

Note: The recommendations of the GST Council have been presented in this release containing major item of decisions in simple language for information of the stakeholders. The same would be given effect through the relevant circulars/ notifications/ law amendments which alone shall have the force of law.

NB/VM/KMN

(Release ID: 1965431) Visitor Counter : 9044

GOVERNMENT OF TELANGANA
FINANCE (WP) DEPARTMENT

&&&

Circular Memo No.182320S-A/231/AI/WP/2022, dated: 29.12.2022

Sub: Works - Revision of Goods and Services Tax (GST) Rates - Reg.

- Ref: 1. G.O.Ms.No.67, I&CAD (Reforms) Department, Dt: 04.07.2018
2. Government of India Notification No.15/2021, Central Tax (Rate), dated: 18.11.2021.
3. Government of India Notification No.22/2021, Central Tax (Rate), dated: 31.12.2021.
4. Government of India Notification No.3/2022, Central Tax (Rate), dated: 13-7-2022.
5. From the Engineer-in-Chief (General), Hyderabad, Letter No. ENC(G)/SE(P&M)/CE/ DEEA8/E E22/KPHG/ ST/ F-67, dated:09.11.2022.

Government in the reference 1 stcited, have issued guidelines for implementation of Goods and Services Tax (GST) for ongoing and future works contracts with effect from 01.07.2017 for regulating work bills for all Engineering Departments.

2. the Government of India in the references 2nd to 4th cited have issued following notifications making certain amendments inter-alia revising the Goods and Services Tax (GST) rates on works contracts.
- i. Government of India vide Notification No.15/2021, dated: 18.11.2021 and notification No.22/2021 dated: 31.12.2021 have amended the master Notification No.11/2017 dated: 28.06.2017 to be effective from 01.01.2022 and the effect of the amendment is that the Government Authority and Government Entity are excluded from the list of specified recipients of the supply of services at concessional rates i.e 5%, 12% and nil rate.
- ii. Government of India vide Notification No.03/2022 dated: 13.07.2022 have amended the master Notification No.11/2017 dated: 28.06.2017 as per which with effect from 18.07.2022, GST is applicable @18% on all works contracts and @12% for the works contracts provided to Government and Local Authorities, having predominantly earth work.
3. In the reference 5th read above, the Engineer-in Chief

- (General),Hyderabad has submitted the proposal for amending G.O.Ms.No.67, Irrigation & CAD (Reforms) Department, dated: 04.07.2018, in accordance with Gol Notification 03/2022 dated: 13.07.2022 and GoI Notification No.15/2021 dated 18.11.2021 read with Notification No.22/2021 dated:31.12.2021.
4. Government after careful examination of the matter, direct that GST shall be implemented in accordance with Department of Revenue, Ministry of Finance, Govt. of India Notification No.03/2022-Central Tax (Rate), Dated: 13.07.2022 and Notification No.15/2021 dated 18.11.2021 read with Notification No.22/2021 dated: 31.12.2021 as tabulated below.

S.No.	Description of Service	Existing GST Rate (CGST+SGST)	Revised GST Rate (CGST+SGST)	With effect from
1	2	3	4	5
1	Construction services to Government Entity or Government Authority as per the Notification No.15/2021, dated: 18.11.2021 read with Notification No.22/2021, dated: 31.12.2021.	12%	18%	01.01.2022
2	Construction services to Government Entity or Government Authority involving predominantly earth work (more than 75 % value of work) as per the Notification No.15/2021, dt.18.11.2021 read with Notification No.22/2021, dated: 31.12.2021.	5%	18%	01.01.2022

3	Construction services to Central Government or State Government or Union Territory or Local authority as per the Notification No.03/2022 dated: 13.07.2022.	12%	18%	18.07.2022
4	Construction services to Central Government or State Government or Union Territory or Local Authority involving predominantly earth work (more than 75% of value of work) per the Notification No.03/2022 dated: 13.07.2022.	5%	12%	18.07.2022

5. a) For Works Estimates sanctioned on or after cut off dated mentioned in column(5) of the above table, the provision for GST payable shall be made in PART-B of Estimate at the rate of 18% or 12% as the case may be.
- b) For ongoing works, GST shall be paid as per the provisions of the GST Act at the above rates

- duly providing for the same in variation/ revised estimates.
- c) The concerned agencies of works contracts are responsible to discharge their liability as per GST Act and provisions and to file their returns accordingly.
6. The Irrigation & CAD, Panchayat Raj & Rural Development, Transport, Roads & Buildings and Municipal Administration & Urban Development Departments are requested to take necessary further action in the matter, accordingly.
7. The Director of Works and Accounts, Telangana, Hyderabad shall issue necessary instructions to all the concerned for adhering the above instructions.

**K.RAMAKRISHNA RAO,
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The Irrigation & CAD Department, Telangana Secretariat, Hyderabad.
The Panchayat Raj & Rural Development Department,
Telangana Secretariat, Hyderabad.
The Transport, Roads & Buildings Department,
Telangana Secretariat, Hyderabad.
The Municipal Administration & Urban Development Department,
Telangana Secretariat, Hyderabad.
The Director of Works and Accounts, Telangana, Hyderabad.

Copy to:

All Engineer-In-Chiefs and the Chief Engineers, I & CAD Department.
The Engineer-in-Chief (TR&RB) Department, Hyderabad.
The Engineer-in-Chief, PR&RD Department, Hyderabad.
The Engineer-in-Chief, PH Department, Hyderabad.
The Principal Accountant General, Telangana, Hyderabad.
The Revenue (C.T) Department, Telangana Secretariat, Hyderabad.
The P.S. Prl. Secretary to Hon'ble Chief Minister, Telangana, Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER

Ref. 304/S/2023-24 Dated 20th September, 2023

To,

**The Members of the Managing Committee &
General Council of Builders' Association of India for 2023-24.**

Dear Sir

Subject: Constitutionality of time limit for claiming ITC U/s 16(4) of the CGST Act.

This has reference to the order passed by The Hon'ble Patna High Court in case of M/s. Gobinda Construction v. Union of India, held on 14th September 2023, that, Section 16(4) of the Central Goods and Services Tax Act, 2017 ("the CGST Act") is constitutionally valid and are

not violative of Article 19(1)(g) and Article 300 (A) of the Constitution of India and is not inconsistent with or in derogation of any of the fundamental right guaranteed under the Constitution of India (attached herewith).

In the above case, it has been observed that, validation of Section 16(4) of the CGST/BGST Act underscore the importance of adhering to statutory prerequisites when seeking Input Tax Credit in India. This ruling reinforces the notion that ITC is not an absolute entitlement but must be claimed in strict accordance with the statutory provisions. For businesses operating in India, compliance with tax return filing deadlines remains pivotal to avoid the ITC restrictions imposed by Section 16(4).

The need of the hour is to understand the provisions of Section 16 (4) of CGST Act to avoid any legal implications and penalties. Compliance with the Act can help businesses claim ITC for legitimate business purposes and prevent any tax evasion. Though adequate documentation is a critical aspect of ITC claims and should be maintained to ensure that the claim is genuine and not rejected.

As the taxation system in India continues to evolve, Section 16 (4) of the CGST Act significantly regulates India's input tax credit mechanism. It is essential for our contractors fraternity to understand the key provisions and implications of the provision to avoid any legal implications and comply with the Act.

Hence, considering the substantial implications of Section 16(4) on businesses, the potential for the denial of ITC can significantly affect entity's overall business operations.


Thus, it is advisable to all concerns who are filing belated GSTR-3B with late fees for any tax period pertaining to FY 2022-23 to file the return before the credit become time barred as per Section 16(4).

The above is for your kind information and record.

Thanking you.

Yours faithfully,

Yours faithfully,



RAJU JOHN
EXECUTIVE SECRETARY
BUILDERS' ASSOCIATION OF INDIA

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)
CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS

NOTIFICATION

No. 56/2023- Central Tax

New Delhi, dated the 28th December, 2023

S.O.....(E).— In exercise of the powers conferred by section 168A of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereinafter referred to as the said Act) read with section 20 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), and section 21 of the Union territory Goods and Services Tax Act, 2017 (14 of 2017) and in partial modification of the notifications of the Government of India, Ministry of Finance (Department of Revenue), No. 35/2020-Central Tax, dated the 3rd April, 2020 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 235(E), dated the 3rd April, 2020 and No. 14/2021-Central Tax, dated the 1st May, 2021 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 310(E), dated the 1st May, 2021 and No. 13/2022-Central Tax, dated the 5th July, 2022, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 516(E), dated the 5th July, 2022, and No. 09/2023-Central Tax, dated the 31st March, 2023 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number G.S.R. 1564(E) dated the 31st March, 2023, the Government, on the recommendations of the Council, hereby, extends the time limit specified under sub-section (10) of section 73 for issuance of order under sub-section (9) of section 73 of the said Act, for recovery of tax not paid or short paid or of input tax credit wrongly availed or utilized, relating to the period as specified below, namely:—

- (i) for the financial year 2018-19, up to the 30th day of April, 2024;
- (ii) for the financial year 2019-20, up to the 31st day of August, 2024.

[F. No. CBIC-20013/7/2021-GST]

(Raghavendra Pal Singh)
Director

F. No. CBIC-190354/195/2023-TO (TRU-II)-CBEC
Government of India
Ministry of Finance
Department of Revenue
(Tax Research Unit)

North Block, New Delhi
Dated the 31st October, 2023

To,
The Principal Chief Commissioners/ Chief Commissioners/
Principal Commissioners/Commissioner of Central Tax (All) /
The Principal Director Generals/ Director Generals (All)

Madam/Sir,

Subject: Clarifications regarding applicability of GST on certain services – reg.

Based on the recommendations of the GST Council in its 52nd meeting held on 7th October, 2023, at New Delhi, clarification, with reference to GST levy, related to the following issues are being issued through this circular.

- i. Whether 'same line of business' in case of passenger transport service and renting of motor vehicles includes leasing of motor vehicles without operators.
 - ii. Whether GST is applicable on reimbursement of electricity charges received by real estate companies, malls, airport operators etc. from their lessees/ occupants.
 - iii. Whether job work for processing of "Barley" into "Malted Barley" attracts GST @ 5% as applicable to "job work in relation to food and food products" or 18% as applicable on "job work in relation to manufacture of alcoholic liquor for human consumption".
 - iv. Whether District Mineral Foundations Trusts (DMFTs) set up by the State Governments are Governmental Authorities and thus eligible for the same exemptions from GST as available to any other Governmental Authority.
 - v. Whether supply of pure services and composite supplies by way of horticulture/horticulture works (where the value of goods constitutes not more than 25 per cent of the total value of supply) made to CPWD are eligible for exemption from GST under Sr. No. 3 and 3A of Notification no 12/2017-CTR dated 28.06.2017.
2. Whether 'same line of business' in case of passenger transport service and renting of motor vehicles includes leasing of motor vehicles without operators.
 - 2.1 Services of transport of passengers by any motor vehicle (SAC 9964) and renting of motor vehicle

- designed to carry passengers with operator (SAC 9966), where the cost of fuel is included in the consideration charged from the service recipient attract GST at the rate of 5% with input tax credit of services in the same line of business.
- 2.2 Same line of business as stated in the notification No. 11/2017- Central Tax (Rate) means "service procured from another service provider of transporting passengers in a motor vehicle or renting of a motor vehicle".
- 2.3 It is hereby clarified that input services in the same line of business include transport of passengers (SAC 9964) or renting of motor vehicle with operator (SAC 9966) and not leasing of motor vehicles without operator (SAC 9973) which attracts GST and/or compensation cess at the same rate as supply of motor vehicles by way of sale.
3. Whether GST is applicable on reimbursement of electricity charges received by real estate companies, malls, airport operators etc. from their lessees/ occupants.
- 3.1 Doubts were raised on the applicability of GST on supply of electricity by the real estate companies, malls, airport operators etc., to their lessees or occupants.
- 3.2 It is clarified that whenever electricity is being supplied bundled with renting of immovable property and/or maintenance of premises, as the case may be, it forms a part of composite supply and shall be taxed accordingly. The principal supply is renting of immovable property and/or maintenance of premise, as the case may be, and the supply of electricity is an ancillary supply as the case may be. Even if electricity is billed separately, the supplies will constitute a composite supply and therefore, the

- rate of the principal supply i.e., GST rate on renting of immovable property and/or maintenance of premise, as the case may be, would be applicable.
- 3.3 However, where the electricity is supplied by the Real Estate Owners, Resident Welfare Associations (RWAs), Real Estate Developers etc., as a pure agent, it will not form part of value of their supply. Further, where they charge for electricity on actual basis that is, they charge the same amount for electricity from their lessees or occupants as charged by the State Electricity Boards or DISCOMs from them, they will be deemed to be acting as pure agent for this supply.
4. Whether job work for processing of "Barley" into "Malted Barley" attracts GST @ 5% as applicable to "job work in relation to food and food products" or 18% as applicable on "job work in relation to manufacture of alcoholic liquor for human consumption".
- 4.1 References have been received to clarify whether services by way of job work for conversion of barley into malt attracts GST at 5% prescribed for "job work in relation to all food and food products falling under Chapter 1 to 22 of the customs tariff" or at the rate of 18% prescribed for "services by way of job work in relation to manufacture of alcoholic liquor for human consumption".
- 4.2 Malt is a food product. It can be directly consumed as part of food preparations or can be used as an ingredient in food products and also used for manufacture of beer and alcoholic liquor for human consumption. However, irrespective of end-use, conversion of barley into malt amounts to job work in relation to food products.
- 4.3 It is hereby clarified that job work services in relation to manufacture of malt are covered by the entry at Sl. No. 26 (i) (f) which covers "job work in relation to all food and food products falling under chapters 1 to 22 of the customs tariff" irrespective of the end use of that malt and attracts 5% GST.
5. Whether District Mineral Foundations Trusts (DMFTs) set up by the State Governments are Governmental Authorities and thus eligible for the same exemptions from GST as available to any other Governmental Authority.
- 5.1 DMFTs work for the interest and benefit of persons and areas affected by mining related operations by regulating receipt and expenditure from the respective Mineral Development Funds created in the concerned district. They provide services related to drinking water supply, environment protection, health care facilities, education, welfare of women and children, supply of medical equipment etc.
- 5.2 These activities are similar to activities that are enlisted in Eleventh Schedule and Twelfth Schedule of the Constitution. The ultimate users of the various schemes under DMF are individuals, families, women and children, farmers/producer groups, SHGs of the mining affected areas etc. The services/ supplies out of DMF fund are provided free of charge and no consideration is realized from the beneficiaries by DMF against such services.
- 5.3 Accordingly, it is clarified that DMFT set up by the State Governments are Governmental Authorities and thus eligible for the same exemptions from GST as available to any other Governmental Authority.
6. Whether supply of pure services and composite supplies by way of horticulture/horticulture works (where the value of goods constitutes not more than 25 per cent of the total value of supply) made to CPWD are eligible for exemption from GST under Sr. No. 3 and 3A of Notification no 12/2017-CTR dated 28.06.2017.
- 6.1 Public parks in government residential colonies, government offices and other public areas are developed and maintained by CPWD.
- 6.2 Maintenance of community assets, urban forestry, protection of the environment and promotion of ecological aspects are functions entrusted to Panchayats and Municipalities under Article 243G and 243W read with Sr. No. 29 of 11th Schedule and Sr. No. 8 of 12th Schedule of the constitution.
- 6.3 Sr. No. 3 and 3A of notification No. 12/2017-CTR exempt pure services and composite supply of goods and services in which value of goods does not constitute more than 25%, that are provided to the Central Government, State Government or Union territory or local authority by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.
- 6.4 Accordingly, it is clarified that supply of pure services and composite supplies by way of horticulture/horticulture works (where the value of goods constitutes not more than 25 per cent of the total value of supply) made to CPWD are eligible for exemption from GST under Sr. No. 3 and 3A of Notification no 12/2017-CTR dated 28.06.2017.
7. Difficulties, if any, in implementation of this circular may be brought to the notice of the Board.

Yours faithfully,

(Rajeev Ranjan)
Under Secretary, TRU

F. No. 20/06/22/2023-GST-CBEC
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes and Customs
GST Policy Wing

New Delhi, Dated the 27th October, 2023

To,

**The Principal Chief Commissioners/ Chief Commissioners/ Principal
Commissioners/ Commissioners of Central Tax (All)
The Principal Directors General/ Directors General (All)**

Madam/Sir,

**Subject: Clarification on issues pertaining to taxability of personal guarantee and
corporate guarantee in GST-reg.**

Representations have been received from the trade and field formations seeking clarification on certain issues with respect to taxability of activity of providing personal bank guarantee by Directors to banks for securing credit facilities for the company. Similarly, clarifications are being sought with respect to taxability and valuation of the activity of providing corporate guarantee by a related person to banks/ financial institutions for another related person, as well as by a holding company in order to secure

credit facilities for its subsidiary company.

2. In order to ensure uniformity in the implementation of the provisions of law across the field formations, the Board, in exercise of its powers conferred by section 168 (1) of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as "CGST Act"), hereby clarifies the issues as under:

S. No.	Issue	Clarification
1.	Whether the activity of providing personal guarantee by the Director of a company to the bank/ financial institutions for sanctioning of credit facilities to the said company without any consideration will be treated as a supply of service or not and whether the same will attract GST or not.	<p>As per Explanation (a) to section 15 of CGST Act, the director and the company are to be treated as related persons. As per clause (c) of sub-section (1) of section 7 of the CGST Act, 2017, read with S. No. 2 of Schedule I of CGST Act, supply of goods or services or both between related persons, when made in the course or furtherance of business, shall be treated as supply even if made without consideration. Accordingly, the activity of providing personal guarantee by the Director to the banks/ financial institutions for securing credit facilities for their companies is to be treated as a supply of service, even when made without consideration.</p> <p>Rule 28 of Central Goods and Services Tax Rules, 2017 (hereinafter referred to as "CGST Rules") prescribes the method for determining the value of the supply of goods or services or both between related parties, other than where the supply is made through an agent. In terms of Rule 28 of CGST Rules, the taxable value of such supply of service shall be the open market value of such supply.</p> <p>RBI has provided guidelines for obtaining personal guarantee of promoters, directors and other managerial personnel of the borrowing concerns vide Para 2.2.9 of its Circular No. RBI/2021-22/121 dated 9th November, 2021, which is reproduced below:</p>

S. No.	Issue	Clarification
		<p><i>"2.2.9 Guidelines relating to obtaining of personal guarantees of promoters, directors, other managerial personnel, and shareholders of borrowing concerns</i></p> <p><i>Banks should take personal guarantees of promoters, directors, other managerial personnel or major shareholders for the credit facilities granted to corporates, public or private, only when absolutely warranted after a careful examination of the circumstances of the case and not as a matter of course. In order to identify the circumstances under which the guarantee may or may not be considered necessary, banks should be guided by the following broad considerations:</i></p> <p><i>.....</i></p> <p>C. Worth of the guarantors, payment of guarantee commission, etc</p> <p><i>Where personal guarantees of directors are warranted, they should bear reasonable proportion to the estimated worth of the person. The system of obtaining guarantees should not be used by the directors and other managerial personnel as a source of income from the company. Banks should obtain an undertaking from the borrowing company as well as the guarantors that no consideration whether by way of commission, brokerage fees or any other form, would be paid by the former or received by the latter, directly or indirectly. This requirement should be incorporated in the bank's terms and conditions for sanctioning of credit limits. During the periodic inspections, the bank's inspectors should verify that this stipulation has been complied with. There may, however, be exceptional cases where payment of remuneration may be permitted e.g. where assisted concerns are not doing well and the existing guarantors are no longer connected with the management but continuance of their guarantees is considered essential because the new management's guarantee is either not available or is found inadequate.</i></p> <p><i>....."</i></p> <p>Accordingly, as per mandate provided by RBI in terms of Para 2.2.9 (C) of RBI's Circular No. RBI/2021-22/121 dated 9th November, 2021, no consideration by way of commission, brokerage fees or any other form, can be paid to the director by the company, directly or indirectly, in lieu of providing personal guarantee to the bank for borrowing credit limits. As such, when no consideration can be paid for the said transaction by the company to the director in any form, directly or indirectly, as per RBI mandate, there is no question of such supply / transaction having any open market value. Accordingly, the open market value of the said transaction/ supply may be treated as zero and therefore, taxable value of such supply may be treated as zero. In such a scenario, no tax is payable on such supply of service by the director to the company.</p> <p>There may, however, be cases where the director, who had provided the guarantee, is no longer connected with the management but continuance of his guarantee is considered</p>

S. No.	Issue	Clarification
		<p>essential because the new management's guarantee is either not available or is found inadequate, or there may be other exceptional cases where the promoters, existing directors, other managerial personnel, and shareholders of borrowing concerns are paid remuneration/ consideration in any manner, directly or indirectly. In all these cases, the taxable value of such supply of service shall be the remuneration/ consideration provided to such a person/ guarantor by the company, directly or indirectly.</p>
2	<p>Whether the activity of providing corporate guarantee by a person on behalf of another related person, or by the holding company for sanction of credit facilities to its subsidiary company, to the bank/ financial institutions, even when made without any consideration will be treated as a taxable supply of service or not, and if taxable, what would be the valuation of such supply of services.</p>	<p>Where the corporate guarantee is provided by a company to the bank/financial institutions for providing credit facilities to the other company, where both the companies are related, the activity is to be treated as a supply of service between related parties as per provisions of Schedule I of CGST Act, even when made without any consideration.</p> <p>Similarly, where the corporate guarantee is provided by a holding company, for its subsidiary company, those two entities also fall under the category of 'related persons'. Hence the activity of providing corporate guarantee by a holding company to the bank/financial institutions for securing credit facilities for its subsidiary company, even when made without any consideration, is also to be treated as a supply of service by holding company to the subsidiary company, being a related person, as per provisions of Schedule I of CGST Act.</p> <p>In respect of such supply of services by a person to another related person or by a holding company to a subsidiary company, in form of providing corporate guarantee on their behalf to a bank/ financial institution, the taxable value will be determined as per rule 28 of CGST Rules.</p> <p>Considering different practices being followed by the field formations and taxpayers in determining such taxable value, in order to provide uniformity in practices and ease of implementation, sub-rule (2) has been inserted in rule 28 of CGST Rules vide Notification No. 52/2023 dated 26.10.2023, for determining the taxable value of such supply of services between related persons in respect of providing corporate guarantee. Accordingly, consequent to insertion of the said sub-rule in rule 28 of CGST Rules, in all such cases of supply of services by a related person to another person, or by a holding company to a subsidiary company, in the form of providing corporate guarantee on their behalf to a bank/ financial institution, the taxable value of such supply of services, will henceforth be determined as per the provisions of the sub-rule (2) of Rule 28 of CGST Rules, irrespective of whether full ITC is available to the recipient of services or not.</p> <p>It is clarified that the sub-rule (2) of Rule 28 shall not apply in respect of the activity of providing personal guarantee by the Director to the banks/ financial institutions for securing credit facilities for their companies and the same shall be valued in the manner provided in S. No. (1) above.</p>

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3. It is requested that suitable trade notices may be issued to publicize the contents of this Circular.
 4. Difficulties, if any, in implementation of this Circular may please be brought to the notice of the Board. Hindi version would follow.

(Sanjay Mangal)
Principal Commissioner (GST)

NOTE ON SPECIAL LEAVE PETITION (SLP) AGAINST THE CALCUTTA HIGH COURT JUDGMENT IN THE CASE OF SUNCRAFT ENERGY PVT. LTD

Dear All,

The Supreme Court has dismissed the department's Special Leave Petition (SLP) against the Calcutta High Court judgment in the case of Suncraft Energy Pvt. Ltd., wherein it was held that the Input Tax Credit (ITC) of the purchasing dealer cannot be denied by the department on the ground that the supplying dealer has not remitted the tax collected. This is unless there is an exceptional case, such as the supplier going missing or a situation where it becomes impossible for the department to collect tax from the supplier. Until there is a remote chance of recovering the tax from the supplying dealer, the department shall not deny ITC to the purchasing dealer.

In the context of recovering the tax from the supplying dealer, the department shall not levy any penalty or deny ITC to the purchasing dealer unless there is a compelling circumstance, such as the supplier being untraceable or any situation hindering the department from collecting tax from the supplier.

The order of the dismissal of the SLP and the affirmation of the Calcutta High Court judgment is a significant victory for honest taxpayers.

The Department filed a Special Leave Petition (SLP) in the Supreme Court, challenging the decision of the Calcutta High Court (Diary No. 44241/2023).

It is reported that the SLP has been dismissed, and the Calcutta High Court judgment has been upheld, marking a significant victory for honest taxpayers. The official copy of the judgment is awaited, and further details will be available upon its release.

It is a welcome judgement. This is massive victory to the honest tax payer.

Thanks and Regards,

Yours Faithfully,



Raju John
Executive Secretary,
Builders Association of India

Smt. Nirmala Sitharaman Ji
Chairperson,
 GST Council, 5th Floor, Tower II,
 Jeevan Bharti Building, Janpath Road,
 Connaught Place New Delhi-110 001

Respected Madam,

Sub: - Issues of construction industry needs immediate attention.

- I. Reimbursement of upward revised rates of Tax (Goods and Services Tax) from 12% to 18% on Works Contract Services provided to Central Government, State Government, Union Territory and Local Authority.
- II. Special Mechanisation for payment of GST for contract works relating to Government and its related authorities.
- III. Refund of Excess ITC for construction industry as Inverted duty structure.
- IV. Earliest inclusion of petrol, diesel, etc under GST regime.
- V. Request for New Taxation Immunity Scheme to be announced.

We are happy to congratulate your good office for successful completion of 6th Anniversary of GST implementation.

Under your stellar and dynamic leadership you have been reviewing system and procedure to optimize levy and collection of direct and indirect taxes. We are very sure that with your honest and able approach target for the revenue generation would be achieved.

ABOUT OUR INDUSTRY:

The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more

than 22,000 business entities as its members through nearly 215 chapters across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

As you are aware that the construction industry is the second largest employer of workers, next to agriculture, and employs more than 80 million people in the country. It contributes around 14% of the national GDP and accounts for around 60% of the total plan outlay of the Government. Moreover, the construction industry has forward and backward linkage to more than 400 allied industries and any upward movement in the construction industry would have a cascading effect on these industries and ultimately result in economic growth and revival for the entire country.

- I. Reimbursement of upward revised rates of Tax (Goods and Services Tax) from 12% to 18% on Works Contract Services provided to Central Government, State Government, Union Territory and Local Authority.

This is in reference to the impact of implementation of recommendations for GST rate change relating to works contract services in 47th Council meeting held on 28th and 29th June, 2022 at Chandigarh effective from 18-07-2022.

The following are increased rate of GST due to amendments mentioned:

S.No	Description	From	To
1	Works contract for roads, bridges, railways, metro, effluent treatment plant, crematorium, etc.	12%	18%
2	Works contract supplied to central and state governments, local authorities, for historical monuments, canals, dams, pipelines, plants for water supply, educational institutions, hospitals etc. & sub-contract thereof.	12%	18%
3	Works contract supplied to central and state governments, union territories & local authorities involving predominantly earthwork and sub-contract thereof.	5%	12%

I.1. CLARIFICATION FOR EXISTING INCLUSIVE OF TAX RATE CONTRACTS:

- Before the amendment there are number of contracts, which were covered under reduced rate of 12% or 5% as the case may be. It is to

specifically mention that now a days majority of the contract agreements are entered inclusive of GST rate basis. When there is sudden increase of tax rates by 6% for a category of contractors, it will be very difficult to negotiate the rates with the clients. Any upward revision

in taxes and that too by 6% will impact the profitability and sustainability of the various contracts or arrangements already entered by the contractors in light of the provisions before amendment.

I.2. EXAMPLES FOR PRACTICAL DIFFICULTIES:

Work executed for Local Authority and certain Government Departments

- This amendment is covering Local authorities also. Majority of the work allotted are based on the limited budget provisions. Even, if the authorities are ready to provide the additional 6% of tax, they may not get that 6% from the higher Body due to budget restrictions and pass on to the contractors. These kind of issues are also prevailing in various Government Departments which are executing their infrastructure needs with limited resource exposure.
- Certain Government Departments are not at all having any budget provision to allocate the additional levy of 6% tax. It is very difficult time for the contractors who are executing works for the above referred authorities to get the additional burden of this GST 6%.

The projects commenced/allotted in the erstwhile tax regime:

The projects/concessionaire agreement entered into the erstwhile tax regime i.e. (Service tax and VAT) had already faced lot of difficulties during the course of transition in the GST regime. It is observed that such agreements usually had change in law clause wherein the contractors were thus required to claim the GST after taking into account the provisions of Anti Profiteering. Thus though the tax rate applicable was at 12%, the claim usually of the contractor was in the range of 2.5 to 7%. With the change in applicable rate from 12% to 18%, the entire exercise is required to be re-done for the work done prior to 18.07.2022 and for work done post 18.07.2022. Further this leads to blockage in working capital as the approval process generally takes 6-10 months.

The projects commenced/allotted in the GST regime prior to the proposed amendment date of 18.07.2022.

- It is observed that such concessionaire agreements especially in case of ROAD WORKS and metro projects were allotted on INCLUSIVE TAX PRICE. Though change of law provisions still form part of the concessionaire agreement, clarification must be brought that for projects commenced in the GST regime, the change of law provisions will include change in tax rate as well. Accordingly the concessionaire agreement bid project cost is required

to be increased by 5.36% ($100 \times 118/112$) to account for the change in tax rate.

- In case of Hybrid Annuity Model (HAM) projects commenced/allotted in the erstwhile tax regime:

For the HAM commenced in the erstwhile regime and only annuity is received in current regime, the developers/ contractors have not availed any input tax credit as the said services were exempted then. Hence such projects for which COD is completed prior to GST regime should be exempted.

- In case of Hybrid Annuity Model projects commenced during the GST regime but prior to July, 2022:

In such projects under the concessionaire agreements it was clarified that the bid project cost shall be exclusive of GST. Hence clarification was given that GST on annuity shall be provided separately. However with increase in rate from 12% to 18%, direction may be given to release GST at appropriate rates.

1.3. ADDITIONAL WORKING CAPITAL BURDEN:

- Increase in rate of tax seems to be shifting of money from one pocket to another pocket for the Government as a whole. The private construction contracts were already covered under 18% category, only government contracts are under 12% category (in case of Earth works). Increase of rate may result into increase the burden on respective Ministries in some cases.

- Each and every work is executed with underlying contract documents. There are numerous examples of agreements with of Centre or State Government, where works are entered on all inclusive basis. In some of the contracts change in tax rate clause is either missing or in some cases it is categorically mentioned that no impact of change in rate of tax will be provided to the agreed rate. In the absence of such clauses or restriction, such contractors will have to bear the burden of increased rate of tax, which is far more unreasonable and will bring many of the contractors under bankruptcy owing to inability to perform works at such reduced rates of tax from client side.

- The construction industry is managing to come out the impact of waves of Covid which, as you are aware, has been much stronger and larger in various parts of the country. Further the construction contracts are long term contracts where the prices are locked and any untimely changes to taxes will further drag the

various contractors into financial crunch, leaving unfavourable times for most of the contractors and ultimately leading to delay in executions of the majority of the projects. Further as you are also aware that the construction industry is seeing abnormal increase in the prices of cement and steel and the index being used for providing escalation to the contractors is not commensurate with this abnormal increase in the prices of cement and steel. Shortage and migration of labour also creating lot of practical difficulties which are tough to handle smoothly. Therefore, the financial position of the contractors is very grim.

- Most of the State Government works, bill payments are getting delayed normally by 2 months to 9 months. This additional liability of 6% tax, will also be an additional working capital burden. Since, the Governments are not taking credit of input tax, the 180 days norms for non-payment of consideration prescribed for reversal of ITC under section 16(2)(d) of the CGST Act, 2017 and Rule 37 of CGST Rules, 2017 are not at all support the contractors.

I.4. SUBMISSION:

- The impact of this amendment is on the existing and ongoing construction contracts which were entered into before the date of this amendment.
- This increase in rate of tax for the Construction Industry is very unreasonable and has far-reaching implications on the fund flows and operations of the industry in numerous ways.
- The effect of amendment has created a lot of uncertainty in industry about the rates of tax on various contracts, status of existing contracts, reimbursement of increase in rates of tax, etc.
- During this post-hecktic Covid pandemic situation, the working capital is being locked on account of additional payment of GST within the due date and also an additional burden to the industry.

I.5. PRAYER:

Based on the above submission, we on behalf of Construction industry, brought before the following for the kind attention of your goodself :

SUBMISSION FOR IMMEDIATE RELIEF:

- Kindly instruct all the departments to implement the revision in all the agreements suitably and reimburse the revised rate of tax already paid by the contractors to comply the provisions of the GST Acts who are making the timely payment of GST.
- Thus the tax should be paid to the contractors on submission of bill basis and need not be reimbursement which will lock the working capital of the contractors for unreasonable period.
- Due to non-payment of the increased rate of tax by Government and its Departments, the contractors are forced to make the GST payments belatedly. In that situation, the interest and penalty for belated payment should be waived. Or it should be directed to pay interest and penalty for belated payment by the concerned departments. The contractor should not be penalised for the delay decision of the Government Departments.
- Increase in rates of tax in construction contracts will ultimately result into blocking of working

capital in the hands of contractors for unreasonable period of time. Further it is to also mention that, in respect of construction contracts even when rate of GST was 12%, there was almost negligible inverted duty structure. Hence a tremendous increase in rates of tax in view of inverted duty structure is completely false and devoid of any merits.

- Audit process as per GST Acts will run for many years. To complete the audit process smoothly, it needs issuance of clarification of list of recipients and the applicability of rate of tax for the various existing contracts entered viz, inclusive of tax, etc., to avoid litigation between the contractors and their clients to come out of the practical issues, faced by the contractors for the erstwhile amend made.
- The Ministry is requested to issue a clarification overriding all the contracts, that any increase in rates of tax will be duly passed on to the contractor by the client irrespective of the clause in agreement and if required a supplementary agreement should be entered into.

PERMANENT MEASURES TO SUPPORT THE CONSTRUCTION INDUSTRY:

II. REQUEST FOR SPECIAL MECHANISM FOR PAYMENT OF GST FOR CONTRACT WORKS

RELATING TO GOVERNMENT AND ITS RELATED AUTHORITIES

The works contract service to Governments, Governmental authority, Government entity, local authority, Union territory are charged at 18% and predominantly Earth works related contracts are charged at 12% as per the notifications issued.

Presently all most all the above service are charged at 18%.

The time of supply is the practical issue in the case of above Government and its related authorities. They are preparing the work bills as per their measurement books, etc which are maintained by the Government Departments.

The contractors are facing lot of practical difficulties in issue of invoices starting from date of stage completion of work, quantity of measurement, etc, to value of bills.

There is lot of delay in payment of bills even after the date of work completion by most of the Government authorities.

Hence, it is requested to amend the provisions of GST Act with a special mechanism to allow the Contractors to make GST payments for Government related works ON RECEIPT BASIS OR SOME OTHER SPECIAL MECHANISM. Government and its related authorities works are transparent one. There will not be any loss to the exchequers.

III. REFUND OF EXCESS ITC SHOULD BE ALLOWED AS INVERTED DUTY STRUCTURE REFUND CONSIDERING ITC ON ACCOUNT OF SERVICES ALSO

Presently Works contract services are considered as Services as per CGST Act, 2017 and there are numerous issues before department at the time of filling of refund in inverted duty structure. Department always consider the contractors; services as similar to real estate service which is not the case.

- a) A clarification can be issued by department in this aspect with calculation of refund as Inverted duty structure. Amendment is also required to consider ITC of Input services too as part of eligible ITC and allow refund of excess ITC like credits in cash ledger.
- b) Allow to file and get refund of excess ITC credit accumulated by construction concerns where the GSTIN registration are surrendered by Dealer.

IV. INCLUSION OF PETROL, DIESEL, ETC., UNDER GST REGIME

Our construction industry is facing various struggles

post Covid-19 pandemic. Short supply of materials, abnormal fluctuated increase in prices, movement of migrant labours, non availability of skilled labour, belated payment by contractees (including Government departments) are playing significant delay in executing works.

Compare to other industries our industries are time bound and completion of work in time is foremost criteria. Our members are struggling to complete the work in time and also running short of working capital.

The amendments to increase the rate of tax from 12% to 18% and 5% to 12% is also blocking our working capital for quite some time.

One of our major expenses are relating to purchase of petrol, diesel, etc., for maintenance of vehicles and machinery. Non inclusion of these products under GST REGIME is affecting our industry to extend of value added tax paid. We are unable to get input tax credit for payment of VAT on these products.

Earliest inclusion of petrol, diesel and other petroleum product under GST REGIME may be an additional incentive which will give a boost to our industry.

V. NEW TAXATION IMMUNITY SCHEME TO BE ANNOUNCED

We are thankful to the GST Council for recommends in the 53rd GST Council Meeting:-

- waiving interest and penalties for Demand notices issued under Section 73 of the CGST Act (i.e., the cases not involving fraud, suppression, or willful misstatement, etc.) for the fiscal years 2017-18, 2018-19 and 2019-20, if the full tax demanded is paid up to 31.03.2025.
- the time limit to avail input tax credit w.r.t. any invoice or debit note under Section 16(4) of CGST Act, through any GSTR-3B return filed up to 30.11.2021 for Financial Year 2017-18, 2018-19, 2019-20 and 2020-21, may be deemed to be 30.11.2021.
- and other recommendations

Keeping into consideration of the enormous practical difficulties during transition to GST mechanism, new taxation Immunity scheme needs to be announced suitably. The genuine regular tax payers should be convinced properly.

- Liberal view shall be taken for Time limit for taking input tax credit (ITC) pertaining to FY 2017-18 to FY 2022-23 and additional time to

be allowed for filing of the corresponding Additional Returns and Reports.

- Further time limit for amending transactions of 2017-18 to 2022-23 in GSTR 1 shall be allowed as it facilitates reflection of such amended details in GSTR 2A of the recipient.
- It may be proposed an one time measure for suitably waiving interest, penalties for all returns including GSTR 9, 9A, 9B and 9C filed for FY 2017-18 to 2021-22.
- More clarity to be given for already assessment completed cases and the due share of benefit to be passed on to the genuine dealers who have already discharged the tax, interest and penalty in due care and respect.

Copy to: i) **The GST Council Secretariat.**
ii) **The All Members of GST Council.**
iii) **The Chief Ministers of all States.**
iv) **The Finance Ministers of all States.**

We look forward to the above-mentioned changes as otherwise our construction industry would go deeper in the financial crisis and the growth of the entire country would suffer thus impacting the generation of the revenue and impacting the dream of Honorable Prime Minister to make India as the "Business Capital" of the World.

Thanking you,

Yours faithfully,



S. N. REDDY
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

CEMENT MATTER

BAI filed petition before the Competition Commission of India on the cartelisation of Cement Manufacturers. The Hon'ble Competition Commission have penalised Cement Manufacturers Rs.6,307 Crore and asked them to deposit the same before them. This is the highest penalty ever levied by Indian judicial system. CCI formally allows BAI to implead the Cement Cartelisation Petition.

SUMMARY OF WRIT PETITION FILED IN DELHI HIGH COURT, DELHI

IN THE MATTER OF:

BUILDERS ASSOCIATION OF INDIA

Versus

...PETITIONER

COMPETITION COMMISSION OF INDIA

...RESPONDENT

The present Writ Petition under Article 226 r/w. Article 227 of the Constitution of India has been filed by the Builders Association of India ("BAI") against the ex-parte order dated 29.12.2021 (Impugned Order) passed by the Competition Commission of India ("CCI") which was received by Petitioner on 06.01.2022 in Suo Moto Case No. 02/2019; whereby CCI dismissed the Application preferred by BAI under Section 18 and 36 of the Competition Act, 2002 (Competition Act) read with Regulation 25 of the CCI (General) Regulations, 2009 (CCI General Regulation) seeking permission to be impleaded (Impleadment Application) as an 'Interested Party' and to participate in the proceedings before it (as well its investigative arm the offices of the Director General) in Suo Moto Case No. 02/2019 (cement cartel matter). Impugned Order is not an appealable order under the provisions of the Competition Act more specifically under Section 53B of the Competition Act.

The Impugned Order (Ex-parte) has been challenged on several comprehensive grounds including the following:

- A. Violation of Principle of Natural Justice - CCI passed the Impugned Order without granting any hearing to the Petitioner. It is a settled principle of law that a party cannot be condemned without grant of a hearing.
- B. Order passed without presence of a Judicial Member in its quorum - The Impugned Order (ex-parte) was passed by a CCI bench, without the judicial member, i.e. no judicial member was part of the bench - which passed the Impugned Order.
- C. The Impugned Order is unreasoned, arbitrary and does not examine/ provide findings on there levant provisions and/ or past precedents - The Impugned Order suffers from non-application of mind; is unreasoned and arbitrary. It is a settled principle that the orders so passed by the quasi-judicial authorities

should give reason for arriving at any conclusion showing proper application of mind and the order must be supported by the reasons of rationality.

- D. Petitioner's 'Substantial Interest' and Role in the ongoing Proceeding before the Respondent - The CCI ignored the fact that BAI has direct and substantial interest in the outcome of the investigation/order in Suo Moto Case No. 02/2019 (cement cartel matter); and it was based on evidence filed by BAI and oral and written submissions made on behalf of BAI that CCI was able to impose highest ever penalty on cement manufacturing companies (around INR 6300 Crores) for the penalty imposed. It is submitted that the Petitioner (which comprises of around 20000 members - mostly infrastructure developers) is affected by the anti-competitive conduct of the cement manufacturers. It is further submitted that the Petitioner (through its members) is the largest consumer of the cement and therefore suffers a direct impact every time the cement manufacturers engage in anti-competitive and unfair practices. It must also be noted that Petitioner has actively/ repeatedly and on several occasions brought the anti-competitive conduct of the cement manufacturers before the erstwhile Monopolies and Restrictive Trade Practices (MRTP) Commission as well as Respondent and played a pivotal role (as a crusader) in previous cases before CCI.

Advocates on behalf of BAI shall pray and submit that this case deserves consideration of this Hon'ble Court under Article 226 and Article 227 of the Constitution to prevent miscarriage of justice.

Writ Petition filed by the Builders Association of India in Delhi High Court dated 9th April 2022, If any member requires its full copy please contact to BAI, HQ email id baihq.mumbai@gmail.com



भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA

F.No.11(02)/2019-Sectt. / 9027

10.10.2022

Builders Association of India ('BAI')
D/203, Aashirwad Complex,
Green Park Main,
New Delhi-110016

[Suo Moto Case No. 02/2019]

Subject : Cartelization amongst some manufacturing companies in different geographic regions in India.

कृपया इस पत्र के साथ आयोग द्वारा पारित आदेश दिनांक 06.10.2022 की प्रमाणित कॉपी, अगोपनीय अन्वेषण रिपोर्ट की इ-कॉपी और धारा 26(1) के अंतर्गत पारित आदेश दिनांक 01.07.2019 की प्रति सूचनार्थ एवं अनुपालनार्थ प्राप्त करें।

Please find enclosed herewith a certified copy of the order dated 06.10.2022 e-copy of the non-confidential version of the Investigation Report and order dated 01.07.2019 passed under section 26(1), for your information and compliance

सचिव/Secretary

Enclosure:

Certified copy of the order dated 06.10.2022
Non -confidential version of the Investigation Report
Copy of the order dated 01.07.2019 passed under Section 26(1).

Copy to : Ms. Anu Monga, Advocate, Anant Law, Solicitor & Advocates, A2/2, Vasant Vihar, New Delhi -110057 (order enclosed)

(Details of the order can be obtained from BAI Head Quarter by sending email to baihq.mumbai@gmail.com)

Note on Writ Petitions filed by Cement Manufacturers before the various High Courts

Ultratech, India Cements, Dalmia Cements and Shree Cements have filed writ petitions before the High Court(s) under Art 226 of Constitution of India challenging impleadment of BAI under Reg. 25 of the Competition Act.

BAI impleadment is broadly challenged on the following grounds:

1. Violation of principles of natural justice as no hearing was granted to Ultratech prior to impleadment of BAI;
2. Commercially sensitive information/ data of Ultratech has been granted/ provided to BAI - which BAI may spread among its members;
3. CCI has reversed its order of 2021 to implead BAI;
4. CCI order is unreasoned;
5. No public interest is served with impleadment of BAI.

Below is the summary of the proceedings before various High Courts.

Ultratech - Delhi High Court. The matter was listed for hearing before the High Court of Delhi on 26.07.2023. Ultratech was represented by Dr. Abhishek Manu Singhvi, Senior Advocate and briefed by Trilegal. BAI was represented by Mr. Percival Billimoria (Senior Advocate) and briefed by us.

Delhi High Court heard the petitioners and respondents in detail. The Petitioners vehemently argued that BAI will get access to commercially sensitive data of Ultratech and CCI's order is unreasoned and therefore is required to be set-aside. Also, that CCI has violated principles of natural justice. We submitted that the order is reasoned and passed pursuant to Delhi High Court's direction and the main order dt 06.10.2022 impleading BAI has not been challenged by Ultratech. We also mentioned that BAI has only been granted with non-confidential version of the DG Report - which is heavily redacted. We have also filed our detailed post hearing written submissions with the Delhi High Court and case law compilation. The order has been reserved, which is likely to be pronounced on 21.08.2023. Ultratech has not been granted any interim relief.

India Cements and Dalmia Cements - Madras High Court. The matter was first listed before the Madras High

Court on 25.07.2023 and the Indian Cements obtained a stay order on grant of documents to BAI in the matter. The said order came to our knowledge on 29.07.2023 and BAI was immediately informed about the same. Upon receipt of instructions from BAI, we appeared before the Madras High Court on 31 July and 1 August 2023 and argued the matter on behalf of BAI. We raised objection on the maintainability of the writ petition on the issue of "territorial jurisdiction" as well as doctrine of comity of courts. It was submitted that Delhi High Court is already ceased of the matter and the entire cause of action in the subject case is Delhi and therefore, Madras High Court should not interfere in the matter. Madras High Court gave us a patient hearing (over a course of 2 days) and subsequently reserved the order on the issue of jurisdiction alone. We submitted our case law compilation to the Bench and other notes to assist the Bench. Madras High Court clarified that they would issue the notice in the matter only are getting convinced that they have a territorial jurisdiction to entertain the writ petition. The matter is reserved for pronouncement of order on 14.08.2023. The interim stay was also modified to the extent that it shall only apply to 2 petitioners before the Madras High Court. BAI was represented by Ms. Anu Monga and Mr. Rahul Goel Ms. Anu Monga presented arguments/ submissions on behalf of BAI.

Shree Cements - Rajasthan High Court Jaipur Bench.

We also became aware of the writ petition filed by Shree Cements before Rajasthan High Court and the same was brought to the notice of BAI on 29.07.2023. The matter was listed on 31.07.2023. Upon receipt of instructions from BAI two of our colleagues travelled to Jaipur and attended the hearing before the High Court. As soon as the matter was taken up the court was informed that the Madras High Court is hearing the matter and the counsels are in Chennai. The High Court directed the matter to be re-listed on 3.08.2023. When the matter was taken up on 03.08.2023, we appeared on behalf of BAI and raised the issue of territorial jurisdiction before the Court and also mentioned that the order of 06.10.2022 has not been challenged by Shree Cements. After almost 40 minutes of arguments from both sides, the Court directed the matter to be listed on 16.08.2023 - so that it can take advantage of Madras High Court's order - which is likely to be pronounced on 14.08.2023. Further, despite Shree Cements best efforts, we pressed on the Bench not to grant any interim relief. Bench agreed with us simply listed the matter for hearing on 16.08.2023. No relief was granted to Shree Cements. Ms. Anu Monga argued on behalf of BAI.

UPDATE ON CEMENT CARTEL HEARINGS BEFORE VARIOUS HIGH COURTS

Hon'ble Madras High Court – Writ Petitions filed by India Cement and Dalmia Cement, against impleadment of BAI in cement cartel proceedings

The writ petitions filed by India Cements and Dalmia Cements were heard in detail by the Ld. Single Judge at Hon'ble Madras High Court. After hearing us and the petitioners, the Ld. Single Judge dismissed the writ petitions filed by India Cements and Dalmia Cements.

Against the dismissal order of the Ld. Single Judge, India Cements and Dalmia Cements filed an appeal before the Division Bench of the Hon'ble Madras High Court. The same were listed before the Hon'ble Chief Justice's court and the same were heard at length on various dates. After hearing all the parties, the Hon'ble Division Bench of Madras High Court dismissed the writ appeals filed by India Cements and Madras Cements.

Ms. Anu Monga and Mr. Rahul Goel represented BAI before the Hon'ble Madras High Court and argued the matter.

It is anticipated that they will now file an appeal before the Hon'ble Supreme Court.

BAI has already filed caveats before the Hon'ble Supreme Court.

Hon'ble Telangana High Court – Writ Petitions filed by Sagar Cement, My Home Industries and Rain Cements

Three writ petitions have been filed before the Hon'ble Telangana High Court by Sagar Cements, My Home Industries and Rain Cements. The parties were initially

able to obtain a stay (in BAI's absence) on BAI's access to non-confidential files at CCI. This effectively limited BAI's scope of participation in the cement cartel matters. However, in subsequent dates, BAI through Ms Anu Monga was able to get the stay modified – allowing BAI's access to non-confidential records of the petitioners. As on date there is no stay on BAI's participation in proceedings before the CCI by Hon'ble Telangana High Court.

BAI is being represented before Hon'ble Telangana High Court through Ms. Anu

Monga and Mr. Rahul Goel

Hon'ble Rajasthan High Court (Jaipur Bench) – Writ Petition filed by Shree Cement

The matter has been listed before the Hon'ble Rajasthan High Court few times, however, we have been able to ensure that no stay is granted on BAI's participation in the proceedings before the CCI.

BAI is being represented before Hon'ble Rajasthan High Court through Ms. Anu Monga and Mr. Rahul Goel

Hon'ble Delhi High Court– Writ Petition filed by UltraTech Cements

The matter has been heard in detail and the judgment on UltraTech's writ petition has been reserved by the Hon'ble Delhi High Court. No stay has been granted to UltraTech in the matter.

BAI is being represented before Hon'ble Delhi High Court through Ms. Anu Monga and Mr. Rahul Goel.

SECTION: XVII
IN THE SUPREME COURT OF INDIA CIVIL
APPELLATE JURISDICTION

Listed on: 04.04.2024
Before Court No. R-1
Item No. 13

CIVIL APPEAL Nos. 9410-10F 2018

WITH

C.A. NOS. 9826, 9744, 9538-39, 9763, 9555-56, 9534-35, 9734-35,

9882-83, 9864 AND 9851 OF 2018

WITH

C.A. NOS. 1281-82 OF 2019

THE INDIA CEMENTS ETC.

...APPELLANTS

VERSUS

COMPETITION COMMISSION OF
INDIA & ORS. ETC. ETC.

...RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Ld. Registrar Court on 01.08.2023, when the Hon'ble Court was pleased to pass the following order:

"C.A. No.9410-9411/2018

Ld. counsel for the appellant is granted two weeks' time to take fresh steps and file fresh particulars in respect of unserved respondent nos.3, 7, 11 and 12. Ld. Counsel for the appellant seeks permission to serve notices through official email to the unserved respondents. Permitted, if unserved respondents are Institutions and are having official e-mail Id. Necessary steps accordingly be taken. Notices accordingly be issued.

C.A. No. 9744/2018

Respondent no. 12 has filed counter affidavit.

Ld. counsel for the appellant is granted two weeks' time to take fresh steps and file fresh particulars in respect of unserved respondent nos. 2, 10 & 11.

Respondent nos. 3 and 4 are granted four weeks time for filing counter affidavit.

Service is complete on respondent nos.5 to 9 but none has entered appearance.

C.A. No. 9826/2018

Ld. counsel for the appellant is granted two weeks' time to take fresh steps and file fresh particulars in respect of unserved respondent nos. 3, 11 and 12. Respondent nos. 4 and 5 are granted four weeks time for filing counter affidavit. Service is complete on respondent nos.2 and 6 to 10 but none has entered appearance.

C.A. No. 9555-9556/2018

Respondent no. 4 is granted four weeks time for filing counter affidavit.

Service is complete on respondent nos. 5 to 11, 13 and 14 but none has entered appearance.

Ld. Counsel for the appellant has neither taken fresh steps

nor filed fresh particulars in respect of respondent nos. 3 and 12 despite last opportunity having been granted, as such, Registry to process the matter for listing before the Hon'ble Judge in Chambers for necessary directions.

C.A. No. 9534-9535/2018

Respondent no. 4 is granted four weeks time for filing counter affidavit.

Service is complete on respondent nos.5 to 14 but none has entered appearance.

Ld. Counsel for the appellant has not taken fresh steps in respect of respondent no.3 despite last opportunity having been granted, as such, Registry to process the matter for listing before the Hon'ble Judge in Chambers for necessary directions.

C.A. No. 9538-9539/2018, C.A. No. 9734-9735/2018, C.A. No. 9882-9883/2018

Opportunity to respondent nos. 1 and 2 to file counter affidavit has already been declined.

C.A. No. 9763/2018

Process in terms of order dated 5.4.2023.

C.A. No. 9864/2018

Ld. Counsel, Ms Akansha appearing on behalf of Karanjawala & Co., Advocate-on-record submits that they have filed fresh vakalatnama on behalf of the appellant but it is not reflected in the office report. Office to verify and update the records.

Ld. counsel for the appellant is granted two weeks' time to take fresh steps and file fresh particulars in respect of unserved respondent nos.3, 11 & 12.

Service is complete on respondent nos. 6,8,9 and 13 but none has entered appearance.

C.A. No. 9851/2018

Ld. Counsel, Ms Akansha appearing on behalf of Karanjawala & Co., Advocate-on-record submits that they have filed fresh vakalatnama on behalf of the appellant but it is not reflected in the office report. Office to verify and update the records.

Opportunity to respondent nos.1,9,10 and 12 to file counter affidavit has already been declined.

Respondent nos 3, 5 & 6 have refused to accept the notice, as such, service shall be deemed to be complete but none has entered appearance.

Service is complete on respondent nos. 2,4,7,8 and 11 but none has entered appearance.

Matter is ready for listing before the Hon'ble Court

C.A. No. 9410-11 of 2018

It is submitted that there are 13 respondents out of which 12 respondents are common. Counsel appearing for the respondent nos. 1, 2, 4 & 5 and 10 have not filed counter affidavit so far. No one has entered appearance on behalf of respondent nos. 6, 8, 9 & 13 though served.

It is also submitted that pursuant to the order quoted above counsel for the appellant has on 01.08.2023 filed affidavit of service stating therein that respondent nos. 3, 7, 11 and 12 have been served with copy of appeal paper book through their official email address and same are not bounced/returned.

C.A. No. 9826 of 2018

It is submitted that there are 13 respondents. Counsel appearing for the respondent nos. 1 and 13 have not filed counter affidavit so far.

It is further submitted that no one has entered appearance on behalf of respondent nos. 2 and 4 to 10 though served.

It is also submitted that a certificate of service from concerned Tribunal has been received on 14.09.2023 in respect of respondent nos. 3, 11 & 12 stating therein that NLPA has been served.

It is lastly submitted that Mr. E. C. Agrawala, Advocate has filed vakalatnama on behalf of Respondent no. 4 & 5 but he has not filed counter affidavit so far.

Service is complete.

C.A. No. 9744/2018

There are 12 respondents in this matter. Respondent no. 1 is represented through Mr. Ashwarya Sinha, Advocate but he has not filed counter affidavit so far and respondent no. 12 is also represented through Mr. Jose Abraham, Advocate and he has already filed counter affidavit. No one has entered appearance on behalf of respondent nos. 5, 7 to 9 though served.

It is further submitted that a certificate of service from concerned Tribunal has been received stating therein that NLPA has been served on respondent nos. 2, 6, 10 & 11, but no one has entered appearance so far.

It is also submitted that Mr. E. C. Agrawala, Advocate has filed vakalatnama on behalf of respondent nos. 3 & 4 but he has not filed counter affidavit so far.

Service is complete.

C.A. Nos. 9538-39, 9734-35, 9882-83 of 2018

It is submitted that there are 02 respondents. Counsel appearing for both the respondents have not filed counter affidavit so far.

Service is complete on both the respondents.

C.A. No. 9763/2018

There are 13 respondents in this matter. Respondent no. 1, 2 & 3 are represented through Mr. Ashwarya Sinha, Mr. Jose Abraham & Mr. Jeevan Prakash, Advocates respectively, but only respondent no. 2 has filed counter affidavit. Counsel appearing for respondent nos. 1 & 3 have not filed counter affidavit so far.

It is further submitted that M/s E C Agrawala Adv. has filed vakalatnama on behalf of respondent nos.4 and 5. No one has entered appearance on behalf of respondent nos. 6 to 13 though served.

Service is complete on all the 13 respondents.

C.A. Nos. 9555-56 and 9534-35 of 2018

It is submitted that pursuant to the order above mentioned matter was listed before the Hon'ble Judge in Chamber on 30.10.2023, when the following order was passed.:

"Learned counsel appearing for the appellants has filed an affidavit on 25.8.2023 deposing thereunder that notices have been personally served on the respective respondents.

Registry to verify and take steps to list the matters before the Court, if needful has been done."

C.A. Nos. 9555-56/2018

It is submitted that counsel for the appellant has on 25.08.2023 filed affidavit of service stating therein that notice has been personally served on 21.08.2023 on respondent no. 3 & 12, but no one has entered appearance so far.

It is further submitted that there are 14 respondents out of which 12 respondents are common. Respondent nos. 1 and 2 are represented through Mr. Ashwarya Sinha, Advocate and Mr. Jose Abraham, Advocate respectively but they have not filed counter affidavit so far. No one has entered appearance on behalf of respondent nos. 5 to 11, 13 & 14 though served.

It is lastly submitted that Mr. Anshuman Srivastava, Advocate has on 26.07.2023 filed vakalatnama on behalf of respondent no. 4 but he has not filed counter affidavit so far.

Service is complete.

C.A. Nos. 9534-35/2018

It is further submitted that counsel for the appellant has on 25.08.2023 filed affidavit of service stating therein that notice has been personally served on 21.08.2023 on respondent no.

3, but no one has entered appearance so far.

It is submitted that there are 14 respondents out of which 12 respondents are common. Respondent nos. 1 and 2 are represented through Mr. Ashwarya Sinha, Advocate and Mr. Jose Abraham, Advocate respectively but they have not filed counter affidavit so far. No one has entered appearance on behalf of respondent nos. 5 to 14 though served.

It is lastly submitted that Mr. Anshuman Srivastava, Advocate has on 26.07.2023 filed vakalatnama on behalf of respondent no. 4 but he has not filed counter affidavit so far.

Service is complete.

C.A. No. 9864/2018

It is submitted that there are 12 respondents. Counsel appearing for the respondent nos. 1, 2, 4 & 5 and 10 have not filed counter affidavit so far. No one has entered appearance on behalf of respondent nos. 6, 8, 9 & 13 though served.

It is further submitted that counsel for the appellant has on 14.02.2023 filed proof of service of civil appeal on counsel for the respondent no. 10 through email.

It is also submitted that a certificate of service from concerned Tribunal has been received on 14.09.2023 in respect of respondent nos. 3, 11 & 12 stating therein that NLPA has been served.

Service is complete.

C.A. No. 9851/2018

There are 12 respondents in this matter. Counsel appearing for the respondent nos. 1 and 9 & 10 have not filed counter affidavit so far. Ms. Iyer Shruti Gopal, Advocate has on 27.02.2023 filed vakalatnama on behalf of respondent no. 12 but she has not filed counter affidavit so far. No one has entered appearance on behalf of respondent nos. 2, 4, 7, 8 and 11 though served.

It is also submitted that a certificate of service from concerned Tribunal has been received stating therein that NLPA has not been served in respect of respondent nos. 3 & 6 with postal remarks "*left without instructions*" and for respondent no. 5 stating therein that "*Refused*".

It is further submitted that Respondent no. 3, 5, & 6 are common respondents in CA No. 9864/2018 and certificate of service from the Tribunal has been received in CA No. 9864, stating therein NLPA served.

Service is not complete on respondent nos. 3, 5,& 6.

C.A. NOS. 1281-82 OF 2019

The matter above mentioned was listed before the Ld. Registrar's Court on 16.02.2023, when the Court was pleased to pass the following inter-alia Order:

**"xxx xxx xxx
C.A. No. 1281-1282/2019**

Ld. Advocate-on-record, Mr. Avneesh Arputham submits that they have filed vakalatnama on behalf of the appellant yesterday. Registry to verify and update the records.

Respondent Nos.1 and 2 in C.A. No. 1281-1282/2019 are granted four weeks' time, as last opportunity, for filing counter affidavit."

It is submitted that there are two respondents in the matter. Counsel for the respondent nos. 1 and 2 but they have not filed counter affidavit so far.

Service of notice is complete.

The matters above mentioned are listed before the Ld. Registrar Court with this office report.

DATED THIS THE 04TH DAY OF APRIL, 2024.

BRANCH OFFICER

Copy to :

1. Mr. Aditya Verma, Advocate
2. Mr. Ashwarya Sinha, Advocate
3. Mr. Jose Abraham, Advocate
4. Mr. Jeevan Prakash, Advocate
5. Mr. Abhinav S. Raghuvanshi, Advocate
6. Mr. E. C. Agrawala, Advocate
7. Ms. Iyer Shruti Gopal, Advocate
8. Mr. Pramod B. Agrawal, Advocate
9. Mr. Senthil Jagadeesan, Advocate
10. M/s. Parekh & Co., Advocates
11. Mr. Praveen Kumar, Advocate
12. Mr. Anshuman Srivastava, Advocate

BRANCH OFFICER

P-2/vks

ITEM NO.15

COURT NO.7

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4100/2024

(Arising out of impugned final judgment and order dated 29-09-2023 in WA No. 2227/2023 passed by the High Court of Judicature at Madras)

DALMIA CEMENTS (BHARAT) LTD.

Petitioner(s)

VERSUS

263040

COMPETITION COMMISSION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION AND IA NO.47708/2024 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 26-02-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

Certified to be true Copy
Assistant Registrar (Judl.)
26-02-2024
Supreme Court of India

For Petitioner(s) Dr. S. Muralidhar, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. M.S. Ananth, Adv.
Mr. Abhinabh Garg, Adv.
Mr. M.A. Karthik, Adv.
Mr. Maitreya Subramaniam, Adv.
Mr. Pallak Bhagat, Adv.
Mr. E.C. Agrawala, AOR

For Respondent(s) Ms. Anu Monga, Adv.
Mr. Rahul Goel, Adv.
Ms. Aditi Sharma, Adv.
Mr. Jose Abraham, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard the learned senior counsel appearing for the petitioner.

No case for interference is made out in exercise of our

jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is, accordingly, dismissed. However, the question of law is kept open.

The learned counsel appearing on caveat for the third respondent states that the third respondent will not apply for inspection of the documents which have been marked by the petitioner as confidential.

Pending application also stands disposed of.


(ASHISH KONDLE)
COURT MASTER (SH)


(AVGV RAMU)
COURT MASTER (NSH)




SEALED IN MY PRESENCE

4775
Application filed on: 28/2/24
Date given to receive copy: 28/2/24
Date on which copy is made ready: 28/2/24
Date on which the copy is received by the applicant: 28/2/24
Krishan Kr
28/2/24
Officer
Court of India

IN THE SUPREME COURT OF INDIA
(ORDER XXI RULE 3(1) (A))
CIVIL APPELLATE JURISDICTION
(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (CIVIL) NO. 4100 OF 2024

[Arising out of the impugned Judgment and final Order dated 29.09.2023 passed by the High Court of Judicature at Madras in Writ Appeal No. 2227 of 2023]

WITH PRAYER FOR INTERIM RELIEF

IN THE MATTER OF:-

Dalmia Cements (Bharat) Ltd. ... Petitioner

VERSUS

Competition Commission of India & Ors. ... Respondents

PAPER – BOOK

[FOR INDEX: KINDLY SEE INSIDE]

NOTE : The Full set of Case / Order will be email as per the request of the members.

ADVOCATE FOR THE PETITIONER : E.C. AGRAWALA

Labour Law Matters

BAI appreciated Government's vision about the Construction Industry, particularly emphasising the new labour Codes in the background of new dimensions of the construction Industry and expectation from the contractors & builders to achieve the aforesaid mission. BAI Always support the Ministry of Labour and Employment.

From: Office Sridhar Potaraju <office@sridharpotaraju.com>
Sent: Monday, January 22, 2024 5:34 PM
To: prambulgekar@shirke.co.in
Cc: Sridhar Potaraju <sridhar@sridharpotaraju.com>

Subject: W.P. (C) No. 2011 of 2016

Respected Sir,

Ref: W.P. (C) No. 2011 of 2016

Builders Association of India Vs. The Regional Director **Employees State Insurance**








This is to inform you that I have been designated as Senior Advocate vide notification dated 19.01.2024 as issued by the Hon'ble Supreme Court of India. In view of the aforesaid development, you are requested to engage a new Advocate-on-Record at the earliest. A soft copy of the complete records available with us is attached below for your perusal.

The next date of hearing in the aforementioned matters as available on the website of Hon'ble High Court of Delhi is also enclosed herewith for your reference.

The next date of hearing is on 07.02.2024.

REGARDS

RITU KOHLI
FOR: SRIDHAR POTARAJU
Senior Advocate
D-305, 2nd Floor,
Defence Colony,
New Delhi-110024
Tel No. 011-49051580
011-24333165

-  **_Amended Cause Title.pdf**
-  **_Application for Stay.pdf**
-  **_Case Status_DHC.pdf**
-  **_Counter Affidavit filed by the Respondents.pdf**
-  **_Rejoinder Affidavit.pdf**
-  **_WP No.2011 of 2016.pdf**
-  **_Written Submission on Behalf of the Petitioners...**



High Court of Delhi

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Status of cases

S.No	Diary No. / Case No. [STATUS]	Petitioner Vs. Respondent	Listing Date / Court No.
1.	W.P.(C) 2011 / 2016 [PENDING] Order(s) Judgement(s)	BUILDERS ASSOCIATION OF INDIA Vs. THE REGIONAL DIRECTOR, EMPLOYEES STATE INSURANCE & Advocate : KESHAV RANA JAN	Next 25/09/2024 Date : 25/09/2024 Date : 25/09/2024 Last Date: 25/09/2024

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2011/2016, CM APPL. 8687/2016 & CM APPL.
44974/2016

BUILDERS ASSOCIATION OF INDIA Petitioner

Through: Appearance not given

versus

THE REGIONAL DIRECTOR, EMPLOYEES STATE
INSURANCE & ANR Respondents

Through: Mr.Mahesh Srivastava and
Mr.Vaibhav Manu Srivastava,
Advocates for R-1 and 2
Mr.A.K. Verma, Advocate for ESCI
alongwith Mr.Arvind Kumar Bansal,
SSO ESIC
Mr.Anuj Agarwal, Advocate for
GNCTD

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
07.02.2024

%

Learned counsel appearing on behalf of parties seek an adjournment submitting to the effect that Hon'ble Supreme Court in the transfer petitions bearing Transfer Petition (civil) Nos. 576-598/2019 has stayed further proceedings in the present writ petitions bearing W.P.(C) 2011/2016, W.P.(C) 6338/2016, W.P.(C) 10594/2016 and W.P.(C) 5978/2017 and the matter is pending for adjudication.

