Builders’ Association of India
(All India Association of Engineering Construction Contractors & Builders)

Registered & Head Office:
G-1/G-20, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai – 400 034
Tel : (022) 23514134, 23514802, 23520507
Fax : 022-23521328
E-mail : baihq.mumbai@gmail.com

Delhi Office:
D1/203, Aashirwad Complex
Green Park Main, New Delhi – 110 016
Tel : (011) 32573257
Telefax: (011) 26568763|
E-mail: baidelhi16@gmail.com

ESTD. 1941

73rd Annual Report and Accounts
2013–2014

www.baionline.in
NOTICE

The Seventy third (73) Annual General Meeting of the Members of Builders’ Association of India, will be held on Saturday, 20th September 2014 at 4.00 P.M. at Hotel Jaipur Marriott, Ashram Marg, Jawahar Circle, Jaipur, to transact the following business:

1. To confirm the Minutes of the Seventy second Annual General Meeting held on 28th September 2013 at Hotel Jawahar, Follower Line Chowk, Hospital Road, Ulhasnagar (Minutes have already been circulated to Members).

2. To take note of the result of BAI Organisational Election for the year 2014-15 (Enclosed).

3. To take note of the result of BAI Trustee Western Zone Election for the year 2014-16 (Enclosed).

4. To consider, and if thought fit, adopt the Annual Report of the Association for the year ending 31st March 2014.

5. To consider, and if thought fit, adopt the Audited Balance Sheet and Income & Expenditure Account of the Association for the year ending 31st March 2014.

6. To appoint Auditors to audit the accounts of the Association for the year 2014-15 and fix their remuneration.

7. To consider, any other item, with the permission of the chair.

MAHESH M. MUDDA
HON. GEN. SECRETARY
BUILDERS’ ASSOCIATION OF INDIA

Place: Mumbai
Dated: August 20, 2014

Note: (i) Queries on Accounts and Reports should be communicated to BAI Headquarter on or before 18th September 2014. Centres Chairmen are requested to kindly circulate this information amongst their members. Please note no floor queries on accounts will be entertained.

(ii) Please bring this copy of Annual Report.
BUILDERS’ ASSOCIATION OF INDIA
MANAGING COMMITTEE 2013-2014

President
Shri B. Seeaniah

Vice Presidents
Shri K. Subramani
Shri Lal Chand Sharma
Shri Manikant
Dr. Taro T. Manghnani

Hon. Gen. Secretary
Shri Anand J. Gupta

Hon. Gen. Treasurer
Shri Mahesh M. Mudda

Imm. Past President
Shri Cherian Varkey

Trustees
Shri D.C. Awasthi
Shri D.L. Desai
Shri J.R. Sethuramalingam
Shri P.K. Ramachandran
Shri S.K. Pradhan
Shri Sajandas Mulchandani

State Chairmen / Co-ordinator

ANDHRA PRADESH
Shri V. Satyamurthy

BIHAR
Shri Sachin Chandra

CHATTISGARH
Shri Santosh Lodha

DELHI
Shri Arun Sahai

GUJARAT
Shri Bhupesh P. Shah

JHARKHAND
Shri Kaushal K. Singh

KARNATAKA
Shri N.S. Muralidhara

KERALA
Shri Alex P. Cyriac

MADHYA PRADESH
Dr. Santosh Katiyar

MAHARASHTRA
Shri Sudhir D. Gharde

RAJASTHAN
Shri G.K. Gupta

TAMIL NADU
Shri V. Rajagopal

UTTAR PRADESH
Shri Ravindra Tyagi

WEST BENGAL
Shri Chandan Dey

Members
Dr. C. Ashokan
Shri A. Chamaraaja Reddy
Shri Ashok Agarwal
Shri Bhopinder R. Lal
Shri D.P. Singh
Shri Harkant G. Vachharajani
Shri K. Rajakumaran Nair
Shri K.J. George
Shri M. Dhandavakrishnan
Shri Mathew Alex Vellapalli
Shri Mohinder Rijhwani
Shri Narendra Kumar
Shri P.K.P. Narayanan
Shri Pratap B. Salunkhe
Shri R.B. Krishnani
Shri Rajendra Athawale
Shri S. Shiva Prakash
Shri T.V. Chandrasekaran
Shri Y. Ishwar Rao

Dr. D. Thukkaram
Shri A. Puhazhendi
Shri Baburao L. Shakkarwar
Shri C. Devarajan
Shri G. Ramamoorthi
Shri Jaiprakash Bhatia
Shri K. Sriram
Shri L. Moorthi
Shri M. Ramesh
Shri Mohan D. Bhat
Shri Mu Moahan
Shri O.K. Selvaraj
Shri Prabir Kumar Mukherjee
Shri R. Ethirajan
Shri R.J. Srinivas
Shri Ram Janam Singh
Shri S. Danikan
Shri V.M. Fazal Ali

Dr. S.K. Manjarekarl
Shri Abhay Garde
Shri Basavaraj S. Totad
Shri D. Kempanna
Shri H.N. Vijaya Raghava Reddy
Shri K. Annamalai
Shri K.G. Janakiraman
Shri Lalit Kumar Oswal
Shri M.S. Nandakumar
Shri Mohanlal S. Kataria
Shri N. Raghunathan
Shri P. Subramani
Shri Pradeep G. Nagwekar
Shri R. Sivakumar
Shri R.P. Selvasundaram
Shri S. Ganapathi
Shri Santosh R. Navle
Shri Vinod C. Gamdiwala

Co-opted Members
Shri K. Appi Reddy
Shri K. Viswanathan
Shri P. Narasimhulu

Special Invitees
Shri B. Babu Rao
Shri K. Sudarshan Reddy
Shri Mukesh Verma
Shri P.M. Harshavardhan
Shri U.M. Gurushanthappa
Shri Varinder Kumar Garg

Shri Jagdish M. Parekh
Shri Manesh K.
Shri N.M. Patel
Shri Rajendra M. Upadhye
Shri Sandip A. Tare
Shri Uday N. Gokhale
Shri Anuj Kanwal

Shri K. Basavaraja Gowda
Shri Manikram J. Halbe
Shri Nainesh Shah
Shri Prabhu
Shri Suresh Moorjani
Shri V. Ganesan

Shri K. Padmanabhan
Shri Manoj L. Potekar
Shri Nimesh D. Patel
Shri S.P. Shamanna Reddy
Shri T. Kamalnath Naidu
Shri V. Narasimhan
Ref.: 539/M/2013-14 dated March 28, 2014

TO:
The Trustees
The Vice-Presidents
The State Chairmen / Centre Chairmen
The Managing Committee and the General Council Members

Dear Sirs,

The election process for 2014-15 of Builders’ Association of India has been completed on 28th March 2014. Following are the election results:

**President**: Shri Sushanta Kumar Basu
[Eastern (Kolkata) Centre]

**Vice Presidents**:
1. Shri Naresh M. Singh (Jamshedpur Centre)
2. Shri Lal Chand Sharma (Greater Noida Centre)
3. Shri L. Moorthy (Southern (Chennai) Centre)
4. Shri Avinash M. Patil (Nashik Centre)

**Hon. Gen. Secretary**: Shri Mahesh M. Mudda

**Hon. Gen. Treasurer**: Shri C.G. Deochake

**State Chairman** (Andhra Pradesh): Shri V. Satyamurthy (Warangal Centre)
**St. Co-ordinator** (Bihar): Shri Sachin Chandra (Patna Centre)
**State Chairman** (Chhattisgarh): Shri N.R. Prashar (Jagdalpur Centre)
**State Chairman** (Gujarat): Shri Amit R. Patel (Bharuch Centre)
**State Chairman** (Jharkhand): Shri Kaushal K. Singh (Jamshedpur Centre)
**State Chairman** (Karnataka): Shri K. Sridhar (Karnataka (Bangalore Centre)
**State Chairman** (Kerala): Shri B. Chandra Mohanan (Kochi (Cochin) Centre)
**State Chairman** (Madhya Pradesh): Dr. Santosh Katiyar (Bhopal Centre)
**State Chairman** (Maharashtra): Shri Neelkanth S. Joshi (Pune Centre)
**St. Co-ordinator** (Rajasthan): Shri G.K. Gupta (Jodhpur Centre)
**State Chairman** (Tamil Nadu): Shri D.R. Sekar (Coimbatore Centre)
**State Chairman** (Uttar Pradesh): Shri Ravindra Tyagi (Modi Nagar Centre)
**State Chairman** (West Bengal): Shri Pradeep K. Chowdhury (Eastern (Kolkata) Centre)
Members of the Managing Committee representing Centres:

1. Shri A. Puhazhendi
2. Shri Abhay Garde
3. Shri Ashok Agarwal
4. Shri B.R. Ravichandran
5. Shri Bhopinder R. Lal
6. Shri C. Devarajan
7. Shri D. Kempanna
8. Shri Harkant G. Vacharajani
9. Shri Harshad N. Bhayani
10. Shri Jaideep P. Raje
11. Shri K. Sriram
12. Shri K. Subramani
13. Shri K. Venkatesan
14. Shri L. Venkatesan
15. Shri M. Dhandavakrishnan
16. Shri M. Ramesh
17. Shri Mohamed Iqbal Qureshi
18. Shri N. Ramalingam
19. Shri N. Shanmugam
20. Shri Pratap B. Salunkhe
21. Shri R. Ethirajan
22. Shri R. Prakash
23. Shri Rajendra S. Athawale
24. Shri Ram Janam Singh
25. Shri Ram M. Bhatia
26. Shri S. Ganapathy
27. Shri Sanjay Laxman Patil
28. Shri Sudhir D. Gharge

Members of the Managing Committee representing Patron Members:

1. Dr. Anand J. Gupta
2. Dr. D. Thukkaram
3. Dr. S.K. Manjarekar
4. Dr. Taro T. Manghnani
5. Shri Alex P. Cyriac
6. Shri B. Babu Rao
7. Shri Baburao L. Shakkarwar
8. Shri D.P. Singh
9. Shri G. Ramamoorthi
10. Shri K. Viswanathan
11. Shri K.J. George
12. Shri N. Raghunathan
13. Shri Mohanlal S. Kataria
14. Shri Mu Moahan
15. Shri N. C. Sundaramurthy
16. Shri N. Sachitanand Reddy
17. Shri O.K. Selvaraj
18. Shri P. Narasimhulu
19. Shri P. Subramani
20. Shri Prabir Kumar Mukherjee
21. Shri R. K. Jain
22. Shri Ranjeet R. More
23. Shri S. Ayyananthan
24. Shri S. Prabhu
25. Shri V.S.K. Moorthy

Members of the Managing Committee representing Affiliated Associations:

1. Shri K.G. Janakiraman
2. Shri Vinod C. Gamiwala

The new office bearers will assume charge of their respective offices with effect from 1st April 2014 for a period of 1 year as per the BAI Constitution.

Thanking you,

Yours faithfully,

RAJU JOHN
RETURNING OFFICER
BAI ORGANISATIONAL ELECTIONS 2014-15

Copy to: Board of Scrutinisers.
Ref.: 540/M/2013-14 dated March 28, 2014

TO:
THE TRUSTEES
THE VICE-PRESIDENTS
THE STATE CHAIRMEN / CENTRE CHAIRMEN
THE MANAGING COMMITTEE AND THE GENERAL COUNCIL MEMBERS

Dear Sirs,

The election process for Trustee – West Zone of Builders’ Association of India for two year term i.e. 2014-2016 has been completed on 28th March 2014. The Result of the Election is as follows:--

Shri Jagdish Parekh has been unanimously elected as Trustee – West Zone for 2014-2016.

The new Trustee will assume charge with effect from 1st April 2014 for a period of 2 years as per the BAI Constitution.

Thanking you,

Yours faithfully,

RAJU JOHN
RETURNING OFFICER
BAI TRUSTEES ELECTIONS 2014-16

Copy to: (1) Shri M. Karthikeyan, Past President  
(2) Shri N. Sachitanand Reddy  
(3) Shri A.B. Chitale  
(4) All General Council Member Elect 2014-15  
} Board of Scrutinisers.
Report of the President and Managing Committee of Builders' Association of India for the year 2013-14

Friends,

The President and the Managing Committee have great pleasure in presenting the 73rd Annual Report of the Association along with the Statement of Accounts and the Auditors’ Report for the year 2013-14.

CONSTRUCTION INDUSTRY – PROSPECT IN XIIth PLAN

XIIth Plan envisaged 8% G.D.P. growth. In order to achieve this growth construction Industry has to grow at 12% per annum. Due to Economic Slowdown between 2012-14, Construction Industry recorded 4.3% growth in 2012-13 and expected to repeat performance in 2013-14. It therefor need to grow at 17% during 2014-17. This article was written just at the being of economic slowdown.

India is a supply constrained economy and the biggest supply constraint is infrastructure. Construction being integral part of any infrastructure and housing development as such is "Mother Industry" for any economical development activity. Construction is a high volume low margin business. It’s working capital requirement is less compare to fixed asset. Construction Sector in India being seen at bottom of food chain, no encouragement is given to grow. Though infrastructure is given prime importance, infrastructure development to build country's economy is somehow lacking. China has successfully done it to built it's economy. South Korea has leveraged it's Construction Industry to boost it's foreign income. Though Indian Construction workers, foreman and technician's forms sizeable part of workforce in West Asia-Saudi-UAE, Nigeria etc. Indian Construction companies are unable to take this advantage in securing turkey projects in these countries except companies like L & T, Punj Lloyd etc. In fact, EPC industry does not receive much support from these countries except companies like L & T, Punj Lloyd etc.

Construction Industry is highly fragmented with 90% being small and medium size enterprises, doing independent work of state P.W.D. Zillah Parshads, Municipalities or working as sub-contractors for large size companies. There are about 70 listed companies in addition to non-listed companies like Shapoorji Pallonji, Consolidated Construction, B.E. Billimoria etc. constitute balance 10%. However these big companies contribute more than 40% of industry's turnover. Based on this analysis total revenue of organized sector of construction industry was approx. Rs. 165615 crores plus Rs. 25000/- crores of L&T Working out to Rs. 190615/- crores. Infrastructure since Xth Plan period is the biggest driver of construction sector turnover, balance comes from residential, commercial and industrial buildings. During XIIth Five Year Plan country is likely to spend Rs. 4868575/- crores on various infrastructure facilities as per detail give in table 'B' below:

Based on spending on telecommunication, storage, oil and gas pipeline sectors during XIth Five Year Plan, if applied to XIIth Plan than amount of 346 U.S. billion dollar need to be added. In such even total allocation for XIIth Plan would be Rs.4868575/- crores (dollor taken at Rs.48/-). Figures are taken from Draft of XIIth Five Year Plan published by Planning Commission. Assuming about average construction intensity at 50% than opportunity would be Rs. 2434287/- crores. In addition housing requirement during 2010-30 period is estimated at 2500 crore sft X Rs.1500/- per sft as construction cost = Rs.3750000/- lakh crores, which would work out to Rs. 925000/- crores for 2012-2017 period. Thus construction sector's opportunity during plan period would be more than double compare to XIth Plan. Country will not be able achieve the target in view slowdown in economy. Two years into the XIIth Plan and project is drying up, or is at standstill. With three years to go accelerating 9% to 10% GDP growth is now near

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity Percentage</td>
<td>658630 32%</td>
<td>1314320 32%</td>
<td>40%</td>
<td>263452</td>
<td>525728</td>
</tr>
<tr>
<td>Roads &amp; Bridges Percentage</td>
<td>278658 14%</td>
<td>556072 14%</td>
<td>65%</td>
<td>181128</td>
<td>361447</td>
</tr>
<tr>
<td>Railways including MRTS Percentage</td>
<td>200802 10%</td>
<td>447080 10%</td>
<td>75%</td>
<td>150602</td>
<td>300531</td>
</tr>
<tr>
<td>Irrigation Percentage</td>
<td>246334 12%</td>
<td>491369 12%</td>
<td>75%</td>
<td>184676</td>
<td>368527</td>
</tr>
<tr>
<td>Water Supply Percentage</td>
<td>111689 5%</td>
<td>222879 5%</td>
<td>60%</td>
<td>67013</td>
<td>133728</td>
</tr>
<tr>
<td>Seaports Percentage</td>
<td>40647 2%</td>
<td>81113 2%</td>
<td>70%</td>
<td>28453</td>
<td>56779</td>
</tr>
<tr>
<td>Airports Percentage</td>
<td>36138 2%</td>
<td>72115 2%</td>
<td>30%</td>
<td>10841</td>
<td>21634</td>
</tr>
<tr>
<td>Total</td>
<td>1572798 3184948</td>
<td></td>
<td>886165</td>
<td>1768374</td>
<td></td>
</tr>
<tr>
<td>Percentage</td>
<td>77%</td>
<td>77%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table ‘A’

(Figures are at 2004-05 prices)
(Amounts are in Rupees Crore)

<table>
<thead>
<tr>
<th>Fiscal Years</th>
<th>Value of output in Rs. Cr</th>
<th>Value of Gross Domestic product in Rs. Cr</th>
<th>Contributio to GDP in percentage</th>
<th>Gross Bank credit to Constu. Road Sectors in Rs. Cr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-2009</td>
<td>981313</td>
<td>332329</td>
<td>8</td>
<td>62421</td>
</tr>
<tr>
<td>2009-2010</td>
<td>1025722</td>
<td>355717</td>
<td>7.9</td>
<td>85565</td>
</tr>
<tr>
<td>2010-2011</td>
<td>1109639</td>
<td>384199</td>
<td>7.9</td>
<td>117788</td>
</tr>
<tr>
<td>2011-2012</td>
<td>1198410</td>
<td>402610</td>
<td>8.1</td>
<td>142704</td>
</tr>
<tr>
<td>2012-2013</td>
<td>1294282</td>
<td>436637</td>
<td>8</td>
<td>171086</td>
</tr>
</tbody>
</table>

impossibility.

Planning Commission Estimates, Construction Industry's value added capacity as on March 2012 is Rs.436637/- crores per annum which need to be doubled if plan targets are to be fulfilled. In order to bridge this gap, construction practices need to be extensively mechanized with employment of skill and certifiable labour. It will be necessary for setting up of greater number of vocational training schools or impart onsite training. Construction Industry by end of XIth Plan period employs 4.1 million personnel and will need additional 47.302 million workers by 2022. National Skill Development Corporation has prepared report of shortages in various categories of skilled people in construction sector as per Table C below:

<table>
<thead>
<tr>
<th>Sector</th>
<th>2012</th>
<th>2018</th>
<th>2022</th>
<th>Incremental</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure</td>
<td>25177</td>
<td>33868</td>
<td>58289</td>
<td>33111</td>
</tr>
<tr>
<td>Real Estate</td>
<td>10790</td>
<td>14515</td>
<td>24981</td>
<td>14191</td>
</tr>
<tr>
<td>Total</td>
<td>35967</td>
<td>48383</td>
<td>83270</td>
<td>47302</td>
</tr>
</tbody>
</table>

The total incremented requirement of 47302000 is break up for different category is as follows:

<table>
<thead>
<tr>
<th>Profile of People</th>
<th>Incremented requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bar bender</td>
<td>1419000</td>
</tr>
<tr>
<td>Masons</td>
<td>1419000</td>
</tr>
<tr>
<td>Plumbers</td>
<td>1183000</td>
</tr>
<tr>
<td>Carpenters</td>
<td>1892000</td>
</tr>
<tr>
<td>Surveyors</td>
<td>47000</td>
</tr>
<tr>
<td>Others including equality glazing workers, painters equipment operators</td>
<td>459000</td>
</tr>
<tr>
<td>Minimally</td>
<td>3803800</td>
</tr>
<tr>
<td>Total</td>
<td>44457000</td>
</tr>
</tbody>
</table>

**Opportunity in Road Sector**

Out of the total investment of Rs. 556072/- crores required in road sector during XIIth Plan, about Rs. 222428/- crores i.e. 40% has to come from private sector through Public - Private - Partnership (PPP) route. N.H.A.I. envisions completion of phase III covering 12109 km and IV covering 14796 km of N.H.D.P. during plan period. During plan period contract for length of 1773 km of phase III and 11125 km of phase IV are likely to be awarded. In addition 1000 km of expressways are to be taken up to and completed during plan period. In addition 19200 km of roads not included under N.H.D.P. will be undertaken. Similarly 4400 km of road under LWE-Affected areas will be completed by 2015 and another 9600 km by 2014. Under Pradhan Mantri Gram Sadak Yojna about 158000 km of rural roads will be developed and 84000 km will be upgraded. Country has a total length of 8502 km of toll roads which will be increased to 30000 km by 2017. N.H.A.I till 31-12-2012 awarded 17969 km of highways or BOT basis at cost of Rs.1463.42 billion and 3547.33 km at cost of Rs. 302.86 billion on BOT Annuity basis. About 3066.83 km of road on BOT basis completed and 14902 km in under progress. Similarly out 3547 km awarded on BOT Annuity basis 1104 km is completed.

**Power Sector Opportunity**

In the power sector, construction component is 65% to 70% in hydropower, 40% in thermal power and 20% in nuclear power. Tunnels, dams, intake structure, desilting chambers and power houses forms major construction component in hydropower plants. In thermal plants balance of plant work constitute largest construction components. Major part of capacity to the extent 69280 km has to come from Thermal Power Plant, in which construction component at 40% worked out of Rs. 525728/- crores. In respect of Hydro capacity to be generated is 10897 MW, whereas Nuclear Power to generate 5300 MW. Rest of 3060 MW is in lignite based, gas and LNG based power plants.

**Mass Rapid Transport System (MRTS)**

The current metro net work is 222 KM covering 172 station and having investment of Rs. 478/- billion. Delhi Metro accounts for 72% of total cost. It offers about 78% of total cost as construction component in terms of stations, lines and depots, limited to metro cities. At present 719 km of metro rail works in Delhi, Mumbai, Jaipur, Chennai, Hyderabad, Kolkatta, Bangluru, Cochin are at different stages of construction in expected to be completed by 2017 at cost of Rs.1524/ billion. In addition about 620 km of metro rail work costing Rs. 1/- trillion has been planned and may be taken up in next 2/3 years in Navi Mumbai, Gurgaon, Gandhi Nagar, Ludhiana, Nagpur, Pune and Chandigarh.

Details of ongoing and future projects as of December 2012 is as per Table below:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of City</th>
<th>Length in K.M.</th>
<th>Investment in Rs. Billion</th>
<th>Name of Developer</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mumbai</td>
<td>159.24</td>
<td>360/-</td>
<td>R. Infra Ltd</td>
<td>Work on Phase I – 11.07 km long Versova – Ghatkopar is to be completed by Dec. 2013 Charkop – Bandra – Mankhurd 31.87 km is being reinvited. Colaba – Bandra – Santacruz Electronic Export Processing zone 33.5 km is likely to be developed on EPC basis and not on BOT.</td>
</tr>
<tr>
<td>2</td>
<td>Delhi Phase III</td>
<td>125.93</td>
<td>350/-</td>
<td>Delhi Metro Rail Corpo.</td>
<td>Expected to be completed by March 2016.</td>
</tr>
<tr>
<td>3</td>
<td>Hyderabad</td>
<td>71.16</td>
<td>164/-</td>
<td>L &amp; T</td>
<td>It is on PPP basis work commenced</td>
</tr>
</tbody>
</table>
likely to be completed by 2017.

<table>
<thead>
<tr>
<th>Chennai</th>
<th>Phase I</th>
<th>45</th>
<th>146/-</th>
<th>Chennai Metro Rail Ltd.</th>
<th>Work is the progress. Expected to be completed by 2015.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangalore</td>
<td>Phase I</td>
<td>35.60</td>
<td>116/-</td>
<td>Bangalore Metro Rail Corp.</td>
<td>Expected to be completed in 2014.</td>
</tr>
<tr>
<td>Kolkata</td>
<td>North South Extension link</td>
<td>88.55</td>
<td>116/-</td>
<td>Indian Railways</td>
<td>Expected to be completed by 2015 – 16.</td>
</tr>
<tr>
<td>Jaipur</td>
<td></td>
<td>35.20</td>
<td>97/-</td>
<td>DMRC &amp; Jaipur Metro Rail Corp.</td>
<td>Phase I expected to be completed by July 2013.</td>
</tr>
<tr>
<td>Kochi</td>
<td></td>
<td>25.61</td>
<td>52/-</td>
<td>DMRC &amp; KMRL</td>
<td>Expected to be completed by 2016.</td>
</tr>
<tr>
<td>Kolkata</td>
<td>East-West link</td>
<td>14.67</td>
<td>49/-</td>
<td>Kolkata Metro Rail</td>
<td>Phase I expected to be completed by July 2016.</td>
</tr>
<tr>
<td>Navi Mumbai</td>
<td></td>
<td>23.40</td>
<td>42/-</td>
<td>Not available</td>
<td>Corridor I to be completed by May 2014. Estimates are being prepared.</td>
</tr>
<tr>
<td>Gurgaon</td>
<td></td>
<td>11.60</td>
<td>32/-</td>
<td>ITNL, ENSO-DLF – Phase I ITNL &amp; IL &amp; FS. Phase II</td>
<td>Expected to be completed before Dec 2013 Expected to be completed by December 2015.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>719/-</td>
<td>1524/-</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Civil aviation**

In Airport sector out of Rs. 72115/- crores about 50000/- crores has to come from private sector and AAI has to invest Rs. 21634/- crores. In addition eight new airports at Navi Mumbai, Shirdi, Kushinager (U.P), Kannar (Kerala), Mopa (Goa), Dabra (M.P), Paladi/Ramshingpura (Rajasthan) and Karaikal at Pondicherry at cost of Rs. 236.65 billion will be taken up during plan period. In addition to these Greenfield airports, Airport Authority of India will take up additions, alteration works in 97 airports at cost of Rs.12000/- crores. A. P. Government will develop the new airports at Warangal, Kothagudem, Tadepalli, Vizag, Srikakulam, Ongole and Nellore on public-private partnership model at an investment of Rs. 10/- to Rs. 20/- billion for each. The Government will offer land, water, power and approach road. In addition future phases of development of Delhi, Mumbai, Hyderabad and Bengaluru are expected to see Rs. 180/- billion investment during plan period.

**Dedicated Rail Freight**

Dedicated Rail Freight corridors covering total length of 3326 km costing about Rs. 97000/- crores at current price offers construction opportunities being 75% of total cost at Rs. 72750/- crores. Both the Eastern and Western corridors are to be completed before 2019, however, bulk of contracts would be finalised by 2017.

**Water Supply and Sanitation**

Construction opportunities in water supply and sanitation is driven by drinking water supply, waste water treatment projects, sewerage and sewage treatment plants, storm water drainage systems, pumping station etc. construction intensities in these projects at 60% is Rs. 133728/- crores. Jawaharlal Nehru Urban Renewal Mission (JNURM) is the biggest driver for construction activity in this sector. Government of India sanctions JNURM II costing Rs. 1750/- billion covering XIIth Plan period announced in July 2012. In addition some other multilateral agencies funded projects such as Rs. 16.56 billion Yamuna Action Plan III, Rs. 7.4 billion. Jodhpur Water Supply also offers construction opportunities.

**BAI @ PLANNING COMMISSION**

Providing inputs in formulation of XII Five Year Plan.

In the context of formulation of XII Five Year Plan, Planning Commission formed a ‘Steering Committee on Construction’ on 4th August 2011. Composition of Steering Committee is as follows:-

1. Dr. Arun Maira – Member - Chairman. (Industry) Planning Commission
2. Dr. Manoj Singh – Advisor - Member. (Transport) Planning Commission
3. Director General C.P.W.D. - Member.
4. President BAI - Member.
5. Director & CEO – L&T ECC(wing) - Member.
6. President CREDAI - Member.
7. M.D. Simplex Infrastructure Ltd. - Member.
8. Dr. P.R. Swarup D.G.C.I. D.C. - Convenor.

