

**THE OMBUDSMAN  
Bihar Cricket Association**

**JUSTICE NILU AGRAWAL(Retd.)**

BCA/OMBD/02-2020

Sri Sudhir Kumar Jha, CEO, Bihar Cricket Association

-----Petitioner

Vs.

Sri Sanjay Kumar, Honorary Secretary, Bihar Cricket Association

-----Respondent

For the Petitioner : Sri D.V. Patwardhan, Authorised Representative  
For the Respondent : None

20.02.2020 A complaint has been filed by Sri Sudhir Kumar Jha, Chief Executive Officer, Bihar Cricket Association (hereinafter referred to as CEO 'B.C.A.'). The petitioner has authorized Sri D.V. Patwardhan, presently holding the post of Honorary Secretary, Arwal District Cricket Association, to appear on his behalf in the aforesaid case today, The authority letter is on record.

2. That the petitioner has sought direction for restraining the respondent Sri Sanjay Kumar, the Honorary Secretary of B.C.A. from discharging his duties as Honorary Secretary of the B.C.A. w.e.f. 31.01.2020 as per the decision of the General Body Meeting of the B.C.A.. He submits that in pursuance to the said restraint of the respondent, the President of the B.C.A. Sri Rakesh Kumar Tiwari has communicated the decision of the General Body Meeting dated 31.01.2020 to the respondent through mail dated 06.02.2020 enclosing the relevant extract of Agenda No. 4 and Agenda No. 10 (a) and 10(b) wherein the Honorary Secretary of B.C.A., Sri Sanjay Kumar has been found having not participated in the Annual General Meeting dated 31.01.2020 and the relevant documents and report relating to

accounts, budget etc. which were to be tabled by him have been taken away by the Honorary Secretary, B.C.A. Sri Sanjay Kumar. The respondent has also been alleged of various financial misappropriation, illegalities and irregularities in selection process. Hence, by Annexure-1 dated 6th February, 2020, the President, B.C.A. has directed to hand over charge of the Secretary to Mr. Kumar Arvind, Honorary Joint Secretary within 24 hours. A Five Men Inquiry Committee has also been constituted to serve memo of charges to the respondent Sri Sanjay Kumar, Honorary Secretary of B.C.A. and submit its report within a month and final report within 90 days of issuance of notice.

3. That the petitioner has also brought to the notice that the respondent Sri Sanjay Kumar, Honorary Secretary of B.C.A. is the authorized signatory of the Bank Account of B.C.A. at Bank of India, Secretariat Branch, Patna. It has been submitted that since the respondent has been restrained to discharge the duties of Honorary Secretary, B.C.A., the payment for different matches at different places, payment of Hotel Bills, Air Tickets, Transporters, Caterers, other vendors and reimbursement to players and Match Officials has come to standstill as the account is not being operated. In this regard, repeated reminders through Hotel Managers and Team Managers have been sent to the petitioner for payment which is Annexure-2 to the complaint.

4. That it is, thus, submitted that the respondent has been restrained to function as Honorary Secretary of B.C.A. due to various charges of Financial misappropriation and irregularities, show cause has been issued to him and Mr. Kumar Arvind, Honorary Joint Secretary, B.C.A. has been made In-charge Honorary Secretary, B.C.A. Hence, a direction be issued to



the Branch Manager, Bank of India, Secretariat Branch, Patna where the Bank Account of the B.C.A. operates, for compliance of the decision of the General Body Meeting dated 31.01.2020 of the B.C.A. appointing Sri Kumar Arvind, Honorary Joint Secretary to operate the Bank Account as In-charge, Honorary Secretary, B.C.A. Yet another prayer has been made to restrain the respondent Sri Sanjay Kumar to function as Honorary Secretary of B.C.A. as per decision of the General Body Meeting dated 31.01.2020.

5. After going into the details of the submissions made and the pleadings made by the petitioner as well as Annexure-1 & 2 of the complaint, since Five Member Inquiry Committee has been constituted to serve memo of charges to Sri Sanjay Kumar, Honorary Secretary of B.C.A. for certain irregularities, illegalities as well as Financial misappropriation, which would submit its preliminary report within a month, let notices be issued to the respondent Sri Sanjay Kumar to file his reply to the complaint so made within two weeks.

6. That the Honorary Secretary, Sri Sanjay Kumar has been restrained by the General Body in its meeting dated 31.01.2020 to operate and function as Honorary Secretary of the B.C.A. and show cause has been issued by the Five Member Committee constituted for Inquiring into the various irregularities and financial misappropriation committed by him. The Honorary Secretary is one of the authorized signatory of the Bank Account of B.C.A. Since respondent, Sri Sanjay Kumar has been restrained to function as Honorary Secretary of the B.C.A. and B.C.A. is facing great difficulties in making payments for different teams, for matches, for Hotels, Air tickets, Transport, Caterers,

reimbursement to players, Match Officials and other sports activities as well as other payments incidental to the functioning of B.C.A., it is hereby directed that Mr. Kumar Arvind, Honorary Joint Secretary will function as In charge Honorary Secretary of the B.C.A. and would be the authorized signatory of the Bank Account of the B.C.A. at Bank of India, Secretariat Branch Patna in the capacity of Honorary Secretary B.C.A. with immediate effect.

7. The Chief/Branch Manager, Bank of India Secretariat Branch, Patna is directed to accept Mr. Kumar Arvind In-charge Honorary Secretary as authorized signatory of the Bank Account of the B.C.A. at Bank of India, Secretariat, Branch Patna till further orders.

8. Put up the matter on 06.03.2020 at 6.30 PM at my residential office at Patna.

Justice Nilu Agrawal(Retd.)  
Ombudsman/Lokpal  
Bihar Cricket Association

Copy to :

- (i) Sri Sudhir Kumar Jha, CEO, Bihar Cricket Association
  - (ii) Sri Sanjay Kumar, (without power), Honorary Secretary, Bihar Cricket Association
  - (iii) Sri Kumar Arvind, Honorary joint Secretary, In-charge Honorary Secretary, Bihar Cricket Association
  - (iv) Sri Rakesh Kumar Tiwari, President, Bihar Cricket Association
  - (v) Chief Manager, Bank of India, Secretariat Branch, Patna
- Email : (i) [jhasudhir.placement.Inmi@gmail.com](mailto:jhasudhir.placement.Inmi@gmail.com)  
(ii) [president.bca.rkt@gmail.com](mailto:president.bca.rkt@gmail.com)  
(iii) [secretarybca78@gmail.com](mailto:secretarybca78@gmail.com)  
(iv) [secretariat.patna@bankofindia.co.in](mailto:secretariat.patna@bankofindia.co.in)  
(v) [jointsecretary@biharcricketassociation@gmail.com](mailto:jointsecretary@biharcricketassociation@gmail.com)

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