At joint request of learned counsel for the parties, list on 25th September, 2024.

CHANDRA DHARI SINGH, J

FEBRUARY 7, 2024/dy/ds

Click here to check corrigendum, if any

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 11/04/2024 at 13:36:08

ITEM NO.59

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 13351/2018
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 14-03-2017
IN WP NO. 846/2016 PASSED BY THE HIGH COURT OF JUDICATURE AT BOMBAY
AT GOA)

BUILDERS ASSOCIATION OF INDIA

PETITIONER(S)

VERSUS

THE EMPLOYEES STATE INSURANCE CORPORATION & ORS.

RESPONDENT(S)

Date : 06-07-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s)

Mr. Gopal Jain, Sr. Adv.
Mr. Jose Abraham, AOR
Ms. Prashanti, Adv.
Mr. M.P. Srivignesh, Adv.
Mr. B. Mathews, Adv.
Ms. Neema Noor Mohamed, Adv.

For Respondent(s)

Mr. Rajeev Shukla, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Lakshay Mangla, Adv.
Mr. Prakash Ranjan Nayak, AOR

UPON hearing the counsel the Court made the following
O R D E R

Upon hearing the learned counsels for the parties and taking into account the orders passed by several High Courts in respect of the same subject matter, we are of the view that an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31st July, 2015 of the Employees State Insurance Corporation shall remain stayed until further orders.

Validity-unknown
Digitally signed by
VINOD LAKHINA
Date: 2023.07.06
20:13:01
Reason:

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER



**EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, C.I.G. ROAD
NEW DELHI – 110 002**

Website - esic.in Ph : (011) 23234092

ESIC...Chinta se Mukti

No.T.11/13/11/03/2015 Rev.II

Dated : 26.09.2018

To,

**All RDs/Director/JD Incharge
Regional Office/SROs, /DO**

Sub: Extension of the ESI Scheme to Construction Site Workers-reg.

Sir,

ESIC vide its Order dt.31.07.2015 had issued instructions regarding extension of ESI Scheme to construction site workers through which site workers of construction companies were also to be covered under ESI Scheme.

CREDAI and Several Builders filed Writ Petition No.846 of 2016 in the High Court of Bombay at Goa challenging ESIC order dated 31.07.2015. The Hon'ble High Court dismissed the writ petition of CREDAI and others vide its order dated 14.03.2017.

The Builder Association of India challenged the extension of ESI Scheme to construction site workers before Hon'ble Supreme Court of India vide SLP No.13351/2018.

Hon'ble Supreme Court of India vide its order dt.06.07.2018 has ordered that "an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31st July, 2015 of the ESIC shall remain stayed until further orders."

Consequently, references have been received on the following points:

1. During the stay period whether ESIC contribution may be collected or not in respect of construction site workers.
2. During this period of non payment of contribution if any claim for benefit comes in notice of ESIC for construction site workers whether the same is to be accepted or not.

-2-

In view of above, it is clarified that no ESI contribution may be collected from the construction site workers and from their employers during the period of stay order by Hon'ble Supreme Court and also no benefits could be extended to such workers during the corresponding benefit period.

This issues with the approval of the Director General.

Yours faithfully


(MOHIT RAJA)
DY. DIRECTOR(REV.)

Copy to : Website Manager to upload.

ESIC Matter - BAI's efforts pays off.....

As many BAI members were apprehensive of the adverse effect of such a sudden implementation of the Act in the industry, BAI immediately took up the matter to various High Courts and obtained 'Stay' order restraining the E.S.I. Department taking action against contractors on coverage of Employees' State Insurance Scheme to the construction workers. BAI is also instrumental in ESIC issuing circular No.T.11/13/11/03/2015 Rev. II dated 26/09/2018, exempting construction site workers from the purview of the provisions of ESIC act.

BAI obtained 'Stay' order restraining the E.S.I. Department taking action against contractors on coverage of Employees' State Insurance Scheme to the construction workers. BAI is also instrumental in ESIC issuing circular No.T.11/13/11/03/2015 Rev. II dated 26/09/2018, exempting construction site workers from the purview of the provisions of ESIC act.



कर्मचारी राज्य बीमा निगम
(श्रम और रोजगार मंत्रालय, सरकार भारत)
Employees' state Insurance Corporation
(Ministry of Labour & Employment, Govt. of India)



मुख्यालय/Headquarters
पंचदीप भवन, सी.आई.जी. मार्ग, नई दिल्ली -
110002
Panchdeep Bhawan, C.I.G. Marg, New Delhi-110002
Website : www.esic.nic.in/www.esic.in

क.रा.बी.नि.
E.S.I.C

F.No.T-11/13/52/04/2022 Rev.II

Dated: 03.04.2023

To,

All RDs/Directors/JD In charge
Regional Office/SROs/DO

Sub: Extension of the ESI Scheme to Construction Site Workers -regarding.

Sir,

This has reference to instruction no. P-12(11)-11/27/99-Ins.IV dated 14/06/1999 and P-12/11/11/60/2010-Rev.II dated 31/07/2015 relating to coverage of constructions workers. Further clarifications were issued vide Instruction No.T.11/13/11/03/2015 Rev.II dated 26.09.2018.

In this context, it is stated that the orders of the Bombay High Court at Goa dated 14th March 2017 passed In W.P. No. 846 of 2016 and also the Circular dated 31st July, 2015 of the ES C covering the construction site workers was stayed by the Hon'ble Supreme Court in SLP No.13351/2018 filed by the Builders Association of India, which was duly circulated vide Hqrs. instruction No. T.11/13/11/03/2015 Rev.II dated 26.09.2018.

This office is in receipt of a letter dated 18.02.2023 from a unit namely the Tata Projects Limited enclosing the list of field offices who issued notices ,orders and recovery certificates allegedly in contravention to the Supreme Court's Order dated 06.07.2018 and clarification issued vide this office circular of even number dated 26.09.2018.

In this regard, it is informed that WP(C)No. 936/2022 before the Hon'ble Supreme Court of India challenging the notices being issued by various Regional Officers of

the ESIC, was filed by Tata Projects Ltd. The Hon'ble Supreme Court vide order dated 27.01.2023 has ordered as under:

We clarify that the adjudication proceedings which are pending before the Employees' state Insurance Corporation authorities will be restricted to those employees' who are covered under the circular No. P-12(11)-11/27/99-ns. JV dated 14.06.1999, i.e., workers who are employed on regular employment and not those employed periodically or on temporary basis'.

In view of the above, it is again reiterated to strictly comply with the orders dated 27.01.2023 passed by the Hon'ble Supreme Court while following the instruction issued under the Circular No. P-12(11)-11/27/99-Ins. IV dated 14.06.1999 and 26.09.2018 till the final outcome of the case pending in Hon'ble Supreme Court.

This issues with the approval of the Director General.

Encl: As above

Yours faithfully,

(Rakesh Chauhan)
Dy. Director (Rev.)

Copy to : Website Contents Management, Hqrs. Office, with the request to upload this instruction.

ITEM NO.15

COURT NO.7

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Civil) No(s). 576-598/2019

EMPLOYEES STATE INSURANCE CORPORATION AND ANR. ETC.Petitioner(s)

VERSUS

ITD CEMENTATION INDIA LTD. AND ANR. ETC.

Respondent(s)

(I.A. FOR STAY IN W.P.(C)NO.936/2022)

WITH

W.P.(C) No. 936/2022 (X)

(IA No. 165640/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 159274/2022 - STAY APPLICATION)

Date : 27-01-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. Gaichangpou Gangmei, AOR
Mr. Sridhar Potaraju, Adv.
Mr. Arjun D. Singh, Adv.

Mr. Mahesh Srivastava, Adv.
Mr. Vaibhav Manu Srivastava, AOR
Mr. Abhishek Jaiswal, Adv.

For Respondent(s)

Mr. Rajiv Shukla, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Prakash Ranjan Nayak, AOR

Ms. Geeta Luthra, Sr. Adv.
Mr. Mahesh Srivastava, Adv.
Mr. Vaibhav Manu Srivastava, AOR
Ms. Kavya Agarwal, Adv.
Mr. Abhishek Jaiswal, Adv.

Mr. Jose Abraham, AOR
Mr. M.P. Srivignesh, Adv.
Mr. Sebastian Joseph, Adv.
Ms. Anju Joseph, Adv.

Signature Not Verified
Digitally signed by
POOJA SHARMA
Date: 2024.01.28
12:46:22 [S]
Reason:

Mrs. Anjali Mohan, Adv.
Mr. Rohan Sandal, Adv.

Mr. R. Sudhindu, Adv.
Ms. Prerna Amitabh, Adv.
Mr. Ashok Mathur, AOR

Mr. Sridhar Potaraju, AOR

Mr. Ajay Vikram Singh, AOR
Mrs. Priyanka Singh, Adv.
Mr. Shubham Singh, Adv.

Mr. Vikas Upadhyay, AOR
Ms. Ankita Kashyap, Adv.
Mr. Alok Tiwari, Adv.

Mr. Atul Kumar, AOR
Ms. Sweety Singh, Adv.
Ms. Archana Kumari, Adv.
Mr. Rahul Pandey, Adv.
Mr. Rajiv Ranjan, Adv.

Mr. Vishal Meghwal, Adv.
Ms. Padhmalkshmi Iyengar, Adv.
Mr. Milind Kumar, AOR

Mr. Ashwani Kumar, AOR
Ms. Iti Sharma, Adv.
Mr. Puneet Sharma, Adv.
Mr. Anshay Dhatwalia, Adv.

Mr. Puneet Taneja, AOR
Ms. Laxmi Kumari, Adv.
Mr. Manmohan Singh Narula, Adv.
Mr. Amit Kumar, Adv.

Mr. Gaichangpou Gangmei, AOR
Mr. Arjun D. Singh, Adv.

Mr. G.S. Gerwal, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Ms. Niharika Dwivedi, Adv.
Mr. Ravish Kumar Goyal, Adv.
Mr. Narendra Pal Sharma, Adv.
Mr. Anil Kumar, AOR

UPON hearing the counsel, the Court made the following
O R D E R

IA No. 159274/2022 IN W.P.(C)NO.936/2022

We clarify that the adjudication proceedings which are pending before the Employees' State Insurance Corporation authorities will be restricted to those employees who are covered under the Circular No. P-12(11)-11/27/99-Ins.IV dated 14.06.1999, i.e., workers who are employed on regular employment and not those employed periodically or on temporary basis.

Learned counsel for the petitioners has clarified that they are not deducting or collecting any contribution from the workers covered under the Circular/Notification No. P-12(II)-11/60/2010-Rev.II dated 31.07.2015.

SLP(C) No. 13351/2018 titled "Builders Association of India Vs. The Employees State Insurance Corporation and Others", will be listed along with the present matters.

(POOJA SHARMA)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)



EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN', C.I.G ROAD,
NEW DELHI - 110 002.

Website - esic.nic.in (011) 23234092

ESIC

Chinta Se Mukti

No. P-12/11/11/60/2010-Rev.II

Dated: 31/07/2015

To

All Regional Director/Director I/c,/Joint Director I/c,
ESI Corporation,
Regional Office/Sub Regional Office

Sub: **Extension of the ESI Scheme to Construction Site Workers-reg.**

Sir,

In partial modification of Hqrs. Instruction No. 4/99 vide a circular No. P-12(11)-11/27/99-Ins.IV dated 14.06.1999, it is informed that it has been decided to extend the ESI Scheme to the construction site workers deployed in the implemented areas w.e.f 01.08.2015.

The Regional Directors/Director/Joint Director I/c are advised to undertake measures as under:-

- I. All the construction agencies which have already been covered u/s 1(5), their site workers also be covered and other construction agencies which may now come under coverage by adding construction site workers.
- II. The list of construction agencies/units covered under EPF may be obtained for survey.
- III. List of construction units paying cess towards Construction Workers' Welfare Board and the construction workers registered for benefit under Building and other Construction Workers Welfare Act, 1996 be obtained and surveyed and the benefits extended to such workers by board also asked for.
- IV. The Office of the State Labour Authorities may be approached for any supplementary information for survey and other benefits extended to such workers.
- V. Due publicity by release of Press Note/Public Notice for bringing awareness among the employers and employees of their legal obligation for coverage of construction site workers may be given apart from holding interaction with the representative body of the employers/employees.
- VI. During surveys, the details of workers with their Aadhar Card Number, RSBY Cards and BOCW Act Registration Number may also be captured to the extent available.
- VII. Pehchan Camps for capturing biometric and issue of Pehchan Cards/Aadhar Cards seeding may be arranged.

Contd-----2.

As it is to be ensured that all the construction workers are extended coverage by 31.12.2015, you are advised to undertake the above task by launching special drive and submit progress on fortnightly basis in the enclosed proforma to ac-revenuehq@esic.in

This issues with the approval of the Director General.

Encl: As above

Yours faithfully,



(ARUN KUMAR)
ADDL. COMMISSIONER (Rev.)

Copy to:

1. PS to DG / FC / CVO / MC / AC (ICT) Hqrs. Office for kind information.
2. Director Finance / MSU
3. Website Contents Management, Hqrs. Office, with the request to upload this instruction.
4. Hindi Cell for translation.

ADDL. COMMISSIONER (Rev.)

NAME OF THE RO/SRO/DO

PROGRESS REPORT FOR THE FORTNIGHT _____ TO _____

I	No. of Construction Units already covered with ESIC	No. of Construction Site Workers additionally registered by the Employer/ subsequent Survey	
II	No. of Construction Units registered with EPFO/State Authority (Unique Employer excluding already covered under ESIC)	No. of Units surveyed and brought under coverage	No. of employees covered

SIGN. OF THE AUTHORITY

EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN: KOTLA ROAD: NEW DELHI

No.P-12(11)-11/27/99-Ins.IV

Dated: 14th June, 1999

To

Instruction No. 4/99

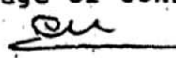
The Regional Director/Director/
Jt. Director (Incharge),
Regional Office/Sub-Regional Office,
ESI Corporation,

Subject: - Coverage of construction agencies/offices of the builders under the ESI Act, 1948 - clarification thereof.

Sir,

References have been received from some Regional Directors seeking clarification regarding coverage of construction agencies/ Offices of builders particularly on the point as to whether the construction workers working in the construction sites are to be taken into consideration for the purpose of coverage of the construction agencies/offices of builders under section 1(5) of the ESI Act as a 'shop'.

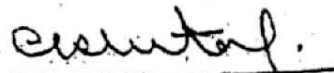
The matter was examined at Hqrs. Office and it is informed that it has been the policy of the ESI Corporation not to cover the workers engaged by the construction agency who belong to the unorganised sector due to the peculiar characteristics of the construction industry and the peculiar nature of ^{employment of} workers engaged in it. In construction industry the work is carried out through the construction workers at the construction sites where the projects are situated. The workers engaged in it are mobile and migratory in nature. The criteria and duration of employment also vary from work to work. Due to the nature of employment and the nature of work place involving the construction workers, enforcement of ESI Act in respect of such workers and organising Medical & other facilities for them which are normally available under the ESI Scheme will be difficult. Therefore, the existing scheme under the ESI Act is neither applicable nor suitable for workers engaged in construction sites. Hence the following actions may please be taken for coverage of construction agency/


Contd...2/-

Offices of the Builders:-

1. Such construction agencies which are employing 20 or more persons in their offices and the offices are situated in implemented areas are coverable under the Scheme. However it may be ensured that the criterion of 20 or more persons is applicable to such employees only who are coverable under Section 2(9) of the ESI Act.
2. Such workers who are engaged by construction agencies and are working on the site of the project, should not be considered for the purpose of coverage of an establishment dealing with construction activities.
3. Such construction workers are to be taken into consideration for coverage under Section 2(9) as 'employee' who are engaged directly in a covered factory by the principal employer or through an immediate employer.
4. Only employees of the construction agencies who are posted in the office ~~XXXXXXXXXXXXXXXXXXXX~~ are to be taken into consideration for the coverage of the unit.
5. Some of the regular employees of the construction agencies mostly technical staff such as Engineers, Supervisors etc. who are regular employees of the construction agency but are normally sent to the work-site periodically, are to be taken into account for the purpose of coverage of the establishment under Section 1(5).
6. In respect of those employees who are though regular employees of the construction Agency but remain on tour at the Site(s) of the construction in non-implemented areas for a period of more than 7 months in a year, contribution may not be charged subject to the employer seeking exemption under Section 88 of the ESI Act in respect of those employees.

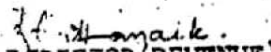
Yours faithfully,



(S.P.S. KHETAL)

ADDL. COMMISSIONER (REVENUE)

Copy forwarded to Addl. Commissioner (P&A), Addl. Commissioner (Ben.), Director (HRD), Director (P&D), Director (MSU), Add. Com. (Vig.), Director (Finance) and all Branches of Hqrs. Office.





EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, C.I.G. ROAD

NEW DELHI – 110 002

Website - esic.in Ph : (011) 23234092

ESIC...Chinta se Mukti
No.T.11/13/11/03/2015 Rev.II

Dated : 26.09.2018

To,

All RDs/Director/JD Incharge
Regional Office/SROs, /DO

Sub: Extension of the ESI Scheme to Construction Site Workers-reg.

Sir,

ESIC vide its Order dt.31.07.2015 had issued instructions regarding extension of ESI Scheme to construction site workers through which site workers of construction companies were also to be covered under ESI Scheme.

CREDAI and Several Builders filed Writ Petition No.846 of 2016 in the High Court of Bombay at Goa challenging ESIC order dated 31.07.2015. The Hon'ble High Court dismissed the writ petition of CREDAI and others vide its order dated 14.03.2017.

The Builder Association of India challenged the extension of ESI Scheme to construction site workers before Hon'ble Supreme Court of India vide SLP No.13351/2018.

Hon'ble Supreme Court of India vide its order dt.06.07.2018 has ordered that "an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31st July, 2015 of the ESIC shall remain stayed until further orders."

Consequently, references have been received on the following points:

1. During the stay period whether ESIC contribution may be collected or not in respect of construction site workers.
2. During this period of non payment of contribution if any claim for benefit comes in notice of ESIC for construction site workers whether the same is to be accepted or not.

In view of above, it is clarified that no ESI contribution may be collected from the construction site workers and from their employers during the period of stay order by Hon'ble Supreme Court and also no benefits could be extended to such workers during the corresponding benefit period.

This issues with the approval of the Director General.

Copy to : Website Manager to upload.

Yours faithfully


(MOHIT RAJA)
DY. DIRECTOR(REV.)

ITEM NO.59

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 13351/2018
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 14-03-2017
IN WP NO. 846/2016 PASSED BY THE HIGH COURT OF JUDICATURE AT BOMBAY
AT GOA)

BUILDERS ASSOCIATION OF INDIA

PETITIONER(S)

VERSUS

THE EMPLOYEES STATE INSURANCE CORPORATION & ORS.

RESPONDENT(S)

Date : 06-07-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s)

Mr. Gopal Jain, Sr. Adv.
Mr. Jose Abraham, AOR
Ms. Prashanti, Adv.
Mr. M.P. Srivignesh, Adv.
Mr. B. Mathews, Adv.
Ms. Neema Noor Mohamed, Adv.

For Respondent(s)

Mr. Rajeev Shukla, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Lakshay Mangla, Adv.
Mr. Prakash Ranjan Nayak, AOR

UPON hearing the counsel the Court made the following
O R D E R

Upon hearing the learned counsels for the parties and taking into account the orders passed by several High Courts in respect of the same subject matter, we are of the view that an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31st July, 2015 of the Employees State Insurance Corporation shall remain stayed until further orders.

[VINOD LAKHINA]
AR-cum-PS

[ASHA SONI]
BRANCH OFFICER

Provident Fund Matter

Coverage of casual and temporary construction site worker is a contentious issue between Contractors and EPF Authorities for a long time. Builders' Association of India (BAI) have filed Writ Petitions at various Hon'ble High Courts, challenging the very applicability of the provisions of the EPF Act, insisting to cover the construction site workers from day one. BAI have also represented the matter to the Authorities emphasising about the difficulty of covering the daily workers in the P.F. coverage due to their peripatetic nature. Both the above measures have resulted in limited success.

BAI Headquarter have compiled a few Court Orders as mentined below, these Orders are not a blanket permission for not to cover the casual and temporary construction site workers in the EPF Scheme, but to notify your right to not to fall into the coercive methods adopted by the Departments, to levy of EPF contribution of past liabilities from percentage of the labour components mentioned in the Books of Accounts, without identifying the workers on whose behalf these deductions are effected..

Chronology of events in respect of The Employees' Provident Fund and Miscellaneous Provisions Act, 1952.

S.No	Date	Events
1.	4/3/1952	The Act has come into force in whole of India except State of Jammu & Kashmir.
2.	31/10/1980	Central Government by Notification No. G.S.R. 1069 dated 23.9.1980 published in official gazette at India, Part-II, 5.3(I) dated 11.10.1980, page 2200 made applicable the provision of this Act to Building & Construction Industry. The qualifying period of employment for applicability of the scheme to employee was 240 days later on was reduced to 180 days and the establishment having 20 or more persons.
3.	16/1/1981	Government issued G.S.R. No.130 effective from 31.1.1981 wherein eligibility criteria U/s.26 is reduced to 90 days continuous service or has actually worked for not less than 60 days within a period of three months to become member of fund.
4.	7/2/1985	Government of India in Ministry of Labour, vide Resolution No.R-43011/2/82-RW has appointed a Tripartite Working Group consisting of Government Officers, Employers' representative (BAI is one of the members) and representative of employees reference was to:- Identify specific difficulties of Construction Industry in implementing Provident Fund Scheme, ESIS, Gratuity Scheme. To work out type of social security measures to be formulated for construction workers.
5.	21/3/1988	B.A.I. by it's application No.2385/F/88 addressed to the Secretary, Ministry of Labour, Government of India, U/s.19A of E.P.F. Act requested him to remove difficulties in implementation of the Act in view of temporary and casual workers and seasonal works of Industry.
6.	31/1/1990	The Tripartite Working Group submitted final report to Government stating that extension of social and security benefit to Building & Construction Industry, including E.P.F. were necessary. However, in view of the difference of opinion within the group alternatives regarding the function of proposed Construction Labour Board for administering social security were left for consideration of Government.
7.	19/10/1990	Government issued G.S.R. No.689 amended para 26, wherein eligibility criteria is reduced to date of joining the factory or establishment.
8.	26/8/1991	Central Provident Fund Commissioner issued circular No.12/Misc/91/E-I. After consulting Ministry of Law, Government of India and directed all Regional Provident Fund Commissioners not give effect to part of para 26 of E.P.F. Scheme 1952 to ensure uniformity of treatment. This was in view of stay orders granted various High Courts.
9.	9/3/1992	Piyarelal Hari Singh & Others filed Civil Writ Petition No.792 of 1991 challenging para 26(2) of E.P.F. Scheme. In Civil Motion Hon'ble High Court Delhi wanted to know from P.F. Department whether they have a scheme under which a peripatetic labour would be in a position to know balance in his account and draw money from his account anywhere in the country.

S.No	Date	Events
10.	19/5/1992	Shri K.C. Jain filed Additional Affidavit with revised accounting procedure having a pass book to be given to each beneficiary with ten digit permanent account number in Civil Writ Petition No.792 of 1991. Hon'ble High Court by it's order stated that, "we have perused scheme and we have our apprehension about the same only with regard one aspect viz. whether it will be easy or convenient for the workers to be able to realise the amount due to them. Therefore, every effort should be made to see that the scheme is made workable and will be lesser evil if worker obtain their money before it would ordinarily be due to them rather than workman losing the money in toto. All the aforesaid suggestions should again be examined by the Board and a detailed scheme be made available to the Court on 8th July 1992 for final disposal".
11.	9/7/1992	E.P.F.O. inserted para 40A to E.P.F. Scheme 1952 under which every Employee was to be provided pass book effective from the date to be stipulated by C.P.F.C.
12.	14/10/1992	Legal Adviser to the Ministry of Labour, Government of India passed preliminary order in the matter of application filed by B.A.I. U/s.19A of the Act, as under:-
		Objections is raised by Central Provident Fund Commissioner that relief sought by BAI is not covered by items provided U/s.19A of the Act. BAI has no locus standi.
		The question of implementing the Act in respect of temporary or casual employees is subjudice. All substance and the No.3 on the ground of there being no stay granted by Supreme Court.
13.	28/10/1992	Hon'ble Delhi High Court passed order in Civil Writ Petition No.792 of 1991 that, "Additional affidavits has been filed by the respondents. Some of the suggestions made by this Court have been accepted including the one operated upon, then without any formal application the amount standing to the credit of employee will be remitted to him by the P.F. Department by money order". Interim order to continue subject to the condition that with effect from 1.11.1992, the Petitioners shall maintain a P.F. account of all the employee as per the Notification of 1990 and shall furnish regular statements to P.F. Authorities as required by law. Counsel for the Petitioners have undertaken to this Court that as and when the Court orders, the contribution of the Employers as per the said statement will be handed over to P.F. Authorities or such other authority as may be directed by the Court.
14.	31/12/1992	Writ Petition No.6963 filed by Udipi Manorama Lodge & 3 others V/s. R.P.F. Visakhapatnam & Union of India challenging procedural part of legal requirement part of para 26 and parliament did not approve Notification U/s.7. Court ordered that there are no legal requirement and notification was placed before Lok Sabha on 7.1.1991.
15.	8/2/1994	Legal Adviser to the Ministry of Labour, Government of India gave order in petition filed by B.A.I. U/s.19A of E.P.F. Act in which respondents were Central Provident Fund Commissioner and Secretary of All India Construction Workers Union. The question considered by him was whether "the workers employed at the work site of Construction Industry are "employee" as defined U/s.2 or not ? The order states "Employee within terms of definitions is that he should be employed for wages in or in connection with work of the establishment". "The workers employed for wages necessarily enjoys some sort of contract of service. In other words there must be a Master and Servant relationship, a contractor postulated by section 2 (f) is purely a Labour Contractor and not an independent contractor undertaking to deliver a finished product to the establishment and who for the purpose of manufacturing/production/building such a finished product, engaged a labour for his own purpose". In such a situation, the employee working under direct control of sub-contractor, thekedar cannot be held to be employees under the principle employer for attracting provision of the Act".
		The casual workers of the nature discussed above are not covered in the definition of employee and the scheme, find support from the decision of the Orissa High Court in Executive Engineer, National Highway Division, Balasore V/s. Regional Provident Fund Commissioner (1988 Lab IC 690) as well as of the Karnataka High Court in Jyothi Home Industries & Others V/s. R.P.F.C. & Others (1993 II LIN 146).
		The matter is disposed of accordingly.

S.No	Date	Events
16.	31/8/1994	M.P. High Court at Jabalpur in it's order in Writ Petition No.3030 of 1991 filed by J.P. Tobacco Product Ltd. V/s. Regional Provident Fund Commissioner challenging the contention that : The amendment to para 26(2) of scheme is invalid for non compliance of 5.7 (2) of the Act. The compulsory contribution amounts to denial of minimum wages. The amendment is impractical and unworkable. The amendment is ultra vires of the Act and Article in and Article 19 (I)(9) of Constitution. Court observed that para 26(2) of the scheme is legal, valid and constitutional.
17.	23/12/1994	Being aggrieved against the order passed by the Legal Adviser, Ministry of Labour, Govt. of India, U/s.19A of the Act, the Employees' Provident Fund Organisation through Central Provident Fund Commissioner brought to the notice of Jt. Secretary to Central Government, difficulties arising out of this order which is contrary to the provision of the Act and Scheme. They required to review the order. The arguments put forward by BAI was that any order passed U/s.19A by a competent Authority who has been delegated authority to exercise power does not provided for any review and the order is final and as such this hearing is without jurisdiction. The mere reading of section 19A itself gives powers to Central Government for review reconsideration or setting aside of orders in the event of difficulties in implementation of the Act. Jt. Secretary to the Government of India, Ministry of Labour, passed order canceling the earlier order passed by the Legal Adviser on 8.2.1994 and directed the Employees' Provident Fund Organisation to enforce the provision of the Act applying it to employees of Building & Construction Industry as per Section 2(F) and Notification dated 11.10.1980. This order was issued with approval of Minister of State of Labour.
18.	17/4/1995	Supreme Court in it's order in SLP No.21762/94 and 6475/95 and 21149/94 arising out of judgment and order of M.P. High Court dated 31.8.1994 in the matter of J.P. Tobacco Product V/s. Union of India observed that the question before High Court was whether amended para 26 (2) of E.P.F. Scheme was invalid and unconstitutional. The High Court answered the question in the negative, we see no ground to interfere with impugned judgment. We agree with the reasoning and consequences reached by High Court SLP's are dismissed.
19.	24/4/1995	B.A.I. filed writ petition in Rajasthan High Court bearing No.1570195 of 1995 seeking for decision. Whether workers engaged at work sites on daily wages and on purely casual, temporary and mobile are covered in the scheme. Whether in Building & Construction Industry where they are carried out in multi-tier system, there is relationship of employer and employee between the main contractor and workers, casual, temporary and mobile engaged at sites. Whether in absence of relationship of employer and employee between the main contractors are liable to follow the scheme even in respect of those workers. In addition challenge is to amendment to clause 26(2) of the scheme. This writ is admitted and notices to various authorities are given before hearing of Notice of motion.
20.	2/5/1995	Order of Division Bench of Delhi High Court in C.M. No.2921/1994 in Writ Petition No.792/1991 filed on 9.3.1992 challenging para 26(2) of P.F. Scheme that, "We however direct Respondent No.1 & 2 complying with modified scheme, the Petitioners shall deduct Provident Fund and deposit the same with Respondent No.1 & 2 in respect of casual workers also".
21.	28/6/1995	Central Provident Fund Commissioner issued circular No.12(Misc)/91/E-1 to all Regional Provident Fund Commissioners stating Supreme Court's order dated 17.4.1995 and requesting compliance of scheme under amended para 26 of E.P.F. Scheme for current period effective from 1.5.1995. It further states that as regards past period the matter is under consideration with Central Government and further communication will follow.
22.	7/3/1996	In Writ Petition No.6542 of 1996 and 6543 of 1996 in Bangalore High Court filed by Bhandari Builders, B.G. Shirke Construction Pvt. Ltd., & B.A.I. v/s. Central Provident Fund Commissioner, R.P.F. Commissioner & Union of India requesting Court to declare Para 26(2) of E.P.F. Scheme illegal and unconstitutional and ultra vires tax provision of E.P.F. Act since it is unworkable and impracticable Court admitted writ and granted stay for four weeks which was further extended by Court till further orders by order dated 3.4.1996.

S.No	Date	Events
23.	19/9/1996	Final Order of Division Bench of Delhi High Court in Piyarelal Hari Singh & Others and connected Writ Petitions vs. Union of India in C.W.P. No.792 of 1991. Held that ipso-facto, the Government Notification dated 19.11.1990 amending para 26 of the scheme shall not apply to casual workers as identified by Supreme Court in case of The Regional Provident Fund Commissioner vs. T.S. Hariharan. However, Branch stated that which casual worker is covered by the scheme and the Act will be a question of determination in facts and circumstances of each case.
		Mr. Nayyar appearing for the Petitioners brought to our notice additional affidavit filed on behalf of respondent by Shri R.C. Jain, Regional Provident Fund Commissioner, New Delhi, dated 26th November 1991. Inter-alia, stating that a pass book system has been introduced w.e.f. November 1991. The order dated 2nd May 1995 directs that on respondents 1 and 2 complying with the modified scheme, the Petitioners shall deduct the Provident Fund and deposit the same with respondents 1 and 2 in respect of casual workers also. It is admitted that reference to modified scheme in the order dated 2nd May 1995 is in fact reference to the modified procedure as mentioned in the aforesaid affidavit dated 26th November 1991. On objection being raised by Mr. Nayyar that modified procedure as stated in the affidavit dated 26th November 1991 has not been introduced. Mr. Mukherjee explained that the same was introduced w.e.f. 1st November 1991 as stated in the affidavit. We only record this submission as it is not necessary to say anything more on this aspect in view of what has been stated by Mr. Mukherjee.
		Accordingly, this and the connected writ petitions are disposed of in the above terms. No costs.
24.	4/9/1997	BAI and 36 other contractors filed Writ Petition No.2593 of 1997 before Nagpur Bench of Bombay High Court challenging provisions of amended para 26(2) of Provident Fund Scheme as far as temporary and casual site workers.
25.	8/9/1997	Nagpur Bench issued stay against operation of scheme para 26(2) in respect of casual and temporary workers.
26.	24/12/1997	Central Provident Fund Commissioner issued a Circular No.12(Misc)/91/E.I. 76161 directing all R.P.F. Commissioners to :
		The Enforcement Authorities should take all necessary action in the first instance to implement the amendment from 1.11.1990 in respect of those employees who are continuing to be in employment and are still on rolls.
		In respect of person who left service but still can be identified their enrollment should be ensured from 1.11.1990.
		In respect of persons who are not in employment of the establishment and can not be identified at present, their cases can be complied and necessary information may be sent to Head Office for further orders.
27.	3/7/1998	Central Provident Fund Commissioner issued Circular No.17(3)/93/EI/KAI to all Regional Provident Fund Commissioners that the practice of allotment of separate code number to Contractor is contrary to provision of section 6 of E.P.F. Act and para 30(3) of E.P.F. Scheme. The responsibility of depositing contribution and various return lies with Principal Employer and R.P.F.C's are requested to stop allotment of code number to Contractors.
28.	13/11/1998	Central Provident Fund Commissioner issued a Circular bearing No.7(20)97/MH/E-I/73725 informing all Regional Provident Fund Commissioners that, Delhi High Court order dated 19.9.1996 has not diluted applicability of scheme to casual and temporary workers and informing them that E.P.F. Organisation has set up E.D.P. Computer Centres for its office and networking through modem has been completed in 25 offices and directing them to enforce provision of law in the best interest of workers engaged in building and construction industry.
29.	15/11/1999	Minute of the Meeting held with Members of BAI by Regional Provident Fund Commissioner, Delhi states that, "the direction of the Hon'ble High Court for technical purpose is very much on record and Joint Task Force of the Officer of the Department and few members of Builders' Association of India may be constituted to draft out Permanent Account Number of 10 digit to be earmarked".

S.No	Date	Events
30.	13/2/2001	Central Provident Fund Commissioner issued Circular No.EF/17(3)/93/Vol.III to all Regional Provident Fund Commissioners that, matter of not allotting code numbers to Contractors was examined and clarified that Employers rendering service on contract basis having 20 or more employees be allotted separate code numbers.
31.	22/8/2003	Regional Provident Fund Commissioner issued Circular No. Coord 5912)2002/MOL that a Sub Committee is formed under Chairmanship of Shri Ravi Wig for extending social security benefit to construction workers and that the Committee should submit report before 31.12.2003.
32.	3/2/2004	Central Board of Trustees in 166th Meeting discussed the following:- Sub Committee headed by Chairman Shri Ravi Wig recommended E.P.F.O. should ensure that the Act is made applicable to establishment / workers hitherto not covered be covered from the date of declaration by the establishment and only on the issue of S.S.N. Number. Doubts were raised about maintenance of uniqueness of S.S.N. by dropping bio-metric component. C.P.F.C. clarified that the product offered by M/s. C.M.C. failed to meet the acceptance test as such it was decided to drop bio-metric component.
33.	23/2/2004	Central Board of Trustees 167th Meeting confirmed minutes of 166th Meeting.
34.	6/9/2004	Addl. Central Provident Fund Commissioner issued letter that Central Board of Trustees formed a Committee under Chairmanship of Shri Ashok Sing with Shri B.N. Rai, Shri Ravi Wig and Shri Sharad Patil as other members for monitoring the extension of social security to construction workers.
35.	3/5/2006	Addl. Central Provident Fund Commissioner by his letter No.Co-ord(12)02/MOL/Pt. wrote to BAI President that, "work relating to issue of NSSN number to construction workers have been started and all Regional Provident Fund Commissioners have been directed to issue NSSN Number to construction workers on priority basis."
36.	4/8/2006	Addl. Central Provident Fund Commissioner issued Circular No.Co-ord/5(12)02/MOL/Pt/BAI/11083 directing all Regional Provident Fund Commissioners to issue S.S.N. Number to construction worker falling in your jurisdiction on priority basis.
37.	22/2/2007	Addl. Central Provident Fund Commissioner by his letter No.Co.ord/5(71)/06/MOL/Sub.Com/Constn.Work/86040 issued to all Regional Provident Fund Commissioners to approach various Centres of BAI and allot Business Number to Construction Industry immediately without any further delay and also to secure compliance.
38.	1/1/2008	Regional Provident Fund Commissioner compliance issued a Circular No.Co-ord/5(71)/06/MOL/Sub.Com/Constn.Worker directing all R.P.F.Cs to take proactive steps to cover all establishment in Construction Industry by seeking their co-operation and address their genuine problems and that Co-operative Employers are not to be unduly harassed by field formation.
39.	18/7/2008	Regional Provident Fund Commissioner issued Circular No.SSN/HO/07-08/01 directing all R.P.F.Cs that under revised strategy, for the time being, S.S.N. is not a prerequisite for the proposed application that is being developed by E.P.F.O. in collaboration with N.I.C. Regional Provident Fund Commissioners were directed not to insist upon S.S.N. forms at the time of submission of claims.
40.	7/9/2011	Hon'ble High Court Gujarat in Civil Application No.11011/2009 filed by Hind Kisan Mazdoor Panchayat directing E.P.F.O. for implementation of pass book under para 40A of E.P.F. Scheme, granted time to E.P.F.O. for response upto 20.10.2011.
41.	20/10/2011	Hon'ble High Court Gujarat passed further order in Civil Application No.11611 of 2009 extending time upto 4 months from 30.11.2011 to E.P.F.O. to give it's response with a rider that no application for extension of time will be filed.
42.	20/1/2012	Hon'ble Employees' Provident Fund Appellate Tribunal, Chandigarh, in Petition No.ATA No.217 (II)/2011 decided that, "Until and unless, the beneficiaries are identified, the determined dues as decided by the Enforcement Officer would not help the workers as the money would not reach to them till the time they are identified".
43.	20/7/2012	Hon'ble Patna High Court in Civil Writ No.11499/2006 in the matter of Roxy Cinema V/s. State of Bihar stated that, under Section 7A of E.P.F. Act liability can not be saddled upon establishment in the name of compliance of law without identification of employee entitled

S.No	Date	Events
		for the same. EPF Authority can not make collection or contribution for faceless, nameless or non identifiable workman on mere head count or herd count. To collect fund for welfare of workman who are required to be taken care of after their superannuation and not to gather money to meet any pre-conceived target.
44.	8/10/2012	E.P.F. Appellate Tribunal, Ludhiana in Appeal No.ATA No.331(11)/2011 filed by Food Corporation against R.P.F.C., Ludhiana observed that "according to rules of Contract Labour (Regulation & Abolition) Central Rules 1971, all the registers and other records shall be preserved for a period of three calendar years from the date of entry therein. Hence the Appellant can not be directed to produce the records pertaining to contractors workers for the long back period.
45.	17/10/2012	Hon'ble Employees' Provident Fund Appellate Tribunal, Chandigarh, in Petition No.ATA No.630 (II)/2006 observed that, the respondent determined the P.F. dues without identification of concerned Employees / Beneficiaries".
46.	30/11/2012	Central Provident Fund Commissioner issued Circular No.7(12)2012/RCS-Review Meeting to all Regional Provident Fund Commissioners that there shall be no assessment under Section 7A of E.P.F. Act 1952 without identifying members whose account fund is to be credited and that no enquiry or investigation shall ordinarily go beyond seven years.
47	18/12/2012	Central Provident Fund Commissioner issued Circular No.7(1)2012/R.C's Review Meeting/ 21224 keeping circular of 30.11.2012 in abeyance till further orders.
48.	26/3/2013	Chairman, BAI Delhi Centre written letter to Central Provident Fund Commissioner that, "modified accounting procedure scheme" be notified for implementation and Enquiry U/s.7A of P.F. Act be restricted to maximum of past 3 years and liability of Employers be not worked out on basis of 25% contract amount.
49.	6/5/2013	Regional Provident Fund Commissioner in response stated that, issue of ten digit permanent P.F. number is not possible.
50.	23/9/2013	Hon'ble Bombay High Court passed order in Writ Petition No.1901/2011 in the matter of M/s. Rallis India Limited V/s. The Asst. Provident Fund Commissioner & Ors that, "Determination of money should not be on the basis of presumption and assumption but after identification of beneficiaries".
51.	02/05/2016	The Hon'ble Supreme Court of India in the Petition for Special Leave to Appeal (C) No. 8035 of 2016 in the case of Builders' Association of India V/s. Union of India & Ors. (Arising out of Impugned final judgment and order dated 16/10/2015 in LPA No. 728/2014 passed by the High Court of Delhi at New Delhi).
		Apprehension of the petitioner appears to be that without identifying the beneficiary workmen, the contribution is being sought. Without identification, the petitioner will not be liable to make the contribution, it is submitted. That process of identification will arise only at the stage of enquiry that is to be conducted by the respondent - organization. Therefore, it is made clear that during the process of enquiry conducted by the respondent-organization, the steps will also be taken to identify the workmen either of the petitioner or engaged through contractors.
52.	23/03/2018	The Nagpur bench of the Hon'ble Mumbai High Court on 23rd March 2018, in Writ Petition No. 1674 / 2016 filed by Kaushik K. Chatterjee Engineers and Contractors Versus Assistant Provident Fund Commissioner have ordered that 'The amount collected from an employer towards provident fund contribution on behalf of workers should be returned, in case the Provident Fund Department could not identified the name and address of such worker on whose behalf this contribution is collected.'
53.	28/02/2019	Supreme Court on 28th February, 2019 passed an order that certain allowances paid uniformly normally and ordinarily should all come within the definition with basic wages under the provisions of 'EPF Act, 1952'. Using this order EPF authorities have now started issuing notices to employers for including the allowances also while remitting the PF contribution with retrospective effect. This will have serious implications on any business, particularly building and construction business. BAI has written to Government of India for implementing the order prospectively.

CPWD Matters

BAI President Shri S. N. Reddy along with Senior members of Delhi Centre have been meeting with the Government officials in the various departments, associated with the construction, to discuss the issues confronted by the members in executing the projects as to get the solutions for the difficulties arising out of the announcements made by the Government at the central/ state level. Members have been interacting, more frequently, with officials of CPWD for their support and co-operation in finding the solutions for the problems arising out of the new regulations/ instructions announced by the Government relating to the construction industry. It is felt that CPWD is considered the leading department in implementing the Government policies relating to the construction activities and if CPWD issues Circulars/ Office Memorandum in the right spirit, it has far reaching consequences which effects the contractors of all categories at all India level. Secondly, once CPWD accepts and issued Circular for implementing those instructions, it is easy for the other construction related departments/ PSUs to follow them. Keeping in view the importance of CPWD in getting the solutions of their problems, members from Delhi Centre have been focusing more on interacting with officials of CPWD. During the year we have been able to get many Circulars issued which have been beneficial to the contractors.



Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

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✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref: 227/J/2023-24 dated 26th July 2023

The Secretary

Ministry of Housing & Urban Affairs,
Room No. 122- C,
Nirman Bhavan, Maulana Azad Road,
New Delhi -110011
Email: secyurban@nic.in

Dear Sir,

Sub: Addition of SOP 4/12 and Modification in Annexure 22,23 & 24 of SOP of CPWD Works Manual 2022-Reg.

Ref: CPWD circular with No. DG/SOP 2022/15 dated 20.06.2023

The Builders Association of India (BAI), which is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 chapters across the country, lodges its strongest protest against this sudden and unprovoked circular trying to make the contractors singularly responsible for structural stability and soundness of already completed buildings and infrastructure projects and which is against all the principles of contract management.

This is in reference to the above referred circular of CPWD with No. DG/SOP 2022/15 dated 20.06.2023 which has made modification in Annexure 22, 23 & 24 of SOP of CPWD Works Manual 2022 and added a Form "F" to be submitted by a bidder which is an Affidavit to be furnished on a stamp paper of Rs. 200 on the structural stability and soundness of already completed

buildings and infrastructure projects. CPWD authorities will take action for cancellation/termination of the bid/ agreement, forfeiture of EMD/PG/SD (as applicable) and debarment of the bidder forever from tendering, if they receive any information about structural failure of any building/infrastructure constructed by the bidder during the last 25 years making it unfit for the intended use. A copy of this circular is enclosed for your ready reference.

The aforesaid OM has come as a bolt from the blue to the all the contractors working in CPWD who eke out a living from contracting Government civil works while also contributing to the development of the nation. Before commenting on this unilateral and ill-founded circular which has imposed unwarranted and impractical conditions on ongoing and future works, the following is the cycle of construction of buildings and infrastructure projects and which involves:

S. No.	Item	Responsibility of CPWD	Item
1	a) Selection and Survey of Site & Geo Technical and Geo Physical Survey b) The Soil Investigation needs to be very robust and should implement the detailed provision of IS 1892-1979	By CPWD	No role of Contractor
2	a) Preparation of Structure Design Philosophy and Structural Design and Drawings b) The above design is vetted by third party prestigious government organisation such as IIT/ Engineering Institute	By CPWD	No role of Contractor
3	a) Preparation of DPR b) Bills of Quantity (BOQ) of the project	By CPWD	No role of Contractor
4	Identification and Selection of Bidder a) Capable bidders are selected as per the enlistment rules of CPWD b) Non enlisted contractors are allowed as per the norms of CPWD	By CPWD	No role of Contractor
5	Execution of the Work a) The Monitoring of Cement & Steel Consumption- CPWD SOP 5/13 b) Selection of material other than Cement and Steel to be used in the project	By CPWD	Contractor only uses material from approved make and under strict quality inspection and testing before incorporation
6	a) The Periodic inspection of the works- CPWD SOP 5/12 b) The Testing of Materials from selected NABL accredited Laboratories- CPWD SOP 5/16	By CPWD	The contractors of CPWD mobilises the labour to use the material which has already undergone the detailed quality checking processes as mentioned above.
7	Quality a) CPWD has its own quality department b) CPWD also uses the external third party quality agencies to monitor the quality of work or CTE which is under CVC for quality checks	By CPWD	No role of Contractor
8	Selection of MEP Vendor & MEP Material	By CPWD	No role of Contractor

Note: Upon completion of works, the completion certificate is recorded by the concerned officers of CPWD - JE/ AE/ EE/ SE of the concerned work after the utmost satisfaction of all concerned officers.

Therefore the only significant contribution of the enlisted and prequalified contractor of CPWD's is to submit the

bid and upon selection by CPWD, executes the work under the strict monitoring of CPWD by using labour and identified material in the BOQ from the approved make list of CPWD. The material then undergoes extensive testing by CPWD before it is incorporated in the work.

Defect Liability Period (DLP)- Post the completion of the

buildings and the infrastructure projects the contractors of CPWD are only liable for defects for a specified period as defined in the contract. Once the DLP is successfully completed by the contractors of CPWD, the contract for that particular project attains a closure, after DLP contractor is not responsible for any defect. The said order of CPWD is now unilaterally and retrospectively extending the defect liability period to 25 years post the closure of the contract which is totally against the set norms as set out by CPWD and the Department of Expenditure, Government of India.

Also, after the successful completion of the DLP, the liability of maintaining the buildings and infrastructure project is only with CPWD. It is a known fact that bad maintenance shortens the life of the buildings and leads to serious defects. This is again a responsibility of CPWD and the contractors have no role to play.

Further, the completed works may also become unfit for the intended use for totally different natural reasons like earthquake, flood, cyclone or other force majeure events, hostilities or warlike operations, fire, mob violence or intentional damage.

Therefore to hold contractors of CPWD singularly responsible for 25 years for structural stability and soundness of already completed buildings and infrastructure projects, as illustrated in the above table and the fact that the contractor has successfully completed the period of DLP and thus attained closure of the contract, is totally unfair, unjustified and prevents the contractors to earn their livelihood for no fault of theirs.

Further this above referred circular mentions debarment for life for the contractors which is totally against the Debarment Guidelines issued by the Procurement Policy Division (PPD), Department of Expenditure, Ministry of Finance vide their office memorandum with no. F.1/20/2018-PPD dated 2nd November 2021 and in suppression to all earlier instructions on this subject. This Debarment guidelines only gives a provision of debarment of 2 years and is obligatory/ binding for all the government organisations to follow. Therefore there cannot be a debarment for life.

Vide our letter dated 10-07-2023, BAI has submitted its detailed reply to the Director General CPWD seeking an appointment to deliberate on this issue. However, no time

has being allocated by CPWD to us till now to address this issue wholistically despite several physical, over telephone and other efforts.

No doubt that the issue of structural defect is a burning issue and needs to be addressed in a logical fashion involving the various stakeholders with active contribution of CPWD, being the technical advisor to Government of India. Merely debarment of contractors on ill-founded premises will not solve the issue and will add unnecessarily legal load to already hugely backlog in the courts and also defeating the government's sincere efforts on "Vivad se Vishwas" schemes.

This issue needs deliberation so that a robust system can be devised with strong checks and balances to handle this issue of structural defect as it is being faced in the private sector too.

BAI is a very strong stakeholder in your Ministry and is always there to support the Ministry's mandate to monitor the programmes concerning all the issues of housing and urban affairs in the country thus fulfilling the dream of Honourable Prime Minister Shri Narendra Modi Ji

Therefore, it is earnestly prayed that

- A) The Ministry to hold a meeting of all the stakeholders under your umbrella to work towards a comprehensive and long-term solution on this issue of structural failure.
- B) Please direct DG CPWD to hold the above mentioned subject circular and to meet the member of BAI to discuss the issue of structural failure, if any

Thanking you in positive anticipation for an early action, please

Yours faithfully,



S.N.Reddy
President,
Builders' Association of India

Copy :- Shri Deepak Agarwal, Joint Secretary (Central Vista & W), Room No. 117 -C, Nirman Bhawan, New Delhi Email : deepakagarwal.edu@nic.in

Ref: 191/J/2023-24 dated 10th July 2023

To,
The Director General
Central Public Works Department
Nirman Bhawan,
New Delhi-110011

Sub: Addition of SOP 4/12 and Modification in Annexure 22,23 & 24 of SOP of CPWD Works Manual 2022-Reg.

Ref: CPWD circular with No. DG/SOP 2022/15 dated 20.06.2023

The Builders Association of India (BAI), which is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 chapters across the country, lodges its strongest protest against this sudden and unprovoked circular trying to make the contractors singularly responsible for structural stability and soundness of already completed buildings and infrastructure projects and which is against all the principles of contract management.

This is in reference to the above referred circular with No. DG/SOP 2022/15 dated 20.06.2023 which has made modification in Annexure 22,23 & 24 of SOP of CPWD Works Manual 2022 and added a Form 'F' to be submitted by a bidder which is an Affidavit to be furnished on a stamp paper of Rs. 200 on the structural stability and soundness of already completed buildings and infrastructure projects.

- Recently a new SoP has been issued by CPWD vide OM No. DG/SOP 2022/15 dated 20.06.2023 amending the SoP for CPWD Works Manual, 2022. The said SoP mandates that:
 - (a) All the bidders are required to submit in Form-F an undertaking on the structural stability and soundness of completed works along with bids.
 - (b) CPWD authorities will take action for cancellation/termination of the bid/agreement, forfeiture of EMD/PG/SD (as applicable) and debarment of the bidder forever from tendering, if they receive any information about structural failure of any building/infrastructure constructed by the bidder during the last 25 years making it unfit for the intended use.
- The Form-F prescribes that the bidder will submit an affidavit on a non-judicial stamp paper of .200 to the effect that no building or infrastructure constructed by him has suffered any failure, making it unfit for the intended use, either due to structural design and defects or due to use of sub-standard materials or execution of sub-standard work, poor workmanship or for any other reason during the last 25 years.
- The aforesaid OM has come as a bolt from the blue to the CPWD contractors who take out a living from contracting Government civil works while also contributing to the development of the nation. We are aggrieved by the said order which has not only imposed unwarranted and impractical conditions on ongoing and future works but is also arbitrary and illegal. The reasons are summarized in the paragraphs on the following pages.
- The serviceable life span of any civil work depends

on various factors and the most important factors include planning, architectural and structural designing, construction practices, materials, specifications, workmanship and supervision. Except for the last few years when the EPC contracts came in vogue, CPWD exercised full control over all the crucial activities and provided all the required details like Selection and Survey of Site & Preparation of Structure Design Philosophy geotechnical investigation, architectural and structural drawings; issued all important materials like cement, steel re-bars, pipes, bitumen; and prescribed approved makes of materials, construction practices to be followed and specifications for the work. Under these circumstances, it is totally unfair and arbitrary to hold the contractor responsible for structural design and defects and use of sub-standard materials in the work completed during the last 25 years, particularly when he had no role in such matters and all the architectural/structural designs, structural and construction of materials were issued by CPWD.

- The execution of a civil work is a group activity where each stakeholder has a pre-assigned role. If there is a deficiency in the geo-technical investigation or in the architectural design or in the structural design, the teams concerned would be liable, and the contractor who executed the work based on such designs cannot be held liable by any stretch of imagination. Even after CPWD allowed the contractors to use cement, steel and bitumen brought by them, the approved makes of materials were specified in the agreement and the contractor was bound to get materials only from reputed manufacturers and incorporate them into the work only after the specified tests. Again, the quality and workmanship are enforced at various levels and by various authorities including quality assurance teams. Preparation of BOQ and PMC. Therefore, it is totally unfair and arbitrary to single out the contractor for such defects.
- The serviceable life of a civil work also depends on its usage, maintenance and upkeep. For example, a building may show signs of distress if subjected to loads in excess of design loads, the structural stability may be affected if load bearing members are altered, the condition of a building may deteriorate rapidly if seepage or leakage is not arrested promptly or water is allowed to stagnate on the terrace, or if annual and special repairs are not carried out. It will be totally unfair to hold the contractor responsible for such reasons like overloads and lack of maintenance during a long period of 25 years.
- The completed works may also become unfit for the intended use for totally different reasons like earthquake, flood, cyclone or other force majeure events, hostilities or warlike operations, fire, mob

violence or intentional damage. How and who will keep records of such damages for 25 years after completion?

- The phrase “or for any other reasons” employed in Form-F is ambiguous and liable to be interpreted in a very wide manner. It can also be used against the contractor to settle scores or to exert pressure or to gain undue benefits.
- As per the provisions of Clause 17 of the General Conditions of Contract for CPWD Works, if any defects appeared during the defect liability period of one year, or defined in agreement the contractor was contractually bound to rectify them. The said order is also illegal since it has the effect of unilaterally and retrospectively extending the defect liability period to 25 years.
- The only significant contribution of the selected contractor of CPWD is to provide labour and the mobilize the identified material in the BOQ from the approved make of CPWD. The material then undergoes extensive testing by CPWD before it is incorporated in the work.
- Further, the Structural Defects are defined as “Any defects seen in structural elements of the building or defects that are likely to cause defects in structural element of the building are classified as structural defects”. Further a major defect is a damage or inconsistency in any of the major components or a major element of a building which are load-bearing components such as foundations, footings, floors, walls, beams, joints, pads, load-bearing floor slab, piles, braces, rafters, plates, columns, and roof trusses, fire safety systems etc. These defects can result from a defective structural design, failure to comply with any IS/National Building Code. These defects can result from the following reasons:

- (A) Defective Structural Design
- (B) Selection and Survey of Site & Preparation of Structure Design Philosophy

Encl. As above.

Copy to :

1. The ADG TD, Nirman Bhawan, New Delhi. Email: adgtd@nic.in
2. The CE (CSQ), Civil, CPWD, Nirman Bhawan, New Delhi Email : ceqsq.cpwd@nic.in, ceqsq@nic.in,

(C) Poor Maintains after compliance of the works

(D) Failure to comply with IS Codes/ NBC

- In this age of fierce competition in tenders for civil works, such a provision is more likely to be used as a tool to eliminate competition. Since it will take months to carry out tests and complete investigations in any complaint, the tendering process will also get delayed, give rise to disputes and court cases, and consequentially lead to loss of precious time in completion of the project.
- The step taken by CPWD is totally unwarranted. There is no such provision in GFR & FIDIC bid documents. No where in the whole world such conditions exists.
- The aforesaid submissions make it amply clear that the amended SOP is unwarranted, impractical and has directly impinged on our business. In view of the facts and circumstances mentioned above briefly, this Association earnestly requests you to kindly withdraw the said OM immediately.
- Hence it is sincerely requested that this ill-founded circular with No. DG/SOP 2022/15 dated 20.06.2023 be immediately withdrawn as being against the guidelines already laid down by the Government of India, against the principle of natural justice as it is singularly holding the contractors of CPWD responsible for structural defects when the work was carried out as per the processes laid down in the Works Manual and SOPs of CPWD and will prevent the contractors to earn their livelihood for no fault of theirs.

Thanking you,

Yours Sincerely,



S.N. Reddy
President,
Builders Association of India

केन्द्रीय लोक निर्माण विभाग
कार्यालय ज्ञापन

No. DG/SOP 2022115

ISSUED BY THE AUTHORITY OF DIRECTOR GENERAL, CPWD

Nirman Bhawan' New Delhi

Date: 20/06/2023

Sub: Addition of SOP 4112 and modifications in Annexure-22 , 23 & 24 of SOP for CPWD Works Manual 2022- underlaking for structural stability and soundness- reg.

Following addition of SOP 4112 and modifications in Annexure-22, 23 & 24 of SOP for CPWD Works Manual 2022 are made:

Existing Provision	Modified Provision
<p>SOP No.4/12 No provision</p> <p>SOP No. 4112:- Adion against the bidde(s) for submission of false undertaking on structural stability and soundness in the tender documents.</p> <ol style="list-style-type: none"> 1. All the bidders are required to submit the undertaking on structural stability and soundness in the tender documents as per form 'F' in annexure -24 of SOP for CPWD works Manual 2022. 2. If the Engineer-in-Charge receives any information about structural failure, of any building/ infrastructure constructed by the bidde(s) during last 25 (twenty-five) years, making it unfit for intended use, then EE or any team as decided by NIT approving authority shall inspect the building/infrastructure. The inspection report alongwith the recommendations shall be submitted to the NIT approving authority and copy to ADG/SDG. 3. NIT approving authority shall take decision regarding cancelation/termination of bid/ agreement, forfeiture of EMD/PG/SDS (as applicable) as per undertaking given by the bidde(s), within 7 working days of receiving the report. The EE shall take immediate necessary action as per decision of NIT approving authority. 4. Further CE/SE will send his recommendations to the ADG/SDG regarding debarment of the bidder. The ADG/SDG will provide an opportunity to the bidder to know his version. After considering bidde(s)'s response, the ADG/SDG will take decision within 15 working days in respect of debarring the bidder, forever from tendering in CPWD and send the intimation to the enlisting authority of CPWD/Non CPWD as applicable. 5. The debarment order shall be issued and uploaded on the CPWD website by the ADG/SDG. The required changes in ERP tendering system in this respect will be done by the officers as per delegation of authority. 6. ADG/SDG shall be the final authority to take decision for debarment, in this case, for all classes of contractor. 	
<p style="text-align: center;">ANNEXURE.22 (Refer SOP No '018) INFORMATION AND INSTRUCTIONS FOR BIDDERS FOR E-TENDERING FORMING PART OF BID DOCUMENT (Applicable for inviting open bids)</p> <p>List of Documents to be scanned and uploaded within the period of bid submission:</p> <p>I to VII</p> <p>VIII No provision</p>	<p style="text-align: center;">ANNEXURE.22 (Refer SOP No 4/8) INFORMATION AND INSTRUCTIONS FOR BIDDERS FOR E-TENDERING FORMING PART OF BID DOCUMENT (Applicable for inviting open bids)</p> <p>List of Documents to be scanned and uploaded within the period of bid submission:</p> <p>I to VII No Change</p> <p>VIII Undertaking on structural stability and soundness as per prescribed format Form 'F'.</p>
<p style="text-align: center;">ANNEXURE- 23 (Refer SOP No 4/9) INFORMATION AND INSTRUCTIONS FOR BIDDERS FOR e-TENDERING FORMING PART OF BID DOCUMENT (Applicable for inviting bids on 2/3 bid system)</p> <p>List of Documents to be scanned and uploaded within the period of bid submission:</p> <p>I to XI</p> <p>XII No provision</p>	<p style="text-align: center;">ANNEXURE.22 (Refer SOP No 4/8) INFORMATION AND INSTRUCTIONS FOR BIDDERS FOR E-TENDERING FORMING PART OF BID DOCUMENT (Applicable for inviting open bids)</p> <p>List of Documents to be scanned and uploaded within the period of bid submission:</p> <p>I to XI No Change</p> <p>XII Undertaking on structural stability and soundness as per prescribed format Form 'F'.</p>

**ANNEXURE.24
(Refer SOP No.4/9)
GUIDELINES FOR FIXING
ELIGIBILITY CRITERIA FOR
TWO/THREE BID SYSTEM**

**SECTION III
INFORMATION REGARDING ELIGIBILITY LETTER
OF TRANSMITTAL**

1. I/we hereby certify that all the statement made and information supplied in the enclosed forms A to E and accompanying statement are true and correct
2. to 7
8. No provision


**ANNEXURE- 24
(Refer SOP No.4/9)
GUIDELINES FOR FIXING ELIGIBILITY
CRITERIA FOR TWO/THREE BID
SYSTEM**

**SECTION III
INFORMATION REGARDING ELIGIBILITY
LETTER OF TRANSMITTAL**

1. I/we hereby certify that all the statement made and information supplied in the enclosed forms A to F and accompanying statement are true and correct
2. to 7. **No Change**
8. If we hereby submit undertaking on structural stability and soundness as per prescribed format Form 'F'.

Form 'F'	Form 'F'
No Provision	<p>Undertaking on structural stability and soundness of already completed buildings and infrastructure projects.</p> <p>I/we undertake and confirm that any building / infrastructure constructed by our firm / partnership firm/ company has not suffered any failure, making it unfit for intended use, either due to structural design and defects or due to use of sub-standard materials or execution of sub-standard work, poor workmanship or any other reason during the last 25 (twenty five) years.</p> <p>I/we, further, undertake that if such information comes to the notice of CPWD, then Engineer-in-Charge shall be free to terminate the bid/agreement and to forfeit the entire amount of earnest money deposit, performance guarantee and security deposits.</p> <p>I/we, also undertake that in addition to above, the Engineer-in-Charge shall be free to debar us forever from tendering in CPWD.</p> <p>The decision of Engineer-in-Charge or any higher authority shall be final and binding.</p> <p align="center">Signature of notary with seal</p> <p align="center">Signature of bidder or an authorized person of the firm with stamp</p> <p>Note: Affidavit to be furnished on a 'Non-judicial' stamp paper of Rs. 200/- (scanned copy of the notarized affidavit to be uploaded at the time of submission of bid).</p>

This is issued with the approval of DG CPWD.


20-06-2023

(वी. पी. साहू)

अधीक्षण अभियंता (सी. एंड एम.)

Issued from file No. CSQ/CM/16(1)12023, e- file 9151860



All CPWD and PWD officers for information and necessary action. (Through CPWD website).



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

(91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref.: 316/O/2023-24 dated 27th September, 2023

The Director General
Central Public Works Department,
Room No. 101, A- Wing,
Nirman Bhawan,
New Delhi -110011

Sub: Requesting changes in CPWD Enlistment Rules 2023.

Respected sir,

The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 plus chapters (branches) across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

Kerala CPWD Contractors Association (KCCA) is the All Kerala body of CPWD Contractors founded in 2007. The association is a registered body affiliated with Builders Association of India with the objective of encouraging profession of construction works and has been constantly making endeavours to look for betterment of construction industry.

This submission is being made to draw your kind attention on the observation received from several small contractors in this industry.

As per new enlistment rule, all enlisted CPWD contractors are eligible for participating in tender process on All India basis including class IV and class V categories.

In this connection you may please note that the Volume of works in Kerala is comparatively less and many enlisted small contractors whose livelihood is exclusively from CPWD contract works for many years are finding it difficult to qualify for tenders and execute contract works. This is mainly because the contractors from outside the

state underquote the tenders far below the estimate, hence the running contractors of Kerala are unable to get obtain contracts thus becoming job less at present.

The rates quoted by these contractors being far below the workable rates, the Department is also facing lot of stress to keep up with the quality, time and to satisfy the clients requirements. Many works undertaken by such contractors have already been terminated.

This amendment, as per Rules for enlistment of Contractors in CPWD 2023 resulted in unhealthy competition in Kerala which in turn spoils the quality and goodwill of the department and the contractors executing works in Kerala as well.

In this circumstance we solicit your good self to kindly take appropriate action so as to continue with the same rules as before the amendment of 2023 for small tenders coming under Class IV & V so as to avoid unhealthy competitions and ensure quality work.

To discuss about the captioned matter it is therefore, requested to kindly grant us an appointment on any date suitable to you at your office, at any time of your convenience. Thanking you.

Yours faithfully,

S.N. Reddy
President
Builders' Association of India

Ref.: 254/A/2023-24 dated 29th August 2023

Shri Deepak Agarwal Ji
Joint Secretary (Central Vista & W),
Ministry of Housing & Urban Affairs
Room No. 117 -C, Nirman Bhavan,
Maulana Azad Road
Government of India
New Delhi-110011

Dear Sir

Sub: Wrongful Amendment to SOP 4/12 and Modification in Annexure 22, 23 & 24 of SOP of CPWD Works Manual 2022 regarding the Bidding of Tender.

- Ref: 1) CPWD circular with No. DG/SOP 2022/15 dated 20.06.2023**
2) BAI Letter dated 26.07.2023 to the Secretary, MOHUA
3) BAI Letter dated 10.07.2023 to the DG, CPWD

This is in reference to the above referred circular of CPWD with No. DG/SOP 2022/15 dated 20.06.2023 which has made Wrongful Amendment to SOP 4/12 and has made modification in Annexure 22,23 & 24 of SOP of CPWD Works Manual 2022 and added a Form "F" to be submitted by a bidder which is an Affidavit to be furnished on a stamp paper of Rs. 200 on the structural stability and soundness of already completed buildings and infrastructure projects. CPWD authorities will take action for cancellation/termination of the bid/agreement, forfeiture of EMD/PG/SD (as applicable) and debarment of the bidder forever from tendering, if they receive any information about structural failure of any building/infrastructure constructed by the bidder during the last 25 years making it unfit for the intended use. A copy of this circular is enclosed for your ready reference.

The Builders Association of India (BAI), which is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 20,000 business entities as its members through nearly 200 chapters across the country, has lodged- vide its above referred letters dated 26.07.2023 to the Secretary, MOHUA and 10.07.2023 to the DG, CPWD its strongest protest against the sudden and unprovoked this subject circular of CPWD which is trying to make the contractors singularly responsible for structural stability and soundness of already completed buildings and infrastructure projects and which is against all the principles of contract management. These letters are enclosed for your ready reference.