The initial draft of the approach paper to the XII Five Year Plan had set target 9 to 9.5% GDP growth in October 2011, compared to 7.9% achieved in XI Five Year Plan. It was later brought down to 8.2% in September 2012, which was further brought down to 8% in National Development Council Meeting in December 2012.
GDP growth in the first year of XII Plan period 2012-2013 is now projected at 5.7% to 5.9%, whereas RBI is projecting 5.5%. During first half of 2012-13. Growth achieved is 5.4%. For the second year of Plan period 2013-2014, growth is being projected at 6.5%.

It means that to achieve average growth of 8%, economy will have to grow at 9.2% during 2014–2017 period. Since the planning began in 1951, the economy has seen growth of more than 9% in five years. In 1976 – 1977, it grew by 9%, in 1988 – 1989, it grew by 10.2% and in 2005–2006, 2006–2007 and 2007–2008, it grew 9.5%, 9.8% and 9.3% respectively. It was from III Five Year Plan onwards up to 1990-91 which achieved about 3% growth called by economist Raj Krishna as ‘Hindu Rate of Growth’.

### URBAN HOUSING REQUIREMENTS BY 2030

Planning commission has estimated 24.71 million housing shortage at the beginning of XI\(^\text{th}\) Five Year Plan (2007-12). Out of this 24.71 million houses, about 8 million is urban housing requirement whereas rest is rural housing. In 2011 census only, 285 million people i.e. 28% of population lives in urban areas. According to demography expert and urban planners, urban population will rise to 40% by 2030. It took nearly forty years for Indian’s urban population to rise by 230 millions in 2008. It will take only half the time to add the next 250 millions as per Mekinsey’s Report “India’s Urban Awakening”. By that time i.e. 2030 country’s population is expected to be around 1500 million and therefore urban population at rate of 40% will be around 600 million. This means that country needs to provide shelter/housing to 315 million i.e. 31.50 crores (600 million minus 285 millions existing urban population). On the basis of 4 persons per household would work out to construction of 7,87,50,000 houses to settle this urban migrant population. This demand of about 8 crores houses is in addition to the present 8 million urban housing shortage is mind blowing taking into consideration only about three to five lakh houses at present constructed by Real Estate Industry. It means that against years (i.e. 2010 to 2030). Industry is delivering maximum 5 lakh houses. Admittedly looking to such huge requirement many industrial houses have started real estate activity. It is doubtful whether real estate Industry be able to scale up its capacity more so in light of shortage of engineers, supervisors, skilled workers and even unskilled workers during April-June period. Housing Boards by and large have abandoned their role of providing urban housing. India in order to cope with such demand need to create more than 100 cities like Lavasa in next twenty years besides expanding present cities. Government of Gujarat issued notification in March 2010, for development of 879 sq.km area for Dholera Special Investment Region to be developed at a cost of Rs. 11-trillion having an employment potential to be 0.25 million. Under this project Greenfield city of 300 Sq.km in area planned to be developed at Dholera near Ahmedabad. This new city will be connected to National Highway No. 8E other Greenfield cities planned are at Manesar-Balwal in Haryana, one between Indore-Mhow in M. P. and one near and around Dighi Seaport in Maharashtra. All these cities are along route of Delhi-Mumbai Industrial corridor. Such huge migration to urban areas would ensures development of small cities about 30 to 60 minutes away from metros on PPP mode. It will also see development of slew of specialised tier III or IV cities such as 15 cities, education cities as happened during II and III five year plan when steel cities such as Bhilai, Durgapur and Rourkela got developed. Despite such scenario no policy change in Urban Planning and Development Control rules is visible. Country’s given land mass being constant there is no option but to have verticle growth to accommodate 590 million people likely to reside in cities.

### SKILL DEVELOPMENT IN CONSTRUCTION SECTOR

Government of India established National Skill Development Corporation (NSDC) on 31\(^{\text{st}}\) July 2008 as not for profit company licensed under Section 25 of the Companies Act, 1955. NSDC has targeted to train 150 million people by 2022, out of incremental demand of 240 million.

<table>
<thead>
<tr>
<th>Name of Member</th>
<th>Name of Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shri Ajit Gulabchand</td>
<td>Chairman from C.F.I.</td>
</tr>
<tr>
<td>Shri S.N. Subramanian</td>
<td>C.F.I.</td>
</tr>
<tr>
<td>Shri B. Seenaiah</td>
<td>President of BAI</td>
</tr>
<tr>
<td>Shri D.L. Desai (Shankarbhai)</td>
<td>BAI</td>
</tr>
</tbody>
</table>

As mandated under NSDC’s programme Construction Industry need to form a Construction Skill Development Council to establish occupation standards, operations and delivery mechanism, certification and accreditation and Labour Market Information System (LMIS). Ultimately in a meeting held on 23\(^{\text{rd}}\) August 2012 in the office of Shri Ramadorai, the then Adviser to Prime Minister on Skill Development and present Chairman of National Skill Development Corporation, Construction Sector Skill Development aCouncil of India was formed jointly by four Associations namely Builders’ Association of India (BAI), Construction Federation of India (CFI), Confederation of Real Estate Developers Association of India (CREDAI), and National Highway Builders’ Federation (NHBF). Members of the Governing Council are as follows:-

<table>
<thead>
<tr>
<th>Name of Member</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Shri Ajit Gulabchand</td>
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<tr>
<td>Shri D.L. Desai (Shankarbhai)</td>
<td>BAI</td>
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</tbody>
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</tr>
<tr>
<td>Shri D.L. Desai (Shankarbhai)</td>
<td>BAI</td>
</tr>
</tbody>
</table>
National Skill Development Corporation has requested four construction related associations to form a company before disbursement of money could take place. Four associations, are promoters of the company namely (a) Builders’ Association of India, (b) Construction Federation of India, (c) National Highway Builders’ Federation, and (d) Confederation of Real Estate Developers Association of India. Accordingly all the four associations have selected the name of company as “Construction Skill Development Council of India” and got it approved from Registrar of Companies. All the formalities of getting it registered is to be completed by 31st July 2013. The proposed company will be undertaking following activities to give training to maximum 47 million workers by 2022 after its incorporation:-

1. To initiate, carry out, execute, implement, aid and assist activities towards skill development in the sector in India and meeting the entire value chain’s requirements of appropriately trained manpower in quantity and quality on a sustained and evolving basis.

2. To develop a Skill Development Plan for the sector and Maintain Skill Inventory.

3. To coordinate participation of social partners, employers in the private sector, training providers, professional societies and NGOs/Civil Society Groups in the process of skill development for the sector.

4. To identify the skill development needs of the sector, review international trends in Sector Skill Development and identify Sector Skill Gaps and Technology.

5. To prepare National Occupation Standards (NOS) i.e. finalising curricula, course contents, training modules etc.

6. To develop LMIS (Labour Management Information System) at all India level collect date of number of masons, carpenters, bar benders etc. in the country.

7. Training of Trainers in respect of Nos. and various courses.

8. Accreditation of various training institutes across the country and finalisation of testing standards of workman.

Following members of promoters are Directors of the company:-

(1) Shri Ajit Gulabchand (2) Shri S.N. Subramanian (3) Shri Lalit Kumar Jain (4) Shri B. Seenaiah (5) Shri V.C. Verma (6) Shri D.L. Desai (Shankar bhai) (7) Col. Surinder Kuda, and (8) Shri C. Shekar Reddy.

Shri J. Ganguly (Ex. L&T) appointed as Chief Executive Officer assisted by four others namely:

1. Statutory, Regulatory and Administration. Shri Raj Pal Arora, BAI
2. Finance and Accounts. Shri Alove Khanna
3. Skills Development (Standards, Delivery Mechanism, LMIS) Col.N.B. Saxena, L&T

Following is Summary of Funding:-

<table>
<thead>
<tr>
<th>Particulars in Rs. Million</th>
<th>Year O</th>
<th>Year I</th>
<th>Year II</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant</td>
<td>18</td>
<td>22</td>
<td>10</td>
<td>50</td>
<td>23</td>
</tr>
<tr>
<td>Debt (a)</td>
<td>21</td>
<td>24</td>
<td>13</td>
<td>58</td>
<td>27</td>
</tr>
<tr>
<td>(b)</td>
<td>22</td>
<td>22</td>
<td>20</td>
<td>64</td>
<td>30</td>
</tr>
<tr>
<td>Industry contribution</td>
<td>14</td>
<td>17</td>
<td>12</td>
<td>43</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>75</strong></td>
<td><strong>85</strong></td>
<td><strong>55</strong></td>
<td><strong>215</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

1. The total funding by way of Grant will be Rs.5 Crores which is not returnable.

2. Debt:
   (a) Rs.5.8 Crore at 0% interest to be refunded.
   (b) Rs.6.4 Crore at 6% interest to be refunded.

3. Industry contribution of Rs.4.3 Crore by way of Cash & Kind i.e. by way of providing Office rentals, Staff / Experts on deputation, Training Centres and other contribution / donation from Industry members.

Construction Skill Development Council of India (CSDCI) is expected to generate revenue in first three years barring Year 0 as follows:-
1. Revenue Assumptions – The total revenue that will be collected by CSDCI is Rs.1.170 Million. Upto Year III.

2. Out of which, 60% will be spent towards Expenses by way of engaging Internal / External Agencies, Experts / Advisors and Experienced Workers / Trainers etc.

3. 40% will be CSDCI cost towards running the CSDCI, plus Repayment of Loan.

4. Difference – In Year 0 and Year I will be having deficit of Rs.75 million and Rs.27 million respectively. In Year II, we will be having Rs.46 million available but Rs.102 million having deficit of Year 0 and Year I. In Year III, Rs.253 million will be self sufficient with no deficit. After completion of 2 years, CSDCI will submit revised proposal.

Requirement of Funds for CSDCI

It is the mandatory requirement of NSDC to bring Rs.80 Lakh as Industry Contribution in Cash and Rs.60 Lakh in kind only after that it will release it’s tranche of Grant. You may recall it was held in the 2nd GC meeting also that each promoter will contribute it’s share of Rs.20 Lakh cash and also Rs.15 Lakh in kind in 0 year and also in 3rd Governing Council Meeting which was held on 27th August 2013, that each promoter shall contribute Rs.20 Lakhs immediately.

Detail of Industry Contribution till date:

Table ‘C’

<table>
<thead>
<tr>
<th>Detail</th>
<th>Total Contribution to be Received (INR in Lacs)</th>
<th>Received Till Date (INR in Lacs)</th>
<th>Balance To be Received (INR in Lacs)</th>
<th>Promoters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Industry Contribution to be received in 0 Year from the Promoters</td>
<td>140.00</td>
<td>10.74</td>
<td>129.26</td>
<td></td>
</tr>
<tr>
<td>Contribution in form of Cash</td>
<td>80.00</td>
<td>9.72</td>
<td>70.28</td>
<td></td>
</tr>
<tr>
<td>Contribution in form of Kind</td>
<td>60.00</td>
<td>1.02</td>
<td>58.98</td>
<td></td>
</tr>
<tr>
<td>Promoters Contribution to CSDCI in form of Cash</td>
<td>20.00</td>
<td>1.48</td>
<td>18.52</td>
<td>From BAI</td>
</tr>
<tr>
<td></td>
<td>20.00</td>
<td>2.24</td>
<td>17.76</td>
<td>From CREDAI</td>
</tr>
<tr>
<td></td>
<td>20.00</td>
<td>0.00</td>
<td>20.00</td>
<td>From NHBF</td>
</tr>
<tr>
<td>Promoters Contribution to CSDCI in form of Kind</td>
<td>15.00</td>
<td>0.00</td>
<td>15.00</td>
<td>From CFI</td>
</tr>
<tr>
<td></td>
<td>15.00</td>
<td>1.02</td>
<td>13.98</td>
<td>From BAI</td>
</tr>
<tr>
<td></td>
<td>15.00</td>
<td>0.00</td>
<td>15.00</td>
<td>From CREDAI</td>
</tr>
<tr>
<td></td>
<td>15.00</td>
<td>0.00</td>
<td>15.00</td>
<td>From NHBF</td>
</tr>
</tbody>
</table>

Four Promoter Associations namely Builders’ Association of India (BAI), Construction Federation of India (CFI), Confederation of Real Estate Developers Association of India (CREDAI) and National Highway Builders Federation (NHBF) formed a company U/s.25 of Companies Act called Construction Skill Development Council of India (CSDCI). Company has opened account with Oriental Bank of Commerce at Karampura, New Delhi, and is in process of completing statutory requirement of Section 12A of Income
Tax exemption certificate. It’s office is at 204, Aashirwad Complex, D-1, Green Park, New Delhi – 110 016. In addition to Mr. Vijay Chopra, Finance & Accounts Head, Col. (Retd.) Pokhriyal is expected to join company as Head Operations in December 2013.

**Activities planned for Council (C.S.D.C.).**

For framing National Occupation Standards (NOS) and Qualification Packs (QP) requires a Consultant. NOS Committee along with N.S.D.C. drawn a RFP. It is in process of negotiating with Construction Industry Training Board of U.K or specialists in framing NOS’s from Australia, Spain and Singapore. Company is expecting to finalise Consultant by the end of January 2014. Company is expecting to finalise NOS and QP’s for about 125 Job Roles by end of year one i.e. March 2015.

In the immediate second phase or even concurrently with the framing of Standards company will modify or upgrade existing Curriculum and Training Modules to meet the requirements of the new standards both for Site based Training as well as Institute based training. It is intended to extend the services of the same consultant for this purpose.

The Research section of this Department, in course of time will bring in new Construction Skills to suit the needs of the Industry. With healthy interaction with the Industry in this direction the Council can aim towards setting up Centres of Excellence as found in the UK and elsewhere.

**Training and Certification of Trainers and Assessors.**

The initial task of Training and Certification of Trainers and Assessors to meet the levels as defined in NOSs is of prime importance in the Delivery Mechanism. These Trainers and Assessors will be trained in recognised/Accredited Institutes and will be certified by CSDCI approved certifying personnel. The processes of Certifying Assessors have already started in institutes of L&T and has to be extended to other institutes for scaling up. CSDCI have so far trained and certified 54 Assessors and Trainers in two courses. In the first two years CSDCI have to train and certify about 5000 Trainers/Assessors for different levels and this is planned to be carried out in 10-15 Institutes each Institute handling about 20 Courses for various Trades in a year. Industry support is needed to provide the Supervisors/Highly Skilled workers to be trained to be Trainers/Assessors.

**Affiliation of Training Providers (TPs) and Assessment Bodies (ABs).**

The Operations Department of CSDCI is not providing Training, but will have to enable the process which self-assures for Quality while meeting the demands of the Industry. Company have started the process of Affiliation of Training Providers (TPs) and Assessment Bodies (ABs) and have already received an overwhelming 59 Nos. of applications for processing. NSDC’s format for affiliation has been elaborated on to make sure that the affiliated parties meet the minimum requirement of the Standards. Company is considering appointing competent Consultant to carry out the due diligence wherever required under the supervision of the QA Department, and plan to affiliate about 300 TPs and about 100 ABs in the course of the next two years.

As a logical next step the Operations Department has to gear up for Certifying of trained workers both at site and at Institutes through Assessment bodies duly Accredited by the Council. This process has also started and the first batch of 75 Institute based trainees has been certified. Company need to certify about 3,25,000 trainees by the end of Year I i.e. March 2015, which may fall short due to the initial delay but with support from the Industry mainly in creating demand the shortfall can be made up in the succeeding year.

**Accreditation of Assessment Centres for Courses and Facilities for both Site based and Institute based Training.**

The Quality Assurance Department would be responsible for above function which is related to Quality of deliverables. Right now it is not intended to Accredit Training Providers unless there is a specific requirement from the TPs. It is expected that the TPs would get themselves accredited in their own interest to meet the desired standards.

Assurance of Assessment and Certification to the Standards set and accepted by the Industry is planned to be done through a robust method of Accreditation of Assessment Centres for Courses and Training facility which includes Faculty as well. CSDCI need to accredit more than 100 Testing Centres in the next two years i.e. by March 2016 and would have to adopt both departmental and outsourcing methods of Accreditation. In the former company retain the Master Trainers as Council’s staff and train them for Accreditation. In the second alternative company resort to engaging reputed agencies well versed in accreditation processes to carry out work on behalf of company.

**Establishing an Industry based Labour Market Information System (LMIS).**

The work here will be the repository of Data connected with Demand – Supply of Labour and all data of Training and Certification will be logged here for records and retrieval. It will also provide a central directory for Training Providers and Assessors. The LMIS which is a separate department will provide the Industry with accurate data on the demand supply equation of all Trades of Labour. In its developed stage it should be able to assist workers in seeking opportunities of work very similar to an Employment Exchange but limited to Construction Workers. This would however require working intimately with the Industry to understand more about their needs of operation.

NSDC are working along with some of the active Sector Skill Councils (SSCs) to evolve a common IT platform for this purpose but CSDCI need to define industry’s internal needs particularly the outcomes which will be of use. This will also provide the inputs required for modifying the common platform if needed to suit industry’s needs. Industry interaction in this area which is quite new, but is essential.
Current Activity.

With participation in the Star Project of NSDC providing a definite opportunity to establish the presence of the Council, Company with the support of L&T conducted two courses for Assessment of Assessors and Trainers and currently about 54 Assessors have been certified for Level I. This has also provided a forum to test the above NOSs prepared and have also given a base for extending the course for Training of Trainers. 75 Institute based Trainees have been certified by the above Assessors.

Very recently a one day workshop was organised by CREDAI and CSDCI at Lucknow for sensitizing Builders and Contractors on the advantages of adopting the new Standards and the role of the Council. The response from the participants was positive and this response could be capitalised for implementation of our plans in the near future.

Resources, Expenditure for first three years.

National Skill Development Corporation (NSDC) sanctioned financial assistance plan, along with revenue and expenses projection given in Table ‘A’. Please note that year zero ends of 31.3.2014 and only expenses will be incurred without any revenue.

Conclusion.

Initial steps taken in certifying Assessors & Trainers has had a very positive feedback from Industry. However, demand for certified skilled workers by Industry should be visibly stepped up to ensure continuous development and supply of skills. Industry has also to mandate payment of higher wages for higher level of skills. It is the completion of the full cycle of development that will meet the huge demand of skills, demands which will necessitate supply and vice-versa, to keep the cycle in motion.

### TABLE – ‘A’

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Head of Item</th>
<th>Year Zero i.e. end March 2014</th>
<th>Year One i.e. end March 2015</th>
<th>Year Two i.e. end March 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Industry contribution in cash and in kind.</td>
<td>1.40 Crore</td>
<td>1.70 Crore</td>
<td>1.20 Crore</td>
</tr>
<tr>
<td>2.</td>
<td>Grant subject to Industry’s contribution.</td>
<td>3.20 Crore</td>
<td>1.80 Crore</td>
<td>NIL</td>
</tr>
<tr>
<td>3.</td>
<td>Loan without interest.</td>
<td>5.63 Crore</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>4.</td>
<td>Loan at 6% interest.</td>
<td>NIL</td>
<td>3.06 Crore</td>
<td>1.22 Crore</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>10.23 Crore</td>
<td>6.56 Crore</td>
<td>2.42 Crore</td>
</tr>
<tr>
<td>5.</td>
<td>Revenue of Company.</td>
<td>NIL</td>
<td>51.05 Crore</td>
<td>53.23 Crore</td>
</tr>
<tr>
<td>6.</td>
<td>Expenses.</td>
<td>8.83 Crore</td>
<td>54.36 Crore</td>
<td>54.72 Crore</td>
</tr>
<tr>
<td>7.</td>
<td>Deficit.</td>
<td>-8.83 Crore</td>
<td>-3.31 Crore</td>
<td>1.49 Crore</td>
</tr>
<tr>
<td>8.</td>
<td>Personnel.</td>
<td>25 Nos.</td>
<td>45 Nos.</td>
<td>10 Nos.</td>
</tr>
</tbody>
</table>

LABOUR LAW MATTERS.

(i) **LABOUR WELFARE CESS**

BAI President sent the following representation to all Members of Parliament (both Rajya Sabha and Lok Sabha) requesting them to recommend to the Labour Ministry to avail the Construction Workers Welfare Cess for training Construction Workers.

Ref: 244/A/2012-13 dated August 4, 2012

To:
The Hon’ble Members of Parliament

Respected Sirs,

Sub: Representation requesting contribution of 50% Construction Workers Cess collected from Contractors for Training of Workers.

Builders’ Association of India (BAI) is an apex all India body of Engineering Construction Contractors, founded in 1941, has more than 13,000 business entities as members through its 130 plus Centres (Branches) throughout the country. 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.

Better infrastructure is an enabler of economic growth and enhancer of quality of life. Economic planner allotted One Trillion U.S. Dollar (approximately Rupees Fifty Six Lakh Crore) for infra sector in XIIth Five Year Plan. In order to earn demographic dividend, skilling of construction workers is of utmost importance. Government therefore came out with a mission to skill 83 Million construction workers through National Skill Development Corporation by 2022.

To facilitate various welfare measures to the Construction Workers, the Government of India enacted Building & Other Construction Workers Welfare Cess Act, 1996 and as per Act, Construction Industry have to contribute 1% of the contract value to the State / Central Government. As on 31st November 2011, Construction Industry contributed Rs.5265.57 Crore as “Cess”, and. State Government has only spent Rs.752.11 Crores from collected “Cess”.

The productivity of Indian Construction Worker is remarkably low and as per reliable data, it is only 8 when comparing to the productivity of an American Worker as 100. Further, so far, there is no initiative from the Government side for basic skill training and skill upgradation of Construction Workers.

Construction Industry feels that about 50% of Labour Welfare Cess collected by various State Government and Central Government be transferred to National Skill Development Corporation for skill training of construction workers.
We, therefore request you to kindly use your good office in recommending to the concerned Ministry for releasing of 50% Construction Welfare Cess collected for the skill development of construction workers.

Thanking you,
Yours faithfully,
Sd/-
B. SEENAIAH
President
Builders’ Association of India

In response to the request, the Government of India, Ministry of Labour & Employment came out with a Circular No.Z-2011/05/2010/BL dated 12th July 2013 stating therein that implementation of provision of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Building and Other Construction Workers’ Welfare Cess Act, 1996. The said circular is reproduced below:-

To:
Principal Secretary / Secretary,
Departmental of Labour
All State / UT Governments
Chairman / Secretary
State Building and Other

Subject: Implementation of provision of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Building and Other Construction Workers’ Welfare Cess Act, 1996 - regarding

Sir/Madam,

The Building and Other Construction Worker (Regulation of Employment and Conditions of Service) Act and Building and Other Construction Workers’ Welfare Cess Act were enacted in 1996 to regulate the employment and conditions of service and to provide for safety, health and welfare measure of building and other construction workers.

2. The State Governments have been mandate to constitute Building and Other Construction Workers Welfare Boards. The functions of the Board, inter-alia, include providing immediate assistance to a beneficiary in case of accident, making payment of pension, sanctioning loans and advances for construction of house, giving financial assistance for the education of children, meeting medical expenses for major ailments etc. The implementation of various provisions of these Acts specially those relating to registration of workers as beneficiaries, collection of cess and its utilization for welfare of building and other construction workers is the responsibility of the State Government and State Building and Other Construction Worker Welfare Board.

3. It has however been noticed that the percentage of construction worker registered continues to be very low in large number of States and only about one crore construction workers have been registered with the State Building and Other Construction Workers Welfare Boards against the total estimated number of around 4.50 crore. Similarly percentage utilization of fund for welfare of construction workers has also been very low in large number of State despite rapid growth in collection of cess.

4. The Ministry has been requesting States at various levels in the past to improve the situation, Secretary, Labour & Employment through his D.O. letter dated 29th June, 2012 to the Chief Secretaries, requested States to take steps for accelerating registration of workers, drawing strategy for implementing model schemes of the Central government and utilizing of funds for vocation training and skill development of construction workers and their children. The Hon’ble Supreme Court in the Writ Petition (C ) No. 318 of 2006 has given very clear and specific directions for improving implementation of the provisions of the Act. In addition, the good practices adopted by some of the States have been shared with the States not been able to perform well through various workshops, meetings etc. from time to time.

5. The process of registration of construction workers vis-à-vis potential as well as percent utilization of cess, however, continues to remain very poor in very large number of State. Given the objective for which Act was enacted and State were allowed to collect the cess the existing state of affairs in large number of States cannot be allowed to continue indefinitely. Central Government has been empowered under section 60 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 to issue directions to the States and Boards for carrying into execution any of the provisions of the Act. Hon’ble Supreme Court, vide his order dated 7th February, 2012 in the Writ Petition (Civil No. 318 of 2006 and Contempt Petitions numbering 41, 42, 43 & 44 related to this Writ has issued specific direction asking Central Government to issue appropriate directions under Section 60 of the BOCW (RECS) Act, 1996 as well as Cess Act.

6. After careful consideration of existing state of affairs and all other aspects in this regards, Central Government hereby issue following directions under section 60 of the Building and Other Construction Workers (RECS) Act, 1996.

a) As per Section 12(1) of the Act, every building worker who has been engaged in any building or other construction work for not less than ninety days during the preceding twelve months shall be eligible for registration as a beneficiary under this Act. A very large number of workers are working every year under Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA). Most of the works taken up under MNREGA, barring few related to forestry, horticulture etc., clearly fall under the category of ‘Building and Other Construction Work’ defined under section 2(1)(d) of the Act. To facilitate easy registration of the people who have largely worked under MNREGA works falling under the category of building and construction work, States should carry out a special drive for registration of such people under the BOCW (RECS) Act and shall allow
registration of such workers who have completed 50 days of work in a year under MNREGA under BOCW (RECS) Act on the basis of simpler process like self-certification by the applicants or certification by Panchayats, etc.

b) As per section 12(2) of the Act, an application for registration has to be made in the prescribed form to the officer authorized by the Board in this behalf. Since, it is very difficult for building and other construction worker to approach offices situated away from their usual place of residence and work, States shall authorize all Gram Panchayats and Municipalities also to register construction workers under the Act. In addition, Assistant/Junior Engineers of the various Engineering Departments like PWD, Irrigation, Water Supply, Power etc., shall also be given power to register workers under BOCW(RECS) Act.

c) Large number of State today have practice of registration of the workers for one year which requires renewal every year. A large number of genuine workers find it very difficult to keep track of date of renewal and are not able to ensure renewal leading to loss of registration and consequent benefits. The States shall therefore allow registration of workers for periods of at least 3 years in one go to reduce the burden of renewal.

d) The Building and Other Construction Work’ is defined under section 2(1)(d) of the Act. The State under this section have been authorized to notify works other than those listed in the section as ‘Building and Other Construction Work’. Since, a large number of State have yet not notified additional works which fall under the category of Building and Other Construction Work and are not specifically mentioned in section 2(1)(d) of the Act, the State shall notify the works listed at Annexure-I of this letter as Building and Other Construction Work at the earliest as it will enable not only additional collection of cess from such works but also would facilitate easy registration and welfare of workers engaged in such works.

e) Section 22 of the Act prescribes functions of the Boards. Section 22(h) of the Act gives wide scope to the State Boards to take up schemes and make provisions of variety of welfare measures for the workers registered under the Act and their dependents. India stands at the verge of reaping demographic dividend by appropriate skilling of its young population. A clarification was issued vide this Ministry’s letter of even number dated 21st May, 2012 (Annexure II) stating that States may use the cess collected for skill development of the registered workers and their dependents for skilling in all sectors including construction. Man Central Ministries have already started emphasizing on use of higher proportion of fund available under various schemes for skill development. Ministry of Social Justice and Empowerment, Ministry of Home Affairs etc., have recently issued such instructions. Given this background, State Boards shall spend every year at least 20% of the balance cess amount at the beginning of the financial year, on activities related to skill development of registered workers and their dependent. Model schemes attached at Annexure III of this letter may be adopted by State Welfare Boards with suitable variations, as considered necessary at the earliest.

7. An early action in the matter maybe taken and action taken may please be informed to us at the earliest.

Yours faithfully,

(Shikhar Agrawal)
Director General
Tel: 011- 2383684

(ii) PROVIDENT FUND

Construction Industry was brought within the purview of the Provident Fund Act, 1952 (the “Act”) vide Notification dated 17.9.1964. Subsequent notifications dated 23.9.1980 and 1.11.1990 sought to broaden the boundaries of the said Act, wherein a requirement was placed for every employee employed in or in connection with the work to become a member of the scheme from such employee’s date of joining. This amendment lead to an interesting tussle between the Central Provident Fund Commissioner and the Building and Construction Industry as to the applicability of paragraph 26(2) of the Provident Fund Scheme to daily rated casual, temporary, and peripatetic labours. The issue got further entwined when the said industry challenged the capability of the Provident Fund Department in distribution of the benefits of this social legislation to the actual beneficiary.

BAI Secretariat made a representation to the Hon’ble Minister of Labour & Employment, Government of India, for restoration of E.P.F. Circular No.7(1)2012/Rcs Review Meeting/345 dated 30th November 2012, which is reproduced below:-

Ref: 304/O/2013-14 dated October 8, 2013

Shri Oscar Fernandes Ji
Hon’ble Minister for Labour & Employment
Government of India
Room No.120, Shram Shakti Bhawan,
Rafi Marg,
NEW DELHI – 110 011

Respected Sir,

Sub: Restoration of E.P.F. Circular No. 7(1)2012/Rcs

Builders’ Association of India (BAI) is an apex all India body of Engineering Construction Contractors, founded in 1941,
with more than 14,000 business entities as members through its 135 plus Centres (Branches) throughout the country. 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.

Amended Section 26 of the E.P.F. Act, 1952 effective from 19th October 1990, stipulated eligibility criteria for migratory and peripatetic workers to become a member of P.F. Scheme, is from the date of joining the establishment. This impractical amendment compelled Contractors and Trade Associations including Builders’ Association of India (BAI) to approach various High Courts explaining the difficulty of implementing the amended provision of the Act.

Mumbai High Court’s Order in Writ Petition No. 2593 of 1997 on 28th February 2008 filed by Builders’ Association of India against Regional Provident Fund Commissioner, Nagpur, and Patna High Court’s Order in Writ Petition No. 11499 of 2006 on 20th July 2012 filed by Roxy Cinema against State of Bihar & Another as well many Provident Fund Appellate Tribunal orders directed Provident Fund Authorities as under:-

1. Contribution of workers and employers towards Provident Fund is not a collection of Cess, levy or tax by the E.P.F. Department. It is a forced saving for the employees to be utilised by them on or after his retirement. Therefore, the beneficiaries must be identified before collection of P.F. dues intimated to Employer under Section 7A Enquiry, so that Provident Fund amount reaches beneficiaries.

Provident Fund Act having no limitation period unlike all other Acts. Department at times seeks records from Employers of last more than 7/10 years, which is normally not available. This prompted Provident Fund Appellate Tribunal, Chandigarh in case of M/s. Ropar Power Thermal Station V/s. Regional Provident Fund Commissioner to state as follows:-

2. 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 Contractors can not be directed to produce the records pertaining to workers for the long back period.

In light of various judicial pronouncements as well as BAI’s various representations resulted the then Central Provident Fund Commissioner, Shri R.C. Mishra, issued a Circular No.7(1)2012/RCs Review Meeting/345 dated 30th November 2012 (copy enclosed) issued by Shri Ravi Mathur, Central Provident Fund Commissioner.

Sir, through this letter we earnestly request you to kindly restore Circular No.7(1)2012/RCs Review Meeting/345 dated 30th November 2012, which is in accordance with various judicial pronouncement.

It will be our honour to brief you this matter in person, if you kindly grant us an audience at any date and time convenient to you.

Thanking you,

Yours truly,

B. SEENAIAH
PRESIDENT
BUILDERS’ ASSOCIATION OF INDIA

UPTODATE REPORT OF EPF MATTER FILLED BY BAI DELHI CENTRE IN HIGH COURT OF DELHI VIDE CWP NO. 3588/2002

Builders Association of India, Delhi Centre & Others filed a Civil Writ Petition No.3588 / 2002 against Union of India & Others on the applicability of Employees Provident Fund & Misc. Act on the construction workers. The case came for hearing in April 2002.

On 30.05.2002, the BAI Counsel pleaded before the Court that in terms of the proposed scheme framed by the respondent (EPFO) and as was placed in CWP No.792/1991 (Piayre Lal Hari Singh & Another v/s Union of India & Others) the Provident Fund Organisation (EPFO) was required to issue a pass book and assign a ten digit number to each employees. It is submitted that despite this scheme having framed in 1991 and despite the same having been filed in Court in 1995, no pass book has been issued till date nor ten digit number has been assigned.

In the matter CM No.6191/2002 (similar / identical matter) before the Hon’ble Court: Mr. Chawla, the respondent’s Counsel (for EPFO) submitted that till the next date of hearing, the respondents will not take any coercive steps in respect to the coverage of casual workers of the petitioner, however, the proceedings will continue. Since, the proceedings under the Act are continuing before the Regional Provident Fund Commissioner, the Petitioner will extend co-operation for completion of the proceedings.

On 07 July 2004 - Court issued the “Rule”. To be heard alongwith WP(C) 7253/2002 (similar / identical matter). The interim orders passed on 30th May, 2002 (under C.M.No.6191/2002) is made absolute till the disposal of the Write Petition.

Later on the matter was sent to the Lok Adalat for the final settlement but due to non listing of the matter in the Lok Adalat for such a long time, on 2nd February 2009, the Hon’ble Court
issued orders for listing the matter for final disposal on 24th August 2009. The matter has been listed for hearing on 24th August, 2009, 6th January 2010 & 30th April, 2010, 5th October 2010, 5th January 2011 and 30th April 2011 but adjournment granted on one grounds or the other. The matter was listed for 16th August 2011. On 16th August, 2011, counsel for Respondents 2 and 3 stated that she has just taken over as the counsel for RPFC and at her request, the matter was deferred for 29th September 2011.

Meanwhile, it was felt that the present Counsel Ms. Amrita Sanghi, was not doing enough for the case and it was decided to change the counsel on the record. Accordingly Shri Somesh Arora has been appointed as the Advocate, on record, to plead the case. He appeared in the High Court on 29th September 2011, behalfof behalf of Builders’ Association of India, and sought adjournment which was granted and the matter was deferred for 5th December 2011.

On 5th December 2011, when the matter came up for hearing in the Court of Justice P K Bhasin, BAI’s advocate on record Shri Somesh Arora was present in the court alongwith the Senior Advocate Shri Sandeep Sethi for arguments but counsel for the respondent for No.1 requested for adjournment. The Hon’ble Judge granted the adjournment and deferred the matter for 20th April 2012.

Orders : Notice. Notice of the application is accepted by learned counsel for respondent no.1- UoI and respondents No. 2 and 3.

List on 9th October, 2012 along with other connected matters.

On 9th October, 2012, it was ordered to list the matter on 31st October 2012, as the concerned Judge in the court where the matter was listed for hearing was on leave.

On 31st October, 2012, - Learned counsel for Respondent No. 2 & 3 stated that they copy of lthe application filed by the application regarding deletion of name have not been served to them. Hon’ble Court ordered for supply of copy of the applications to respondents No.2 & 3 within one week. It was further ordered for listing of the case on 19th December 2012.

On 19th December 2012, learned proxy counsel for the Respondent No.2 & 3 prayed for an adjournment as the arguing counsel was in personal difficulty. Next date of hearing was fixed for 7th March 2013.

On 7th March 2013, the matter came up for hearing in the court of Hon’ble Judge Vipin Sanghi, BAI had brought Shri Parag Tripathi, Senior Counsel for arguing the case but the Judge was not interested to take up the matter on the grounds that once he has been represented the BAI in the Labour Cess matter in the High Court and has requested the Register of the Court to transfer the case to the another court.

The case came up for hearing in the court of Justice Valmiki J Mehta on 16th April 2013. As the Hon’ble Judge received the case on transfer a day before, he ordered for listing of matter on 20th September 2013. He further ordered that all the pleadings be positively completed atleast two weeks before the next date of hearing failing which right to file the pleadings shall stand closed.

The matter came for hearing in the Court No.16, vide item No.(s) 22 to 28 in the court of Justice A K Pathak on 20th September 2013. On going through the case file, Hon’ble Judge ordered that since all the pleadings in the case have been filed, the case will be taken up in the regular course of hearing. Presently the Court is taking up the matters, under regular hearing which were filed during the year 1999 and the case under reference was filed during the year 2002.

The matter was listed for hearing on 2nd & 3rd December 2013 in Court No.16 of Justice Shri A K Pathak. At the request of Advocate representing the Association, Judge ordered for listing of the matter in the category of “Regular Matters” in the week commencing from 13th January 2014.

The matter came for hearing in the category of “Regular Matters” on 16th January, 2014, 21st January 2014 and 3rd February 2014 in Court No.15 of Justice Shri B Kameswar Rao and it was argued by Shri Dhruv Mehta, Senior Advocate, duly assisted by Advocate on Record Shri Somesh Arora and Shri Jeewesh Nagrath. The proceedings have been completed on 3rd February 2014. On completion of the proceedings, Justice Kameswar Rao asked for submitting the synopsis of the case which were submitted on 13th February 2014. On all the proceedings dates, senior members from Delhi Centre and Shri Ravi Wig were present in the court and they were quite satisfied with the way the proceedings have gone.

The judgement have been reserved on 3rd February 2014.

**Cement Cartel Petition with Competition Commission of India**

In its endeavour of getting justice for Construction Industry viz-a-viz Cement price, BAI have filed complaints with Monopolies and Restrictive Trade Practices Commission and Hon’ble Competition Commission of India. Reproduced below is the favourable order pronounced by Competition Commission of India against Cement Manufacturers levying a hefty penalty of Rs.6,307 Crore.

Appeals filed by various Cement Companies, Aggrieved by the Competition Commission of India Order in Case No 29/2010 dated 20.06.2012

Under Section 53B of the Competition Act, 2002 in the Competition Appellate Tribunal at New Delhi

1) Appeal No. 134/2012 with I.A. No. 267/2012 and I.A. No. 268/2012
   Filed by : M/s. India Cement Limited … Appellant

2) Appeal No. 122 of 2012
   Filed by : M/s. Cement Manufacturers Association … Appellant
Represented by: Shri Pramod B. Agarwala and Shri Prashant Mehra, Advocates

   Filed by: M/s. Madras Cement Ltd. … Appellant
   Represented by: Shri Rahul Balaji, Shri T. Srinivasa Murthy & Ms. Pankhuri Bhardwaj, Advocates

4) Appeal No. 124 of 2012
   Filed by: Century Textiles Industries … Appellant
   Represented by: Shri Pramod B. Agarwala and Shri Prashant Mehra, Advocates

5) Appeal No. 125 of 2012
   Filed by: M/s. Binani Cement Limited … Appellant
   Represented by: Shri Sudhir Gupta, Sr. Advocate with Shri Virender Goswami and Shri Abhinav, Advocates

6) Appeal No. 126 of 2012 with IA Nos. 113 and 271 of 2012
   Filed by: M/s. Ultra Tech Cement Limited … Appellant

7) Appeal No. 127 of 2012
   Filed by: Lafarge India Limited … Appellant
   Represented by: Shri Gopal Subramanium and Shri Parag Tripathi, Sr. Advocates with Shri Samir Gandhi and Ms. Hemangini Dadwa, Advocates

8) Appeal No. 128 of 2012
   Filed by: M/s. J.K. Cement Limited … Appellant
   Represented by: Shri P.K. Bhalla, Advocate for the Appellant

9) Appeal No. 129 of 2012
   Filed by: M/s. Jai Prakash Associates Limited … Appellant
   Represented by: Shri Mukul Rohatgi and Shri A.N. Haksar, Sr. Advocates with Shri G.R. Bhatia, Ms. Kanika Chaudhary Nayar, Shri Vikram Sotbi, Ms. Nidhi Singh, Ms. Kalyani Singh, Shri Udayan Jain and Shri Ninad Laud, Advocates

10) Appeal No. 133/2012
    Filed by: Associated Cement Corporation … Appellant
    Represented by: Dr. A.M. Singhvi, Sr. Advocate with Mrs. Pallavi S. Shroff, Ms. Shweta Shroff Chopra, Shri Harman Singh Sandhu and Ms. Sangeetha Mugunthan, Advocates

11) Appeal No. 132/2012
    Filed by: Ambuja Cement Limited … Appellant
    Represented by: Shri Iqbal Ghagla and Shri Ramji Srinivasan, Sr. Advocates with Shri Ashwath Rau and Ms. Gargi Yadav, Advocates

Competition Commission of India - Respondent

Represented by: Shri Balbir Singh, Shri Abhishek Singh Banger and Shri Abhishek Yadav, Advocates for the Respondent (CCI)

Builders’ Association of India - Respondent
Represented by: Shri O.P. Dua, Sr. Advocate & Shri Aditya Garg, Advocates. Shri Satnam Singh Arora, Executive Officer, BAI-Delhi was also present.

Coram of the Tribunal:

Hon’ble Mr. Justice V.S. Sirpurkar - Chairman
Hon’ble Mr. Rahul Sarin - Member
Hon’ble Mrs. Pravin Tripathi - Member

Builders’ Association of India have filed a complaint with the Competition Commission of India (CCI) against the Cement Manufacturers Association & various cement companies, about the unfair trade practices / indulging in cartelsation thus pushing up the price of cement, vide Case No.29/2010.

The matter was heard by the Commission on 21st, 22nd, & 23rd February 2012 in which the oral submissions were made by the learned Counsels, on behalf of the Opposite Parties, who have been accused of indulging in the act of cartelization in the complaint filed vide Case No.29/2010.

On completion of the oral submissions on 23rd February 2012, Counsels pleaded before the Commission to offer their comments on the submissions made by different counsels which was rejected by the Commission and they were advised to make written submissions by 15th March 2012.

Competition Commission of India in its order dated 20th June 2012, in Case No.29/2010, imposed a penalty of Rs.6307.32 Crore on Cement Manufacturers Association and ACC, Ambuja Cements, Ultra Tech, Grasim Cements, Lafarge India, J K Cement, India Cements, Madras Cements, Century Cements and Binani Cement, accusing them of creating a carte for indulging in the unfair trade practices.

All the cement companies, aggrieved by the orders of the Competition Commission of India order dated 20th June 2012, filed appeal in the Competition Appellate Tribunal for grant of stay on the orders of the CCI as well as against the orders “Cease & desist”.

The matter was listed for hearing, in the Tribunal, on 13th September 2012 (1 day), 11th & 29th October 2012 (2 days), 1st & 22nd November 2012 (2 days), 6th December 2012 (1 day), 29th & 30th January 2013 (2 days), 18th to 22nd & 25th to 28th February 2013 (9 days), 1st, 13th to 15th & 18th March 2013 (5 days). Learned Counsel appearing on behalf of the cement companies against whom the orders were passed by the CCI and counsel on behalf of the CCI and BAI argued at length and the orders / judgement was reserved on 18th March 2013.

On Friday, the 17th May 2013 when the following interim order was passed by the Hon’ble Tribunal (relevant operative part of the order i.e. para-37 & 38 are reproduced) with the next date of hearing as 21st August 2013:-
37. “In that view, we find that there is a prima-facie case for granting of stay at least in respect of the penalties, which are of very substantial nature. The total penalties would come in the range of Rs.6000 crores. While inflicting the penalties, the CCI has also taken into consideration, not only the 10% turnover, gross-turnover and other factors, it has also taken into consideration the net profits earned by these appellants, which are to say the least fabulous. The Commission has chosen to impose the penalty at 0.5 times of the net profit for 2009-10 that too from 20th of May, 2009. It is pointed out by the Commission that the amount of 3 times of net profit calculated, is higher than 10% of the average turnover. In that view, the Commission has inflicted the penalties of 0.5 times of the net profit for one year that is from 2009 to 2010 that too taking from 20th May, 2009 and 2010-11. Under such circumstances, we would chose to grant stay to the penalties, however with a condition that the appellants deposit 10% of the penalties inflicted. We make it clear that the deposit of the penalty should be within one month from today. We also make it clear that if the penalties are not so deposited, the appeal shall be treated as dismissed without further reference to the Court.

38. As regards, the orders of ‘cease’ and ‘desist’, we do not find anything wrong at least prima-facie. We, therefore, refuse to stay that order against the appellants, including the Cement Manufacturers Association.”

After the interim orders of the Competition Appellate Tribunal dated 17th May 2013, directing the cement companies to deposit 10% of penalty imposed by the Competition Commission of India before the matter is heard, all the Cement companies moved to the Supreme Court of India for grant of stay on this order. The matter came for hearing on Wednesday, the 21st August 2013 wherein all the senior counsels were present. The BAI was represented by Shri O P Dua, Senior Advocate. The matter was heard in detail but the Hon’ble Court refused to intervene in to the interim orders but extended the last date of deposit of the penalty amount from 16th June 2013 to 24th June 2013 with the directions that the amount of penalty may be kept in the form of Fixed Deposits in the separate accounts of the each company.

The matter was listed for hearing in the Tribuunal on Wednesday, the 21st August 2013. Shri Gopal Subramanium, on behalf M/s Lafarge Cement sought the time for filing up the application. Hon’ble Chairman Justice Sirpurkar replied that the applications will be considered in the last, after taking up the applications filed in the matter and suggested listing of matter somewhere in 3rd / 4th week of September but the advocates appearing for different cement companies asked for more time.

The arguments in the matter again started and it was listed for hearing on 19th November, 2013, 4th February, 2014, 11th March 2014 and 28th April 2014. On 11th March 2014 and 28th April 2014 Shri Gopal Subramanium argued the matter on behalf and his arguments were not been completed till the last date of hearing i.e. 28th April 2014. The matter will now be listed on 18th July 2014.

Appeals filed by various Shree Cement Ltd.
Aggrieved by the Competition Commission of India Order in Case No RTPE/2006 dated 30.07.2012
Under Section 53B of the Competition Act, 2002 in the Competition Appellate Tribunal at New Delhi

Builders’ Association of India filed an application in the MRTP Commission in the year 2006, alleging the cartelisation by cement companies which was registered vide No.RTPE 52/2006. Consequent upon closure of the MRTP Commission, the case was transferred to Competition Commission of India (CCI). BAI also filed a case in the Competition Commission of India, in the year year 2010, alleging cartelisation of cement by 11 cement companies, which was registered vide case No.29/2010. The matter was investigated by the Director General – Investigation and CCI found Shree Cement Ltd., on the basis of matter investigated under case No.RTPE-52/2006, as well as the 11 companies against whom the complaint was filed vide case No.29/2010 indulging in the cartelisation. The Competition Commission of India imposed a penalty of Rs.6307.32 Crore against the 11 Cement companies vide its order dated 20th June 2012imposed a penalty of Rs.397.51 Crores as well as ‘cease’ and ‘desist’ against Shree Cement Ltd. vide its order dated 30th July 2012.

M/s Shree Cement Limited aggrieved by the Competition Commission of India’s order dated 30th July 2012. filed an Appeal No. 121/2012 with I.A. No. 258/2012 in Competition Appellant Tribunal to seek stay on the orders as well to deposit the penalty amount of Rs.397.51 Crores.

The matter was listed for hearing, in the Tribunal, on 13th September 2012 (1 day), 11th & 29th October 2012 (2 days), 1st & 22nd November 2012 (2 days), 6th December 2012 (1 day), 29th & 30th January 2013 (2days), 18th to 22nd & 25th to 28th February 2013 (9 days), 1st, 13th to 15th & 18th March 2013 (5 days). Learned Counsel appearing on behalf of the cement companies against whom the orders were passed by the CCI and counsel on behalf of the CCI and BAI argued at length and the orders / judgement was reserved on 18th March 2013.

On Friday, the 17th May 2013, the following orders in the matter were passed by the Hon’ble Tribunal which were read out by the Hon’ble Mr. Justice V S Sirpurkar – Chairman, Competition Appellate Tribunal:

Directed all the cement companies, alleged in the case No.29/2010, to deposit the 10% of the penalty amount, as imposed by the Competition Commission of India in its orders dated 20.06.2012, within a period of one month. No orders were passed against M/s. Shree Cement Limited who were found guilty of indulging in cartelisation as a consequence of investigation conducted by the DG (Investigation) under case No.RTPE-52/2006.

Though order dated 30th July 2012 passed by the CCI, were based on the investigation conducted by CCI under case
No.29/2010 but CCI refused to supply the copy of Investigation Report to M/s. Shree Cement Ltd. Counsel appearing on behalf of M/s Shree Cement Ltd. also produced the copy of the communication received from the CCI refusing to supply the copy of the Investigation Report. The Tribunal ordered the counsel appearing on behalf of CCI to seek instructions from the CCI or the Tribunal will remand the orders back to CCI. The matter was listed for hearing on 1st & 3rd April, 2014. As the counsel appearing on behalf of CCI requested for another date as he was to seek some instructions from CCI. The matter came up for hearing on 16th April 2014. The CCI Counsel agreed to supply the copy of the report of the DG Investigation in the matter of 29/2010, which was refused to them earlier on the grounds that this report does not required to be supplied to them.

The matter was argued and CCI Counsel requested the Tribunal not to remand back the matter to CCI. On 16th April 2014, the Tribunal heard Arguments on interim application and passed the order as “Order reserved”

On 29th April 2014, the Tribunal passed the following order on Interim Application No. 258 of 2012 (for stay) in APPEAL NO. 121 OF 2012. Relevant para 11 of the order dated 29th April 2014 is reproduced below :-

“The Appellant has a prima-facie case because of which we have ordered the final arguments in this case. However, when we examine the matter on merits, we do not find anything different than the other cement manufacturers, who have been dealt in Case No. 29 of 2010. We shall certainly examine the question of non-supply of DG’s report in Case No. 29 of 2010 to the Appellant at the final hearing, however, at this stage, we are of the firm opinion that it will not be proper to allow the Appeal by setting aside the judgment on account of the alleged denial of natural justice to the Appellant. When we see the matter on merits, the case of the Appellant is almost identical with the other cement manufacturers, who have already been dealt with by us, where we had ordered the stay of penalty on condition that the Appellants deposits 10% of the penalty ordered by the CCI. We will chose to pass the same order in this Appeal too in terms of the order passed in Appeal Nos. 105 of 2012, 110 of 2012, 108 of 2012, 103 of 2012, 104 of 2012, 106 of 2012, 107 of 2012, 109 of 2012, 111 of 2012, 112 of 2012, 113 of 2012, 134 of 2012, 122 of 2012, 123 of 2012, 124 of 2012, 125 of 2012, 126 of 2012, 127 of 2012, 128 of 2012, 129 of 2012, 132 of 2012, 133 of 2012.”

The Tribunal also ordered for listing of the matter on 18th July 2014, alongwith the other connected matters.

Immediately on receipt of the order from Competition Commission of India, BAI President, Shri B. Seenaiiah wrote a representation to the Hon’ble Members of Parliament for appointment of a Cement Regulatory Body. The representation is reproduced below:-

Ref : 119/J/2013-14 dated 29th June 2013

To,

The Hon’ble Membres of Parliament,

Dear Sir/s,

Sub: Appointment of Cement Regulatory Authority.

Builders’ Association of India (BAI) is an apex all India body of Engineering Construction Contractors, founded in 1941, with more than 14,000 business entities as members through its 135 plus Centres (Branches) throughout the country. 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.

Country embraced to ‘Market Economy’ from the ‘Command Economy’ in 1991. Industrial licensing and price controls were dispensed with. As a result, economy moved up from “Hindu Rate of Growth” to a healthy 7% to 8% GDP growth. In Market Economy more competition is imperative and to keep a watch on the market players for not indulging in unhealthy business ethics, the Government appointed Regulatory mechanism for certain sector such as :

(a) SEBI as Regulatory Authority for Capital Market / Stock Exchanges.
(b) TRAI as Regulatory Authority for Telecom Industry.
(c) IRDA as Regulatory Authority for Insurance Sector.
(d) Director General Hydrocarbon for Petroleum Sector.

Infrastructure being an enabler of economic growth and enhancer of quality of life have high priority in fund allocation. Government is rightly thinking of appointing a Regulatory Body for Coal, and Road Sector. Cement is a part of Core Industry. It however continue to indulge in anti-competitive practice since long as can be seen from following:-

(a) Parliamentary Standing Committee of Ministry of Commerce presented its 95th Report on “Performance of Cement Industry” on 24th February 2011 to Rajya Sabha, recommended establishment of a “Statutory Regulatory Authority to regulate the price of Cement”.

(b) In Enquiry No.RTPE 99/1990 on 28th November 2006, Monopolies and Restrictive Trade Practices Commission directed cement companies ‘cease and desist order’. The Hon’ble M.R.T.P. Commission again in Enquiry No.RTPE 21/2001 decreed on 29th February 2008 observed that, “Cement companies are guilty of forming cartel and issued to cease and desist order. The M.R.T.P. Commission also directed them to file the Affidavit with effect that, they won’t do cartelisation again”. 
(c) On 20th June 2012, The Hon’ble Competition Commission of India in case No.29/2010 filed by BAI conclusively found the existence of cartel arrangement amongst the Cement Manufacturers resulting the manipulation of sale price of cement, and imposed a penalty of Rs.6,307.32 Crore on 10 Cement Manufacturers plus Cement Manufacturers Association (CMA) and also issued ‘cease and desist order’.

The unfair business practice indulged by cement producers not only increases price of housing and infra projects, but reduces growth rate of economy. It is high time that Government appoint a ‘Cement Regulatory Authority’.

Thanking you,

Yours faithfully,

B. SEENAIAH
PRESIDENT
BUILDERS’ ASSOCIATION OF INDIA

New Petition:

The Cement Manufacturers were continuing with the cartelisation and increased the price of cement without any valid reason. BAI therefore had filed a new complaint with Hon’ble Competition Commission of India on 2nd December 2013, which is reproduced below:-

Ref: 377/D/2013-14 dated December 2, 2013

To: The Chairman

Competition Commission of India
Hindustan Times House,
18-20, Kasturba Gandhi Marg,
NEW DELHI – 110 001

Dear Sir,


Builders Association of India (BAI), body of civil engineering contractors formed in 1941 with Head Office at Mumbai. BAI is a Society registered under Society Registration Act 1860 having No.14/83(GBBS) as well as Charitable Trust registered under Mumbai Charitable Trust Act 1950 having registration No.F-9027. 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. It also acts to ward-off anti-competitive practices adopted by some of the construction materials manufacturers.

In response to BAI’s complaint being No.29/2010 on 19th July 2010, C.C.I. passed an order on 12th June 2012 against leading cement producers for indulging in cartelting activity covering a period from May 2009 to 31st March 2011, levying penalty of Rs.6,307.32 Crores with direction to “cease and desist” from such activity. Pursuant to this order Housing and Construction Industry felt that, Cement Industry will henceforth will not indulge in “cartel” activity. However events in the last 24 months have proved that Cement Industry continues to play it’s old game in total disregard of C.C.I’s order.

Cement is consumed in following four segments namely Housing 55% to 65%, Infrastructure 15% to 25%, Commercial & Industrial Construction 10% to 15% and Industry 5% to 15%. Transportation plays very important role in the market price of cement, therefore cement units are located near limestone mines which is primary raw material. Natural Zone for marketing cement is within distance of 250 to 300 km from cement plants. This distance is normally covered by truck.

More than 300 km distance cement is send by rail wagons. In view of this Yerrangutta and Nalgonda in Andhra Pradesh, Gulbarga in Karnataka, Satna in Madhya Pradesh and Chanderia in Rajasthan emerged as biggest cement clusters. South Zone with 40% installed capacity is biggest zone followed by west at 27%, Central by 16%, East by 9.50% and North by 7.50%. Even in Southern Zone, Andhra Pradesh with about 65 million metric tonne is the biggest cement producing State. Enclosed Annexure ‘A’ giving Zonewise Cement Installed capacity in India.