In the letter dated 26.07.2023, it has been comprehensively established that in the cycle of construction of buildings and infrastructure projects the only significant contribution of the contractor of CPWD's is to submit the bid and upon selection by CPWD, executes the work under the strict monitoring of CPWD by using labour and identified material in the BOQ from the approved make list of CPWD. The material then undergoes extensive testing by CPWD before it is incorporated in the work. In the table given in this said letter out of the 8 items, in the only two items, the contractors have a role to play. All others are direct responsibility of CPWD.

This letter further state that because of this circular CPWD is now unilaterally and retrospectively extending the Defect Liability Period (DLP) to 25 years post the closure of the contract which is totally against the set norms as set out by CPWD and the Department of Expenditure,

Government of India. During the DLP period the contractors of CPWD are only liable for defects for a specified period as defined in the contract. Once the DLP is successfully completed by the contractors of CPWD, the contract for that particular project attains a closure. Also, after the successful completion of the DLP, the liability of maintaining the buildings and infrastructure project is only with CPWD. It is a known fact that bad maintenance shortens the life of the buildings and leads to serious defects. Further, the completed works may also become unfit for the intended use for totally different natural reasons like earthquake, flood, cyclone or other force majeure events, hostilities or warlike operations, fire, mob violence or intentional damage.

Therefore to hold contractors of CPWD singularly responsible for 25 years for structural stability and soundness of already completed buildings and infrastructure projects is totally unfair, unjustified and prevents the contractors to earn their livelihood for no fault of theirs. This step taken by CPWD is totally unwarranted as there is no provision in GFR/ FIDIC Bid documents.

Further this above referred circular mentions debarment for life for the contractors which is totally against the Debarment Guidelines issued by the Procurement Policy Division (PPD), Department of Expenditure, Ministry of Finance vide their office memorandum with no. F.1/20/2018- PPD dated 2nd November 2021 and in suppression to all earlier instructions on this subject. This Debarment guidelines only gives a provision of debarment of 2 years and is obligatory/ binding for all the government organisations to follow. Therefore there cannot be a debarment for life.

BAI has been seeking an appointment with the Director General CPWD to deliberate on this issue. However, no time has being allocated by CPWD to us till now to address this issue wholistically.

This issue needs deliberation so that a robust system can be devised with strong checks and balances to handle this issue of structural defect as it is being faced in the private sector too.

BAI is a very strong partner and is always there to support the Ministry's mandate to monitor the programmes concerning all the issues of housing and urban affairs in the country. All the contractor members of BAI are totally supportive and standing with the

Government of India in all its endeavors.

Therefore, it is earnestly prayed that:

- A) Please direct DG CPWD to withdraw the above mentioned subject circular.
- B) The Ministry to hold a meeting of all the stakeholders under your umbrella to work towards a comprehensive and long-term solution on this issue of structural failure.

Thanking you in positive anticipation for an early action, please.

Yours faithfully,



S.N. Reddy
President
Builders' Association of India

केन्द्रीय लोक निर्माण विभाग

कार्यालय ज्ञापन

No. DG/SOP 2022/16

ISSUED BY THE AUTHORITY OF DIRECTOR GENERAL, CPWD

Nirman Bhawan, New Delhi

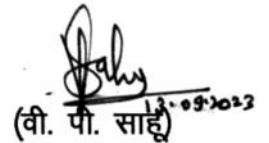
Dated: 13.09.2023

Sub: Modifications in SOP No. 5/20 for CPWD Works Manual 2022 regarding Measurement Books.

Following Modifications are made in SOP No. 5/20 for CPWD Works Manual 2022:

Existing Provision	Modified Provision
<p>SOP No. 5/20(B): ERP Electronic Measurement Book (e-MB) (Refer para 5.12.1(B))</p> <p>Electronic Measurement Book is made applicable in first phase for all future works (excluding EPC Projects), where tenders are yet to be invited, at stations Delhi, Mumbai, Chennai, Kolkatta, Chandigarh and Bengaluru.</p> <p>Sl. no. 1 to 7</p>	<p>SOP No. 5/20(B): ERP Electronic Measurement Book (e-MB) (Refer para 5.12.1(B))</p> <p>Electronic Measurement Book is applicable all over India w.e.f. 01.10.2023 for all ongoing and future works (excluding EPC Projects).</p> <p>No Change</p>

This is issued with the approval of DG CPWD.

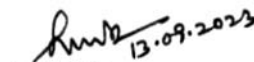


(वी. पी. साहू)

अधीक्षण अभियंता (सी.एंड एम.)

Issued from file No. CSQ/CM/16(1)/2023 e- file 9152875

केलोनवि तथा लोनवि दिल्ली के सभी अधिकारियों को आवश्यक सूचना एवं कार्यवाही हेतु।
(केलोनवि वेबसाईट के माध्यम से)



13.09.2023
R K SINGH
EE(Manual)

CPWD MATTERS



Govt. of India
Directorate General
CPWD, Contract & Manual
335-A, Nirman Bhawan, New Delhi- 110011
Telephone-011-23061838, Email – secm@nic.in



सं० : सीएस.क्यू/सीएम/18(4)/Enlistment (Misc.)/2023/1266

दिनांक: 20/11/2023

सेवा में,

Shri S.N. Reddy
President,
Builders Association of India,
G-1/G-20, 7th Floor, Commerce Centre,
J. Dadajee Road, Tardeo,
Mumbai – 400034
Email : baihq.mumbai@gmail.com

Sub: - **Requesting changes in CPWD Enlistment Rules 2023.**


Ref: - Letter No. 316/O/2023-24 dated 27.09.2023 from Builders' Association of India, Mumbai.

महोदय,

Please refer your above cited letter wherein request to continue the same rule as before the amendment of ER - 2023 for participation in tender for Class – JV/V enlisted contractors in CPWD has been made. A similar request was also received from President, Kerala CPWD Contractors Association, a reply of which has already been given on lines mentioned below:

It is to intimate that request has been examined in this office. It is to mention that no change/amendment has since been made in Rule No. 3.8, which allows all enlisted contractors to participate within their tendering limit for works all over the country. Furthermore, no amendment has been issued in the rule 3.8, Enlistment Rules 2023. The rule was applicable in the ER-2022 and ER 2021 also.

This is for your information please.


(वी.पी. साहू)
अधीक्षणअभियन्ता (सी. एण्ड एम) 2 दिवस

Union Budget 2023-24 - BAI's Pre-Budget Memorandum

Income Tax Matters

BAI has received an invitation from Finance Ministry for Budget Proposal Meeting.

F.No.334/6/2022-TRU
Government of India
Ministry of Finance
Department of Revenue Tax Research Unit

To,

Builders' Association of India (BAI)
G-1/G-20, 7th Floor, Commerce Centre,
J Dadaji Road, Tardeo Mumbai-34

Subject: Suggestions from the Industry and Trade Associations for Budget 2023-24 regarding changes in direct and indirect taxes.

Sir/Madam,

In the context of formulating the proposals for the Union Budget of 2023-24, the Ministry of Finance would like to be benefited by the suggestions and views of your Association. You may like to send your suggestions for changes in the duty structure, rates and broadening of tax base on both direct and indirect taxes giving economic justification for the same.

2. Your suggestions and views may be supplemented and justified by relevant statistical information about production, prices, revenue implication of the changes suggested and any other information to support your proposal. The request for correction of inverted duty structure, if any for a commodity, should necessarily be supported by value addition

at each stage of manufacturing of the commodity. It would not be feasible to examine suggestions that are either not clearly explained or which are not supported by adequate justification I statistics.

3. As can be seen that the Government policy with reference to direct taxes in the medium term is to phase out tax incentives, deductions and exemptions while simultaneously rationalising the rates of tax. It would be also desirable that while forwarding the suggestions/ recommendations positive externalities arising out of the said recommendations and their quantification are also indicated. You may also like to give your suggestions for reducing compliances, for providing tax certainty and reducing litigations. The Synopsis of your suggestions could be given in the following format:

S.No.	Issue	Justification
4.	It may be noted that GST related requests are not examined as part of Annual Budget. Suggestions	related to Customs and Central Excise may be forwarded in the following format:

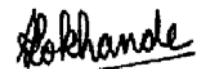
S.No.	Request	Exiting rate of duty	Justification
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Additionally, the relevant information as prescribed in the Annexure-A enclosed herewith, may be provided.

5. Your suggestions and views may be emailed, as word document in the form of separate attachments, in respect of Indirect Taxes [Customs and Central Excise (for commodities outside GST)] to budget-cbec@nic.in and Direct Taxes to ustpl3@nic.in. Hard copies of the Pre-Budget proposals/ suggestions relating to Customs & Central Excise may be addressed to Ms. Limatula Yaden, Joint Secretary (TRU-1), CBIC, while the suggestions relating to Direct Taxes may be addressed to Shri K. C.

Varshney, Joint Secretary, Tax Policy and Legislation TPL-1), CRDT. It would be appreciated if your views and suggestions reach us by 5th November, 2022.

Yours sincerely,



Sandesh Lokhande

Budget Officer, Tax Research Unit

Dept. of Revenue

Tel : 011-23095547

PRE-BUDGET MEMORANDUM 2023-24

DIRECT TAXES



Estd. 1941

BUILDERS' ASSOCIATION OF INDIA MUMBAI

Email : baihq.mumbai@gmail.com

BUILDERS' ASSOCIATION OF INDIA

PRE BUDGET MEMORANDUM TO FINANCE BILL, 2022

As the common tax issues concerning the business fraternity are being represented by various chambers of commerce and business and the common issues concerning the tax payers are represented by the tax practitioners' associations, therefore, the representation by BAI is being made only in respect of the issues specific to the construction industry and to the builders, developers and contractors.

Indian Economy was recovering well from the effects of the pandemic covid-19 and had reached to take off stage. But then has happened the Russia Ukraine war which is having far reaching effects on economies all over the world and India is not immune. In fact, due to rising crude oil prices, India's foreign exchange reserve which was in comfortable position is constantly depleting at a fast pace. How much our economy is able to withstand the adverse effects of inflation and reducing foreign exchange reserve is a moot question.

Consequently, the Indian economy is now at crossroads. To enable the economy for revival and for meeting this new challenge, support and encouragement to infrastructure and construction industry are considered priority areas. Builders Association of India, therefore through pre budget memorandum makes a fervent appeal to the government to support and encourage the infrastructure and real estate industries in all possible ways. It needs no elaboration that in India, the infra, real estate industry and the economy as a whole go hand in

hand as the former has the best capacity to boost employment, government revenue and the economy.

Government is fully aware that the infrastructure projects and construction industry can provide required fillip to the revival of economy which is its prime economic objective. At the same time both the industries have their own problems and issues. Tax incentives by the Government means that the government forgoes or reduces tax for the time being. The absence of such incentives may also mean the same sacrifice by the government as in the absence of incentives the very income generation may suffer. The multiplier effect of revival of both the industry is quite high as they deploy huge capital and provide huge employment. While the infrastructure industry will create basis for development potential of the economy, the housing industry will satisfy the basic need of the people and will enhance their confidence to contribute to the economy.

At the outset it is therefore suggested that the government should conceive the schemes to give 100% income tax incentive to the all the house building projects and all construction and infra contractors. The scheme should continue till the after effects of pandemic and Russia Ukraine war are overcome. That will encourage more and more construction and infra works and will give far higher the contribution from these sectors to the nation. It will also create the basis of future higher income tax collections.

Suggestions to amend the Income Tax Act, 1961 :

Section 80-IBA – Affordable housing tax benefit needed for contractors also, stamp valuation is hurdle in urban areas

Section 80-IBA allows 100% deduction of the profits and gains derived from the business of developing and building rental housing project, subject to the fulfilment of specified conditions.

Under the existing provisions, for the purpose of this section, the project needs to be approved by the competent authority after the 1st day of June, 2016, but on or before the 31st day of March, 2022.

Considering the benefits available to the economically lower income group and government's goal of housing for all, government has extended the continuation of

Pradhan Mantri Awas Yojana-Urban (PMAY-U) up to 31st December 2024.

Therefore, it will be only logical that the benefits of section 80-IBA is extended to the projects approved upto 31st December, 2024.

The affordable housing has been one of the successful incentives and working well for the benefit of builders, developers and the home buyers. If the scheme of the affordable housing is further incentivised, it will change the housing scenario and will provide biggest fillip to the economy.

In the urban areas the restrictive limit of stamp valuation upto Rs. 45 lakhs is not allowing the construction of affordable houses even up to the prescribed area of 60 square meters because the stamp value of 60 square meters constructed house is generally higher than Rs. 45 lakhs. Therefore, it is a good case to remove the ceiling of stamp valuation. With such removal also section 43CA continues to operate so the government is not going to lose any revenue by such removal.

Under this section tax incentive is provided to the builders and developers. But the construction is actually done by the civil construction contractors. There is no tax incentive under this section to the civil construction contractors. They have to pay income tax. There is lot of self redevelopment of housing complex happening in the country by appointments of contractors. If contractors are provided the same incentive, the scheme will reach to its logical culmination that whoever constructs the affordable houses, will get tax incentive.

Further, unlike most other such sections, in this section no monitoring mechanism like prescribed form, certification of correctness of claim per year are provided. This leads to more scrutiny by the department and increase in litigation to the detriment of tax payers and on the other hand there may be revenue leakage to the detriment of

the government.

It is therefore suggested that in section 80IBA along with the term developing and building the term constructing be added. It is further suggested that the limitation of stamp valuation up to Rs. 45 lakhs be deleted. It is further suggested that a monitoring mechanism to verify the correctness of the claim of deduction per year be empowered in the Act and be provided in the Rules.

Section 43CB : Taxation of retention money of contractors

After the Delhi High Court termed ICDS unconstitutional the government has inserted various provisions of the ICDS into the Act itself to overcome the court judgement and to continue with its views. One of the most objectionable items in the ICDS regarding construction contractors was that ICDS provided that the retention money of the contracts will be taxed even when the conditions of retention were still pending. This was inequitable and illogical because retention money is not an income until and unless the conditions attached to the retention get satisfied.

In this context now section 43CB provides that that the contract revenue shall include retention money. Such an illogical provision against the commerce and against all realities does not go well with the tax payers.. The contractors cannot be expected to pay tax on income which has not even accrued or arisen. The income out of retention money accrues and arises only when the attached conditions get satisfied.

It is therefore suggested that section 43CB be amended deleting that the contract revenue includes retention money.

Section 44AD need to provide higher turnover limit for civil construction contractors, LLPs may be allowed the benefit.

Presently benefit of section 44AD is available to eligible business having total turnover or gross receipts upto Rest. 2 crores and such an assessee is not required to maintain books of account provided he declares income from such business at 8% or in case of transactions through banking channels, 6% of the turnover or gross receipts.

In case of civil construction contractors the turnover is generally quite high and such contractors are not so much administratively organised at they are more on the field. It is therefore a fit case in which turnover or gross receipts up to 5 crores are allowed to be covered by this section.

Further, presently the benefit of section is allowable only to businesses run by resident Individual, HU Fandfirm excluding LLP. To keep the business risks confined to business only, many contractors like to function as LLP. Since the income tax law treats LLP at par with partnership firm in general, therefore, it will be logical and equitable

to grant the benefit of section 44AD to LLP.

It is therefore suggested that section 44AD be amended to provide that turnover or gross receipts in case of civil construction contractors can be up to Rs. 5 crores to be eligible for section 44AD. It is further suggested that the benefit of section 44AD be extended to LLPs also.

Section 10(23FB) - Tax exemption for Alternative Investment Funds - Venture Capital Funds

Section 10(23FB) provides exemption as follows :

“any income of a venture capital company or venture capital fund from investment in a venture capital undertaking :...”

The underlined words have placed restrictions to exempt only the income from investment. Venture Capital Funds have been expanding their activities in the context of projects including infra projects. In addition to financing, they provide various types of specialized services including technical, management, decision making, data analysis and financial fields. They have specialised manpower. Supporting such services will support the success of projects. Supporting services to infra projects will support the government's top priority to attract investment in infra projects.

It is therefore suggested that the words “ from investments” be deleted or the said words be replaced by “set up to raise funds for investment”. In any case the relaxation to the VCs providing services to infra projects must be considered.

TDS on JV transactions with JV partners :

Section 194IC provides TDS @10% on cash consideration in a joint development agreement to which provisions of section 45(5A) apply. But where provisions of section 45(5A) apply, the consideration is not at all taxable in the year of joint development agreement, but is taxable in the year of Occupation Certificate. So the TDS would be carried forward. Sometimes, the project gets completed after many many years. In most redevelopments, due to passing on of the TDR entitlement, there may be nil or negligible taxability on application of the evolved law on the subject. In any case, it is not rational for the government to say on the one hand that tax will arise only on occupation certificate, but on the other hand, to withhold tax at threshold itself on the cash component at high rate of 10%.

It is therefore suggested that rate of TDS on joint developments referred to in section 194IC be kept at 1% of cash consideration. This will keep track on such transactions.

The civil construction projects, the infra projects, the building and developing projects are huge in size and investments. Joint ventures are the most utilised mode to

enter into collaborations as they give required flexibility to JV partners without entailing administrative and legal hurdles. Such JVs are generally structured in a manner that sharing of income and expenses take place at the earliest. Such sharing requires frequent payments which are subjected to TDS. While in reality compared to the quantum of such payments, the profit element is quite less. The JV itself does not even make profit or loss in most cases. Under the circumstances, the TDS on JV transactions with the JV partners should be kept minimum.

It is therefore suggested to provide only minimum TDS rate for the transactions between JV and JV partners.

Section 40(ba) – Amendment w.r.t. taxation of consortiums/J Vs/AOPs

Substantial number of transactions take place as joint ventures or AOPs.

In commercial understanding between the JV partners, there is not much difference between a partnership firm and a joint venture. In both cases, it is usual to give remuneration to working partners and interest on capitals introduced by them. But under the Income Act while remuneration and interest to partners are allowable deduction u/s. 40(b) but under section 40(ba) such remuneration, interests to JV partners are not allowable for deduction.

Real estate industry needs encouragement for development and flexibility to deal with complex and varied situations. Providing for deduction of remuneration and interests on the lines of partnership firm will help the industry more comfort and equity. JVs are preferred mode to entering into collaborations for various legal and practical reasons. Therefore, it is necessary that the provisions of section 40(ba) are brought at par with section 40(b).

It is therefore suggested that section 40(ba) be amended to provide for remuneration and interests to JV partners on the lines of section 40(b).

Section 2(42A) : To enable the benefits of long term capital taxation on sale of immovable property

being land or building or both by reduced holding period of 24 months, section 2(42A) was amended but consequential amendments yet to be made in sections 54, 54B, 54D and 54F- long standing logical representation.

A capital asset may be a short term or a long term capital asset. Section 2(42A) defines a short term capital asset providing that a capital asset held for 36 months or less, subject to specified exceptions, is regarded as short term capital asset. Implying that a capital asset held for more than 36 months is a long term capital asset. The long term capital asset when transferred give rise to long term capital gain which has many advantages in the income tax law. The Finance Act, 2017 had amended section 2(42A) so as

to reduce the period of holding from the existing more than 36 months to more than 24 months in case of immovable property, being land or building or both, to qualify as long-term capital asset. The same is done to promote the real estate sector and to make it more attractive for investment. The same is done to enable an assessee to derive the benefits of long term capital gain taxation.

However, the above amendment has not reached to its logical culmination because while the gain earned on transfer of such immovable property is qualified to be long term but consequential amendments for reducing the holding period of immovable property from 3 to 2 years are not effected in sections 54, 54B, 54D and 54F. At present, these sections restrict transfer of new assets purchased for 3 years.

To remove the dichotomy it is therefore suggested that consequential amendments be made in sections 54, 54B, 54D & 54F so as to enable the holding period of the new asset purchased to be reduced to more than 2 years from more than 3 years in case of land and/or building.

Further amendment suggested in section 2(42A) to included rights in immovable property

Presently the benefit of reduced period of holding of 24 months is available under section 2(42A) to immovable property being land or building or both. Whereas commercially good number of transactions are taking place in the immovable properties like leaseholds, tenancies, development rights etc.

Since the purpose of the Government in amending section 2(42A) by the Finance Act, 2017 was to enable transactions in real estate with reduced holding of 24 months, the purpose will get better fructified if the realistic meaning is provided to the term "immovable property" in section 2(42A). There is no logic in saying that if one sells land as owner one gets benefit by holding for more than 24 months but the same benefit will not be allowed on the same land if leasehold rights are sold. Removing the existing limitation will benefit the revenue in terms of more revenue due to increased numerical of transactions and more benefit to the real estate industry and tax payers.

It is therefore suggested to amend section 2(42A) so as to contain the term only "immovable property" in place of "immobile property being land or building or both".

Encouragement to private investment in infra projects is one of the priority objectives of the Government.

Support the mobility of employees in infra industry

The infra projects are more often situated far away from the town of the residence of employees. If the employee joins such distant placed infra project, then he may have to travel frequently to his town of residence. The expenditure of such travel is due to the employment at a

distant place. The infra project contractor may like to reimburse the employee with such travel expenditure.

It is suggested that to enable the infra project to attract talents from distant areas, such travel allowance paid by the employer to the employees to travel to their town of residence, be exempted under section 10. This will support the mobility of skills for infra projects.

For near distance travel financing of purchase of vehicles by the employers to the employees may also be provided appropriate incentives.

Section 24(b)- Deduction of interest on housing loan paid during construction period

More of housing loans are taken for booking under construction houses. At the same time even after enactment of RERA, the under construction purchases are not so much happening. In this context, section 24(b) provides that interest paid on such housing loan is allowed but only from the year of completion of construction in five equal installments. This is a discouragement as while on the one hand the buyer suffers when the completion of the project is delayed, on the other hand he does not get deduction on the interest actually paid by him. This is also a discouragement to the development of real estate industry. It is therefore logical and equitable that such interest be allowed in the year of payment and no adverse consequence should follow in the cases of projects not getting completed in time or even not getting completed. Any adverse consequence will add to suffering of the buyer.

It is therefore suggested that under section 23, interest paid during construction period on a housing loan be allowed as deduction during the year of payment and without any reference to construction completion.

Section 23(1)(c) –Income from house property during vacancy period

When a property is given on rent and remains vacant during the intervening time, such property is taxed as deemed let out and a notional income is being attributed to such a property.

This is not equitable as it tantamounts double suffering to the assessee as on the one hand he is unable to earn rental income and on the other hand he has to pay tax. The provision may be amended to provide that only when the property is vacant for the entire previous year, the deemed notional rental income may become taxable.

It is therefore suggested that section 23(1)(c) be amended to provide that a property remaining vacant for part of the previous year will be charged to tax only for the period for which it is actually rented out.

Section 23(5) - Tax on unsold properties held as stock in trade is adding to the problems of the industry – read

with section 271(3A) restricting set off of loss upto only Rs. 2 lakhs

Real Estate industry has been ailing due to lack of financial support, higher input costs coupled with lowering of prices due to non affordability to the buyers. In the present times, a builder is far willing and eager to sell his constructed properties. Section 23(5) provides that in respect of unsold property held as stock-in-trade after 2 years of construction completion, the assessee has to pay tax on notional rental income thereon. While on the one hand the builders and developers are struggling to sell their constructed units, on the other hand non sale thereof is attracting tax on notional rent therefrom.

Most of projects are done with borrowed funds. Even otherwise there is an opportunity cost of funds locked in the unsold properties. The price appreciation which was once quite encouraging to hold the properties is now virtually missing. Therefore, the builders and developers do not get much benefit by not selling the constructed properties. Under the circumstances, taxing unsold properties held a stock in trade is not serving any economic purpose except punishment to the industry. Section 23(5) providing for deemed rental income and making it taxable after two years of property construction appears to be harsh to genuine developers who are unable to dispose off their stock in the slump.

Further, Section 71(3A) provides a ceiling of Rs. 2 lakhs for set off of loss under the head house property against any other head of income.

Combined effect of application of sections 23(5) and 71(3A) is proving double sufferings to the builders/ developers without any substantial gain to the exchequer. On the contrary it is harming the ailing industry.

It is therefore suggested that provisions of section 23(5) be deleted or kept in abeyance for 5 years and builders and developers be excluded from application of provisions of section 71(3A).

Section 28(via) Conversion of stock in trade into capital asset

Finance Act, 2018 introduced a new provision to the effect that when a stock in trade is converted into capital asset, the difference between the fair market value of the asset on the date of conversion less cost of inventory is the business income. Going ahead when such converted asset is sold or otherwise transferred the capital gain is to be computed as difference between fair market value of the asset and the net sale consideration. Presently, the tax on business income becomes payable in the year when the stock in trade is converted into capital asset. However, at such conversion there is only notional income in the hands of the assessee. The real income may be earned only when the capital asset is sold or transferred. The present set of provisions is creating hardship upon the assessee as he

has to pay tax on the notional income without its realisation. This hardship can be relaxed by providing on the lines of section 45(2) the deferment of tax on such business income to the year of sale or transfer of the converted capital asset.

It is therefore suggested that the tax on business income on conversion of stock in trade to capital asset be deferred to the sale or otherwise transfer of such converted capital asset.

Section 45(5A) - Taxation of joint development agreements

Currently, relaxation of postponement of taxation till the date of completion certificate of the building is granted to individuals and HUFs. There is no logic to exclude other types of assesses. The amendment had come in acceptance of the fact that taxation of transfer of development rights at the time of execution of development agreement is a hardship. To support the real estate development in urban areas, the amendment had come by introduction of section 45(5A) postponing the taxation of resultant capital gain in the hands of land owner to the year of completion certificate. Once this hardship is recognised, it should be recognised in case of every assessee. Further the hardship is there whether the land is transferred as capital asset or stock in trade. Therefore, the benefit of section 45(5A) needs to be extended to all types of assessee and all types development rights whether the land is held as capital asset or stock in trade. With increasing population and availability of land being scarce in cities and towns, horizontal expansion not possible, government increasing the developmental potential, the vertical expansion is the only possible option. In such a situation the existing land owner transfers the development rights to a developer with comparatively small amounts received as consideration at the time of execution of the development agreement.

Section 50C is applicable to section 45(5A) but only partly in as much as the relief provisions contained in section 50C are not incorporated in section 45(5A). It is pertinent to mention here that the constitutional validity of section 50C were upheld on consideration inter alia of the relief provisions contained therein.

Section 45(5A) covers only registered development agreements. The case laws on taxation of development agreements do not make distinction between registered agreements or unregistered agreements. Therefore, section 45(5A) needs to cover unregistered agreements also.

While the taxation of capital gains on transfer of development rights have been deferred by this section, the exemption provisions contained in section 54, 54F, 54C, 54EC, 54EE have not been amended to take care of the capital gains arising under section 45(5A). This creates practical difficulty to invest resultant capital gains to comply with exemption sections.

It is therefore suggested that section 45(5A) be amended to include all types of assessee and to cover transfer of development rights whether held as capital asset or as stock in trade. Benefit of section 50C be fully allowed to cases covered by section 45(5A). Unregistered agreements be covered in section 45(5A). The time limits under section 54, 54F, 54EC, 54EE be extended in alignment with section 45(5A).

Section 71(3A) - Loss from House Property

Section 71 (3A) has placed a restriction that loss arising under the head "Income from House Property" can be set off against income under any other head but to the extent of only Rs. 2,00,000/- and the excess loss remaining unabsorbed can be carried forward up to subsequent 8 assessment years.

This restriction is a big discouragement to the tax payers including builders and developers. The restriction is discouraging growth of housing market.

The restriction of set off of loss will not promote development of housing projects. The carry forward of the unabsorbed loss under Income from house Property is allowed for a period of 8 assessment years. However, practically there would not be any positive income since the interest cost is very high.

It is therefore suggested to withdraw the said restriction. Alternatively, the limit of Rs 2 lakhs may be raised to atleast Rs 10 lakhs.

Section 80EEA - Tax incentive for interest on loan for affordable housing

In the context of Section 80EEA, the Explanatory Memorandum to the Finance Bill provides as follows :

"In order to provide an impetus to the 'Housing for all' objective of the Government and to enable the home buyer to have low-cost funds at his disposal, it is proposed to insert a new section 80EEA in the Act so as to provide a deduction in respect of interest up to one lakh fifty thousand rupees on loan taken for residential house property from any financial institution subject to the following conditions:"

But Section 80EEA(1) reads as under:

"(1) In computing the total income of an assessee, being an individual not eligible to claim deduction under section 80EE, there shall be deducted, in accordance with and subject to the provisions of this section, interest payable on loan taken by him from any financial institution for the purpose of acquisition of a residential house property."

Thus it can be conspicuously seen that while the intention of the government was to allow benefit of interest deduction in cases of loans taken to book under construction houses also, but the section itself has not been

drafted to include such intention.

This is not the intention of the government and on the contrary the intention is to provide impetus to housing for all by construing more houses. Therefore it is a case in which a clarification needs to be inserted so that the benefit of interest deduction by booking under construction houses is available retroactively and intention of the government gets spelt out on law.

Further the limit of Rs. 45 lakhs stamp valuation is not workable as many affordable houses in urban and semi urban areas cannot be constructed up to the allowable square meters with the limitation of Rs. 45 lakhs.

Further the condition in section 80EEA that the assessee should not own any residential house property on the date of sanction of loan is in contradiction to the provisions of section 54 and section 23 because section 54 now allows owning 2 residential houses and section 23 has also been amended to provide that an assessee can claim 2 residential houses as self occupied.

Therefore it is suggested that under section 80EEA also the condition be amended to enable benefit of interest deduction to the assessee owning up to 2 residential houses.

Section 194C – TDS on contracts

The economic activity has quite enhanced over a period of years. The GST and reverse charge mechanism and various PAN and TAN requirements have plugged many leakages. Under the circumstances, threshold of Rs. 30,000 for one transaction and threshold of Rs. 1,00,000 in aggregate under section 194C require updation up to Rs. 1,00,000 per transaction and Rs. 5,00,000 in aggregate.

Section 194-IA TDS on sale consideration of immovable property

Section 194-IA requires tax deduction @ 1% from sale consideration of immovable property other than agricultural land. This provision is fine and working well.

But there is no provision in section 197A allowing for nil deduction or lower deduction in cases of genuine hardships.

For example in a case where entire capital gain is exempted, the TDS will entail unreasonable hardship to the tax payer to get refund of the TDS when he has no other taxable income.

In a case where the seller intends to invest under the provisions of section 54F, the said section requires investment of entire net consideration. So in such cases while on the one hand the seller will not get full amount due to deduction of TDS but on the other hand he will have to invest full amount.

It is therefore suggested that section 197A should include

section 194-IA also for nil deduction or lower deduction.

Section 194N – TDS on cash withdrawals

Section 194N provides TDS @ 2% on cash withdrawal exceeding Rs. 1 crore in a year from a bank account.

The civil construction contractors and infrastructure contractors take up projects in very remote areas where no basic facilities are available much less the banking facilities. Many materials are procured from unorganised sectors who do not have banking facilities. Workers are to be paid daily wages in cash only. The number of workers in infra projects is very high.

Development of infrastructure and construction industries are one of the priorities of the Government.

Considering the above factors, the provisions of section 194N should not apply with reference to infra and civil construction projects.

Alternatively, the general limit of Rs. 2 crores needs to be enhanced to Rs. 10 crores in cases of contractors engaged in infrastructure projects and Rs. 5 crores in cases of contractors engaged in civil construction contracts.

Section 206AA - Non availability of PAN and TDS

In non-availability of PAN cases, the prescribed rate of TDS is @ 20% or higher rate as applicable.

In the civil construction and infrastructure sectors, the problem of non providing PAN is genuine in many cases.

Section 206AA may be amended to exclude quoting of PAN for those persons having income below taxable limit.

Give RERA effect to taxation of builders and developers

Builders and developers have to pay tax on income accruing out of sale of units under construction. The

department insists upon percentage completion method. Under the RERA act, it is absolutely necessary to recognise that the RERA law gives an absolute right to the unit buyer to seek refund of money with interest and compensation on delay beyond assured date. This refund provisions will be more visited in the downward market by the unit purchasers. Under such circumstances, it will create a very difficult situation for the builders and developers as by application of percentage completion method, the tax might have been paid and thereafter if sale of some units get cancelled, there is no right of refund. At the most, such tax can be adjusted on subsequent sales. However, if subsequent sales don't happen then it will be an additional punishment to the builder/developer that he has been subjected to refund and he has paid off part of the tax also on percentage completion method. It is therefore, absolutely necessary that the builder/developer is given an option to recognise sales only on project completion method. This becomes further imperative as the 70% of the sales proceeds cannot be even touched by the builder except for meeting cost of construction and cost of acquisition of land. There may be stoppages of constructions for various reasons. Under such circumstances, money will lie idle in designated bank account.

It is suggested to provide impetus to the real estate constructions. The present RERA law has stringent constraints upon the project and the developer. The same may be supplemented by the incentives. For example, once a project is completed in all respects as per the RERA deadlines, and as per assurances under RERA, such projects can be made eligible for tax benefits even though it is not covered as affordable housing project.

To deal with the realistic problems, for builders and developers, consider to permit carry back of losses and introduce suitable legislative amendments for its application.

PRE-BUDGET MEMORANDUM 2023-24

INDIRECT TAXES



Estd. 1941

BUILDERS' ASSOCIATION OF INDIA MUMBAI

Email : baihq.mumbai@gmail.com

INDIRECT TAXES

INCLUSION OF PETROL, DIESEL, ETC., UNDER GST REGIME

Our construction industry is facing various struggles post Covid-19 pandemic. Short supply of materials, abnormal fluctuated increase in prices, movement of migrant labours, non availability of skilled labour, belated payment by contractees (including Government departments) are playing significant delay in executing works.

Compare to other industries our industries are time bound and completion of work in time is foremost criteria. Our members are struggling to complete the work in time and also running short of working capital.

The recent amendments to increase the rate of tax from 12% to 18% and 5% to 12% is also blocking our working capital for quite some time.

One of our major expenses are relating to purchase of petrol, diesel, etc., for maintenance of vehicles and machinery. Non inclusion of these products under GST REGIME is affecting our industry to extend of value added tax paid. For payment of VAT on these products we are unable to get input tax credit.

SUGGESTION:

Earliest inclusion of petrol, diesel and other petroleum product under GST REGIME may be an additional incentive to our industry to sustain the impact of post Covid-19 pandemic.

GOODS AND SERVICES TAX

REQUEST FOR SPECIAL MECHANISAM FOR PAYMENT OF GST FOR

CONTRACT WORKS RELATING TO GOVERNMENT AND ITS RELATED AUTHORITIES

The works contract service to Government, Governmental authority, Government entity, local authority, Union territory are charged at 18% and predominantly Earth works related contracts are charged at 12% as per the notifications issued referred in the following point 2.

Presently all most all the above service are charged at 18%.

The time of supply is the practical issue in the case of above Government and its related authorities. They are preparing the work bills as per their measurement books, etc which are maintained by the Government Departments.

The contractors are facing lot of practical difficulties in issue of invoices starting from date of stage completion of work, quantity of measurement, etc, to value of bills.

There is lot of delay in payments from date of work completion by most of the Government authorities.

Hence, it is requested to amend the provisions of GST Act **with special mechanism to allow the Contractors to make GST payments for Government related works, like receipt basis.** Government and its related authorities works are transparent one. There will not be any loss to the exchequers.

2. THIS IS REFERENCE TO THE AMENDMENTS FOR GST RATE CHANGE RELATING TO WORKS CONTRACT SERVICES.

The following are the increase in the GST rates due amendments mentioned.

NOTIFICATION NO.	SUPPLY TO	EFFECTIVE	FROM FROM	TO
15/2021- Central tax (Rate) dated 18th November, 2022	Governmental Authority, Government Entity	01st January, 2022	12%	18%
16/2021- Central tax (Rate) dated 18th November, 2022	Governmental Authority, Government Entity	01st January, 2022	5%	12%
03/2022 - Central tax (Rate) dated 13th July, 2022	Central Government, State Government, Union Territory and a local authority	18th July, 2022	5%/ 12%	12%/ 18%

ISSUES:

The impact will be on number of work contracts in relation to construction of Hospitals, Educational Institutions, Non Commercial buildings, etc to the above categories of recipients who are taxable presently at 12% GST are increased to 18%.

Works contract services involving predominantly earth work is increased from 5% to 12% due to the above amendment.

GST rate of change for services are to be paid by the clients on the agreed terms basis. Works contract is mainly in relation to Immovable Property and understanding the nature of complexity of works contract mechanism needs special attention.

This amendment have impact on the existing and ongoing constructions contracts which were entered into before the date of this amendment.

REQUEST:

BAI sincerely prays that:

Instruct all the departments to pay GST to contractors as per the provisions of GST acts for the work completed upto 17th July, 2022.

Issuance of clarification of list of recipients and the applicability of rate of tax relating to the above amendment dates for the various existing contracts entered viz, inclusive of tax, etc., to avoid litigation between the contractors and their clients to come out of the practical issues, faced by the contractors for the erstwhile amend made.

The Ministry should also issue a clarification overriding all the contracts, that any increase in rates of tax will be duly passed on to the contractor by the client irrespective of the clause in agreement and if required a supplementary agreement should be entered into.

Thus the tax should be paid to the contractors on submission of bill basis and need not be a reimbursement which will lock the working capital of the contractors for unreasonable period.

Work Contract services are treated as supply of services in GST regime. Contract services are to make **eligible to get refund of additional input tax credit** treating it as Inverted Duty Structure.

We look forward to the above-mentioned changes as otherwise our construction industry would go deeper in the financial crisis and the growth of the entire country would suffer thus impacting the generation of the revenue and impacting the dream of Honorable Prime Minister to make India as the "Business Capital" of the World.

JUSTIFICATION:

A. CLARIFICATION FOR EXISTING INCLUSIVE OF TAX RATE CONTRACTS:

Before the amendment there are number of contracts, which were covered under reduced rate of 12% or 5% as the case may be. It is to specifically mention that now a days majority of the **contract agreements are entered inclusive of GST rate basis**. When there is sudden increase of tax rates by 6% for a category of contractors, it will be very difficult to negotiate the rates with the clients. Any upward revision in taxes and that too by 6% will impact the profitability and sustainability of the various contracts or arrangements already entered by the contractors in light of the provisions before amendment.

For claim / reimbursement of GST paid in time, the contractors have to undergo a lengthy process and in many cases **legal proceedings may be warranted**.

The increase in tax rates will again pop up the most settled agreement disputes on account of GST. The agreements which are entered into GST regime treating it as inclusive of taxes, will face the heat and renegotiation will be required for change in tax rates.

In some of the cases with **specifically State Governments, and PSU's in past, any increase in rates of tax was not given to the contractor or still in dispute** because of the absence of relevant clause about change in rate of tax. However any reduction in rate of tax in July 2017 to January 2018 was accordingly considered by PSU's in view of section

171 of The Central Goods and Service Tax Act 2017.

The agreements which were entered prior to GST regime and have settled anti profiteering calculations too, will again pop up and increase in rates of tax needs to be paid/ reimbursed even on settled cases as per the GST Law and Conditions of Agreement.

B. EXAMPLES FOR PRACTICAL DIFFICULTIES:

Work executed for Local Authority and certain Government Departments

This amendment is covering Local authorities also. Majority of the work allotted are based on the limited budget provisions. Even, if the authorities are ready to provide the additional 6% of tax, they may not get that 6% from the higher Body due to budget restrictions and pass on to the contractors. These kind of issues are also prevailing in various Government Departments which are executing their infrastructure needs with limited resource exposure.

Certain Government Departments are not at all having any budget provision to allocate the additional levy of 6% tax. It is very difficult time for the contractors who are executing works for the above referred authorities to get the additional burden of this GST 6%.

The projects commenced/allotted in the erstwhile tax regime:

The projects/concessionaire agreement entered into the erstwhile tax regime i.e. (Service tax and VAT) had already faced lot of difficulties during the course of transition in the GST regime. It is observed that such agreements usually had change in law clause wherein the contractors were thus required to claim the GST after taking into account the provisions of Anti Profiteering. Thus though the tax rate applicable was at 12%, the claim usually of the contractor was in the range of 2.5 to 7%. With the change in applicable rate from 12% to 18%, the entire exercise is required to be re-done for the work done prior to 18.07.2022 and for work done post 18.07.2022. Further this shall lead to blockage in working capital as the approval process generally takes 6-10 months.

The projects commenced/allotted in the GST regime prior to the amendment date of 18.07.2022.

It is observed that such concessionaire agreements especially in case of NHAI and metro projects were allotted on INCLUSIVE TAX PRICE. Though change of law provisions still form part of the concessionaire agreement, clarification must be brought that for projects commenced in the GST regime, the change of law provisions will include change in tax rate as well. Accordingly the concessionaire agreement bid

project cost is required to be increased by 5.36% (100*118/112) to account for the change in tax rate.

In case of Hybrid Annuity Model (HAM) projects commenced/allotted in the erstwhile tax regime:

For the HAM commenced in the erstwhile regime and only annuity is received in current regime, the developers/ contractors have not availed any input tax credit as the said services were exempted then. Hence such projects for which COD is completed prior to GST regime should be exempted.

In case of Hybrid Annuity Model projects commenced during the GST regime but prior to July, 2021:

In such projects under the concessionaire agreements it was clarified that the bid project cost shall be exclusive of GST. Hence clarification was given that GST on annuity shall provided separately. However with increase in rate from 12% to 18%, direction may be given to release GST at appropriate rates.

C. ADDITIONAL WORKING CAPITAL BURDEN:

Increase in rate of tax seems to be shifting of money from one pocket to another pocket for the Government as a whole. The private construction contracts were already covered under 18% category, only government contracts are under 12% category (in case of building works). Increase of rate may result into increase the burden on respective Ministries in some cases.

Each and every work is executed with underlying contract documents. There are numerous examples of agreements with of Centre or State Government, where works are entered on all inclusive basis. In some of the contracts change in tax rate clause is either missing or in some cases it is categorically mentioned that no impact of change in rate of tax will be provided to the agreed rate. In the absence of such clauses or restriction, such contractors will have to bear the burden of increased rate of tax, which is far more unreasonable and will bring many of the contractors under bankruptcy owing to inability to perform works at such reduced rates.

The construction industry is just managing to come out the impact of second wave of Covid which, as you are aware, has been much stronger and larger than the first, in various parts of the country. Further the construction contracts are long term contracts where the prices are locked and any untimely changes to taxes will further drag the various contractors into financial crunch, leaving unfavourable times for most of the contractors and ultimately leading to delay in executions of the majority of the projects. Further as you are also aware

that the construction industry is seeing abnormal increase in the prices of cement and steel and the index being used for providing escalation to the contractors is not commensurate with this abnormal increase in the prices of cement and steel. Shortage and migration of labour also creating lot of practical difficulties which are tough to handle smoothly. Therefore, the financial position of the contractors is very grim.

Most of the State Government works, bill payments are getting delayed by 2 months to 9 months. This additional liability of 6% tax, will also be an additional working capital burden. Since, the Governments are not taking credit of input tax, the 180 days norms for non payment of consideration prescribed for reversal of ITC under section 16(2)(d) of the CGST Act, 2017 and Rule 37 of CGST Rules, 2017 are not at all support the contractors.

D) CONFUSIONS IN THE ERSTWHILE AMENDMENTS IN THE RATE OF TAX:

The Amendment vide Notification Numbers 15/2021 – Central Tax (Rate) and 16/2021- Central Tax (Rate) dated 18th November, 2021 effective from 01-01-2022 –has removed two categories of service recipient i.e. “Government Entity and Governmental Authority”.

There is lot of confusion prevailing in identifying the Government, Government entities and Government authorities. Till now the list of all the Government entities and Government authorities are not readily available to enable the contractors to quote the tenders with appropriate GST rate.

The above amendment implemented w.e.f. 01.01.2022 due to above two notifications in respect Governmental authority and Government entity **rate revision from 12% to 18% are still under discussion stage** with each and every client by the construction industry and now again this amendment will snatch the remaining oxygen from the wallet of the contractor.

E) SUBMISSION:

The effect of amendment has created a lot of uncertainty in industry about the rates of tax on various contracts, status of existing contracts, reimbursement of increase in rates of tax, etc.

During this post hectic Covid pandemic situation, the working capital will be locked on account of additional payment of GST within the due date and also an additional burden to the industry.

3. Loss of input tax credits because of non-compliance by vendors and sub-contractors.

Issue: As per section 42 of GST Act 2017, input tax credit availed on provisional basis under section 16 should be matched with GSTR 1 of the vendor. However, if the same is not matching then, the credit availed is required to be reversed with interest by the recipient.

Section 42(3) & (5) prescribes that, where the input tax credit claimed by a recipient in respect of an invalid supply is in excess of the tax declared by the supplier for the same supply or the outwards supply is not declared by the supplier in his valid return, the discrepancy shall be communicated to both such persons in such manner as may be prescribed.

The amount in respect of which any discrepancy is communicated under sub-section (3) and which is not rectified by the supplier in his valid return for the month in which discrepancy is communicated shall be added to the output tax liability of the recipient in such manner as may be prescribed in his return for the month succeeding the month in which the discrepancy is communicated.

Suggestion: The provisions of GST Acts to be suitably modified to help the genuine buyers who have paid the suppliers but could not be taken credit due to the failure/ non submission of returns by the suppliers in time.

4. Allowing ITC for immovable property on own account

Present Law: Input Tax Credit (ITC) is the core concept of GST as GST is destination based tax. No ITC is available for goods/services for construction of immovable property on their own account. Even if such goods/services are used in the course of furtherance of business, ITC will not be available (Sec.17(5)(c)).

Suggestion: If the Government allows ITC for the above category of building owners, ***the corporate and high net worth concerns having surplus funds will come out with new constructions*** which will give additional cash inflow to the system. It will give benefit to the real contributors to the society. The ITC set off period may be restricted to 3 to 5 years to arrest the extra revenue loss to the exchequer. Though the exchequer may loose small amount of tax revenue, the real contribution to the society will be multifold.

5. Reversal of ITC for non payment of consideration within 180 days

Present Law: Second and third provision to Section 16(2)(d) of the CGST Act, 2017 and Rule 37 of CGST Rules, 2017 provides for reversal and reavailability of ITC on account of non payment of consideration to the supplier within 180 days.

Suggestion: In this hard financial crisis situation, the 180 days norms to be removed. **This provision is to be suitably modified and make the comforts to the buyers and suppliers to fix the payment terms mutually.**

6. **Registration of Works Contract services – Interstate Supply**

Issue: Works Contractors, having a principal place of business in one State may undertake execution of works across India in many States. The registration provisions require the works contractor to obtain registration in each such State even though they have no place of business in those States. If the strict interpretation is taken then, mere installation works also attract registration requirement and they may have to take multiple registrations.

Suggestion: Kindly issue a clarification that a works contractor based on one registration in one State can execute works contract in any State by way of IGST billing without separately registering in all other States with suitable adjustment of ITC.

7. **Additional Registration**

Issue: As per Amendment in Rule 9 of CGST Rules, 2017, time limit is increased for grant of GST registration from 3 to 7 working days. Presently we are struggling up to start transportation of machineries and preliminary site materials to newly awarded projects in other States until issue of registration by GST official which normally takes around 15 days.

Suggestion: If the application with Aadhar Authentication of Authorised Signatory is submitted, the provisional registration and e-Way Bill facilities should be allowed immediately to enables us to start the initial site preparation related works at the earliest in the newly awarded projects in any State.

8. **Non deduction of TDS on works contract advances**

Issue: GST is payable on mobilisation advances received from Government. If the same contract is subcontracted and mobilisation advances are paid to subcontractors, GST is again charged by such subcontractors and it is not available as credit till the time it is adjusted from the advance.

In infrastructure projects, there is huge time gap between receipt of mobilization advance and adjustment of such advances.

Suggestion: Due to various practical issues faced by the contractors, **TDS deduction may be deferred for all kind of advances to contractors.**

9. **Taxability of GST on Arbitration Claims**

Issue: Arbitration claims passed and received in GST regime on account of work order completely executed in Pre GST regime.

Suggestion: Clarity on leviable of GST on the above receipts and give exemption suitably.

10. **Refund of excess ITC should be allowed as inverted duty structure refund considering ITC on account of services also**

Issue: Presently Works contract services are considered as Services as per CGST Act, 2017 and there are numerous issues before department at the time of filling of refund in inverted duty structure. Department always consider the contractor's services as similar to real estate service which is not the case.

Suggestion: A clarification can be issued by department in this aspect alongside while calculation of refund in Inverted duty structure. Clarification/ amendment is also required to consider ITC of Input services too as part of eligible ITC and allow refund of excess ITC like credits in cash ledger.

11. **Anti Profiteering claims and settlement thereof**

Issue: Anti profiteering claims even after 4 years of introduction of GST are still not being settled in matured way. The main reason for the same is ambiguity and lack of clarification from the Department over same. In absence the methodology to be followed is not synchronized and being implemented on best judgement of concerned person, which should not be there.

Suggestion: Suitable guidance for Anti Profiteering claims and settlement thereof may be issued.

12. **Abolition of Rule 36(4)**

Issue: Rule 36(4) has created a chaos in construction industry in respect of matching the ITC each and every month.

Suggestion: It should be avoided and eliminated at the earliest to have efficient and best use of human resource instead of just a clerical working on ITC.

13. **Issues relating to Fake invoices and its impact on construction industry and precautions/ due diligence practice to be adopted by contractors**

Issue: Unearthing scam of fake invoices: ITC availed by the genuine buyers against the invoices issued by the concerns which are related to this fake invoices cases are directly being targeted without even hearing their genuine grounds, arguments and

material aspects of the case.

Suggestion: The draconian provisions like arrest are the need of the hour and similarly it should also be used in a very rare and concrete circumstance and not just based on the statement of the one side. In these situations a proper Standard Operating Procedure (SOP) in consultation of industry people should be designed by CBIC to tackle these cases and provisions like arrest must be used as per the SOP prescribed. It is also requested for sufficient Opportunity of being heard for Blocking of Input Tax Credit on account of alleged fake ITC.

14. BUILDERS AND DEVELOPERS ISSUES:

A) **Issue:** As per Integrated Textile Park Scheme of Ministry of Textiles the building is constructed by the Developer from the contribution of the members. There should be no GST on such construction activity as it is as per within framework of Textile Park Scheme but due to unclarity entrepreneurs are discouraged for new investment.

Suggestion: Clarification/ exemption may kindly be issued that there is no GST on such construction activity as it is within framework of Textile Park Scheme.

B) **Issue:** Due to Mudra Loan, Start up India, Standup India schemes many young and women are becoming entrepreneur but are not having enough resources to purchase Commercial space, they prefer to take on lease. The rate of GST on lease is 18%.

Suggestion: The rate of GST So for the period of two years, the rate of GST on Rent should be 6% if given by the builder to the entrepreneurs.

C) Deemed valuation of land:

Issue: The reduced rate of 1% without input credit on construction of Affordable housing and 5% on construction of other than Affordable housing is the effective rate after considering 33% deemed deduction for the value of the land.

This one third deemed deduction on account of transfer of Land or Undivided Share of land is irrespective of the actual value of the land transferred. However, the said deemed deduction is not available when there is no transfer of land or undivided share of land.

The critical issue here is that in Metros, the value of the land exceeds the cost of construction. In such a scenario, only 1/3rd deemed deduction is not justified.

Suggestion: This provision requires amendment and the additional option to adopt for actual transfer value of land is to be allowed instead of 1/3rd deemed deduction.

D) Credit note within 6 months from end of Financial Year

Under GST regime, the taxpayer can adjust his tax liability if he declares the details of Credit Note in the Return filed latest by the month of September Return following the end of the Financial Year in which such supply was made, or the date of furnishing of the relevant Annual Return, whichever is earlier.

However, in Real Estate sector, construction service is a 'continuous supply of service' requiring 3 to 5 years for completion. Significantly, due to this stipulation of time limit of September Return, Developers' get only six months after end of the Year to issue Credit Notes. The aforesaid provision remains a practical and unworkable challenge for Builders / Developers to avail the benefit of reduction of tax liability on account of Credit Note issued after 6 months from the end of Financial Year.

In view of the above, the GST paid on flat(s) cancelled is either required to be borne by the Developer or the Buyer. Hence the time period stipulated needs to be liberalized /extended considering the peculiar nature of this Industry / Sector.

E) Developer transfers certain percentage of developed area to Land owner as a consideration against transfer of Development Rights. Developer is required to discharge tax at applicable rate i.e. either at effective rate of 1% (Affordable housing), 5% (Residential) or 12% (Commercial), depending upon the nature of the premises so transferred. However, tax is required to be discharged on total amount charged to Independent buyers for similar premises which is nearest to the date of transfer of TDR / FSI, after deduction of value of land i.e. 1/3rd of total consideration.

F) The value of construction service provided by developer to the land owner should be either equal to the value of land or the construction cost incurred. Also, the value for individual flats to the buyer may not be compared with value of flats given in bulk to the land owner.

G) In the case of a JDA, the Developer's role is like a Works Contractor for the land owner and hence, GST, if any shall be leviable only on the

cost of construction and not on the total amount charged to Independent buyers for similar premises which are nearest to the date of transfer. The provision in the GST Act is required to be amended.

- H) In case of Residential premises, due to liability on unsold premises after the cut-off date, it is imposing additional cost burden on the Developer, which is difficult to foresee at the time of commencement of construction. Further, no clarity has been provided as to whether the Developer is required to consider all unsold flats in a Project, (including those which have been transferred to Land owner) or only those unsold flats which belong to him. Though, logically Developer should be liable to pay Tax only on those unsold flats which remained unsold with him. This requires clarification from the Government to avoid possible future litigation.

16. Out and Out Sales

Amendment has been made in Schedule III of the CGST Act, 2017 and following entry is inserted:

7. Supply of goods from a place in the non-taxable territory to another place in the non-taxable territory without such goods entering into India.

Though the said entry is inserted w.e.f. 01.02.2019, the departmental authorities are of the view that the said transactions were taxable prior to 01.02.2019 and notices are being issued to his aspect.

It is submitted that though the said entry has been inserted vide Goods and Service Tax Amendment Bill 2018. Though it has been inserted from 01.02.2019, the said amendment is beneficial to the assessee at large and thus has retrospective effect. Further the amendment was brought in merely as clarificatory in nature as the statute never levied tax on such transaction.

17. Inverted Rate Structure

Geomembranes are woven fabrics, and hence textile goods, meriting classification under Heading 5911,

Sub Heading No.59111000 of the Tariff and thus taxable at 12%. However the rates for the inputs of the said goods have been rationalized to 18% and thus effectively creating inverted tax structure. It is submitted the necessary amendment is required to be made for removal of inverted rate structure.

18. Formation of higher forum

Looking at the pendency of the cases, it is urged and requested for formation of higher forum to settle the issues at the earliest.

19. GSTIN Portal

A separate columns to be provided in Form GSTR 1, Form GSTR 3B, etc.. to include the transactions relating to earlier years in subsequent year. These transaction reporting are allowed as per the provisions of the GST Acts. It will make ease of submissions during the scrutiny and review of Annual accounts by the authorities and avoid difference in turnover and tax figures in two different years.

20. New taxation immunity scheme to be announced

Keeping the enormous practical difficulties during transition to GST mechanism in to consideration, new taxation Immunity scheme will be announced suitably. The genuine regular tax payers should be convinced properly.

It may be proposed an one time measure for suitably waiving interest, penalties for all returns including GSTR 9, 9A, 9B and 9C filed for FY 2017-18 to 2020-21.

Also liberal view shall be taken for Time limit for taking input tax credit (ITC) pertaining to FY 17-18 to FY 2020-21 and additional time to be allowed for filing of the corresponding Additional Returns and Reports.

Further time limit for amending transactions of 2017-18 to 2020-21 in GSTR 1 shall be allowed as it facilitates reflection of such amended details in GSTR 2A of the recipient.

Ref.: 184/J/2023-24 dated June 28, 2023

To:

Office Bearers of BAI Headquarter,
Chairmen/Hon. Secretaries/Hon. Treasurers of all BAI Centres,
Members of Managing Committee & General Council of BAI.

Dear Sirs,

Sub.: Centres to observe strict norms for compliance under GST & Income Tax laws.

Please refer to the several circulars / emails sent to you regarding impact of GST & Income Tax provisions on BAI A/c's vis-a-vis Centres activities and to avoid any subsequent taxation problems of BAI Headquarter viz-a-viz BAI Centres.

In this regard, please be informed that, our BAI Karnataka (Bangalore) Centre has received a Notice U/S 46 read with section 44 and 47 of CGST/SGST ACT,2017 from Commercial Tax Officer, LGSTO-021, Bengaluru 560052 (*attached herewith*).

The charitable activities of BAI have grown many fold which has lead to increase in collection of membership fees by way of subscription. Apart from membership & subscription, collection from members has been steadily increasing on other activities like installation function, meetings, Builders' Day celebration, printing of diary, training programmes, conventions, exhibitions, seminars, conferences, etc.. Further many new centers have been added and the membership (Annual and patron) has been continuously increasing each year. This all has lead to increase in activities and in turn increase in the volume of transactions at the center level.

Thus it becomes imperative to maintain proper accounting records and retain them over a period of time so that the same can be produced at the time of scrutiny by the income tax department and the GST department. More thrust should be given on compliance of income tax and GST and other laws (like TDS).

In this regard we have few points to highlight so that the centers are aware of the same.

1. BAI's GST Registration Number: 27AAATB0212F1ZI will be used exclusively for membership collection of all Centres by Headquarter. While sending Membership Subscription, the Centres should send full amount of Annual Membership Subscription to BAI Headquarter. After remitting GST to the Department, BAI Headquarter will transfer the Centres' Share of Annual membership subscription i.e. 60% to the concerned Centres (Rs.2,904 X 60%= Rs.1,742/-).

All compliances with regard to membership, like issue of invoice, record maintenance, payments and returns, reconciliation will be handled from Mumbai Headquarter. However, For this purpose, the Centre will have to observe strict norms of providing all relevant data including GST number of member company and monthly bank statement to Headquarter.

2. For any activity/income, **other than Membership Subscription**, like Installation function, meetings, Builders' Day celebration, printing of diary, training programmes, conventions, exhibitions, seminars, conferences, meetings etc. etc., conducted by the Centre, the Centre will have to take a separate GST Number under the same PAN Number of BAI Headquarter and file the required GST Returns without fail and send the information to BAI Headquarter as **BAI Headquarter is filing consolidated Income Tax Return at Mumbai.**
3. **GST compliance of Centers of BAI A/c's - Verification of GST returns** with regards to the compliance of the GST Act can largely help BAI to find out errors, rectify them, devise a mechanism to avoid it in future and to be more careful and extra-vigilant in accounting of transactions and filing of returns.

Particularly, the Centres which have obtained GST number are requested to file the required GST Return, on all taxable activity, other than collection of **membership*** without fail, and send the information to BAI Headquarter on **monthly basis as BAI Headquarter have to file consolidated Income Tax Return at Mumbai.**

***GST return for Membership will be submitted at BAI Headquarter, Mumbai.**

To avoid any subsequent taxation problems of BAI Headquarter viz-a-viz BAI Centres, We, therefore request you to obtain GST Registration Number and file the required GST Return with GST Audit report on all taxable activity without fail, and send the copy to BAI Headquarter as early as possible.

Sir, we earnestly request you to kindly take note of this and circulate this information amongst your centres/ members, **so that compliance work can be done smoothly and in time.**

For further clarification / assistance on taxability of the receipt or any GST related issue, you may please send mail to Headquarter / contact the undersigned on Cell No: 09323576860 or Mr. Swapnil (Head- Accounts & Taxation) on Cell No: 09076337294 at BAI Headquarter.

Thanking you,

Yours faithfully,



RAJU JOHN
Executive Secretary
Builders' Association of India

Arbitration Matter

BAI draws attention of the Union Government on industry issues

Immediately after assuming office as President of BAI, Shri S. N. Reddy took up various issues confronting the Indian building and construction industry by sending memorandums to the concerned Union Ministers, Secretaries, etc.

Indian Industry Needs to Adopt to Fair and Equitable Treatment

India presently positions 100th out of 190 nations in the simplicity of working together record and 164th in the list for upholding contracts. The administration of India has started a few key changes that have contributed to this move-in perception, the latest of which is the Specific Relief (Amendment) Act, 2018 (SPECIAL RELIEF Amendment Act), which tries to revise the Specific Relief Act, 1963 (SPECIAL RELIEF Act) and rearrange the process of the requirement of contracts.

However the fact remains The Indian Contract Act, 1872, the key act regulating Indian contract laws is based on the principles of English Common Law as legacy of the British.

Modern concepts of regulation of contracts involved in infrastructure, and the complex contracts of the market economy, require a sound framework of law and enforcement and perhaps a revamp in the clause / conditions of the act is the need of the hour to provide a Fair and Equitable Treatment (FET) or Minimum Standard of Treatment (MST) such that each 'Party' shall at all times accord to covered investments fair and equitable treatment and full protection and security; and shall in no case accord treatment less favourable than that required by law.

Investment in infrastructure projects are of utmost importance; so is channelizing and supervising the investment and projects equally important. Thus there must be adequate laws, if need be modified / amended, to ensure the proper growth of the country via infrastructural projects.

India through its economic liberalization is heading to achieve revolutionary growth.

Old laws tend to have clauses that are incompatible with modern India. As an example, there are 45 Central Acts which directly pertain to labour alone. Beyond this, there are other Acts which indirectly concern labour. Given this large body of law, many inconsistencies have crept in. Further there is a need for reducing over-legislation and state intervention along with increasing speed of dispute resolution for the betterment.

As of now there is huge scope of improvement in Contract laws for it needs simplifies neutral clause for arbitration, price variation reimbursements, budgetary allocation disclosure, funding support and many more alike.

In our earlier issues of ICJ March 23 we have discussed upon Arbitration Matter (Vivad Se Vishwas), Contractual Disputes as introduced then by the finance Minister Nirmala Sitharaman in her budget address.

Primarily we seek implementation of 'One Country and One Scheme', which should cover all such works where Public Money is involved including Public limited companies. As now Govt. is moving more and more towards privatization for Public works and this should be avoided.

Furthermore, we need standard Contract documents based on Indian legal system as many provisions of FIDIC are not in tune with Indian Laws. Moreover, by introduction of COPA huge ambiguity is created which is cause of disputes many a times and should be thus avoided. Arbitration in construction contract should be made compulsory before going to court.

To,

Smt. Nirmala Sitharaman Ji
Hon'ble Finance Minister of India
Room No. 134, North Block,
New Delhi-110 001

Respected Madam,

Subject : BAI's Suggestions on VIVAD SE VISHWAS II'.

Ref.: Notification No. F.1/7/2022-PPD dated 8th February, 2023, issued by the Ministry of Finance.

Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 20,000 business entities as its members through nearly 200 chapters across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

We hereby congratulate your good office for circulating a draft scheme for settlement of pending disputes related to government contracts. Under the 'Vivad se Vishwas II' (contractual disputes) scheme, wherein contractors will be offered settlement amounts depending on the status of a dispute.

In this regard, we wish to respond and request the Government to consider the following points:-

1. This scheme covers Central Government and CPSE's. Majority of Contractor work for various State Governments and heir PSU's and Authorities. As Hon'ble Prime Minister says "One Country and One law", we seek implementation of this scheme as "One Country and One Scheme", we seek implementation of this scheme as "One Country and One Scheme" which should cover all such works where Public Money is involved including Public limited companies. As now Govt. is going more and more for privatization for Public works.
2. Secondly, it is noticed the Government may opt out of this scheme if claims and counter claims exceed Rs. 500 cores. Thus even in the scheme the Government is being kept in higher pedestal. We seek equality and fairness for contractors too so as to maintain sanctity of Scheme. All should be included as this amount to pressurize weaker player and allow big corporates to take advantage.
3. Once an agreement is reached under the scheme, the amount should be paid within 30 days from the date of settlement falling which interest stipulated in the award shall apply or at least 12% compounded interest.
4. Once this scheme is adopted by the contractor and amount and interest is settled, the Departments are given clear and strict guidelines to make payment. Must provide budget provision for the same else non availability of fund will again a cause of disputes.
5. Provide ongoing settlement forum during the execution of work which should be binding on both the parties till completion of work with a right to reserve their disagreement for referring to arbitration at the end of contract within a period of 15 days failing which it should be considered as Accord and satisfaction. This scheme should be under "DART" i.e Dispute Avoidance and Resolution Mechanism."
6. No Arbitration or litigation till completion of contract or till termination and or foreclosure of contract. Clause in contract must be modified accordingly. This will eliminate multiple arbitration from same contract.
7. After the Award is declared without any reservation, should first go to settlement committee. During settlement by and large negotiations should be done on interest components and claims part should be pursued with the contractor but should not be with any preconditions.
8. Most important for the point 5 as stated above, should be implemented with all sincerity. As seen many contracts have such provision though not properly drafted, department and contractor both are ignoring this provision. In arbitration department takes advantage of taking technical objection stating that the contract provisions have not been followed.
9. Contract should have in built provision of resolving all issues. Though FIDIC has such provisions same are modified to suit Govt. by introducing COPA.
10. We need standard Contract documents based on Indian legal system as many provisions of FIDIC not in tune with Indian Laws. Moreover, by introduction of COPA huge ambiguity is created which is cause of disputes.