Though Housing Industry is biggest consumer of Cement, is facing problem of slowing down of new project launching as per report prepared by Real Estate Research firm Prop Equity. Real Estate Developers engage Construction Contractors for carrying out residential, commercial or industrial construction, as such Construction Industry is virtually the sole consumer of cement. It is therefore natural that cement industry’s fortune is linked with growth of Construction Industry. Central Statistical Organization released Quarterwise G.D.P. data for 2012-13 on 30th May 2012 and data for April – June Quarter and July – September Quarter of 2013-14 on 31st May 2013 and 30th November 2013, respectively. Enclosed Annexure ‘B’ showing Quarterwise G.D.P. data at current price and not at 2004-2005 price from 2011-12 to second quarter of 2013-14. It can be observed that, growth in construction sector at current price was subdued and in fact had negative growth in April – June 2012, July – September 2012 and April – June 2013 quarter compared to earlier quarters. It recorded marginal increase in July – September 2011 and 2013quarters. In contrast Cement Industry went on increasing installed capacity from April – June 2011 till January – March 2013. Capacity utilization were low in range of 70% to 72% in monsoon period i.e. July – September and higher in other quarters as shown in Annexure-‘C’.

Due to falling demand and higher capacity, Cement Industry was facing challenges in marketing. This can be seen from an article written by Secretary General, Cement Manufacturers Association Shri N.A. Vishwanathan titled as “Challenges for Cement Industry” as appeared in A Braj Binani Group, (producer of Binani Cement), publication called “Construction Industry Review” in it’s 15th October 2012 issue. Shri N.A. Vishwanathan stated that, “Cement Industry created Capacity based on thrust for infrastructure development in the country which turned out to be not in tune with demand. It has created huge mismatch between demand and supply. 315 million metric tonnes installed capacity against 230 million metric tonnes demand”.

Annexure-‘C’.
Cement Industry tackled this “excess supply less demand” situation by observing and curtailing production and increasing cement rate per bag in June – July 2012 and in June 2013 in gross violation of section 3 and 4 of Competition Act 2002 and in total disregard of C.C.I’s “cease and desist” order on 12th June 2012 as detailed below:-

A. Cement rate were moving in a narrow bend between Rs.255/- to Rs.265/- per bag in April 2011 to May 2012, but increased in June – July 2012 in Delhi, Mumbai and Kolkata market as shown in table below:-

<table>
<thead>
<tr>
<th>Date &amp; Month</th>
<th>Delhi A.C.C. Rate per bag</th>
<th>Mumbai A.C.C. Rate per bag</th>
<th>Kolkata A.C.C. Rate per bag</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.4.2011</td>
<td>265/-</td>
<td>315/-</td>
<td>370/-</td>
</tr>
<tr>
<td>17.5.2012</td>
<td>263/-</td>
<td>315/-</td>
<td>370/-</td>
</tr>
<tr>
<td>12.6.2012</td>
<td>267/-</td>
<td>315/-</td>
<td>370/-</td>
</tr>
<tr>
<td>7.7.2012</td>
<td>297/-</td>
<td>326/-</td>
<td>370/-</td>
</tr>
<tr>
<td>24.8.2012</td>
<td>278/-</td>
<td>318/-</td>
<td>355/-</td>
</tr>
<tr>
<td>27.9.2012</td>
<td>272/-</td>
<td>320/-</td>
<td>355/-</td>
</tr>
</tbody>
</table>

[Source: Rate taken from Economic Times, Mumbai edition, marked as Annexure ‘D’]

Cement Manufacturers’ Association (CMA) was providing price of cement at various cities through it’s publication, which was stopped after C.C.I’s order on 12th June 2012. This has prompted us to collect the rate data from Economic Times. It may be noted that, despite negative growth in Construction Sector during April – June 2012 and July – September 2012 Quarter. Cement Industry’s operating profit margin remained very high at 24.64% and 21.18% respectively as shown in Annexure – ‘B’. As a matter of fact, Cement Industry indulged in anti-competitive practice till 12th June 2012 when Competition Commission of India (CCI) passed it’s famous order levying penalty of Rs.6,307.32 crores.

B. As stated earlier Andhra Pradesh has maximum cement producing capacity at 65 mmt. Due to low demand, prices were in the range of Rs.195/- to Rs.220/- per bag in Hyderabad and Visakhapatnam in January – May 2013 period. Tamil Nadu, has second biggest capacity at about 39 mmt. Cement price were ruling at Rs.285/- to Rs.270/- in Chennai and Coimbatore in January – May 2013 period. Karnataka, at third place with capacity at 28 mmt. Cement price were ruling in the range of Rs.210/- per bag between January 2013 to May 2013 period. In order to tackle low price, cement producers seems to have met in Hyderabad on 23rd May or 24th May 2013. Thereafter, prices have increased by an unprecedented Rs.100/- per bag in Hyderabad, by Rs.60/- per bag in Visakhapatnam by Rs.45/- per bag in Coimbatore, by Rs.40/- per bag in Bangalore in June 2013. Needless to mention that, Construction Industry’s growth during April – June 2013 Quarter was – 5.31%. In view of firming up of price in three Southern States, the companies have increased price in Jodhpur and Delhi from April 2013 to June 2013 as shown in Annexure ‘E’. This is confirmed by Shri N. Srinivasan, M.D. India Cement Ltd., while addressing Press Conference in Chennai on 6th June 2013 as reported by Hindu on 7th June 2013. Similarly, Economic Times, Mumbai, while reporting on 27th June 2013 on takeover of Shriram Group Cement Plant called “Sree Sayjothi Cement” by French MNC Vicat confirmed the increase in the rate to Rs.295/- from Rs.195/- per bag in Hyderabad.


Cement companies, despite low demand and higher installed capacity, coupled with rising input cost (transportation) could manage to increase prices in June – July 2012 and July – September 2012 (monsoon period) at all India level and in June 2013 in Andhra Pradesh, Tamil Nadu and Karnataka by observing and curtailing production discipline. Needless to mention the ‘cartel’ type of arrangement, practiced by the Cement Manufacturers is in complete violation of your ‘cease and desist’ order. Hence BAI requests your goodself to look into the matter and take suitable remedial action at the earliest.

Thanking you,

Yours faithfully,

D.L. DESAI (SHANKARBHAI)
TRUSTEE
BUILDERS’ ASSOCIATION OF INDIA

WRITS / REPRESENTATIONS MADE BY BAI ON INDIRECT TAXES

1. Andhra Pradesh High Court in case of Seven Hill Construction held that “Additional Composition Scheme” under which “purchase price” of construction material was treated as “Sale price” for the purpose of works contract tax now VAT in respect of contracts having more than 12 months period under APVAT Act is not in conformity with Supreme Court order in Gannon Dunkerly case. Almost all major contractors working in Andhra Pradesh have taken advantage of this scheme under rule 6 (3) (i) will now have to pay higher tax amount. High Court has not directed authorities to deal with all pending matters accordingly stated as such past assessment can be re-opened. BAI has filed Special Leave Petition against this order of Andhra Pradesh High Court which is pending admission.

2. Andhra Pradesh Commissioner of Commercial Taxes issued circular No. AIIII(2)/143/2919 dated 19th July 2010 clarifying that the contractor in Andhra Pradesh can not issue “C” form for interstate purchase of goods by contractors. As a result benefit of “C” form available to contractors is now being denied.

2012 held that the EPC contracts for A.P. Irrigation project under works contract services effective from 1-6-2007 is service taxable. Reasons are (a) “Irrigation” is not included u/s 65 (105) (zzzza) of Finance Act 1994. (b) Exemption notification No.41/2009 do not contain anything purported to act “retrospectively”. (c) Circular dated 15-9-2009 refers to “canal system” in context of definition of “Commercial and industrial construction” and not that of “works contract”.

4. R.M.C. plant put upon site for self consumption at present is subject to 1% Excise duty. Necessary representation made by B.A.I. to Finance Minister and circular is expected to be issued by Finance Ministry.

5. B.AI. filed Writ Petition No.3533/2010 in Guwahati High Court against levy of VAT, for lack of mechanism to claim deduction of sub-contractors turnover.

VAT (WORKS CONTRACT TAX) ON SALE OF OWNERSHIP FLAT UNDER CONSTRUCTION.

Karnataka was the first State, where VAT on Sale of Ownership Flat was accepted by Hon’ble Supreme Court in case of M/s. K. Raheja (Universal) V/s. State of Karnataka in 2005. Pursuant thereto Maharashtra amended it’s Value Added Tax Law by covering Sale of Ownership Flat under construction subject to VAT effective from 20th June 2006. This was challenged by Maharashtra Chamber of Housing Industry (MCHI), Confederation of Real Estate Developers Association of India (CREDAI), Builders’ Association of India (BAI) and others by filing Writ Petitions and obtained interim stay on it’s implementation. This was finally decided by Hon’ble Mumbai High Court on 30th October 2012, upholding right of State to levy VAT. In the intervening period i.e. in 2008, Supreme Court in case of Larsen & Toubro Limited V/s. State of Karnataka held that, earlier judgement in case of M/s. Raheja (Universal) need reconsideration and requested Chief Justice to constitute larger bench.

Being aggrieved against order of Hon’ble Supreme Court, BAI filed Special Leave Petition No.29151 of 2012. In Civil Appeal No.8699 of 2013 arising out of SLP No.29151 of 2012, Hon’ble Supreme Court on 26.9.2013 decided that, Judgement of M/s. K. Raheja (Universal) is correct and State has right to levy VAT on sale of under construction flat on ownership basis. Needless to state that, all SLP’s were bunched together with that of L&T and common order was passed.

VAT – AS-7 ACCOUNTING STANDARDS AND BAI

The State VAT authorities have common a complaint about the contracting companies books of A/c, which seldom sufficiently explains the deemed sales (works contract) turnover and exemption for labour & services being claimed as per returns filed. In other words, the deemed sales turnover, exemptions etc. vide statutory monthly/annual returns so filed shall invariably be acknowledged as per books of a/c, similar to the case of Trading or Manufacturing sectors. Construction industry is required to maintain books of account as per Accounting Standards As-7 prescribed by Institute of Chartered Accountant.

To address the issue being inherent of construction business, BAI represented the matter to States concerned for their suitable guidelines, including any legislative changes and thus eliminate the instances of unwarranted disputes. BAI Secretariat circulated a draft letter with details for all Office Bearers to take up the matter at the appropriate level.


Preface:

The State VAT authorities in common complain about the books of A/c seldom sufficient explains the deemed sales (works contract) turnover & exemption for labour & service being claimed as per returns filed. In other words, the deemed sales turnover, exemptions etc. vide statutory monthly/annual returns so filed shall invariably be acknowledged as per books of a/c, similar to the case of Trading or Manufacturing sectors.

The grievances of BAI members is about authorities while passing assessment order frequently resort to best judgment and raise tax/VAT demand of disproportionate status. Impliedly the issue reverberates on computation of taxable turnover as well as the process of ascertaining of profit element at an anterior stage of contract completion. This aspect is paramount even for filing monthly/annual returns.

To address the issue being inherent of construction business, BAI proposes to represent the matter to States concern for their suitable guidelines, including any legislative changes and thus eliminate the instances of unwarranted disputes.

Facts & Recommendation:

At the outset I acknowledge the members of construction industry since required to maintained books of A/c as per Accounting Standard prescribed in AS-7, instead any general accounting pattern e.g. On the contrary State sales tax/VAT legislation have not been tuned with the changes brought by 46th Construction Amendment Act 1982, including the prescription of reporting the turnover or accounting pattern conforming to construction business and their accounting system.

I am requested to provide a technical clarification specific to the scope of AS-7 as prescribed for construction business. To provide the required technical report/opinion, it is imperative to covering the aspects of accounting method prescribed for construction business viz books of A/c and ascertaining the profit; basic features for statutory compliance under State Acts, and the reference about revising the returns so filed. Now I comment on the scope of AS-7 as under:-

1. Accounting Standard > AS-7:

To appreciate the issue involved in adopting the said AS-7, I seek to dwell upon the following general pattern of invoice documentation as adopted for construction works:-
a) A contractor normally would raise Progress/Running Account bills (RA bills) for lump sum value of work done during given period and further on cumulative period basis.

b) The client on receipt of said RA bills, subject the same to scrutiny by technical team for approval of work done, before being forwarded to finance & accounts for certification & approval to release payment. There prevails a considerable period of gap between the date of billing and the payment is released.

c) The above position have important bearing on statutory compliance by contractor viz-a-viz returns while to be filed on the prescribed due date, the turnover thus adopted as per billed amount which subsequently undergoes changes due to certification/approval etc.

Depending upon the size & volume of business as belong to each member, the practice of centralized or decentralized accounting system is adopted individually. In general, at the project site level very minimum accounting record/documentation is patronized for more than one reason, including for the administrative. Resultantly, the sales or deemed sales of construction business either accounted for at the clustered level of divisions or at HQ level and then consolidated at Corporate level, taking in consideration the common expenditures or relevant cost so incurred being apportioned and form part of books of Account.

Now I turn to the prescribed Accounting standard meant for construction business and to clarify the working of said AS-7 provide the details in below given Table by way of example and for comparative purpose.

Operating Position – AS-7

<table>
<thead>
<tr>
<th>PROFILE: AS-7</th>
<th>Figures in Crores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Value</td>
<td>3000</td>
</tr>
<tr>
<td>Period of work completion</td>
<td>3 Years</td>
</tr>
<tr>
<td>Projected Cost for Contract</td>
<td>2550</td>
</tr>
<tr>
<td>Projected Profit for Contract</td>
<td>450</td>
</tr>
<tr>
<td>Projected Profit % to Contract Value</td>
<td>15%</td>
</tr>
<tr>
<td>Actual Cost for Contract – as per books of A/c.</td>
<td>2650</td>
</tr>
</tbody>
</table>

**TABLE**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particulars</th>
<th>Year I</th>
<th>Year II</th>
<th>Year III</th>
<th>Contract as a whole</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Actual Cost incurred Yearwise Accounts</td>
<td>725</td>
<td>1452</td>
<td>573</td>
<td>2750</td>
<td>As per books of Account</td>
</tr>
<tr>
<td>B</td>
<td>% of Cost incurred to projected cost of cost contract</td>
<td>28%</td>
<td>85%</td>
<td>100%</td>
<td>Percentage of cumulative cost incurred to the total projected</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>% of invoicing</td>
<td>27%</td>
<td>80%</td>
<td>100%</td>
<td>Percentage of total invoicing</td>
<td></td>
</tr>
</tbody>
</table>

| D | Sales as per AS-7 (Cor: D whichever is lower* Contract value) | 810 | 1590 | 600 | 3000 | Entered in Books of Accounts vide AS-7 |
| E | Profit based on above sales for each year and at actual for last year (C-A) | 85 | 138 | 27 | 250 | Entered in Books of Accounts – being different of Income and Cost vide AS-7 |
| F | Profit % (E / D) | 10.49% | 8.68% | 4.50% | 8.33% |

Accordingly, the sales or other expenditure/cost as may reflect in current books of a/c as relevant for the contract execution period, the same would be different on than the actual. This implies to the operative procedure AS-7 as compared to the status of actual work under progress and further the RA billed amount conforming to the terms & conditions of contract as awarded by client. This also establishes existence of lack of uniformity of reason inherent to construction business and the accounting pattern prescribed, which can stand reconciled ultimately upon the completion of contract.

The very fact that needs to be appreciated is that the turnover as per AS-7 as accounted in books of accounts cannot be correlated with the invoices raised (turnover for state VAT purposed) during the execution of the project, for the reason that sales cannot be accounted upon mere raising bills on client. The Invoices raised will be recognized as ‘sale’ only after it reaches recognizable percentage of completion as per the valuation mechanism stipulated under AS-7, until such time, the same will be treated as ‘work-in-progress’ in books of accounts. Therefore, the actual profit/loss for the project as a whole can be well-ascertained only after completion of the project.

Having noted the above unique position of accounting method prescribed for construction business, I arrive at the following imperative conclusion with reference to statutory compliance:-

A. A contractor for purpose of statutory compliance may report the turnover under the State Act for the RA billed amount, though it is modified subsequently and same to be the actual, which further is considered for books of A/c. This position invariably would result in mismatch of turnover amount viz return and books.

B. Context to above, there is bound to be the need to set-right the above noted variance merely to avoid any consequential duplication of the turnover at the end of contract period;
C. The ‘gross turnover’ normally be a composite contract value, representing element of materials and labour/other expenditures relating the execution of contracts and hence it would warrant derivation of the taxable turnover from the said billed amount.

It be appreciated that a contractors have no option or discretion under the statute to disclose the ‘turnover’ itself to be the “gross value of goods” involved in execution of works contract, as a possible solution to address the above inherent anomaly.

1. An off shoot of above position, the exercise necessitates ascertaining the taxable turnover from the composite contract value, including the profit element referable to the goods. The position gets accentuated adversely since a dealer under statute is required to ascertain taxable turnover, inclusive of profit element on monthly or bill-wise basis while filing the monthly returns. I note the following position as relevant for purpose of statutory compliance:

a) The details of turnover as disclosed per returns filed under statute based on RA billed amount, may not conform to the accounting treatment as may reflect in books of A/c, least the contract execution is completed;

b) For reasons described above, the figure as initially reported per returns and prior to certification by client, is bound to be variant, implying suitable rectification at an appropriate period.

c) For another reasons, in my opinion, the returns so filed based on RA billed amount may warrant an exercise of corrective nature in terms of ‘profit element’ to be considered in arriving the taxable turnover, which can be carried on completion of contract or finalization of audited balance sheet at the end of year;

2. I thus opine that authority concern may not be right in insisting for production of books of a/c to establish the correctness of turnover so reported per returns, including the exempted category of labour & other charges etc for the reason described in detail supra. It also means that the turnover to be reported for construction business is not comparable in term of books of A/c & documentation, with that of Trading or Manufacturing sector. This is also a reason for having a corrective exercise by the contractor and to file a revise the returns, including with respect to profit element as relevant for computation of the taxable turnover.

On a close reading of Supreme Court guidelines in Gannon Dunkerly & Co. case (88 ST/204), it is vividly clear of Supreme Court concern on adoptability of guidance to the context of “entire contract value”, but not for each RA bills/returns for a month instead contract value.

**Union Budget 2013-14**

Economic Survey admitted slowing down of economy to 5% growth rate for 2012-2013. It was expected that Finance Minister would come out with big bang investment led proposal to put economy on higher growth path. Budget is high on growth oriented ideas but short on big ticket reform. Budget in reality turned out to be “non – event”. Finance Minister claimed credit for restricting fiscal deficit to 5.2% of G.D.P. without stating that this is achieved by cutting down planned expenditure by Rs. 91838 crores. Finance Minister announced first tranche of Rs. 9000 crores against total of Rs. 24000 crore as Central Sales Tax compensation to states, which was main stumbling block for states accepting operationalisation of Goods & Service Tax. Finance Minister failed to announce deadline for introducing required constitutional amendment. He however also did not affect any changes in indirect tax that suggested a progress towards GST. He has promised to introduce Direct Tax Code Bill at the end of budget session. It is strange to believe that spending is increased by 17%, whereas fiscal deficit is reduced from 5.2% achieved in 2012-13 to 4.8% in 2013-14.

It is apprehended that 6.1% to 6.7% GDP growth rate projected for 2013-2014 may go wrong because of Government is likely to announce populist measure during the year by keeping in mind 2014 election. Another reason could be overshooting of budgeted subsidies of Rs. 231000 crores. Additionally difficulty may crop up in realizing disinvestment target of Rs. 40000 crores, inview weak sentiments in stock exchanges. It is also to borne in mind that government received only Rs. 1706 crores in spectrum sale against budgeted Rs. 30000 crores in 2012-13. Despite this for 2013-2014 Rs. 40000 crores budgeted unlikely to be realised. Foreign exchange rate of Rs. 54 to a dollar taken for budgetary figure is likely to go wrong as rupee is likely to depreciate further in view of high current account deficit.

Coal India is falling short of coal demand. Budget has rightly announced public-Private Partnership concept in coal mining to help boost coal supply to power producers and other consumers. During 2013-2014 Coal India is likely to award 2-3 large projects each of 4 to 5 million tonnes capacity, followed by awarding bigger projects of 20 million tonnes in future.

**Delhi – Mumbai Industrial Corridor**: Out of seven new cities planned to be developed along dedicated freight corridor to house 1.5 to 2 million populations, work on 940 sq.km. Dholera township about 110km from Ahmedabad and near Shendra-Bidkin township near Aurangabad in Maharashtra is to commence soon. Another new city at Dighi port near Raigad in Maharashtra will come up late.

**Chennai – Bengaluru Industrial Corridor**: Department of Industrial Policy & Promotion and Japan International Cooperation Agency are Preparing a comprehensive plan for corridor to be developed in collaboration with Government of Tamil Nadu, Andhra Pradesh and Karnataka.
Bengaluru – Mumbai Corridor: Preparatory work started by Department of Industrial Policy and Promotion.

Impact of budget proposal on Real Estate and Infrastructure/construction sector is as follows:

**Real Estate:**

a) Budget proposed setting up of Rs. 2000 crore funds for Urban Housing. It will provide Rs. 6000 crores to Rural Housing. An additional deduction of interest upto Rs. 1 lakh over existing Rs. 1.50 lakh will be available to persons taking loan from a Bank or Housing Finance Corporations upto Rs. 25 lakh for their first home costing less than Rs. 40 lakh during 2013-2014. This is likely to trigger demand for ownership flats.

b) For luxury housing i.e. flat costing upto Rs. 1 crore and above or having a carpet area of 2000 sq.ft. if booked for under construction sale than service tax abatement is reduced from 75% to 70%. Earlier on 25% of total value of under construction flat was attracting 11.3% service tax with abatement upto 75%, which value now would become 30%. OR effective service tax rate would increase by 0.6%.

Immovable property transactions are usually undervalued and underreported and almost 50% of transactions do not carry PAN of the concerned parties. With a view to improve reporting of such transaction, seller of flat costing Rs. 50 lakh and above need to deduct 1% of sale value as T.D.S. presumably on likely capital gain tax of buyer to be adjusted towards actual tax.

**Infrastructure /Construction:**

(a) Budget proposed raising limit of tax – free infrastructure bond issued by India Infra Bond Corporation from present Rs. 25000 crore to Rs. 50000 crores. These bonds will help infra companies to raise their capital.

(b) India Infrastructure Finance Corporation Ltd. in partnership with Asian Development Bank directed to offer credit enhancement to infrastructure companies that wish to access bond market for long term funds.

(c) Any companies investing Rs. 1000 crore or more in plant and machinery between 1-4-2013 to 31-3-2015, will be entitled to deduct investment allowance of 15% of the investment, in addition to current rate of depreciation. This measure is expected to accelerate investment in economy.

(d) Appointment of a Regulator to address concern of road users and private road developers. Regulator will look into poor road maintenance, lack of promised facilities, safety measures, service level bench marks and monitoring compliance of concession agreements against developer and N.H.A.I.

(e) 3000 km. of National Highways would be awarded purely as construction contract in U.P. Rajasthan, M.P. Maharashtra & Gujarat by September 2013.
Outlays on Ministries of Rural Development, Human Resources Development, Road & Surface Transport, Ministry of Health & Family Welfare, were increased substantially despite their poor performance in 2012-13. Needless to state that, outlays did not necessarily mean outcome. Finance Minister has achieved saving on fuel subsidy bill of around Rs.20,000 crores by deregulating price of diesel, which has been virtually nullified by increase of Rs.10,000 crores on food subsidy. Borrowings are almost 35% of total receipt, which will crowd out private sector.

BUDGET OUTLAYS FOR INFRASTRUCTURE UNDER PLAN ALLOCATION (Rs. crore)

<table>
<thead>
<tr>
<th></th>
<th>2012-13 (RE)</th>
<th>2013-14 (BE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Plan outlay (Budget support) on infrastructure (A)</td>
<td>81,004</td>
<td>1,07,871</td>
</tr>
<tr>
<td>Ministry of road transport and highway</td>
<td>15,933</td>
<td>23,500</td>
</tr>
<tr>
<td>Ministry of railways</td>
<td>24,265</td>
<td>26,000</td>
</tr>
<tr>
<td>Department of drinking water supply (ministry of drinking water and sanitation)</td>
<td>13,000</td>
<td>15,260</td>
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<tr>
<td>Ministry of power</td>
<td>4,708</td>
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<td>Ministry of urban development</td>
<td>5,772</td>
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<td>Department of atomic energy</td>
<td>3,175</td>
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<td>Ministry of new and renewable energy</td>
<td>1,152</td>
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<td>Ministry of shipping</td>
<td>507</td>
<td>852</td>
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<td>Ministry of civil aviation</td>
<td>6,200</td>
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<td>Ministry of communication and information technology</td>
<td>4,693</td>
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<td>Ministry of housing and urban poverty alleviation</td>
<td>950</td>
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<td>Ministry of water resource</td>
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<td>Central assistance for state and UTs (on infrastructure) (B)</td>
<td>32,966</td>
<td>45,945</td>
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<td>MPs local area development scheme</td>
<td>3,950</td>
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<td>Accelerated irrigation benefit programme and other water source programmes</td>
<td>7,342</td>
<td>12,962</td>
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<td>Roads and bridges</td>
<td>2,267</td>
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<tr>
<td>Accelerated power development programme</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Backward region grant fund (Budget outlays for infrastructure under Plan allocation (Rs. crore))</td>
<td>10,524</td>
<td>11,500</td>
</tr>
<tr>
<td>JNNURM</td>
<td>6,822</td>
<td>14,000</td>
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<tr>
<td>Other miscellaneous projects</td>
<td>2,061</td>
<td>1,261</td>
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<tr>
<td>Total spending on infrastructure (A+B)</td>
<td>1,13,970</td>
<td>1,53,816</td>
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<tr>
<td>Plan outlay</td>
<td>4,29,187</td>
<td>5,55,322</td>
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<tr>
<td>Infra spending as % of Plan outlay</td>
<td>27</td>
<td>28</td>
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</table>

Compilation: CII Economic Research. [RE - Revised Estimates; BE - Budget Estimates].

Source: Business Standard, 18-3-2013.

UNIFIED STANDARD CONTRACT DOCUMENT.

On BAI’s representation to the Hon’ble Union Minister of Urban Development for necessary change in CPWD Contract Conditions, decision was taken to form a ‘Drafting Committee’ comprising representatives from BAI and Government Department to look into the matter and recommend required changes.

Shri B. Seenaiah, Imm. Past President; Shri M. Karthikeyan, Committee Chairman of BAI; Shri R. Radhakrishnan, Past President & Past Trustee of BAI; Shri Lal Chand Sharma, Vice President, BAI; Shri D.C. Awasthi, Trustee, BAI; Shri Ram Avtar, Chairman, CPWD Co-ordination Committee; Shri Arun Sahai, State Co-ordinator, BAI, Delhi, and Shri Raju John, Executive Secretary, were representing BAI.

Shri B.B. Bhatia, Shri V.K. Rakode, and Shri S. Jethwani, all ADG (T.D), CPWD; Shri Sarvayya Srvastava, Chief Engineer, Delhi PWD; Shri D.K. Saini, Director (Project), Delhi Metro; Shri Abhay Sinha, Member Engineering, DMRC; Shri Dinesh Kumar, E-in-C, Delhi PWD; Shri A.K. Mittal, CMD, NBCC; Shri A.K. Gupta, CE(P), DMRC, and Shri Deepak Kumar, CE, Delhi PWD Zone-II, were representing Union Ministry of Urban Development.

Drafting Committee discussed matter spread over three meetings held on 10.4.2013, 23.5.2013, and 26.7.2013 and finalized its recommendation. Director General, CPWD accepted certain recommendations with necessary changes and obtained sanction of competent Authority. The same is attached as Annexure.

No.CSQ/CM/Standard Document 4/6/1 Date: 22.04.2013

The Builders’ Association of India
G-1/G-20, 7th Floor, Commercial Centre, J. Dadajee Road, Tardeo, Mumbai – 400 034

Sub: Uniform Standard Contract Document for Construction Companies and Departments associated with Construction activities.

Dear Sir,


This issues of the approval DG, CPWD.