11. Arbitration in construction contract should be made compulsory before going to court. In many contracts, the Arbitration clause is deleted. In such scenario what Vivad to Vishwas will do?
12. Why not to generate scenario of "NO VIVAD ONLY VISHWAS"?
13. Our organization can provide experts inputs for redrafting of the scheme.
14. Construction Industry is a unique one and hence one need to implement the scheme based on the Trade Practices. Contract during the execution is undergoing so many changes which are required to be take care:-

Sl. No.	Status of dispute	Settlement Amount	Comments & Suggestions
(a)	<p>Court Order passed. Award with net amount payable to the contractor.</p> <p>Note:</p> <p>i. Case may or may not be under further appeal.</p> <p>ii. Court order will include the cases where the parties have approached the courts directly or approached the court subsequent to arbitral award.</p>	<p>90% of the net "Amount awarded by the court".</p> <p>Note:</p> <p>1. In case, court has directed 'X' to be paid to contractor and 'Y' to be paid to procuring entity by the contractor, then the amount payable in such will be 80% of (X-Y)</p> <p>2. In case court upheld the Arbitral Award, fully or partially, as the case may be, interest as stipulated in the Arbitral award will also be included till the date of the court order in "Amount awarded by court.'</p> <p>3. In case no payment is made or only partial payment is made within 30 days of the date of award by the court, additional simple interest at the rate of 6% per annum will be payable for time period beyond such 30 days till date of acceptance of claim under the scheme by the procuring entity . It is further clarified that such 6% interest will be paid only on 80% of the net amount awarded by the court minus payments already made</p>	<p>Award reaches its finality once Commercial Court rejects application u/s 34 of Arbitrations & Conciliation Act, 1996. Just to reach conciliation mode, reduction of 10% is adequate, only on compensation components and not on work done claims which should be paid 100% with Future 12% Interest after 30 days of arriving settlement.</p> <p>1. It appears that Ministry is availing 20% for extending this facility and in order to reach an amicable solution, it is requested that 90% of awarded amount may be granted only on compensation components and not on work done claims which should be paid 100% with Future 12% Interest after 30 days of arriving settlement.</p> <p>2. Seems to be alright</p> <p>3. An interest as 6% is too low to cover losses incurred by the contractor due to withholding of awarded amount. Least the Government can do it is to offer bank lending interest rate, which is almost 12% as of now. As most of the time, claims are arising out of work done under COS claims for which contractor has already spent the money in executing the work.</p>
(b)	<p>Arbitral Award passed. Award with net amount payable to the contractor.</p>	<p>60% of the amount awarded by the Arbitral Tribunal. The award amount shall include any interest awarded by the tribunal till the date of award.</p>	<p>From Award 100% should be paid on work done claim Award & 75% on compensation component with Future Interest of 12%.</p>

Sl. No.	Status of dispute	Settlement Amount	Comments & Suggestions
	Note: Case may or may not be under appeal before a Court.	Note: However, in case there is delay in payment of the award amount, interest will be payable at simple interest of 6% per annum for the award amount not paid.	An interest as 6% is too low to cover losses incurred due to withholding of awarded amount. Least the Government can do it is to offer bank lending interest rate, which is almost 12% as of now. As most of the time, claims are arising out of work done under COS claims for which contractor has already spent the money in executing the work.
(c)	<p>On-going litigation (Either in Court where no arbitration was done; OR before Arbitral Tribunal OR ongoing conciliation including dispute resolution board (DRB) etc.)</p> <p>Note:</p> <p>(i) Disputes arising out of contracts in which physical activity has been stopped (i.e. either 100% physical progress against the same contract is anticipated) shall only be eligible for settlement.</p> <p>(ii) Terminated contracts will also be eligible.</p> <p>(iii) The decision of the procuring entity shall be final in this regard.</p>	30% of the net claim amount (i.e. claims by the contractors minus counter - claim by the procuring entity) excluding interest of either of the party.	<p>This is not a justified proposal. Why counter claims can be adjusted 100% without any justification. Work done and COS must be paid 100% and compensation component can be negotiated as Government Department is raising Counter Claims to run away from responsibility even though it is Government fault. Hence, proposed to have ongoing Dispute Resolution Mechanism.</p> <p>(iii). BAI proposes consensus between the contractor and the department so as to reach finality. Needs amendment. Unilateral Decision Authority is not acceptable. To generate "VISHWAS" it should be a joint decision.</p>
(d)	<p>On-going litigation (Either in Court where no arbitration was done; OR before Arbitral Tribunal OR ongoing conciliation)</p> <p>Note: Disputes arising out of contracts in which physical activity is ongoing.</p>	20% of the net claim amount (i.e. claims by the contractors minus counter - claim by the procuring entity) excluding interest of either of the party.	The proposal is unfair and should adopt Dispute Avoidance and Resolution Technique "DART" and clause to that effect must be included in the contract.
(e)	Disputes submitted on or before 30.09.2022 will be considered. But counter claims submitted upto 31.12.2022 by the procurement entity shall be considered	Disputes submitted on or before 30.09.2022 will be considered. But counter claims submitted up to 31.10.2022 by the procurement entity shall be considered	This is not acceptable as Government proposing to adjust 100% Counter Claim. It is likely to be unfair practice by Department to raise Counter Claims more than claims. So not to pay anything. Here also "DART" should be implemented. Without proper justification, ad hoc settlement of claims and counter claims is not just and proper.

We wish to add that as Scheme talks about Vishwas, we humbly seek Vishwas from the side of the Government so as to make this scheme a success.

We also earnestly request you to kindly grant us an audience on any date and place convenient to you to apprise more about the matter by Construction Industry Experts from our Association.

Thanking you,

Yours faithfully,



S. N. REDDY
President
Builders' Association of India

**Government of India
Ministry of Law & Justice
Department of Legal Affairs**

Date: 22nd June 2023

NOTICE INVITING COMMENTS FROM STAKEHOLDERS

Subject: Request for comments from stakeholders on the working of arbitration law in the country and need for reforms to the Arbitration and Conciliation Act, 1996 to improve the overall arbitration ecosystem

The Government has constituted an Expert Committee under the Chairpersonship of Dr. T.K. Vishwanathan, former Law Secretary to examine the working of the arbitration law in the country and recommend reforms to the Arbitration and Conciliation Act, 1996 (“Committee”).

The Committee invites comments and suggestions from all stakeholders, including learned arbitrators, judges, senior counsels, advocates, domestic and international law firms, on various aspects of the working of the Act, in line with its Terms of Reference placed hereunder.

Concise written suggestions/comments of the stakeholders may be addressed to the email id milind.mujumdar@gov.in and ndiac-dla@gov.in on or before close of business on 3rd July 2023.

We greatly value your inputs and urge you to share your insights, concerns, and suggestions on the subject.

Terms of Reference of the Committee

- (i) Evaluate and analyse the operation of the extant arbitration ecosystem in the country, including the working of the Arbitration and Conciliation Act, 1996, highlighting its strengths, weaknesses and challenges vis-à-vis other important foreign jurisdictions.
- (ii) Recommend a framework of model arbitration system, which is efficient, effective, economical and caters to the requirements of the users.
- (iii) Devise strategy for developing a competitive environment in the arbitration services market for domestic and international parties that can sub-serve the interests of the users, particularly in building a regime of cost effective arbitration, through arbitration professionals.
- (iv) Propose measures to fast track enforcement of award by suggesting modification to existing provision relating to setting aside of award and appeal so as to lend finality to arbitral award, expeditiously.
- (v) Recommend statutory means to minimise recourse to judicial authorities/ courts in arbitration centric dispute resolution mechanisms.
- (vi) Suggest administrative mechanism/ SOP for minimising routine challenge to arbitral award by the Government in disputes involving them.
- (vii) Recommend principles for determination of costs of arbitration
- (viii) Recommend principles for determination of fees of arbitrators.
- (ix) Recommend a charter of duties for guidance of arbitral tribunal, parties and arbitral institutions.
- (x) Examine the feasibility of enacting separate laws for domestic arbitration and international arbitration and for enforcement of certain foreign awards.
- (xi) Recommend templates for model arbitration agreement for adoption by parties and model award for guidance of arbitrators.
- (xii) Design and develop a handbook for Arbitrators to standardise their functions.
- (xiii) Suggest any other measures including the need for a new legislation, on arbitration in simple language.



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref.: 181/J/2023-24 dated 26th June, 2023

To,

The All MCGC Members
Builders' Association of India

Sub: Request for comments / suggestions for Arbitration and Conciliation Act. 1996

Dear Sirs,

This is to bring to your kind notice that the Government has constituted an Expert Committee under the Chairmanship of Dr. T.K. Vishwanathan, former Law Secretary to examine the working of the arbitration law in the country and recommended reforms to the Arbitration and Conciliation Act, 1996 ("Committee").

In this regard, the Committee invites comments and suggestions from all Stakeholders to improve the overall arbitration ecosystem on 3rd July 2023. (Copy attached).

Encl. As above.

Members are requested to send their suggestions / proposals to Shri Raju John, Executive Secretary on or before 30th June, 2023 by Email: baihq.mumbai@gmail.com / raju_john_in@yahoo.co.uk or on Whatsapp No. 93251 90879.

Thanks and regards,

Yours faithfully,

Raju John
Executive Secretary
Builders' Association of India

Ref.: 183/J/2023-24 dated 28th June, 2023

To,

The All MCGC Members, BAI.

Dear Sir,

Sub.: Writ Petition on Release of pending Arbitration Award.

Please recall the discussion of the subject matter held in our various MCGC Meetings.

In this regard, as advised by the President, I have visited Delhi, today (28th June 2023) and met our Advocate Shri Dinkar Singh, alongwith Shri R.N. Gupta, Past President, Shri Ram Avtar, Past State Chairman, Delhi, Shri Ved Khurana, Past State Chairman, Delhi, Shri Amit Pasricha –Chairman, Delhi Centre, Shri Sanjay Choudhary- Head Govt. Communication & Coordinator-Delhi Office.

After discussion, our Advocate advised the undersigned to collect the following data for exploring the possibility of filing a Writ Petition:-

1. Details of pending claim above Rs. 100 crore.
 - a) Details of pending claim above 50 crore to 100 crore.
 - b) Details of pending claim above 25 crore to 50 crore.
 - c) Details of pending claim above 10 crore to 25

crore.

- d) Details of pending claim below 10 crore.
2. The amount of claim pending u/s 34 or u/s 37.
3. The period of pending (years).

It is also decided to call for a Zoom meeting by the middle of July 2023.

All are requested to attend the zoom Meeting, particularly those members, who are having pending Arbitration Matters, with various Judicial forums, requested to kindly attend the meeting.

Thanks & Regards,

Yours faithfully,

Raju John
Executive Secretary
Builders' Association of India

BAI COMMENTS

Ref.: 186/J/2023-24 dated 3rd July 2023

To,

Shri Arjun Ram Meghwal
Hon'ble Minister of Law & Justice
Ministry of Law & Justice
Government of India
4th Floor, A-Wing,
Shastri Bhawan
New Delhi-110 001

Dear Sir,

Sub.: BAI comments on the working of Arbitration Law in the country and need for reforms to The Arbitration And Conciliation Act, 1996 to improve the overall Arbitration Ecosystem.

Ref.: Your notice, dated 22nd June 2023 for inviting comments from Stakeholders.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies with more than 21,000 business entities as members through its 200 plus Centers (Branches) throughout the country. Regional Associations affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvement to the construction sector while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the national economy.

Our members are engaged in various infrastructure development projects, constructions of residential / commercial complexes, public utility buildings and executing various Central government's and state government's works of Housing complexes, offices, Roads, water supply, sewerage and all infrastructure works across the country.

At the outset, we at Builders Association of India would like to congratulate the government for constituting an Expert Committee under the Chairmanship of Dr. T.K. Vishwanathan, former Law Secretary to examine the working of the arbitration law in the country and recommended reforms to the Arbitration and Conciliation Act, 1996 ("Committee").

The Construction Industry is one of the largest contributors to economic growth universally. This holds true specifically to India as this industry is a major contributor to India's GDP. This industry constitutes various facets such as; inter alia, development and infrastructure projects, engineering works, commercial and residential construction.

The construction industry is littered with complexities and technicalities; therefore, it becomes necessary that the disputes arising out of any such activities connected to the

construction industry would require personnel who have distinct expertise in such area and are adept at understanding such the complexities of such issues.

It is unfortunate that Construction Industry is not recognised the way it deserves. We recommend having special Law related to Construction Contract. Arbitration process should be made compulsory.

We hereby propose following provisions should be incorporated in the Arbitration Act.


1. Inclusion of Standard Arbitration Clause in all tender document :

Most of the State Departments such as Public Works Department, Irrigation and Water supply Departments and a few Central Works Authorities & PSU's do not have the following clauses in the contracts which are the root causes of all disputes,

- i) Arbitration clause or dispute resolving mechanism.
- ii) Mechanism to compensate the delay in payments, i.e. interest on delayed Payments.
- iii) Escalation clause, both ways compensated due to Increase / Decrease in prices with a Star Rate concept. It should be applied for labours and fuel cost also.

2. Provision of Appeal on Arbitration Award:

Considering the realisation of awarded amount getting indefinitely delayed to the contractor when the client file appeal on the judgment award, the provision of appeal on Arbitration award with the Appellate court is to be amended (considering the realisation delay of the awarded amount) in such a way that the full awarded amount to the contractor can be released against the submission of equivalent Bank Guarantee by the contractor with the Appellate court.

-
3. All construction contract disputes must be resolved at first place through Arbitration irrespective of Arbitration agreement exists or not.
 4. Arbitral Tribunal should be of three members where one of the members should be technical person i.e., qualified engineer.
 5. Fee of the arbitrator should be based on the time consumed and not on the cost with a maximum ceiling of the cost on a phased basis. Some time for small claims because of complex disputes related to technical in nature tribunal consumes more time and fee is not commensurate to the time spent by the tribunal. It should be based on number of meetings like meetings increases per day fee reduces.
 6. Institutional arbitration should be compulsory rather than each department having its own list of empanelled arbitrators. Provision to control the institution and its approval should be inbuilt in the act itself.
 7. Every 3 years Arbitrators should undergo refreshing knowledge through seminars, courses etc. irrespective of they are Judges, Engineers, Advocate etc. For this Govt. should approve such courses for its credibility.
 8. Court should appoint the Arbitrator from such approved panel with institutes or each High courts should maintain such panel and upgrade from time to time.
 9. Challenge of Award in terms of legality only can be considered by the court.
- Appreciation of evidence by the tribunal for technical nature of claims should not be revisited by the court. In short only jurisdiction issue of tribunal can be challenged.
- We are sure that inclusion of the above clauses will not only reduce the contractual disputes but will also increase the ease of doing business with Governments, fresh investment and obtaining most competitive and fare rates for the fresh tenders.
- Sir, apart from above some states in India has separate Arbitration Tribunal Act which should be cancelled, and 'One Country - One Act for Arbitration', should follow. New Act related to Construction Contract Act to be introduced covering peculiar problems of construction industry.
- We also appreciate, if you kindly grant us an opportunity to meet you on any date and time at your office to explain more on the above matter.
- Thanking you,
- Yours faithfully,
- 

S.N. REDDY
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

Copy to:

1. Shri Milind Mujumdar, Under Secretary, Government of India, Ministry of Law & Justice, Department of Legal Affairs, New Delhi.
2. Smt. Nirmala Sitharaman Ji, Hon'ble Finance Minister of India.

Ref.:135/M/2023-24 dated 24th May 2023

Shri Kanwalpreet Ji
Director (PPD)
Ministry of Finance,
Department of Expenditure,
Procurement Policy Department,
264-C, North Block,
New Delhi – 110001

Sub: 'Vivad se Vishwas II' (Contractual Disputes).

Respected Sir,

First of all Builders' Association of India would like to thanks the Ministry of Finance, Department of Expenditure, Procurement Policy Division (PPD) for inviting us to comments by the stakeholder for the draft scheme for settlement of pending disputes related to government contracts (Vivad se Vishwas II (Contractual Disputes), have already been forwarded to the Hon'ble Finance Minister of India vide my email dated 7th March

2023. (Copy attached for reference please).

As already brought to kind attention previously, The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 20,000 business entities as its members through nearly 200 chapters across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other

ancillary and allied trades and industries amongst others.

Sir, we would like to draw your kind attention our representation on the caption matter and would like to know the status of the same as our Members are eager to move forward on the same.

We also appreciate, if you kindly grant us an opportunity to meet you on any date and time at your office to explain more on the above matter.

You are once requested for an early action in the matter please.

Yours faithfully,



S.N. Reddy
President
Builders' Association of India

Encl. As above.



Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref.:305/S/2023-24 Dated 21st September, 2023

To,

**The Managing Committee / General Council Members of
Builders' Association of India.**

Dear Sirs,

Sub: Vivad se Vishwas II {Contractual Disputes}.

**Ref: Ministry of Finance, Office Memorandum No. F.1/7/22 –PPD
dated 18.9.2023, attached.**

This has reference to our earlier representation submitted to the Hon'ble Finance Minister of India and subsequent follow up with the Ministry of Finance, Department of Expenditure, Procurement Policy Division (PPD), on the above subject.

In this regard, **Finance Ministry issued revised vide Office Memorandum No. F.1/7/22-PPD dated 18.09.2023, in which memorandum highlighted certain typographical errors which may lead to ambiguity in implementation of the scheme.**

This memorandum will help to member's doubts regarding Vivad se Vishwas –II (Contractual Disputes) related matters.

Thanking you,

Yours faithfully,



RAJU JOHN
Executive Secretary
Builders' Association of India

Encl. As above

No.F.1/7/2022-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

502, Lok Nayak Bhawan, New Delhi.
18.09.2023.

Office Memorandum

Subject: Vivad se Vishwas II (Contractual Disputes).

The undersigned is directed to refer to this Department's OM No. F.1/7/2022-PPD dated 29.05.2023 whereby the details of the subject scheme were issued. A representation has been received highlighting certain typographical errors which may lead to ambiguity in implementation of the scheme. Following corrections and clarifications are issued for compliance:

Para No.	Existing provision	Changed Provision								
10 (b)	<p>Settlement Amount</p> <p>65% of the net amount awarded/<u>upheld by the court</u> or 65% of the claim amount lodged by the contractor under this scheme, whichever is lower.</p>	<p>Settlement Amount</p> <p>65% of the net amount awarded or 65% of the claim amount lodged by the contractor under this scheme, whichever is lower.</p>								
Para 10: Note for both (a) and (b) as above	<p>Illustration 1</p> <table border="1"> <tr> <td>Award</td> <td>Rs. 1,00,000/- in favour of contractor plus interest as indicated below.</td> </tr> <tr> <td>Interest</td> <td>Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which</td> </tr> </table>	Award	Rs. 1,00,000/- in favour of contractor plus interest as indicated below.	Interest	Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which	<p>Illustration 1</p> <table border="1"> <tr> <td>Award</td> <td>Rs. 1,00,000/- in favour of contractor plus interest(s) as indicated below.</td> </tr> <tr> <td>Interest</td> <td>Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which payment is delayed beyond the stipulated period.</td> </tr> </table>	Award	Rs. 1,00,000/- in favour of contractor plus interest(s) as indicated below.	Interest	Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which payment is delayed beyond the stipulated period.
Award	Rs. 1,00,000/- in favour of contractor plus interest as indicated below.									
Interest	Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which									
Award	Rs. 1,00,000/- in favour of contractor plus interest(s) as indicated below.									
Interest	Payable as per award: i. 10% till date of award, from a date mentioned in the award. ii. Payment to be made within 60 days of the award (stipulated period = 60 days from the date of award). iii. 12% for the period for which payment is delayed beyond the stipulated period.									

		<p>payment is delayed beyond the stipulated period.</p> <p>Payments including modalities under this scheme will be as under:</p> <p>i. 10% till date of award, from a date mentioned in the award. (i.e. till the date of award calculation of amount payable, including interest, shall be as per the award).</p> <p>ii. No interest is to be paid for the period stipulated for making payments in the award (60 days in the current case).</p> <p>iii. 9% for the period beyond 60 days in case of delayed payments on 85% of court award i.e. Rs. 85,000/-.</p>	<p>Payments including modalities under this scheme will be as under:</p> <p>i. 10% till date of award, from a date mentioned in the award. (i.e. till the date of award calculation of amount payable, including interest, shall be as per the award).</p> <p>ii. No interest is to be paid for the period stipulated for making payments in the award (60 days in the current case).</p> <p>iii. 9% for the period beyond 60 days in case of delayed payments on 85% of court award. <u>Hence 9% interest will be payable, in this case, on Rs. 85,000/- plus on the 85% of the interest accumulated till date of award.</u></p>
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(Anil Kumar)

Deputy Secretary (PPD)

Tel. No. 24627920; email: anil.kumar14@nic.in

To

1. Secretaries of all Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform these provisions to all procuring entities under their administrative control.
2. Secretary, Department of Public Enterprises with a request to reiterate these orders in respect to public enterprises.
3. Secretary, Department of Financial Services with a request to reiterate these orders in respect to public sector financial institutions.
4. Chief Secretaries/ Administrators of Union Territories without legislature.
5. CEO/ GeM.



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Achievement

Ref: 343/N/2023-24 dated 10th November 2023

To,

The All Members of Builders' Association of India,

Dear Sirs,

Sub.: Extension of Last date of one time settlement of Arbitration claims under 'Vivad Se Vishwas scheme II' is 31.10.2023'.

Reg.: Office Memorandum issued by the Ministry of Finance, dated 9th November 2023.

With reference to the above, we are pleased to inform you that due to a long standing effort of BAI, Shri Sher Bahadur, Under Secretary (Procurement Policy), Ministry of Finance, Department of Expenditure, Government of India, has issued the Office Memorandum No.1/7/2022-PHD dated 9th November 2023, clarifying the following:-

'It has been decided that one time settlement of Arbitration claims under 'Vivad Se Vishwas scheme II' is extended to '31st December 2023' instead of 31.10.2023.'

This Memorandum is the result of a BAI's vigorous follow up and result oriented efforts and we hope members will appreciate the effort of BAI in this regard. We also hope this office memorandum will considerably ease the problems faced by our members.

Members are requested to take note advantage of the extension of date scheme.

For any clarification on the memorandum you may please contact the undersigned.

Thanking you,

Yours faithfully,

RAJU JOHN
EXECUTIVE SECRETARY
BUILDERS' ASSOCIATION OF INDIA

Copy to: Office Bearers of the BAI Head Quarter.

No.F.1/7/2022-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

515, Lok Nayak Bhawan,
Khan Market, New Delhi
08.11.2023
09

Office Memorandum

Subject: Vivad se Vishwas II (Contractual Disputes).

Attention is invited towards this department's OM of even number dated 29.05.2023 & 18.09.2023 (copies enclosed) wherein guidelines for Vivad se Vishwas II (Contractual Dispute) scheme were issued. The last date for submission of claims was 31.10.2023.

2. It has been decided that the claims under the said Scheme now can be submitted till 31.12.2023.



(Sher Bahadur)

Under Secretary (Procurement Policy)

Tel.24621304

Email: sher.bahadur@nic.in

To

1. Secretaries of all Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform above decision to all procuring entities under their administrative control.
2. Secretary, Department of Public Enterprise with a request to reiterate these orders in respect of public enterprises.
3. Secretary, Department of Financial Services with a request to reiterate these orders in respect of Public Sector Financial Institutions.
4. Chief Secretaries/ Administrators of Union Territories without legislature.
5. CEO/GeM for necessary action and to also take steps for resolving the issues on part of GeM faced by contractors/ procuring entities in timely registration/ processing of the claims.
6. Managing Director, Centre for Railway Information Systems (CRIS).

MSME Matter

MSME Act 2006 was intended to promote and enhance the competitiveness of micro, small and medium enterprises – both in the Manufacturing and Service Sectors. BAI appreciated the intention, purpose, approach and spirit of this act. This act and Justice and MSME benefits which are being denied to many on the ground that Works contract is not covered/ listed in MSME list of services. In this regards BAI submitted its representations to the MSME Ministry.

No.F.1/1/2023-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

264-C, North Block, New Delhi.
11th April, 2023.

Office Memorandum

Subject: Vivad Se Vishwas I - Relief for MSMEs: Revised order.

Government has been getting many references from Micro, Small and Medium Enterprises (MSMEs) regarding difficulties being faced by them in the last two years due to COVID 19 pandemic. The Government had provided certain benefits to the industry (including MSMEs) in Government contracts in the past. In continuation to the efforts of the Government in this regard, this Department had issued an OM of even number dated 06.02.2023. Many

references have been received by this Department seeking clarifications on implementation of the scheme circulated on 06.02.2023. In this context, it has been decided to issue following instructions in supersession of this Department's OM of even number dated 06.02.2023 and 10.04.2023.

2. The following parameters will determine eligibility for benefits under this scheme:

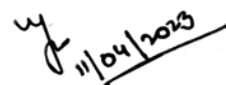
SN	Parameter	Eligibility condition
i	Nature of procurement eligible for the relief	Procurement of Goods and Services
ii	Central government procurement entities to whom this scheme applies	Ministry/ Department/ attached or subordinate office/ autonomous body/ Central Public Sector Enterprise (CPSE)/ Central Public Sector Banks/ Financial Institution etc.
iii	Nature of the supplier/ contractor eligible for the scheme	Registered as a Medium, Small or Micro Enterprise (MSME) as per prevalent scheme of Ministry of MSME on the date of claim by supplier/ contractor. MSME may be registered for any category of Goods and Services.
iv	Eligible contracts in case of forfeiture of performance security or imposition of Liquidated Damages (LO) or the damages levied under "Risk Purchase" (RP) or debarment action	Where original delivery period/ completion period stipulated in contract was between 19.02.2020 and 31.03.2022 (both dates are inclusive). In case of risk purchase, the original delivery period of the main contract (and not the risk purchase contract) should be between 19.02.2020 and 31.03.2022.
v	Eligible tenders in case of forfeiture of Bid security (Earnest Money Deposit) or debarment action	Tenders, where date of closing of the tender was between 19.02.2020 and 31.03.2022 (both dates are inclusive).

3. The following amount shall be refunded by the procuring entities as a relief under this scheme after determining eligibility as per para 2 as above:

SN	Cause of action	Amount extent or relief
i	Performance security forfeited by the procuring entities for failure to execute contracts by the contractors.	95% of the performance security forfeited by the procuring entity.
ii	Imposition of Liquidated damages (damages deducted for late deliveries) or the damages levied under the risk purchase	95% of the Liquidated Damages (LD) deducted or 95% of the risk purchase amount realized by the procuring entities from the MSME.
iii	Bid security (Earnest Money Deposit) forfeited	95% of the Bid security (Earnest Money Deposit) forfeited.
iv	Debarment of the contractor due to default in execution of eligible contracts/ eligible tenders under the scheme	Revocation of debarment by issue of an appropriate order by the procuring entity. The date of revocation shall be the date of such order. However, in case a firm has been ignored for placement of any contract due to debarment in the interim period (i.e. date of debarment and the date of revocation under this order), no claim shall be entertained.

Notes:

- i. No interest shall be paid on such refund/ relief amount in any case.
 - ii. Deleted.
 - iii. In case liquidated damages and/ or performance security and/ or damages under risk purchase have been deducted in the same contract, total relief will be 95% of LD forfeited plus 95% of the performance security forfeited plus 95% of the damages under risk purchase realized.
 - iv. For cases where recoveries/ forfeiture for liquidated damages and/ or performance security and/ or damages under risk purchase have not materialized/ completed, the cases shall be dealt on the principles of this circular under para 3 as above.
4. Government e-Marketplace (GeM) has provided a dedicated link on their portal for implementation of this scheme. The link/ portal has the functionality for MSME Vendors to register their claims through its authorized personnel. For non- GeM contracts of Ministry of Railways, MSME vendors will be required to register on IRePS (www.ireps.gov.in). The information regarding contracts for which claim is to be lodged on IRePS will be provided on GeM as well as IRePS. The broad features of this portal are as under:
- i. The registered contractor shall list out the eligible contracts on the portal. The list of the procuring entities is available through drop down menu on the portal. The details, such as contract number, contracting authority, Deducted/ forfeited amount, etc. will be submitted by the contractor on the portal.
 - ii. GeM portal shall intimate through dashboard such details to the procuring entities to verify and refund the claim in terms of the eligibility etc. mentioned above and shall update the portal with the amount, date and transaction details of the payment. Procuring entities must approve/ reject the claim within 30 days of claim submitted by the contractor on the portal: Further, once claim is accepted, payment must be made and details are entered on the portal by the procuring entities within 30 days of the acceptance of the claim.
 - iii. Pendency Reports to each procuring entity shall be provided by GeM.
- The date of commencement of the scheme will be 17.04.2023 and claims can be submitted by 30.06.2023.



(Kanwalpreet)
Director(PPD)

Tel.No. 2309 3811; email: kanwal.irss@gov.in

1. Secretaries of all Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform these provisions to all procuring entities under their administrative control.
2. Secretary, Department of Public Enterprises with a request to reiterate these orders in respect to public enterprises.
3. Secretary, Department of Financial Services with a request to reiterate these orders in respect to public sector financial institutions.
4. Secretary, Ministry of MSME with a request to monitor the procuring entities for implementation of the scheme.
5. Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi.
6. CEO/ GeM.

Copy to: Chief Secretaries of all State Governments, for kind information, and with a request to consider formulation of similar schemes in their States.



www.baionline.in

S. N. Reddy
National President

Builders' Association of India

(All India Association of Civil Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref.: 189/J/2023-24 dated 5th July 2023

Shri S.C.L.Das

Secretary to the Ministry of Ministry of Micro, Small and Medium Enterprises,
Ministry of MSME,
Government of India,
Room No. 169, Udyog Bhawan,
Rafi Marg, New Delhi-110011

Subject: Issues to be taken up with MSME Ministry.

Respected Sir,

On behalf of Builders Association of India (BAI), kindly accept our heartiest congratulation on taking charge as Secretary, Ministry of Ministry of Micro, Small and Medium Enterprises of Government of India.

The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 plus chapters (branches) across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

We all know that MSME Act 2006 was intended to promote and enhance the competitiveness of micro, small and medium enterprises – both in the Manufacturing and Service Sectors. We appreciated the intention, purpose, approach and spirit of this act. As has been pointed out during the meeting, we earnestly request your kind honour to consider the following submissions sympathetically which will help construction industry in a big way in reviving its resources as well as to come out of losses it suffered because of various restrictions imposed from time to time due to Covid-19 Pandemic from March 2020 onwards :

1. **Denial of Benefits under MSMED Act.** - Contractors are allowed to register with MSME for all construction activities as classified under Service Sector as per the MSMED Act. Accordingly contractors register with UDYAM portal under Section F- Construction.- with 39 different sub classes that cover all types of Construction activities like, Buildings, Railways, Roads, Bridges, Plumbing, electrical, Air-conditioning, Finishing works and all other specialized jobs.

However, some of the Govt. Departments/PSUs/PWDs. are not considering the Construction Contracts under the “MSME” and deny such benefits to the MSMEs. It is also to mention here that some of the states have also not implemented the benefits available to contractors and denying facilities available under MSME Act. It is, therefore requested that necessary instructions may please be issued to all states to extend the benefits of MSME Act, in letter and spirit, to the construction industry also.

2. **“Works Contract” Confusion** - Most of the construction activities are listed in Sec F and all of us are getting registration as per the same. However, there are a few instances, where justice and MSME benefits are being denied to many on the ground that Works contract is not covered/ listed in MSME list of services. This probably could be a hangover of the erstwhile VAT and Service tax regime where the phrase “Works Contract” was commonly used. It could also be because of the fact that construction is not pure service, as material transfer is also involved.

Departments are also referring to certain High Court judgements especially one from Delhi High court wherein the court termed a construction activity or a contract as “Works Contract” which according to the Court is not specifically categorized in the MSME list of services.

It is, therefore, requested that in order to avoid confusion, related litigation and also to deliver justice as contemplated in the Act, necessary clarificatory order including Works Contract in the list of services may please be issued from your esteemed office.

- 3. Dispute resolution through Micro and Small Enterprises Facilitation Council (MSEFC) -** The Council has jurisdiction to act as an Arbitrator or Conciliator under this Act. Any such issue/dispute referred to the 'Council' shall be decided within a period of 45 days. This will avoid the time-consuming and costly legal process through the civil courts. This is an amazing provision. But, truth is not anywhere near. We may like to point out that in reality the time taken is much more than 45 days.

It is requested more MSEFCs may please be created in every state - both at regional as well as State levels having different powers so that the cases are decided at faster pace.

- 4. Execution of MSEFC orders/awards -** We may like to point out that confusion with regard to execution of MSEFC awards still remain. MSEFC says they are not empowered and hence to approach civil courts or HC for execution of orders. We request that MSEFCs are to be empowered to execute the orders by suitable amendment of the Act or by order.
- 5. Appellate Authority for MSEFCs -** We request you to kindly consider the creation of Appellate Authority for MSMEC which will help easy and faster dispute resolution. Approaching a HC or SC will lead to substantial time loss and defeat the purpose and spirit of the Act. Hence the Act is to be amended to create a legal frame work for setting up and functioning of Appellate Authority.
- 6. MSMED Act implementation monitoring committees –** It is requested that Monitoring Committees may please be created at Central and State Levels for proper monitoring of the MSME Act which may include representatives from industry, Financial Institutions plus legal experts and officials like Principal Sec Industries.
- 7. Mandatory registration before entering into a contract for seeking benefits under MSMED Act.-** There are instances where the benefits of MSME Act is being denied to organizations which did not have a UDYAM registration prior to entering into a contract, but obtained subsequently. We request that no one shall be penalized on this account. It is further requested that in worst case, they may be made eligible for the benefits under the Act from the date of their registration with the MSME.

It is requested that the issues raised will get sympathetic and favorable considerations from your office and necessary orders / clarifications etc. will be issued at your earliest convenience.

Thanking you in positive anticipation.

Yours faithfully,



S.N. REDDY
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

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✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref: 179/J/2023-24 dated 21st June 2023

To,

The Secretary
Ministry of Micro, Small and Medium Enterprises (MSME)
Government of India,
Room No. 169, Udyog Bhawan,
Rafi Marg, New Delhi-110011

Respected Sir,

Sub.: Request to grant an Appointment with your good self.

The **Builders Association of India (BAI)** being the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 1,00,000 business entities as its members through nearly 200 chapters across the country has been constantly making endeavours to look for betterment of the construction industry

The construction industry is the second largest employer of workers, next to agriculture, and employs more than 80 million people in the country. It contributes around 9% of the national GDP and accounts for around 60% of the total plan outlay of the Government. The influence of the construction industry spans across several sub-sectors of the economy as well as the infrastructure development, such as industrial and mining infrastructure, national highways, roads, ports, railways, airports, power systems, irrigation and agriculture systems, telecommunication systems, hospitals, schools, townships, offices, houses and other buildings; urban infrastructure, including water supply, sewerage, and drainage, and rural infrastructure.

Construction Industry is therefore essential for the construction and development of the country. Due to forward and backward linkage of construction industry to more than 400 allied industries any upward movement in the construction industry would have a cascading effect on these industries and ultimately result in economic growth and revival for the entire country.

Respected Sir, I have been elected as President of BAI for the year 2023-24, and wish to meet you personally to seek your Blessings and therefore humbly request your audience on 10th July 2023 **at your place at any time of your convenience.**

Looking forward to a positive message from your office at your earliest convenience.

Thanking you,

Yours faithfully,

S.N. Reddy
President,
Builders' Association of India



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

(91-22) 23520507, 23514802, 23521328

baihq.mumbai@gmail.com @BAINational Builders Association of India

Ref: 131/M/2023-2024 dated 17th May, 2023

The Development Commissioner (MSME)
Ministry of Micro, Small and Medium Enterprises
Office of DC-MSME
A- Wing, Nirman Bhawan, Rafi Marg,
New Delhi - 110011

Respected Sir,

Sub: Request Extension of timeline for Credit Guarantee Scheme for Subordinate Debt for stressed MSMEs regarding.

Ref: CGTMSE Ref.No.155 March 07, 2022 - Circular No.198 / 2021-22.

Respected Sir,

The **Builders Association of India (BAI)** being the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 1,00,000 business entities as its members through nearly 200 chapters across the country has been constantly making endeavours to look for betterment of the construction industry.

The construction Industry is the second largest employer of workers and employs more than 80 million people in the country. It contributes around 9% to the national GDP and accounts for around 60% of the total plan outlay of the government. Moreover the construction industry has forward and backward linkage to more than 400 allied industry thus playing an important role in the development of MSME.

The Government always extended their helping hand by introducing various Scheme to recover both the people and the MSMEs from the distress of the COVID – 19 pandemic situations. We thankful for the timely measures taken by the government in times of need.

The Credit Guarantee Scheme for Subordinate Debt for **stressed MSME's time line was extended till 31st March 2023**. In order to increase the benefits of the Scheme across wider number of stressed MSMEs, Government of India has further extended the validity of the Scheme for one more year.

You are well aware that the Construction sector is a major contributor to the welfare of the nation and the MSME institutions engaged in the construction industries is still suffering a lot for want of working capital for its survival.

It is, therefore requested, to help stressed MSMEs **kindly extent the timeline for Credit Guarantee Scheme for Subordinate Debt for a further period of six months up to 30th September,2023** so that it is **helpful to the stressed MSMEs for their survival.**

Thanking you in positive anticipation.

Yours faithfully,

S.N.Reddy
President,
Builders' Association of India

Encl. As above



CGTMSE Ref.No.155

March 07, 2022

To All Scheduled Commercial Banks,

Circular No.198 / 2021-22

**Credit Guarantee Scheme for Subordinate Debt for stressed MSMEs –
Extension in the timeline**

Please refer to our Circular No. 184/2021-22 dated October 04, 2021, regarding extension in timeline of Credit Guarantee Scheme for Subordinate Debt (CGSSD) till March 31, 2022.

In order to increase the benefits of the Scheme across wider number of stressed MSMEs, Government of India has further extended the validity of the Scheme for one more year. Accordingly, the scheme will now remain in operation till March 31, 2023.

The contents of this Circular may kindly be brought to the notice of all your offices.

Yours faithfully,

Sd/-

(Jigar Shah)
Chief Operating Officer

सूक्ष्म एवं लघु उद्यम क्रेडिट गारंटी फंड ट्रस्ट (भारत सरकार एवं सिडबी द्वारा स्थापित)

सिडबी एमएसएमई विकास केंद्र, 7 वी मंजिल, सी-11, जी-ब्लॉक, बांद्रा कुर्ला कॉम्प्लेक्स। बांद्रा (पू.), मुंबई- 400 051

Credit Guarantee Fund Trust for Micro and Small Enterprises (Set up by Government of India & SIDBI)

SIDBI MSME Development Center, 7th Floor, C-11, G-Block, Bandra Kurla Complex, Bandra (E), Mumbai - 400051.

| ☎ 022-6722 1553 | ☎ 1800 222 659

@CGTMSEofficial @CGTMSEofficial



www.cgtmse.in

NHAI MATTER

BAI President, Shri S. N. Reddy took up issues confronting the Indian Construction Sectors, specially for the national highways contractors to Shri Nitin Gadkari Hon'ble Union Minister of Road Transport & Highways.



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

ACHIEVEMENT

ACHIEVEMENT

ACHIEVEMENT

Ref.: 141/J/2023-24 dated 1st June, 2023

To,

**All Managing Committee & General Council Members of BAI
Office Bearers of All BAI Centres -2023-24**

Sub: Regarding National Highway Works issues on Bank Guarantees.

Dear Sir,

With reference to the above, please find enclosed herewith **Notification / Circular No. NH-24028/14/2014-H (Vol-II) (E-134863) Government of India, Ministry of Road Transport & Highways (Highways Section) dated 31st May 2023** issued by the Deputy Secretary to the Government of India regarding E-Bank Guarantee and Insurance Surety Bonds as 'Bid Security' and Performance Security' in standard documents of EPC (Engineering, Procurement and Construction).

This Memorandum is the result of a long standing request of BAI Members. I am sure this notification / circular will not only help the contractors to have more cash flow availability but also reduce the burden of follow up with the banks.

This is sent to you for your information and record.

Thanks and Regard,

Yours faithfully,

**Raju John
Executive Secretary
Builders' Association of India**

Encl.: As above

No. NH-24028/14/2014-H(Vol-II) (E-134863)
Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated: 31 May, 2023

To

1. DG(RD) & SS, Ministry of Road Transport & Highways
2. The Chairman, NHA, G-5&6, Sector -10, Dwarka, New Delhi-110075
3. The Managing Director, NHIDCL, PTI Building, New Delhi-110001
4. Principal Secretaries/Secretaries of all States/UTs Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
5. All Engineers-in-Chief and Chief Engineers of Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
6. The Director General Border Roads, Seema Sadak Bhawan, Ring Road, New Delhi-110010
7. All CE-ROs, ROs and ELOs of the Ministry of Road Transport & Highways

Subject: Inclusions of provisions regarding accepting E-Bank Guarantee and Insurance Surety Bonds as 'Bid Security' and 'Performance Security' in standard documents of EPC, HAM and BOT (Toll)

Sir(s)/Madam(s),

After the amendments done by Department of Expenditure in GFR, 2017 relating to inclusion of e-bank guarantee and Insurance Surety Bonds as means to accept 'Bid Security' and 'Performance Security', this Ministry has approved the changes in necessary clauses in the standard documents (RFP and MCA) of EPC, HAM and BOT (Toll) modes which are enclosed as Annexure.

2. For all the existing contracts - including road development, toll contracts, ropeways and any other contract wherein Ministry has prescribed a BG - any instrument of Bid Security / Performance Security may be replaced by Insurance Surety Bond as per availability. Further, if bank guarantee is being taken as bid security or performance security and it is not possible to furnish the same in the form of e-bank guarantee, physical BG can be accepted.

3. This issues with the approval of Hon'ble Minister (RT&H).

Yours faithfully,



(Sushant Sudan)

Deputy Secretary to the Government of India
Telephone No. 011-23724515

Copy to:

1. Sr. PPS to Secretary (RT&H)
2. AS&FA, MoRTH
3. AS(H&LA)
4. All Joint Secretaries in the MoRTH
5. All ADGs/CEs in the MoRTH
6. Sr. Director (NIC), MoRTH for uploading on the website of the Ministry



www.baionline.in

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

Ref: 211/J/2023-24 dated 21st July, 2023

Shri Nitin Jairam Gadkari Ji

Hon'ble Minister of Road Transport & Highways (RT&H)

Ministry of Road Transport & Highways

Room No. 501, Transport Bhawan,

1, Parliament Street, New Delhi-110001

Sub: Considering changes in typical Cross-Section of pavements.

Respected Sir,

The Builders Association of India (BAI) is the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 21,000 business entities as its members through nearly 200 plus chapters (branches) across the country. The association is a registered body established with the objective of encouraging trade, industry and profession of construction works and all other ancillary and allied trades and industries amongst others.

This submission is being made on behalf of **Builders' Association of India** to draw the kind attention of the Ministry of Road Transport and Highways (MORTH) on the observations of several contractors in the road construction industry on the revised typical cross-sections of pavements being suggested in the latest projects put to tender, specifically from the view point of end-customer usage convenience as well as ease of maintenance during the usage period of the completed roads.

In this regard, we point out that in the recent tenders, the typical cross-sections given in tender documents show 2 lanes in the Main carriageway without any median, with covered drains with footpath by each side, and two service lanes thereafter on each side without any drains at the toe on either side. **Thus, the footpath for use of pedestrians is in between the Main carriageway and service roads, which would be difficult to access for the pedestrians particularly senior citizens and children, who will have to first cross the service road for using the footpath and again cross the service road for exiting the footpath when they reach their destination.** Similarly, the commercial establishments at the side of the road on both sides will not have easy access to the drains which are beyond the service roads, and the drainage connectivity will have to be given below the pavement layers, thereby giving rise to possibility of endangering the pavement at later stage.

In the earlier tenders, the typical cross-sections were more user friendly, with median separating the 2 lanes of Main Carriageway on either side, and the drains at the end of the pavement on either side with footpath. Thus, the pedestrians were not required to enter the carriageway at all for use of the footpath, which had restrictive guard railings and the drains could easily connect to the commercial users on either side of the road.

... ContdP2...

Similarly, in case of Grade Separators, in the recent tenders, the typical cross-sections have been revised to show the drains at the base of the RE wall at both sides, and the service roads on either side. Such an arrangement could lead to a possible damage to the foundation of the RE Wall after its construction, at the time of excavation of the drains due to exposure. Further, after the grade separator is put to use, there is a distinct possibility of damage to the RE Wall due to seepage of drain water in the foundation. The arrangement of the drains adjacent to the RE wall make it extremely difficult to repair the RE Wall during the maintenance period or usage period without permanent disturbing the drains at the damaged location, thereby adding to the repair cost. Finally, even in this case, similar to the issue explained above, the pedestrians will not be easily able to use the footpath which is located on the drains adjacent to the grade separator without crossing the service roads and the commercial users on each side of the road will not have easy connectivity to the drains.

We are attaching the previous cross-sections as well as the recent revised cross-sections of both, the pavement as well as grade separator for your perusal.

It is sincerely felt that considering the ease of usage of the general public, the revised cross-sections do not serve the purpose and need to be either revised further or reverted back to the earlier typical cross-sections.

We therefore request the MORTH to study the issue and issue guidelines accordingly.

It is therefore, requested to kindly grant us an appointment on any date suitable to you at your office, at any time of your convenience.

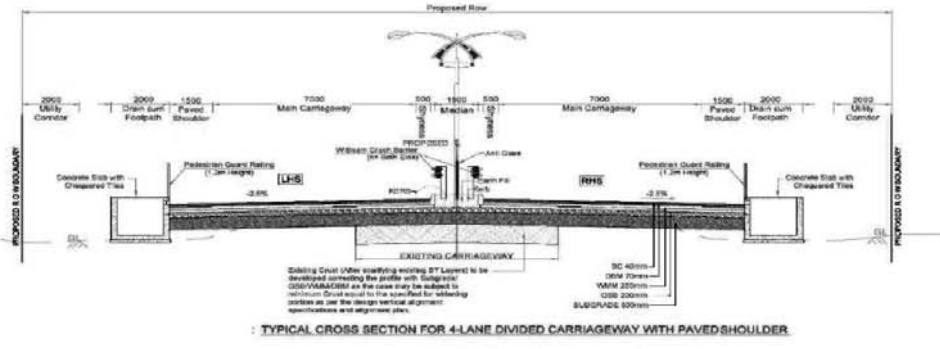
Thanking you,

Yours faithfully

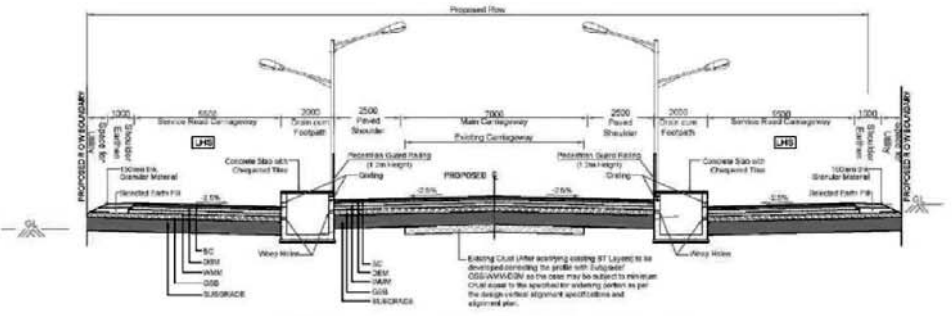


**S.N. Reddy
President,
Builders' Association of India**

Encl.: Comparative typical cross-sections as mentioned above.

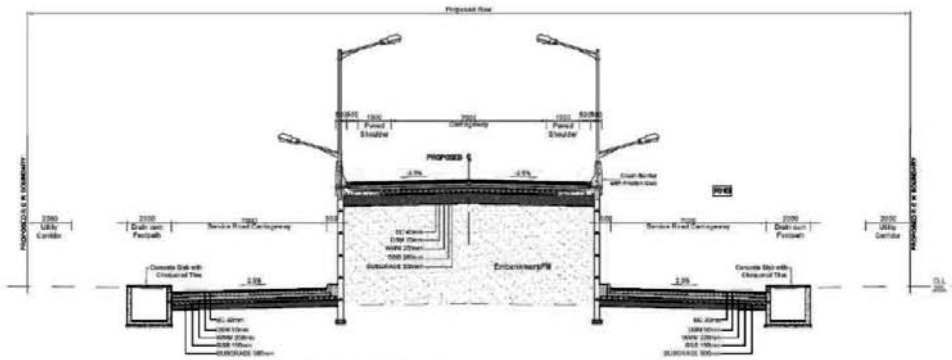


AS PER PREVIOUS DPRs

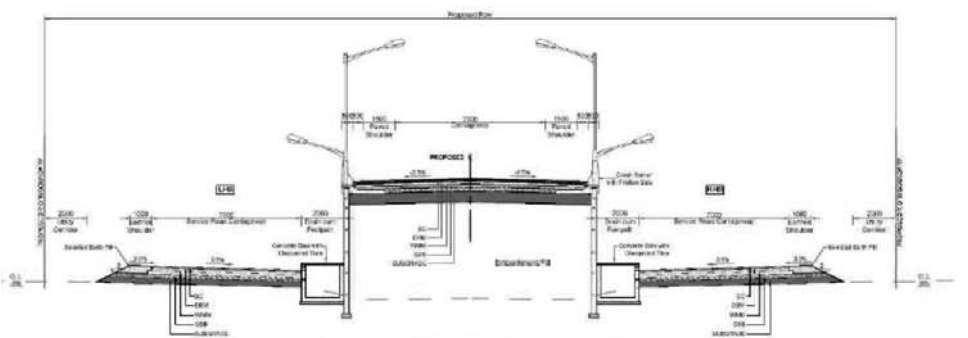


BOTH SIDES SERVICE ROAD WITH FOOTPATH CUM RCC DRAIN AND PAVER BLOCK ABOVE UTILITIES IN BUILT UP SECTION

AS PER PRESENT DPR



AS PER PREVIOUS DPR



NEW CONSTRUCTION

AS PER PRESENT DPR

Railways Matters

BAI President, Shri S. N. Reddy took up issues confronting the Indian Construction Sectors, specially for the Railways contractors to Shri Ashwini Vaishnavji, Hon'ble Minister of Railways



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Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

☎ (91-22) 23520507, 23514802, 23521328

✉ baihq.mumbai@gmail.com 🐦 @BAINational 📺 Builders Association of India

To,

Ref: 55/M/2023-2024 dated 9th May, 2023

Shri Ashwini Vaishnav Ji
Hon'ble Minister of Railways,
Government of India,
Room No. 239,
Rail Bhawan,
Raisina Road, New Delhi-110001

Shri Anil Kumar Lahoti
Chairman & Chief Executive Officer,
Railway Board, Ministry of Railways,
Government of India,
Room No. 239, Rail Bhawan,
Raisina Road, New Delhi-110001

Ms. Priya Ranjan Parhi
ED (Infra)-I, Railway Board,
Minister of Railways,
Government of India,
Room No. 239,,Rail Bhawan,
Raisina Road, New Delhi-110001

Shri R.S. Chaturvedi Ji
ED (Infra)-II, Railway Board
Minister of Railways,
Government of India,
Room No. 239,,Rail Bhawan,
Raisina Road, New Delhi-110001

Sub: Relief for Contractors/Developers of Railways Sector in view of COVID- 19 pandemic in your esteemed Ministry.

Respected sir,

The **Builders Association of India (BAI)** being the apex All-India body of engineering construction contractors and real estate companies founded in the year 1941 with more than 1,00,000 business entities as its members through nearly 200 chapters across the country has been constantly making endeavours to look for betterment of the construction industry

The construction industry is the second largest employer of workers, next to agriculture, and employs more than 80 million people in the country. It contributes around 9% of the national GDP and accounts for around 60% of the total plan outlay of the Government. The influence of the construction industry spans across several sub-sectors of the economy as well as the infrastructure development, such as industrial and mining infrastructure, national highways, roads, ports, railways, airports, power systems, irrigation and agriculture systems, telecommunication systems, hospitals, schools, townships, offices, houses and other buildings; urban infrastructure, including water supply, sewerage, and drainage, and rural infrastructure.

Corona outbreak and the various restrictions imposed by the Government due the Pandemic have adversely affected the Railways Industry Contractors. It has caused severe increased tax on the bills, Price Variation clause, hardships, cash crunch and financial loss to them. The Government has acknowledged this, and announced several measures to give partial relief to the contractors.

In this context, we would like to bring to your notice that Ministry of Road Transport and Highways, Government of India has already issued an order, vide No. COVID-19/RoadMap/JS(H)/2020 (183777) dated 04.05.2020, regarding Relief for Contractors/Developers of Road Sector in view of COVID- 19 pandemic for releasing the Performance Guarantee to the extent of completed works in similar situations. A copy of the order is forwarded for ready reference.

We kindly request the Ministry of Railways to consider a similar relief to the contractors of the Railways contractors similar to that of the Ministry of Road Transport and Highway.

Thanking you,

Yours faithfully,



**S.N.Reddy
President,
Builders' Association of India**

Encl.:- As above.

No. COVID-19/RoadMap/JS(H)/2020 (183777)
Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

To

Dated: 04 May, 2023

1. DG (RD) & SS, Roads Wing, MoRTH
2. The Chairman, NHAI, G-5&6, Sector -10, Dwarka, New Delhi-110075
2. The Managing Director, NHIDCL, PTI Building, New Delhi-110001
3. Principal Secretaries/Secretaries of all States/UTs Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
4. All Engineers-in-Chief and Chief Engineers of Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
5. The Director General Border Roads, Seema Sadak Bhawan, Ring Road, New Delhi-110010
6. All CE-ROs, ROs and ELOs of the Ministry of Road Transport & Highways

Subject: Relief for Contractors/Developers of Road Sector in view of COVID-19 pandemic

Sir,

I am directed to refer to this Ministry's letter of even number dated 26.08.2021, 08.10.2021, 04.01.2022, 11.04.2022 & 01.12.2022 on the subject mentioned above and to convey the approval of the competent authority in this Ministry for further extension of following relief measures for a period of 01 year from 01.04.2023 to 31.03.2024 as under:

- (i) Extension of relaxation in Schedule H/G till 31.03.2024 to improve the liquidity of funds available with the Contractors and Concessionaire.
- (ii) Arrangement regarding direct payment to approved Sub-Contractor through Escrow Account till 31.03.2024 or the completion of the work by the Sub-Contractor, whichever is earlier.
- (iii) Reduction of Performance Security/release of retention money: Performance Security shall be 3% of the value of the contract for all existing contracts (excluding the contracts under dispute wherein arbitration/court proceedings have already been started or are completed). All tenders /contracts issued/ concluded till 31.03.2024 should also have the provision of reduced performance security. However, in order to ensure quality of work being executed, the Ministry will advise all project executing agencies to ensure that in case of abnormally low bids (ALBs), additional performance security is realized as per the latest guidelines provided by Department of Expenditure, Ministry of Finance.

Retention money is a part of the Performance Security till construction period. Hence, release of retention money may be continued in proportion to the work already executed and no reduction of retention money may be made from the Bills raised by the Contractor till 31.03.2024.

For HAM/BOT Contracts, Performance Guarantee may be released on pro-rata basis, as provided in the Contract, if Concessionaire is not in breach of the Contract.

2. The above said relief measures are valid till the mentioned dates unless withdrawn by this Ministry earlier than the date indicated. Implementing agencies are requested to implement the relief measures accordingly.

Copy to:

1. Sr. PPS to Secretary (RT&H)
2. AS&FA, MoRTH
3. AS(H&LA)
4. All Joint Secretaries in the MoRTH
5. All ADGs/CEs in the MoRTH
6. Sr. Director (NIC), MoRTH for uploading on the website of the Ministry

Yours faithfully,



(Sushant Sudan)

Deputy Secretary to the Government of India
Telephone No. 011-23314316

BAI's collaboration with International and National Exhibitions / Conventions

EXCON 2023 - An International Exhibition & Conference on Construction Equipment & Construction Technology, supported by Builders' Association of India

Confederation of Indian Industry, India's apex Industry body and Premiere Exhibition organiser hosted the 11th Edition of Excon - An International Exhibition & Conference on Construction Equipment & Construction Technology, held between 12 - 16 December 2023 at Bangalore International Exhibition Centre (BIEC), Bengaluru, Karnataka. Excon is a delivery vehicle of CII for the Construction Equipment and Machinery sector which has been providing an excellent platform for both Indian and Overseas companies in the Construction Equipment Industry to display their technological advancements, innovation, and latest developments in the sector.

The first edition of Excon was launched in year 2000 at a time when the construction equipment industry was at a nascent stage. From the first edition, Excon has established itself as an important exhibition for the sector.

Excon has retained the position of "South Asia's Largest Event for Construction Equipment" for the last 7 editions. Excon 2023 focused on Building India for a New World - Sustainability, Growth, Competitiveness and Technology. Event had special focus on Women in Construction & Awards. The show had a specialised pavilion on Artificial Intelligence, Alternate Fuels, Finance, Academia & Start-ups. Seminars on AI, IOT & Automation, Atmanirbhar Bharat, Green Construction, Components and Parts, Defence and Paramilitary amongst others. Excon 2023 was "supported by" the Ministry of Road Transport and Highways, Government of India and National Highway Authority of India (NHAI), Government of India. State Government of Karnataka was the "Host State", The Indian Construction Equipment Manufacturers' Association (ICEMA) was the "Sector Partner" at the event.

Excon 2023 featured 2,80,000 square meters of exhibition area, 800+ Exhibitors from domestic and International participation from 11 countries Belgium, Czech Republic, France, Germany, Italy, South Korea, Spain, Sri Lanka, United Arab Emirates, United Kingdom and United States of America. The event witnessed more than 55,000 Business Visitors from different parts of India and world.

BAI being supporting organisation to EXCON Exhibition, extended its support in conducting the Road Shows to mobilize delegates and awareness of Excon Exhibition pan India. The Road shows were held between 29th September to 17th November 2023 at different cities of India. BAI

members of respective cities participated in the Road Shows.

Builders Association of India (BAI) organised a conference on 'Construction Industry Issues,' to enlighten builders and contractors on the recent advancements, reforms, and provisions being made for the construction sector. "At its inauguration, S.N Reddy, President - BAI, emphasised the need for maintaining environmental quality as an important challenge for builders. He said that India's construction machinery market is growing at a fast pace, and lauded the supportive government reforms and policies. Reddy also appreciated Excon as a significant platform for highlighting investment opportunities in advancing India's infrastructure development, as envisioned by the Government. "BAI is fostering collaboration and knowledge exchange within the construction sector and is contributing actively to India's economic growth by driving transformative changes within the sector. Through facilitation of open dialogue and sharing of valuable insights, BAI aims to steer the industry towards innovative and sustainable solutions and construction practices." "Shri S.N.Reddy, President, BAI, also Inaugurated BAI Conference and BAI Stall during Excon 2023 Exhibition on 13th December 2023. Also, Shri S.N. Reddy, President also interacted with print and electronic media appreciating Excon 2023 Exhibition. "Shri N.S.Muralidhara, Vice President,BAI; Shri Srinivas Reddy, State Chairman, BAI, Karnataka State; Shri John Paul K,Vice President, BAI; Shri P.K.Chowdhary, Vice President, BAI ; Shri Raju John, Executive Secretary, BAI; Shri S.Madhusudan, Head-Communications; Shri Swapnil Salekar, Head-Accounts and Taxation; Shri Vilas Nagaonkar, Head- Membership system and Executive Assistant were also graced the occasion. "Shri Mu.Mohan, Past President,BAI, Shri K.Viswanathan, Past Vice President; Shri Ranjeet More, Past Vice President and many senior members across India attended the conference and visited BAI Stall. "Fireside chat with Shri Syed Mohamed Beary, MD of the Beary group, a Digital Construction Session on Software solutions in project management and Advancements in Augmented and Virtual Reality. "Panel discussion on the challenges of growing 3X and be a trillion dollar industry by 2025 was Moderated by Shri K.Sriram, Past Vice President, BAI. "BAI Secretariat Staff of BAI Bangalore office - Mrs.Sharada, Shri Venkatesh and Shri Ravi also helped in Members Registration.

BAI @ Nepal - 46th IFAWPCA Convention

46th IFAWPCA Convention was hosted by Federation of Contractors Association of Nepal (FCAN), at Kathmandu, Nepal between 21st to 25th November 2023. The theme of the convention was "PARTNERING IN SUSTAINABLE INFRASTRUCTURES"

Shri. RABI SINGH, President IFAWPCA, extended personal invitation to BAI members during the 1st Managing Committee meeting held at Ahmedabad on 6th June 2022. The President, IFAWPCA was spell bound by seeing the huge gathering in the hall and even obliged BAI members to take photographs with him. He personally requested BAI members to attend this

convention and also explained about the fabulous arrangement made by them for the delegates.

Accordingly, a delegation of 100 plus delegates from India, lead by Shri S. N. Reddy, Chief Delegate and Board member, IFAWPCA participated in the 46th IFAWPCA Convention. Out of the total 350 delegates from worldwide more than 100 delegates were from India.

Shri S.N. Reddy, Chief Delegate, 46th IFAWPCA Convention, has presented country report through a power point presentation during the 46th IFAWPCA Convention.

XXXI ALL INDIA BUILDERS' CONVENTION

Theme: "SUSTAINING NEW RESILIENT INDIA"

27th, 28th and 29th January 2024

Hitex Exhibition Centre, Hyderabad.

Indian Construction Industry and infrastructure projects have undergone a sea of changes in the last three decades. The activity is galloping at a speed, which is difficult to comprehend. Sustainable infrastructure systems are those that are planned, designed, constructed, operated and decommissioned in a manner that ensures Three Pillars which are Economic & Financial, Social, Environmental (including climate resilience), and institutional sustainability over the entire infrastructure life cycle. There is more technical involvement and one must have adequate training experience and expert technical knowledge at hand to ensure sustainable construction. Conferences and Conventions will bring together the people who are on the same wave length from all over the Country. Hence the XXXI All India Builders' Convention was organized from 27th January to 29th January 2024 in Hitex Exhibition Centre, Hyderabad with a them 'SUSTAINING NEW RESILIENT INDIA'.

BAI Hyderabad Centre has successfully hosted the three All India Conventions i.e. 'V All India Builders' Convention' held in October 1960; 'XIII All India Builders' Convention' held in January 1989 and "XXVII All India Builders' Convention" held in January 2016. The privilege of hosting XXXIst All India Convention is once again bestowed on Hyderabad and Telangana State Centre.

The Organising Committee XXXI All India Builders Convention and BAI Hyderabad and Telangana State Centre's continuously contacted all the Centre Chairmen, Vice Presidents and ensured registration of delegates from all over the Country and collected advertisements, Technical papers from BAI Centres and various companies for bringing out the Souvenir-cum technical volume. The Committee also collected itinerary of all the Delegates and provided hassle free transportation from their alighting point (i.e. airport/Railway) to venue.

On 27th January 2024, post lunch, Fourth All India MC/GC meeting was conducted in Hotel Radisson.MC/GC Members from all over India has participated in the meeting. Issues relating to the Construction Industry and BAI Organisational matters were discussed.

On the inaugural day, i.e. 27th January 2024, evening, the venue HITEX Exhibition Center, bore a festive look and a warm welcome given to all Hon'ble Ministers, delegates. Hon'ble Shri Anumala Revanth Reddy, Hon'ble Chief Minister of Telangana and a galaxy of Telangana State Ministers inaugurated XXXI All India Builders' Convention.

On 28th January 2024, the Technical Session of XXXI AIBC was inaugurated. Bhishma Mr. R.Radhakrishnan in his address informed the delegates that the Technical session is very important to disseminate the knowledge and knowing the latest technology.

On 29th January 2024, Shri Gauranga Das, a respected spiritual leader and member of the International Society for Krishna Consciousness (ISKCON), address member on 'Stress Management' and highlighted the common tendency of people to give up on things and people rather than trying to come up and practical techniques for overcoming stress, anxiety, and negativity, Building stronger relationships etc. Members appreciated the talk by Shri Gauranga Das.

In the post lunch session, the Valedictory session of XXXI All India Builders' Convention was held. Bhishma Shri R.Radhakrishnan, Past President & Past Trustee, Chairman, XXXI All India Builders' Convention while concluding his valedictory address sought the consent of Members' present in the XXXI All India Builders' Convention to pass a resolution. The Members unanimously approved the resolution and applauded the

words of wisdom. It was also decided that the resolutions to be sent to Hon'ble Prime Minister of India and also to concerned Ministries of Government of India.

BAI Awards for 2022-23 which was earlier announced during the 82nd AGM of BAI were given to centres/ members which adjudged best in various disciplines during the valedictory session.

An exhibition of Building and construction materials was also held along with XXXI All India Builders' Convention. All sponsors have exhibited their products in their stalls which was very useful and informative to all the Delegates.

During all the three days of convention, Organising Committee had arranged tour for the accompanying delegates and cultural programmes and fellowship dinner were also arranged.

CSDCI Matter

Builders Association of India (BAI) signed MoU with Construction Skill Development Council of India (CSDCI) on 20th June 2019 at New Delhi for the certification of 1,02,500 construction workers under RPL TYPE 4 ("Best in Class Employer"). As per the proposal sent to CSDCI, BAI was to assess 1,02,500 construction workers upto 31.3.2022 in seven trades.

BAI officially launched the process of certification of workers on 26th July 2019 by organizing first orientation session of Assessors at Patna - Bihar in association with CSDCI. 57 candidates attended the orientation programme on 26th July 2019 for assessing / certifying the construction

workers in various trades and out of 57 candidates, login-ID of more than 50 candidates were created in CSDCI / NSDC which is the first step for any candidate to become an Assessor and assess / certify the construction worker,

After completing the required formalities of creation of the Assessors login-id who attended the orientation programme and login-id of the construction sites where the construction workers to be assessed, the certification / assessment of construction workers started in the State of Bihar from October 2019. By the end of October 2019, 10 site locations were got approved from CSDCI / NSDC and assessment / certification.

Skill Development in Construction Industry

This sector is the need of the hour especially for our construction industry where most of the skilled migrant workers have returned to their native villages across India. The current generation lacks the necessary skills and there is a humongous gap between the skills existing in a person and the skills demanded by the industry.

In spite of the drawbacks, construction industry is growing rapidly in India. In this industry skills and knowledge are very important. With skills and knowledge the industry becomes more productive and innovative. Skill will allow workers to learn and to do their job in a better way.

The construction industry sells a service that is determined by its clients. So the builders should be more responsive and should have control over demands, technology, material, work place, finance and labour safety.

At present skill formation in construction trade is inadequate. The government is providing vocational training to the construction workers in our country. There

are several skills like carpentry, plumbing, masonry, plastering etc., in which labourers are to be trained. These courses are of one or two year duration. Workers who have high school level qualification can enroll for these courses. The national network of building centres also trains construction workers.

It is estimated that several lakhs of workers are engaged in construction sectors of which about 75% are unskilled. Several of them are seasonal construction workers. Only a few are regular workers.

Our government is taking initiative in providing skill development. There are several programmes.



To,

Builders' Association of India (BAI)
G-1/ G-20, 7th Floor, Commerce Centre,
J. Dadajee Road, Tardeo,
Mumbai-400 034

Sub:- TERMINATION OF THE MEMORANDUM OF UNDERSTANDING FOR USE OF THE PREMISE (AS REGISTERED OFFICE OF CSDCI) DATED 01.06.2018

This bears reference to the Memorandum of Understanding dated 01.06.2018 (**'MoU**) executed between Construction Skill Development Council of India (**'Our Company'**) and you, Builders' Association of India, (**'BAI'**) [**'Our Company'** and **'BAI'** shall be collectively referred to as **'Parties'**]. By virtue of the MoU, you gave on the Premises for office use located at **BAI office situated at D-1/203, Ashirwad Complex, Green Park Main, New Delhi – 110016** for a period of Twelve Months which would be renewed automatically with 5% increase of monthly compensation by year to year as per clause 5 of the MoU.

In consideration for the use and possession of the Premises, Our Company was required to pay a rent of Rs. 15,750/- (Rupees Fifteen Thousand Seven Hundred and Fifty only) plus GST in advance on 10th of every month as per clause 1 of the MoU. (**'Current Rent'**). Our Company had also paid an interest free and refundable security deposit of Rs.90,000/- (Rupees Ninety Thousand only) (**'Security Deposit'**) as per clause 2 of the MoU at the time of executing the MoU and the same had been retained by the BAI during the term of the lease.

Now after due deliberations and discussions, Our Company, in view of certain contingencies, has decided not to continue the arrangement contemplated in the MoU and hence decided to terminate the MoU in accordance with clause 7 of this MoU by serving a 3(three) months' notice upon you.

Hence, in view of the above, we hereby serve upon you a 3(three) months' notice for termination of the MoU and the same shall be effective from 03rd February 2023 (**'Effective Date'**).

In view of the same you are requested to duly adjust the Rent of the premises during the notice period from the Security deposit and refund the balance amount of security deposit.

Further, after the said termination of the MoU all the accounts/balance between you, BAI and Our Company shall be termed as settled and you shall have no claims/outstanding against Our Company and the same shall be deemed as return of the said Premises upon Termination as per the terms of the MoU.