Yours faithfully,

SANJEEV RASTOGI
Superintendent Engineer (C&M)

IMPORTANT NOTIFICATION

Builders’ Association of India along with Confederation of Real Estate Developers’ Association of India (CREDAI) and National Highway Builders’ Federation (NHBF) have represented for relaxing the Environment and Forests
Notification for speedier execution of major infrastructure projects. Due to our efforts, the following Notification have been issued by Government of India:-

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii)]

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 22nd August, 2013

S.O. 2559 (E).- Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas, the Ministry of Environment and Forests has decided to accept the aforesaid recommendations of the High Level Committee constituted vide OM No.21-270/2008-IA.III, dated the 11th December 2012;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:-

2. In the said notification, -

(a) In paragraph 7, in sub-paragraph II, for item (i), the following item shall be substituted, namely:-

‘(i) “Scoping” refers to the process by which the Expert Appraisal Committee in the case of Category A’ projects activities, and State level Expert Appraisal Committee in the case of Category ‘B’ projects or activities, including applications for expansion or modernization or change in product mix of existing projects or activities, determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought and the Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the terms of reference on the basis of the information furnished in the prescribed application Form 1 or Form 1A including terms of reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned:

Provided that the following shall not require Scoping-

(i) all projects and activities listed as Category ‘B’ in item 8 of the Schedule (Construction or Township or
Commercial Complexes or Housing);

(ii) all Highway expansion projects covered under entry (ii) of column (3) and column (4) under sub-item (f) of item 7 of the Schedule:

Provided further that-

A. the projects and activities referred to in clause (i) shall be apprised on the basis of Form I or Form IA and the conceptual plan;

B. The projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of model TOR specified by Ministry of Environment and Forests;

(b) in the Schedule, against sub-item (f) of item 7, in column (3), for the entry (ii), the following entry shall be substituted, namely:-

“(ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40 m on existing alignments and 60 m on realignments or by-passes.”

[F.No. 21-270/2008-IA.III]

Ajay Tyagi
Joint Secretary to the Government of India

LAND ACQUISITION AND REHABILITATION AND RESSETLEMENT BILL

Land Acquisition, Rehabilitation and Resettlement Bill in India was a bill passed that was passed on August 29, 2013. As per the bill the much-awaited land acquisition and rehabilitation bill that aims to provide fair compensation to those whose land is taken away, brings transparency to the process of acquisition of land to set up factories or buildings and assures rehabilitation of those affected. This legislation has been eagerly sought by both industry and those who live off the land. Out of the 235 members who voted on the bill, 216 backed it while 19 voted against it. The bill aims to replace a nearly 120-year-old law enacted during British rule in 1894.

The bill establishes meaningful regulations for land acquisition as a part of India's massive industrialisation drive driven by public-private partnership. The bill was introduced in Lok Sabha in India on 7 September 2011. The bill will be central legislation in India for the rehabilitation and resettlement of families affected by land acquisitions.

The Land Acquisition, Rehabilitation and Resettlement, 2011 Bill is also known as LARR Bill 2011 and LARR 2011. The Bill has 107 clauses. It was in public domain and India’s parliament for review, as Bill number 77 of 2011.

Purpose of the Bill - LARR 2011 seeks to repeal and replace India’s Land Acquisition Act, 1894. The Bill seeks to enact a law that will apply when

- Government acquires land for its own use, hold and control.
- Government acquires land with the ultimate purpose to transfer it for the use of private companies for stated public purpose. The purpose of LARR 2011 includes public-private-partnership projects, but excludes land acquired for state or national highway projects.
- Government acquires land for immediate and declared use by private companies for public purpose.

LARR Bill 2011 aims to establish the law on land acquisition, as well as the rehabilitation and resettlement of those directly affected by the land acquisition in India.

The scope of LARR 2011 includes all land acquisition whether it is done by the central government of India, or any state government of India, except the state of Jammu & Kashmir.

Need for the Bill - The Government of India claims there is heightened public concern on land acquisition issues in India. Of particular concern is that despite many amendments, over the years, to India's Land Acquisition Act of 1894, there is an absence of a cohesive national law that addresses:

- fair compensation when private land is acquired for public use, and
- fair rehabilitation of land owners and those directly affected from loss of livelihoods.

The Government of India believes that a combined law is necessary, one that legally requires rehabilitation and resettlement necessarily and simultaneously follow government acquisition of land for public purposes.

Forty-Fourth Amendment Act of 1978 omitted Art 19(1) (f) with the net result being:-

1. The right not to be deprived of one’s property save by authority of law has since been no longer a fundamental right.

Thus, if government issues a fiat to take away the property of a person, that person has no right to move the Supreme Court under Art 32.

2. Moreover, no one can challenge the reasonableness of the restriction imposed by any law the legislature made to deprive the person of his property.

Art 31(2) in the original Constitution embodied the principle that if the Government makes a compulsory acquisition or requisitioning of private property, then it must take following actions:-
a) make a law, b) such law must be for public purpose, c) compensation must be paid to the owner of the property

First, the 25th Amendment Act, 1971 replaced the requirement of ‘compensation’ by ‘an amount’, the adequacy of which cannot be challenged in any court. Then the real killer 44th Amendment Act, 1978 came and omitted the Art 31 along with Art 19(1) (f). Thus individual’s right to compensation for loss of property was also lost.

In recent times, there have been multiple incidents where farmers were protesting against the Government as it took away the land from them without paying the adequate compensation and against the wishes of many farmers. The whole debate about Right to Property needs to be re-initiated under this background. The Right to Property, which was enshrined in the original Constitution of India, as Fundamental Right should be re-instated by voiding the changes made by 44th Amendment Act of 1978 in this respect.

Content of the Bill - Definition of public purpose - Clauses 2 and 3 of LARR Bill 2011 define the following as public purpose for land acquisition within India:

- Acquisition of land for purposes relating to the armed forces of India, national security or defence, police, safety of the people;
- Acquisition of land for railways, highways, ports, power and irrigation purposes for use by government or by government controlled corporations (also known as public sector companies);
- Acquisition of land for planned development or improvement of village or urban sites or for residential purpose to weaker sections of society in rural or urban areas;
- Acquisition of land for government administered educational, agricultural, health and research schemes or institutions;
- Acquisition of land for persons residing in areas affected by natural calamities;
- Acquisition of land for resettlement of affected people for any of the above government projects;
- Acquisition of land by the government for public-private-partnership projects for the production of public goods or the provision of public services;
- Acquisition of land for private companies for the production of public goods or provision of public services

the acquired land is not used in five years the land should be back to original land owners When government declares public purpose and shall control the land directly, consent of the land owner shall not be required. However, when the government acquires the land on behalf of public sector companies or for private companies, LARR 2011 proposes that the consent of at least 80% of the project affected families shall be obtained through a prior informed process before government uses its power under LARR 2011 to acquire the remaining land for public good.

LARR 2011 includes an urgency clause for expedited land acquisition. The urgency clause may only be invoked for national defense, security and in the event of rehabilitation of affected people from natural disasters or emergencies.

Definition of 'land owner' and 'livelihood loser' - LARR 2011 defines the following as land owners:

- family whose land or other immovable property is to be acquired
- family who was assigned land by the government under any of its social development initiatives
- family who hold rights under India's The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

LARR 2011 defines the following as livelihood losers:

- any family whose livelihood, over most recent three years, was primarily dependent on the land being acquired, including agriculture labourers, tenants or sharecroppers
- any family whose livelihood, over most recent three years, was primarily dependent on forests or water bodies being acquired; including forest gatherers, hunters, fisher folk and boatmen
- any family whose livelihood, over most recent three years, was dependent primarily on the land being acquired in the urban areas
- any family who was residing on the land being acquired in the urban areas

Limits on acquisition : LARR Bill 2011 forbids land acquisition when such acquisition would

- cumulatively exceed 5% of multi-crop irrigated area in any district in any state of India, or
- cumulatively exceed 10% of single-crop net sown area in any district in any state of India, if the net sown area in that district was less than 50% of the total area of the district

Even below these threshold, LARR 2011 requires that wherever multi crop irrigated land is acquired an equivalent area of culturable wasteland shall be developed by the state for agricultural purposes.

These limits shall not apply to linear projects. LARR 2011 illustrates linear projects with examples such as railways, highways, major district roads, power lines, and irrigation canals.

Compensation : Clause 26 of LARR 2011 defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.
The market value of the proposed land to be acquired, shall be set as the higher of

- the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or
- the average of the sale price for similar type of land being acquired, ascertained from the highest fifty per cent of the sale deeds registered during the preceding three years in the nearest village or nearest vicinity of the land being acquired.

LARR 2011 bill proposes that the minimum compensation be a multiple of the total of above ascertained market value plus a solatium. Specifically, the current version of the Bill proposes the total minimum compensation be:

- At least four times the market value for land acquired in rural areas;
- At least two times the market value for land acquired in urban areas

In addition to above compensation, the draft LARR 2011 bill proposes a wide range of rehabilitation and resettlement entitlements to land owners and livelihood losers from the land acquirer.

Benefits and Effects of the Bill - The 2011 LARR Bill, if enacted into law, is expected to affect rural families in India whose primary livelihood is derived from farms. The Bill will also affect urban households in India whose land or property is acquired.

Per an April 2010 report, over 50% of Indian population (about 600 million people) derived its livelihood from farm lands. With an average rural household size of 5.5 LARR Bill 2011 R&R entitlement benefits may apply to about 109 million rural households in India.

According to Government of India, the contribution of agriculture to Indian economy's gross domestic product has been steadily dropping with every decade since its independence. As of 2009, about 15.7% of India's GDP is derived from agriculture. LARR Bill 2011 will mandate higher payments for land as well as guaranteed entitlements from India's non-agriculture-derived GDP to the people supported by agriculture-derived GDP. It is expected that the Bill will directly affect 132 million hectares (326 million acres) of rural land in India, over 100 million land owners, with an average land holding of about 3 acres per land owner. Families whose livelihood depends on farming land, the number of livelihood-dependent families per acre varies widely from season to season, demands of the land, and the nature of crop.

LARR Bill 2011 proposes to compensate rural households – both land owners and livelihood losers. The Bill goes beyond compensation, it mandates guaranteed series of entitlements to rural households affected.

- four times the market value of the land, and
- an additional entitlement of a job to the family member, or a payment of Rs.500,000 up front, or a monthly annuity totaling Rs.24,000 per year for 20 years with adjustment for inflation – the option from these three choices shall be the legal right of the affected land owner family, not the land acquirer, and
- a house with no less than 50 square meters in plinth area, and
- additional benefits may apply if the land is resold without development, used for urbanization, or if the land owner belongs to SC/ST or other protected groups per rules of the Government of India.

The effects of LARR Bill 2011, in certain cases, will apply retroactively to pending and incomplete projects. The Bill exempts land acquisition for all linear projects such as highways, irrigation canals, railways, ports and others.

REAL ESTATE REGULATORY BILL

The Cabinet Committee of Government of India approved the Real Estate Regulatory Bill on 3rd June 2013 and expected to place it before the Monsoon Session of Parliament. The Bill is designed to:

1. Stop the malpractices and bring in transparency into the real estate sector.
2. Ensure that the sale of immovable properties is effected in an efficient and regulated manner.
3. Protect the interest of both the parties in general and the consumers in particular.

The bill proposes to establish Real Estate Regulatory Authority (RERA) alongwith an Appellate Tribunal (AT) for the same. The Builders and the Developers have to register themselves an obtain a certificate of registration from the authority. It is made applicable to projects with area more than 4000 Sq.mts.

There are 6 basic issues that need to be addressed :

1. Transparency, Title and Approval :

Any efforts taken to increase the transparency in real estate transactions is most welcome. Hence, provision of submitting title deeds, sanctions, approvals etc. to RERA is fair and a step in the right direction. However, to obtain the sanction from RERA for the same is meaningless as title is a matter of opinion whereas giving approval to approval is useless activity. The sanctions and approvals, are given from time to time by respective Planning Authorities and are highly conditional. Hence, RERA approving the sanctions of a Promoter again is a meaningless exercise and undermines the role of the Planning Authority. In fact, the Regulatory Authority can not assume the role of a Planning Authority. At the most they may give there opinion on such submitted documents, sanctions and approvals. It is also not clear that if there is a difference in the opinion
between the Planning Authority/Competent Authority and that of RERA, which will prevail?

Instead of approving the title and sanctions of a particular project, it would be prudent to approve the sale agreements of the Promoters so that a standard fair agreement is executed by the Promoter with all the Purchasers. This will help in regulating the hidden charges charged, obscure rights retained and incomprehensible areas sold/reserved/allotted by the Promoter vide such agreements for sale.

2. Obligation of Promoter:

The obligation of Promoter to get the registration certificate from RERA and upload his/her/their title deeds, sanctions, approvals, structural design, specifications, amenities, time and stage wise completion schedule etc. is acceptable but to give time schedule for obtaining completion and/or completion certificate from Competent Authority which is beyond the control of Promoter is unfair and unacceptable. Further, giving schedule for connecting the project with various Municipal Services is absolutely incomprehensible knowing fully well this is beyond the competence of the Promoter especially in the light of the unpredictable and bureaucratic nature of the Competent Authority and such service providers. (Clause 12c)

3. Cancellation of Registration:

Upon revocation of registration, Promoter will be debarred and his name will be declared in the list of defaulters with regulatory authorities and the other states. This is fine but the causes for such cancellation are highly ambiguous, one sided and unfair. For example,

a) “Willful default in doing anything required of the Promoter by or under this Act” has a very broad scope and is very ambiguous. (Clause 7).

b) “The Promoter not being able to adhere to the time schedule of completion” without the provision of force majeure and circumstances beyond his control especially non availability of construction material, court injunctions and changes in policy is very one sided and unfair. (Clause 3).

c) “The Promoter is involved in any unfair practice or irregularities or violates any terms or conditions of the agreement with Competent Authority” is also a very vague and ambiguous statement and hence not acceptable. (Clause 7).

4. Penalties and redressal:

The provision that RERA shall have power to set up a dispute resolution mechanism for an amicable settlement of disputes between the Promoter and the consumers is a welcome provision but the penalties proposed in case of default and/or cancellation of registration of the Promoter is very harsh and unfair. For example,

a) “Upon lapse of the registration or on cancellation of the registration under this Act, the Authority, may consult the Appropriate Government to take such action as it may deem fit including the carrying out of the remaining development works by competent authority or by the association of allottees or in any other manner, as the case maybe” (Clause 6). It is not clear how is the completion of the balance work going to be funded and who is going to fund it.

b) “If any promoter willfully fails to comply with or contravenes the provisions of section 3, (of Registration) he shall be punishable with imprisonment for a term which may extend to three years, or a penalty which may extend to ten per cent of the estimated cost of the real estate project, or with both”. (Clause 50) It is not understood as to how a violation in the civil contract between two parties can become a criminal offense? At the most, it can invite penalty and/or damages and in the event failure to pay the same, a criminal proceedings/action can be initiated.

c) “If any promoter contravenes any other provisions of this Act, other than that provided under Section 3, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend to five percent of the estimated cost of the real estate project”. (Clause 51).

d) “If any promoter, who willfully fails to comply with, or contravenes any of the orders or directions of the Authority (RERA), he shall be liable to a minimum penalty of one lakh rupees for every day during which such default continues, which may extend to five percent of the estimated cost of the real estate project”. (Clause 52).

e) “If any promoter, who willfully fails to comply with the orders of the Appellate Tribunal, he shall be punishable with imprisonment for a term which may extend to one year or with a penalty which may extend to ten percent of the estimated cost of the real estate project, or with both”. (Clause 53).

f) “not cancel the allotment unless he has sufficient cause to cancel it in terms of the agreement of sale and if he so cancels the agreement of sale, he shall give due notice to the other parties to the agreement of sale and tender a refund of the amount collected along with interest at such rates
as may be prescribed” [Clause 12 (2f)], even if the consumer is in default is very one sided and unfair.

g) No provision for any civil court or arbitration is also not acceptable.

We strongly feel, similar punitive provision should be there in the Act for the authorities which are not giving the approvals within a reasonable time frame.

5. Financial Regulations and Restrictions:

The unfair provisions in RERA seeking financial control over the activities of the Promoter is unfair and uncalled for and would defeat the very concept of entrepreneurship. It will lead to stagnation and reduction in the supply of the developed real estate. For example,

a) “that seventy percent of the amounts realized for the real estate project from the allottees, from time to time, would be deposited in a separate account to be maintained in a scheduled bank, within fifteen days of its realization for meeting the costs of the real estate project and would be used only for that purpose” [Clause 4 (3)(v)]. 70% is very high in light of the fact that land cost especially in Metros is much higher than the construction cost.

b) “Notwithstanding anything contained in any other law for the time being in force, a promoter shall not accept any sum of money as an advance payment or deposit, from a person without first entering into a written agreement for sale with such person”. [Clause 11(1)] i.e. the Promoter can not take or accept any advance, however small, without executing the agreement. This is very harsh, unfair and contradicting the current market practice. This is also not provided in Maharashtra Ownership Flats Act.

6. Grievances of the Promoter:

RERA completely fails in addressing the genuine grievances of the Promoter. For example:

a) There is no mention of any onus on Competent Authority/Municipal Corporation and/or State/Central Government towards giving permission and sanctions including occupation certificate for a real estate project, within a time frame.

d) There is no mention of any onus on service suppliers towards providing services to the real estate project on time.

e) There is no provision for customer default, especially, default by him in making timely payments to the Promoter. This needs to be addressed with right of the Promoter to take interest and damages from the defaulting customer.

f) There is also no protection for the Promoter from increase in construction cost, interest cost, court orders, changes in policy, non availability of material etc.

BAI Secretariat made a representation to the Hon’ble Members of Parliament giving BAI’s suggestions and corrections needed in proposed ‘Real Estate (Regulation & Development) Bill, which is reproduced below:-

Ref : 183/J/2013-14 dated 15th July 2013
To:
The Hon’ble Members of Parliament

Respected Sirs,

Sub: Suggestions and corrections needed in proposed ‘Real Estate (Regulation & Development) Bill’.

Ref: Media News about Bill approved by Cabinet Committee on “Real Estate Sector” on 3rd June, 2013.

Builders’ Association of India (BAI) is an apex all India body of Engineering Construction Contractors & Builders founded in 1941, with more than 14,000 business entities as members through its 135 plus Centers (Branches) throughout the country. 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.

BAI wholeheartedly support the initiative of the Central Government in formulating a Real Estate Regulatory Authority. BAI time and again, pursued with the State and Central Government for introducing a Regulatory Authority for Real Estate Sector as Real Estate Industry is a major economic activity though still regarded as Unorganised Sector.

While appreciating the Government for acceding to the request of the Industry, we request you to kindly consider the following points while discussing and approving the final Real Estate (Regulation & Development) Bill in the Parliament :-
1. To avoid abnormal and indefinite delay, the Real Estate Regulatory Bill should provide ‘Single Window Clearances’ with time frame for granting permissions for launch of housing projects.

2. Indians are known for creating aesthetic and exotic properties and monuments, but lack in maintaining the same. The Real Estate Regulatory Bill should provide rules for structural audit with proper safety aspects to all housing projects. The Bill should also fix accountability of well maintaining of the properties to all the stakeholders including the Government Authorities.

3. The Real Estate Regulatory Bill should be an overall regulating body covering all stakeholders like Government Authorities, Plan sanctioning Authorities & Others. Bill in it’s present form only deals with real estate developers.

4. The Real Estate Regulatory Bill should encourage the development of satellite cities or township and also should encourage rental housing scheme. Absence of these are the major reasons for high prices in metro on account of short supply.

5. The Real Estate Regulatory Bill should have provisions for ‘easing the clearance of ownership of land / title deeds’.

6. The Real Estate Regulatory Bill should have ‘Model Agreement Format’, so that the flat purchasers will be in the know of the whole transactions.

7. The Real Estate Regulatory Bill should have provisions for pre-qualification of builders / promoters. Today anybody and everybody is eligible to become a Real Estate Developer. They do not have knowledge about money management, techno know how, rules and regulations about land clearance etc.

8. The Real Estate Regulatory Bill should have provisions for Registration of ‘pre-qualification of Real Estate Agents. Brokers, who should have minimum educational / technical qualifications on land matters, construction technique, status of various permissions etc.

We earnestly request you to kindly consider the above points when the Real Estate Regulatory Bill comes up for discussion in the Parliament.

We will be honoured to receive an opportunity to meet you in person and request you to kindly give an audience for the same.

Thanking you,

Yours faithfully,

ANAND J. GUPTA
HON. GEN. SECRETARY
BUILDERS’ ASSOCIATION OF INDIA

XXVI ALL INDIA BUILDERS’ CONVENTION

The XXVI All India Builders’ Convention (AIBC) was hosted by Mumbai Centre in the prestigious ATLANTIS Hotel, The Palm, Dubai from 6th to 9th February, 2014.

In another first by any BAI Centre, Mumbai Centre hosted the fifth meeting of the Managing Committee for the year 2013-14 in ATLANTIS Hotel, The Palm, Dubai on Thursday, 6th February, 2014.

BAI Mumbai Centre is thankful to the Managing Committee of BAI for granting the permission to host the XXVI AIBC in Dubai and takes this opportunity to thank all the BAI members for giving their wholehearted support to this grand event.

The Organising Committee of XXVI AIBC left no stone unturned to make the event a memorable one. Preparations started immediately after the Managing Committee at its meeting at Jodhpur on 29th September, 2012 sanctioned Mumbai Centre to host the XXVI AIBC.

Mumbai Centre formed an ‘Organising Committee’ with Mr. Mahesh M. Mudda as Chairman, Dr. Anand J. Gupta as Co-Chairman, Mr. Gyan Madhani as Secretary, Mr. Neerav Parmar as Jt. Secretary, Mr. Pradeep Nagawekar as Treasurer, Mr. Mohinder Rijhwani as Jt. Treasurer and Mr. Santosh Navle & Mr. Jaiprakash Bhatia as Members. Mr. C. G. Deochake as the Chairman of Mumbai Centre was ex-officio member of the ‘Organising Committee’.

The Organising Committee further entrusted Mr. D. L. Desai (Shankarbhai) to be the Chairman of Finance Committee and Mr. Neerav Parmar to be the Chairman of Souvenir and Technical Volume Committee.

A ‘National Convention Committee’ was formed under the Chairmanship of Mr. Bhagwan J. Deokar with State Chairmen, State Co-Ordinators and Trustees of BAI as Special Invitees and senior functionaries from across India as members.

Seniors of Mumbai Centre considered the option of hosting the XXVI AIBC in a place other than Mumbai and the very first venue which was considered was Goa. But with subsequent discussions, it was felt that Mumbai centre should provide positive exposure to the delegates with respect to infrastructure development.

Apart from being a tourist location, several high-rise constructions in Dubai with the most modern technologies and advanced construction practices were considered and ultimately it was decided that Mumbai Centre will host XXVI AIBC in Dubai. Hosting XXVI AIBC in Dubai was expected to enable BAI delegates to grab the opportunity to witness the best landmark high-tech, green buildings put up by global giants in desert area.

Mumbai Centre announced its plan to host the XXVI AIBC in Dubai to the Managing Committee at its meeting held in Mumbai on 7th February, 2013. Subsequently, Mumbai Centre
presented to the Managing Committee at its meeting held on 11th May, 2013 in Hyderabad a blueprint of its plans as regards hosting of the XXVI AIBC in Hotel Atlantis, The Palm, Dubai. The theme of the Convention was finalized as ‘Indian Construction – a Paradigm Shift’.

In a culmination of its efforts in the first stage of planning the hosting of XXVI, Mumbai Centre unveiled the logo of XXVI AIBC and also released the XXVI AIBC brochure during the meeting of the Managing Committee in New Delhi on 27th July, 2013.

After doing lot of due diligence about their capabilities to handle events of such magnitude, Mumbai Centre shortlisted few MICE (Meetings, Incentives, Conferences & Exhibitions) operators and obtained quotes from them. Finally, M/s Orbitz Corporate & Leisure Travels (I) Pvt. Ltd. were appointed by Mumbai Centre as the official MICE partner for XXVI AIBC.

Mumbai Centre proposed in the Managing Committee at its meeting held on 11th May, 2013 in Hyderabad, the delegate fees as Rs. 15,000 for Delegate, Rs. 12,000 for Accompanying Spouse and Rs. 10,000 for Accompanying Children below 12 years, PLUS Service Tax as applicable which was accepted by the Managing Committee.

The Managing Committee also confirmed the ‘Participation Fee’ of Rs. 59,000 per person PLUS Service Tax as applicable which shall be charged by Mumbai Centre for a 3 Night/4 Day stay in Hotel Atlantis, with to and fro air tickets from some selected hubs in India.

The rate of Rs. 59,000 was based on the USD exchange rate of Rs. 56/USD.

Subsequently, in a bold move, Mumbai Centre decided to waive off Service Tax on the ‘Delegate Fee’ and ‘Participation Fee’ and also announced that no difference in the USD will be charged to delegates registering on or before 15th September, 2013.

Due to overwhelming request from across the country, the deadline of 15th September, 2013 was extended to 30th September, 2013 during the Managing Committee meeting held in Ulhasnagar on 28th September, 2013. As a goodwill gesture Mumbai Centre had to accept some more registrations even beyond this deadline.

The final response was overwhelming and nearly 500+ delegates registered for XXVI AIBC. All the delegates opted for stay in ATLANTIS Hotel.

Mumbai Centre announced the publication of a ‘Souvenir and Technical Volume’ in print and in electronic format and ensured that these will be released during the convention. It was announced that electronic format will be distributed to delegates in Dubai and the hard copies will be printed after returning from Dubai and subsequently couriered to each of the delegates.

A pre-event ‘Press Conference’ was held in the morning of Thursday, 6th February, 2014. The print and electronic media was addressed by, Mr. Bhagwan J. Deokar, Chairman, National Convention Committee; Mr. Mahesh M. Mudda, Chairman. Organising Committee and Hon. Gen. Treasurer, BAI and Mr. C. G. Deochake, Chairman, BAI Mumbai Centre. Dr. J. R. Gangaramani, President and Executive Chairman, M/s Al Fara’a Group was also present on the occasion.

XXVI AIBC was inaugurated in the morning of Friday 7th February, 2014 in the Grand Ballroom of ATLANTIS Hotel by H.E. Mr. T. P. Seetharam, Ambassador of India to the UAE.

Others present during the occasion were, Mr. B. Seeanaiah, President, BAI, who presided over the inauguration; H.E. Mr. Mirza Hussain Al – Sayegh, Deputy Chairman, Oilfields Supply Center Ltd. as Guest of Honour; Engr. Mohamed Al Noori, Director of Corporate Marketing, Dubai Municipality as Guest of Honour; H.E. Mr. Saleh Al Dhahery, Businessman & Executive Director of Chamber of Commerce as Guest of Honour; Mr. Mohan Jashanmal, President, Indian Business and Professional Group (IBPG); Mr. Paras Shahdadpuri, President, Indian Business and Professional Council (IBPC); Dr. J. R. Gangaramani, President and Executive Chairman, M/s Al Fara’a Group as Keynote Speaker; Mr. Bhagwan J. Deokar, Chairman, National Convention Committee; Mr. Mahesh M. Mudda, Chairman. Organising Committee and Hon. Gen. Treasurer, BAI; Mr. C. G. Deochake, Chairman, BAI Mumbai Centre; Mr. Lal Chand Sharma, Vice-President, BAI; Mr. K. Subramani, Vice-President, BAI; Dr. Tarro Manghani, Vice-President, BAI; Mr. Manikant, Vice-President, BAI; Dr. Anand J. Gupta, Hon. Gen. Secretary, BAI and Mr. Sudhir Gharge, State Chairman, BAI Maharashtra.

During the inaugural session, Dr. J. R. Gangaramani was conferred by BAI with ‘Pride of India’ award at the hands H.E. Mr. T. P. Seetharam.

During the inaugural session, Past Presidents of BAI present in the XXVI AIBC viz. Mr. R. Radhakrishnan, Mr. M. Karthikeyan, Mr. V. Ramachandran, Mr. B. N. Dixit, Mr. P. R. Mundle, Mr. S. P. Goel and Mr. A. K. Yussouf, were felicitated for their guidance, blessings and participation in the XXVI AIBC.

The ‘Souvenir and Technical Volume’ along with its electronic format in a ‘Pen Drive’ was also released during the inaugural session at the hands of H.E. Mr. T. P. Seetharam.

The ‘First Technical Session’ was followed by the inaugural session, wherein technical presentations were made by, M/s Larsen & Toubro, Construction, M/s PERI (India) Pvt. Ltd., M/s Shapoorji Pallonji and Company Limited and M/s URC Infotec Pvt. Ltd.

On Saturday, 8th February, 2014, the day started with the ‘Second Technical Session’, during which the technical presentations were made by, M/s Ashoka Buildcon Ltd., M/s Schwing Stetter India Pvt. Ltd. and M/s Spartan Engineering Industries Pvt. Ltd.
The ‘Second Technical Session’ was followed by a ‘Panel Discussion’ on the Theme of the XXVI AIBC i.e. ‘Indian Construction – a Paradigm Shift’. Mr. B. Seenaiyah, President, BAI chaired the ‘Panel Discussion’ and others who participated in the same were: Dr. Anand J. Gupta, CMD, M/s AYG Realty Ltd.; Mr. Mahesh M. Mudda, Executive Director and CEO, M/s New Consolidated Construction Co. Ltd.; Mr. K. Vishwananath, MD, M/s Viswanathan Constructions Pvt. Ltd.; Dr. S. K. Manjrekar, CMD, M/s Sunanda Speciality Coatings Pvt. Ltd. and Mr. Vikram Mehta, MD, M/s Spartan Engineering Industries Pvt. Ltd.

The traditional ‘Open House’, wherein the delegates express themselves on various issues, was subsequently held. Following the ‘Open House’, the ‘Resolutions’ were framed and were read out by Mr. Sushanta Kumar Basu, Past Vice-President, BAI and which were unanimously adopted. The following resolutions were unanimously passed in the XXVI AIBC:

1) It is RESOLVED that, since Construction activities with major thrust on infrastructure spending amounting to more than Rs.64 lakh crores in the 12th Five Year Plan (which is approximately 10% GDP) are boosting the economy as well as the standard of life of people as aimed at by the Government, it is resolved to approach Government of India to establish a separate ministry for construction industry for faster implementation of the projects.

2) It is RESOLVED that, Government of India should consider categorizing Construction industry as a priority sector for lending and give longer gestation time for repayment in light of RBI’s policy of grading NPA even with a single default.

3) It is RESOLVED that, Government of India should consider adopting the BAI proposed Standard Contract Document which was approved by the Central Public Works Department and implement the same with immediate effect.

4) It is RESOLVED that Government of India should establish a single point window for permission for major construction projects to avoid red tapeism.

5) It is RESOLVED that Government of India should consider utilizing cess amount collected under Construction Workers Welfare Scheme for training of construction workers in consultation with BAI.

6) It is RESOLVED to request both Central and State Governments to rationalize and simplify the proposed GST to cover all materials and services in the construction industry without any exclusions.

7) It is RESOLVED to request the Central Government to provide the eligibility period of 60 days for the construction industry workers, at par with workers of Cine and Newspaper Industries, for the Provident Fund and ESIC benefits. Government of India should also consider rationalizing the Labor Laws in light of the changed Indian Economic Scenario.

8) Since arbitration process as being practiced now a days, betrays the basic sense of justice of having independence of arbitrators, it is RESOLVED that BAI would have an own panel of arbitrators. And thereafter BAI should form their own arbitration centres around the country.

9) Last, but not the least, BAI Centers should consider holding its conventions at different venues in Developed countries to understand the most modern construction technologies adopted by Companies around the world for benefit of the Indian Construction Companies.

During the ‘Valedictory Session’ on Saturday, 8th February, 2014, Mr. B. Seenaiyah, President, BAI presided and H.E. Nasser Al Hai, Chairman of M/s DEC Dynamic Engineering Consultants was the Chief Guest and delivered the ‘Valedictory Address’. Others who graced the occasion were, Mr. Girdhari B. Whabi as Guest of Honour; Mr. George Gerges, Sr. Business Development Manager, M/s Al Fara’a as Guest of Honour; Mr. Bhagwan J. Deokar, Chairman, National Convention Committee; Mr. Mahesh M. Mudda, Hon. Gen. Treasurer, BAI & Chairman, Organizing Committee; Mr. C. G. Deochake, Chairman, BAI Mumbai Centre; Mr. Lal Chand Sharma, Vice-President, BAI; Mr. K. Subramani, Vice-President, BAI; Dr. Tarro Manghmani, Vice-President, BAI; Mr. Manikant, Vice-President, BAI; Mr. Anand J. Gupta, Hon. Gen. Secretary, BAI and Mr. Sudhir Gharge, State Chairman, BAI Maharashtra.

Mr. Bhagwan J. Deokar and Mr. D. L. Desai (Shankarbhai) were bestowed ‘Lifetime Achievement Awards’ during the ‘Valedictory Session’.

‘BAI Awards 2012-13’ were also presented during ‘Valedictory Session’.

Mumbai Centre, for the first time ever in the history of BAI, instituted ‘Navratnas of the Indian Construction Industry Awards’. The awards were presented to individuals or construction companies. ‘Navratnas of the Indian Construction Industry Awards’ was presented during XXVI AIBC to: Dr. Manubhai N. Patel for his excellence in Engineering and Innovation of Construction Techniques; M/s Relcon Infraproyects Ltd. for pioneering backward integration in infrastructure projects and Mr. Varinder Kumar Garg for his contribution to the Indian construction industry.

Mumbai Centre also instituted ‘Indian Construction Industry Awards’, which was BAI’s way of thanking and appreciating the Indian service providers for their contribution to the Indian construction industry.

During the XXVI AIBC, the ‘Indian Construction Industry Awards’ to: M/s Schwing Stetter India Pvt. Ltd. as ‘Sarvottam Manufacturer of Batching Plants & Transit Mixers’, M/s Maini Construction Equipments Pvt. Ltd. as ‘Sarvottam Manufacturer of Aluminium Formwork’, M/s PERI (India) Pvt. Ltd. as ‘Sarvottam Manufacturer of Formwork Systems’, M/s Spartan Engineering Industries Pvt. Ltd. as ‘Sarvottam Manufacturer of Formwork Systems’.

Mumbai Centre was supported by some major sponsors in the organizing of the XXVI AIBC, viz. M/s Shapoorji Pallonji and Company Limited; M/s Larsen & Toubro, Construction; M/s B. G. Shirke Construction Technology Pvt. Ltd.; M/s URC Infotec Pvt. Ltd.; M/s Ashoka Buildcon Ltd.; M/s Mahesh Notandass; M/s AYG Realty; M/s PERI (India) Pvt. Ltd.; M/s Spartan Engineering Industries Pvt. Ltd. and M/s Schwing Stetter India Pvt. Ltd.

The following BAI Centres supported XXVI AIBC by sending in the traditional advertisement support to the ‘Souvenir and Technical Volume’.

<table>
<thead>
<tr>
<th>Adilabad</th>
<th>Greater Noida</th>
<th>Nashik</th>
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</thead>
<tbody>
<tr>
<td>A.P. (Hyderabad)</td>
<td>Jamshedpur</td>
<td>Patna</td>
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<tr>
<td>Baramati</td>
<td>Karimnagar</td>
<td>Pune</td>
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<tr>
<td>Butibori (Nagpur)</td>
<td>Kochi (Cochin)</td>
<td>Rajastan (Jaipur)</td>
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<td>Coimbatore</td>
<td>Madurai</td>
<td>Salem</td>
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<td>Delhi</td>
<td>Meerut</td>
<td>Sataras</td>
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<td>Dhule</td>
<td>Mysore</td>
<td>Visakhapatnam</td>
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<tr>
<td>Eastern (Kolkata)</td>
<td>Nalgonda</td>
<td>Warangal</td>
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<tr>
<td>Nanded</td>
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</tbody>
</table>

While the ‘Convention Lunches’ were served in the pre-function area of the ATLANTIS Ballroom, the ‘Welcome Dinner’ on Thursday, 6th February, 2014 was hosted near the ‘Exit Pool’ of ATLANTIS Hotel. The dinners on 7th and 8th February, 2014, were hosted on a ‘Dhow Crusie’ and ‘Desert Safari’ respectively.

Having trodden an unbeaten path, shortcomings are sure to be there. The Organising Committee tried to minimize the shortcomings. But, Mumbai Centre is sanguine that BAI members will understand and appreciate Mumbai Centre’s gigantic efforts and overlook the shortcomings, if any.

**41st IFAWPCA Convention**

The 41st IFAWPCA Convention was hosted by Indonesian Contractors Association (ICA) at Grand Hyatt Jakarta Hotel, Jalan MH, Thamrin Kav 2830, Jakarta-10350, Indonesia, [Tel: +62 21 29921234], between 2nd to 5th March 2014. Grand Hyatt Jakarta is a 5 Star luxury hotel, located in the heart of Jakarta business district. The hotel is adjacent to Indonesia most comprehensive and sophisticated shopping mall, Plaza Indonesia. The theme of the Convention is “Infrastructure for a Better Future”.

During 41st IFAWPCA Convention in Jakarta, have discussed various infrastructural issues; both technically and financially which will involve numerous funding option, as well as getting insight from countries with successful infrastructure development experience.

The Convention was well attended by delegation from all IFAWPCA Member countries and Indian delegation of 25 Members was lead by Shri B. Seenaiiah, President, BAI.

**BAI Website ‘www.baionline.in’**

BAI launched its website ‘www.baionline.in’ at the Managing Committee Meeting at Nashik on 9th August 2008. 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

Though Headquarter was generating surplus for the last 10 years, payment of Service Tax and Income Tax from the General Fund of the Headquarter coupled with no interest receipt on Corpus Fund FD being kept for obtaining Overdraft created a cash crunch situation at BAI. However, due to the timely involvement of the Trustees, Office Bearers of the Headquarter and major Centres, the financial situation is brought under control.

FUNCTIONS OF BAI HEADQUARTER OFFICE

BAI Headquarter and BAI Delhi Office with a staff of 14 members functioning exceptionally well under the guidance of Executive Secretary, Shri Raju John.

MEETINGS

During the financial year under report, 5 (five) Managing Committee and 3 (three) General Council Meetings were held at:

- Hyderabad on 11th May 2013
- Delhi on 27th July 2013
- Ulhasnagar on 28th September 2013
- Patna on 20th December 2013
- Dubai on 6th February 2014

COMMITTEES

The Managing Committee authorised the President, Shri B. Seenaiah to re-constitute the Committees for the year 2013-2014.

Accordingly, the following Committees were constituted with its Chairpersons as under:

<table>
<thead>
<tr>
<th>Name of Committee</th>
<th>Chairpersons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking &amp; Finance</td>
<td>Shri Lalit Kumar Oswal</td>
</tr>
<tr>
<td>BIS Co-ordination</td>
<td>Shri K. Viswanathan</td>
</tr>
<tr>
<td>Central Govt. Works, PSU &amp; Miscellaneous</td>
<td>Shri Ram Avtar</td>
</tr>
<tr>
<td>Cement &amp; Bulk Material Purchase</td>
<td>Shri H.N.Vijaya Raghava Reddy</td>
</tr>
<tr>
<td>CIDC Co-ordination</td>
<td>Shri R.K. Jain</td>
</tr>
<tr>
<td>Contract Conditions</td>
<td>Shri M. Karthikeyan</td>
</tr>
<tr>
<td>Corporate Membership Development &amp;</td>
<td>Shri K. Sriram</td>
</tr>
<tr>
<td>Communications</td>
<td></td>
</tr>
<tr>
<td>Housing &amp; Real Estate &amp; Infrastructure</td>
<td>Shri H.N.Vijaya Raghava Reddy</td>
</tr>
<tr>
<td>Development, ISO, Green Building &amp;</td>
<td></td>
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<tr>
<td>Recreation</td>
<td></td>
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<tr>
<td>Indian Construction Bulletin</td>
<td>Shri D.L. Desai (Shankarbhai)</td>
</tr>
<tr>
<td>Labour Welfare, Provident Fund, ESIC &amp;</td>
<td>Shri Sushanta Kumar Basu</td>
</tr>
<tr>
<td>Labour Cess</td>
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</tr>
<tr>
<td>Legal, Arbitration, Grievances and Public Relations.</td>
<td>Shri Neerav Parmar</td>
</tr>
<tr>
<td>Mechanisation</td>
<td>Shri V.G.Sakthikumar</td>
</tr>
<tr>
<td>Membership Development &amp; New Centres</td>
<td>Shri Pratap B. Salunkhe</td>
</tr>
<tr>
<td>MES</td>
<td>Shri G.K. Gupta</td>
</tr>
<tr>
<td>Railways</td>
<td>Shri Alex P. Cyriac</td>
</tr>
<tr>
<td>Skill Development</td>
<td>Shri Raj Pal Arora</td>
</tr>
<tr>
<td>Taxation, Royalty, Entry Tax, Direct Tax</td>
<td>Shri D.C. Awasthi</td>
</tr>
<tr>
<td>&amp; Indirect Tax</td>
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</tbody>
</table>

BAI MEMBERSHIP/AFFILIATIONS

- Affiliated to International Federation of Asian & Western Pacific Contractors’ Associations (IFAWPCA).
- Founder Member of Construction Industry Development Council (CIDC), New Delhi.
- Member of Indian Merchants’ Chamber, 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).
**BAI’S REPRESENTATIVES ON VARIOUS COMMITTEES**

- Shri B. Seenaiah as Member, Board of Governors of National Institute of Construction Management & Research.
- Shri B. Seenaiah as Member, Board of Governors of Construction Industry Development Council (CIDC).
- Shri B. Seenaiah, Member, Board of Governors of National Academy of Construction (NAC).
- Shri B. Seenaiah, Member, Review Committee for Contract Management System formed by Ministry of Statistics & Programme Implementation (MOSPI).
- Shri B. Seenaiah, Member, National Council of Construction Federation of India (CFI).
- Shri B. Seenaiah in the focus group formed for WTO.
- Shri B. Seenaiah represent BAI on the Working Group of Construction constituted by Planning Commission for the 12th Five year Plan (2012-17).
- Shri S.N. Subrahmanian as Board Member on the Executive Board of IFAWPCA.
- Shri Mahesh M. Mudda on the Expert Committee and Shri L.D. Kotwani on the State Level Advisory Committee of Construction (Regulation of Employment and Conditions of Service) Act 1996 for Government of Maharashtra.
- Shri 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.

**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, Rajasthan (Jaipur), Sangli and Southern (Chennai).

Pune Centre purchased a new office premises and BAI has given an amount of Rs.10,00,000/- for purchasing the new office premises to Pune Centre.

**‘INDIAN CONSTRUCTION’ JOURNAL**

Shri D.L. Desai (Shankarbai) was the Chairman, Indian Construction Journal Committee for 2013-2014. 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. The rising paper, printing and postal costs may make it difficult to repeat the financial performance for the ensuing year.

**ORGANISATIONAL ELECTION 2013-14**

The Managing Committee, in its Meeting held at Bangalore on 17th November 2012, approved the Election Programme for the year 2013-14 and appointed Shri Raju John, Executive Secretary as the Returning Officer. The Election was conducted as per the Constitution and the result of the same was declared on 30th March 2013 at 4.00 P.M.

Following are the Office Bearers of BAI for the year 2013-14:-

President : Shri B. Seenaiah

Vice Presidents : Shri K. Subramani
Dr. Lail Chand Sharma
Dr. Taro T. Manghnani
Shri Manikant

Hon. General Secretary : Shri Anand J. Gupta

Hon. General Treasurer : Shri Mahesh M. Mudda

Imm. Past President : Shri Cherian Varkey

**State Chairmen / State Co-ordinators:**

Shri V. Satyamurthy (Andhra Pradesh)
Shri Santosh Lodha (Chattisgarh)
Shri Arun Sahai (Delhi)
Shri Bhupesh P. Shah (Gujarat)
Shri Kaushal K. Singh (Jharkhand)
Shri N.S. Muralidhara (Karnataka)
Shri Alex P. Cyriac (Kerala)
Dr. Santosh Katiyar (Madhya Pradesh)
Shri Sudhir D. Gharge (Maharashtra)
Shri G.K. Gupta (Rajasthan)
Shri K.V. Rajagopal (Tamil Nadu)
Shri Ravindra Tyagi (Uttar Pradesh)
Shri Chandan Dey (West Bengal)
The Election of BAI Trustees was also conducted as per the Constitution and the result of the same was declared on 30th March 2013 at 5.00 P.M. Following are the Trustees of BAI for 2013-16:

- Shri J.R. Sethuramalingam
- Shri P.K. Ramachandran
- Shri R. Ramaraj
- Shri D.L. Desai (Shankar bhai)
- Shri Sajandas Mulchandani
- Shri S.K. Pradhan
- Dr. D.C. Awasthi

Shri Sajandas Mulchandani, Trustee expired on 13th October 2013. He was Vice President of BAI for the year 2004-2005. He was the driving force behind the BAI Ulhasnagar Centre.

During the Managing Committee Meeting held at Dubai on 6th February 2014, members unanimously directed the Executive Secretary to hold the Election of Trustee (West Zone) along with BAI Organisational Election 2014-15. As directed by the Managing Committee, the Election for Trustee (West Zone) was held and Shri Jagdish Parekh (Baroda Centre) was unanimously elected as Trustee – West Zone. He will be Trustee till 31st March 2016.

**BAI Membership Subscription.**

The subscription for various categories of membership with the Association were as follows:

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Annual Subscription</th>
<th>Entrance Fee</th>
<th>‘INDIAN CONSTRUCTION’</th>
<th>Service Tax</th>
<th>Total</th>
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<tr>
<td>Annual Membership</td>
<td>Rs.2,400</td>
<td>Rs. 100</td>
<td>Rs. 100</td>
<td>Rs. 309</td>
<td>Rs.2,909</td>
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<tr>
<td>Patron Membership</td>
<td>Rs.25,000</td>
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<tr>
<td>One time subscription – Membership for 20 (Twenty) years.</td>
<td>Rs.3,090</td>
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<tr>
<td>Service Tax</td>
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<tr>
<td>Total</td>
<td>Rs.28,090</td>
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<tr>
<td>Affiliated Association Membership</td>
<td>Rs.4,400</td>
<td>Rs. 500</td>
<td>Rs. 100</td>
<td>Rs. 606</td>
<td>Rs.5,606</td>
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<tr>
<td>Annual Subscription</td>
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<tr>
<td>‘INDIAN CONSTRUCTION’</td>
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<td>Rs.33,708</td>
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**New Centres.**

During the year, the Managing Committee sanctioned opening of new Centres at Hazaribagh, Khammam, and Wai at its meeting held at Ulhasnagar on 28th September 2013.

**Membership Strength.**

As on 31st March 2014, the membership was 14,236, which included 9,930 Patron Members and 4,306 Annual Members.

**BAI Awards.**

BAI Awards for 2012-13, for different categories were announced at the 72nd Annual General Meeting held at Ulhasnagar, on 28th September 2013. Trophies and Certificates of Award were issued to the following winner Centres / Members during the ‘Valedictory Session’ of 26th All India Builders’ Convention held at Dubai, on 9th February 2014.

1. Overall Best BAI Centre (Below 200 Members) – Tirunelveli Centre.
2. Overall Best BAI Centre (Above 200 Members) – Southern (Chennai) Centre.
3. Image Building Activities by a Centre – Coimbatore Centre.
4. Organising Best Training Programme or Seminar – Pune Centre.
5. Maximum Annual Membership Growth – Ichalkaranji Centre.
6. Best Efforts by any Centre for Quality Construction – Tiruchirappalli Centre.
7. Best Builders’ Day Celebrations – Karnataka (Bangalore) Centre.
9. Best Publication by a BAI Centre – Mumbai Centre.
10. Best performing Chairman of BAI’s functional Committees – (1) Shri M. Karthikeyan, Chairman, Contract Conditions Committee, and (2) Dr. D.C. Awasthi, Chairman, Taxation, Royalty, Entry Tax, Direct Tax and Indirect Tax Committee.
11. Best performing State Chairmen – Shri Mu Moahan, State Chairman, Tamil Nadu.

**Builders’ Day 2013.**

The theme for the ‘Builders’ Day 2013” was ‘Indian Construction – A Paradigm Shift’. Builders’ Day was celebrated by almost all Centres in a befitting manner.
OBITUARIES:

The Association lost the following members who left for their heavenly abode. BAI in their death has lost sincere and hardworking members.

- Shri Mathew Kalarikal, Past Chairman of BAI Thripunithura Centre, expired on 16th July 2013.
- Shri Pratap M. Tarachandani, Executive Secretary of BAI, Ulhasnagar Centre, expired on 26th July 2013.
- Shri Avash Ghosh, Member of Tezpur Centre, expired on 12th August 2013.
- Dr. A. Ramakrishna, Former Deputy Managing Director, Larsen & Toubro Ltd., and Patron Member of BAI, expired on 20th August 2013.
- Shri M.A. Razack, Past Vice President, BAI, expired on 24th September 2013.
- Shri Sajandas Mulchandani, Past Vice President & Trustee of BAI, expired on 13th October 2013.
- Shri M.N. Rajaraman, Past President & Past Trustee of BAI, expired on 4th December 2013.

- Shri Narendra Golecha, Patron Member from BAI Jodhpur Centre, expired on 28th November 2013.
- Shri N.J. Ghanekar, Past Chairman, Vadodara Centre, expired on 25th February 2014.
- Shri Gopal Lachmmandas Raheja, the grand patriarch of Mumbai’s Real Estate Industry, expired on 18th March 2014.
- Shri Bhoghbhai Shamaljibhai Ajmera, a towering personality in the Mumbai Real Estate Industry, expired on 7th April 2014.
- Shri Dhananjay M. Labhe, Past Hon. Secretary of BAI Butibori (Nagpur) Centre, expired on 20th April 2014.
- Shri Banda Prabhakar Reddy, Past Chairman, BAI Warangal Centre, expired on 15th May 2014.
- Shri C. Raghava Reddy, Past President, BAI, expired on 22nd June 2014.

NOTES
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<th>Name</th>
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BUILDERS’ ASSOCIATION OF INDIA
MANAGING COMMITTEE 2014-2015

President
Shri Sushanta Kumar Basu

Vice Presidents
Shri L. Moorthy Shri Naresh M. Singh Shri Avinash M. Patil

Hon. Gen. Secretary
Shri Mahesh M. Mudda

Hon. Gen. Treasurer
Shri C.G. Deochake

Imm. Past President
Shri B. Seenaiah

Trustees
Shri D.C. Awasthi Shri D.L. Desai Shri J.R. Sethuramalingam Shri P.K. Ramachandran
Shri R. Ramaraj Shri S.K. Pradhan Shri Jagdish Parekh

State Chairmen / Co-ordinator

ANDHRA PRADESH	BIHAR	CHATTSISGHARH	DELHI
Shri V. Satyamurthy Shri Sachin Chandra Shri N.R. Prashar --

GUJARAT	JHARKHAND	KARNATAKA	KERALA
Shri Amit R. Patel Shri Kaushal K. Singh Shri K. Sridhar Shri B. Chandra Mohanan

MADHYA PRADESH	MAHARASHTRA	RAJASTHAN	TAMIL NADU
Dr. Santosh Katiyar Shri Neelkanth S. Joshi Shri G.K. Gupta Shri D.R. Sekar

UTTAR PRADESH	WEST BENGAL
Shri Ravindra Tyagi Shri Pradeep K. Chowdhury

Members

Dr. Anand J. Gupta Dr. D. Thukkaram Dr. S.K. Manjarekar
Dr. Taro T. Manghani Shri A. Puhazhendi Shri Abhay Garde
Shri Alex P. Cyriac Shri Ashok Agarwal Shri B. Babu Rao
Shri B.R. Ravichandran Shri Baburao L. Shakkarwar Shri Bhopinder R. Lal
Shri C. Devarajan Shri D. Kempanna Shri D.P. Singh
Shri G. Ramamoorthy Shri Harkant G. Vacharajani Shri Harshad N. Bhayani
Shri Jaideep P. Raje Shri K. Sriram Shri K. Subramani
Shri K. Venkatesan Shri K. Viswanathan Shri K.J. George
Shri L. Venkatesan Shri M. Dhandavakrishnan Shri M. Ramesh
Shri Mohamed Iqbal Qureshi Shri Mohanlal S. Kataria Shri Mu Moahan
Shri N. Raghunathan Shri N. Ramalingam Shri N. Sachitanand Reddy
Shri N. Shanmugam Shri N.C. Sundaramurthy Shri O.K. Selvaraj
Shri P. Narasimhulu Shri P. Subramani Shri Prabir Kumar Mukherjee
Shri Pratap B. Salunkhe Shri R. Ethirajan Shri R. Prakash
Shri R.K. Jain Shri Rajendra S. Athawale Shri Ram Janam Singh
Shri Ram M. Bhatia Shri Ranjeet R. More Shri S. Ayyanathan
Shri S. Ganapathy Shri S. Prabhu Shri Sanjay Laxman Patil
Shri Sudhir D. Ghole Shri V.S.K. Moorthy

Co-opted Members

Shri N.M. Patel Shri P.K.P. Narayanan Shri B.R. Badrinath

Special Invitees

Shri Anuj Kanwal Shri B.K. Chawla Shri Datta Ghule Shri Gibu P Mathew
Shri K. Rajavel Shri K. Ramkumar Shri K.K. Ragavan Shri Lalit Kumar Uswal
Shri Madhuskar S. Kodam Shri Maneesh K Shri Manikram J. Halbe Shri Muratasha
Shri P.T. Gopal Shri Pankaj N. Saraya Shri Pradeep G. Golagande Shri R. Karna Hoopathy
Shri Ramesh P. Murda Shri Subrata Das Shri Sudhakr Chimanlal Moti Shri Uday N. Gokhale
Shri V. Narasimhan Shri V. Ramakrishnappa Shri V. Sivarajan
Builders’ Association of India
(All India Association of Engineering Construction Contractors & Builders)

Report of Centres
2013 – 14

www.baionline.in
Installation function of the office bearers of the Centre for 2013-14 was held on 30th March 2013. On the occasion Shri C. Sekhar Reddy was felicitated on him being elected as President of Confederation of Real Estate Developers' Associations of India (CREDAI). An informal meeting of members of Andhra Pradesh (Hyderabad) Centre, was also held on the occasion. Senior Members and Chairmen of Centres in Maharashtra were present on the occasion.

A ‘National Workshop on Engineering, Procurement and Construction (EPC)’ was organized by the Centre on 16th April 2013 in the Auditorium of National Academy of Construction (NAC), Hyderabad. Ministry of Road Transport & Highways (MoRTH), Government of India, and Roads & Buildings Department, Government of Andhra Pradesh supported the Workshop. Shri Sarvey Sathyanarayana, Hon’ble Minister for Road Transport and Highways, Government of India was the Chief Guest. Shri C. Kandasamy, Director General (Road Development) & Special Secretary of MoRTH and Shri K. Sivaram Reddy, Engineer-in-Chief, R&B Dept., Government of Andhra Pradesh, were the Guests of Honour. Shri B. Seeniah, President, BAI presided over the Workshop. Shri V. Satya Murthy, State Chairman, BAI Andhra Pradesh also graced the occasion.

On 11th May 2013, the Centre hosted the first Managing Committee and General Council Meeting for 2013-14. The Chief Guest for the meeting was Shri Uttam Kumar Reddy, Hon’ble Minister for Housing.

The Centre arranged a meeting for purchase of Cement factory in Andhra Pradesh. Members of the Centre attended the meeting of Standard Schedule of Rates at Hyderabad conducted by Board of Chief Engineers.

Installation function of the Office Bearers of the Centre was held on 7th April 2013. Shri R. Radhakrishnan, Past President & Past Trustee, and Shri K. Viswanathan, Past Vice President, were the Chief Guests.

‘Orientation Workshop Programme’ and a Seminar on ‘Service Tax’ was held at Black Thunder Resort on 8th June 2013 & 9th June 2013.

On 21st August 2013, a procession was held starting from Anna Salai to Senjuluvai Club against the cement price hike. This was used as a channel to seek the attention of State and Central Government through District Collector.