For Construction Skill Development Council of India


Authorized Signatory



Construction Skill Development Council of India

Corporate Office : CPB – 201 & 202, Block-4B,
DLF Corporate Park, Phase – III, DLF City MG Road Gurugram – 122002
Tele – 0124 – 4513915 to 18
Email: admin@csdcindia.org | Website : www.csdcindia.org
CIN No. U45400DL2013NPL257580

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Between
Builders' Association of India (BAI)
And
Construction Skill Development Council of India (CSDCI)

This Memorandum of Understanding, by and between **Builders' Association of India (BAI), G-1/ G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai – 400 034** (the First Party) and **Construction Skill Development Council of India (CSDCI), 204, Ashirwad Complex, D-1, Green Park, NEW Delhi – 110 016** (the Second Party) is an agreement to provide a space at BAI office situated at D-1/203, Ashirwad Complex, Green Park Main, New Delhi – 110 016 and also to place CSDCI Logo / Nameplate outside the office premise.

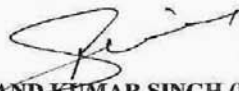
Due to the shifting of Second Party's (CSDCI) Corporate office to CPB 103 & CPB 104, 1st Floor, Block 4B, DLF Corporate Park, Phase – III, DLF City, MG Road, Gurugram (Haryana) Col. Anand Kumar Singh (Retd.), Chief Executive Officer, CSDCI approached BAI requesting for space within the premise of BAI Delhi office (above mentioned address).

It is mutually agreed by both the parties as under:-

- The Second Party (CSDCI) agreed to remit a monthly payment of Rs.15,000/- plus taxes, if applicable, in advance on 10th of every month, as a compensation fees for using the above facility. The amount will be transferred by RTGS to BAI's Bank Account No. _____.
- The Second Party (CSDCI) also agreed to give an amount of Rs.90,000/- (Rupees Ninety Thousand Only) six months fees, refundable without interest, when the Second Party (CSDCI) intimate in writing on its ceasing the using of the space. By giving advance notice of three months (90 days).
- The Second Party (CSDCI) agree to use the space only during the office hours of the First Party and no separate key will be given / demanded by the Second Party.
- Both the Parties agree that, the Memorandum of Understanding (MOU) will be effective from 1st June 2018.
- Both the Parties agree to the term of the MOU and will be renewed automatically with 5% increase of monthly fee by year to year.
- The Second Party (CSDCI) agreed to reimburse for any expenditure paid by First Party (BAI) for and on behalf of the Second Party while doing any other official activity. Due written requests, in this regard, will be made by the First Party with documents substantiating such payments.
- Both the Parties agree that, the MOU can be cancelled by giving three month (90 days) notice without attributing any reason for such cancellation by CSDCI.

The Memorandum of Understanding (MOU) signed and Sealed By:

RAJU JOHN
Executive Secretary
Builders' Association of India


Col. ANAND KUMAR SINGH (Retd.)
Chief Executive Officer
Construction Skill Development Council of India



Date:

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Place: New Delhi

New Charitable Trust Registration and Rules

Charitable trust - amendments in the provisions as per Finance Budget 2023

The Finance budget 2023 has made few amendments

Treatment of donation to other trusts:

Donations made to other trusts out of income will qualify of 85% for application. The balance 15% will be disallowed and treated as income and will be liable for tax.

In case of BAI there have been instances in the past that certain centers have made donation to local trust in their city. Such donations will now be covered under this amendment.

EXIT TAX on voluntary winding up or merging of trust with any other non-charitable organization

In case where a trust wants to voluntary windup OR merge its activities with any other non-charitable organization then it will have to pay exit tax at the maximum marginal rate on the fair market value of the total assets minus total liabilities.

Time limit for furnishing of accumulation of income

Where a trust accumulates or set apart its income such trust is required to submit a statement in Form 10 on or before the due date of the filing of the return. The due date for filing of the return was 31st October.

Now this form is to be filed two months before the due

date of filing of the return. So now the form will have to be filed on or before 31st August 2023.

Thus in case of BAI the consolidated accounts should be ready by that date i.e 31st August 2023.

Registration under section 12A and 80G valid for 5 years.

Registration granted to a trust (under section 12A and 80G) will be valid for five years. Every trust will have to apply for re-registration at least six months before the end of five years of registration.

Further if a trust fails to apply for re-registration within the time provided under the income tax act then its registration will get cancelled and will be liable for tax.

Depositing back of Corpus and repayment of loans or borrowings

Depositing back any amount into the Corpus or repayment of loans or borrowing will not be treated as application of income in certain instances.

As in case of BAI there are no withdrawals from Corpus nor there are any loans and borrowings so presently this amendment is not applicable.

TO TAKE NOTE OF NEW RULES ENACTED BY THE FINANCE MINISTRY ON CHARITABLE TRUST

Circular No. 6 of 2023

F. No.370133/06/2023-TPL
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes
(TPL Division)

Dated: 24th May, 2023

Sub: Clarification regarding provisions relating to charitable and religious trusts - reg.

1. Income of any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 of the Income-tax Act, 1961 ("the Act") or any trust or institution registered under section 12AA or section 12AB of the Act (hereinafter referred to as "the trust") is exempt subject to the fulfilment of the conditions provided under relevant sections of the Act. Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Act, 2020 amended the provisions related to application by a trust for registration or approval by amending the first and second proviso to clause (23C) of section 10, clause (ac) of sub-section (1) of section 12A of the Act, inserting section 12AB of the Act and amending the first and second proviso to sub-section (5) of section 80G of the Act. The amended provisions provide for the following:

- (a) All the existing trusts were required to apply for registration/approval on or before 30.06.2021. However, on consideration of difficulties in the electronic filing of Form No. 10A, the Central Board of Direct Taxes (the Board) in exercise of the powers conferred upon it under Section 119 of the Act extended the due date for filing Form No. 10A in such cases to 31.08.2021 vide Circular No.12 of 2021 dated 25.06.2021, to 31.03.2022 vide Circular No. 16 of 2021 dated 29.08.2021 and further till 25.11.22 vide Circular No. 22 of 2022 dated 01.11.2022. Such registration/approval shall be valid for a period of 5 years. Thus, existing trusts are required to apply for fresh registration/approval and once the registration/approval is granted it is valid for five years.
- (b) New trusts are required to apply for provisional registration/approval at least one month prior to the commencement of the previous year relevant to the assessment year from which the said registration/approval is sought. Such provisional registration/approval is valid for a maximum period of three years.
- (c) Provisionally registered/approved trusts will again need to apply for regular registration/approval in Form No. 10AB at least six months prior to the expiry of the period of provisional registration/approval or within six months of the commencement of activities, whichever is earlier. This registration/approval is valid for a period of five years. On consideration of

difficulties in electronic filing of Form No.10AB, the Board in exercise of its powers under section 119 of Act extended the due date for electronic filing of Form No. 10AB to 30.09.2022 vide Circular No 8 of 2022 dated 31.03.2022.

- (d) The trusts once approved/registered for five years are required to apply at least six months prior to the expiry of the period of five years.
- (e) The deduction under section 80G of the Act in respect of a donation made by a donor to a fund or institution referred to in sub-clause (iv) of clause (a) of sub-section (2) of section 80G, shall be allowed to the donor only if a statement of such donations is furnished by the donee in Form 10BD. The certificate of such donation is required to be provided in Form No. 10BE. Further, Form No. 10BD and Form No. 10BE are required to be furnished on or before the 31st May, immediately following the financial year in which the donation is received.

2. Representations received from stakeholders requesting for clarity on provisions related to trusts are dealt with as under:

Clarification regarding application of section 115TD for failure to apply to registration/approval

3. Finance Act, 2023 has, *inter-alia*, amended section 115TD of the Act, so as to provide that the accreted income of the trusts not applying for registration/ approval, within the specified time, shall be made liable to tax in accordance with the provisions of section 115TD of the Act. This amendment has come into effect from 01.04.2023 and therefore applies to assessment year 2023-24 and subsequent assessment years.

4. Representations have been received stating that several trusts have not been able to apply for registration/ approval within the required time due to genuine hardship. This has also led to rejection of applications simply on the ground that these were delayed. As mentioned in para 1(a) above, the last date for filing an application by the existing trusts seeking registration/ approval was extended to 25.11.2022 vide Circular No. 22 of 2022 dated 01.11.2022. Further, as stated in 1(c) above, the due date for furnishing application for registration/approval by the provisionally registered/approved trusts was extended till 30.09.2022. These trusts shall be subject to tax under section 115TD of the Act in accordance with the provisions of the said section, as amended by the Finance Act, 2023 if the application is not made by 25.11.2022 or 30.09.2022, as the case may be.

5. In order to mitigate genuine hardship in such cases, the Board, in the exercise of the power under section 119 of the Act, extends the due date of making an application in,-

- (i) Form No. 10A, in case of an application under clause (i) of the first proviso to clause (23C) of section 10 or under sub-clause (i) of clause (ac) of sub-section (1) of section 12A or under clause (i) of the first proviso to sub-section (5) of section 80G of the Act, till 30.09.2023 where the due date for making such application has expired prior to such date;

(ii) Form No. 10AB, in case of an application under clause (iii) of the first proviso to clause (23C) of section 10 or under sub-clause (iii) of clause (ac) of sub-section (1) of section 12A of the Act, till 30.09.2023 where the due date for making such application has expired prior to such date.

6. In view of the above, trusts may now apply for registration/approval under clause (i) or clause (iii) of the first proviso to clause (23C) of section 10 or sub-clause (i) or sub-clause (iii) of clause (ac) of sub-section (1) of section 12A of the Act by 30.09.2023 and where such application is made by the said date and registration/approval is granted, the provisions of clause (iii) of sub-section (3) of section 115TD of the Act shall not apply on account of delay in making application in accordance with the provisions of clause (i) or (iii) of the first proviso to clause (23C) of section 10 or sub-clause (i) or (iii) of clause (ac) of sub-section (1) of section 12A of the Act.

7. It may be also noted that the extension of due date as mentioned in paragraph 5(ii) shall also apply in case of all pending applications under clause (iii) of the first proviso to clause (23C) of section 10 or sub-clause (iii) of clause (ac) of sub-section (1) of section 12A of the Act, as the case may be. Hence, in cases where the trust has already made an application in Form No. 10AB under the said provisions but such application has been furnished after 30.09.2022 and where the Principal Commissioner or Commissioner has not passed an order before the issuance of this Circular, the pending application in Form No. 10AB may be treated as a valid application. Further, in cases where the trust had already made an application in Form No. 10AB, and where the Principal Commissioner or Commissioner has passed an order rejecting such application, on or before the issuance of this Circular, solely on account of the fact that the application was furnished after the due date, the trust may furnish a fresh application in Form No. 10AB within the extended time provided in paragraph 5(ii) i.e. 30.09.2023.

8. It is also clarified that where trusts have missed the deadline of 25.11.2022, as mentioned in para 1(a) above, for making an application for registration/ approval in Form No. 10A, and have subsequently furnished Form No. 10A seeking provisional registration/approval, the relevant functionality on the e-filing portal may be used for surrendering the Form No. 10A seeking provisional registration/approval and such trusts can make a new application in Form No. 10A for registration/ approval within the extended period up to 30.09.2023, as mentioned in paragraph 5(i).

Extension of due date for furnishing of Form No. 10BD.

9. In view of extension provided to funds or institutions seeking approval under sub-section (5) of section 80G of the Act, as discussed in paragraph 5(i), in the exercise of the power under section 119 of the Act, the Board also extends the due date for furnishing of statement of donation in Form No.

10BD and the certificate of donation in Form No. 10BE in respect of the donations received during the financial year 2022-23 to 30.06.2023.

Clarification regarding applicability of provisional registration

10. Eighth proviso to clause (23C) of section 10 of the Act, *inter-alia*, provides that in the case of a trust referred to under sub-clauses (iv), (v), (vi) or (via) of clause (23C) of section 10 of the Act seeking provisional approval, such approval shall be from the assessment year immediately following the financial year in which the application is made. However, the first proviso to clause (23C) of section 10 provides that the application for provisional approval is required to be made at least one month prior to the commencement of the previous year relevant to the assessment year from which approval is sought.

11. Similarly, clause (ac) of sub-section (1) of section 12A of the Act provides that the trusts seeking provisional registration are required to make an application at least one month prior to the commencement of the previous year relevant to the assessment year from which registration is sought. However, sub-section (2) of section 12A, *inter-alia*, provides that the provisional registration shall be applicable from the assessment year immediately following the financial year in which the application for such registration is made. On the same lines, the first proviso to sub-section (5) of section 80G of the Act provides that application for provisional approval by a fund or institution is required to be made at least one month prior to the commencement of the previous year relevant to the assessment year from which approval is sought. However, the fourth proviso to sub-section (5) of section 80G, *inter-alia*, provides that the provisional approval granted under the second proviso shall be applicable from the assessment year immediately following the financial year in which the application for such registration is made.

12. With a view to bring consistency, it is hereby clarified that in case of trusts, funds or institutions seeking provisional approval or provisional registration as referred to in para 10 and 11, the said provisional approval or provisional registration shall be effective from the assessment year relevant to the previous year in which the application is made and shall be valid for a period of three assessment years subject to the provisions of clause (iii) of the first proviso to clause (23C) of section 10 or in sub-clause (iii) clause (ac) of sub-section (1) of section 12A or clause (iii) of the first proviso to sub-section (5) of section 80G of the Act, as the case may be.

Clarification regarding denial of exemption in case where the statement of accumulation is not filed by the due date.

13. Finance Act, 2023 has amended sub-section (2) of section 11 of the Act to provide that statement of accumulation as referred to in clause (a) of said sub-section [Form No. 10] is required to be furnished at least two months prior to the due date of furnishing return of income under sub-

section (1) of section 139. Similarly, the provisions of Explanation 3 to the third proviso to clause (23C) of section 10 of the Act have also been amended. Further, the due date for furnishing the option for deemed application of income in Form No. 9A under clause (2) of the Explanation 1 to sub-section (1) of section 11 of the Act has also been amended to be at least two months prior to the due date of furnishing return of income, under sub-section (1) of section 139.

14. Representations have been received that the trusts may not be able to furnish Form No. 10 and Form No. 9A before the finalisation of their computation of income. Since the computation of income is finalised at the time of furnishing of return of income, therefore, the trusts should be allowed to furnish Form No. 10 and Form No. 9A by the due date of furnishing their income tax return.

15. It is clarified that the statement of accumulation in Form No. 10 and Form No. 9A is required to be furnished at least two months prior to the due date of furnishing return of income so that it may be taken into account while auditing the books of account. However, the accumulation/deemed application shall not be denied to a trust as long as the statement of accumulation/deemed application is furnished on or before the due date of furnishing the return as provided in sub-section (1) of section 139 of the Act.

Clarification regarding audit report to be furnished in Form No. 10B.

16. One of the conditions required to be fulfilled by the trusts to be eligible to claim exemption, under the relevant provisions of the Act, is that where the total income of any trust, as computed under the Act, without giving effect to the provisions of section 11 and section 12 of the Act or the provisions of the sub-clauses (iv), (v), (vi) and (via) of clause (23C) of section 10 of the Act, as the case may be, exceeds the maximum amount which is not chargeable to income-tax in any previous year, it is required to get its accounts audited.

17. In order to rationalise the provisions related to audit report of trusts and in view of the significant amendments made to the taxation of trusts over the past few years, revised audit report in Form No. 10B and Form No. 10BB have been notified vide Notification No. 7 of 2023 dated 21.02.2023 so as to provide that the report of audit of the accounts of a trust, shall be furnished in –

- (a) Form No. 10B where,
 - (i) the total income of trust, exceeds Rs five crores during the previous year; or
 - (ii) such trust has received any foreign contribution during the previous year; or
 - (iii) such trust has applied any part of its income outside India during the previous year;
- (b) Form No. 10BB in other cases.

18. With regard to the above it may be noted that Form No. 10B and Form No. 10BB requires the auditor to bifurcate certain payments or application in electronic modes and non-electronic modes. The

Notes to the said Forms provide that electronic modes shall be the following modes referred in rule 6ABBA of the Income-tax Rules, 1962:

- (a) Credit Card;
- (b) Debit Card;
- (c) Net Banking;
- (d) IMPS (Immediate Payment Service);
- (e) UPI (Unified Payment Interface);
- (f) RTGS (Real Time Gross Settlement);
- (g) NEFT (National Electronic Funds Transfer); and
- (h) BHIM (Bharat Interface for Money) Aadhar Pay.

19. It has been represented that the above description of electronic modes does not include account payee cheque drawn on a bank or an account payee bank draft or use of electronic clearing system through a bank account.

20. It is hereby clarified that for the purposes of Form No. 10B and Form No. 10BB electronic modes referred to in para 18 are in addition to the account payee cheque drawn on a bank or an account payee bank draft or use of electronic clearing system through a bank account.

21. Hindi version to follow.



(Vipul Agarwal)

Director (TPL-I), CBDT

Copy to the:

1. PS/ OSD to FM/ PS/OSD to MoS (F).
2. PS to the Finance Secretary.
3. Chairman and Members, CBDT.
4. Joint Secretaries/ CsIT/ Directors/ Deputy Secretaries/ Under Secretaries, CBDT.
5. C&AG of India (30 copies).
6. JS & Legal Adviser, Ministry of Law & Justice. New Delhi.
7. Institute of Chartered Accountants of India.
8. CIT (M&TP). Official Spokesperson of CBDT.
9. ADG (Systems) -4 for uploading on departmental website.
10. JCIT, Database Cell for uploading on irsofficeronline.gov.in.
11. All PrCCITs.



(Vipul Agarwal)

Director (TPL-I), CBDT

MOST URGENT & IMPORTANT

Ref.: 328/N/2023-24 dated 3rd November, 2023

To:

**Office Bearers of BAI Headquarter,
Chairmen/Hon. Secretaries/Hon. Treasurers of all BAI Centres,
Members of Managing Committee & General Council of BAI.**

Dear Sir,

Subject : Request to take precautions while dealing with donation.

With reference to the above, while going through audited statement of accounts of Centres, it has been observed that many centres have paid and received donations to and from various organisations.

In this regard, please be informed that as per amendment in the income tax return form and in the audit report-Form 10 B from the FY 2022-23, the donation details are required to be given therein –

In case of donations Paid :-

1. Donation to any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub - clauses (iv), (v), (vi) or (via) of clause (23C) of section 10 of the Act or any trust or institution referred to in sections 11 or 12 of the Act towards Corpus.
2. Donation to Any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub - clauses (iv), (v), (vi) or (via) of clause (23C) of section 10 of the Act or any trust or institution referred to in sections 11 or 12 of the Act not having same objects.
3. Donation to any person other than any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub - clauses (iv), (v), (vi) or (via) of clause (23C) of section 10 of the Act or any trust or institution referred to in sections 11 or 12 of the Act.

In case of donations accepted against which 80G receipt is to be issued, following points are important:-

1. BAI will be required to file with the prescribed Income-tax Authority particulars of all donors in the prescribed Form No. 10BD on or before 31st May

following the Financial Year in which Donation is received. Thus for donations received in FY 2022-2023 BAI should have filed the return for donations on or before May 31, 2023. If the return is not filed then there is a continuing late fee of Rs.200 per day. This fee shall not exceed the amount in respect of which the failure has occurred.

2. BAI has to issue a certificate in the prescribed Form No. 10BE to the donor about the donations received by the trust/institution.
3. Further there can be levied a penalty of a penalty of Rs. 10,000 (minimum), which may extend to Rs. 1 Lakh (Maximum), may also be levied for the failure to file details of donors or issue a certificate to donors.
4. There should be proper control with the trust in respect of donations received. If donations are received for a specific purpose as mentioned in the donation receipt then the funds received will have to be utilized for that purpose only, the purpose should be part of the objects of the trust.

Sir, we earnestly request you to kindly take note of this and circulate this information amongst your centres/ members, so that tax compliance can be done smoothly and in time.

For further clarification, please contact the undersigned on Cell No: 09323576860 or Shri Swapnil (*Head- Accounts & Taxation*) on Cell No: 09076337294.

Thanking you.

Yours faithfully



**RAJU JOHN
EXECUTIVE SECRETARY
BUILDERS' ASSOCIATION OF INDIA**

Note: This matter will be discussed in the 3rd Managing Committee Meeting to be held on 7th November 2023 at Kolkata.

BUILDERS ASSOCIATION OF INDIA

Precaution while dealing with donation & Maintenance of Accounts & Records by BAI Centers

In view of the amendments made by the government in last three finance budgets pertaining to charitable trust we suggest the following important points for BAI Centers

1. Each center should prepare a **detailed set of accounts** at the end of the financial year comprising of the -
 - a. Balance sheet showing previous years figures,
 - b. Income & Expenditure Account showing previous years figures,
 - c. Receipt & Payment account,
 - d. schedules of fixed assets with addition / deletion details
 - e. Schedule of investments with details of type of investments.
 - f. Schedule of Corpus & other Funds – showing opening balance, addition, transfers and closing balance.
 - g. List of debtors and creditors
 - h. List of donations accepted, list of donations given, along with PAN Adhar mobile number email addresses
 - i. List of out-standing expenses
 - j. Details of loans & borrowings
 - k. Detailed account-wise break of current assets and current liabilities
 - l. Copies of TDS returns, challans along with working and other details
 - m. Copies of GST returns, challans along with working and other details
 - n. The set of accounts should be in a predetermined standard format so that it will help in consolidation of accounts at the year end.

The above statements should be audited by a chartered accountant followed by an audit report.

2. To prepare the above set of accounts the records should be maintained properly in a software, preferably in Tally.
3. To comply with TDS requirements of the Center by properly deducting TDS on expenses and filing quarterly TDS returns. These details should be forwarded to BAI HQ on a quarterly basis after filing of the TDS returns so that the same can be used for consolidation of accounts.
4. Center should avoid accepting donations as details records and compliance is required to be carried out for issuing 80G certificates and filing of returns for donation after the year end. Donations received at any center should be recorded at HQ.
5. Center should avoid expenditure (like donation to other charitable trust, advertisements, investments etc.) other than day to day admin expenses incurred for running the center.
6. Center should avoid giving donations as detailed disclosures are required to be provided to the income tax department. Further donation if any to be given should be routed thru the HQ.

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7. Center should comply with GST law in respect of income other than subscription receipts. Further it should submit the GST returns and provide copies of the same along with detailed working to the BAI HQ. All records pertaining to GST should be properly kept and stored as required under the GST law.
 8. Center should avoid cash expenditure.
 9. Whenever any seminar, exhibition, or similar activities/events are carried out at the center then a separate income & expenditure account should be submitted to the HQ within 30 days of the close the event so that HQ will keep a record of the surplus/deficit incurred by the center.
 10. Purchase and sale of assets should be informed to HQ on a regular basis.
 11. Surplus funds with the center should be invested preferably in bank fixed deposits.
 12. Proper records should be maintained in respect of loans taken. PAN, Aadhar, information should be obtained from the person providing the loan. Loans should not be accepted from NON Members.

BAI's 'Knowledge Disseminating Series video's on BAI's official YouTube Channel

Under the specific desire, instructions and guidance of BAI Past President Shri Mu. Moahan, that during the ongoing pandemic and lockdown, BAI should conduct 'online' events to keep BAI members and constituents of the Indian building and construction industry informed about latest developments, the office-bearers and the various functional committees of BAI organised 'online' events.

We have pleasure in informing you that such various events have been organised and the videos of all of these events have been uploaded on YouTube channel of BAI i.e. 'Builders Association of India' (<https://youtube.com/user/baihqmumbai>).

Request you all to visit the YouTube channel of BAI, like & share the videos, subscribe to the channel and press the 'bell' icon to ensure you receive notifications of further uploads on the channel.

Details of the event's and the links to the specific event YouTube videos on the official BAI YouTube Channel (<https://youtube.com/user/baihqmumbai>)

Live 'online' interaction with Shri Nitin Gadkari, Hon'ble Union Minister of Road Transport & Highways and Micro, Small & Medium Enterprises was held on Saturday 9th January, 2020. Shri Baburao Shakkwar, Managing Director, M/s Smita Industries, Nanded and Vice-President, BAI and 'designated dignitary' of BAI formally welcomed the Hon'ble Minister and participants and also introduced the event. Shri Mu. Moahan, Director, M/s Metro Road Construction (M) Pvt. Ltd. and President, BAI, will delivered the opening remarks and also briefed the Hon'ble Minister about BAI, the Indian construction industry and the problems the industry is facing. Shri B. Seenaiyah, Managing Director, M/s BSCPL Infrastructure Limited and Past President, BAI, point-by-point elaborated the issues already sent to the Hon'ble Minister. The Hon'ble Minister addressed the participants and clarified the issues raised, gave assurances, made suggestions, etc. Shri Arvind Patel, Managing Director, M/s Patel Infrastructure Ltd. and Chairman, BAI's National Highway Committee, <https://youtu.be/aNNqxyRa6Yg>

Workshop on 'Precast RCC Road Panels' Technology was organised by Shri Baburao Shakkwar, Vice-President, BAI (representing Western Region) on Saturday, 16th January, 2021. Chief Guest : Shri Ulhas Prahaladrao Debadwar, Secretary (Roads), Public Works Department, Government of Maharashtra Guest of Honour : Shri Pradeep Nagawekar, Hon. Gen. Secretary, BAI Speakers : Dr. Vishrut Landge, Professor, Civil Engineering Department, Visvesvaraya National Institute of Technology, Nagpur Dr. Ranjan Soanparote, Professor,

Applied Mechanics Department, Visvesvaraya National Institute of Technology, Nagpur, https://youtu.be/9OkDo30m_yE

'Workshop on Understanding UDCPR' was jointly organised by Builders' Association of India, Maharashtra State, led by Shri Bharat Wagh, State Chairman, BAI Maharashtra and BAI's Housing & RERA Committee led by Shri Anand J. Gupta, Chairman, BAI's Housing & RERA Committee on Saturday, 27th March, 2021. Shri Sudhakar Nangnure, Director of Town Planning, Maharashtra State was the Chief Guest and delivered the opening remarks. The Speakers were : Shri Avinash B. Patil, Jt. Director of Town Planning, Pune Division Shri Prakash Bhukte, Ex. Jt. Director of Town Planning, Town Planning & Valuation Department, Maharashtra, <https://youtu.be/wPyK-LMmQ8A>

Announcing of BAI's Elections 2021-22 Results, <https://youtu.be/039KTChwwUc>

'Team BAI 2020-21' handed over charge to 'Team BAI 2021-22' in the BAI Secretariat in Mumbai on Wednesday 31st March, 2021. Shri Lal Chand Sharma, Chairman, Board of Trustees, BAI and Past President, BAI installed Shri Ram Nivas Gupta as the President of BAI for 2021-22. He also felicitated Shri Mu. Moahan, President of BAI for 2020-21. <https://youtu.be/qIENW3jRPkU>

'Workshop on Understanding UDCPR - Question and Answer Session' was held on Wednesday, 26th May, 2021. It was a sequel to the earlier 'Workshop on Understanding UDCPR' held on Saturday, 27th March, 2021. Due to paucity of time, many important questions sent by participants could not be taken up at that time. Hence this exclusive session was organised, wherein the speakerreplied questions raised earlier and some fresh questions. Shri Prakash Bhukte, Ex. Jt. Director of Town Planning, Town Planning & Valuation Department, Maharashtra relied to the queries. Government of Maharashtra has notified 'Unified Development Control and Promotion Regulations' (UDCPR) 2020. The video of the workshop held on 27th March, 2021 has been uploaded on the official YouTube Channel of BAI and can be accessed at <https://youtu.be/wPyK-LMmQ8A>

'Talk on Importance of Skilling in Construction Industry - post pandemic' was held on Thursday, 17th June, 2021 under the aegis of Skill Development Committee (South - I) by Shri N.S. Muralidhara Chairman, Skill Development Committee (South - I). Keynote Speaker was Shri Jaiprakash Shroff, Chairman, M/s Shroff Group of Companies, Pune and Chairman, Kushal CREDAI Pune Metro, <https://youtu.be/biOxZrjAfZE>

Webinar on 'Issues, Challenges and Cost Savings in GST

for Real Estate Sector' with special reference to Joint Development Agreements was organised by BAI Eastern Region on Sunday, 20th June, 2021. The topics covered were : # Understanding of GST implications in JDA - Revenue Sharing vs Area Sharing # Impact of Recent Announcements in GST Council Meeting # Critical issues and challenges for Builders/developers # Avenues of Cost-Saving and Tax Planning The Speakers were: CA Madhukar N. Hiregange, Bangalore CA Sudhir V. S., Hyderabad Both the Speakers are from renowned CA firm M/s Hiregange & Associates, having 14 offices across India, with more than 35 years of experience in the practise of Indirect Taxes. The webinar was Presided by : Shri Sanjib Goyal, Vice-President, BAI The Chief Guest was Shri Ram Nivas Gupta, President, BAI The Guest of Honour was Shri Mu. Moahan, Imm. Past President, BAI CA M. Raveendaran, Chairman, BAI's Indirect Tax Committee also graced the webinar The Inviters were : Shri Vijay Pradhan, State Chairman, BAI Jharkhand Shri Suresh Agarwalla, State Co-ordinator, BAI Assam Shri Pradeep K. Chowdhury, State Co-ordinator, BAI West Bengal Shri Ritesh Bawri, Secretary, BAI Eastern Region, <https://youtu.be/a6qZ1GivAcA>

In the interaction on 'World Record in Asphalt Road Construction - the inside story', Shri Jagdish Kadam, Chairman and Managing Director, M/s Raj Path Infracon Pvt. Ltd. was interviewed by Shri Ranjeet More, Past Vice President, BAI; Past Chairman, BAI, Pune Centre and the Convenor for the event. The event was organised by BAI in association with BAI Pune Centre on Saturday, 26th June, 2021. M/s. Rajpath Infracon Pvt Ltd, Pune created a World Record by constructing 39.671 kms of Asphalt road in 24 hours. The record was achieved on Pusegaon - Mhasurane Road, Satara District, Maharashtra. The entire project was completed in 3 shifts and at 6 locations, 15 Civil Engineers of PWD, 60 Civil Engineers of M/s Rajpath Infracon Pvt Ltd, Pune, 47 Supervisors, 23 Quality Control Engineers, 150 Drivers, 110 labourers M/s Rajpath Civil Infracon Pvt Ltd., etc. were engaged. Some of the major machinery deputed were - 8 modern Hot Mix Batch Plants, 7 Sensor Pavers, 12 Vibratory Rollers, 6 Pneumatic Rollers, 180 Hyas, etc. 6000 cu mtr metal and 1100 MT Asphalt were used. Shri Jagdish Kadam, Chairman and Managing Director, M/s Raj Path Infracon Pvt. Ltd. spoke on the planning and execution stages. Shri Ram Niwas Gupta, President, BAI was the Chief Guest. Shri Ulhas Debadwar, Secretary, Maharashtra PWD delivered the 'Words of Wisdom'. <https://youtu.be/kTqaCDMg3YI>

Webinar on 'Green Building and Sustainable Approach to Construction Practices' was organised by BAI's Green Building Committee on Saturday, 3rd July, 2021. Keynote Speaker was Dr. S. K. Manjrekar, Honorary Member, American Concrete Institute (2018), Industry Doyen, Construction Industry Development Council (CIDC) (2017) and Chairman & Managing Director, M/s Sunanda Speciality Coatings Pvt. Ltd. India. Chief Guest : Shri Ram Nivas Gupta, President, BAI Guest of Honour : Shri M.

G. Somashekhar, Chairman, Mysore Chapter of Indian Green Building Congress (IGBC) Host : Shri K. Sriram, Past Vice-President, BAI Shri K. Subramani, Chairman, BAI's Green Building Committee presided over the webinar. <https://youtu.be/p9M8SaSSyyM>

BAI Mumbai Centres Monthly Lecture Series' Lecture No. 17/2021-22 Webinar on 'How to Avail Bank Guarantee in Just 3 Hours' was held on Wednesday, 7th July, 2021. The webinar was organised jointly by 'BAI Mumbai Centre and ICICI Bank. Keynote Speaker was Shri Balbeer Singh, Product Manager, ICICI Bank Shri Riaz Alam, Chief Manager-Trade Finance, ICICI Bank also spoke. The opening remarks were delivered by Chief Guest, Shri Neerav Parmar, Vice-President, BAI; Sr. Vice-President, Contracts & Procurement, M/s Shapoorji Pallonji Real Estate Shri Pradeep Nagawekar, Hon. Gen. Secretary, BAI delivered the concluding remarks. <https://youtu.be/0y4AO8A0kqA>

Webinar on 'Real Estate Scenario in Maharashtra - Post MahaRERA' was organised by BAI Maharashtra State on Wednesday, 11th August, 2021. Keynote Speaker was Shri Ajoy Mehta, Chairperson, MahaRERA. Shri Randhir Bhote, State Chairman, BAI Maharashtra welcomed the dignitaries and participants. Shri Swapnil Kaulgud, Chairman, BAI Maharashtra 'Real Estate - RERA and all other issues Committee' introduced Shri Ajoy Mehta, Chairperson, MahaRERA. Shri Neerav Parmar, Vice-President, BAI gave the Concluding Remarks. Shri Pradeep Nagawekar, National Hon. Gen. Secretary, BAI delivered the Vote of Thanks. <https://youtu.be/nSNk-6PjXwc>

'Webinar on Precast in Mass Construction of Real Estate and Infrastructure Projects' was jointly organised by BAI's Housing & RERA Committee and American Society of Civil Engineers-India Section Western Region on Saturday, September 18, 2021. Keynote Speaker was Dr. Mustafa Mashal, Ph.D., P.E., SECB, CPEng, IntPE(NZ), M.ASCE and Tenured Associate Professor in the Department of Civil and Environmental Engineering at Idaho State University (ISU) in the United States, <https://youtu.be/jHv1dQnDP1I>

'Webinar on Structural Repairs in Housing and Infra Projects' was jointly organised by American Society of Civil Engineers-India Section Western Region, BAI's Housing & RERA Committee and India Chapter of American Concrete Institute, on Saturday October 9th, 2021. Keynote Speaker was Dr. Mo Ehsani, Centennial Professor Emeritus, Civil Engineering, University of Arizona, USA and President, M/s QuakeWrap Inc., USA. Chief Guest was Shri Ram Niwas Gupta, President, Builders' Association of India. Concluding Remarks were by Er. Rajendra Pawar, Former Secretary, Water Resources Management & Command Area Development, Water Resources Department, Government of Maharashtra and Vice-Chairman, Report Card Committee, American Society of Civil Engineers-India Section Western Region.

https://youtu.be/Yj_NCzS-7GA

National Conference on Goods and Service Tax (GST) - Impact on Construction / Infrastructure Sector was organised by Builders' Association of India on Monday 27th December, 2021. The conference was organised to understand the impact of GST rate changes, as per Notification No. 15/2021, dated 18.11.2021, the issues faced by Construction, Real Estate, EPC, Infrastructure and Project companies. An interesting 'Question and Answer' Session was also organised. <https://youtu.be/SxIbmFhtisU>

Interactive Webinar on "Nano Housing - workable solution to India's Housing Needs" was organised by Builders' Association of India, Maharashtra State and BAI's Housing and RERA Committee on Friday, 7th January, 2022. Dr. Suresh Haware, Chairman & Managing Director, M/s Haware Properties was the keynote speaker. Shri Randhir Bhoite, State Chairman, BAI Maharashtra delivered the welcome address. Shri Anand J. Gupta, Chairman, BAI's Housing & RERA Committee gave the opening remarks. Shri Mohinder Rihwani, Chairman, BAI Mumbai Centre & Chairman, BAI Maharashtra 'Real Estate - RERA and all other issues Committee' introduced Dr. Suresh Haware. Shri Swapnil Kaulgud, Chairman, BAI Maharashtra 'Real Estate - RERA and all other issues Committee' gave the concluding remarks. Shri Dilip Shinde, State Secretary, BAI Maharashtra proposed the Vote of Thanks. https://youtu.be/_B0CjcrXdxg

National Webinar on 'Union Budget 2022 vis-a-vis Construction Industry' was organised by BAI on Saturday 5th February, 2022, 4.00 p.m. The Keynote Speakers were : CA Tarun Ghia, Chairman, BAI's Taxation-Direct Taxes Committee; Institute of Chartered Accountants of India's (ICAI), Chairman, Committee for International Trade and Services, Chairman, Economic & Commercial Laws Committee, Imm Past Chairman, Direct Taxes Committee CA M. Raveendaran, Chairman, BAI's Taxation-Indirect Taxes Committee Shri Pradeep Nagawekar, Hon. Gen. Secretary was the Convenor of the National Webinar and delivered the welcome address and introduced the speakers. Shri Ram Niwas Gupta, President, BAI gave the opening remarks. Shri Neerav Parmar, Vice-President, BAI gave the Concluding. Shri Mohinder Rihwani, Chairman, BAI Mumbai Centre proposed the Vote of Thanks. <https://youtu.be/YCGhAhQU2H0>

Webinar 'MahaRERA - latest additions and changes in compliances' was organised by Builders' Association of India, Maharashtra State on Friday, 11th February 2022. Keynote Speaker was, CA Aditya Anil Zantye, Treasurer, RERA Practitioners' Welfare Association; Co-Convenor, RERA Study Group, WIRC and Author & Speaker on MahaRERA matters Welcome address and opening remarks were given by Shri Randhir Bhoite, State Chairman, BAI Maharashtra Shri Sanjay Desale, Chairman, BAI Maharashtra's Taxation Committee

introduced the keynote speaker. Concluding remarks were given by Shri Swapnil Kaulgud, Chairman, BAI Maharashtra's Real Estate - MahaRERA Matters Committee Vote of Thanks was proposed by Shri Sachin Deshmukh, Chairman, BAI Maharashtra's Real Estate - UDCPR Matters Committee, <https://youtu.be/ZakSxBBrgzc>

Workshop on Online Database Update by BAI Members was organised by Shri Arun Sahai, Vice-President, BAI & Chairman and Shri Rajiv Goel, State Chairman, BAI Harayana & Co-Chairman, BAI Members & Vendors Directory Committee (Northern Region) on Monday, 14th February, 2022. BAI Members are required to visit <https://www.baionline.in/> and go to the 'BAI Members Directory' section (<https://www.baionline.in/BAI-Members-Directory.html>) and after logging in update their membership details. The workshop will educate BAI members about the methodology of logging in and updating their membership details. Chairmen, Office-Bearers and Senior Functionaries of all BAI centres are requested to further propagate this concept and video in their local BAI Whatsapp Groups. <https://youtu.be/8XSCfru92fl>

Orientation Programme for Chairman & Co-Chairman of BAI's Functional Committees was held on Saturday, 16th July 2022 at Hotel 'The Suryaa New Delhi'. The Orientation Programme was conducted to discuss roles and responsibilities of the Chairman & Co-Chairman of BAI's Functional Committees to perform efficiently; to take note reports of committees to enable solving issues at the local, district, state, regional & national levels and to discuss and decide conducting technical and other programs that will be useful for the betterment of the construction industry by the Functional Committees. https://youtu.be/c3cii_1Yv-0

Function to Bestow 'Lifetime Achievement Award' on Shri P. R. Mundle, Past President, BAI and Felicitate Shri Rajendra Athawale, Vice-President, BAI was held in Nagpur on Sunday 7th August, 2022. Shri Nitin Gadkari, Hon'ble Union Minister for Road Transport & Highways was the Chief Guest.

'Webinar on Precast Technology - Latest Developments' was organised by BAI's Mechanisation and Modern Technology Committee on Saturday, 19th November, 2022. Shri Vaibhav Singhal, Vice-President - Design Services, M/s Elematic India Pvt. Ltd. was the keynote speaker. Shri Sushil Agrawal, Co-Chairman, BAI's Mechanisation and Modern Technology Committee welcomed the participants. Opening Remarks were given by Shri V. G. Sakthikumar, Chairman, BAI's Mechanisation and Modern Technology Committee Shri Sanjay Apte, M/s Universal Infracon and Past Hon. Secretary, BAI Pune Centre introduced the keynote speaker Concluding Remarks were given by Shri Yusuf A. S. Inamdar, Regional Business and Technical Head, M/

s J. kumar Infraprojects Ltd.; Chairman, Indian Concrete Institute, Pune Centre and Director, Indian Army, JSIIC Shri Ajay Gujar, Hon. Secretary, BAI Pune Centre proposed the Vote of Thanks.

Interactive Webinar on "Nano Housing - workable solution to India's Housing Needs" was organised by Builders' Association of India, Maharashtra State and BAI's Housing and RERA Committee on Friday, 7th January, 2022. Dr. Suresh Haware, Chairman & Managing Director, M/s Haware Properties was the keynote speaker. Shri Randhir Bhoite, State Chairman, BAI Maharashtra delivered the welcome address. Shri Anand J. Gupta, Chairman, BAI's Housing & RERA Committee gave the opening remarks. Shri Mohinder Rihwani, Chairman, BAI Mumbai Centre & Chairman, BAI Maharashtra 'Real Estate - RERA and all other issues Committee' introduced Dr. Suresh Haware. Shri Swapnil Kaulgud, Chairman, BAI Maharashtra 'Real Estate - RERA and all other issues Committee' gave the concluding remarks. Shri Dilip Shinde, State Secretary, BAI Maharashtra proposed the Vote of Thanks.

National Webinar on 'Union Budget 2022 vis-a-vis Construction Industry' was organised by BAI on Saturday 5th February, 2022, 4.00 p.m. The Keynote Speakers were : CA Tarun Ghia, Chairman, BAI's Taxation-Direct Taxes Committee; Institute of Chartered Accountants of India's (ICAI), Chairman, Committee for International Trade and Services, Chairman, Economic & Commercial Laws Committee, Imm Past Chairman, Direct Taxes Committee CA M. Raveendran, Chairman, BAI's Taxation-Indirect Taxes Committee Shri Pradeep Nagawekar, Hon. Gen. Secretary was the Convenor of the National Webinar and delivered the welcome address and introduced the speakers. Shri Ram Niwas Gupta, President, BAI gave the opening remarks. Shri Neerav Parmar, Vice-President, BAI gave the Concluding. Shri Mohinder Rihwani, Chairman, BAI Mumbai Centre proposed the Vote of Thanks.

Webinar 'MahaRERA - latest additions and changes in compliances' was organised by Builders' Association of India, Maharashtra State on Friday, 11th February 2022. Keynote Speaker was, CA Aditya Anil Zantye, Treasurer, RERA Practitioners' Welfare Association; Co-Convenor, RERA Study Group, WIRC and Author & Speaker on MahaRERA matters Welcome address and opening remarks were given by Shri Randhir Bhoite, State Chairman, BAI Maharashtra Shri Sanjay Desale, Chairman, BAI Maharashtra's Taxation Committee introduced the keynote speaker. Concluding remarks were

given by Shri Swapnil Kaulgud, Chairman, BAI Maharashtra's Real Estate - MahaRERA Matters Committee Vote of Thanks was proposed by Shri Sachin Deshmukh, Chairman, BAI Maharashtra's Real Estate - UDCPR Matters Committee

Workshop on Online Database Update by BAI Members was organised by Shri Arun Sahai, Vice-President, BAI & Chairman and Shri Rajiv Goel, State Chairman, BAI Harayana & Co-Chairman, BAI Members & Vendors Directory Committee (Northern Region) on Monday, 14th February, 2022. BAI Members are required to visit <https://www.baionline.in/> and go to the 'BAI Members Directory' section (<https://www.baionline.in/BAI-Members-...>) and after logging in update their membership details. The workshop will educate BAI members about the methodology of logging in and updating their membership details. CHAIRMEN, OFFICE-BEARERS AND SENIOR FUNCTIONARIES OF ALL BAI CENTRES ARE REQUESTED TO FURTHER PROPOGATE THIS CONCEPT AND VIDEO IN THEIR LOCAL BAI WHATSAPP GROUPS.

Interactive Webinar on Draft Scheme for Stakeholder Consultation - Vivad se Vishwas II (Contractual Disputes) was organised by Builders' Association of India on Monday, 27th February 2023. Hon'ble Union Finance Minister in her budget address announced that to settle contractual disputes of government and government undertakings a voluntary settlement scheme with standardized terms will be introduced. Therefore, the MoF circulated a draft scheme for consultation with stakeholders. It is aimed at bringing quick finality to certain contractual disputes in which Government of India or its agencies is a litigant. The draft scheme has been circulated by Government of India vide Notification No. F.1/7/2022-PPD dated 8th February, 2023. More details can be had at <https://drive.google.com/file/d/1KvIj...> BAI has to give its feedback after consulting all members and taking feedback. For getting the feedback from member, the webinar was organised. Dr. Vandana Bhatt, Project Administration Consultant, Chartered Engineer and Adjunct Associate Professor IIT Bombay, briefed the members on the finer points of the scheme. Shri Gyanchand Madhani, Hon. Gen. Secretary, BAI welcomed the participants and also introduced Dr. Vandana Bhatt. Shri Niimesh Paatel, President, BAI gave the opening remarks. Dr. D. C Awasthi, Chairman, Legal and Arbitration Committee, BAI introduced the topic

CHANGES OF GUARD AT BAI 2023-24

BAI's Organisational Elections for 2023-24 culminated on Thursday, 30th March, 2023, with Bhishma Shri R. Radhakrishnan, Past President & Past Trustee, BAI announcing the results in the BAI Secretariat in Mumbai.

Earlier, Shri Raju John, Executive Secretary and Returning Officer, BAI's Organisational Elections for 2023-24 handed over the results to Shri Bhagwan Deokar, the senior most Scrutiniser, who in turn handed it Shri Niimesh Paatel, President, BAI for declaring the results. In a show of respect Shri Niimesh Paatel, requested Shri R. Radhakrishnan to announce the results. The other scrutinisers were, Shri Fazal Ali, Past Vice-President, BAI and Shri K. Subramani, Past Vice-President, BAI.

Shri S. N. Reddy was unanimously elected as the President of BAI for 2023-24.

Except for the posts of Vice-President's of South II and Western Region's, the elections to the other posts were unanimous. Shri K. John Paul from BAI Kottayam Centre and Shri Sunil Balakrishna Mundada from BAI Dhule Centre were elected as Vice-President's from South II and Western Region's respectively.

On Friday, 31st March, 2023, the 'Change of Guard' ceremony was held in the BAI Secretariat in Mumbai. Shri R. Radhakrishnan, Past President & Past Trustee, BAI did the honours of 'Installing Officer'.

Shri S. N. Reddy was installed as the President of BAI for 2023-24 by him being adorned with the 'BAI President Medallion' by Shri R. Radhakrishnan. In the presence of Shri R. Radhakrishnan, Shri Niimesh Paatel presented the 'BAI Key' to Shri S. N. Reddy symbolising handing over of charge.

Before handing over charge, Shri Niimesh Paatel briefed the members about the various activities and initiatives done by him during his tenure. As per BAI's tradition, Shri Niimesh Paatel was felicitated by adorning him with the 'Imm. Past President Medallion' by Shri R. Radhakrishnan.

Shri S. N. Reddy also gave an acceptance speech after being installed.

Thereafter Shri R. Radhakrishnan installed Shri Pradeep K. Chowdhury, Shri Ravindra Tyagi

Shri N. S. Muralidhara, Shri K. John Paul and Shri Sunil Balkrishna Mundada as Vice-Presidents. Shri Gyan Madhani and Shri Mohinder Rijhwani were also installed as Hon. Gen. Secretary and Hon. Gen. Treasurer respectively by Shri R. Radhakrishnan.

Shri R. Radhakrishnan also felicitated, Shri Sanjeev Bansal on him being elected as State Chairman, BAI Delhi; Shri Jolly Varghese, on him being elected as State Chairman,

BAI Kerala; Shri Sachin Sharadrao Deshmukh, on him being elected as State Chairman, BAI Maharashtra; Shri M. Ayyappan, on him being elected as State Chairman, BAI Tamil Nadu and Shri K. Devender Reddy, on him being elected as State Chairman, BAI Telangana.

On Thursday, 30th March, 2023, Shri Harshad Shah, Chairman, BAI Mumbai Centre felicitated, Shri Bhagwan Deokar, Past President, BAI; Shri Fazal Ali, Past Vice-President, BAI and Shri K. Subramani, Past Vice-President, BAI, for their role as Scrutinisers and Shri Raju John, Executive Secretary for his role as the Returning Officer for BAI's Organisational Elections for 2023-24.

Shri Harshad Shah, Chairman, BAI Mumbai Centre felicitated all the newly installed office-bearers, office-bearers laying down office and other dignitaries present on the occasion with a 'Pheta' - traditional Maharashtrian headgear and a shawl.

BAI WEBSITE 'www.baionline.in'

BAI launched its new digital website 'www.baionline.in' at the Managing Committee Meeting at Ahmedabad on 6th June 2022. With the launch of www.baionline.in, BAI too aims at giving its members top-of-the-line service.

As of now www.baionline.in offers the following services:

All circulars meant for BAI Centres and senior functionaries will be hosted.

Important Judgements, Circulars and Notifications by Government(s) and /or Departments will be hosted.

Tender information.

Latest Price Index Numbers.

Construction industry related exhibition/trade fair information.

Information on all publication of BAI and its Centres.

Details of office-bearers of BAI.

Links to important websites i.e. like minded national & international organisations, Government

organisations concerning having dealings with construction industry, service providers, construction companies, etc.

BAI members / visitors can download :

BAI Constitution (BAI Rules & Regulations)

Membership Application Form

Membership Data Updation Form

BAI members can get their membership number through www.baionline.in.

Services to be introduced over a period, include :

Website based email service to BAI members.

News & Discussion Board' - news concerning the construction industry will be hosted and members/visitors can air their opinion on the same.

Meeting Room' - akin to the concept of 'chatting', senior functionaries can hold meetings via video conferencing.

Archives of 'Indian Construction' and other publications by BAI Centres.

Total detailed membership database of BAI.

'Wheeling & Dealing' - is a platform for BAI members and others for offering machinery to be given on hire or request machinery on hire / offer specialised service or request for specialised service, etc.

FINANCE OF THE ASSOCIATION:

The Headquarter, due to its better financial discipline, was generating surplus for the last 21 years and the current year also we have a surplus of Rs.1,40,000,00/-. This is a major achievement, though there was a marked decline in interest income. It is also a fact that, the Trustees are prompt and alert in keeping the Fixed Deposits with Banks which offers the highest return.

FUNCTIONS OF BAI HEADQUARTER OFFICE:

BAI Headquarter and BAI Delhi Office with a staff of 12 members functioning exceptionally well under the control of Executive Secretary, Mr. Raju John.

MEETINGS :

During the financial year 2023-24 under report, 4 (Four) Managing Committee and 4 (Four) General Council Meetings were held at :

On 12th May 2023 at Coimbatore

On 2nd September 2023 at Alleppey

On 7th November 2023 at Kolkata

On 27th January 2024 at Hyderabad

BAI MEMBERSHIP / AFFILIATIONS

Affiliated to International Federation of Asian & Western Pacific Contractors' Associations (IFAWPCA), Philippines.

Founder Member of Construction Industry Development Council (CIDC), New Delhi.

Member of IMC Chamber of Commerce & Industry, Mumbai.

Member of Indian Council of Arbitration, New Delhi.

Member of Employers' Federation of India, Mumbai.

Member of Indian Roads Congress.

Member of Federation of Indian Chambers of Commerce & Industry, New Delhi.

Member and Promoter of Construction Skill Development Council of India (CSDCI), New Delhi.

BAI's REPRESENTATIVES ON VARIOUS COMMITTEES.

Shri S. N. Reddy, President, BAI as Member, Board of Governors of National Institute of Construction Management & Research (NICMAR).

Shri S. N. Reddy,, President, BAI as Member, Board of Governors of Construction Industry Development Council (CIDC).

Shri S. N. Reddy,, President, BAI as Member, Board of Governors of National Academy of Construction (NAC).

Shri B. Seenaiyah, Member, Review Committee for Contract Management System formed by Ministry of Statistics & Programme Implementation (MOSPI).

Shri S. N. Reddy, President, BAI, as Member, National Council of Construction Federation of India (CFI).

Shri S. N. Reddy, President, BAI in the focus group formed for WTO.

Shri Sushanta Kumar Basu represent BAI on the Working Group of Construction constituted by Planning Commission for the 12th Five Year Plan (2012-17).

Shri Niimesh Paatel, Past President, BAI, and Shri H N VijayaRaghava Reddy, Past President, BAI as Director, Construction Skill Development Council of India (CSDCI).

Shri S. Narsimha Reddy as Board Member on the Executive Board of IFAWPCA.

Shri Mahesh M. Mudda on the Expert Committee and Shri Neerav Parmar on the State Level Advisory Committee of Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996 for Government of Maharashtra.

Dr. Anand J. Gupta on Central Advisory Committee constituted by the Ministry of Labour, Government of India, under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996.

Shri H.S. Pasricha, Member, Central Advisory Contract Labour Board, Ministry of Labour, Government of India.

Shri R.N. Gupta. Member, Central Public Works Department (CPWD) Technical Committee.

Shri R.N. Gupta & Shri Rajiv Goel, Member, Ministry of Housing & Urban Affairs (MoHUA), Ministry of Human Resource Development (MHRD).

OFFICES OF BAI CENTRES

There has been a growing trend amongst BAI Centres to go in for their own office premises, with facilities for conducting meetings, training, etc. The premises owned by these Centres are registered under the name of "Trustees Builders' Association of India".

As on date, the Centres who have their own office premises are Andhra Pradesh (Hyderabad), Delhi, Eastern (Kolkata), Karnataka (Bangalore), Nanded, Nashik, Pune, Rajasthan (Jaipur), Sangli and Southern (Chennai).

INDIAN CONSTRUCTION' JOURNAL

Shri Anand J. Gupta was the Chairman, Indian Construction Journal Committee for 2023-24. The printing of the magazine has been continued with a marked change and your journal is becoming more and more popular.

The journal has admittedly established a numero-uno position in construction related trade magazines as is evident from non-member subscribers, which includes, Engineering Institutes, Government Departments and Undertakings including many Works Authorities.

The Association is also sending around 1000 complimentary copies to like-minded organisations in the country and abroad, Government Authorities Engineering Colleges, Department Heads, Works Authorities etc. The rising paper, printing and postal costs coupled with low advertisement revenue forces BAI General Fund to cross subsidise the publication as it is not self sufficient.

BAI MEMBERSHIP SUBSCRIPTION 2023-24

The subscription for various categories of membership with the Association were as follows:-

Annual Membership:		'INDIAN CONSTRUCTION'		Rs. 200
Annual Subscription	Rs. 2,904	GST		Rs.4,500
Entrance Fee	Rs. 100	Total		Rs.29,700
'INDIAN CONSTRUCTION'	Rs. 200	Affiliated Association Membership		
GST	Rs. 541	Annual Subscription		Rs. 5,324
Total	Rs. 3,745	Entrance Fee		Rs. 500
Patron Membership		'INDIAN CONSTRUCTION'		Rs. 200
One time Subscription - Membership	Rs.25,000	GST		Rs. 1,048

Total	Rs.7,072
Affiliated Association - Patron Membership	
Membership (One time Subscription)	Rs.30,000
'INDIAN CONSTRUCTION'	Rs. 200
Service Tax	Rs. 4,500
Total	Rs.34,550

NEW CENTRES

For the year 2023-24, BAI opened 7 new centres at Ambikapur, Rajnandgaon in Chattisgarh State, Beed in Maharashtra State, Siliguri in West Bengal State, Secunderabad in Telangana State, Karur, Kovilpatti in Tamil Nadu State. 2023-24 was an eventful year for BAI as far as growth of the BAI movement is concerned.

MEMBERSHIP STRENGTH

As on 31st March 2024, the membership was 22,120 which

About the theme

"SUSTAINING NEW RESILIENT INDIA"

Note on the Theme

As a National Body, Builders Association of India (BAI) attempts to bring innovation, enterprise, technology and efficient management together, at the core recommends and helps all the Governments in the policy implementation and formulation.

Infrastructure development is the foundation for a country's economic prosperity and helps in improving the quality of life of its citizens. Every rupee spent on infrastructure development has a multiplier effect of 1.5 times on GDP, propelling the economy further. Infrastructure development also results in large scale employment generation along with providing boost to the related industries, while also achieving social goals of providing access to essential services and amenities to all citizens.

The Government of India has walked the talk, providing an impetus to infrastructure development in the last few years by increasing the infrastructure budget by about 75% post COVID-19 and reforming policies to encourage the private sector participation and boosting the construction industry.

Some of the initiatives by the Government of India are:-

- ✓ **MDFC** : Multiple Dedicated Freight Corridors by Indian Railways to improve the freight movement efficiency.
- ✓ **PM GatiShakti** : National Master Plan, the path-breaking initiative of Government of India, paves the way for inter-ministerial projects to complement each other.
- ✓ **Smart Cities Mission**, with a focus on using innovative digital technologies to resolve the increasing challenges

Corporate Membership	
Membership (One time Subscription)	Rs.3,00,000
Annual Subscription	Rs. 10,000
Service Tax	Rs. 46,500
Total	Rs.3,56,500

included 19,623 Patron Members 2,497 Annual Members.

BUILDERS' DAY 2023

"Builders' Day" is celebrated by Builders' Association of India (BAI) every year during the last quarter to commemorate its founding in 1941. The Managing Committee of BAI decides on a theme for the year, on which all Centres of BAI celebrate "Builders' Day" of that year. For 2023 the Managing Committee of BAI has decided 'Sustaining New Resilient India' as the theme.

in the urban areas of the country.

- ✓ **Smart Highway** as a green highway, with plantation all around the road and vertical gardens in cases of space constraints.
- ✓ **Sustainable Infrastructure** plays a vital role in India's development journey, with investments in renewable energy projects crucial for reducing the country's carbon footprint and promoting a greener energy mix.

India is expected to be one of the largest economies in the world by 2047 with a GDP of about \$35- 40 trillion, it is estimated from about \$3.5 trillion in 2022 which increased by about 2x since 2010. In addition, the country's industrial output has increased by 56% since 2010, which has supplemented the pace of urbanization which is expected to accelerate by 2047. This exponential economic growth in the country will drive the need, as well as be supported by the development of infrastructure by Contractors fraternity who obviously the member brothers of **Builders' Association of India (BAI)**.

In line with Sustainable Development Goals 2030, ensuring safety of citizens will be a key focus area of infrastructure development. This would include the design and construction of safer infrastructure that will minimize hazards and will improve safety for users. There is already an increased focus on adopting the latest technologies to reduce accident risks. Indian Railways and MORTH have continuously focused on safety via implementation of KAVACH and Advanced Traffic Management System.

What is the theme: **SUSTAINING NEW RESILIENT INDIA**

Sustainable infrastructure systems are those that are

planned, designed, constructed, operated and decommissioned in a manner that ensures Three Pillars which are Economic & Financial, Social, Environmental (including climate resilience), and institutional sustainability over the entire infrastructure life cycle.

The objectives of the theme:-

- Implement the International Good Practice Principles

for Sustainable Infrastructure;

- Promote investment in sustainable and resilient infrastructure, natural infrastructure and nature based solutions;
- Cooperate Nationally and internationally to strengthen frameworks, including for financing; and
- Provide opportunities for engaging relevant stakeholders.

BAI Awards 2022-23

Sr. No.	Name of Award	List of Awardees for 2022-23
1.	Overall Best BAI Centre (Below 200 Members)	1) Durgapur Centre 2) Angamaly Centre 3) Poonamallee Centre 4) Dhule Centre
2.	Overall Best BAI Centre (Above 200 Members)	1) Mysore Centre 2) Southern (Chennai) Centre 3) Cochin Centre 4) Mumbai Centre
3.	Image Building Activities by a Centre	1) Ichalkaranji Centre 2) Satara Centre
4.	Organising Best Training Programme or Seminar	1) Pune Centre
5.	Maximum Membership Growth	1) Tiruchirappalli Centre
6.	Best Efforts by any Centre for Quality Construction	1) Thrissur Centre
7.	Best Builders' Day Celebrations.	1) Karnataka (Bangalore) Centre 2) Tiruchirappalli Centre 3) Coimbatore Centre 4) Muvattupuzha Centre
8.	Best publication by a BAI Centre	1) Southern (Chennai) Centre
9.	Maximum Membership Retention	1) Hapur Centre
10.	Best performing Vice President	1) Shri Rajendra S. Athawale, Vice President, BAI (West)
11.	Best performing State Chairman.	1) Shri Sanjay Tyagi, State Chairman, Uttar Pradesh 2) Shri B. Raghava Rao, State Chairman, Andhra Pradesh 3) Shri Najeeb Mannel, State Chairman, Kerala State 4) Shri K. Jeganathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar Islands 5) Shri Dattatray Mule, State Chairman, Maharashtra
12.	Best performing Chairmen of BAI's functional Committees	1) Shri O.K. Selvaraj, Chairman, Constitutional Amendment Committee 2) Dr. Anand J. Gupta, Chairman, Indian Construction Journal Committee and Housing RERA Committee. 3) CA. M. Raveendaran, Chairman, Taxation Committee (Indirect Taxes). 4) Shri D.V.N. Reddy, Chairman, Membership Development Committee - (South-I)
13.	For holding the best MCGC meeting in an organised manner	1) Greater Noida Centre 2) Kollam Centre

INAUGURATION OF BAI PRESIDENT'S CHAMBER IN THE BAI SECRETARIAT IN MUMBAI

Many senior BAI members and Past Presidents of BAI desired that an exclusive "President's Chamber" be there in the BAI Secretariat in Mumbai.

In this regard, as directed by Shri S. N. Reddy, President, BAI, the work of BAI "President's Chamber, was started under the guidance of Shri Gyanchand Madhani, Hon. Gen. Secretary, BAI and Shri Mohinder Rijhwani, Hon.

Gen. Treasurer, and it was completed on 28th March 2024. A special 'Dining Area' was also created within the BAI office-premises and this was also formally inaugurated.

The "President's Chamber" was inaugurated on Friday, 29th March 2024 by the hand of Shri S. N. Reddy, President, BAI along with senior functionaries of BAI across India.

ARBITRATION PETITION NO. 23704/2023, FILED BEFORE THE BOMBAY HIGH COURT ON QUALIFICATION OF VICE PRESIDENT (SOUTH-2)

Members from Kerala sent letters to BAI HQ questioning the qualification of the elected Vice President, South -2, Shri John Paul, and mentioned that, he is not an active contractor to occupy the position of Vice President as per Rule 29.1 of BAI Constitution, which states, A PERSON SHOULD BE ENGAGED IN ACTUAL TRADE OR PROFESSION AS A BUILDER (Qualification of the Office Bearers)

This matter was discussed in a committee of Past Presidents, 1) Shri B. Seenaiiah 2) Shri Sushanta Kumar Basu 3) Shri Bhagwan J. Deokar 4) Shri H.N. Vijaya Raghava Reddy constituted by the President, as per the authority given to him by the Managing Committee Meeting held at Coimbatore on 12th May, 2023. The Committee discussed the item at length and decided that, this is not acceptable as Shri John Paul had already occupied the post of Centre Chairman and State Chairman. It was also noted that, Shri John Paul was elected as Vice President through ballots and none of the members then objected to his qualification for him to become an office bearer of BAI HQ.

As the decision was not acceptable to the members of Kerala, it has filed Arbitration Petition No. 23704/2023, before the Bombay High Court on qualification of Vice President (South-2), with the following Prayer:

- a. That pending the hearing and final disposal of the instant Arbitration Petition and Arbitral proceedings, making of the Arbitral Award and until final execution of the Arbitral Award, the Respondent No. 3 to be restrained from attending the Managing Committee and General Committee meeting to be held on 02.09.2023 and to be a part of any decision or casting his vote there of.
- b. That pending the hearing and final disposal of the instant Arbitration Petition and Arbitral proceedings, making of the Arbitral Award and until

final execution of the Arbitral Award, the Respondent No. 1 be restrained from initiating any disciplinary action against the Petitioner solely on the ground that Petitioner has initiated arbitration clause against the wrongful election of the Respondent No. 3 as the Vice president of BAI.

- c. The costs to be provided for;
- d. Any other reliefs, as may be deemed necessary by this Hon'ble Court, in the circumstances of the case.

The Matter was finally heard by the Hon'ble Court on 15th March, 2024 and disposed of it as under:

As per the Memorandum of Association of Builders Association of India, arbitration is prescribed as a mode for settlement of disputes arising, in any manner whatsoever, including elections and it is contemplated that it shall be referred to the Arbitration Committee.

Respondent No.3-Mr. K. John Paul was elected as a Vice President pursuant to the election process carried out for the year 2023-24 and, since, the Applicant contends that he did not possess the requisite qualification, as prescribed in the Memorandum of Association, he is desirous of taking the dispute to the Arbitration Committee.

As on today, it is informed that the term of Respondent No.3 as a Vice President has come to an end and even fresh elections are conducted for the Managing Committee of the Association for the year 2024-25, in which the President as well the Vice President are elected.

As far as Arbitration Petition (L) No.23704 of 2023 is concerned, the learned counsel for the Petitioner makes a statement that the Petition has been rendered infructuous, as the General Body Meeting has been already held on 02/09/2023 and no action is initiated against him.

In the wake of the above statement, the petition stands disposed off, as in fructuous.

REQUEST FOR FORMATION OF A SEPARATE ZONE - NORTH EASTERN REGION

Shri P.P. Nath, State Co-ordinator, Assam, requested the Managing Committee in its meetings held on 7th November at Kolkata and on 27th January 2024 at Hyderabad to consider the forming a new Region, namely, North Eastern Region as there was good potential for growth of BAI in North Eastern States as the Union Government is focusing its attention on the infrastructure development of the Region with following consideration:-

1. A Centre in "North Eastern Region" could be opened with 10 patron members (Instead of 20 patron members as per Clause 9.1 of BAI Rules & Regulations).
2. Patron membership fee to be made Rs.12,500/- + GST for a new member (instead of Rs.25,000/-+GST) who will be enrolled as a member from 'North Eastern Region'. The membership of such patron members will be valid for 5 years with an option of

paying the balance fee of Rs. 12,500 + GST and become a patron members, as defined in BAI Rules.

3. These Centres won't be eligible to receive interest on patron membership for 5 years.
4. One zonal chairman post should be created to coordinate the activities of the States under the North Eastern Region.

After a detailed deliberation and discussion among the Managing Committee, the President Shri S.N.Reddy accepted the request of Shri P.P.Nath and stated that a two year time will be given to the new Zonal Chairman to establish new centres at North Eastern States with reduced membership of 11 members (North East Zone) and with Patron membership fee of Rs.12,500/- + GST . If the experiments produce results, then further course of action can be deliberated.