On 13th October 2013, Members of the Centre participated in a Cricket Match held at the grounds of Kalaivani College of Engineering.

On 26th October 2013, the Centre celebrated Builders’ Day in a befitting manner. Shri O. Armugasamy, Shri Sollin Selvar, Shri Suki Sivam, were the Chief Guests. On the occasion, the Centre paid a sum of Rs.4,00,000/- to Workers towards Medical Aid and Education services. Entertainment programme was arranged for the children of BAI Members. A large number of members attended the function.

On 23rd November 2013, the Centre opened BAI Library in the presence of Shri K. Viswanathan, Past Vice President, BAI and Shri R. Krishnasamy, Chairman, BAI Coimbatore Centre.

The Centre received BAI Award for 2012-13 from the Headquarter for ‘Image Building Activities by a Centre’ at the 26th All India Builders’ Convention held at Dubai between 6th – 9th February 2014.

Installation function of the Office Bearers of the Centre for 2013-14 was held on 15th April 2013. Shri V. Ramachandran, Past President & Past Trustee, BAI, was the Chief Guest. Shri A. Puhazhendi, Past Vice President, BAI, was the Guest of Honour. Shri M.S.K. Vasudeva Rao, Past State Chairman, BAI Tamil Nadu; Shri Prakash, Shri V.K. Rajendran, Shri G. Pandurangan; and Shri C. Satish Kumar – all Past Chairmen of Chengalpattu Centre also graced the occasion.

During the year, the Centre conducted 12 Executive Committee Meetings. For the benefit of the members of the Centre, Sub-Committees were formed and effectively functioned.

The Centre conducted State level Technical Symposium in Bhaktatchalam Polytechnic in Kanchipuram. About 200 students participated in the Symposium.

The Centre participated in the Live TV programme in ‘THANTHI TV’ to highlight the river sand price hike and regularising of river sand distributing by the Government.
The Centre conducted two batches of Mason Skill Training Programme for 5 days along with Ultra Tech Cement Company. Technical and practical training given and valuable tool kit, stipend and certificates were distributed.

The Centre celebrated Builders’ Day in befitting manner. About 850 Building Labours and 150 Members of the Centre participated in the function. On the occasion, the Centre had arranged Dinner for 1,000 people.

Seven members of the Centre have attended in the 26th All India Builders’ Convention held at Dubai between 6th – 9th February 2014.

**DHULE CENTRE**

A debate for implementing ‘Revised Building Bylaws and Control Rules of Municipal of Class ‘A’ to Dhule Municipal Corporation being of Class ‘D’ was held on 7th March, 2014 by Dhule Centre jointly with Architects and Consulting Engineers Association. Shri Rajwardhan Kadambande, former MLA; Mrs. Jayshree Ahirrao, Mayor of Dhule and Shri Chandrakant Kele, Chairman, Standing Committee, Dhule Municipal Corporation, were the Guests. The Guests were also felicitated by BAI Dhule Centre. Shri Sunil Mundada, Past Chairman, Dhule Centre highlighted the necessity of implementing ‘revised Building Bylaws and Control Rules of Municipal of Class ‘A’ to Dhule Municipal Corporation being of Class ‘D’.

**DURGAPUR CENTRE**

On 26th October 2013, the Centre celebrated Builders’ Day in a befitting manner. On the occasion, Members of the Centre visited Mother Teresa’s Ashram for the Orphans, and distributed Foods, Milk, Biscuits and Gifts, and spent a few moments with the deprived children. In the evening on 26th October 2013, a Get-together function was arranged for the Guests and Members of the Centre.

The Centre made a representation to Asansol Durgapur Development Authority requesting them to allot a piece of land for the office of BAI Durgapur Centre and Training Centre for Construction Workers.

**EASTERN (KOLKATA) CENTRE**

A Workshop on ‘Community Service’ was organised by the Centre on 4th June 2013. Mata Pravarjika Alokaprana, Assistant Secretary, Ramakrishna Sarada Mission – a well known women’s NGO run by Sanyasins of Ramakrishna and Shri Suvashis Rudra, Secretary, Karkai Ramakrishna Vivekananda Seva Pratishthan, West Midnapur, West Bengal graced the occasion as honoured guests. Shri S.K. Basu, Past Vice President, BAI presided over the Workshop. The Centre presented a Cheque of Rs.1,20,000/- to Mata Pravarjika Alokaprana towards sponsorship of training of rural girls. The Centre also presented a Cheque of Rs.30,000/- to Karkai Ramakrishna Vivekananda Seva Pratishthan towards purchase of a ‘Cow’ for facilitating milk to the destitute children being taken care by the organisation. Shri R. Dipankar Das, Past Vice President, BAI; Shri Bijon Mukherjee, Past Vice President, BAI; Shri S.K. Basu, Past Vice President, BAI; and Shri Pradeep K. Chowdhury, Past Chairman of Eastern (Kolkata) Centre contributed generously towards the donations. Shri Sudip Kumar Dutta, Chairman, Eastern (Kolkata) Centre, co-ordinated the organising of the workshop along with other office bearers and senior functionaries.

**ERODE CENTRE**

Installation function of the Office Bearers of the Centre for 2013-14 was held on 5th May 2013. Shri K.V. Ramalingam, Hon’ble Minister for Public Works, Government of Tamil Nadu, was the Chief Guest. Shri R.N. Kittusamy, MLA, Modakkurichi, Erode District; Shri K.C. Palanisamy, Dy. Mayor, Erode Municipal Corporation; Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry; Shri R. Radhakrishnan, Past President & Past Trustee, BAI; and Shri C. Devarajan, Secretary, Erode Builders Educational Trust, and Managing Committee Member, BAI also graced the occasion. Shri S.P. Periyasamy, Founder Chairman, BAI Erode Centre presided over the function.

The Centre hosted the second Tamil Nadu State level meeting of BAI on 4th August 2013. Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry, chaired the meeting. Shri N. Raghunathan, State Secretary, BAI Tamil Nadu & Puducherry also graced the occasion. Issues confronting the building and construction industry in Tamil Nadu in particular and India in general were discussed. Office Bearers and Senior functionaries of BAI Centres in Tamil Nadu participated in the meeting.

The Centre celebrated the 67th Independence Day on 15th August 2013 by hoisting the National Flag by Shri R.P. Periyasamy, Chairman, Erode Centre. A blood donation camp was also organised on the occasion in association with Erode Blood Donors Camp. 56 BAI Members donated blood. Certificates were issued to the blood donors.

The centre celebrated Builders’ Day 2013-14 on 29th December 2013 with a day full of events. In the morning session, various sport competitions were conducted for the BAI Members, their families and staff. The morning session concluded with lunch. Outstanding Engineering students were honoured.
with presentation of ‘Gold Coins’. An entertainment programme by Pattimandaram Puzgal Shri A. Raja – famous TV personality was also arranged. A donation of Rs.10,000/- was made to Poondurai Semur Government High School for conducting their Sports Day by Erode Centre.

GUJARAT (AHMEDABAD) CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 18th April 2013. Shri Nitinbhai Patel, Hon’ble Minister for Finance, Medical Education and Health and Family Welfare in the Government of Gujarat, was the Chief Guest. On the occasion Shri Kishor Bhatt and Shri Harkant Vachharajani were felicitated for their service to BAI Gujarat (Ahmedabad) Centre and Gujarat Contractors Association for over a period of 30 years.

The Centre along with Gujarat Contractors Association, The Gujarat Institute of Civil Engineers & Architects, The Gujarat Institute of Housing & Estate Developers and Bandhikam Mazdoor organised a Seminar in Gandhi Labour Institute on 28th April 2013 to commemorate ‘World Day for Safety and Health at Work’. The International Labour Organisation (ILO) had in 2003 declared 28th April as the ‘World Day for Safety and Health at Work’, focusing international attention on the magnitude of the problem and how promoting and creating a safety and health culture can help to reduce the number of work related deaths each year. The theme of the ‘World Day for Safety and Health at Work’ in 2013 was ‘The prevention of occupational diseases’.

Newly elected Mayor of Ahmedabad Municipal Corporation Smt. Minaxiben Patel and Standing Committee Chairman Shri Bhupendra Patel were felicitated in the presence of Members of BAI Gujarat (Ahmedabad) Centre and Gujarat Contractors Association.

The Centre celebrated Independence Day on 15th August 2013 along with Gujarat Contractors Association (GCA), Gujarat Institute of Civil Engineers & Architects (GICEA), Institution of Engineers (India), Gujarat State Centre (IEI) and Confederation of Real Estate Developers Association of India (CREDAI), Gujarat. On the occasion a ‘Blood Donation Camp’ was also organised. Shri Navneet Thakarsi, Trustee, Thakarsi Hospital was also present on the occasion. Members of BAI, GICEA, GCA, IEI and CREDAI participated in the events along with their families.

The Centre jointly with Lions Club in Ahmedabad organized an excellent programme of Ras Garba during the Navratri Festival of 2013.

ICHALKARANJI CENTRE

The Centre hosted a Technical and Membership Development Zonal Meet of BAI on 6th September 2013. Shrimant Chhatrapati Shahu Maharaj inaugurated the meet. Shri Anand J. Gupta, Hon. Gen. Secretary, BAI; Shri Mahesh M. Mudda, Hon. Gen. Treasurer, BAI; Shri Sudhir D. Gharge, State Chairman, BAI Maharashtra; Shri Pratap Salunkhe, Chairman, BAI Membership Development Committee; Shri Avinash Patil, Past State Chairman, BAI Maharashtra; and Office Bearers of BAI Ichalkaranji Centre, were present on the occasion. Members from Wai, Satara, Phaltan, Baramati, Kolhapur, Ichalkaranji, Sangli, Solapur, Nashik, etc. Centres attended the meet.

INDORE CENTRE

Meetings of Members were conducted by the Centre regularly in the matter of problems faced by the contractors in Provident Fund, Entry Tax, VAT Tax issues etc.

A meeting was held on 25th February 2014, with the Hon’ble PWD Minister, Shri Sartaj Singhji at Bhopal, to discuss the ambiguities in tender documents like Form of Earnest Money, Price Variation, Time Period Extention, E. billing etc.

JAMSHEDPUR CENTRE

The Centre celebrated Builders’ Day 2013 on 18th November 2013. Shri T.V. Narendran, Managing Director, M/s. Tata Steel Limited was the Chief Guest. Shri B. Seenaiah, President, BAI delivered the Keynote address. Awards were presented to many persons for their meritorious services in their respective fields.

During the year, the Centre conducted 8 Executive Committee Meetings. The Centre celebrated Independence Day and Republic Day on 15th August 2013 and 26th January 2014, respectively.

KANYAKUMARI CENTRE

A grand Award Presentation Function and Family Meet was arranged by the Centre on 30th June 2013. On the occasion children of BAI Members who have excelled in the 10th & 12th Standard exams were felicitated. Mrs. Helen Davidson, Member of Parliament, Kanyakumari was the Chief Guest. Dr. (Mrs.) Kavitha Sreekumar, Dean of Government Engineering College, Nagercoil was the Special Guest. Shri S. Cyril Christ Raj, Chairman, Kanyakumari Centre, presided over the function. Dr. (Mrs.) Kavitha Sreekumar delivered a detailed and useful lecture on ‘Technical Higher Education’ to the students. Mrs. Helen Davidson distributed the awards and certificates and in her speech, she appreciated the
top rankers and advised them to sustain their efficiency in the future also.

The Centre celebrated the 67th Independence Day by hoisting the National Flag at the office of Shri S. Cyril Christ Raj, Chairman, Kanyakumari Centre. Shri M. Baldwin Bruce, Hon. Secretary, Kanyakumari Centre read out a ‘Oath’ regarding construction of buildings, keeping in perspective environment protection and to develop India into a strong nation. Sweets were distributed to the members and participants. Past Chairmen, General Council Members, etc. participated in the function.

The Centre conducted an agitation on 10th October 2013, in front of the District Collectors office seeking the State Governments intervention in fulfilling demands submitted by BAI Kanyakumari Centre. The demands made to the Government of Tamil Nadu included, making availability of sufficient cement at normal prices; making availability of natural sand at normal prices; encouraging use of manufactured sand; adequate representation of BAI representatives in Municipality, Corporation and Panchayats; issues relating to stones and rubbles quarrying to be sorted out; BAI should be involved before finalising ‘Annual Schedule or Rates’; Government should pay proper attention to problems of construction industry to safeguard employment of nearly 1,00,000 persons and District Collector should conduct Seminars / Technical Workshops periodically, involving representatives from general public, government authorities concerned and BAI for the smooth functioning of the construction industry and to create awareness amongst the public.

The Centre organized a ‘Blood Donation Awareness Camp’ and ‘Free Medical Camp’ for the benefit of construction workers on 15th December, 2014. Dr. Kalai Manobarathi, Chief, Blood Bank Unit, Kanyakumari Medical College, Asaripallam; Dr. M. Radhakrishnan, Dy. Medical Superintendent & Head of the Department of Plastic Surgery, Kanyakumari Medical College, Asaripallam, participated in the inauguration of the events. Dr. Susheel Chandran, M.S. M.C (Cardiologist) and his team from Sree Mookampigai Medical College; Dr. A. Lawrence Victor Joe, MD, P.G.Dip. Dib (consultant Diabetologist) and his team; Dr. C. Edwin Emberor, M.Ch (Plastic) M.S.D. Co. (Consultant ENT & Plastic Surgeon) and Dr. S. Ekwin Anand, M.B.B.S., MD (Skin STD, Deontologist & Aesthetic Surgeon) conducted the free medical camp. Approximately 250 building workers participated in the Free Medical Camp and Kanyakumari Centre spent an amount of Rs.3,000/- for each Cardiology and Diabetic treatment. Around 27 BAI Members donated blood and were issued with Government Certificates.

A ‘Labour Training Programme’ was organized by the Centre on 9th February 2014 in Nagercoil. Shri Perumal Pillai, Tamil Nadu PWD delivered a Special Address and exhorted the labourers to take advantage of the various schemes being run by the Government. The labourers were briefed about their responsibilities and given training on handling latest construction machinery. Certificates and gifts were presented to the participants in the programme.

On 10th February 2014, the Centre organized a Technical Seminar on ‘Protection of Natural Resources’ and ‘Revolution Thoughts to get Success in Life’. Shri Suresh Kumar, Municipal Engineer, delivered the keynote address on ‘Resource recovery from Sewage Treatment Plant’, wherein he explained the re-cycling methods of polluting waste materials. The media gave good coverage to the events.

KARNATAKA (BANGALORE) CENTRE

Installation function of the office bearers of the Centre for 2013-14 was held on 26th April 2013. Shri B. Seenaiyah, President, BAI, was the Chief Guest. Shri G.S. Phani Bushan, Personality Development Trainer was the Guest of Honour. Shri A.S. Chinnaswamy Raju, Past President & Past Trustee, BAI – President, Builders’ Association of India Construction Academy & Research Trust – President, Karnataka State Contractors Association; Shri K. Subramani, Vice President, BAI and Shri N.S. Muralidhara, State Chairman, BAI Karnataka, also graced the occasion. Executive Committee Members, General Council Members and Managing Committee Members, Chairmen of Centres in Karnataka, Distinguished Guests, Invitees, Sponsors and Members attended the function in large numbers.

BAI Construction Academy and Research Trust’s (BAI CART), 17th Batch of Training Programme for 62 fresh civil engineering graduates was inaugurated on 2nd July 2013 and ended on 25th July, 2013 at Atria Institute of Technology. It was inaugurated by Shri A.S. Chinnaswamy Raju, President, BAI CART. The inauguration was presided by Dr. M.S. Shiva Kumar, Principal, Atria Institute of Technology and Former Registrar, VTU, Belgaum, Shri K. Subramani, Vice President, BAI; Shri N.S. Muralidhara, State Chairman, BAI Karnataka; Shri K.S. Someshwara Reddy, Chairman, BAI Karnataka (Bangalore) Centre; Shri H.N. Vijaya Raghava Reddy, Vice President, BAI CART.; Shri K. Basavaraja Gowda, Hon. Treasurer, BAI CART; Shri M. Ramesh, Joint Secretary, BAI CART and other Office Bearers of the Trust and BAI Karnataka (Bangalore) Centre. Shri A.S. Chinnaswamy Raju, volunteered himself in offering his College premises from the beginning for conducting training programmes, extending Hostel and Canteen facilities, providing Computers, LCD Projector, Audio System and Buses for visiting various sites and other staff to assist.
The Civil Engineering Graduates from different Colleges all over Karnataka participated in this extensive programme. Shri K.L. Mohan Rao, Past State Chairman, BAI Karnataka and Training Adviser, has been successfully conducting the training programme since 2004 till this batch. The Trained Civil Engineering Graduates were placed in reputed Construction Companies with good package. Till this batch BAI CART has trained 972 Civil Engineering Graduates and all of them are placed in different Construction Companies.

The Centre has submitted a Memorandum to Shri Ramalinga Reddy, Hon’ble Minister for Transport, Government of Karnataka and In-charge Minister Bangalore for allotment of Land in Huraluru Village, Bangalore to establish BAI Trust and are planning to start Residential Training Centre for all Artisans and Engineers. The training duration will vary from 1 month to 6 months. The Trust is hoping to get the land for future activities.

KNS Institute of Technology in association with BAI Karnataka (Bangalore) Centre had organised Faculty Development Programme on 13th & 14th September 2013, which was designed for the benefit of Faculty in Engineering Colleges, industry professionals and post graduate students of Civil Engineering. The topics for the Workshop is Innovative practices in Foundation Engineering, latest development in Admixtures and Water Proofing Technologies, State of Art in modular Construction Technologies, Industries perspectives of applications on CAD & CAE, Project & Contract Management practices, Innovation in Building Materials, GIS Analysis using QGIS Software and Scaffolding Technologies for large scale constructions.

On 27th October 2013, the Centre celebrated Builders’ Day 2013. Shri K.R. Niranjan, Commissioner of Labour, Government of Karnataka, was the Chief Guest. On the occasion of Builders’ Day, 105 Artisans were honoured. Shri K. Subramani, Vice President; Shri N.S. Muralidhara, State Chairman, Karnataka; Shri A.S. Chinnaswamy Raju, Past President & Past Trustee, graced the occasion.

The Southern Convention was held on 8th November 2013. The Convention was inaugurated by Dr. H.C. Mahadevappa, Hon’ble Minister for PWD, Government of Karnataka. Shri Ramalinga Reddy, Hon’ble Minister for Transport, Government of Karnataka, was the Guest of Honour.

The Centre celebrated Builders’ Day on 8th November 2013. Shri M. Lakshminarayana, IAS, Commissioner of Bruhat Bangalore Mahanagar Palika, was the Chief Guest of the function. Bharatha Rathna Sir M. Visvesvaraya Memorial Award was conferred to Shri H.K. Nanjundaswamy for his contribution in civil engineering field. Builders’ Award was conferred to (1) Shri V. Srinivasa Murthy, (2) Shri D. Kupendra Reddy, and (3) Shri K.N.K. Swamy, for their outstanding contributions in the construction field.

BAI Conference / Seminar was held on 23rd November 2013 along with EXCON 2013 at Bangalore International Exhibition Centre. Shri K. Subramani, Vice President, and Shri K.S. Someshwara Reddy, Chairman, Karnataka (Bangalore) Centre, were the Guests, and about 150 BAI Southern Zone Members were attended the Conference.

The Office Bearers of the Centre had attended Interactive Session called by the Chief Commissioner of Central Excise & Service Tax, Bangalore Zone regarding ‘Service Tax Voluntary Compliance Encouragement Scheme, 2013’, which was addressed by Shri P. Chidambaram, Hon’ble Finance Minister of India and Shri J.D. Seelam, Hon’ble Minister of State for Finance (Revenue) on 4th December 2013 at Indian Institute of Science.

Sports Meet was organised on 23rd February 2014 at Royal Orchid Resort & Convention Centre. Various sports were conducted for the members and their families. The sports event were Swimming for Children, Musical Chair for Ladies and Children, Basket Ball, Short Put, Badminton and Cricket Match, was organised. Prizes were distributed for the winners.

During the year, the Centre conducted 10 Executive Committee Meetings.

KERALA (TRIVANDRUM) CENTRE

The Centre has been acting as a catalyst to construction sector in Southern Kerala by co-ordinating various activities of the contractors, builders and suppliers. Members of the Centre have taken part in several programmes and meetings organised by BAI Headquarter. In association with the State unit, the Centre has joined the movement against cartelisation of cement prices by organising press meets and protests.

The Centre has organized regular meetings of members and their family in almost every month. In most of the meetings, experts in various sectors were invited to convene technical sessions. The following sessions were conducted with active participation of members:-

1. Use of structural glasses in civil construction.
2. Solid waste management in housing projects with particular relevance to the city of Trivandrum.
3. Importance of Vizhinjam port and its status of implementation.
4. Time management for businessmen.

The Centre organised a business tour to Europe covering Switzerland, Germany and France during the month of June 2013. Families of some of the members also took part in the tour.

The Centre celebrated Builders’ Day on 31st October 2013. M/s. PRS Group presented a Gold Medal to the best Civil Engineering student from College of Engineering., Trivandrum. Hon. Mayor of Thiruvananthapuram presided over the function. Dr. K.C. Chandrasekaran Nair, Managing Director, Technopark Incubator gave an inspiring lecture on ‘Business Opportunities’ in Kerala.

The Centre had taken an initiative to form a new BAI Centre at Kollam.

KODAIKANAL CENTRE

The Centre has been active in liaising with Government and stakeholders for the renewal of the Kodaikanal Master Plan 1993. The Centre has volunteered to be a think tank to the local Government to improve and promote Kodaikanal as an international tourism destination. The Centre made a petition to the Government to provide road connectivity to Munnar.

Members of the Centre had successfully challenged in Court and reinstated the local Panchayat President powers to grant residential approvals upto 250 sqmts.

MADURAI CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 12th April 2013. Shri V. Ramachandran, Past President & Past Trustee, BAI, installed the office bearers of Madurai Centre. Shri A. Puhazhendi, Past Vice President, BAI, addressed the gathering about the importance of being a BAI Member. Shri M. Dhandavakrishnan, founder Chairman of BAI Dindigul Centre, was the Guest of Honour and addressed the gathering on the importance of adapting latest technology in construction. On the occasion a “Technical Lecture on Rapid Wall Construction Technology” was arranged. Shri P. Dinakar, Consultant on Rapid Wall Construction Technology addressed the members.

The Centre celebrated Builders’ Day 2013-14 in Madurai. Prof. Dr. V. Abhaikumar, Principal, Thiagarajar College of Engineering, was the Chief Guest. Shri V. Ramachandran, Past President and Past Trustee, BAI, presided over the function. On the occasion outstanding Engineering Students were honoured for their achievements.

MAYILADUTHURAI CENTRE

The Centre organised local programme like Construction Labour Skill, Construction Awareness to Public, Education Supports etc. Members of the Centre attended all Managing Committee / General Council Meetings and State level meeting during the year. The Centre is planning to increase the membership strength of the Centre.

MUMBAI CENTRE

The Centre felicitated some of the persons elected in the ‘BAI Organisational Elections 2013-14’ on 26th April 2013 in Mumbai. Dr. Tarro T. Manghnani was felicitated on him being elected as Vice President, Shri Anand J. Gupta was felicitated on him being elected as Hon. General Secretary, Shri Mahesh M. Mudda was felicitated on him being elected as Hon. General Treasurer and Shri Sudhir D. Gharge was felicitated on him being elected as State Chairman, BAI Maharashtra. Shri D.L. Desai (Shankarbhai) and Shri Sajandas Mulchandani were also felicitated on them being elected as Trustees of BAI for 2013-16.

The Committee for Members in Industry (CMII) of Institute of Chartered Accountants of India (ICAI) had organized an ‘Orientation Programme for Newly Qualified Chartered Accountants on 28th February 2014 at Mumbai, so as to guide them in charting their career and road map. Shri Neerav Parmar, Vice Chairman & Chairman-Elect (2014-15), Mumbai Centre was invited as a key-note speaker during the inauguration of the Orientation Programme. While delivering his key-note address, to more than 200 enthusiastic newly qualified Chartered Accountants, Shri Neerav Parmar informed them that there is an acute shortage of homes in all parts of the country and real estate business is booming. As a result most of the real estate companies have become more organized and attained corporate status thereby providing ample career opportunities for Chartered Accountants in the real estate sector. Shri Tarun Jamnadas Ghia, Chairman, CMII of ICAI, co-ordinated the organizing of the Orientation Programme.

Accommodation Times 28th National Real Estate Awards and Anniversary was held on 7th March 2014 in Mumbai. Dr. Anand J. Gupta, Hon. Gen. Secretary, BAI was the Guest of Honour

The XXVI All India builders’ Convention (AIBC) was hosted by Mumbai Centre in the prestigious ATLANTIS Hotel, The Palm, Dubai, from 6th to 9th February 2014. The Mumbai Centre also hosted the fifth meeting of the Managing Committee for the year 2013-14, on foreign shores, in ATLANTIS Hotel, The Palm, Dubai on 6th February 2014. The Organising Committee of XXVI AIBC left no stone unturned to make the event a memorable one. Preparations started immediately after the Managing
Committee Meeting at Jodhpur on 29th September 2012 sanctioned the Centre to host the XXVI AIBC.

The Mumbai Centre formed an ‘Organising Committee’ with Shri Mahesh M. Mudda as Chairman, Dr. Anand J. Gupta as Co-Chairman, Shri Gyan Madhani as Secretary, Shri Neerav Parmar as Jt. Secretary, Shri Pradeep Nagawekar as Treasurer, Shri Mohinder Rijhwani as Jt. Treasurer and Shri Santosh Navle and Shri Jaiprakash Bhatia as Members. Shri C.G. Deochake as the Chairman of Mumbai Centre was ex-officio member of the ‘Organising Committee’. The Organising Committee further entrusted Shri D.L. Desai (Shankarbhai) to be the Chairman of Finance Committee and Shri Neerav Parmar to be the Chairman of Souvenir and Technical Volume Committee.

A ‘National Convention Committee’ was formed under the Chairmanship of Shri Bhagwan J. Deokar with State Chairmen / State Co-Ordinators and Trustees of BAI as Special Invitees and senior functionaries from across India as members.

MY SORE CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 13th April 2013. The programme began with an invocation on lord Ganesha. The Chief Guest on the occasion was Shri Balakrishna Hegde, Imm. Past President, CREDAI. Shri K. Subramani, Vice President, BAI, was Guest of Honour. Shri N.S. Muralidhara, State Chairman, Karnataka, along with other dignitaries lit the traditional lamp to mark the inauguration.

Installation ceremony of Spooothy Ladies wing of BAI Mysore Centre was also held at Rotary High School, K.R.S. Road, Mysore. Smt. Veena Bannaje was the Chief Guest, Shri N.P. Vishwanath, Chairman, BAI Mysore Centre and Shri S. Prakash, Imm. Past Chairman, Mysore Builders Charitable Trust, were Guest of Honours.

The first State level Meeting was held at Mysore on 13th April 2013. A large number of members from Bangalore, Shimoga, Belgaum and Mysore Centres were attended the meeting.

The Centre in association with Mysore Builders’ Charitable Trust and Spoonthi, the ladies wing of BAI Mysore celebrated May Day in a befitting manner. May Day celebration was inaugurated by the Chief Guest Shri M. Yogendra, an international sportsperson and Superintendent, Central Excise and Tax Department along with Guest of Honour. Nearly 400 construction workers along with their families participated in various events. Lemon and Spoon race, musical chair etc. were held for Women and Running race, Shot-put etc. were held for Men.

MY REALTY 2013, the four day property show being jointly organized by BAI Mysore Centre and CREDAI, Mysore, began on 24th May 2013 at Maharaja College grounds. The newly elected MLA, Shri Vasu launched the property show by lighting the traditional lamp. On 25th May 2013, a mega entertainment programme was held in the evening and dinner was organized for the participants of Exhibition.

A unique programme to felicitate the children of Construction Workers who have excelled SSLC and PUC Exams with Prathibha Puraskara was organised on 14th June 2013, by BAI Mysore Centre along with Mysore Builders Charitable Trust. Ten SSLC and Five PUC students were honoured on the occasion by Dr. Narendra, Director of Dr. Ambedkar Adhyana Kendra, University of Mysore, who was the Chief Guest.

On 5th July 2013, all Spoonthians visited Association for the Welfare of the Mentally Disabled (AWMD) at Udaygiri, Mysore, for a Service Project. AWMD is committed to the welfare of the people with mental disabilities and their families. It provides direct services to 100 students.

Technical presentation on basics of Cement and Concrete and Reinforcement detailing and scheduling was held on 20th July 2013. This was the first technical presentation in the Tech – Talk series planned for this year by BAI Mysore Centre.


The 67th Independence Day was celebrated by the Centre on 15th August 2013.

The Centre in association with Mysore Builders’ Charitable Trust had organized felicitation programme for the toppers in Civil and CTM Engineering from various Colleges in Mysore on 27th August 2013.

The Centre and Mysore Charitable Trust in association with M/s. UltraTech Cement Ltd had organized a Training Programme for Masons on 2nd and 3rd September 2013.

Engineers’ Day and Teachers’ Day was celebrated on 20th September 2013. BAI Members and Spoonthi Members, Guests and Lectures from Engineering Colleges of Mysore and Mandya, were attended the programme.

The Centre celebrated Builders’ Day on 5th November 2013 at Hotel Olive Garden, Mysore. Shri
Ajith Sabnis, Editor-in-Chief of Built Expressions was the Chief Guest. Shri K. Subramani, Vice President, BAI, and Shri N.S. Muralidhara, State Chairman, Karnataka, were the Guests of Honour.

BAI Southern Zone Meeting was held on 7th & 8th November 2013 at Bangalore. 40 Members from Mysore Centre attended the Meeting.

MYBUILD 13 fro BAI Mysore Centre in association with CREDAI was held between 12th – 16th December 2013. The event was inaugurated by Smt. N.M. Rajeshwari, Hon’ble Mayor of Mysore City Corporation. There were 178 stalls including 53 Platinum and 125 Diamond. Sponsors and Exhibitors participated and displayed their products enthusiastically. A huge publicity was given by the media.

Eighteen Members from BAI Mysore Centre attended the XXVI All India Builders’ Convention held at Dubai between 6th – 9th February 2014.

PUDUKKOTTAI CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 8th June 2013. Shri R. Radhakrishnan, Past President & Past Trustee, BAI; Shri A.K. Yussouf, Past President, BAI; Shri Mu Moahan, Imm. Past State Chairman, Tamil Nadu & Puducherry; Shri L. Moorthy, Past State Chairman, Tamil Nadu & Puducherry; and Shri M. Gopalakrishnan, Past State Chairman, Tamil Nadu & Puducherry, were also graced the occasion.

PUNE CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 17th April 2013. The Chief Guest on the occasion was Shri Sukhinder Singh, Chief Engineer, MES Pune Zone.

The Centre celebrated Independence Day on 15th August 2013 by hoisting the National Flag. Members in large numbers attended the function.

The Centre organised Children Felicitation Programme on 17th August 2013, to acknowledge their outstanding achievements in arts, sports and academics and encourage them for higher achievements in their future careers. The Chief Guest on the function was Shri Vishwas Pandhare – DCP (Traffic), Pune. More than 70 children were felicitated.

On 24th August 2013, Farewell and Welcome Dinner to Chief Engineers, MES Pune Zone, was arranged by the Centre.

On 23rd October 2013, the Centre celebrated Builders’ Day on the theme ‘Indian Construction – A Paradigm Shift’. Shri Sudesh Kumar Gupta, Chief Engineer (QS&C), Arbitrator, MES, Pune, was the Chief Guest. More than 70 delegates attended the function.

A Seminar on ‘The Salient Features of Law of Arbitration and Conciliation’ was organised by the Centre on 29th November, 2013. Shri B.S. Patil, Renowned Consultant on Arbitration & Conciliation was the keynote speaker. Shri Neerav Parmar, Sr. Vice President, Indian Institute of Technical Arbitrators (IITArb) was the Guest Speaker. The Seminar aimed to create an awareness about the rights and responsibilities of contractors, arbitration and conciliation process, it’s legal status and effectivity. The speeches by the speakers were followed by a ‘Question & Answer Session’.

The Centre organised Well Built Structure Competition Programme on 18th December 2013. 300 plus building professionals were present in the programme. The panel of juries, which is the backbone of the competition, were felicitated. Trophies and Certificates were distributed at the hands of Maj. Gen. R.K. Mattu, Chief Engineer, Southern Command, Pune.

Shri Kumar Gera, a distinguished personality in the field of civil engineering and construction was felicitated with BAI-BG Shirke Lifetime Achievement Award – Nirman Ratna.

The Centre celebrated Republic Day on 26th January 2014 by hoisting National Flag. Many members attended the function.

Programme of handing over constructed Ladies Toilet for Girls Secondary and Higher Secondary School, at Warje Malwadi, Vithal Nagar, Pune, took place on 30th December 2013. The event was single handedly initiated by the Centre’s Vice Chairman Shri R.B. Suryavanshi.

The Centre arranged a Technical Site visit to M/s. B.G. Shirke’s ‘Suvarna Saudha’ Site at Belgaum on 15th & 16th March 2014. 45 Members from the Centre along with Engineers, Architects etc. from other associations joined the site visit to Belgaum.

The Student Internship Programme of the Centre is a new concept for enhancing the capabilities of the participants through internships in companies and handholding over 2 years. This concept has been received very well both by the Institutions and the Industry. Altogether about 8 Engineering Colleges
and Polytechnics are participating. Professional bodies like CREDAI, Pune and Marathi Bandhak Vyavasayik Association are supporting it. More than 350 students have registered for this programme. CREDAI’s ‘Kushal’ is offering skill upgradation to the construction labour. BAI as its Partner has associated in this activity and has certified more 5000 labours this year.

The Centre has won an Award for ‘Organising Best Training Programme & Seminar’ for 2012-13.

RAJASTHAN (JAIPUR) CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 3rd May 2013. Shri K.C. Meena, Chief Engineer, Rajasthan Housing Board was the Chief Guest. Shri G.K. Gupta, State Co-ordinator, BAI Rajasthan was the Guest of Honour. Shri S.P. Goel, Past President, BAI, also graced the occasion. On the occasion an announcement was made of BAI establishing an ‘Unskilled Labour Training Centre’ with the help of Rajasthan Housing Board and the same is expected to come within the next six months. Members of ‘Spoorthi’, the ladies wing of BAI Rajasthan (Jaipur) Centre also participated in organising the installation function.

The fourth General Meeting of the Centre was held on 25th September 2013. Mobilisation of delegates for the XXVI All India Builders’ Convention was done successfully.

‘Spoorthi’ – the ladies wing of BAI Rajasthan (Jaipur) Centre organised a medical camp at the work site of Shri Pradeep Kumar Jain, Past Chairman of the Centre on 2nd October 2013. Around 148 workers underwent basic medical check-up by a team of Doctors, consisting Dr. Usha Goel, Dr. Manjulaa Mittal and Dr. U.C. Gupta. The workers were also served snacks.

 Builders’ Day 2013 was celebrated by Rajasthan (Jaipur) Centre on 16th October 2013, by distribution of tools to workers and a medical camp at a work site of Rajasthan Housing Board. Medical check-up of nearly 179 family members of workers was done by Dr. B.B. Lath, Dr. Kapil Gupta and their team. Medical advice and free medicine was provided.

A function ‘Sanman Samaroh’ to honour senior members of BAI from the Centre was held on 11th February 2014 in Jaipur. Shri Kalicharan Saraf, Hon’ble Education Minister, Government of Rajasthan, was the Chief Guest. Mrs. Suman Sharma, President, BJP Mahila Morcha and Shri Mukund Joshi, Chief Engineer, NZ-III, CPWD, Rajasthan were the Guests of Honour. Seven senior members were honoured Members of BAI and other like minded organisations were present in large numbers along with members of ‘Spoorthi’ – the ladies wing of BAI.

SALEM CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 11th April 2013. Shri B. Seenaiah, President, BAI, was the Chief Guest. Shri K. Subramani, Vice President, BAI, and Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu, were the Guests of Honour. Shri R. Radhakrishnan, Past President & Past Trustee, BAI delivered a keynote address on the occasion.

SATARA CENTRE

The Centre hosted the first BAI Maharashtra State level meeting on 21st May 2013. Shri Sudhir D. Garge, State Chairman, Maharashtra, chaired the meeting. Dr. Tarro T. Manghnani, Vice President, BAI; Shri Anand J. Gupta, Hon. General Secretary, BAI; Shri Manoj Potekar, Imm. Past State Chairman, BAI Maharashtra State also graced the meeting. Office Bearers and Senior functionaries from Baramati, Dhule, Ichalkaranji, Kolhapur, Malegaon, Nashik, Phaltan, Pune, Sangli, Satara, Solapur and Ulhasnagar Centres were present for the meeting. Issues confronting the building and construction industry in Maharashtra in particular and across India in general were taken up for discussion.

Installation function of the Office Bearers of the Centre for 2013-14 was held on 21st May 2013. Shri Ramraje Naik Nimbalkar, Hon’ble Minister for Water Resources (Krishna Valley Irrigation Corporation) was the Chief Guest. Dr. Tarro T. Manghnani, Vice President, BAI and Shri Anand J. Gupta, Hon. General Secretary, BAI, were also present on the occasion. On the occasion all Past Chairmen of Satara Centre were felicitated.

SOLAPUR CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 3rd May 2013. Dr. Tarro T. Manghnani, ice President, BAI, was the Chief Guest, and Shri Sudhir D. Garge, State Chairman, BAI Maharashtra, was the Guest of Honour. Members of BAI and other likeminded organizations and officials of Government departments connected with the Construction Industry attended the function.

SOUTHERN (CHENNAI) CENTRE

The ‘Annual Award Function’ of Southern (Chennai) Centre was organized on 8th April 2013 in Chennai Trade Centre. Shri Ajit Gulabchand, Past President, BAI & IFAWPCA and CMD, M/s. Hindustan Construction Co. Ltd. was the Chief Guest. Shri B. Seenaiah, President, BAI presided over the function.
Dr. M. Sekar, Dean, Anna University; Shri K. Subramani, Vice President, BAI; Shri K.V. Rajagopal, State Chairman, Tamil Nadu & Puducherry; Shri A.S. Chinnaswamy Raju, Past President & Past Trustee, BAI; Shri M. Karthikeyan, Past President, BAI; Dr. A. Ramakrishna, Former Deputy Managing Director, M/s. Larsen & Toubro Ltd., and Shri K.P. Pradeep, Editor-in-Chief, Master Builder, were also graced the occasion. Shri Ajit Gulabchand, Past President, felicitated Shri R. Radhakrishnan, Past President & Past Trustee, BAI, and Shri B. Krishnaiyah, Chairman, M/s. BSCPL Infrastructure Limited, for them being bestowed the ‘IFAWPCA – INDIA – BHISHMA AWARD 2013’ and ‘IFAWPCA – INDIA – ARJUNA AWARD 2013’ respectively. Shri Mu. Moahan was given a ‘Special Award’ for his outstanding stint as State Chairman, BAI Tamil Nadu & Puducherry during 2012-13. The huge Convention hall was filled with members, their families, invitees, guests and stalwarts from the Construction Industry and senior officers from leading construction houses.

The Centre organised a meeting on ‘Green Building Concept’ on 7th June 2013 in Chennai. Shri Anil Kumar Pillai, AGM, technical Sales, M/s. Madras Cements Ltd. delivered the keynote address. Shri M. Karthikeyan, Past President, BAI also spoke on the occasion. On the occasion ‘Patron Members’, who had enrolled with BAI since April 2013 were felicitated by Shri R. Radhakrishnan, Past President & Past Trustee, BAI. BAI Members and members of other likeminded organisations attended the meeting in large numbers.

As a run up to the “Builders’ Day 2013” celebrations, the Centre organized a medical camp on 20th July 2013 in association with Lions Club. The Medical Camp was held at construction site of M/s. Hari Haran Foundations. A team of Doctors from Raghav Dental College & Hospital, ECR, Chennai and SIGHT Care Foundation, Ashok Nagar, Chennai diagnosed more than 210 workers for dental and eye ailments. Free optical were provided for 49 workers. Dental check up and Vision screening was also conducted. Around 80 spectacles were distributed.

A Meeting on Service Tax updates and Voluntary Compliance Encouragement Scheme (VCES) was organised by the Centre on 27th November 2013 in Chennai. Shri G. Natarajan, Advocate & Tax Consultant addressed the gathering on Service Tax and VCES in detail through a Power Point Presentation. Apart from BAI members and their Service Tax Consultants, members of other like minded organisations also attended the meeting in large numbers.

As a run-up to the main Builders’ Day 2013, the Centre conducted mega medical camps for construction workers on 20th July, 12th September, and 4th October 2013 at various sites belong to M/s. Hariharan Foundations and M/s. Harinarayanan Structural. A team from Apollo Premium Hospital, Chennai, carried out the general health screening comprising of general physical examination, BP check-up, Blood test for random sugar, and ECG. Dental check up and Vision screening was also conducted. Around 80 spectacles were distributed. The total cost of the project was around Rs.1.6 lakhs, including free medicines. The medical camps were organised under the guidance of Shri J.R. Sethuramalingam, Trustee, BAI.

A ‘Blood Donation’ camp was also organised, wherein 21 members donated blood. A ‘Dine with Divine’ programme was organised for 250 inmates of Adyar Cancer Hospital, wherein breakfast and lunch was provided. Shri M. Karthikeyan, Past President, BAI graced the occasion.

The main ‘Builders’ Day 2013’ was graced by Shri G. K. Vasan, Hon’ble Union Minister for Shipping as the Chief Guest. Shri B. Seenaiyah, President, BAI; Shri K. Subramani, Vice President, BAI; Shri V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry; Shri R. Radhakrishnan, Past President & Past Trustee, BAI; and Shri M. Karthikeyan, Past President, BAI, also graced the occasion. Shri R. Radhakrishnan brought forth the issues faced by the construction community due to various Government departments. He also highlighted how projects are getting delayed and repercussions. He insisted that, only remedy for controlling the price hike of construction materials, is appointing Regulatory Authority. The Hon’ble Union Minister in his address, rightly and judiciously acknowledged the issues brought out by BAI President and the Keynote Speaker. The Minister said that he is fully aware of all these problems and expressed confidence that the Government will bring new reforms and lay down new policies adoptable to builders. He gave assurance that he will take up all issues pertaining to construction field to the appropriate head and try to find solution.

A Press Meet to highlight the non-availability of river sand was organised by Southern (Chennai) Centre on 26th November, 2013. Shri R. Radhakrishnan, Past President & Past Trustee, BAI, was the main speaker and he highlighted the cascading negative effects of shortage of river sand – Construction Industry coming at a standstill, thereby rendering lakhs of construction workers jobless; workers of members of the Lorry Owners Association also being rendered jobless; etc. He pleaded with the Hon’ble Chief Minister of Tamil Nadu to intervene by ordering usage of ‘Manufactured Sand’ in Government works, thereby creating awareness of ‘Manufactured Sand’, due to which shortage of river sand can be managed to some extent and also cost of the river sand will
come down. He also requested Government of Tamil Nadu to sanction more river sand quarrying tender to meet the requirement. Office Bearers, Managing Committee/General Council Members of the Centre; Shri K.G. Janakiraman, Secretary, North Chennai Flat Promoters Association; Shri R.R. Sridhar, President, Flat Promoters Association (Ambathur & Avadi) and Shri Britto Francis, Secretary, Chennai Suburban Builders Association participated in the press meet.

On 17th December 2013, a condolence meeting was organised by the Centre for paying tributes to the departed soul of Shri M.N. Rajaraman, Past President, BAI, who had expired on 4th December, 2013. Senior functionaries of the Centre paid rich tributes to Late Shri M.N. Rajaraman, who the described as a philosopher, guide and good friend.

The Centre organised a Property Fair viz. ‘House Hunt Expo – 2014’ from 24th to 26th January 2014 at Chennai Trade Centre, Nandambakkam, Chennai. Mrs. Varsha Purandare, Chief general Manager, State Bank of India, inaugurated the fair in the presence of Shri R. Radhakrishnan, Past President & Past Trustee, BAI; Shri S. Ayyanathan, Chairman, Southern (Chennai) Centre and his team of office bearers. More than 40 Builders exhibited their projects in the fair. State Bank of India officials explained to the buyers regarding loan facility available with them. Almost 5000 people visited the exhibition. On the concluding day of the exhibition, the Exhibitors were honoured by presenting mementos on behalf of Southern (Chennai) Centre.

The Centre organised a ‘Family Meet’ on 4th January, 2014 in Chennai. Various games were organised for the BAI Members, their spouses and Children. Around 500 persons participated in the ‘Family Meet’. Prizes were presented to winners of the various games. All present were treated to sumptuous snacks and dinner.

A ‘Three-in-One Function’ was organized by the Centre in Chennai on 31st March 2014 viz. BAI Annual Award function, felicitation to Shri B. Seenaiah, President, BAI and Installation of Shri R. Sivakumar as Chairman of BAI Southern (Chennai) Centre along with his team of Office Bearers for the year 2014-15. Shri A.S. Chinnasamy Raju, Past President, BAI was the Chief Guest and Shri S.N. Subrahmanyan, Sr. Executive Vice President, M/s. Larsen & Toubro Ltd. was the Guest of Honour and delivered the keynote address. Shri R. Radhakrishnan, Past President & Past Trustee, BAI also graced the occasion. Shri Mu Moahan, Chairman of the Award Committee informed the gathering that a Panel of Jury consisting Shri R. Radhakrishnan, Past President & Past Trustee, BAI; Shri M. Karthikeyan, Past President, BAI; Shri S. Ayyanathan, Chairman; Shri R. Sivakumar, Vice Chairman – all of Southern (Chennai) Centre; Shri L. Venkatesan, Architect and he himself went through the process of selection of Awardees, which were as follows:

- M/s. Diamond Infra Construction as ‘Best Infrastructure Project’.

A Special Award was presented to Shri J.R. Sethuramalingam, Trustee, BAI for his contribution to the cause of BAI and distinguished service to the fraternity.

Shri R. Radhakrishnan in his Special Address felicitated Shri B. Seenaiyah and the winner of the BAI Awards.

TEZPUR CENTRE

The Centre organized a ‘Farewell-cum-Welcome’ function on 24th April 2013 in the MES Officers Mess. A local folk entertainment programme was also organised on the occasion.

THANJAVUR CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 19th April 2013. Shri B. Seenaiyah, President, BAI, was the Chief Guest. Shri K. Subramani, Vice President, BAI, was the Guest of Honour. Shri R. Radhakrishnan, Past President & Past Trustee, BAI, delivered a keynote address on the occasion. Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry was felicitated on the occasion.

The Centre hosted the first State level meeting of BAI Tamil Nadu on 20th April 2013. Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu and Puducherry chaired the meeting. Shri Mu Moahan, Imm. Past State Chairman, BAI Tamil Nadu & Puducherry; Shri N. Raghunathan, State Secretary, BAI Tamil Nadu & Puducherry; and Shri S. Prabhu, State Treasurer, BAI Tamil Nadu and Puducherry also graced the meeting. Issues confronting the building and contracting industry in Tamil Nadu in particular and India in general were taken up for discussion.

THENI CENTRE

Installation function of the Office Bearers of the Centre for 2013-14 was held on 29th May 2013. Shri R. Radhakrishnan, Past President & Past Trustee, BAI also graced the occasion. Shri Mu Moahan, Chairman of the Award Committee informed the gathering that a Panel of Jury consisting Shri R. Radhakrishnan, Past President & Past Trustee, BAI; Shri M. Karthikeyan, Past President, BAI; Shri S. Ayyanathan, Chairman; Shri R. Sivakumar, Vice
& Puducherry; and Shri L. Moorthy, Past State Chairman, BAI Tamil Nadu & Puducherry, also graced the occasion.

During the year, the Centre conducted seven Executive Committee Meetings.

Members of the Centre attended the first State level Meeting held at Thanjavur on 20th April 2013.

**THIRUVALLA CENTRE**

Installation function of the Office Bearers of the Centre for 2013-14 was held on 10th July 2013. Shri Mathew T. Thomas, MLA was the Chief Guest. Shri Alex P. Cyriac, State Chairman, BAI Kerala and Shri P.K. Ramachandran, Trustee, BAI were the Guests of Honour. Capt. George Thomas, State Secretary, BAI Kerala also graced the occasion.

On 14th September 2013, the Centre organised a Seminar on ‘Properties of Cement’. On 24th October 2013, the Centre celebrated Builders’ Day and also organised a Seminar on ‘New Techniques in the Construction Industry’.

The Centre also celebrated New Year and Christmas on 28th December 2013. The Chief Guest on the occasion was Shri P.C. Vishunath, MLA.

The Centre hosted the first State Conference on 30th March 2014, and also given appreciation awards to Shri Cherian Varkey, Past President, BAI, and Shri K. Lava, Past Chairman, Cochin Centre for their outstanding contribution to the Construction Industry.

**TRICHIRAPPALI CENTRE**

Installation function of the Office Bearers of the Centre for 2013-14 was held on 7th April 2013. Shri Thyagarajan, Retired Additional Town Planning Director, was the Chief Guest. Shri Kaliyaperumal, Retired Superintendent of Police was the Guest of Honour. The highlight of the event was 105 new members joining BAI on that day.

The Centre organized a ‘Past Chairmen Day Celebrations’ on 25th February 2014. Shri R. Radhakrishnan, Past President & Past Trustee, BAI was the Chief Guest. Shri A.K. Yussouf, Past President, BAI and Shri A. Puhazhendi, Past Vice President, BAI also graced the occasion.

**TIRUNELVELI CENTRE**

The Centre celebrated ‘Builder’ Day 2013-14’ on 2nd October 2013 in Courtallam, a tourist spot near Tirunelveli. Shri V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry was the Chief Guest. Shri M.S. Ashokan, Senior DGM, M/s. The Ramco Cements Ltd. Was the Guest of Honour. Various sports competition were organized for the BAI members and their family members.

The Centre hosted the 4th Tamil Nadu State level meeting of BAI for 2013-14 on 1st February 2014. Shri V. Rajagopal, State Chairman, Tamil Nadu & Puducherry chaired the meeting. Shri N. Raghunathan, State Secretary, BAI Tamil Nadu & Puducherry and Shri Mu Moahan, Imm. Past State Chairman, BAI Tamil Nadu & Puducherry were also present during the meeting. Office bearers and senior functionaries of BAI Centres from Tamil Nadu attended the meeting. A welcome dinner was also hosted by the Centre on 31st January 2014.

**TIRUPUR CENTRE**

During the year, the Centre conducted 10 Executive Committee Meetings.

The Centre arranged one day Seminar on ‘DCR Rules’ in Courtallam on 12th August 2013. 35 Members were attended the Seminar.

All Members of the Centre participated in the Andipalayam Lake Renovations Works in August and September 2013.

The Centre arranged 7 days business tour programme to Japan from 4th November 2013 to 12th November 2013. 37 Members participated in the tour programme.

**TIRUVALLUR CENTRE**

A glittering ‘Construction Industry Award Function’ was held by the Centre on 30th April 2013 in Chennai. Shri Swaminathan, Chief Regional Manager, Indian Overseas Bank, Chennai was the Chief Guest and Shri K.V. Rajagopal, State Chairman, BAI Tamil Nadu & Puducherry was the Guest of Honours. Awards were presented to : Shri Nagbusham a reputed highway contractor; Shri Antony Joseph, Director of M/s. Logos Construction; Shri Kishore Kumar and Mrs. Kalpana Kishore Kumar, Directors of M/s. Kalpana Constructions and Shri G.P. Ravichandran, Director of M/s. Pravan Designers & Constructions (P) Ltd. They were bestowed the award for excellence in their respective field. Shri R. Radhakrishnan, Past President & Past Trustee, BAI was felicitated on him being bestowed the ‘IFAWPCA – INDIA BHISHMA AWARD 2013’ by the Organising Committee of 40th IFAWPCA Convention.

**TRIPUNITHURA CENTRE**

Installation function of the Office Bearers of the Centre for 2013-14 was held on 12th April 2013. Shri B. Seeniah, President, BAI, was the Chief Guest. Shri K. Subramani, Vice President, BAI; Shri Alex P. Cyriac, State Chairman, BAI Kerala; Shri P.K.
Ramachandran, Trustee, BAI; Shri Cherian Varkey, Imm. Past President, BAI; and Capt. George Thomas, State Secretary, BAI Kerala also graced the occasion.

ULHASNAGAR CENTRE

During the year, the Centre conducted 11 Executive Committee Meetings. The Centre hosted third Managing Committee Meeting and Second General Council Meeting at Ulhasnagar on 28th September 2013.

The Centre celebrated Builders’ Day on 8th January 2014 in befitting manner.

The Chairman and Office Bearers of the Centre meet twice a week to redress the problems of the Members of the Centre.
# Builders’ Association of India

(All India Association of Engineering Construction Contractors & Builders)

-Estd. 1941-

## Functioning Centres

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<tbody>
<tr>
<td>Hazaribagh*</td>
<td>Mumbai</td>
<td>Adilabad</td>
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<td>Nagpur</td>
<td>Andhra Pradesh (Hyderabad)</td>
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<tr>
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<td>Satara</td>
<td>Durgapur</td>
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<td>Solapur</td>
<td>Eastern Centre (Kolkata)</td>
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<td>Chitradurga</td>
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| Karnalak State      |                 |                  |
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<th>Union Territories</th>
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<th>AFFILIATED ASSOCIATIONS</th>
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<tbody>
<tr>
<td>All Kerla Government Contractors Association</td>
</tr>
<tr>
<td>Amravati District Contractors’ Association, Amravati</td>
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<tr>
<td>Chennai Flat Promoters’ Association - North</td>
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<tr>
<td>Chennai Suburban Builders Association</td>
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<tr>
<td>Confedearion of Real Estate Developers Association of India (CREDAI), Karnataka</td>
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<td>Contractors and Builders Association of Vidarbha</td>
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<tr>
<td>Earthmoving Contractors &amp; Machinery Owners Association</td>
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<tr>
<td>Flat Promoters Association (Ambattur &amp; Avadi)</td>
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<td>Flat Promoters Association - Chennai South</td>
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<td>Gujarat Contractors’ Association, Ahmedabad</td>
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<td>G.N. Buildev Pvt. Ltd., Jaipur</td>
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<tr>
<td>Jharkhand Local Thekedar Sangh, Ranchi</td>
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<tr>
<td>Kancheepuram Civil Engineers Association (KANCEA)</td>
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</tbody>
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| Karnataka State Contractors’ Association, Bangalore |
| Kerala CPWD Contractors Association |
| Latur District Builders’ Association, Latur |
| Mumbai Housing & Area Development Contractors’ Association, Mumbai |
| Nagpur Contractors Association |
| Pavers Finished Road Builders’ Association, Chennai |
| Singara Chennai Builders Association |
| Southern Region Petroleum Corporation Contractors Welfare Association |
| The Association of Engineering Contractors CMWSS Board |
| Tamilnada Fly Ash Bricks & Blocks Manufacturers Association, Chennai |

*Opened during the year 2013-14.*
Name of the Member _____________________________________________________________

I/We, the undersigned __________________________________________________________

of __________________________________________________________________________

being a member of Builders’ Association of India hereby appoint __________________________

of __________________________________________________________________________

or failing him/her __________________________________________________________________

or failing him/her __________________________________________________________________

or failing him/her __________________________________________________________________

as my/our proxy to vote for me/us and on my/our behalf at the 73rd Annual General Meeting of the

Association being held on Saturday, 20th September 2014 at 4.00 P.M. at Hotel Jaipur Marriott,

Ashram Marg, Jawahar Circle, Jaipur.

Signed this ______ day of _______ 2014.

Affix
Re.1/-
Revenue
Stamp

(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.