Team 2024-25

President

Shri K. Viswanathan

Vice-President's

Shri Ashok Kumar Chandak
Shri D. Pankaj Reddy

Shri Rajiv Goel
Shri R. Sivakumar

Shri Anand J. Gupta

Hon. General Secretary

Shri Mohinder Rijhwani

Hon. General Treasurer

Shri Aniruddha V. Nakhawa

State Chairmen

Andhra Pradesh

Shri A. Nagamalleswara Rao

Delhi

Shri Sanjeev Bansal

Haryana

Shri Vijay Kumar

Karnataka

Shri Srinivasa Reddy

Maharashtra

Shri Anil B. Sonawane

Tamil Nadu, Pondicherry & Andaman Nicobar

Shri B. Palanivel

Uttar Pradesh

Shri Naresh Kumar Agarwal

Chhattisgarh

Shri Kanwaljeet Singh Oberoi

Gujarat

Shri Sanjiv B. Shah

Jharkhand

Shri Shiv Kumar Burman

Kerala

Shri P. N. Suresh

Rajasthan

Shri G. K. Gupta

Telangana

Shri U. Surender

West Bengal

Shri Sanjay Dasgupta

State Coordinator

Assam

Shri Pinak Pani Nath

Bihar

Shri Manikant

Madhya Pradesh

Shri Ashin Shrivastava

Members of the Managing Committee representing Centres

Shri A. N. Balaji

Shri Abdul Faizy

Shri B. R. Ravichandran

Shri Basavaraj S. Totad

Dr. Dharmesh Awasthi

Shri Gyanchand Madhani

Shri Jolly Varghese

Shri K. Chinnaswamy

Shri K. John Paul

Shri K. Khalid

Shri K. Rajakumaran Nair

Shri L. Shantha Kumar

Shri M. Ayyappan

Shri M. Ramesh

Shri Madan Mulraj Jagotta

Shri N. Mohamed Abdul Khader

Shri N. Raghunathan

Shri Neerav Parmar

Shri P. P. John

Shri P. Subramanian

Shri Prabir Kumar Mukherjee

Shri R. Nimrode

Shri R. R. Shridhar

Shri Rajesh G. Nathan

Shri Ravindra Pradhan

Shri Sabu Cherian

Shri T. V. Chandrasekaran

Dr. Tarro T. Manghnani

Members of the Managing Committee representing Patron Members

Shri A. Kasivisweswara Rao	Shri C. G. Deochake	Shri C. Satishkumar
Shri D. R. Sekar	Shri Dhanwant Lal Gupta	Shri Dinesh Nanji Patel
Shri G. Santosh Reddy	Shri K. Chandra Sheker Reddy	Shri K. N. Babu Reddy
Shri K. S. Someshwara Reddy	Shri K. Venkatesan	Shri L. Venkatesan
Shri Narendra Kumar	Shri O. K. Selvaraj	Shri P. Harikumar
Shri P. Miju Lal	Shri Prakash Panjwani	Shri R. Prakash
Shri Rajendra S. Athawale	Shri Ram M. Bhatia	Shri S. Ayyanathan
Shri S. Ramaprabhu	Shri Sunil Balkrishna Mundada	Shri V. Rajagopal

Members of the Managing Committee representing Affiliated Associations

Shri B. Ramesh	Shri E. Manohar
Shri T. M. S. Sivakumar	Shri V. Balasubramanian

Trustees BAI 2022-25

Shri Lal Chand Sharma	M. Thirusangu
Mu. Moahan	N. Sachitanand Reddy
Pradeep G. Nagawekar	Rajendra Singh Kamboh

OBITUARIES

The Association lost the following members who left for the heavenly abode. BAI in their death has lost sincere and hardworking members.

- ✓ Smt. Salomi Varkey left for her heavenly abode on Friday 5th April, 2023. She was Mother of Shri Jolly Varghese, State Chairman, Kerala.
- ✓ Shri P. K. Kunju Kunju left for his heavenly abode on 13th May 2023 in Kollam, Kerala. Shri P. K. Kunju Kunju was father of Shri Raju John, Executive Secretary, BAI.
- ✓ Smt. Anjana Ajitsaria left for her heavenly abode on Sunday, 14th May, 2023. Smt. Anjana Ajitsaria was wife of Shri Manoj Kumar Ajitsaria of M/s Anojkumar Agarwala, Patron Members of BAI from Butibori (Nagpur) Centre.
- ✓ Shri Sony George left for his heavenly abode on 28th May, 2023. Shri Sony George was Patron Member of BAI Ettumanoor Centre.
- ✓ Smt. Kamaljeet Kaur left for her heavenly abode on 8th June 2023. Smt. Kamaljeet Kaur was mother in law of Smt. Lata Vaid, Office Executive, BAI Delhi Office.
- ✓ Smt. Rema Srikant left for her heavenly abode on 8th June, 2023. Smt. Rema Srikant was wife of Shri K. Srikant, Past State Chairman, BAI Kerala.
- ✓ Shri Abhijit Dudhane left for his heavenly abode on 11th June, 2023. Shri Abhijit Dudhane was Patron Member of BAI from Butibori (Nagpur) Centre.
- ✓ Shri M. Ramesh left for his heavenly abode on 11th June 2023. Shri M. Ramesh was Vice Chairman of BAI, Karnataka (Bangalore) Centre.
- ✓ Shri Ajay Sharma left for his heavenly abode on 20th July 2023. Shri Ajay Sharma was Chairman of BAI, Greater Noida Centre. He was a partner of M/s. Lal Chand & Company and he was brother in law of Shri Lal Chand Sharma Ji, Chairman Board of Trustee & Past President.
- ✓ Smt. Bela Samanta left for her heavenly abode in the early hours of Sunday 8th October, 2023. Smt. Bela Samanta was mother of Shri Surojit Samanta, Past Vice-President, BAI.
- ✓ Shri Keshavrao Padole left for his heavenly abode on 22nd November, 2023. Shri Keshavrao Padole was past chairman of Nagpur Centre.
- ✓ Shri T. Lingam left for his heavenly abode on 23rd November, 2023. Shri Shri T. Lingam was Hon. Jt. Secretary, BAI Kanyakumari Centre.
- ✓ Shri Sonbaji Musale left for his heavenly abode on 25th November, 2023. Shri Sonbaji Musale was Patron Member of Butibori (Nagpur) Centre.
- ✓ Shri S. M. Sait left for his heavenly abode on 25th November, 2023. Shri S. M. Sait was Past Chairman of BAI Pudukkottai Centre and was fondly referred to as 'Warrior of BAI Tamil Nadu'.
- ✓ Shri R. Ambikapati, left for his heavenly abode on 27th November, 2023. Shri R. Ambikapati was Patron Member of Karnataka(Bangalore) Centre. He was past State Chairman of BAI Karnataka State and was President of BBMP Contractors Association, Bangalore.
- ✓ Smt. Satyabhama Namdev Salunkhe, Mother of Solapur Center Secretary Shri Jaisingh Salunkhe passed away at old age on 2nd December 2023.
- ✓ Smt. Shankutala Agarwal, mother of Shri Sushil Agarwal, Co-Chairman, Mechanization Committee, BAI and Patron member of BAI from Pune Centre, left for her heavenly abode on 7th December, 2023
- ✓ Shri Seva Singh Oberoi left for his heavenly abode on 29th January, 2024. Shri Seva Singh Oberoi was father of Shri Kanwaljit Singh Oberoi, State Chairman, BAI, Chhattisgarh State.
- ✓ Shri Avinash Chandra Bhandari left for his heavenly abode on 4th February, 2024. Shri Avinash Chandra Bhandari was father of Jayant Bhandari, Past Chairman, BAI Durg Centre, Chhattisgarh.
- ✓ Shri. Jairaj Jadwani left for his heavenly abode on 19th February, 2024. Shri. Jairaj Jadwani was past chairman of BAI Raipur Centre, Chhattisgarh.
- ✓ Shri Dhansingh Rao Bohite left for his heavenly abode on Sunday 25th February, 2023. Shri Dhansingh Rao Bohite was father of Shri Randhir Bhoite, Past State Chairman, BAI Maharashtra.
- ✓ Shri Kamlesh N. Shah, (CMD, M/s RKC Infrabuilt Pvt. Ltd.) left for his heavenly abode on 14th March 2024 . He was member of BAI Gandhinagar Centre and Secretary, Gujarat Contractors Association.
- ✓ Shri N. M. Patel, Trustee, BAI left for his heavenly abode on 23rd March, 2024, Baroda. He was the founder member of BAI Baroda Centre. He was very active in BAI for the last nearly 3 decades.

**Attendance Sheet of MCGC Members Forming Part of Annual Report
For The Year 2023-24 Attendance (Out of Four Meetings)**

Name	Attendance	Name	Attendance
Shri S. Narasimha Reddy, <i>President, BAI</i>	4	Shri Nimesh D. Patel, <i>Imm. Past President</i>	1
Shri Pradeep K. Chowdhury, <i>Vice President, BAI</i>	4	Shri Ravindra Tyagi, <i>Vice President BAI</i>	4
Shri N.S. Muralidhara, <i>Vice President, BAI, South - I</i>	4	Shri K. John Paul, <i>Vice President, South-II</i>	4
Shri Sunil Balkrishna Mundada, <i>Vice President, BAI</i>	4	Shri Gyan Madhani, <i>Hon. General Secretary</i>	4
Shri Mohinder Rijhwani, <i>Hon. General Treasurer</i>	4		
Past Presidents			
Shri R. Radhakrishnan	4	Shri Ajit Gulabchand	0
Shri Lalit Sangtani	0	Shri S. A. Vichare	0
Shri V. Ramachandran	0	Shri B.N. Dikshit	2
Shri P. R. Mundle	0	Shri A. K. Yussouf	1
Shri Bhagwan J. Deokar	4	Shri Cherian Varkey	1
Shri B. Seenaiiah	2	Shri Sushanta Kumar Basu	4
Shri Lal Chand Sharma	1	Shri Avinash M. Patil	1
Shri H. N. Vijaya Raghava Reddy	3	Shri A. Puhazhendi	2
Shri Mu. Moahan	3	Shri R.N. Gupta	2
State Chairmen / State Co-ordinators*			
Shri B. Raghava Rao, Andhra Pradesh	4	Shri Pinak Pani Nath, Assam*	3
Shri Bhavesh Kumar, Bihar*	1	Shri Kanwaljeet Singh Oberoi, Chhattisgarh	1
Shri Sanjeev Bansal, Delhi	2	Shri Kalpesh Arunkumar Joshi, Gujarat	0
Shri Vijay Kumar, Haryana	2	Shri Shiv Kumar Burman, Jharkhand	1
Shri Srinivasa Reddy, Karnataka	3	Shri Jolly Varghese, Kerala	3
Shri Arun Kumar Jain, Madhya Pradesh*	0	Shri Sachin Sharadrao Deshmukh, Maharashtra	4
Shri Ravi Kumar Kheria, Rajasthan	0	Shri M. Ayyappan, Tamilnadu	4
Shri K. Devender Reddy, Telangana	3	Shri Sanjay Tyagi, Uttar Pradesh	2
Shri Shailendra Kumar Rawlani, West Bengal*	2		
Trustees			
Shri Rajendra Singh Kamboh, Trustee, BAI	2	Shri Lal Chand Sharma, Past President & Trustee, BAI	1
Shri N. Sachitanand Reddy, Trustee, BAI	3	Shri Mu. Moahan, Past President, & Trustee, BAI	3
Shri M. Thirusangu, Trustee, BAI	3	Shri Pradeep G. Nagawekar, Trustee, BAI	2
Shri N.M. Patel, Trustee, BAI	1		
Members Of The Managing Committee – Representing Centres			
Shri S. Balan	3	Shri N. Mohamed Abdul Khader	1
Shri Ashok Agarwal	1	Shri S. Kumaresan	1
Shri P. Parameshwaran	4	Shri K. Rajkumaran Nair	2
Shri R.R. Shridhar	3	Shri O.K. Selvaraj	3
Shri T.V. Chandrasekharan	3	Shri S. Ramaprabhu	3
Shri B. R. Ravichandran	4	Shri R. Nimrode	2
Shri N. Raghunathan	3	Shri R. Karanaboopathy	3
Shri Paul T. Mathew	3	Shri C.G. Deochake	1
Shri P. Subramani	3	Shri Prakash S. Panjwani	0
Shri D. Ramesh	3	Shri N. Ramalingam	4

Name	Attendance	Name	Attendance
Shri Anup Mazumder	1	Shri M. Ramesh	3
Shri R. Prakash	3	Shri T.N. Sivakumar	3
Shri P.N. Suresh	4	Shri Pratp B. Salunke	0
Shri Baburao L. Shakkarwar	0	Shri Ravindra Pradhan	2
Members Of The Managing Committee – Representing Patron Members			
Shri Narendra Kumar	2	Dr. Dharmesh Awasthi	0
Shri B. Sugunakar Rao	1	Shri D.V.N. Reddy	3
Shri Dinesh Nanji Patel	2	Shri K. Chandra Shakar Reddy	3
Shri A.Kasi Visweshwara Rao	3	Shri Basavaraj Totad	3
Shri K. Someshwar Reddy	2	Shri V. Rajagopal	4
Shri B. Anandhan	4	Shri Prince Joseph	2
Shri K. Muruganadham	3	Shri S. Ayyanathan	2
Shri R. Sivakumar	3	Shri K. Venkatesan	4
Shri L. Venkatesan	3	Shri L. Shantha Kumar	4
Shri K. Chinnaswamy	3	Shri Ram Bhatia	2
Shri Abhay Madhav Garde	1	Dr. Taro T. Manghnani	3
Shri (Col.) Sanjay M. Adsar (Retd)	1	Shri Vilas Kedu Birari	0
Shri Madan Mulraj Jagotta	0		
Representative Of Affiliated Association Members			
Shri B. Ramesh	3	Shri G. Selvakumar	3
Shri M. Jaishankar	1	Shri S. Balaji	3
Members Co-opted To Managing Committee			
Shri V. M. Fazal Ali	2	Shri J.R. Sethuramlingam	2
Special Invitees			
Shri D.P. Singh	2	Shri Pradeep kumar Jain	2
Shri G.K. Gupta	0	Shri Rameshwar D. Khandelwal	0
Shri Hanamant Gangadhar Kulkarni	3	Shri Krishan Singh Rathore	0
Shri Manda Ilaiiah	3	Shri Soma Srinivas Reddy	0
Shri U.M. Gurushanthappa	3	Shri Nalla Raja Reddy	2
Shri K. Rama Rao	1	Shri Ramesh Marda	0
Shri G. Jaya Simha Reddy	1	Shri H.V. Nagesh	1
Shri V.L. Muniraja	3	Shri R. Purushothama	1
Shri K.B. Sarveswararaja	2	Shri J. Thomas Prem Kumar	2
Shri P. Miju Lal	0	Shri Gibu P. Mathew	2
Shri Joshy Chandy	3	Shri Prakash Nathuji Dewalkar	2
Shri C.K.S. Panicker	1	Shri Sujith Sreenivasan	0
Shri Mathew Philip	2	Shri M. Senthil Rajarajan	3
Shri M. Baaldwin Bruce	2	Shri R. Balachandran	0
Shri V.Prem kumar	0	Shri R. Baskaran	0
Shri J. Janarthanan	0	Shri K. Gandhi	0
Shri Amar Kalyani Birajdar	3	Shri V. Phiragathiswaran	0
Shri G.K. Deshmukh	1	Shri G. Elangovan	0
Shri S. Sanjay	0	Shri CT. Annamalai	3
Shri Paresch Vachhani	1	Shri K. Chandra Sekar	0

Name	Attendance	Name	Attendance
Shri R.S. Rajasekaran	1	Shri K. Ramanujam	1
Shri R. Jaffa Ali	3	Shri G. Ravichandran	2
Shri K. Rajavel	2	Shri M. Pasupathy	0
Shri T. Rajasekaran	2	Shri T. Kalyanasundaram	1
Shri M.V.G. Jawagar	1	Shri C. Kumaravelu	2
Shri R. Murugesan	1	Shri P. Sivagnanam	3
Shri T. Raja	1	Shri M. Murugan	1
Shri A. Manickam	0	Shri G. Muralidharan	3
Shri V.G. Rama Krishnan	2	Shri L. Carttigueane	0
Shri M. Ranganathan	1	Shri S. Natarajan	0
Shri K. Kesavan	2	Shri R. Krishnaswamy	1
Shri P.Arun Kumar	0	Shri S. Ravi Kumar	0
Shri R. Siva Kumar	0	Shri Girish Manapure	0
Shri Shriraj Vishvanath Dixit	2	Shri Mangesh Arun Jadhav	1
Shri Sanjay Laxman Patil	1	Shri Shital Kumar Mohan Nawle	1
Shri Abhay N. Choksi	0	Shri Sanjay S.Desale	0
Shri Rameshwar Shankar Lal Malani	0	Shri Anilbhai R. Zinzuwadia	0
Shri Ashok Gwalani	0	Shri Anil Hargovan Patel	0
Shri Varun N. Patel	0	Shri Narendra Panani	0
Shri Nitin M. Shah	0	Shri Sunil G. Mathreja	0
Shri Rakesh P. Shah	0	Shri Yuvraj Patil	0
Shri Mohan D. Satpute	0		
Chairpersons / Co-Chairpersons of Committees			
Shri Mahesh M. Mudda	0	Shri Aniruddha Nakhawa	3
Shri Mahendra Kumar Sethi	1	Shri Ram Avtar	2
Shri Sudhir Dnyandeo Gharge	0	Shri K. Subramani	3
Dr. Tarro T. Manghnani	3	Dr. Anand J. Gupta	3
Shri Neerav Parmar	2	Dr. Rajiv B. Krishnani	1
Shri S.N. Reddy	0	Shri G. Ved Anand	1
Dr. Dharmesh C. Awasthi	0	Dr. Vandaana Bhatt	0
Shri P.P. John	2	Shri Ashok Kumar Chandak	2
Shri V.G. Sakthi Kumar	0	Shri Ch. Rama Kotaiah	3
Shri N. Ramalingam	4	Shri K. Veswanathan	4
Shri K. Venkatesan	4	Shri Arun Sahai	1
Shri R.N. Gupta	2	Shri Tarun Ghia	0
Shri CA. M. Raveendaran	4	Shri Praveen Tyagi	0
Name Of Centre Chairmen			
Shri Anup Kumar, Patna Centre	0	Shri Awadh Kishore Mishra, Durgapur Centre	1
Shri Amit Pasricha, Delhi Centre	0	Shri Aslam, Delhi East Shahdara	0
Shri Anurag Goel, Kundli Centre	0	Shri Shri Alok Nayyar, Chandigarh Centre	0
Shri Ajeet Gaur, Pink City Jaipur Centre	0	Shri Amit Singh, Lucknow Centre	0
Shri Achin Garg, Western U.P. Electrical Centre	0	Shri A. Ramakrishna Reddy, Medachal Centre	1
Shri A. Srinivas Goud, Yadadri Centre	0	Shri A.C. Narayan, Hassan Centre	2
Shri Aneesh Surendran Nair, Pathanamthitta Centre	0	Shri A.N. Balaji, Southern (Chennai) Centre	4

Name	Attendance	Name	Attendance
Shri A.S. Prabagar, Thiruporur Centre	0	Shri Ashin Shrivastava, Bhopal Centre	0
Shri Abhishek S. Kaul, Jalgaon Centre	0	Shri Anant D. Khairmode, Sangli Centre	0
Shri Anil Rambhau Datir, Satara Centre	4	Shri Amit Chandnani, Ulhasnagar Centre	0
Shri Anil Laxman Sawant, Wai Centre	0	Shri Ajay Sharma, Greater Noida Centre	0
Shri B. Malyadri Reddy, Nellore Centre	0	Shri Bijay Saraf, Guwahati Centre	1
Shri Biswajit Bera, Haldia Centre	0	Shri B. Sudarshan Reddy, Greater Hyderabad Centre	1
Shri Bhoopinder Singh, Hyderabad Centre	4	Shri Bomma Sanjeeva Reddy, Siddipet Centre	2
Shri B.K. Manjunatha, Chitradurga Centre	0	Shri B. Ezhilan, Puducherry Centre	2
Shri Bishamber Dayal Agarwal, Bilaspur Centre	0	Shri Brij Kishore Goyal, Indore Centre	0
Shri Bijays K. Abraham, Alleppey Centre	0	Shri C. Venkateswara Reddy, Ongole Centre	3
Shri C. Vishnu Vardhan Reddy, Medak Centre	0	Shri C. Selva Vinayagar, Chettinadu Centre	2
Shri Chiranmoy Paul, Silchar Centre	0	Shri C.Elangovan, Kumbakonam Centre	1
Shri C.M. Roy, Andaman & Nicobar Centre	0	Shri Devendra K. Sharma, Hapur Centre	0
Shri D. Thamarai Selvam, Pudukkottai Centre	3	Shri Deepak Ramchandra Dare, Ahmednagar Centre	1
Shri Deepak Daulatrao Ahire, Dhule Centre	1	Shri Dhanaji Vitthal Bagal, Pandharpur Centre	0
Shri D.S. Choudhari, Pune Centre	2	Shri Digvijay Singh, Kerala (Trivandrum) Centre	3
Shri E. Devender Reddy, Jangaon Centre	1	Shri E.Radha Krishna, NTR Centre	2
Shri G.Hemanth Reddy, Tirupati Centre	1	Shri G. Madhusudan Rao, Kamareddy Centre	1
Shri Geordy K. Abraham, Muvattupuzha Centre	3	Shri G. Marimuthu, Tenkasi Centre	3
Shri G.Selladurai, Thiruvarur Centre	0	Shri Harshad S. Shah, Mumbai Centre	0
Shri Hariom Sharma, Aligarh Centre	0	Shri I.V. Ravi Anand, Udumalpet Centre	1
Shri Jaineel N. Shah, Por-Ramangamdi Centre	0	Shri Jasmeet Singh Kalsi, Jharkhand (Ranchi) Centre	0
Shri Jaimon Mathew, Thripunithura Centre	1	Shri Jagdish Dobarra, Rajkot Centre	0
Shri Jais Joseph, Idukki Centre	1	Shri Kulbhushan Gupta, Delhi North Centre	0
Shri Kuljeet Singh Khurana, Gurgaon Centre	0	Shri Kunal Jain, Karnal Centre	1
Shri Kunal Tyagi, Bagpat Centre	0	Shri K. Tata Reddy, Ravulapalem Centre	2
Shri K.V. Padmanabham, Tanuku Centre	1	Shri K. Venkateswaralu, Visakhapatnam Centre	2
Shri Kandula Prabhakar Reddy Warangal Centre	3	Shri Kapil Jain, Delhi South Centre	0
Shri K. Khalid, Calicut Centre	3	Shri K. Srinivasa Reddy, Vizag Steel City Centre	3
Mrs. Kanta Gupta, Delhi South East Centre	0	Shri K.N. Babu Reddy, Karnataka (Banglor) Centre	3
Shri K.S. Boopathy, Erode Centre	2	Shri K. Sivakumar, Jayankondam Centre	1
Shri K.N. Krishnakumar, Kodaikanal Centre	1	Shri K. Sundaramurthy, Mayiladuthurai Centre	2
Shri K. Devaraj, Namakkal Centre	2	Shri K.R. Ravi, Karaikal Centre	1
Shri Kartik Tarak Mamlatdarna, Bharuch Centre	0	Shri Keval R Parikh, Gujarat (Ahmedabad) Centre	1
Shri Kiran Tulashiram Dandile, Phaltan Centre	0	Shri Kishor Kashinath Patel, Shahada Centre	0
Shri K.Venkata Nagi Reddy, Anantapur Centre	2	Shri K.Ramesh Reddy, Nizamabad Centre	1
Shri L. Kishore Kumar, Tuticorin Centre	2	Dr. L. Velayutham, Chengai Centre	0
Shri M.R. Kale Patil, Parbhani Centre	0	Shri Mahesh Pradhan, Dhanbad Centre	0
Shri Manvendra Singh Rathor, Greater Jaipur Centre	0	Shri Manvir Singh Tyagi, Meerut Centre	0
Shri M. Ravinder Rao, Adilabad Centre	1	Shri Malka Rajesham, Karimnagar Centre	2
Shri M. Bhanuprakash, Mahaboobnagar Centre	1	Shri M.R. Umesh, Shimoga Centre	1
Shri Mathew Johnson, Changanacherry Centre	1	Shri Madhu M.V., Ettumanoor Centre	2
Shri M. Dharmalingam, Dindigul Centre	1	Shri M.M. Ravi, Kallakurichi Centre	0
Shri M. Karthikeyan, Palani Centre	1	Shri M. Subramaniyan, Thiruthuraiipoondi Centre	0

Name	Attendance	Name	Attendance
Shri Madan Rajendra Bhandari, Kolhapur Centre	2	Shri Nitin V. Bamgude, Raigad Centre	0
Shri Naresh Kumar, Panipat Centre	0	Shri Naveen Mehta, Mohali Centre	2
Shri N. Madhusudhan Reddy, Ranga Reddy Centre	1	Shri N. Karthikeyan, Kanchipuram Centre	3
Shri N. Murugesan, Theni Centre	3	Shri N. Sundarraj, Tirupur Centre	3
Shri Narendra Darpurkar, Amravati Centre	0	Shri Nitin R. Dhoot, Ichalkaranji Centre	0
Smt. Nilima J. Patil, Malegaon Centre	1	Shri Prashant B. Wasde, Nagpur Centre	0
Shri Prabhakar Singh, Jamshedpur Centre	0	Shri Pawan Garg, Delhi West Centre	1
Shri Pallav Manglik, Faridabad Centre	0	Shri Praveet Chaudhary, Bareilly Centre	2
Shri Praveen Tyagi, Meerut Cantt. Centre	0	Shri P. Ayyappa Swamy Reddy, Vikarabad Centre	2
Shri Peeru Muhammed, Kollam Centre	3	Shri Pradeepan S. Nair, Kottayam Centre	3
Shri P.I. Rajeev, North Malaber (Kannur) Centre	0	Shri P. Satheesh Kumar, Maduranthagam Centre	0
Smt. P. Punithavathi, Nilgiri Centre	0	Shri P. Sivaperumal, Salem Centre	1
Shri , Rajendra R. Malpani, Latur Centre	0	Shri Rakesh Kumar, Danapur Centre	0
Shri Ravindra Jha, Adityapur Centre	0	Shri Rajeev K. Gupta, Jodhpur Centre	0
Shri Rajeev Khattar, Agra Centre	0	Shri Ravinder Nagar, Gautam Budh Nagar Centre	0
Shri R. Gopal Krishna, Rajahmundry Centre	2	Shri R. Pratapa Reddy, Vijayawada Centre	1
Shri Rajesh G. Nathan, Thiruvalla Centre	2	Shri Rajesh Kumar Madathil, Thrissur Centre	4
Shri R. Ganesh Kumar, Coimbatore Centre	3	Shri R. Ramesh Kumar, Kalpakkam Centre	1
Shri R. Ramasamy, Karur Centre	3	Shri R. Suresh, Tambaram Centre	0
Shri Rupesh Kumar Singhal, Raipur Centre	1	Shri Romil Patel, Gandhinagar Centre	0
Shri R. Barani, Tiruvannamalai Centre	0	Shri R. Subramani, Tiruchirappalli Centre	2
Shri Rajendra Surana, Durg-Bhilai Centre	2	Shri Samineni Venkateswara Rao, Khammam Centre	1
Shri Sunil Joshi, Nanded Centre	2	Shri Sunil Garg, Loni Centre	0
Shri Sanjay Dasgupta, Eastern (Kolkata) Centre	4	Shri Subash Agarwal, Bhubaneswar Centre	0
Shri Sanjay Varshney, Jaisalmer Centre	0	Shri Satish Kasana, Ghaziabad Centre	1
Shri Sanjay Kumar Shukla, Kanpur Centre	0	Shri Sanjeev Srivastav, Kanpur –South Centre	0
Shri Sumit Jain, Dehradun Centre	0	Shri Siju Jose, Angamaly Centre	2
Shri S. Sunil Kumar Kochi (Cochin) Centre	3	Shri S. Sritharan, Dharapuram Centre	1
Shri S. Sathyamoorthy, Avadi Centre	2	Shri S. Kasinathan, Kanyakumari Centre	2
Shri S. Meera Hussain, Nagapattinam Centre	0	Shri S. Dharmaraj, Perambalur Centre	1
Shri S. Sunderasen, Ponneri Centre	2	Shri S. Wilfred, Poonamallee Centre	2
Shri S. Ramkumar, Ramanathapuram Centre	0	Shri S.R. Gurumoorthy, Thanjavur Centre	3
Shri S. Elumalai, Vellore Centre	0	Shri S. Ganapathi, Villupuram Centre	1
Shri Shankar Lal Gupta, Jagdalpur Centre	2	Shri Sanjay Krishnani, Kanker Centre	0
Shri Sanjay Shah, Baroda Centre	0	Shri Sandeep Nanavati, Surat Centre	0
Shri Sailesh Kumar Chourasiya, Jabalpur Centre	0	Shri Sunil Wamanrao Ulhe, Butibori (Nagpur) Centre	3
Shri Trivikram Prabhugaonkar, Goa Centre	0	Shri T. Panakala Rao, Amaravati Centre	1
Shri T. Bhaskara Rao, Guntur Centre	1	Shri T.A. Abdul Rahman, Tirunelveli Centre	3
Shri T.R.S. Chandru, Thiruvallur Centre	0	Shri Uddhav S. Gawade, Baramati Centre	2
Shri Vivek Eknath Pansare, Sangamner Centre	0	Shri Vikas Jain Tijaria, Rajasthan (Jaipur) Centre	0
Shri Vipin Kumar, Modi Nagar Centre	3	Shri Vivek Bhati, Muzaffarnagar Centre	0
Shri V. SatyanarayanaRao, Nalgonda Centre	3	Shri Venkatesh Prasad T.S., Mandya Centre	0
Shri V. Nagaraj, Mysore Centre	3	Shri V.Madhav Das, Raichur Centre	0
Shri V.M. Muhammed Fawaz, Aluva Centre	1	Shri V.B. Shajahan, Kodungallur Centre	0

Name	Attendance	Name	Attendance
Shri V. Murugesan, Madurai Centre	1	Shri V.Loganathan, Neyveli Centre	1
Shri Vijay Kumar R. Patel, Ahmedabad West Centre	0	Shri Vinitkumar M. Patel, Karnavati Centre	1
Shri Vijay Bhaurao Baviskar, Nashik Centre	1	Shri Youvraj Chumbalkar, Solapur Centre	3
Shri Yogender Singh, Sahibabad Centre	0		

Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)



Estd. 1941

Reports from BAI Centres

2023-2024

www.baionline.in

CENTRES REPORT

ANGAMALY CENTRE

BAI Angamaly Centre was formed in 2012 with 40 members, Shri. Biji Stephen was the founder chairman and Shri. Joji Joseph was the founder secretary. Presently Angamaly Centre is the fastest growing Centre with 62 patron members.

BAI Angamaly Centre has hosted "NIRMAN" a new venture organised jointly by BAI Angamaly Centre and FISAT Engineering College which brought in exhibitions, Technical Seminars, Workshops etc. This was conducted for three consecutive years and has gone a long way in enlightening engineering students of the latest practices in construction Industry. The event got public participation and has built the image of BAI Angamaly Centre and BAI fraternity.

BAI Angamaly Centre also was lead host in conducting the joint Builders Day with 5 centres and has resulted in 330 member participation from across state.

BAI Angamaly Centre, is every active in all the activities of the BAI fraternity and also in the state level and national level meetings. BAI Angamaly Centre holds a very good relationship with all BAI Centres across Kerala.

During flood BAI Angamaly Centre was in the forefront to lead various aid and rebuilding activities.

The membership of BAI Angamaly Centre is represented from all segments of the BAI fraternity – Building Contractors, Builders, Electrical Contractors, Infrastructural suppliers, manufactures, Fabricators, Construction material Traders, Crusher owners, Interior contractors, Architects etc.

Major Activities of Angamaly Centre : - Executive meeting conducted in Alternate Months. Total 5 executive meetings conducted. Ensured Involvement of executive committee in decision making process with structured executive committee meetings

General Body meeting conducted in alternate months in general. Total 4 General Body meeting Conducted apart from Installation and Builders day.

Inducted 12 new patron members and achieved membership growth of Centre from 49 to 61 in a span of 9 months.

Installation meeting done with all major BAI centres' participation (60+ members) and Centre member participation with their family with a record of 254 nos of total participants.

Formation of Youth wing with from the Member Children who are involved in the field Builders Fraternity Business.

Youth were made more active.

Chairman along with team of office bearers visited the houses of each and every member of Angamaly Centre, which ensured family participation in centre activities.

Image Building and Charity:-1. Associated with Police Officers association and contributed for construction of a house for a needy @ Athani2. Training hall constructed for Alphonsa Sadan, Angamaly for job training for differently abled Children. 8. New Student Chapter of BAI Angamaly Centre started @ FISAT, Mookkannoor9. Various Sports Activities for youth conducted to make new generation involvement into BAI activities – Cricket Match, Football, Separate whatsapp group, self iecontes. 10. Communication between BAI Members increased with more general body meetings, participating in Family events and occasions with full team of office bearers, personal interactions. 11. An initiative taken to increase the business between BAI members by giving opportunity for their business presentations in general body meetings. 12. New system of recognising major achievements of BAI members with a yearly award during Builders day was introduced with following three categories:-

1. Best Builder Award
2. Best Lady Entrepreneur
3. Best Active Member

Conducted awareness class for problems – Labour laws, ESI/PF with the fraternity is facing.

Accounts and Audit was properly done and audited accounts sent to BAI HQ in time

Other activities :- Promotion of business of centre members with in the centre was given more focus. A program is started to give time slot to few members for their business presentation during general body meetings.

Each meeting was well planned and co-ordinated by the office bearer sand ensured maximum participation – general body as well as executive committee meetings.

Each program of BAI Angamaly Centre was well conducted with high quality venue and decent food and fellowship. This has increased the interest of members to attend each meeting keeping other program apart.

It was vision of the Centre Chairman Shri. Siju Josetoin creases the membership strength by 25% of BAI, Angamaly Centres. A collective drive was done with the support of Executive committee and also Bai Angamaly Centres to identify prospective members who can contribute to the growth the BAI fraternity. From 49

members, the strength of Angamaly Centre was increased to 61 members in a span of 9 months.

BAI Angamaly Centre had a rich tradition of hosting in stallation meeting with greathos pitality and with maximum member participation. Chair man Shri. Siju Jose has take up recio us time to visit the family of each BAI members of Angamaly Centre to gather with executive committee members, which resulted in a recor dparticulation of whole family of BA llinthein stallation meeting. Shri. Siju Jose along with Past office bearer shave personally invited the State Leadership and other centre leader ship which resulted in participation of 60 members/ leaders from other centres which made the installation ceremony a grand success.

Chairman along with team of office bearers visited :- The houses of each and every member of Angamaly Centre, which ensured family participation in centre activities.

Charity Activities of Centre :- Training hall constructed for Alphonsa Sadan, Angamaly for job training for differently abled Children @ a contribution of Rs. 1 lakh from the centre.

Associated with Police Officers association and contributed for construction of a house for a needy @ Athani @ a total cost of Rs. 7 lakhs. Angamaly Centre contributed Rs. 3 lakhs.

Executive Committee Meetings :- Conducted 7 Executive Committee Meetings. Major issues and activities are discussed and decided in the meeting. All BAIHQ communication was discussed during the meeting.

Labour Law Classes in Physical and Virtual form @ Angamaly :- The awareness of Labour laws was is very important for BAI fraternity with proper updation from experts time to time. BAI Angamaly has brought Mr. VarkeychanPetta, a renowned consultant in labour laws and a class was conducted after the BAI, Angamaly general body. To extent the knowledge to BAI fraternity, this program was made live through virtual platform to all BAI members in the State of Kerala and a total of nearly 94 participants attended and got benefitted from the program.

Awareness Class on Water proofing @ FISAT Engineering College, Mook kannoor:- Mr. Joby Thomas, member of BAI Angamaly Centre, is an expert in waterproofing with three decades of experience in buildings and infrastructure projects. With an aim to benefit his experience to the engineering students , a program on water proofing was conducted @ FISAT Engineering College, Mook kannoor.

CHETTINADU CENTRE

1. General Body Meetings.

- a. 05/05/2023-Installation function at Lions' Cosmos Arangam, Karaikudi.

- b. 07/07/2023-GB Meeting - Sponsors: Dalmia Cements, at Nachi Residency, Sekkalai, Karaikudi.
- c. 14/12/2023-Sponsors Meeting by KCP Tyres Showroom, At KCP Office, VOC Road, Karaikudi.
- d. 29/12/2023-GB Meeting - Calendar release function at Nachi Residency, Sekkalai, Karaikudi.
- e. 27/02/2024 - Public Awareness Meeting throughout Tamil Nadu. Chief guests: Mr. Samy Diravidamani, president Chamber of Commerce, Karaikudi, At Five Lamps, Karaikudi.
- f. 01/02/2024-GB Meeting to Elect the incoming Office bearers at, Nachi Residency, Sekkalai, Karaikudi.
- g. 22/03/2024-GB Meeting - Thanks giving meeting to the Past Chairmans and Members for their supports in the Year 2023 - at, Nachi Residency, Sekkalai, Karaikudi.

2. Executive Members Meeting:

- a. All in total 6 (Six) EC Meetings are conducted.

3. Members attended in other activities.

- a. 11 & 12 May 2022 - at Theni Meeting.
- b. 1st, 2nd, 3rd, & 4th State Level MC & GC Meetings attended.
- c. All India 1st MC & GC Meeting at Coimbatore.

COCHIN CENTRE

BAI Kochi Centre was formed in 1987, as the 2nd Centre in Kerala with 31 members. Late P.K Ramachandran was the Founder Chairman and Shri. Cherian Varkey as the Founder Secretary.

Presently Cochin centre is the largest centre in Kerala with 249 Patron members. BAI Cochin Centre is the only centre in State with 100% Patron membership. BAI Cochin centre has hosted the following trendsetting events. "National Convention" in 2006, IFAWPCA Convention in the year 2013 BAI Statecon in 2020 and 2023. BAI Sports League in the year 2023 and 2024 BAI Cochin Centre has always been a frontrunner amongst other BAI centres of Kerala in all functional activities of BAI.

Orientation Programme :- Cochin Centre took the initiative and conducted an orientation program for new office bearers of all centres of BAI Kerala at BAI chambers, Kadavanthara (BOTS). The orientation program was to help new office bearers understand their roles and

responsibilities as Chairman, Secretary Treasurer etc and how to conduct meetings, record minutes etc. Office bearers from 14 centres attended the programme.

Installation meeting of State Chairman :- BAI Cochin Centre conducted the Installation ceremony of State Chairman at Hotel holiday inn Kochi on 20th April 2023. The chief guest was Shri V D Satheesan, leader of opposition in the Kerala assembly. 94 members from other Centres and 87 members from Cochin centre and about 65 members from other centres attended the meeting.

ONAM Celebration :- Cochin Centre conducted the Onam Celebration on the 8th of September 2023. The meeting was attended by members in large numbers. The youth wing had planned various entertainments for the evening like dance performance, Onam Pattu and games.

Builders Day Celebration 2023 :- Cochin Centre conducted the Builders day celebration on 29th October at hotel Holiday Inn Kochi with the theme being "Sustaining a new resilient India". The Chief Guest of the Evening Shri Mohamed Hanish, IAS, Principal Secretary Govt of Kerala delivered the Key Note Address. The meeting was attended by 34 members from other centres and 122 from Cochin centre.

CONFEST 2023 :- BAI Cochin Centre was one of the joint promoter of CONFEST 2023 held at Marine drive, Kochi. The program was spread over two days on 19th and 20th of May, with many eminent personalities in the industry as speakers. The BAI Cochin Centre received a lot of mileage from the event; they also honoured past national President of BAI Shri Cherian Varkey for his achievements in the field.

Loading & Unloading Agreement :- Finalised loading unloading agreement with various labour unions for Ernakulam District for 2023-2025. The negotiations were held at BAI chambers and conducted by the Labour committee of the Cochin centre.

Construction Union Agreement :- The labour committee also successfully finalised the Construction Union Agreement which decided the wages to be paid for skilled and unskilled unionised labourers in the district of Ernakulam. A consensus was reached between the labour committee and the union representatives after 6 sittings. The agreement was signed for a period of three years.

Executive Committee Meetings :- Executive committee meetings are regularly conducted every 3rd Thursday of every month at 7pm. 12 Executive Committee meetings were conducted during the period 2023-24 till February. All EC.

Annual General Body Meeting and Election of New Office bearers :- The AGM and Election of New office bearers was held at BAI Chambers, Kadavanthara on 18th January 2024. Nomination Committee chairman Shri Prince Joseph

Presided over the meeting and declared the New office bearers and executive committee members for the period 2024-25.

Technical Sessions :- As part of continuing professional skill development and quality improvement for our site engineers, Supervisors and fresh engineering graduates, BAI Cochin centre organised a series of seminars and skill development programmes. The chief coordinator for this programme was Dr. Anil Joseph. Two sessions were conducted.

The first skill development program was held at the BAI chambers on the 11th July 2023. The speaker was Mr Shyam Kumar and the topic was quality issues in concrete. The program was attended by over 75 people and it was enjoyed and appreciated by all. He spoke about the practical application and issues people face at site. The second Skill development workshop was held at the BAI chambers on the 13th October 2023. The session was conducted by Mr Shyam Kumar on Strength Failure of concrete Samples- Case, Effect and the corrective action and was attended by 65 people.

Student Chapter :- The Cochin Centre Inaugurated a student chapter at government polytechnic college, Kalamassery on 14th July by Shri. Cherian Varkey. Shri. Jolly Varghese, state chairman was the guest of honour for the function. A technical talk on 'Importance of quality control in construction' was done by the Skill development chairman Shri Anil Joseph.

The BAI Cochin Centre in association with Candy construction software, conducted training sessions for the students of Govt. Polytechnic Kalamassery. The software was installed in the Institute and students were given hands-on training. Two hour sessions were conducted every month at the institute.

NSIC Awareness Program :- BAI Cochin centre along with NSIC Conducted an awareness program of NSIC and various schemes offered by it, benefitting Builders and Contractors. The Program was conducted on the 21st of November 2023 at BAI Chambers Kadavanthra.

BAI Cochin Center Mediation cell :- The BAI Cochin Centre started a mediation cell to help its members who are facing disputes at their work sites. The Cochin centre's mediation cell was able to intervene and mediate a dispute between one of its members and a third party and the amount of dispute being 50 lacs. BAI Cochin centre is always in the forefront for all major activities in the Construction Industry. A mediation cell is one such Initiative which can be adopted all over the country and which will benefit its members and other parties to reach a consensus without having to go to court, Arbitration etc which will cause a lot of lost days and legal fees.

New membership :- New membership of 4 Nos was added during this financial year. BAI Cochin Centre holds the

highest membership strength of 249 patron members across Kerala. BAI Cochin centre is the only centre in State with 100% Patron membership. Strict scrutiny and background verification is conducted before considering new membership. All applications are presented and reviewed by Executive Committee. These are scrutinised by a Membership Committee of the Centre. New members are provided with membership Kits.

Youth Wing :- The BAI youth wing holds meetings on the third Tuesday of every month. The youth wing of Cochin centre is very active having successfully conducted 2 editions of BAI Sports League which is the first of its kind in the country. They also organised the Onam celebrations of the BAI Cochin centre which was conducted with a lot of music, games and entertainment.

BAI Sports League- 2024 :-The BAI Cochin centre conducted the 2nd edition of the BAI Sports League on 3rd February at United Sports Center Kakkanad, Kochi. The event was fully planned and organised by the Youth wing of the BAI Cochin Centre. The various sporting events were Cricket, Football, Badminton, Table Tennis and Tug of War. The BSL Was flagged off by State Chairman Shri Jolly Varghese. Hon Member of Parliament Shri Hibi Eaden gave felicitations and launched the registrations for the upcoming BAI Statecon. 16 Centres from BAI Kerala took part for the event. BSL was a full day event starting from 8 AM and went on till late evening. The

overall championship was shared between Thrissur Centre and Kochi Centre having scored equal points. All the BAI Centres appreciated and congratulated Cochin Centre for organising such an event which brings together all BAI members and promotes harmony among all.

1st State Committee Meeting Hosted :- BAI Cochin Centre hosted 1st State Committee Meeting on 25.04.2023 at Holiday Inn, Vyttila. 44members in attend ended in this meeting. Imm Past State Chairman Sri.Najeeb Mannel welcomed the new committee and handed over the charge to State Chairman Er.Jolly Varghese. State Chairman introduced his team of office bearers - Er. Gibu P Mathew , Mr.Mijulal P. Er. Joseph George M , and Er. Manoj Mathew who were nominated as

State Secretary, State Treasurer, Joint Secretary, and Bulletin Editor respectively.

Meetings attended : Installation meetings and Builders Day Celebrations of other centers were well attended by Cochin Centre.

MCGC :- 1st MCGC meeting was attended by 9 members from our centre including our state chairman Jolly Varghese. 2nd MCGC meeting and 82nd AGM which was held at Alleppey was attended by 10 Members. 3rd MCGC meeting which was held in Kolkata was attended by 5 Members. 4th MCGC meeting and All India National Convention was attended by 3 Members.

State : 1st State committee was attended by 10 members which was held on 25th April at Hotel Holiday Inn, Vyttila 2nd State Committee was attended by 14 members which was held on 8th July at Hotel Tribute Royal, Maradu. . 3rd State Committee was attended by 6 Members which was held on 28th October at Hotel Ashoka Inn, Thrissur. 4th State Committee meeting held at Calicut was attended by 9 Members on 9th December at Hotel Woodies ,Calicut. Builders Association of India – Cochin Centre.

COIMBATORE CENTRE

Installation Function 2023 - 2024 & First Regular Meeting was held on 22.04.2023 at Hotel Residency Towers, Avinashi Road, Coimbatore.

Total twelve Executive Committee meeting & twelve Regular meeting were conducted in the year of 2023-24 in the presence of all office bearers, past chairman, MCGC Members and other senior members.

On 11th May 2023 Core Committee Meeting & Welcome Dinner of All India MC, GC, Meeting held at Hotel Le-Merdian, Avinashi Road, Coimbatore.

On 12th May 2023 The first National Level MCGC meeting was held at PSG Convention Center in which National President Mr. S. Narasimha Reddy, National Vice President Mr. K. Janpal, Tamilnadu State Chairman Mr. M. Ayyappan, former National President Bishma R.Radhakrishnan, former National Vice President K.Viswanathan and others senior members were presented. And a Press Conference Meet also held at The Grand Regent, BAI was invited to request the Cement Regulatory Authority to prevent cartelisation.

On 20th May 2023 Blast Meeting was held at The Grand Regent on that day. It was attended by Past Chairman of the centre and office bearers.

On 10th June 2023 All India Builders Association of India First Management Committee General Committee Meeting hosted a vote of thanks to the Committee Chairmen and Committee Members held at Darza Resorts.

On 11th July 2023 in the Dinamalar newspaper the Past President of our center Mr. V. Sivarajan has given a half page interview about the concerns of the construction industry over the increase in Registration Fees.

On 28th September 2023 AGM (Annual General Body Meeting) of BAI Coimbatore centre Welfare society was held at Grand Regent. In this society's new officers took office. Be the President Mr.K.Chinnaswamy and Vice President Mr.V.Sivarajan and Secretary K.Panneerselvam and Treasurer M.Saravanan took office.

On 21st November Centre celebrated Builders Day in the auditorium of our building, Special Guest Actor R. Sivakumar chief guest and Mr. M. Ayappan, the state president of All India Construction Professionals

Association, and Guest of honor T. S. Ramani Shankar was of our office. Members of the Executive Committee and members of the Center joined the family.

On 7th January 2024 organised Green Building Seminar'' and Centre Chairman Er. R.Ganeshkumar Released Diary for the Year 2024 at Cosmopolitan Club, Race Course, Coimbatore.

On 24th January 2024 AGM (Annual General Body Meeting) of our Coimbatore Center was held at Hotel Seyon Plaza. The new office bearers for the coming year 2024-2025 have been elected, Chairman C. Lakshmanan and Vice Chairman Mr. L. Joseph and Secretary Mr. K. Prasadchakaravathy, and Treasurer Mr. A. Ranganathan and Joint Secretary Mr. R. Sathyamurthy were pleased to announce.

On 8th February 2024 a memorandum was made in person to our District Officer regarding the increase in the price of construction materials such as gravel, M-Sand, P-Sand and RMC. Our office managers and senior leaders participated in this event.

On 15th February 2024 BUILD MAT preliminary meeting was held with ACCE at BAI Centre office. On that day Coimbatore centre along with other Associations condemned the hike in M-Sand P. Sand and Gravel prices. 1. CREDAI 2. CEBACA 3. PAVERBLOCK association 4. CADCEA. A joint government attraction demonstration was held in front of the Coimbatore Red Cross Society. Subsequently, on (29.02.2024) the Coimbatore District Collector was personally met and given a Memorandum.

On 7th February 2024 office bearers and Past Chairman of our centre congratulated Er. K Viswanathan, the Past Chairman of centre, on his unanimously elected as the National President of the All India Builders Association of India.

Mr. P. Saravana Kumar, Executive Committee Member, Builders Association of India, After the Released of New Coimbatore Master Plan, and discussed what is the Role of old Draft stage Development Plan and also the status about the non-executed Scheme Roads.

DELHI CENTRE

BAI Delhi Centre was opened in 1950 under the leadership of Shri Uttam Singh Duggal. Delhi Centre leaped forward and progressed under the able leadership of fellowship and presently it is having its membership strength over 550 plus, comprising of Builders, Construction Contractors, Architects, Consultants, Manufacturers and Suppliers etc.

MEMBERSHIP GROWTH: The Delhi Centre has always been active in promoting the philosophy of Builders Association of India as well as spreading the reach of BAI wherever possible. That is the reason now there are six Centre in Delhi, five centres in Haryana, one Centre in

Punjab, one centre in Chandigarh and one Centre in Dehradun (Uttarakhand) as compared to only one Centre in Delhi in the year 2015-16. Due to these efforts of Delhi Centres senior members a centre has also been opened in Anantnag in Kashmir, which in itself is a symbol of huge success.

And the biggest happiness is that the membership of all the centres that have been opened under the leadership of senior members of Delhi Centre are 100% Patron Membership. To keep up the momentum, they meet very frequently, as and when required to hold meetings with the Government officials in Delhi and other states, so that more and more BAI centres can be opened.

ACTIVITIES AND EVENTS: Delhi Centre regained more than 11 Executive Committee Meeting during the year 2023-24. All Meetings attended by the Chairman of the Centre, Executive Committee Members, General Council Member, Managing Committee Members and other senior members from the centre. CPWD matter and major issues related to the construction industry and local contractors were discussed in meetings. All BAI HQ communication was also discussed during the meetings. All senior members assured to resolve all issues through their links and connections in CPWD & various government departments associated / involved in construction related activities. Similarly, in every meeting some important points were discussed with the members.

FAMILY GET TOGETHER :- On 26th August 2024 Delhi / Haryana Centres organised together was organized with a Teej festival program showcasing various performance such as folk dances, singing of Teej songs related to the festival, in which all members with family enthusiastically participated. As a gesture of appreciation and encouragement, prizes were distributed to winners of various activities and games conducted during the event.

BUILDERS DAY CELEBRATION 2023:- The BAI Delhi Centre celebrated Builders day on the 21st October 2023 with the Theme of Construction Industry -Turning waste into wealth. The meeting attended by all Executive Committee / Office Bearers / MCGC Members and other centre chairman from Delhi / HR / CHD/ Dehradun and etc.

MEETINGS WITH CPWD AND OTHER GOVERNMENT OFFICIALS:- Senior members of Delhi Centre had meeting with the Government officials in the various departments, associated with the construction, to discuss the issues confronted by the members in executing the projects as to get the solutions for the difficulties arising out of the announcements made by the Government at the central/ state level.

Members have been interacting with officials of CPWD and submitted the letters regarding addition of SOP 4/12

and Modification in Annexure 22,23& 24 of SOP of CPWD Works Manual 2022, Anomaly in 10CC & 10CA Clauses and changes in CPWD Enlistment Rules 2023 etc. etc. Senior members of Delhi Centre trying to appointment with DG (CPWD) so that members can brief of the problem faced by the contractors.

Delhi Centre extended non-financial / logo support to many Exhibitions / Seminars which are as follows :-

Extended Non-Financial Support for **“National Conference on Steel in Infrastructure” at The Hotel Ashok New Delhi on 16th March 2024, organized by Metalogic PMS Pvt. Ltd.**

Extended Non-Financial Support for **“Advanced Building Technologies Show (ABTS)” on 16th – 18th February 2023 at Pragati Maidan, New Delhi, organized by CII.**

Extended Non-Financial Support for Ceramic & Bath Industry Show **to be scheduled on 18th- 20th January 2024 at India International Convention & Expo Centre, New Delhi** organized by Emerald Worldwide Connections Pvt. Ltd.

Extended Non-Financial Support for **“9th Buildings India expo, co-located with 9th Smart Cities India & 31st Convergence India expos” on 17th -19th January 2024** organised by India Trade Promotion Organisation (ITPO), Department of Commerce, Government of India, and Exhibitions India Group at Pragati Maidan.

Extended Non-Financial Support for **ACETECH Exhibition on 14th -17th December 2023** at Pragati Maidan, New Delhi, organized by ACETECH Exhibition.

Extended Non-Financial Support for **16th Edition of Renewable Energy India 2023 Expo” on 4th – 6th October 2023 at India Expo Centre, Greater Noida** organized by InformaMarkets India.

Extended Non-Financial Support for **“11th Edition of Traffic InfraTech, Road Infratech Expo, Smart Mobility Expo and Parking Infratech Expo” on 10-11-12, October 2023** at Pragati Maidan, New Delhi organized by Virtual Info Systems Pvt Ltd (VIS Group)

Extended Non-Financial Support for **“8th Infra Focus Summit, Smart InfraTech Summit and Awards 2023” on 26th September 2023** at ITC Maurya, New Delhi organized by World Wide Media.

Extended Non-Financial Support for **“4th Annual Finance Conclave on 11th May 2023 at Hotel Le Meridien, New Delhi** organised by Indian Construction Equipment Manufacturers Association (ICEMA).

Maximum number of office bearers of Delhi centre attended all the meetings conducted by HQ and MCGC meetings for the year 2023-24.

Financial Report : The audited Balance Sheet for the year 2022-23 of the Centre is sent to BAI HQ in the prescribed time. Election process of the centres is held in the time bound manner and result forwarded to HQ for their necessary actions.

DHULE CENTRE

On 24th April 2023 organised one Day Dharne Andolan & Strike at PWD Circle office, Dhule. Organised one Western Region meeting under the leadership of Shri Sunil Mundada and two state level meeting under state chairman Shri Sachin Deshmukh.

On 26th June 2023 Dhule Centre conducted installation ceremony of Shri Sunil Mundada, Vice President.

Dhule Centre Office bearers participated in Clean River Clean Dhule Drive at Dhule with Dhule Municipal Corporation on 14th July 2023.

On 15th July 2023 Centre organised Tree Plantation Program with Maharashtra Cricket Association & CREDAI / Architect Association / Consulting Association at MCA Cricket Ground Dhule.

On 17th July 2023 centre strike Against PWD Department at PWD Circle Dhule against finance Problem.

On 04.08.23 Dhule centre celebrated Revenue Department Week (Public Discussion between Govt & Public).

On 15.08.23 celebrated Independence Day (Flag Hosting by Chairman BAI Dhule) at Dudhediya High School & Ultratech RMC Plant, Dhule. And organised Tree Plantation Drive Programme at Jogeshwari Crusher & RMC Plant Vadjai Dhule

On 15.09.23 celebrated Engineers Day Celebration and organised Blood Donation Camp at SSVPS poly.College Dhule)

On 12.10.23 Conducted discussion Seminar on DPR Dhule with Hon'ble Mayor, Commissioner, Corporate, Engineers, Builders and public of Dhule City at DMC Hall.

On 27.10.23 conducted discussion seminar on RRR with Collector of Stamp at Collector office at Dhule .

On 19.01.24 celebrated Builders Day Celebration (2023-24).

On 25.01.24 Dhule centre MCGC members participated in National Level BAI Convention At Hyderabad

Strongly Participated in All State Meeting West Zone Meeting MCGC Meeting National Convention during the year of 2023-24.

DURGAPUR CENTRE

Maintaining the rich and cordial traditions of it our

Durgapur BAI center's Executive Body for the year 2023-24 was elected unanimously during the Family Picnic cum AGM held in January 2024.

Formally it was installed in its grand Installation Day ceremony held on 29th April 2023 in a very large attended event and took the charges formally under my leadership as center's Chairman.

During our tenure we kept close contacts with our members and arranged Monthly Meetings on 6 occasions and apprised the house about all the current affairs of construction industries, achievements of BAI and hardship or problems faced by the industry and discussions for finding out solutions.

During the tenure we inducted 3 new Patron Members.

We sent our delegates in all GC MC meet as well as a large presentation in Convention held.

This was an active and smooth tenure of this outgoing body all over the year.

We organised our traditional Family Picnic associated with AGM and election in a very pleasant atmosphere of M Kumar Mangalam Park and concluded the election process of Executive Body for the year 2024-25 lead by Sri Harish Malhotra as Chairman.

We wish all the best for the new body and extend all support to them for betterment of the centre.

Submitted annual account on time.

EASTERN (KOLKATA) CENTRE

Installation Ceremony & Felicitation Program :- On 20th May, 2023, we organized Installation of Chairman, Shri Sanjay Dasgupta and his team of Office Bearers and Executive Committee for the year 2023-24 held at The Lake Club, Kolkata. Our National President, Shri S.N. Reddy handed over the Centre's Key (symbolic) to the Chairman, Shri Sanjay Dasgupta and installed him as Chairman of the Centre in presence of our Past National President, Shri S. K. Basu. Gracious presence of members from Durgapur and Haldia Centre headed by their Chairmen.

Hosted 1st East Zone MC/GC Meeting : Hosted the first East Zone MC/GC Meeting on 20th May, 2023 at Lake Club, Kolkata. Members from Jamshedpur, Assam, Durgapur, Haldia and Kolkata Centre attended the meeting. The meeting was conducted by Vice President, Shri Pradeep K Chowdhury in presence of our National President, Shri S. Narasimah Reddy, Past National President, Shri S.K. Basu and Trustee, Shri R. S. Kamboh. During the meeting various problems faced by the members of the Region was discussed including membership development as well as image of BAI in East Region.

Hosted 3rd MC/GC Meeting :- On 7th November, 2023 our Centre hosted the 3rd all India Managing Committee & General Council Meeting at Taj City, Centre, Kolkata from 10.00 a.m. Shri Surojit Samanta, Chairman, organizing committee, welcomed the Managing Committee and General Council Members for the year 2023-24. He thanked BAI HQ for granting permission to hold MC & GC Meeting at Kolkatta. During the meeting so many historical decisions was taken by the MC/GC Members. Before concluding the meeting, the Office Bearers and Past Presidents was felicitated by the Eastern (Kolkata) Centre.

In the evening a colorful cultural program was organized which was appreciated the members present which followed by farewell Dinner. After completing the meeting, many appreciations were received from members throughout the country particularly the Hospitality of our Centre, Venue and overall arrangements managed by us.

Celebration of Builders' Day 2023 :- On 6th November, 2023 Builders' Day 2023 was celebrated on the Theme ""Sustaining New Resilient India"" at Taj, City Centre, Kolkata. Shri Sandip Ranjan Ghose, Managing Director & CEO, Birla Corporation Limited, (MP Birla Group) was the Theme Speaker in presence of our all India President, Shri S.N. Reddy and other stalwarts of our Association.

Shri Sushanta Kumar Basu, Past President, BAI introduced the Theme and purpose of the Celebration. Since the program was clubbed with the MC/GC Meeting, maximum number of members across the country was present and appreciated the speech of the Key Note Speaker on the subject.

The entire program was nicely conducted by Shri Sudip Kumar Dutta, Past Chairman of our Centre.

Attending 2nd East Zone MC/GC Meeting :On 16th December a team 12 members headed by our Centre Chairman attended the 2nd BAI, Eastern Region Meeting held at Durgapur.

Attending programs of other Centre's in the State :- Besides our Centre's regular program we attended the Installation and Felicitation programs of Durgapur held on 16th December followed by their Builders Day Celebration and Installation Ceremony of Haldia Centre held on 27th April, 2023 with a big delegation headed by our Centre Chairman.

XXXI All India Builders Convention :Total 19 members with their Spouse will attended the XXXI All India Builders Convention held at Hyderabad on 27th - 29th January, 2024. Centre's courtesy Advertisement was also sent for publication in the Convention Souvenir.

Open New Centre at Siliguri :- With the guidance of our Vice President, East Shri Pradeep K Chowdhury, and other members of our Kolkata Centre, we have achieved to open

a New Centre at North Bengal (Siliguri) Centre during this financial year.

Submission of Audited Balance Sheet and Annual Report :-After auditing our accounts by Chartered Accountant, we submitted our Audited Balance Sheet along with Annual Report to HQ before stipulated time.

Election Process of the Centre : -After processing the election procedure held on 10th January, 2024 the result of election was declared with a new team of Office Bearers and Executive Committee and General Council Members for the year 2024-25 and informed to HQ before time.

ERODE CENTRE

Erode Centre Installation function was held on 17.04.2023 at Central Lions Club Erode. Tamil Nadu State President M Ayyappan was present as Chief Guest. Dr.P.C.Duraisamy and Dr.Shanti Duraisamy (Founder & Managing Director, Sakthi masala Private Limited, Erode) felicitated the newly inducted administrators at the Installation function.

Five regular meeting was conducted during the year of 2023-24. During the meeting many issues were discussed and presented representation on Technologies points.

On 15th August 2023, a **Blood donation camp** was organized by Builders Association of India at Erode Center on the occasion of Independence Day Office Bearers, General committee members, executive committee members and employees attended and highlighted the Blood donation camp

On 29th August 2023, an **Industrial Visit** was organized at Renaatus Procon Private Ltd on behalf of the BAI Erode Centre and the association members participated in which the company staff explained the process of how to produce AAC Blocks and panelboards etc. to the association members.

Dr. P. Manivannan gave a lecture on **Life Style Modification** for the benefits of Individual Health of association members in the Fifth Regular meeting held on 25/9/2023 at BAI Hall

Dr. D Sivakumar delivered a keynote address on the topic "**Importance of Soil Analysis for Buildings**" for Association Members on Event Mode Meeting held on 27/11/2023 at BAI Hall

On 24.12.2023 the **Builders Day function-2024** was organized by the BAI Erode Centre. Tamil Nadu State President M Ayyappan was present as Chief Guest. A donation of five lakhs was given to the Tamil Nadu BAI state Chairman on behalf of the BAI Erode center for the damage caused by the rains in the Southern districts of Tamil Nadu.

Sports competitions were held on the occasion in which all the members and their spouses and children participated. Prizes were awarded to the winners. Prizes were awarded to the children of the members who secured the top three positions in the 10th and 12th classes. The function was attended by 450 members and their families.

On 16.02.2024 a petition was submitted on behalf of our Builder Association of India Erode Center in a meeting with the Hon'ble Minister of Housing and Urban Development of State urging to control the **Rise in Prices of Major Construction Materials** mainly M-Sand, P-Sand and Jelly.

On 16.02.2024 a petition was submitted on behalf of our Builder Association of India Erode Center in a meeting with the Hon'ble Erode District Collector to control the **Rise in Prices of Major Construction Materials** mainly M-Sand, P-Sand and Jelly.

On 27.2.2024 a regular meeting of BAI Erode Centre at other State was held at Alleppey, Kerala. Chairman, Secretary Treasurer of Alleppey Center participated as Chief guests.

In 2023 - 2024 20 new members were added taking the membership strength of BAI Erode Center to 426. Annual account and election result are sent to the HQ on time.

HYDERABAD CENTRE

During the year BAI Hyderabad centre has got the opportunity of having the President from the Hyderabad Centre Sri. S. N. Reddy has become the President from Hyderabad centre for the year 2023-24. He is the 3rd President from the BAI Hyderabad Centre before him Late Sri. C. Raghava Reddy and Sri. B. Seenaiiah were the president of BAI from Hyderabad centre.

In the elections Sri.Bhoopinder Singh was elected as Chairman of Hyderabad Centre the installation ceremony and the felicitation ceremony was held on 9.4.2023 at Tourism Plaza. The Office bearers are as follows: Sri. Bhoopinder Singh,Chairman,Sri.N. Janardhan Rao, Vice Chairman, Sri. S.Srinivas Rao, Secretary, Sri. B.Srikanth Reddy, Joint Secretary, Sri. Ashwin Kumar Tyagi, Treasurer

During this year BAI Hyderabad Centre has also got the opportunity to host the XXXI All India Builders Convention. The BAI Hyderabad Centre has made elaborate arrangements for the Convention. It was held at Hitex Exhibition Centre in Hyderabad. Various committees were constituted for the convention. The Chief Guest was Sri. A. Revanth Reddy, Hon'ble Chief Minister of Telangana, and Guest of Honours were Sri. N. Uttam Kumar Reddy Hon'ble Irrigation Minister, Sri. P.Srinivas Reddy Hon'ble Minister for Revenue, Sri. Komati Reddy Venkat Reddy Hon'ble Minister for R&B were the Guest of Honours on the 1st day of the Convention and on the

2nd Day of the Convention Sri. Batti Vikramarka Mallu Hon'ble Dy. Chief Minister for Finance, Planning was the Chief Guest and on the 3rd Day Sri. Devusinh Chauhan Hon'ble Minister for the state for Telecommunication.

Technical Sessions were held notable speakers are :-

Artificial Intelligence in Construction by Mr. Aniruddh Nakahwa

Profit making contracting with Green Initiative By Dr. S.K.Manjrekar

Latest Technologies in Modern Construction By M/s. BSCPL

Prefab & Precast Construction Technologies by Mr. B.P.Kulkarni (Vice President & Head Contracts) M/s. BG Shirke & Co., Arbitration by Sri. V.Krishna Rao

Awards were also given to the Best centres. The XXXI All India Builders Convention was a grand success.

Annual audited account and election result were sent to the HQ on time.

KANCHIPURAM CENTRE

On 10th April 2024 Centre Conducted induction Installation for the year 2023-2024.

Total Twelve Executive Committee Meeting and one Annual General Body meeting were conducted in the year of 2023-24.

Total 4 General Body meeting was conducted during the year of 2023-24

OTHER ACTIVITIES :-On 21st July 2023 Centre conducted Skill Development Training Program and Technical Power Point Presentation on topic "Ultra Tech Technical Session" at centre office.

Independence Day was celebrated on 15.08.2023 by hoisting flag at our Centre.

"Builders Day" was celebrated on 31.10.2023 at Centre office, nearly 300 Members and Workers were Participated and Function Grandly Celebrated.

Visited Arun+TMT Steel Company factory on 20.11.2023.

Diary and Daily Calendar was published and distributed to Our Members -2024 Year. On 10th January 2024 Former Chairman Meeting was held at Centre office.

On 17th March 2024 Family Meet & Award Function" was celebrated at MM Hotel. Members were Participated and Function Grandly Celebrated.

All national MCGC Meetings were attended by the Centre Chairman and other functionaries of the centre.

KARNATAKA (BANGALORE) CENTRE

The First Executive Committee Meeting was held on 5th April 2023 at Builders' NGV Club. During the meeting Executive Committee, General Council and Managing Committee Members were introduced. It was discussed about the proposed Co-opted Members and Invitees for the Executive Committee for the year 2023-24 along with proposed list of Sub- Committee Chairmen.

INSTALLATION CEREMONY :- Installation Ceremony of new Office Bearers of Builders' Association of India, Karnataka (Bangalore) Centre along with Ladies Wing 'Spoorthi' was held on 17th May 2023 at The Capitol Hotel.

The Chief Guest and Installing Officer for BAI team was Sri H.N. Vijaya Raghava Reddy Past President, BAI and the Guest of Honour was Sri N.S. Muralidhara, National Vice President, BAI, Southern Region-1 and Sri Srinivasa Reddy, State Chairman, Karnataka, BAI.

Sri H.N. Vijaya Raghava Reddy Past President, BAI installed Sri K.N. Babu Reddy as Chairman and his team of New Office Bearers. He also administered the oath to the New Office bearers. He addressed the gathering and congratulated newly elected chairman and his team of office bearers and wished them a successful year in the service of the builders' fraternity. Sri N.S. Muralidhara, National Vice President, BAI, Southern Region-1 installed the new team of Ladies Wing 'Spoorthi'. He congratulate to Spoorthi and wished them all success during their tenure. Sri Srinivasa Reddy, State Chairman, Karnataka-BAI, addressed the gathering.

Newly Installed Chairman, Sri K.N. Babu Reddy addressed the gathering. He thanked all the members for electing him as Chairman. He promised to discharge his duties effectively for the benefit of Members and to continue to concentrate on inducting more quality members.

Mrs. Dhavalashree. M newly Installed President of Spoorthi, addressed the gathering and thanked all the members for their encouragements and look for the support and co-operation in future also.

Sri K.J. Ravindra, Hon. Secretary, BAI proposed vote of thanks and thanked all the members present, the Hotel and BAI Staff. The function was followed by fellowship and dinner.

On 23rd June at Vikas Soudha Chairman along with Sri V. Srinivasa Murthy, Imm. Past Vice President, BAI and Chairman of PF & ESI & Labour Committee had an honour to attend the meeting called by Sri Santosh S. Lad, Hon'ble Minister for Labour, Government of Karnataka. There was a Product presentation by M/s. Sri Parshwanath Industries during the meeting.

In May 2023 State Level Meeting organized and in that meeting there was discussion of focusing on launching

defunct Centres like Chikmagluru and also starting new Centre at Udupi.

Joint Meeting also organized in the month of May 2023 during the meeting many issues like problems faced by the Construction Industry was discussed and to give a representation to the Government requesting for release of Works Contract and Pending Payments to Contractors & Builders.

Tour Program to Bhutan was organized from 1st to 8th July 2023. About 22 members had been to Bhutan and had gala time.

Total Eight Executive Committee meetings was conducted during the year of 2023-24 and many issues discussed during the meeting and some seminar also organized by the committee on Construction Waste Management & Stress management in the Business and personal life'. Meeting attended by the Chairman, Office Bearers, Executive Committee members and Spoorthi team.

HONOURING OF ARTISANS HELD ON 20TH OCTOBER 2023

On the occasion of Builders' Day – 2023, 80 Artisans were honoured at Builders' NGV Club, Koramangala. The Chief Guest for the function was Sri H.N. Vijaya Raghava Reddy –Past President, BAI , Guest of honour were Sri N.S. Muralidhara, Vice President, BAI Southern Region-I, Sri Srinivasa Reddy – State Chairman, Karnataka, BAI. Sri K.N. Babu Reddy, Chairman, Karnataka (Bengaluru) Centre, BAI presided over the function. Sports was organized for the Artisans and there was prize distribution for the winners. Hon. Secretary Sri K.J. Ravindra proposed the vote of thanks.

BUILDERS' DAY HELD ON 20TH OCTOBER 2023 :-The Chief Guest for the function was Sri H.N. Vijaya Raghava Reddy –Past President, BAI , Guest of honour were Sri N.S. Muralidhara, Vice President, BAI Southern Region - 1 and Sri Srinivasa Reddy – State Chairman, Karnataka, BAI and Sri P. Manivannan, I.A.S, Principal Secretary, Social Welfare Department, Govt. of Karnataka graced the occasion. Sri K.N. Babu Reddy, Chairman, Karnataka (Bengaluru) Centre, BAI presided over the function. Sri K.N. Babu Reddy welcomed the Chief Guest and Guest of Honour, other dignitaries and all the members and guests for the Builders' Day celebration.

Bharath Rathna Sir M. Visvesvaraya Memorial Award was conferred Sri Umesh Ramakrishna Rao, Director- Rohini Project Management Consultants Pvt. Ltd.

Senior Builders Award was conferred: Sri M. Ramesh – Class I K.P.W.D. Contractor and Sri M. Lingaraju - Class I Civil Contractor were the two senior Builders who were honoured for their outstanding contributions in the construction sector. Sri K.L. Mohan Rao and Ms. Sneha R. Gowda, Treasurer Spoorthi as masters of ceremonies

guided through the evening with their lively compeering. Sri K.J. Ravindra, Hon. Secretary proposed vote of thanks. The meeting was adjourned for dinner.

CONSTRUCTION INDUSTRY CONFERENCE :- BAI Headquarters had organized Conference on "Construction Industry Issues' coinciding with EXCON 2023 on 13th December 2023, at Bangalore International Exhibition Centre. The conference was supported by BAI, Karnataka (Bengaluru) Centre. Sponsors of the Conference was Confederation of Indian Industry (CII) and Schwing Stetter India Pvt. Ltd. Delegates from Bengaluru, Mysore, Hassan, Shimoga, Chennai and other Centres attended the Conference. Sri N.S. Muralidhara, Vice President, BAI presided over the conference. Shri Raju John – Executive Secretary and Sri Madhusudan – Head Communication of BAI and Staff from BAI Headquarters from Mumbai were present and had organized the Conference.

Sri Srinivasa Reddy, State Chairman, Karnataka, BAI proposed the vote of thanks.

On 22nd December 2023 at Builders' NGV Club Engineering Diary 2024 was released during the meeting. During the meeting there was discussion about the Annual General Meeting to be held on 24th January 2024.

Annual General Meeting was held on 24th January 2024 at Builders' NGV Club. During the AGM the Office Bearers, Executive Committee and General Council Members of Builders' Association of India, Karnataka (Bangalore) Centre was unanimously elected for the year 2024 – 2025.

MUMBAI CENTRE

Mumbai, the financial capital of India, is one of the major contributors to India's GDP. Currently, Mumbai is undergoing an infrastructure boom. With the development of, world-class roads, Mumbai Metro, Navi Mumbai International Airport, Mumbai Trans Harbour Sea Link, Mumbai-Ahmedabad Bullet Train Corridor, Airoli-Katai Tunnel Road, Goregaon Mulund Link Road, Coastal Road, Sewri Worli Elevated Corridor, Chheda Nagar Flyover, Dombivli Mankoli Flyover and much more, all these upcoming infrastructure projects will further escalate the economic growth of Mumbai and Maharashtra.

The issues faced by our Construction industry i.e the Abnormal increase in Construction materials such as Steel, Cement, Bitumen, Diesel, Adoption of Unified Standard Contract Document by all work authorities, On time payment of bills, Bank Finance, Labour Law Issues, Revision of GST rate from 18% to 12% etc etc. to the Authorities. Mumbai Centre's Chairman Shri Harshad Shah has addressed all these issues to the concerned Ministers / Government of Maharashtra by submitting various representations and requested to solve the issues concerning of Construction Contractors and the Construction Industry.

BAI Mumbai Centre hosted the 'Third BAI Western Region Meeting and Third Maharashtra State Meeting for 2023-24' on 18th October 2023. The meeting was chaired by Shri Sachin Deshmukh State Chairman, BAI Maharashtra State. Shri Sunil Munadada, Vice-President, BAI graced the meeting. Shri S. N. Reddy, President, BAI was the Chief Guest for meetings.

It was a well-attended meetings and issues of the construction industry in Western Region were discussed.

During the inaugural session of the meetings, BAI bestowed the 'Lifetime Achievement Award' on Shri Shrikrishna Vichare, Past President, BAI & Past Chairman, BAI Mumbai Centre. A brief AV presentation on Shri Shrikrishna Vichare was played. He was presented a Shawl, Puneri Pheta, Beads Garland, Bouquet of exotic flowers, Coconut & Fruits, a plaque and a gift.

Mumbai Centre also organised a Technical Presentation on 'Mumbai Coastal Road and Talk on GST on Construction Industry, Income Tax and Trust Act. All the events were held in the Conference Hall of Bombay Exhibition Centre.

The meeting was held concurrently with 'World of Concrete India 2023'. 'World of Concrete' is an international brand of exhibition, which is held in Las Vegas, USA regularly and BAI is proud that it has partnered with INFORMA Markets in bringing the show to India.

There was also a Briefing on latest MahaRERA regulations' – which is a hot topic now in the real estate sector by CA Aditya Zantye, Hon. Consultant to BAI Maharashtra on MahaRERA matters. M/s Informa Markets India Pvt. Ltd. Mumbai Centre hosted a 'Farewell Dinner' at Hotel Miradour for the members attending the meeting.

BAI Mumbai Centre has organised the 'Study-cum-Pleasure Tour to Vietnam' between 24th October to Wednesday 1st November, 2023 and a large number of members participated in the 'Study-cum-Pleasure Tour'.

BAI Mumbai Centre supported WOFX 2023 – World Furniture Expo. WOFX 2023 a professional B2B trade show dedicated exclusively to the furniture industry in India. 'World Furniture Expo' was held in Mumbai between 28th and 29th November, 2023. Shri Harshad Shah, Chairman, BAI Mumbai Centre was one of the dignitaries to inaugurate the Expo. He also spoke on the occasion. He also inaugurated BAI Stall No. J6 in the expo.

BAI Mumbai Centre also supported various industry exhibitions held in Mumbai during the 2023-24.

Considering the need of nowadays business in view of spate of legislations, announcements, etc. being made by the Central and State Government's on various issues, it was being felt necessary to keep BAI members and

building and construction industry players informed in detail of the same. Mumbai Centre started 'Monthly Lecture Meeting Series from November 2019 in R. G. Gandhi Conference Room of BAI in Tardeo, Mumbai on the issues are ranging from Infrastructure Development, Real Estate, Redevelopment, Self-Redevelopment, Redevelopment of Dilapidated Buildings, RERA, GST, Labour Laws, Income Tax, Arbitration, etc. Apart from BAI members there participants were from the building and construction industry establishment viz. company's proprietor, CEO, senior officers and RERA / GST / Labour / Taxation concerned executives, concerned government authorities, etc.

All the lecture meetings have received overwhelming response. The lecture meetings are 'videographed' and are uploaded on BAI Mumbai Centres 'YouTube' Channel 'Builders Association of India Mumbai Centre'. The lectures were being held on the virtual media via video conferencing. The response to this was also overwhelming, wherein the participants from across India and sometimes international too.

EXECUTIVE COMMITTEE MEETINGS

During the financial year under report five (five) Meetings were held :

1. On 16th June 2023
2. On 28th July 2023.
3. On 6th October 2023.
4. On 15th December 2023
5. On 24th January 2024.

Executive Committee Meetings were followed by Lecture meeting/Knowledge Sessions on Industry issue with eminent speakers.

The Centre is inviting philanthropic persons and/or companies to support the lecture meeting series by financially supporting it. The support so received will be acknowledged by mention of name and brief profile of the supporting person / company before, during and after the lecture(s). The support will also be acknowledged on the YouTube channel and will also be mentioned in the description of the particular lecture in YouTube. Due mention in the form of an appropriate complimentary advertisement and product / company profile write-up will also be done in the pages of 'Mumbai Construction'.

MANAGING COMMITTEE AND GENERAL COUNCIL MEETINGS

During the financial year under report 4 (four) Managing Committee (MC) and 4 (four) General Council (GC) Meetings were held :

6. On 12th May 2023 at Coimbatore
7. On 2nd September 2023 at Alleppey

8. On 7th November 2023 at Kolkata
9. On 27st January 2024 at Hyderabad

Attended 82st Annual General Meeting of BAI by the Mumbai centre MCGC members and other Office Bearers of Mumbai Centre which was held on 2th September 2023 at Alleppey.

Attended 31st All India Builders Convention at Hyderabad by the Mumbai centre MCGC members and other Office Bearers of Mumbai Centre which was held between 27th January to Monday 29th January 2024 at Hyderabad.

Mumbai Centre also supported XXXI All India Builders Convention by releasing advertisement in Technical Volume cum Souvenir" which was published on occasion of Convention . Mumbai Centre has paid Rs.50,000/- towards advertisement.

The attendance of the Managing Committee and General Council members from Mumbai Centre in above meetings across India and and convention was good during the year 2023-24.

BAI AWARDS 2022-23 :- Mumbai Centre was presented 'BAI Awards 2022-23'- Overall Best BAI Centre (Above 200 Members) during the 31st All India Builders Convention at Hyderabad.

BAI Mumbai Centre performed 'Shree Satyanarayan Puja on Wednesday,17th January, 2024' in the BAI Mumbai Centre office-premises wherein BAI President, Shri S.N.Reddy ji, Office-Bearers and Senior Functionaries of BAI Mumbai Centre were present during the Puja – many of them with their better half.

MYSORE CENTRE

On 01-04-2023 Installation Ceremony of CREDAI Mysuru new team for the year 2023-24 at MBCT Auditorium, Mysuru. On 04-04-2023 Centre Chairman along with members attends the Sugama Sangeetha by Smt. A.S.Nagalakshmi & the comedy play 'Mooru Muthugalu' at MBCT Auditorium, Mysuru. On 07-04-2023 Installation of the new team BAI Mysore Centre took place at Hotel Mysore Union, Hebbal Industrial Area, Mysuru. On 12-04-2023 Press meets regarding Kaveri 2.0 software awareness programme. On 14-04-2023 KAVERI 2.0 Registration simplified Awareness Program, A session of Awareness on the functioning, benefits and prospects of the Software. BROUGHT TO MYSORE BY CREDAI Mysore And BAI Mysore Centre @ MBCT Auditorium. On 15-04-2023 Centre Chairman along with head table attended the installation of Spoorthi new team 2023-24. On 20-04-2023 MyRealty 23 preliminary meeting at MBCT Premises. On 20-04-2023 WEMC committee meeting with Spoorthi team at MBCT Premises. On 22-04-2023 BAI Head Table & CWWC committee meeting with Spoorthi team at MBCT Premises about the preparation for May

Day Celebration. On 25-04-2023 1st EC meeting went on very well with good participation of members at KBR Hall, Sri Kanteerava Narasimharaja Sports Club, Mysuru. On 25-04-2023 New Members Orientation Programme at KBR Hall, Sri Kanteerava Narasimharaja Sports Club, Mysuru. On 26-04-2023 Builders Karaoke Club was inaugurated by the Chairman of BAI Mysore Centre. 1st session was held in MBCT Board Room, Mysuru. On 26-04-2023 MBCT New Team Installation Ceremony at Hotel J P Fortune, Mysuru.

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Spoorthi & CREDAI Mysore. On 16-05-2023 Press meet of MyRealty-23 has been scheduled at 12pm sharp in Pathrakarthara Bhavan. All coordinators attended and made it a successful press meet. On 17-05-2023 Installation Ceremony of BAI Bengaluru Centre at The Capitol Hotel, Raj Bhavan Road, Bengaluru-560001. On 20-05-2023 Government Engineering College, Kushal Nagar, organized a farewell function for final year civil engineering students who had just finished their final exams. On 20-05-2023 2nd EC meeting held at Hotel President, Bangalore — Nilgiri Road, Mysuru. On 20-05-2023 General Body Meeting with Product Presentation by M/s. Stones Inc. , Bogadhi, at Hotel President, Bangalore — Nilgiri Road, Mysuru. On 23-05-2023 WEMC Preliminary meeting at board room. On 25-05-2023 Karaoke 2nd session. On 26-05-2023 MyRealty 2023 inauguration at Scouts & Guides grounds. WEMC Press Meet at Pathrakarthara. Valedictory of MY REALTY 2023.

On 01-06-2023 Builders' Association of India Mysore Centre is celebrating World Environment Month during the month of June 2023. Inauguration of WEM Celebrations will be held on Thursday, 1st June 2023 at MBCT Auditorium Mysore, @ 6.30pm sharp. On 02-06-2023 BAI Mysore Centre Shilpi Students Wing with 8 engineering colleges' civil faculties with Student Shilpi coordinators meeting at BAI Board Room at 4:30 pm. On 04-06-2023 Yoga Practice for BAI Members at dining hall. On 05-06-2023 Planting of Saplings in Dristi Woods, Dadadahalli. On 05-06-2023 Street Play was held at Maharani College. On 10-06-2023 & 11-06-2023 MyGreen 2023 Exhibition — An Exclusive Exhibition of Eco Friendly Construction products and green life styles held at Nanjaraja Bahadur Choultry, Vinoba Road, Shivarampet, Near BH Devaraj URS Road, Mysuru - 570001. On 11-06-2023 Planting of Saplings in Builders' Park, Srirampura, Mysore. On 12-06-2023 BuildTech 2023 Preliminary Meeting held and BAI Meeting Room. On 13-06-2023 On behalf of World Environment Month Celebration, A Green Day with Homemakers Workshop on use of Eco-friendly home appliances and Products was held at Auditorium of Mysore Builders Charitable Trust. On 17-06-2023 As a part of the World Environment Month Celebrations, Green Treasure Hunt for BAI, CREDAI, IGBC members and their families only. On 18-06-2023 As a part of the World Environment Month Celebrations, flag off of BAI-Cyclothon, at Chamundi Hill Back Route (Uthanahalli Road Mysuru). On 20-06-2023 Yoga Practice for BAI Members at dining hall. On 21-06-2023 International Yoga Day was celebrated this morning by BAI members at Mysore Palace premises. It's one of the projects under WEM celebration. On 23-06-2023 BuildTech 2023 Past Chairman Meeting at BAI Meeting. 23-06-2023 BAI Karaoke 3rd session at Board. BuildTech 2023 Organising Committee Meeting at BAI Meeting Room. On 24-06-2023 Planting of Saplings in Ambari Dristi Properties, K M Halli. Debate Competition for School Children was held at school.

On 25-06-2023 Drawing and Painting Competition for School Children, on topic "Solutions to Plastic Pollution", was held at Mysore Builders Charitable Trust, Vishweshwaranagar, Mysuru. On 26-06-2023 Head Table attended 3rd MBCT Meeting at Evana Resort, Mysore. On 28-06-2023 BAI Mysore Centre 3rd EC Meeting was held jointly with BAI Bangalore Centre at NGV Club, Bangalore. On 29-06-2023 Trekking for BAI Members and their families only. On 30-06-2023 Valedictory of the World Environment Month Celebrations at Auditorium of Mysore Builders Charitable Trust, Vishweshwara Nagar, Mysuru. On 12-07-2023 A meeting was organised for all the travellers on the evening to make collective decisions regarding all the tour arrangements. On 13-07-2023 We have organized a one day "Mason Training Programme" at our MBCT Board Room at 9 am. This programme is organised by BAI, Mysore centre and sponsored jointly by Mysore Builders' Charitable Trust (R) and M/s UltraTech Cement Ltd. On 15-07-2023 The Prathibha Puraskara for meritorious Construction Workers students of SSLC & PUC was held at the MBCT Auditorium at 6:30 pm. On 21-07-2023 The Fourth EC meeting held on Friday at 7pm at Cabana Gardens, Bogadhi-Ring Road Junction, Mysore. On 24-07-2023 BAI Karaoke 4th session at Board Room. On 27-07-2023 To 31-07-2023 The members of the Builders Association of India, Mysore Centre have departed from Bangalore for a tour to Ahmedabad, Gujarat. The Gujarat Tour started on Thursday and conclude on Monday. On 15-08-2023 Independence Day flag hoisting ceremony at MBCT 15-08-2023 A Independence Celebration & M " at MBCT auditorium at 6.30pm. All the members with family was invited, Dinner was arranged.

On 16-08-2023 Inauguration of Shilpi students internship programme at MBCT auditorium. On 18-08-2023 A condolence meeting was held at MBCT Building to pay tribute to the departed soul of Sri K Ajit Narayan. On 19-08-2023 BAI and CREDAI jointly organized a Blood Donation Camp for the first time at MBCT premises. On 20-08-2023 Media TV and BAI are jointly organizing a program to felicitate 77 ex-servicemen on the eve of the 77th Independence Day celebration. On 23-08-2023 BAI Karaoke 5th session at Board Room. On 26-08-2023 The Annual General Body meeting held on at the MBCT Boardroom. The MYBUILD-23 brochure was released during our Annual General Meeting (AGM) held at the MBCT hall. 26-8-2023 General Meeting with Product Presentation by Texmo followed by fellowship & Dinner. On 29-08-2023 & 30-08-2023 Outstation family EC meeting held at Bindiga peak resorts, Chickamagalore. On 01-09-2023 & 02-09-2023 2nd meeting of Managing Committee and General Council 2023-24 of BAI head office held at Alleppey, Kerala at Uday Backwater Resort. On 10-09-2023 The Mahalakshmi Sweet Factory visit at Industrial South near our BAI office, organized by BAI. On 12-09-2023 BKC organised a Workshop on Voice Culture Program conducted at our board room. On 15-

09-2023 The Teachers' Day and Engineers' Day celebrations. On 20-09-2023 Chairman of BAI Mysore Centre, expressed immense pride and gratitude with heartfelt appreciation for the successful internship valedictory and topper felicitation program organized by our Shilpi Wing at the MBCT auditorium. A condolence meeting was held at MBCT premises. On 22-09-2023 A Press meet was held at Pathrakarthara Bhavan about the Celebration of famous playback singer S P Balasubramanyam's anniversary. On 22-09-2023 Centre Chairman attended the Second BAI Southern Region 1 MC & GC meeting at NGV Club, hosted by the Bangalore center. On 23-09-2023 Celebration of famous playback singer S P Balasubramanyam's anniversary by popular Vidyullahiri Engineers, lead by Er. A D Srinivas & our own Karaoke team. It's a BAI project. The event starts at 6 pm, and high tea will be arranged. Overwhelming response to our Endu Mareyada Haadu. On 25-09-2023 This morning, we met the PWD Minister, Mr. Satish Jarakiholi, at his residence in Bangalore and invited him to inaugurate Builtech 23 as the chief guest. On 25-09-2023 BAI Karaoke 6th session at Board Room. On 26-09-2023 BAI 6th EC meeting in a hotel in Mysore, as desired by the hosts Vinodkumar & C U Diwakar. On 29-09-2023 Our Buildtech 23 Guest of Honour, former National President Sri Seeniah has arrived to Mysore, We received him at airport by extending cordial welcome. On 30-09-2023 & 01-10-2023 Our center's flagship event, 'BUILTECH 23', is fast approaching. This year, it's not only a seminar, but also includes Deminor with live demonstrations. On 10-10-2023A pre-induction talk about BAI and its activities, to indoctrinate newly joined members, was held at the MBCT auditorium. On 13-10-2023 The theme for this year's BUILDERS DAY CELEBRATION is "SUSTAINING A NEW RESILIENT INDIA." "We will be celebrating with the National President S.Narasimha Reddy as our Chief Guest. On 17-10-2023 The seventh EC meeting was successfully held at the MBCT auditorium. Chairman Nagaraj Bairy welcomed the gathering and addressed the previous and future programs. On 17 10 2023 The product presentation of M/s Weinberger & Porotherm . 20-10-2023 Dasara. Gombe mane and celebrated in a different manner by BAI, Mysore Centre at MBCT Board room, Mysore.

On 23-10-2023 To 31-10-2023 Annual overseas tour to Japan. This decision was made during the 2nd EC meeting. On 02-11-2023 The Mybuild 23 All Committee meeting was held at the MBCT Boardroom. On 04-11-2023 Our talents at BKC keep reaching new heights! This video features a song sung by our members Umesh, M.S. Balaji, Roopasri Balaji, and Sheela Gurudatt at a public function during the Dasara Exhibition. On 05-11-2023 I would like to begin by expressing my gratitude for the overwhelming success of our two recent trips to Gujarat and Japan. It is due to your continuous support and enthusiasm that we were able to organize these trips and create lasting memories. On 06-11-2023 Vice President N S Muralidhara and Nagaraj Bairy were welcomed by friends from the

Calcutta BAI centre at Calcutta Airport. Proceeding to attend the 3rd GCMC meeting of the Builders Association of India at Hotel Taj in Calcutta. On 07-11-2023 3rd MC & GC meeting of BAI at Hotel Taj in Kolkata. On 16-11-2023 Today, the Civil Engineering department of the Maharaja Institute of Technology (MIT) Engineering College organized a unique State-Level Technological Symposium called "FORCE SUMMIT 24." On 17-11-2023 The eighth EC meeting was held at the MBCT auditorium. On 17-11-2023 Our Mysore chapter has experienced significant growth, with our own office building, auditorium, and more than 100 activities per year. On 21-11-2023 BAI Hassan centre office bearers, led by centre chairman Narayan and Secretary Madhu Narayan, along with Buildexpo chairman Harish, met with me in my office at Vijayanagar. On 28-11-2023 Kannada Rajyotsava was celebrated in grand style by our Kannada Raivotsava. On 29-11-2023 Preliminary meeting proposed BAI members at Hotel Diana, Udupi. On 01-12-2023 Mybuild Guddali pooja went on very well at Maharaja

Grounds. On 03-12-2023 This morning, Sri Sri Sri Vijayananda Theertha Swamiji, the junior Swami of Sri Ganapati Satchidananda Ashram Avadhutapeeth, was invited to grace and inaugurate My Build 23. Swamiji graciously excused the invitation. On 07-12-2023 MYBUILD 23 cordially invites you all along with your family members for the inaugural function of MY BUILD 23. On 09-12-2023 Gundlupet MLA Ganesh Prasad visited our Mybuild 23 MLA Tanweer Sait visited our Mybuild 23. On 10-12-2023 "The voice of Mybuild 23 is Kum. Purvika Raj, a 10th standard student. The award was presented by Miss Karnataka-23, Miss Tanishka Murthy." On 11-12-2023 We are honored to acknowledge Sri Chandrashekhar from Mandya, who has been a consistent visitor to our Mybuild exhibition for the past five years and has demonstrated his dedication by preserving the old entry tickets as a memento. On 11-12-2023 Mybuild 23, a Mega Building Materials Exhibition was a resounding success. The valedictory of Mybuild was held at Maharaja Grounds. On 12-12-2023 To 16-12-2023 I wanted to inform you about the highly anticipated "EXCON," the largest construction equipment exhibition in South Asia organized by CII, which will take place from December 12th to 16th, 2023 at BIEC in Bangalore. On 13-12-2023 Inaugural of conference on Construction Industry Issues by BAI at EXCON Convention centre. On 16-12-2023 We are excited to announce the launch of a new club, BAI-Adventure Club, on December 16th. ON 16-12-2023 & 17-12-2023 Yesterday, during the foundation day fellowship, our friends Mahendra Reddy, A Dinesh, Shivakumar, and Gurudatta delightedly shared an idea of launching the BAI Adventure Club, also known as the Treckers Club. The club will take off on the 16th and 17th, and then it plans to conduct regular trekking trips once a.

On 24-12-2023 "Today, our Spoorthi its flagship event "Spoorthi Jaathre". Please attend its inaugural at 9:30 am and support its projects as they support ours." On 29-12-

2023 The Ninth EC meeting was successfully held at SOHO Boutique Hotel, Mysore. On 03-01-2024 "Our BAI & Spoorthi trekkers are trekking to Chomkund Hills & Challavara falls in Virajpete, Coorg. On 09-01-2024 This morning, I had the pleasure of attending an exclusive singing program jointly organized by our BKC and the Senior Citizens Association of Hebbal 2nd stage to mark the arrival of the new year. On 11-01-2024 Our founder member and this year lifetime achiever awardee, Sri R Sundarmurthy, was unable to attend the founders' day to receive the honor. On 14-01-2024 BAI TREASURE HUNT TEAM BAI SANKRANTI TREASURE HUNT on Sunday, the 14th of January 2024 for our BAI and Spoorthy members in both Two & Four wheeler categories. On 18-01-2024 The Shilpi Cup-2024 preliminary meeting with representatives from engineering colleges was held yesterday at the MBCT Board room. On 19-01-2024 Ram Ialla idol sculptor Sri Arun Yogiraj gets a "sweet" gift from our BAI member Shivakumar owned Mahalakshmi Sweets. On 22-01-2024 "Our Ayodhya Ramamandir momento, presented to the patron sponsor of the Sankranti Treasure Hunt, Sri J. Bapuji, has been decorated and showcased at his hotel, Regenta Javaji. On 28-01-2024 Welldone Chairman, Secretary and team 22-23. Overall Best award. On 30-01-2024 Pre-tournament meeting for the 24th Shilpi Cup at the MBCT board room. On 31-01-2024 The tenth EC meeting held at Hotel Royal Inn. Chairman Nagaraj Bairy presided over the meeting.

On 31-01-2024 today at Hotel Royal Inn. Chairman Nagaraj Bairy presiding over the gathering and extending his warm welcome. On 03-02-2024 "Myrealty 23" Chairman, Sri Uday S Kumar, handed over a contribution of 20,000/- from Myrealty to Spoorthi President, Sri Rekha Yoganarasimha. On 09-02-2024 Shilpi Cup 2024 inauguration and the valedictory event on February 11th at 6 pm at SJCE grounds, Mysore. On 12-02-2024 I am thrilled to announce that Shilpi Cup 2024 was a resounding success, marked by a seamless and joyful experience for all involved. On 24-02-2024 The 11th Executive Committee (EC) meeting, held at Soho Boutique Hotel. On 01-03-2024 BAI Mysore Centre will be donating 15 round tables with covers, one bar counter with cover, one podium, and one mobile speaker to MBCT out of our savings. On 22-03-2024 Leadership Development programme at MBCT auditorium. On 27-03-2024 Thanks giving function at Mysore Socials at 6pm. On 29-03-2024 We are pleased to announce another significant achievement for our center. Thanks to the efforts of our Chairman, Nagaraj Bairy, the sponsorship of a new BAI center in his native Udupi district has become a reality today. 31-03-2024 12th EC cum Joint EC meeting (with next year EC team) on 31st March at 7pm at MBCT Board room.

POONAMALLEE CENTRE

New audit year Pooja was done on 01.04.2023 @ Poonamallee centre office along with new office bearers,

Chairman S. Wilfred, Vice Chairman B. Ravikumar, Secretary A. Balaji, Treasurer M. Padmanaban, Jt. Secretary P.S. Raviprasad and immediate Past Chairman Mr. C. Sathish Kumar. Mr. Raghunathan Past State Chairman of Tamil Nadu and Andaman Nicobar, Mr. TV. Ramakrishnan, Mr. E. Manohar Past centre Founder Chairman, and Senior Member Mr. V.N. Gunasekaran and all executive members were present. It was a good note of start of the new office Bearers to take our centre a step ahead in all activities to benefit our Contractors fraternity.

ANNUAL GENERAL BODY MEETING :- Annual General Body Meeting was held at Abu Palace Hotel @ Poonamallee High Road, in the meeting Audited Balance Sheet, Income & Expenditure Account for the year ending 31" March 2023 was presented and approved. It was decided to continue with the same Auditor for the next Audit year.

On 22nd May 2023 Installation Function was carried out at Abu Palace hotel. Chief Guest of the function was Mr. S. Narasimha Reddy - All India President BAI, and guest of Honour was State Chairman Mr. M. Ayyappan and also Guest of Honour Mr. K. Ayeratharasu Rajasekaran - Chief Engineer, PWD-Chennai. The Hall was filled with office bearers, Executive committee members and special Invitees. Welcome address was given by Past Chairman and Installation Committee Chairman Mr. E. Manohar. Installation Committee Chairman was honoured by New Chairman S. Wilfred.

Presidential address was given by immediate Past Chairman Mr. C. Sathish Kumar. Installation of Chairman, Office Bearers was done by Installing officer and All India President Mr. S. Narasimha Reddy, BAI Poonamallee centre (2022-23) Annual Report was handed over All India President and State Chairman by immediate Past Chairman C. Sathish Kumar and New Chairman S. Wilfred.

M. Ayyappan - State Chairman in his speech appreciated our Poonamallee centre for Hosting State level Meeting in a very grand and successful manner with our Honourable Minister for Housing & Urban Development as Chief Guest who answered demands pertaining to Housing & its paraphernalia activities, which has benefited to Contractors and others with live TV Channels.

Mr. K. Ayeratharasu Rajasekaran was given by Treasurer Mr. M. Padmanaban, Chief Engineer in his Speech appreciated all the builders, who are pillar of nation in developing Civil Structure. He also assured that PWD in releasing Balance 6% (Difference) as per the norm of the Govt. Rules. Registration of Contractors was done in a transparent manner and if the document is submitted properly there will be no delay from their end. All India President was Honoured by State Chairman S. Wilfred. President in his speech appreciated that even though Poonamallee centre is small in number their performance is extraordinary and their involvement in all activities was

up to mark. The function went very well and appreciated by all Invitees and special Guest

TECHNICAL SEMINAR ON: CONSTRUCTION PRACTICE & SERVICES & PILE FOUNDATION :- A

A technical seminar was conducted on 17th November 2023 at Tower's Club Anna Nagar, Chennai. The function was presided by Chief Guest Mr. M. Ayyappan, State Chairman - BAI Tamil Nadu & Pondicherry, along State Secretary Mr. L. Venkatesan and State Treasurer Mr. Anandan, Welcome address was given by Centre Chairman Mr. S. Wilfred.

Seminar started with power point presentation on pile foundation by our centre Treasurer Mr. M. Padmanaban, who is a piling expert and partner of M/s. P. Manickam & Co., Brief presentation of all types of piles and load test was presented through PPT and the checklist to be verified while execution of piling work was also explained neatly which was very beneficial to all the participants as Engineers and Contractors.

Er. N. Narayanaswamy Rtd. Sr. Divisional Engineer BSNL gave a speech on construction practice and services. Both the speakers were honoured for their wonderful presentation. The seminar was well appreciated by State Chairman, Secretary and Treasurer. All the members appreciated the speakers for their useful presentation. Mr. L. Moorthy past All India Vice President.

In January 2024 Poonamallee centre published the Diary for the year 2023 -2024, a second time successfully by getting advertisement from well-wisher and from our members.

Annual General Body Meeting was held on 24.01.2024, Agenda of the meeting was to declare the New Office Bearers who were elected unanimously for the year 2024-2025 by the Election Returning officer of Poonamallee Centre Mr. N. Pannerselvam.

Around 20 members from our centre visited the BAI Convention which was held at Hyderabad between 27.01.24 to 29.01.24. Our Poonamallee centre was selected for the best centre award for our excellent performance, and services for the year 2022 - 23 under 200 members Category, Best centre Award was given by All India President and received by our Chairman along with office bearers and senior members Mr. N.Ragu Nathan, Mr. C.Sathish Kumar, Mr. T.V. Ramakrishnan and V.N. Guna Sekaran.

During the year 2023- 24, Poonamallee centre has increased the membership strength from 129 to 175 members. i.e. 169 Patron members including 3 affiliated and 6 Annual memberships appreciation was received from State level. Poonamallee centre was marked as highest increase in strength by 27% under 200 centre categories in Tamil Nadu.

Poonamallee Centre has been adjudged as the highest

membership achiever of the year 2023-24 below 200 member's category. In this connection the conspicuous support extended by our members especially Mr. T.V.Ramakrishnan, Mr.N.Raghunathan, Mr.S. Wilfred, Mr. M.Padmanaban, Mr. M.Rajesh, Mr. C.Ekambaram, Mr.P.K.Jayakanthan, Mr. P.S.Ravi Prasad and Mr. A.Balaji besides recently inducted 3 affiliated members of Association namely 1. Southern Railways Contractors Association 2.Chennai Cooperation Contractors Association 3.CMWSSB Contractor Associations and others played a major role in achieving our target. Taking cognizance of the above facts and figures, our Poonamallee Centre was honoured with highest membership award for the year 2023-24.

DEMONSTRATION OF PROTECTS AGIANST INCREASE IN CONSTRUCTION MATERIAL PRICE

:- Poonamallee centre has demonstrated a protest against increase in prices of coarse and fine aggregates, to set right the guideline value to reduce the registration cost of Flats, and to eliminate Package Tenders. Around 30 members were present including affiliated member of Southern Railway Contractors Association. After the protest a representation mentioning our demands was presented to collector of Chennai. The protest was published in TV News channel - News 7 and Newspaper like Thina Malar Dt: 05.03.24, Express times, Seithi Mulakkam, Udaga Malar. In Chennai region the only centre to demonstrate protest was Poonamallee centre, which was well noted by all centres and State Head Quarters.

Medical camp and Blood Donation camp was conducted at the college. Around 150 Workers attended the medical camp and got the Benefit of General Medical Check-up including Dental and Ophthalmic. Medical team was from Hycare Hospital organized by our Sr. Member Mr.TV.Ramakrishnan, Blood Camp collection van and team was arranged by Senior Member Mr.V.N.Guna Sekar. Around 200 people were present for the Builder's day celebration.

Builder's day celebration was celebrated on 10th March 2024. Organizing Committee Chairman was our Treasurer Mr, M. Padmanaban and Co Chairman was P.K.Jayakanthan and Mr. P. Periyathambi. The programme commenced with the welcome speech by our centre Chairman S.Wilfred and he felicitated the sponsors of the Builders Day celebration and appreciated the organising team for a wonderful arrangement. Mr. Raghunathan Past State Chairman appreciated the organizers and explained about this year Theme of BAI; "sustaining New Resilient India." Office bearers, Executive Committee members and all the members for their support in making the function a great success

AGM was held on 22.05.2023 at Abu Palace Hotel. Later Installation function was held in the presence of All India President, Present State Chairman, Past State Chairman along with Guest of Honour Chief Engineer Building

PWD, the function went well with appreciation from every one.

On 11th July 2023 Mr.Ravi Kumar represented our centre at state Level TWAD Board committee meeting. Mr.Ragunathan gave an interview to the Polimer news and Puthiya Thalaimurai on the Builders difficulties and the additional burden on the clients due to the increase in stamp duty fees.

On 14th October & 17th October 2023:- Membership committee chairmen met railway board for new membership and met Mr.Ramarao for affiliation of corporation association and in addition met Police Housing Corporation for affiliation.

on 24th October 2023 Our Grievance Committee Chairman Mr. N. Raghunathan wrote a letter to MD CMWSSB regarding non release of funds to the contractor Mr. C. Subramaniam who is a Patron Member in our Centre.

On 17th November 2023 Technical Seminar on Pile foundation was held and State Chairman, State Secretary and State Treasurer participated and more than 80 members from our Centre attended the seminar.

On 23rd to 25th November 2023 Green Building Expo 2023 at Chennai Trade Centre was attended by our Green Building Committee Chairman Mr. P.K.Jayakanthan.

On 26th to 30th January 2024 members from poonamallee centre 16 members attended All India MCGC Meeting and All India Builders Convention at Hyderabad. BAI Poonamallee Centre received best Builders Association of India Award for below 200 members Category.

On 12th & 13th February 2024 State Level Core committee meeting attended by our Chairman Mr. S. Wilfred, Vice Chairman B.Ravikumar our GC members Mr.N. Ragunathan, Mr.C.Sathish Kumar, Mr.T.V. Ramakrishnan and EC members Mr.P.K. Jayakanthan, Mr.M. Rajesh and Mr.E, Manohar, Mr.R.Purushothaman & Mr.K.Ramamurthy.

On 4th March 2024 total 32 members participated in the protest and handed over our letter of memorandum about the price hike to the Chennai Collector and arranged lunch for all members participated.

On 10th March 2024 Builder's day was well organized by the committee Chairman Mr. Padmanaban and co-Chairman Mr.P.K.Jayakanthan and Mr. Periyathambi. Thanks to sponsors M/s. P. Manickam & Co and M/S.OEM Concrete and Mr. T.V. Ramakrishnan for lunch arrangements and the health camp and Mr.V.N.Gunsekharan for organizing blood donation camp and Mr. Raviprasad for banner.

We have finalized 175 members list including Patron members, affiliated members and Annual Members and sent to headquarters.

PUDUCHERRY CENTRE

On 03.04.23 - 1st Executive Committee meeting held on 03.04.2023 at our Association Building. New Team has taken charges of Office responsibilities & Accounts in this Meeting. On 26.04.23 - On behalf of Our Association, Thiru B. Ezhilan, (Chairman) Thiru G. Velmurugan, (Vice-Chairman), Thiru R.Prem anand, (Secretary), Thiru V. Asokan, (Treasurer), & Thiru E. Gagadharan, (Jt.Treasurer) Participated & greeted them in the Installation Function of New Office Bearer's of PONCEA held at Shenbaga Hotel, Puducherry. On 27.04.23 - On behalf of Our Association, A meeting was held on 27.04.23 with Our Secretary (works) regarding GST & PSR. In that meeting, we represented the grievances in the GST and release of new PSR at earliest. On 29.04.23 & 30.04.23 - 1st State level MC/GC meeting held at Thanjavur. In this meeting, they announced Thiru & N.K.Gounasegarane as State Secretary (Puducherry affairs), Er.S.Parthasarathi & Er.T.Kannappan as Sub-Committee Co-Chairman for Mines and Skill Development Committee. On 11.05.23 & 12.05.23 - 1st National level MC/GC meeting held at Coimbatore. Thiru B.Ezhilan (Chairman), Thiru N.K.Gounasekerane (State Secretary, Pdy affairs) Er.N.S.J.Jayakumar (G.C Member), Thiru S.Sankar (Past Chairman), Er.S.Parthasarathi (Past Chairman), Thiru G.Velmurugan (Vice-Chairman), Er.R.Prem anand (Secretary), Thiru R.Kamalakaran (Member) & Thiru S.Mohan (Member) participated and represented Our Centre. On 15.5.23 - 2nd Executive Committee meeting held on 15.5.2023 at our Association Building. Discussion about Installation Function of New Office Bearers. On 28.05.23 - Karaikal Centre Installation function at Karaikal. Thiru B.Ezhilan (Chairman), Er.N.S.J.Jayakumar (GC Member), Er.R.Prem anand (Secretary) & Thiru V.Asokan (Treasurer) participated and represented Our Centre. On 29.05.23 - On behalf of Our Association, we greeted newly elected persons in PCWA. On 14.06.23 - Installation of New Office Bearers 2023-24 and its core team members. On 11.07.23 - On behalf of Our Association, we greeted newly joined Chief Engineer. On 20.07.23 - On behalf of Our Association, we met our PWD Minister regarding Bid capacity. On 24.07.23 - 3rd Executive Committee meeting held on 24.7.2023 at our Association Building. Discussion about the introduction of Bid Capacity in NIT & conducting State level MC/GC meeting. On 26.07.23 & 27.07.23 - 2nd State level MC/GC meeting held at Mahabalipuram. Thiru B.Ezhilan (Chairman), Thiru N.K.Gounasegarane (State Secretary - Pdy affairs), Er.S.Kumaresan (MC Member), Er.N.S.J. Jayakumar (GC Member), Er.K.Arunagiri (GC Member), Thiru R.Mouraly (Co.Chm, Diary Committee), Er.T.Kannappan (Co-Chm, Skill Development), Thiru A.Manikkam (Past Chairman), L. Djeagaradj Moncher (Past Chairman), Er.R.Prem anand (Secretary), Thiru V.Asokan (Treasurer) & Thiru R.Krishnakumar (Member) participated and represented Our Centre. On 04.08.23 - On behalf of Our Association, we greeted our lovable Chief Minister on his birthday. On

10.09.23 - Meeting with PWD Secretary regarding Bid capacity issues. On 11.10.23 - 1st General Body meeting for the year 23-24, held on 11.10.2023 at our Association Building. On 26.10.23 - 3rd State level MC/GC meeting held at our Home town (Puducherry). Our State Chairman Thiru M. Ayyappan has given us an opportunity to host the 3rd State level MC/GC Meeting. On 07.12.23 - Press meet was arranged in Our Association building. On 21.12.23 - 3rd State level MC/GC meeting held at Mahabalipuram. On 27.12.23 - Protest against Bid capacity tenders in PWD. On 30.12.23 - Greeted and conveyed our New year wishes to CM, PWD Minister, Home Minister, CE, SE, EE's and all AE'S. On 19.1.24 - 2nd General Body meeting for the year 23-24, held on 19.1.2024 at our Association Building. On 27.1.24 - On behalf of Puducherry Centre, we members represented our centre and participated in XXXI All India Builders Convention held at Hyderabad. On 13.2.24 - State level Core committee meeting at Trichy. On 27.2.24 - One day protest against the price hike in blue metal materials & Representation was given to The Chief Minister for the same. On 28.3.24 - On behalf of Our Association, we greeted newly joined Chief Engineer Thiru M. Dhinadhayan. On 29.3.24 - 5th Executive Committee meeting held on 29.3.2024 at our Association Building. Submitted Accounts for the year 23-24 and handed over the Office in charges and Accounts to the Incoming Office bearers.

PUDUKKOTTAI CENTRE

Pudukkottai Centre conducted six Executive Committee Meeting during the year of 2023-24. During the meeting many issues are discussed related to the construction Industry.

On 15/04/2023 Installation of office bearers held at Green Place Mahal, Chief Guest of the programme are honourable Minister Thitu. S. Ragupathi, Thiru. Bhisma. R. Rathakrishanan, Thiru. M. Ayyaappan, Thiru. MU. Mohan, Thiru. M. Thirusangu, Thiru. K. Jaganathan.

On 21st & 22nd December 2023 conducted 4th State level MC/GC meeting by Pudukkottai centre.

On 29th December 2023 celebrated Builders day & New Year. Members attended in large number.

On 27th to 29th January 2024 total 21 members participated in XXXI All India Builders' Convention at Hyderabad.

On 24/2/2024 One day Strike for price hike of M sand, P sand crusher metal held at old bus stand Pudukkottai joint with civil engineers and labour association.

On 7th March 2024 during the 4th GC/EC meeting, award function are also organised, Chief Award give to five Senior Member of our centre.

On 27/03/2024 IFTAR NONBU FETIVEL held at HOTEL ANS PRIDE conducted by our centre with civil engineers association.

Introduced 30 New patron Members and 6 Annual member in the Pudukkottai Centre during the 2023-24. Election process also completed on time and result sent to the BAI-HQ.

PUNE CENTRE

Installation Ceremony was held at Hotel Ramee Grand, Pune for New Office Bearers for the year 2023-2024, Shri S. Narasimha Reddy, President - All India BAI was the Chief Guest, Shri Shekhar Singh (IAS) - Commissioner PCMC and Shri Sachin S. Deshmukh - State Chairman BAI, Maharashtra was the Guests of Honour of the Function.

On 28th June 2023 Seminar on "BOCW" was organized by BAI Pune Centre at The Institution of Engineers, Pune. Er. Jay Shah, Director - Founder & Director - Exertion HR Solutions Private Limited were the Faculty members of the seminar. More than 100 delegates attended the seminar.

Flag Hoisting Programme was held at BAI Office on 15th August 2023 and 26th January 2024. Members in large numbers participated in the programs.

Labourers Children Felicitation Program on 1st October 2023 at "VISHNUKRUPA HALL", Pune : To encourage and appreciate efforts of Children of Labourers working with our members a Children's Felicitation Programme was held on 1st October 2023 at Vishnukrupa Hall, Pune. More than 150 plus Children were felicitated and given gifts and certificates at the hands of Chief Guest Shri Nikheelchandra Anil Zode, Regional PF Commissioner and Guests of Honour Shri Anil S. Gujar - Secretary, Maharashtra Arogya Mandal, Pune & Shri Prasad Sovani - Professional Corporate Trainer & Consultant. Shri Rajaram B. Hajare was the Convenor & Shri Karan Pawar was the Co-Convenor of this program.

Builders' Day Celebration was organized on 9th January 2024 at Residency Club, Pune : Builders' Day is celebrated every year to pay tributes to the builders, engineers & contractors and acknowledge their contribution in the nation building. The theme for 2023 - 24 was "Sustaining New Resilient India".

Mr. Milind A. Panpatil, Director, National Water Academy, Central Water Commission, Khadakwasla (RS), Pune was the Chief Guest and Mr. Vivek Kharvadkar, Ex. Chief Planner, Pune Metropolitan, Region Development Authority and Mr. Praveer Ashok Purohit, Group Captain, NDA, Khadakwasla, Pune was the Key Note Speakers for the theme of the function. Members in large numbers were present for the said program.

All Senior Members of Pune Centre were felicitated for their exemplary work in the field of construction and felicitated at the hands of Chief Guest in a traditional manner by offering them a shreefal, shawl and a Memento. All the felicitated members shared their experiences and

enlightening thoughts to encourage others for performing and achieving better. 100 Plus members attended the function.

Award Ceremony : Well Built Structure Competition 2023 on 20th December 2023:- Well Built Structure Competition in its 27th edition had 49 participants The competition is held primarily to encourage Quality, Speed and Economy, Labour welfare and safety aspects are also considered as important aspects, BAI – B G Shirke Awards for 2023 competition were awarded in the presence of 300 plus building professionals. Chief Guest Shri Ajit Gulabchanji –Chairman & Managing Director – Hindustan Construction Ltd., & Guest of Honour Shri Sunil Mundada- Vice President BAI(West Zone)&Shri Sachin Deshmukh -State Chairman BAI Maharashtra presided the Award Ceremony. Mr. R.B. Suryavanshi Senior Chief Executive from M/s B G Shirke Construction Technology Pvt Ltd as Sponsor of the WBSA awards did the honors of giving away awards to the winner participants. Along with Well Built Structure Competition Awards, BAI Pune Centre also declared BAI – Padmashri B.G.Shirke “Life Time Achievement Award “Nirman Ratna”. This year the prestigious award was conferred upon Shri J. P. Shroff Past Chairman BAI Pune Centre for his exemplary services to BAI and construction industry, society and educational field.

Release of BAI Engineering Diary 2024 on 20.12.2023 : - Yearly BAI Engineering Diary 2024 was released on 20.12.2023 at Hotel Sheraton Grand, Pune, by the hands of Chief Guest and Guest of Honour. Shri C H Ratlani is the Convenor and Shri Ramesh Lal was the Co-convenor for BAI Engineering Diary 2024.

Felicitations of CWE Officers at BAI Pune Centre on 06.01.2024 :- Felicitation program of Col. Nitin Kumar, CWE, Pune who is going for posting & Shri Avijit Paul, IDSE who is resuming at Pune was organized by BAI Pune Centre on 06.01.2024 at BAI Activity Centre. Members of BAI Pune Centre along with MES BAI was present on this occasion.

Technical Seminar on “Pune Vision” (1st in series) on 6th February 2024 at The Kirloskar Hall, BHAU Auditorium, College of Engineering, Pune :- Seminar on “Pune Vision” was organized by BAI Pune Centre on 6th February 2024 at The Kirloskar Hall, BHAU Auditorium, COEP, Pune. Dr. Sanjay Kolte, IAS, Chairman & Managing Director, Pune Mahanagar Parivahan Mahamandal Ltd. & Ar. Shirish Kembhavi, Architect & Urban Designer, Partner, ENVIRONS Architects, were the Faculty members of the seminar. More than 150 delegates attended the seminar.

Col. S.M. Adsar (Retd) was the Convenor of this seminar and concluding remarks was given by Er. Manoj Deshmukh – Past Chairman BAI Pune Centre.

Handing over of Constructed Fresh Rooms for Girl:- Pune Centre under its social obligation every year constructs

Two Fresh Rooms for rural schools which imparts education to mostly Girl students.

Under this programme BAI Pune Centre in association with Shri R.B. Suryavanshi (Past Chairman of BAI) constructed decent Fresh Room facilities for the girl students under the guidance of Shri DS Shirole and in co-ordination with Convenor of this activity Shri S.K. Killedarpatil, which they undertake every year with utmost sincerity.

Inaugurated and handed over the Fresh rooms to school in the presence of BAI members. Since 2013-14 we are donating Fresh Rooms for Girls till date.

Students’ Internship Program :- Students’ Internship Programme conducted in the month of December to January for 72 students from AISSMS, Pune & Dr. D Y Patil College of Engineering, Pune and in the month of January to March (2 months) 20 students from KITS Kolhapur and for 4 months 8 students from Latur and Aurangabad participated and done internships. After completion of Internship Students were given certificates of internship .

BAI Head Quarters Award for the year 2022-2023 :- As one of the most active Centre in the family of BAI, this year BAI Pune Centre received “Organizing Best Training Program & Seminar” Award from BAI Head Quarters.

This year BAI Pune Centre received following BAI Maharashtra State Awards for the year 2022-2023:

- 1) **BEST IMAGE BUILDING ACTIVITY**
- 2) **BEST OVERALL CENTRE**
- 3) **BEST BUILDERS’ DAY CELEBRATION**

RAJAHMUNDRY CENTRE

Every month on 1st week, the centre has conducted the Executive Committee Meeting to discuss on Problems of the contracts in respect of Managing Committee & General Council meetings, bills on contract works, sand cements problems and other points with permission of the Chairpersons.

SPOORTHI

INSTALLATION CEREMONY :- Installation Ceremony of new Office Bearers of Builders’ Association of India, Karnataka (Bangalore) Centre along with Ladies Wing ‘Spoorthi’ was held on 17th May 2023 at The Capitol Hotel.

The Chief Guest and Installing Officer for BAI team was Sri H.N. Vijaya Raghava Reddy Past President, BAI and the Guest of Honour was Sri N.S. Muralidhara, National Vice President, BAI, Southern Region-1 and Sri Srinivasa Reddy, State Chairman, Karnataka, BAI.

Sri H.N. Vijaya Raghava Reddy Past President, BAI

installed Sri K.N. Babu Reddy as Chairman and his team of New Office Bearers. He also administered the oath to the New Office bearers. He addressed the gathering and congratulated newly elected chairman and his team of office bearers and wished them a successful year in the service of the builders' fraternity. Sri N.S. Muralidhara, National Vice President, BAI, Southern Region-1 installed the new team of Ladies Wing 'Spoorthi'. He congratulate to Spoorthi and wished them all success during their tenure. Sri Srinivasa Reddy, State Chairman, Karnataka-BAI, addressed the gathering.

Newly Installed Chairman, Sri K.N. Babu Reddy addressed the gathering. He thanked all the members for electing him as Chairman. He promised to discharge his duties effectively for the benefit of Members and to continue to concentrate on inducting more quality members.

Mrs. Dhavalashree. M newly Installed President of Spoorthi, addressed the gathering and thanked all the members for their encouragements and look for the support and co-operation in future also.

Spoorthi team organized many welfare programme / health check-up camp / tree plantation during the year of 2023-24. Spoorthi team also celebrated Labour Day / Independence Day / Builders' Day.

SOUTHERN (CHENNAI) CENTRE

On 03/04/2023 the new team of Office Bearers headed by Mr. A.N. Balaji performed a Puja in the Ambattur Office premises and took charge in the presence of All India Past National President and Past Trustee Bhishma Mr.R.Radhakrishnan. Trustee and All India Past National President Mr. Mu.Moahan, Past Vice President Mr.J.R.Sethuramalingam, Past Vice President Mr. S.Ayyyanathan, Zonal Secretary South Zone-II Mr. L.Venkatesan, State Secretary Mr. K.Venkatesan, Managing Committee Members and EC/GC Members of the Southern Centre were present in large numbers.

Workers Health Camp :- Total six free health medical camp were organised by the Southern Centre and the Southern Builders' Charitable collaboration with Meridian Hospital by Walfs Infra India Pvt. Ltd. Chennai in BAI-SC premises. Large number of workers attended the Health camp for basics treatment and general checkups like Cardio, Dental Problems, Diabetes and other diseases. Free medicines were distributed to the members and workers. The Hon. Secretary, Southern Centre Mr. R. Nimrode rendered the vote of thanks.

On 5th April 2023 Meeting with Hon'ble Minister for Housing and Urban Development, Government of Tamilnadu:- Based on 114 requests received from various Associations a meeting was convened and presided by Thiru S.Muthusamy Hon'ble Minister for Housing and Urban Development , Government of Tamilnadu in the

presence of Principal Secretary Ms. Apoorva, IAS, Mr. B.Ganesan, IAS, Director,DTCP, Mr. E.Saravanelraj, IAS, Managing Director, Tamilnadu Housing Board to discuss on issues related to Tamil Nadu Combined Development Building Rules 2019, Issue of Completion Certificate, Residential building conversion, re-demarcation of HACA Area etc. Mr. R.R.Shridhar, Imm. Past Chairman, Mr. L.Shantha Kumar, Chairman, CMDA Committee, Mr. S.Ramaprabhu Chairman, Municipal Administration and DTCP Committee, BAI,Southern Centre have participated in the meeting.

On 24th April 2023 BAI Southern Centre Installation Function :-The Installation Ceremony of Builders' Association of India, Southern Centre took place on the evening of 24th April 2023 at Chennai Trade Centre, Nandambakkam, Chennai. The event was graced by distinguished dignitaries and attended by over 700 members.

On 29th & 30th April 2023 attended 1st State Level MC/GC Meeting :- The first State level MC/GC Meeting was held at Thanjavur. Bhishma Mr. R.Radhakrishnan, Past National President and Past Trustee, Mr. Mu. Moahan, Trustee and all MC/GC and Senior Members from BAI-Southern Centre attended the meeting.

On 5th May 2023 73rd AGM OF BAI-SC :- 73rd AGM of BAI-Southern Centre was held on 05th May 2023 at Dr.A.Ramakrishna Auditorium, BAI-SC premises. The Annual Report for the year 2022-23 was presented to all the members. All the Senior Members appreciated the good work done by the Immediate Past Chairman Mr. R.R.Shridhar and his team. Mr. R.R.Shridhar, Immediate Past Chairman welcomed the General Body and thanked the members for extending their support to him and his team. 38 members attended the AGM.

09/05/2023: Meeting with the Commissioner, Greater Chennai Corporation :- A delegation from BAI consisting Mr. A.N. Balaji, Chairman,BAI-Southern Centre, Mr. R. Sivakumar,Past State Chairman, TN,Pondy and Andaman Nicobar, Mr. R.Nimrode, Committee Chairman, Greater Chennai Corporation Committee met Thiru Gagandeep Singh Bedi IAS, Commissioner, Greater Chennai Corporation and Mr. S.Rajendiran,Chief Engineer (General), Greater Chennai Corporation and submitted a representation on financial and Technical aspects.

All India First MC/GC Meeting:- attended all MCGC Meetings by the India Past National President and Past Trustee Bhishma Mr. R.Radhakrishnan, All India Trustee and Past National President Mr. Mu. Moahan, Centre Chairman Mr. A.N. Balaji, all Office Bearers, Seniors and MC/GC Members.

23/05/2023: Affiliated Association Meeting:- In the year of 2023-24 two affiliated association Meeting was conducted along with Office Bearers and Representatives from the Chennai Flat Promoters Association, Singara

Chennai Builders Association. Mr. Mu.Moahan, Trustee and Past National President, BAI, Office Bearers and Representatives from Affiliated Associations attended the meeting and discussed on various issues that need immediate attention for the betterment of the fraternity. The discussion primarily revolved around the Tamil Nadu Government's recent orders on revision of stamp duty on power of attorney to sell immovable property. After discussions, it was decided to submit a Memorandum to the Government requesting the revocation of the orders or a considerable reduction in stamp paper and registration fees.

On 26th May 2023 Seminar on Optimization of Structures (Strength & Economy):- seminar on "OPTIMIZATION OF STRUCTURES (Strength & Economy)" was held inviting well-known speaker **Mr. A.Karthikeyan, ME., MIE., MIGS., FIV, Chartered Engineer (India), Professional Engineer (ECI), Structural & Geotech., Consultant, M/s Karthikeyan Associates Chennai** to participate as the Guest Speaker at **Southern Centre premises**. The meeting was well attended by around 125 members and Students from VIT-Chennai, SSN College of Engineering, Velammal College of Engineering and Sri Venkateswara College of Engineering. Participation certificates were issued to all the Students by **Bhishma Mr.R.Radhakrishnan, Past National President and Past Trustee and Mr. Mu.Moahan, Trustee and Past National President, BAI**. The Seminar was concluded with the Vote of Thanks from **Mr. R.Nimrode, Hon.Secretary**.

On 21st June 2023 Meeting with Members of the State Level Taxpayers Advisory Committee :- meeting with Members of the State Level Taxpayers Advisory Committee was organised by the Commercial Taxes Department, Government of Tamil Nadu under the chairmanship of Principle Secretary/Commissioner of Commercial taxes to discuss various issues in GST and other matters in Commercial taxes. **Mr. S.D.Kannan, Taxation Committee Chairman, BAI-Southern Centre** attended the meeting.

On 18th July 2023 Press Meet on the Implications Of increased Registration Charges for Home Buyers In Tamil Nadu :- A joint press meet of various Associations was organized in which BAI-Southern Centre, CREDAI Chennai, Chennai Flat Promoters Association, Flat Promoters Association - Chennai South, Singara Chennai Builders Association, Chennai Southern Builders Association and Flat Promoters Association, Ambattur & Avadi jointly participated. They listed a set of appeals to the Government regarding the sudden increase in stamp duty and Registration Charges effective from 10th July 2023 which imposed significant financial hardships on home buyers compelling them to pay additional charges.

Mr. A.N. Balaji, Chairman, Builders' Association of India, Southern Centre expressed concerns that redevelopment projects with multiple units will also be severely affected

by this increase. The cost of registering the powers of attorney will increase significantly, leading to higher selling prices for buildings and additional financial pressure on home buyers, especially those from the middle-class and lower middle-class segments.

On 26th & 27th July 2023 2nd State Level MC/GC Meeting:- The Second State level MC/GC Meeting was held at Mamallapuram. Meeting attended by the **Bhishma Mr. R.Radhakrishnan, Past National President and Past Trustee, Mr. Mu. Moahan, Trustee and other senior members from Southern centre**.

On 27th July 2023 Launch event of "Voluntary Green Rating of Industries":- Dr Jayanthi.M., IFS, Chairperson, Tamil Nadu Pollution Control Board, invited BAI-Southern Centre for the launch event of "Voluntary Green Rating of Industries" during G-20 Environment & Climate Sustainability Working Group Meeting at The Leela Palace, Chennai. **Mr G. Diwakar and Mr R. Balasubramaniam, General Council Members'** attended the launch event. And **Thiru P. Moorthy, Hon'ble Minister for Commercial Taxes and Registration, Government of Tamil Nadu** convened a consultation meeting on 27/7/2023 at Kalaivanar Arangam to hear the views of various Organizations on registration procedures in the wake of the Government hiking the charges for 20 services of the department including registration of power of attorney and construction agreement. **Mr. S. Ramaprabhu, Mr. L. Shantha Kumar and Mr.R.R.Shridhar, Past Centre Chairmen, Builders' Association of India Southern Centre** attended the meeting and requested the Hon'ble Minister not to increase the fees for transfer of power of attorney beyond Rs.20,000/- presenting a few views/suggestions for consideration.

On 10th August 2023 Students Orientation Programme :- Centre Chairman, **Mr. A.N. Balaji** conducted an orientation program to build the competencies of the young talents, enhance their employability skills and achieve a good career path. In response to the call, Students attended the interview and their Resumes were forwarded duly recommended to Member Companies who sent requisitions for consideration.

On 15th August Independence Day Celebrations:-BAI-Southern Centre celebrated 77thIndependence Day at BAI-SC premises with full pomp and fervor. More than 50 members took pride in glorifying and celebrating the spirit of unity.

On 17th August 2023 Seminar on Stop a Drop – Emerging Trends and Developments in Construction Chemicals for Buildings :- A seminar on "Stop a Drop – Emerging Trends and Developments in Construction Chemicals for Buildings" was organized by BAI-Southern Centre inviting **Mr. Manikandan Muthumanicam, Regional Specification Manager, Fosroc South Region** as the Guest Speaker. The meeting was well attended by around 150 members and Students from Various Engineering

Colleges. The seminar included interactive session and participants had the opportunity to gain knowledge and clear their doubts through Q & A session.

On 25th August 2023 Meeting with the Commissioner, Greater Chennai Corporation :-delegation from Southern centre & Greater Chennai Corporation Committee met ThiruDr. J. Radhakrishnan, IAS, Additional Chief Secretary / Commissioner, Greater Chennai Corporation and submitted a representation requesting to keep provision for submitting revised estimates and N.T. (Non Tender) items on Package Tender and requested early settlement of pending bills and streamlining Administrative Sanctions & Agreements.

On 2nd September Second All India MC/GC Meeting.- During the 2nd all India MC/GC meeting BAI awards for 2022-23 were announced to centres which adjudged best in various disciplines. BAI- Southern Centre and its Members bagged the following awards:

1. Best Centre Award for consecutive 14th time.
2. Best Publication award for 9th consecutive time.
3. Best Performing Chairman of the Functional Committee, Builders Association of India for 2022-23 to Mr. O.K.Selvaraj.

On 15th September 2023 Awareness Programme on TDS (Tax deducted at Source):- Centre successfully organized an awareness program on Tax Deducted at Source (TDS). The awareness programme was well attended by around 125 members. The event aimed to educate members on TDS provisions and their implications for the construction industry. The program featured speakers from the Income Tax Department. He emphasized the significance of TDS compliance. Following the key note address, income Tax Officers conducted a detailed session on TDS provisions relevant to the Construction industry. The seminar included interactive session and participants had the opportunity to gain knowledge and to clear their doubts through Q & A session.

Bhishma Mr.R.Radhakrishnan, Past National President and Past Trustee honoured the Chief Guest and Guest Speakers with Mementoes and Mr. A.N. Balaji, Chairman honoured the Sponsors SBI Mandaveli and Alwarpet Branches with a Memento.

On 22nd September 2023 Orientation Programme at Meenakshi Sundararajan Engineering College, Chennai:- Students and faculty members from the Civil Engineering department of Meenakshi Sundararajan Engineering College gathered for an Orientation Programme. Mr. A.N. Balaji, Chairman, BAI-Southern Centre delivered an enlightening speech to the students on Real-time Site Management providing valuable knowledge to the civil engineering students, highlighting the practical aspects of managing construction sites efficiently and effectively.

On 4th October 2023 orientation programme for government ITI students :- An Orientation Programme for Government ITI Students was organized by the, Southern Centre to provide valuable insights to the students exploring the vast opportunities in the Construction Industry. The event was president over by Shri A.N. Balaji, Chairman, BAI-Southern Centre in the presence of Shri Mu.Moahan, Trustee and Past National President, BAI. A motivating speech was delivered by Mr. A.N. Balaji, Chairman, Mr. M.Sekar, General Council Member, BAI-Southern Centre and Managing Director, M/s Charan Tiles and Windows and Deputy Director/ Principal, Government ITI Ambattur and Deputy Director/Principal, Government ITI, North Chennai. Their words of wisdom and encouragement inspired the students, providing them with valuable insights into the Construction Industry and its vast opportunities. More than 130 Students from the Government ITI(Men) Ambattur), ITI(Women),Ambattur, ITI North Chennai have participated.

On 9th October 2023 Oratorical Competition :-An Inter College Technology Oratorical Competition event in connection with Builders' Day Celebration was conducted at BAI-SC premises. The topic of the speech was "SUSTAINING NEW RESILIENT INDIA". Students from below mentioned six reputed colleges have participated:

1. Sri Sivasubramaniya Nadar College of Engineering
2. Velammal Engineering College
3. Sri Venkateswara College of Engineering
4. Meenakshi Sundararajan Engineering College
5. Saveetha Engineering College
6. B.S.Abdur Rahman Crescent Institute of Science and Technology

The participants were welcomed by Centre Chairman, Mr.A.N. Balaji and he praised the students who came large in number to excel their oratorical/presentation talent. Three Individual prizes, Four Consolation prizes and participation certificates were announced and Participants College and students were informed to receive the same on Builders' Day Celebrations being held on 20/10/2023. Mr. Mu.Moahan, Trustee and Past National president, Mr. R.R. Shridhar, Immediate. Past Chairman, Mr. R.Nimrode, Hon.Secretary and Mr. Y.Srinivasan Hon. Treasurer have graced the occasion and praised the Students for their extraordinary performance.

On 12th October 2023 Government ITI North Chennai Convocation:- Convocation of Government ITI North Chennai, was held. Mr. A.N. Balaji, Chairman of the, Southern Centre, and Mr. M. Sekar, General Council Member, participated as the Guest of Honor. Mr. A.N. Balaji, Chairman ,Builders' Association of India, Southern Centre, expressed the importance of vocational education and its impact on the construction industry. He

emphasized the role of institutes like Government ITI North Chennai in shaping skilled professionals for the workforce.

on 20th October 2023 Builders' Day Celebration :- Builders' Day Celebrated by the Southern Centre. Bhishma Sevarathna Thiru R.Radhakrishnan, Past All India President and Past Trustee Builders' Association of India was the Chief Guest Thiru Mu.Moahan, Trustee and Past All India President, Builders' Association of India and Thiru M.Ayyappan, State Chairman, Builders' Association of India , Tamilnadu, Puducherry and A& N were the Guest of Honors. Bhishma Thiru R.Radhakrishnan, Past All India President & Past Trustee, inaugurated the Celebrations and Mr.A.N. Balaji, Chairman, BAI-Southern Centre and Mr. K.K.Choudary, Committee Chairman, Builders' Day Committee welcomed the gathering. Prizes to the winners of Oratorical competition, Mementoes to participant colleges, Hospitals, gifts to workers were distributed.

In recognition of 50 years of dedicated service, Builders' Association of India, Southern Centre honored Bhishma Mr. R.Radhakrishnan for his unwavering commitment, exceptional leadership and invaluable contributions to the Builders' Fraternity with a Memento, Shawl, Garland, Thalappa, and Sengole.

On 26th& 27th October 2023 - Third State Level MC/GC Meeting :- Attended Third State level MC/GC Meeting was held at Puducherry by Bhishma Mr. R.Radhakrishnan, Past National President and Past Trustee, Mr. Mu. Moahan, Trustee and Past National President, Mr. A.N. Balaji, Centre Chairman, Mr. N.G. Lokanathan, Vice Chairman, Mr. Y.Srinivasan, Hon.Treasurer, Mr. K. Gopinathan, Jt. Secretary, Mr. K.Venkatesan, State Secretary and all MC/GC and Senior Members from BAI- Southern Centre attended the meeting.

On 3rd November 2023 -EXCON Road Show 2023 organised by Confederation of Indian Industry (CII) :- CII organized a Road show of EXCON 2023 and Chennai Region Infra Summit "Infra Next – 2030" on 3/11/2023 at Hotel Hilton, Chennai. Mr. A.N. Balaji, Chairman, BAI-Southern Centre addressed the gathering. Mr. Anshul Mishra, IAS, Member Secretary, Chennai Metropolitan Development Authority gave his special address. All Office Bearers and other Members have attended the Road Show.

On 9th November 2023 : 40th AGM of the Southern Construction Research and Development Service Society :- The 40th AGM of the Southern Construction Research and Development Service Society was held BAI-SC premises. The Annual Report for the year 2022-23 was presented to all the members. Mr. Mu. Moahan, Trustee and Past National President, Centre Chairman Mr. A.N. Balaji, State Secretary Mr. K. Venkatesan, and all office Bearers and Society Members were present at the AGM.

On 17th November 2023 Seminar on TNCDBR-2019 (Tamil Nadu Combined Development and Building Rules,2019) :- seminar on "TNCDBR-2019" (Tamil Nadu Combined Development and Building Rules,2019) was organized by the Southern Centre and Southern Construction Research and Development Service Society at BAI-Southern Centre premises. Centre Chairman, Mr. A.N. Balaji. Sevarathna Bhishma Mr. R.Radhakrishnan, Past National President and Past Trustee delivered the inaugural address setting the tone for the seminar. Key note speaker Mr. S.Ramaprabhu, Chairman of the Municipal Administration and DTCP Committee, BAI-SC covered /explained the following to the participants:

- Passage
- Special Rules for High rise Buildings
- Regulation for Developments in the Aquifer Recharge area
- Premium FSI
- Splay
- Planning Parameters for Institutional Buildings
- Planning Parameters of Industries
- Parking requirements
- Layout and subdivision Rules
- Development Prohibited or Restricted Areas
- Checklist to follow before purchase of property
- NOC Authorities

The seminar provided a comprehensive understanding of the TNCDBR-2019. Mr. L.Shantha Kumar, Chairman of the CMDA, RERA Committee, BAI Southern Centre delivered his Special address and provided insights into CMDA's third Master Plan. Mr. Mu. Moahan, Trustee & Past National President congratulated the Chairman for organizing such a useful seminar.

The seminar provided a comprehensive understanding of the TNCDBR-2019.

On 14th December 2023 a meeting with Thiru P. Moorthy, Hon'ble Minister for Commercial Taxes and Registration :- On December 14, 2023, a delegation consisting Shri A.N. Balaji, Chairman of BAI-Southern Centre, including Mr. S. Ramaprabhu, Chairman of the Municipal Administration and DTCP Committee, BAI-Southern Centre, and Mr. R.R. Shridhar, Immediate Past Chairman of BAI-Southern Centre, along with heads of various associations and promoters, met with Thiru P. Moorthy, Hon'ble Minister for Commercial Taxes and Registration, Government of Tamil Nadu, at his residence at 8:30 am. During the meeting, they submitted an appeal requesting a reconsideration of the new system valuation for property registration. Hon'ble Minister, the Secretary to the Government of Commercial Taxes and Registration Department, Government of Tamil Nadu, IG Registration, and other department officials participated. All heads of

the associations actively engaged in the discussion, representing their concerns.

On 18-12-2023, Seva Ratna Bhisma Shri R.Radhakrishnan, Past National President & Past Trustee has released BAI-Southern Centre 2024 Diary and Mr.Mu. Moahan, Trustee and Past National President received the first copy.

On 20th& 21 2023 Fourth State Level MC/GC Meeting :- The Fourth State level MC/GC Meeting was conducted. Bhisma Mr. R.Radhakrishnan, Past National President and Past Trustee, Mr. Mu. Moahan, Trustee and Past National President, Mr. A.N. Balaji, Centre Chairman, Mr. N.G. Lokanathan, Vice Chairman, Mr. Y.Srinivasan, Hon.Treasurer, Mr. K. Gopinathan, Jt. Secretary, Mr. K.Venkatesan, State Secretary and all MC/GC and Senior Members from BAI- Southern Centre attended the meeting

On 3rd January 2024 awareness program on entrepreneurship Development for ITI students:- On 3rd January 2024, as part of the Tamil Nadu Global Investors Meet 2024, Government ITI, North Chennai organized an awareness program on Entrepreneurship Development for ITI students. Mr. A.N. Balaji, Chairman, BAI-Southern Centre who was invited as the Chief Guest to deliver a motivational speech. He emphasized the significance of entrepreneurship in developing innovation, job creation and economic growth. His motivational Speech in the awareness program on Entrepreneurship Development proved to be an enlightening experience for the ITI students.

Active participation of approximately 150 ITI students.

On 19th January 2024 General Body Meeting :-The new Team of Office Bears and EC/GC Members for 2024-25 were unanimously elected and the same was declared by Mr. J. Tajuddin Returning Officer, Elections 2024-2025 in the General Body Meeting held at BAI SC premises.

On 26th January 2024 Republic Day Celebrations :- 75th Republic Day was celebrated at BAI-SC premises with full pomp and fervor Sevarathna Bhisma Shri R.Radhakrishnan, All India Past National President and Trustee unfurled the National Flag followed by National Anthem. Mr. Mu. Moahan, Trustee and Past National President, Mr. A.N. Balaji, Chairman, Mr. J.R.Sethuramalingam, Past Vice President, Mr. S.Ayyanathan, Past Vice President, Mr. R.Sivakumar, Past State Chairman, Mr. L.Venkatesan, Zonal Secretary, Mr. O.K. Selvaraj, Past Trustee, all senior Members graced the occasion.

On 27th to 29th January 2024/01/2024 **XXXI All India Builders' Convention & 4th MCGC Meeting at Hyderabad :-** XXXI All India Builders' Convention and Fourth MC/GC Meeting was held at Hyderabad from 27/01/2024 to 29/01/2024. More than 40 members from Southern Centre have participated in the meeting.

BAI-Southern Centre received recognition for its outstanding contributions and achievements earning prestigious awards in several categories:

1. Best Centre Award for consecutive 14th time.
2. Best Publication award for 9th consecutive time.

Mr. O.K. Selvaraj was honoured as the Best Performing Chairman of the Functional Committee, Builders Association of India for the term 2022-23.

On 6th March 2024 PWD Standard Schedule of Rates preliminary meeting :- A preliminary discussion for finalization of Standard Schedule of Rates for the year 2024-25 for Civil and Electrical works items etc. was organised by the Engineer-In-Chief and Chief Engineer (General), PWD and preliminary discussion for finalizing the Schedule of Rates for the year 2024-25 for Rates of Labors, Material, Works, Conveyance and all other items was organized by Engineer-in-Chief & Chief Engineer (General) WRD at the PWD conference hall on 06/03/2024. Centre Chairman Mr. A.N. Balaji and PWD Committee Chairman and Past Chairman Mr. L.Venkatesan participated and recommended various changes in Schedule of Rates.

On 12th March 2024 Meeting with the Superintending Engineer (C&M), Tamil Nadu Highways Department :- Mr. A.N. Balaji, Centre Chairman accompanied by the Highways Committee Chairman and Past State Chairman Mr.R.Sivakumar and Hon. Secretary Mr. R.Nimrode convened a meeting with the Superintending Engineer (C&M), Tamil Nadu Highways Department, Chennai Circle. During the meeting, they submitted a requisition letter along with purchase bills of B.G. Metals and other construction materials and requested for the consideration of these market rates in making Schedule of Rates for the year 2024-2025

On 18th March 2024 Meeting for Finalisation of PWD Standard Schedule of Rates :-A meeting of the Schedule of Rates was organized at PWD conference hall on 18/03/2024 to discuss and finalise the Schedule of Rates for the year 2024-2025 for Civil and Electrical works items etc. PWD Committee Chairman Mr. L.Venkatesan Past State Chairman Mr. R.Sivakumar, State Secretary Mr. K.Venkatesan participated and recommended various changes in Schedule of Rates.

On 18th March 2024 Builders' Family Meet :- To foster unity and create cherished memories, Builders' Family Meet a joyous event filled with more fun, frolic, games, music, entertainments, a real get together, relaxing atmosphere was celebrated on Monday, 18th March, 2024 at the picturesque "Madras Race Club Lawn", Guindy Chennai. The family meet was inaugurated by Mr. & Mrs. Bhisma R. Radhakrishnan, Past National President and Past Trustee, BAI. Guest of Honor was Mr. & Mrs. Mu. Moahan, Trustee and Past National President, BAI.

THENI CENTRE

Installation Function held on May 18th 2023 in the presence of Shri. Bhisma R. Radhakrishnan Past President & past Trustee, BAI, Shri. K. John Paul, Vice President, South-II, Shri M. Ayyappan State Chairman, BAI, Tamilnadu, Pondicherry & Andaman & Shri K. Jeganathan, Imm. Past State Chairman, State Chairman, BAI, Tamilnadu, Pondicherry & Andaman.

In 2023 - 2024, Our Theni Centre members attended 4 - Managing Committee and General Council meeting & 4 - State Level MC / GC Meeting under my Chairmanship. Also in 2023 - 24, under the guidance of Er. N. Murugesan, BAI - Theni Center & Theni Dt. Crusher Association jointly contributed for Tuticorin Flood Relief. During the period 3 - EC Meetings, 4 General Board Meetings and 2 Celebrations were conducted.

On 1st April 2023 Past chairman & Office Bearers conduct meeting. we discussed and selected me as chairman for the year of 2023-2024. On 5th April 2023 1st EC Meeting with Office bearers & EC members conducted. We discussed about event & organise for Installation function (2023-2024). On 18th May 2023 2023-2024 Installation function held with members & their families. On 28th June 2023 1st General board meeting & renacon AAC BRICKS traders meeting conducted with all members. On 27th Aug 2023 2nd General board meeting & addressing of traders meeting held with all members. On 8th Sep 2023 2nd EC Meeting conducted with office bearers & EC members . Discussed about PAN card & GST number for BAI-Theni center. On 4th Nov 2023 3rd General board meeting with diwali family function celebration & welfare given for orphanage & school children. On 5th Dec 2023 3rd EC Meeting conducted with office bearers & EC members. Discussed the annual subscription collection of the year 2023-2024. On 7th Jan 2024 General board meeting with pongal family function celebration conducted. Gifts & memonts were given in this function. On 11th Jan 2024 We met a THENI DISTRICT COLLECTOR & LABOR COMMISSIONER . For the year three times salary price may hick for labours. On 3rd Feb 2024 Meeting with past chairman & office bearers. Discussing about the New office opening for BAI Theni centre. Also Selection of office bearers members for upcoming year 2024-2025. On 25th Feb 2024 BAI - Theni center new office opening. All past chairman, office bearers, members are came for new office opening . On 27th Feb 2024 A one- day strike against the sharp rise in the prices of minerals - in relation. Letter given to Theni district collector for Honorable Chief Minister of Tamil Nadu. On 5th March 2024 For the year of 2023-2024 last general board meeting conducted Kodaikanal. Introduction of new administrators members for upcoming year of 2024-2025.

THRISSUR CENTRE

The Annual General Body meeting held on 2nd February 2023 at Asokha Inn, Thrissur, had decided to continue with the same office bearers as in 2022-23 for the second term.

The Annual General Body meeting & Family Get Together held on 20th January 2024 at Hotel Dass Continental Thrissur approved the election results of new office bearers for 2024-25. The AGM also approved the report of activities and accounts for 2023-24.

Executive Committee Meetings: - Conducted 10 Executive Committee meetings each held every month and 1 Special Committee meeting.

New Members: - Induction of 5 new patron members to Thrissur Center was made by the State Chairman Sri. Jolly Varghese during the Builders day celebrations on 28th October 2023

State Committee Meetings: - BAI Thrissur had representation of 3-4 members in every State committee meetings.

The office bearers of Thrissur centre had attended the state level Orientation programme for the office bearers held on 25th April 2023 at BAJ chambers Kadavathara.

The Functional committee of private contractors was held on Nov 30, 2023 at BAJ Chambers Kadavanthara and attended by 3 members from Thrissur center. Sri Rajeshkumar Madathil has been selected as co chairman and Sri Ashraf P A and Sri Siyoj James has been selected as executive Members.

Participation in National Level meetings: - Thrissur center has actively participated with 4-6 members 111 most of MCGC meetings. There was representation at 1st GCMC meeting at Coimbatore on 12th May 2023.

The office bearers attended the office inauguration ceremony of the Presidents Chamber at BAI Headquarters, Mumbai on 29th March 2024.

Participation in Other Centre Installations:- Installation of Office Bearers of Other Centers for the Year 2023-2024 stailed with installation of state chairman along with office bearers of Cochin Centre Cochin Centre on 25th Ap1il 2023 with pailicipation of 6 members from our center followed by idukki centre on 1st July, Tripunithara centre on July 8, installation ceremony of Etumanoor center on 9th 11 July 2023.

Builders Day Celebrations 2023:- The 1st builders day cum family meet in the state was held by Thrissur center on 28 October 2023 which was inaugurated by Honb'le minister Sri K Rajan and key note address by Prof. Ajith Kaliyath on the topic "Sustaining New Resilient India" followed by entertainment programs.

Builders Day Celebrations of Other centers :- Around 6 members from Thrissur center had attended the builders day celebrations of Cochin center held on 29 October . This was followed by builders celebrations of Tripunithara center on Nov 11, Angamaly center on 18 Nov, Calicut centre on 9 Dec, Etumanoor center on 10 Dec, Aluva center on 16 December, Thiruvalla centre on 23rd December, Trivandrum center on Jan 2, Idukki on Jan 6, and finally Changanassery center on Jan 12.

BAI Kerala Statecon:- Thrissur Center had an active participation of 37 members in the 7th BAI Kerala State Convention held on 2nd March 2024 at Adlux Convention Center hosted by Angamaly Centre.

Thrissur Center conducted the seminar Nirmaan on 14th June 2023, at Asokha Inn to enlighten the stake holders on building rules and lire and safety regulations in building construction. The classes were handled by Er Raj J R, Executive Engineer, Thrissur Corporation, and Mr. Haridas , Deputy Fire Officer, Fire Rescue dept, Palakkad.

A Seminar was conducted on labor laws applicable to building construction activities on 30 September 2023 at Bhavanam Regency Guruvayoor. Mr. Yarkiachan Pettah handled the classes. A talk session by Lalu Varghese was held at Govt Engineering College Thrissur on October 3, 2023 in coordination with BAI students chapter on CCS Candy software and the familiarisation on the use of software in construction activities.

A one day technical workshop was held at Govt Engineering College Thrissur exclusively for members of BAI student chapter for providing training on Candy software.

BAI Thrissur conducted a webinar on Section 43 (b) of IT Act on MSME registered vendors by Mr. Vipin K K, FCA, a leading chartered accountant on 18th February 2024 and discussed the pros and cons of the upcoming act.

Seminar & Workshops Conducted Jointly with other Centers Institutions / Organisations

BAI Thisur joined hands with Civil department, Govt Engineering College. Thrissur in the conduct of the technical paper presentation competition the Concetto 23.

BAI held press meet in connection with Katpenter projects and the center chairman was interviewed in the Club FM radio announcing the conduct of the seminar 2023.

A one day workshop on K-sma,1 Training was conducted by BAI Thrissur in coordination with K-smart, Thrissur Corporation, LSGD & IKM Kerala associating with Indian Institute of Architects,

LENSFED & Institute of Indian Interior Designers for training the stake holders on the K-sma11 software being implemented in Thrissur Corporation for submission of all approvals.

A one day site training programme with field visit was conducted for the students of BAI students chapter at Govt. Engineering College Thrissur to the renovation & remodelling works of St. Joseph Convent, Choondal - 100 year old building being remodelled.

Memorandums & Suggestions :- The Thrissur center submitted a memorandum to District Collector for resolving issues related to quarry and crushers and its consequent price hike on May 10, 2023 and held discussion with the District Geologist on the same day. The office bearers discussed the various possibilities of resolving the issues amicably.

The Thrissur centre in consultation with CREDAI submitted a memorandum to Hon'ble Mayor & Secretary Corporation requesting changes in the proposed AMRIT Master plan for the corporation premises.

BAI Thrissur conducted a webinar on Section 43 (b) of IT Act on MSME registered vendors by Mr. Yipin K K, FCA, a leading chartered accountant on 18th February 2024 and discussed the pros and cons of the upcoming act. The center prepared a memorandum to BAI headquarters to be forwarded to IT department on expressing the facts figures & outcomes of implementing.

Section 43 (b) of IT Act and its impact on the construction industry.

The centre celebrated the Independence day by hoisting the National flag at Sarawathi Vidya Niketan Public school and contributed a sum towards sponsoring study material to economically backward students .

Other Notable Services of Thrissur Center :- The office bearers of Thrissur center have been actively participating in discussion with District Labour Officer and the trade union leaders over the revision of rates of head load workers and inclusion of new items in the list. Already two meetings have been elapsed.

The centre conducted a poll among our members for the studying the various issues faced by our members in their work sites and proposals on the resolving College for the formulation of a curriculum based practical training session for the students where they can witness, experience and study the construction stages of various project from actual site through out the course of their study.

BAI National Elections :- The AGM of BAI Thrissur had nominated Mr. Suresh P N to contest for the post BAI Kerala state chairman and the center members had

actively participated in the election campaign for the state chairman. Mr. Suresh P N was elected to the post of state chairman with a lead of 6 votes.

Awards & certification :- BAI Thrissur has been bestowed with the national award for “best efforts by any centre for quality construction”.

Sports & Leisure Activities:- BAI Thrissur has conducted Onaniravu- a family meet for onarn celebration at Hotel Blue Serene on 6th Sep 2023 and witnessed wide participation of families and cultural events.

BAI has been conducting training sessions for practising cricket & football in the last weeks as an initiative for participation in BAI sports league organised by Cochin center.

BAI Thissur has actively participated in all the games in the state level sports meet BAI sports League hosted by Cochin Center and has bagged the overall championship trophy by securing the first place in Badminton and runners up for Football.

TIRUNELVELI CENTRE

Tirunelveli Centre conducted total ten Executive Committee meeting during the year of 2023-24. All meetings attended by the by Immediate Past Chairman Mr.Venkatesan, Dr. Sokkanathan Managing Trustee Mr.Basheer Ahmed Past Chairmen of the Centre Mr.Lawrence Walter Mr.Gobi, Mr.Jimmi Carten Mr.Chidambaram Karthikeyan Mr.Periasamy and Special Invitee Mr.S.Venkatesh Mr.Sameer Mr.C.Muthikumar Vice Central Secretary Mr.Muralitharan.

On 9th April 2023 Inauguration ceremony of Tirunelveli District Civil Engineers Association for the year 2023 - 24 including Chairman, Secretary, Treasurer was held at Sonya Garden, Palayamkottai. On behalf of our BAI Tirunelveli Centre, Chairman Mr. Abdul Rahman gave a greeting to the new office bearers. Secretary, Treasurer and key executives participated on behalf of our centre in this event.

On 11th April 2023 Inauguration ceremony of new office bearers including Chairman of Tuticorin Centre was held at Tuticorin. Behalf of Tirunelveli Centre, Chairman Mr.Abdul Rahman, Secretary Mr. Muralidharan, Past Chairman Mr.Ulaganatha Shankar, Mr.Jimmi Carten, Vice Chairman Mr. Selvakumar, Mr. Manmathan, Mr. Duraimuthu, Mr. Sameer participated.

On 12th April 2023 Kanyakumari function of new Office Bearers including the Chairman of Kanyakumari Centre for the year 2023 - 24 was held at Hotel Ramaraj Regency. Centre, Chairman Mr. Abdul Rahman, Secretary Mr. Muralitharan, GC Member - Mr. Palanivel, former Chairman, Mr. Essakkiyappan,

Special Invitee Mr. Sameer participated and highlighted. Tirunelveli Centre Chairman congratulated the new office bearers of Kanyakumari Centre.

On 20th April 2024 First Technical Seminar of Kanyakumari Centre was held at Akshaya Garden, Nagercoil. Chairman of centre Mr. Abdul Rahman Secretary Mr.Muralitharan, GC Member Dr.Sokanathan attended. On this occasion, Dr.Sokanathan delivered a keynote speech on the topic Green Building Concept. In this event Dr.Sokanathan was honored with a memento on behalf of the Kanyakumari Centre.

On 23rd April 2023 Inauguration ceremony of New Office Bearers including Chairman, Secretary, Treasurer of Tirunelveli Centre was held as a family function. Centre members along with their families graced the occasion. Mr.Mu.Mohan, the former national Chairman of our centre and Trustee, was the special guest on this occasion. Tamil Nadu, Puducherry and Andaman Nicobar State Chairman of our Centre Mr. Ayyappan and State Treasurer Mr. Ananthan were present. The State Chairman Mr. Ayyappan administered the oath to the office bearers including the Tirunelveli Centre Chairman. Also in this event, CREDAI Chairman Mr. Sivakumar Das, FACEAT & P President Mr. Rajesh Tamilarasan, Chairman of Tirunelveli District Civil Engineers Association, Mr. Vijayapandi, and Builders Trust Managing Trustees Mr. Basheer Ahmed. Mr. Essakki participated and gave a congratulatory speech. Former FACEAT & P President Mr. Raghavan, Mr. Raja, Past Chairman of BAI Tirunelveli, Deputy Secretary of CREDAI Mr.Mayan Ramesh Raja, Deputy Secretary of NELSTIA organization, Mr. Ayyappan, attended and gave greetings. The event was attended by many members including the nearby centres of Tirunelveli Centre, Tuticorin, Kanyakumari and Tenkasi Centre.

On 29th and 30.4.2023 State Chief Inauguration Ceremony and First State Level Management and General Committee Meeting (MC GC Meeting) was held in Thanjavur. Ceremony attend by the Centre Chairman Mr. Abdul Rahman, Secretary Mr. Muralidharan, Treasurer Mr. Muthukumar, Immediate Past Chairman Mr. Venkatesan, Vice Chairman Mr.Selvakumar GC Member, Dr.Sokkanathan, our Centre Past Chairman Mr.Raja and Centre Senior Member Mr.Murugan were present in this event.

All four National MC GC meeting attended by the Tirunelveli Centre, Centre Chairman Mr. Abdul Rahman Immediate Past Chairman Mr. Venkatesan Centre Past Chairman, Mr. Raja Mr.Gunaseelan, Mr. Murugan and senior members.

On 19th May 2023 swearing-in ceremony of Tenkasi Centre for the year 2023 - 24, one of the Branch Centres created by our Tirunelveli Centre, was held at Aruna Hall, Tenkasi. Mr. Abdul Rahman, Mr. Venkatesan, Mr. Olaganath Shankar, Dr. Sokkanatha, Mr.

Essakkiyappan, Mr. Ram Arvind attended the event and congratulated the new office bearers. former Chairmen of the centre Mr. Olaganatha Shankar, GC Member Dr. Sokkanathan.

On 7th June 2023 Sera Tiles and Pipes Super Star Award Function attended by the Centre chairman alongwith Centre Secretary Mr. Muralitharan Treasurer Mr. Muthukumar Vice Chairman Mr.Selvakumar former Chairman of our Centre Mr.Lawrence Walter and members of our Centre participated as special guests.

The First Technical Seminar for the year 2023 & 24 of the Tirunelveli Centre was held on 14.6.2023 under the patronage of Tirunelveli Centre Chairman Mr. Abdul Rahman under the title of Traditional City Modern Layout. Former Chairman of the Centre Mr. Syed Ahmed was the guest of honor in this meeting. Senior member of our centre and former GC Member Mr. Mayan Ramesh Raja was the special guest and addressed our members on the topic "Traditional City and Evolved Urbanism". Many members of our centre participated in this meeting.

A discussion program with the Chairman of Tirunelveli Centre, Mr. Abdul Rahman, EC Members and Renacon AAC Block Group Chairman was held at Tirunelveli Apple Tree Hotel on 17.6.2023.

International Yoga Day 21.6.2023 was held on behalf of Tirunelveli Centre at Arjuna Kalyana Mandapam, Sivalapperi Road, Palayamkottai. The members of the Tirunelveli centre were given yoga training by yoga teachers Mr.Jagatheeswaran and Mr. Ramakrishnan. In this event, Tirunelveli Centre Chairman Mr. Abdul Rahman Secretary Mr. Muralidharan Treasurer Mr.Muthukumar former Chairmen of the Centre, Executive Committee members and Centre members participated in large numbers and received yoga training.

On 17.07.2023, a student body was formed in the Civil Engineering Department in Sankar College of Technology, which is the main technical college of our Tirunelveli district. Mr. Abdul Rahman, Chairman of our Centre, attended as a special guest. Past Chairman of our centre Mr.Lawrence Walter to give confidence to the students. The speech was very inspiring to the students.

The second State Level Managing Committee and General Council Meeting was held on 27.7.2023 at Mahabalipuram. Our Centre Chairman Mr. Abdul Rahman, Secretary Mr.Muralidharan, Past Centre Chairmen Mr. Vembu, Mr.Palanivel, Mr. Raja and Membership development Committee Vice Chairmen Mr.Gunaseelan, Mr. Duraimuthu and Mr. Ram Aravind, Mr.Marisamy behalf of Kovilpatti New Centre were present in this meeting. highlighted. On this occasion the details of 29 members of the new Kovilpatti

centre and cheque for Patron members were handed over to our Bhishma Mr. Radhakrishnan.

On behalf of Tirunelveli Centre, Chairman Mr. Abdul Rahman hoisted the flag on the building of our centre at Krishnapuram for the 77th Independence Day of India. Secretary Mr. Muralidharan, Treasurer Mr. Muthukumar, Vice Chairman Mr. Selvakumar and Past Chairmen of our centre, Executive Committee members and their families graced the occasion.

A New Readymade Pre-Stress Compound Wall Company Inauguration was held on 20.8.2023, Mr. Satish Narayanan, a member of our centre, met and invited the Chairman of our Centre, Mr. Abdul Rahman, in his office to inaugurate his Readymade Compound Wall Factory.

On 23rd August 2023 attended 5th Technical Seminar of Kanyakumari Centre which was held at Akshaya Hotel, Nagercoil. In this Seminar, Our Centre Chairman Mr. Abdul Rahman, Secretary Mr. Muralidharan were present. In this seminar Mr. Palanivel, Past chairman of our Centre and Chairman of the State DTCP Committee, explained to the

The National Level Core Committee meeting held at Alappuzha, Kerala was held on 01.09.2023. The Chairman of the Centre Mr. Abdul Rahman, Secretary Mr. Muralidharan, Member of the Centre Mr. Ram Aravind, Immediate Past Chairman Mr. Venkatesan and Vice Chairman Mr.Selvakumar were present in the meeting.

On behalf of Tirunelveli Centre, A Special Seminar Meeting was held on 14.9.2023 under the Chairmanship of Centre Chairman, Mr. Abdul Rahman, on the topic Basic Ethics of Building Structures on 14.9.2023 as a celebration of Engineers Day. The meeting was attended by Mr. Raja, the Past Chairman of the Centre and the Vice-Chairman of State Skill Development Committee and gave a speech as a special guest.

On behalf of Tirunelveli Centre, the opening ceremony of Kovilpatti Centre, which is the 4th New Centre of Tirunelveli and the 50th Centre of Tamil Nadu, was inaugurated by Mr.Bishma Radhakrishnan and the prominent leaders of Tamil Nadu attended. State Chairman Mr. Ayyappan, State Secretary Mr. Venkatesan, State Treasurer Mr. Anandhan and past National Chairman and Trustee Mr. Mu. Mohan immediate Past State Chairman Mr. Jaganathan and our Centre Chairman Mr. Abdul Rahman, Secretary Mr.Muralidharan, Treasurer Mr. Muthukumar and many past Chairmen and members of our centre attended and honored.

The Thirunelveli Centre's Builders' Day (Sustaining New Resilient India) was held at the NSK, Mahal, Melapalayam, Tirunelveli. The members of our centre

attended and celebrated with their families in large numbers.

On 26th October 2023 3rd State Level Core Committee Meeting was held at Pudhucherry on 26.10.2023 at 5.00 PM. Our Centre Chairman Mr. Abdul Rahman Executive Committee member Mr.Gunaseelan also participated.

The Diwali Celebration was led by our Centre Chairman Mr.Abdul Rahman and the Past Chairman of the Centre Mr.Amanullah and the founder of Tirunelveli A to Z Tiles Owner Mr.Amanullah was the Special Guest. The special speaker was comic Novelist T.S.M.O. Hassan who spoke on the topic "Diwali Siripu Saravedi" and enthused the members.

On 21.11.2023 Introductory ceremony of Honeywell Switch Company was held at NGO Colony Balaji Mini Hall under the Chairmanship of our Centre Chairman Mr. Abdul Rahman. Past Chairmen and members of the centre also participated in large numbers. Secretary Mr.Muralidharan thanked the meeting and the meeting ended happily with dinner and souvenirs.

The 8th Emergency Executive Committee Meeting of our Centre was held at Vamana Hall. In this meeting Mr.Ayyam Perumal's new letter of complaint was discussed. At the end, the meeting concluded with a thank you dinner for the Members.

Due to heavy rain in Tirunelveli on 17.12.2023 and 18.12.2023, the people of Arampannai, Konkarayakurichi, Alwarkarkulam and many surrounding villages around Tirunelveli lost their houses and belongings and were suffering without food and clothing. Milk, bread, biscuits, napkins, candles, drinking water bottles and food items were provided on behalf of the BAI Tirunelveli Centre to the suffering people. In this humanitarian based event our Centre Chairman Mr. Abdul Rahman, Secretary Mr.Muralidharan, Treasurer Mr.Muthukumar and Managing Trustee Mr. Basheer Ahmed, GC member Dr. Sokkanathan Past Chairmen Mr. Syed Ahmed, Mr.Amanullah and others participated and distributed relief materials to the affected people.

On 20.12.2023, the State Level Core Committee Meeting and State Diary release program held at Pudukottai, Tirunelveli Centre Chairman Mr. Abdul Rahman, Secretary Mr.Muralidharan, Treasurer Mr.Muthukumar, Past Chairmen Mr.Palanivel, Dr.Sokkanathan, Mr.Olaganatha Sankar, Senior Member Mr.Murugan, Mr.Gunaseelan, Immediate Past Chairman Mr.Venkatesan and Mr.Ram Aravind participated.

On 21.12.2023 the 4th State Level Managing Committee and General Council meeting was held at Pudukottai. On behalf of Tirunelveli Centre, Chairman Mr. Abdul

Rahman, Secretary Mr.Muralidharan, Treasurer Mr.Muthukumar, Senior Member Mr.Murugan, Past Chairman Mr.Olaganatha Sankar, Immediate Past Chairman Mr.Venkatesan Mr.Gunaseelan and Mr.Ram Aravind were present.

On 23.12.2023 distribution program was held at Tirunelveli Town, Twin Ganesha Temple street distributed flood relief items to the flood affected peoples.

On 26.12.2023 Flood Relief Materials for around 400 Families reached Tirunelveli by truck on behalf of the BAI State Office. On behalf of the Tirunelveli Centre, heartfelt Thanks were expressed to the State leadership and other Centre leaders and members for their assistance.

In Tirunelveli Flood affected Nanguneri area, BAI Tirunelveli Centre distributed Flood Relief items like Blankets, Towels, Dhooties and Shirts to the Flood Affected Peoples through Mr.Ruby Manohar M.L.A, (Member of Tamil Nadu Nanguneri Assembly) Centre Chairman Mr.Abdul Rahman, Secretary Mr.Muralidharan, State DTCP Committee Chairman & GC Member Mr.Palanivel, participated in the event.

Due to the heavy rains in Tirunelveli on December 17th and 18th, Flood Relief items sent from All India Builders Association Head office (Tamil Nadu and Puducherry) to the riverside residents of Keelaveeragawapuram, Kamarajapuram, Tirunelveli Town, which were heavily affected by the heavy rains on the two days of December 17 and 18 2023 were

To all our Tirunelveli Centre Members for Year of 2024 Diary was presented under the Chairmanship of Mr.Abdul Rahman.

On 4th January 2024 organised flood Relief Assistance by Tirunelveli centre. Relief materials were provided to the people of Tirunelveli Junction area affected by heavy rains.

State Level Green Building Seminar Conducted on behalf of the Coimbatore Centre, our Centre Chairman Mr.Abdul Rahman State Green Building Committee Vice Chairman Dr.Sokkanathan and members attended. Dr.Sokkanathan was awarded on the occasion.

As a ceremony honoring humanitarian service, Tirunelveli Centre, Builders Trust and Ramco Cement along with the Pongal parade was performed to honor the villagers of PudukudiMelur, who helped the Chennai to Thiruchendur Train Passengers affected by rain and flood near Thiruvaikundam, by providing food and essential items, so that they would not worry about their next day's hardships. As a regular event on behalf of Tirunelveli Centre, Republic Day Celebration of the Republic of India was hoisted by our Honorable Past

Chairmen and Present Managing Trustees, Mr. Basheer Ahmed and Mr. Esakki at our Centre Office at Krishnapuram. Past Chairmen and Members of our centre participated and graced the occasion.

BAI Tirunelveli Centre General Body Meeting regarding the Election of New Chairman, Secretary, Treasurer and General Council Members for the year 2024 - 25 of our centre was held on 01.02.2024 at Balaji Mini Hall. In this meeting, Chairman Mr. Abdul Rahman, Secretary Mr. Muralidharan, Treasurer Mr. Muthukumar and Election Officers Immediate Past Chairman Mr. Venkatesan, Past Chairman Mr. Periasamy and many Members attended the General Body Meeting. The meeting was held smoothly. Past Chairman Mr. Chidambara Karthikeyan gave a special speech. Secretary Mr. Muralidharan gave vote of thanks. The meeting ended smoothly.

The opening ceremony of the new branch of Anthony Metals Pvt Ltd., a patron member of our Tirunelveli Centre, was held at Pavoorchatram on 08.02.2024. Tirunelveli Centre Chairman Mr. Abdul Rahman and Secretary Mr. Muralidharan were participated in the event.

On 13.2.2024 State Level Core Committee Meeting held at Trichy, The Past Chairman of our Centre Mr. Palanivel was unanimously elected as the Chairman of Tamil Nadu and Pudhucherry & Andaman and Nicobar Islands for the year 2024 - 25. Joint Secretary Mr. Duraimuthu, Senior Member Mr. Murugan, Executive Committee Member Mr. Gunaseelan participated and highlighted.

On 16.2.2024 a consultation TNCPTR meeting was held at Tirunelveli District Collectorate. Tirunelveli District Collector's office consultation meeting titled Tirunelveli Master Plan 2041, Tirunelveli Centre Chairman Mr. Abdul Rahman, Past Centre Chairmen Mr. Venkatachalapathy, Mr. Palanivel, Mr. Essakkiappan and Vice Chairman Mr. Selvakumar, Joint Secretary Mr. Duraimuthu, Treasurer Mr. Muthukumar, Centre Members Many people including Mr. Muthuraj, Mr. Venkatesh, Mr. Nawab Hussain, Mr. Selvam attended and gave suggestions in the meeting.

A technical seminar was held on behalf of our centre on 5.3.2024 at Hotel Polymera near Palayamkottai New Bus Stand. In this event, our Centre Chairman, Mr. Abdul Rahman, Secretary Mr. Muralidharan, Treasurer Mr. Muthukumar and many Past Chairmen and Members of the Centre attended. On behalf of Ultratec Cement Company Technical Manager Mr. Krishna, attended and gave a special speech as a special guest.

On behalf of our Centre, a special First Meeting of experts on views and suggestions on Tirunelveli Master Plan 2041 was held on 12.03.2024, Vamana Hall, Balaji

Tower at 4.00 PM. It was decided that important members including Secretary, Treasurer and Past Chairmen would participate in the meeting chaired by the Centre Chairman Mr. Abdul Rahman and convey their views and suggestions to the government.

Builders' Day was celebrated as a family function at Hotel Ramraj Residence in Nagercoil on 13.03.2024 at 7.30 pm at Kanyakumari Centre, one of the Sponsored Centres of Tirunelveli Centre. Tirunelveli Centre Chairman Mr. Abdul Rahman attended the event as the special guest. Along with him, the Past Chairman of the Centre, Mr. Jimmi Carten, Mr. Muthuraj, Mr. Kalyana Lakshmanan, Mr. Ram Arvind and Kovilpatti Centre Chairman Mr. Gunaseelan were present.

On behalf of Tirunelveli Centre, a Thanks Giving Meeting was held at Balaji Mini Hall at Dt. 27.03.2024, 6:30pm. The meeting was chaired by the Centre Chairman Mr. Abdul Rahman, Secretary Mr. Muralidharan, Treasurer Mr. Muthukumar and many Members participated and highlighted. In this meeting CST thanked all the Past Chairmen, Senior Members, Executive Committee Members and all our Centre Members for their full support to the activities of the Centre for the year 2023 - 24. Past Chairmen of the Centre Mr. Rajesh Tamilarasan, Mr. Jimmi Carten, Dr. Olaganatha Sankar, Dr. Sokkanathan, Mr. Gopi, Mr. Periasamy and Mr. Venkatesan participated in this event as special guests. Mr. Gunaseelan attended as the Guest of Honor.

THIRUVALLA CENTRE

Thiruvalla Centre organised total five Executive Committee Meetings during the year of 2023-24. All Meetings attended by the Centre Chairman, Executive Committee Members and other Executive Committee Members from the Centre.

Centre also organised three General Body Meetings. Large number of members participated in the General Body meetings.

Participated in Other Centres events:- 1) Participated Builders Day programme of Ettumanoor Centre, Angnamalle Centre, Cochin Centre and Installation function of dukki Centre and Cochin Centre

Centre Chairman and GCMC members of Thiruvalla Centre attended the all MCGC Meeting organized by BAI, HQ.

Election process of all the centre was held in the time bound manner and result forwarded to HQ for their necessary actions.

TIRUCHARPALLI CENTRE

Tirucharpalli Centre organised total 9 General Body meetings during the year of 2023-24.

Our Centres 41st Installation function was celebrated on 27-04-2023 Thursday, 6.00 pm at RBS Palm, Morais City, Tiruchirappalli. Chief Guest – M. Iyyappan State Chairman, AI trustee Shri M.Thirusangu – participated.

Organised Medical camp at St. John's vestry anglo Indian higher secondary school, Trichy by Joseph eye hospital, Apollo Hospital, Dr.Nivto's dental care. Special speaker - Specialization in construction industry Doctor of Tamil Language Dr. Sa. Neelakandan, Associate Professor, National College, Trichy. are participated.

MUPPERUM VIZHA – 2023" at Morais Clariton, Morais City, Trichy. Chief Guest - Shri. S.Narashima Reddy All India President – BAI and special guest - Mr. M. Ayyappan, State chairman, All India Udunar Association Tamil Nadu, Puducherry & Andaman. Before that, with a special attention, Nation Builder Award was given to, Shri. A.S.Nethaji. Award in the Name of "Karikalan", the Great Builder of Chola Empire was given to, Shri. G.Jothi Mahalingam Shri. M.Selvaraj Shri. M.Ilamurugan Shri. J.Ragavendran Shri. M. Syed saheep nawas

Diary-24 released by Chairman. Shri. Jayant Kumar M Mehta and diary-24 received by All India Builders Trustee Mr.M.Thirusangu. Calender-24 released by Co-Chairman. Shri.K. Kumaran and Calender-24 received by past chairman Mr.R.Saravanan.

EC Meeting :- We have conducted 10 EC meetings having an advisory committee of all Past Chairmen to plan the year for the betterment of the centre. Various committees were formed & subjects were discussed with resolutions recorded. Same of the subjects are:

- a) Formation various committee.
- b) Membership development.
- c) Planning to attend State/National level meetings.
- d) Independence day celebration
- e) About conducting & executing Exhibition, Builders Day Past Chairmen Day, Best Builders Award, release of BAI-Diary 2024 and Election proceeding etc..

STATE LEVEL MEETINGS :-We have attended all video conferences and Physical meetings with Committee. Chairmen and participated in delegations. State Level Committee Chairmen from our Centre.

NATIONAL GC/MC MEETINGS :-Number of GC/MC members are participated in all National Level Meetings including Video.

BUILDROCK-2023 :- Our Build Rock Exhibition is well known of its kind and an exclusive for building materials. It is an opportunity for the manufacturers, dealers and to consumers to display/purchase the

materials under one roof with awareness of materials, brands and prices. More than 10,000 people visited more than 100 stalls and benefitted. All the 3 days (December 23, 24 & 25th) was celebrated as a festival and well covered with media. The venue was popular among the public and the project was successful with the project chairman Shri.S.P.Subramani Local Minister Honourable K.N. Nehru inaugurated the exhibition.

MEMBERSHIP :-Our present membership as follows:

Existing Patron members - 216
New Patron Members - 195
Regular Members / Renewal - 104
New Members - 7
Total - 522

CONCLUSION :-With this, we conclude as report our Annual Activities of our Centre. We wish to State that the Special programmes of Builders' Day boost the Image of BAI. We have executed one press meet regarding the price hike of the building materials. The medical checkup for the labour was very much appreciated during the covid-19 period.

TIRUPUR CENTER

Attended all MCGC Meeting by the centre chairman and MCGC Members from Tirupur centre.

On 29.04.2023, Participated State President Shri. Ayyappan's Installation Function in Tanjore.

On 26.07.2023, Participated in 2nd State Level MC GC Meeting @ Chengalpattu. On 10.10.2023, Educational Help Rs. 22000 to Parent Less children. The children's are adopted by our Centre.

On 22.11.2023, Grand Sponsor Meeting organized by Mahavin Steels held in Tirupur Builders Club.

On 10.11.2023, Educational Help Rs. 25000 to Jeevadharani.

Participated in Builders Day Celebration organized by Coimbatore Centre

On 10.12.2023, December EC Meeting held in Ganapathy Pavers, Palladam with Factory Visit. On that day we discussed AGM Meeting to organize on 28-Feb. Also we elected 2024-26 New Oûce Bearers.

Participated in 3rd State Level MC GC Meeting @ Puducherry.

On 21.12.2023, Participated in 4th State Level MC GC Meeting, Diary Release Ceremony @ Pudukottai. Diary Committee Chairman Er. Jayabalan was recorded for the ûrst time Diary Advertisements Amount Rs. 41 Lakhs was booked through all centres.

On 27.01.2024, Participated in 3rd National Level MC

GC Meeting & Conventional @ Hyderabad.

On 7.02.2024, Emergency Meeting organized BAI Tirupur Centre with Crusher Association, Paver Block Mfr Association, Hollow Block Mfrs Association, RMC Mfr Association and Civil Engineer Association for Hike of Crusher Materials like M Sand, P Sand, Jalli

On 28.02.2024, 9th AGM Meeting held in Tirupur Builder's Club. Welcome add by Centre Chairman Er. N. Sundarraaj. Secretary's Report with Multimedia Powerpoint Presentation by Er. KAS. Ramesh Kumaar. Financial Report by Treasurer N. Sampathkumar. On that day New Members were Inducted and Patron Membership Certificate was distributed to them. Introduced New Ouce Bearers for the year 2024-26.

On 10th March 2024 Executive Committee conducted and discussed to organize Installation of New Office Bearers for the year 2024-25at Tirupur Builders Club.

VISHAKHAPATANM CENTRE

Visakhapatnam centre organized BAI CONTECH EXPO 2023 on 16th to 18th June 2023 at "GADIRAJU PALACE, MVP Colony, Beach Road, Visakhapatnam. Sri

Gudivada Amarnath, IT & Industrial Minister invited as a Chief Guest on 16th June 2023. Brig Suresh Ramanathan, VSM, DDG & Chief Engineer, Director General Naval Projects invited as Chief Guest on 17th June 2023 and Sri Budi Mutyala Naidu, Deputy Chief Minister invited as Chief Guest on 18th June 2023 for the valedictory function.

On 15th September 2023 centre organized Engineers Day in commemoration of 163 Birthday of Bharat Ratna Mokshagundam Visveswaraya. Er. Dinesh Agarwal, IDSC, Chief Engineer (Navy), MES, Visakhapatnam invited as chief guest.

On 4th October 2023 centre organized a Technical Presentation on "Economic Advantages and long term benefits of good quality control/Quality Assurance practices at project Sites". Brig Suresh Ramanathan, VSM, DDG & Chief Engineer, Director General Naval Projects invited as Chief Guest.

Centre organized 12 Executive Committee meetings during the year of 2023-24. In meeting many issues discussed about the problems with the departments and any other queries.

Soliciting articles in 'Indian Construction'

'Indian Construction' is being published since 1953 and is now the only building and construction industry journal in India with a reach across the length and breadth of India.

The Journal provides important information on industry advancements and professional development to those involved in Construction, Infrastructure and Real Estate Industry and governance communities. Each issue gives significant attention to a single topic, but touches on other topics of interest as well, to ensure well-rounded coverage.

It is circulated, apart from all BAI members (comprising of contractors, developers, architects, consultants, etc) to Institutions, individuals, Senior officials of the Central and various State government departments and undertakings; various international organizations, like World Bank, ADB, Research

Institutions, International Federation of Asian and Western Pacific Contractors Associations (IFAWPCA), etc. on a regular basis.

Articles are solicited for 'Indian Construction' on any topics pertaining to construction, infrastructure, real estate industry, machinery, technology, etc.

The articles can be on, case studies, latest management techniques, new products, technology, labour law, taxation, etc. as well as on additional topics of interest to the infrastructure and real estate construction industry.

Publishing an article in the Indian Construction Journal offers the author several benefits. It places the authors name in front of his/her peers, establishes him/her as an expert in a technical area and enables him/her to exchange ideas with his/her colleagues.

For submitting articles or any clarification, please contact S. Madhusudan, Head Communication, BAI - 9820517064 (WhatsApp) or email to baihq.mumbai@gmail.com



Builders' Association of India

(All India Association of Engineering Construction Contractors and Builders)

FUNCTIONING CENTRES

<p>WESTERN REGION</p> <p>GOA STATE</p> <p>Goa</p> <p>GUJARAT STATE</p> <p>Ahmedabad West*</p> <p>Baroda</p> <p>Bharuch</p> <p>Gandhinagar</p> <p>Gujarat (Ahmedabad)</p> <p>Karnavati</p> <p>Por-Ramangamdi</p> <p>Rajkot</p> <p>Surat</p> <p>MADHYA PRADESH STATE</p> <p>Bhopal</p> <p>Indore</p> <p>Jabalpur</p> <p>CHATTISGARH STATE</p> <p>Ambikapur</p> <p>Bilaspur</p> <p>Durg-Bhillai</p> <p>Jagdulpur</p> <p>Kanker</p> <p>Raipur</p> <p>Rajnandgaon</p> <p>MAHARASHTRA STATE</p> <p>Ahmednagar</p> <p>Amravati</p> <p>Aurangabad</p> <p>Baramati</p> <p>Beed</p> <p>Butibori</p> <p>Dhule</p> <p>Ichalkaranji</p> <p>Jalgaon</p> <p>Kolhapur</p> <p>Latur</p> <p>Malegaon</p> <p>Mumbai</p> <p>Nagpur</p> <p>Nasik</p> <p>Nanded</p> <p>Nandurbar</p> <p>Pandharpur</p> <p>Parbhani</p> <p>Phaltan</p> <p>Pune</p>	<p>Raigad</p> <p>Sangamner</p> <p>Sangli</p> <p>Satara</p> <p>Shahda</p> <p>Solapur</p> <p>Ulhasnagar</p> <p>Wai</p> <p>NORTHERN REGION</p> <p>RAJASTHAN STATE</p> <p>Greater Jaipur</p> <p>Jaisalmer</p> <p>Jodhpur</p> <p>Pink City Jaipur</p> <p>Rajasthan (Jaipur)</p> <p>UTTAR PRADESH STATE</p> <p>Agra</p> <p>Allahabad</p> <p>Aligarh</p> <p>Baghpat</p> <p>Bareilly</p> <p>Gautam Buddha Nagar</p> <p>Ghaziabad</p> <p>Greater Noida</p> <p>Hapur</p> <p>Loni</p> <p>Lucknow</p> <p>Meerut</p> <p>Meerut Cantonment</p> <p>Modinagar</p> <p>Muzaffarnagar</p> <p>Kanpur</p> <p>Kanpur-South</p> <p>Sahibabad</p> <p>Western U.P. Electrical</p> <p>DELHI STATE</p> <p>Delhi</p> <p>Delhi East Shahadara</p> <p>Delhi North</p> <p>Delhi South</p> <p>Delhi West</p> <p>South-East Delhi*</p> <p>HARYANA STATE</p> <p>Faridabad</p> <p>Gurgaon</p> <p>Karnal</p> <p>Kundli</p>	<p>Panipat</p> <p>UTTARAKHAND STATE</p> <p>Dehradun</p> <p>PUNJAB STATE</p> <p>Chandigarh</p> <p>Mohali</p> <p>EASTERN REGION</p> <p>ASSAM STATE</p> <p>Guwahati</p> <p>Silchar</p> <p>BIHAR STATE</p> <p>Danapur</p> <p>Patna</p> <p>JHARKHAND STATE</p> <p>Adityapur*</p> <p>Dhanbad</p> <p>Hazaribagh</p> <p>Jharkhand (Ranchi)</p> <p>Jamshedpur</p> <p>ODISHA STATE</p> <p>Bhubaneswar</p> <p>WEST BENGAL STATE</p> <p>Eastern (Calcutta)</p> <p>Durgapur</p> <p>Haldia</p> <p>Siliguri</p> <p>SOUTHERN REGION - I</p> <p>ANDHRA PRADESH STATE</p> <p>Amaravathi</p> <p>Anantpur*</p> <p>Guntur</p> <p>Nellore</p> <p>NTR*</p> <p>Ongole</p> <p>Rajahmundry</p> <p>Ravulapalem</p> <p>Tanuku</p> <p>Tirupati*</p> <p>Vijaywada</p> <p>Visakhapatnam</p> <p>Vizag Steel City</p> <p>YSR Kadapa*</p> <p>TELANGANA STATE</p> <p>Adilabad</p> <p>Greater Hyderabad</p> <p>Hyderabad</p>	<p>Jangaon*</p> <p>Kamareddy</p> <p>Karimnagar</p> <p>Khammam</p> <p>Mahboobnagar</p> <p>Medak</p> <p>Medachal</p> <p>Nalgonda</p> <p>Nizambad</p> <p>Ranga Reddy</p> <p>Secunderabad</p> <p>Siddipet*</p> <p>Vikarabad</p> <p>Warangal</p> <p>Yadadri</p> <p>KARNATAKA STATE</p> <p>Karnataka (Bangalore)</p> <p>Chikamagalur</p> <p>Chitradurga</p> <p>Hassan</p> <p>Mandya</p> <p>Mangalore</p> <p>Mysore</p> <p>Raichur</p> <p>Shimoga</p> <p>SOUTHERN REGION - II</p> <p>Alleppey</p> <p>Aluva</p> <p>Angamaly</p> <p>Calicut</p> <p>Cochin</p> <p>Changanacherry</p> <p>Ettumanoor</p> <p>Idukki</p> <p>Kodungallur</p> <p>Kerala (Trivandrum)</p> <p>Kottayam</p> <p>Kollam</p> <p>Muvattupuzha</p> <p>North Malabar</p> <p>Pathanamthitta*</p> <p>Thripunithura</p> <p>Thrissur</p> <p>Thiruvalla</p> <p>TAMIL NADU STATE</p> <p>Avadi</p> <p>Chettinadu</p> <p>Chengai</p>	<p>Coimbatore</p> <p>Dharapuram</p> <p>Dindigul</p> <p>Erode</p> <p>Jayankondam*</p> <p>Kalapakkam</p> <p>Kallakurichi</p> <p>Kanyakumari</p> <p>Karur</p> <p>Kodaikanal</p> <p>Kovilpatti</p> <p>Kumbakonam</p> <p>Kanchipuram</p> <p>Southern (Chennai)</p> <p>Madurai</p> <p>Madhuranthakam</p> <p>Mayiladuthurai</p> <p>Nagapattanam</p> <p>Namakkal</p> <p>Nilgiri</p> <p>Neyveli</p> <p>Palani</p> <p>Perambalur</p> <p>Ponneri</p> <p>Poonamallee</p> <p>Pudukkottai</p> <p>Ramanathapuram</p> <p>Salem</p> <p>Thanjavur</p> <p>Thenni</p> <p>Thiruthuraiipoondi</p> <p>Thiruvanamalai</p> <p>Thiruvavur</p> <p>Tiruchirapalli</p> <p>Tirunelveli</p> <p>Tirupur</p> <p>Tiruvallur</p> <p>Tuticorin</p> <p>Tambaram</p> <p>Tenkasi</p> <p>Thirupporur</p> <p>Udumalpet</p> <p>Vellore</p> <p>Villupuram</p> <p>UNION TERRITORIES</p> <p>Andaman & Nicobar</p> <p>Karaiikal</p> <p>Pondicherry</p>
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AFFILIATED ASSOCIATIONS

- Amravati District Contractors' Association, Amravati
- Association of Builders for Chennai Development
- Building Contractor Association Ichalkaranji
- Chennai Flat Promoters' Association - North
- Chennai Road Builders' Association Tamil Nadu Societies
- Chennai Suburban Builders Association
- Coimbatore Builders and Contractors Association
- Confederation of Real Estate Developers Association of India (CREDAI), Karnataka
- Contractors and Builders Association of Vidarbha
- CPWD Civil Contractor Association
- Earthmoving Contractors & Machinery Owners Association
- Flat Promoters Association (Ambattur & Avadi)
- Flat Promoters Association- Chennai South
- Gujarat Contractors' Association, Ahmedabad
- Jharkhand Local Thekedar Sangh, Ranchi
- Karnataka State Contractors' Association, Bangalore
- Kerala CPWD Contractors Association
- Kanchipuram Civil Engineers Association
- KIIFB Contractors' Association
- Latur District Builders' Association, Latur
- Mumbai Housing & Area Development Contractors' Association, Mumbai
- M/s. Municipal Construction Contractors
- Nagpur Contractors Association
- Pavers And Blocks Manufacturers Association
- Pavers Finished Road Builders' Association, Chennai
- Postal And Bsnl Contractors Societies
- Singara Chennai Builders Association
- Southern Region Petroleum Corporation Contractors Welfare Association
- State of Andhra Pradesh Building Contractors Association (SABCA)
- The Association of Engineering Contractors CMWSS Board
- Tamilnadu Fly Ash Bricks & Blocks Manufacturers Association,
- Tamil Nadu Solid, Hollow & Paver Blocks Manufacturers Association
- The Southern Railway Engineering Contractors Association
- Telangana Electrical Contractors Association

Builders' Association Of India
All India Association of Engineering Construction Contractors and Builders)
G-1/G-20, 7th Floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai - 400034
Tel.: (91-22) 23520507, 23521328
Website: www.baionline.in • E-mail: baihq.mumbai@gmail.com

PROXY

Name of the Member

I/We, the undersigned

of

being a Member of Builders' Association of India hereby appoint

of

or failing him/her

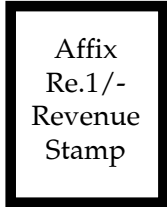
of

or failing him/her

of

as my/our proxy to vote for me/us and on my/our behalf at the 82nd Annual General Meeting of the Association being held on **Saturday, 21st September, 2024 at 1.30 p.m. at National Institute of Technology, Durgapur.**

Signed this



(Signature of Member
with Rubber Stamp)

Note: Proxies, in order to be effective, must be received by the Association not less than 48 hours before the time of the Meeting.

BUILDERS' ASSOCIATION OF INDIA

(ALL-INDIA ASSOCIATION OF ENGINEERING CONSTRUCTION CONTRACTORS & BUILDERS)

G-1/G-20, 7th floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034

Tel.: 23514802,23520507,23521328

Web Site: www.baionline.in • E-mail : baihq.mumbai@gmail.com



Estd. 1941

GST Registration Number:27AAATB0212F1ZI

Centres at : Adilabad, Adityapur, Agra, Agra Cantt., Ahmedabad, Ahmedabad West, Ahmednagar, Aligarh, Allahabad, Alleppy, Aluva, Amravati, Amaravathi, Anantapur, Andaman & Nicobar, Angamali, Aurangabad, Avadi, Baghpat, Bangalore, Baramati, Bareilly, Baroda, Bharuch, Bhopal, Bhubaneswar, Bilaspur, Butibori, Calicut, Chandigarh, Changanacherry, Chengai, Chennai, Chettinadu, Chikmagalur, Chitradurga, Coimbatore, Danapur, Delhi, Delhi East Shahadra, Delhi North, Delhi South, Delhi West, Dhanbad, Dharapuram, Dhule, Dehradun, Dindigul, Durgapur, Durg-Bhillai, Erode, Ettumanoor, Faridabad, Gautam Buddha Nagar, Gandhinagar, Ghaziabad, Goa, Greater Hyderabad, Greater Jaipur, Greater Noida, Guntur, Gurgaon, Guwahati, Haldia, Hapur, Hasan, Hyderabad, Ichalkaranji, Idukki, Indore, Jabalpur, Jagdalpur, Jaipur, Jalgaon, Jaisalmer, Jamshepur, Jangaon, Jayankondam, Jodhpur, Kalpakkam, Kallakurichi, Kamareddy, Kanchipuram, Kanker, Kannur, Kanpur, Kanpur-South, Kanyakumari, Karaikal, Karimnagar, Karnal, Karnavati, Karur, Khammam, Kochi, Kodaikanal, Kodungallur, Kolhapur, Kolkata, Kollam, Kottayam, Kumbakonam, Kundli, Latur, Loni, Lucknow, Madhuranthakam, Madurai, Mahaboobnagar, Malegaon, Mangalore, Mandya, Mayiladuthurai, Medachal, Medak, Meerut, Meerut Cantt., Modinagar, Moradabad, Moradabad Nor. Rly., Mumbai, Muvattupuzha, Muzaffarnagar, Mysore, Nagapatnam, Nagpur, Nalgonda, Namakkal, Nanded, Nandurbar, Nasik, Nellore, Neyveli, Nilgiri, Nizamabad, NTR, Ongole, Palani, Pandharpur, Panipat, Parbhani, Pathanamthitta, Patna, Perambalur, Phaltan, Pink City Jaipur, Pondicherry, Ponneri, Poonamallee, Por-Ramangamdi, Pudukkottai, Pune, Raichur, Raigad, Raipur, Rajahmundry, Rajkot, Ramanathapuram, Ranchi, Ranga Reddy, Ravulapalem, Sahibabad, Salem, Sangamner, Sangli, Satara, Shahda, Shimoga, Siddipet, Silchar, Sitapur, Solapur, South-East Delhi, Surat, Tambaram, Tanuku, Tenkasi, Tezpur, Thanjavur, Theni, Thiruporur, Thiruthurai, Thiruvalla, Thiruvannamalai, Thiruvannur, Thripunithura, Thrissur, Tiruchirappalli, Tirunelveli, Tirupati, Tirupur, Tiruvallur, Thiruvananthapuram, Tuticorin, Udumalpet, Ulhasnagar, Vellore, Vijayawada, Vikarabad, Villupuram, Visakhapatnam, Vizag Steel City, Wai, Warangal, Western U.P. Electrical, Yadadri, YSR Kadapa

To,

The Executive Secretary
Builders' Association of India
 G-1/G-20, 7th floor, Commerce Centre,
 J. Dadajee Road, Tardeo, Mumbai 400034

Dear Sir,

Please enroll my/our^{*} name as an ANNUAL/PATRON/CORPORATE/AFFILIATED ASSOCIATION^{*} Member of Builders' Association of India. I/We^{*} am/are^{*} connected with the Building Profession/Trade and Construction Industry as (please tick relevant box/s):

Please mention your Company Registration Number with MSME _____ for our record purpose.

Construction Contractor _____ Real Estate Developer _____
 Engineer _____ Consultant _____
 Architect _____ Interior Decorator _____
 Engineering Colleges / Polytechnics _____ Service Provider (Please specify) _____
 Manufacturer and/or dealer and/or hirer in construction material/equipment _____
 Repairs & Rehabilitation Contractor _____

I/We^{*} have read the Rules and Regulations of your Association and agree to abide by the same.[#]
 (*Strike out whichever is not applicable, # will be given on request)

Please find herewith sum of Rs. _____ by Demand Draft /
 NEFT/RTGS No. _____ dated _____, drawn in favour of "**BUILDERS' ASSOCIATION OF INDIA**"
 towards the new membership subscription.

MEMBERSHIP SUBSCRIPTION DETAILS							
ANNUAL MEMBERSHIP		PATRON MEMBERSHIP		AFFILIATED ASSOCIATION PATRON MEMBERSHIP		CORPORATE MEMBERSHIP	
Entrance Fee	Rs.100 Rs.2,904	One Time Subscription	Rs.25,000	One Time Subscription	Rs.30,000	One Time Subscription	Rs. 3,00,000
Annual Subscription	Rs.200	Indian Construction Subscription	Rs.200			Annual Subscription	Rs.10,000
Indian Subscription							
GST	Rs.541	GST	Rs.4,500	GST	Rs. 5,400	GST	Rs.55,800
Total	Rs. 3,745	Total	Rs.29,700	Total	Rs.35,400	Total	Rs. 3,65,800

I/We want the membership in my name / company name. (Please tick relevant box)

Please issue membership certificate in my name / company name. (Please tick relevant box)

Full Name and Address of the Applicant: _____
(Name of the Membership)

_____ PIN _____
(Very Important)

Telephone: _____ / _____ / _____

Fax: _____ / _____ E-mail _____

Website: _____ GST/PAN No. _____

<i>Give names in case :</i>		<i>Names of Representatives duly authorised to attend and vote at the meeting (indicate against each whether Director, Partner or Executive Attorney) with Residence Address & Tel., Fax & Mobile Nos.</i>
a) Partnership firm (Major Working Partners only)		
1.		1.
2.		
3.		
b) Corporate Company (Names of Managing and Executive Directors only)		1.
1.		
2.		
3.		2.
and (Manager authorised by Power of Attorney)		

Proposed By _____ Seconded By _____

For & on behalf of _____
(Rubber Stamp of Company)

Date :

Place : _____ To be signed by Proprietor, Partner, Director or Attorney

Company specialises in :
Company's Registration with various Works Authorities and its details

Important Note:

Applicants to membership of BAI will be further certified in their respective category. Such certification is available on payment of certain charges, details of which can be had on request.

(For office use only)

APPLICATION IN ORDER, RECD AMOUNT: Rs. _____ RECEIPT NO. _____ DATED _____

Membership accepted by the Managing Committee at its meeting held on _____ at _____ Membership No. _____

Remarks of office if any

By _____

For Builders' Association of India

Note: The Membership application should be recommended by a Centre. Admission will be subject to the approval of the Managing Committee of Builders' Association of India.

BAI's National Meetings during 2023-24



First Meetings of BAI's Managing Committee and General Council for 2023-24 in Coimbatore. *Seen from left are :* K. Viswanathan, R. Ganesh Kumar, N. S. Muralidhara, Mohinder Rijhwani, S. Madhusudan, Raju John, Gyan Madhani, S. N. Reddy, K. John Paul, Ravindra Tyagi, Pradeep K. Chowdhury, Sunil Balkrishna Mundada and M. Ayyappan.



Inaugural Session of the Managing Committee and General Council Meetings in Alleppey. *Seen from left are :* P. P. John, Jolly Varghese, Sunil Balkrishna Mundada, Mohinder Rijhwani, Raju John, Gyan Madhani, S. N. Reddy, Devusinh Chauhan, Niimesh Paatel, K. John Paul, N. S. Muralidhara, Pradeep K. Chowdhury, Ravindra Tyagi and Bijoy K. Abraham.



Inaugural Session of the Managing Committee and General Council Meeting in Hyderabad.

Where method meets machinery in construction



1000+
Global Exhibitors

100+
Participating Countries

1 Million
sq.ft Exhibition Space

75,000+
Trade Visitors

International Trade Fair for Construction Machinery,
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CONEXPO INDIA

11 Dec. - 14 Dec. 2024

India Expo Centre, Greater Noida / Delhi NCR

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Contact: Ms. Violet Rodrigues | Tel : 022 6787 9804 | Email : violet.rodriques@mm-india.in