

ETHICS OFFICER
Bihar Cricket Association
Raghwendra Kumar Singh
(Retd. District & Sessions Judge)

BCA/EO/03-04 of 2020

Bihar Cricket Association through its Chief Executive Officer.....Petitioner

Versus

Sri Sanjay Kumar.....Opposite Party

(In Case No. E.O. 3 of 2020)

And

Mr. Vishwas, President, District Cricket Association, Jehanabad.....Petitioner

Versus

1. Bihar Cricket Association through its President, Rakesh Kumar Tiwary
 2. Bihar Cricket Association through its In-charge Honorary Secretary cum Honorary Joint Secretary, Mr. Kumar Arvind
 3. Mr. Sanjay Kumar alleged to be erstwhile Honorary Secretary, Bihar Cricket Association
-Opposite Parties

(In Case No. E.O 4 of 2020)

Later On
22.08.2020

As both the cases are pertaining to common reliefs and grounds for such reliefs being common in both cases, the same have been amalgamated with each other by the order passed today earlier.

Sri Manish Raj, Chief Executive Officer(CEO), Bihar Cricket Association(BCA), for the petitioner in Case No. E.O 3 of 2020 and Sri Dhaneshwar Vashist, advocate for the petitioner in Case No E.O 4 of 2020 have been heard.

Both of them have prayed for interim relief to restrain Mr. Sanjay Kumar alleging to have been ceased to work as Honorary Secretary of the BCA by resolution dated 31.01.2020 of General Body of BCA restraining Mr. Sanjay Kumar from discharging the duty of Honorary Secretary of BCA till further decision to be taken by General Body in future and authorise Honorary Joint Secretary, Mr. Kumar Arvind as Honorary Secretary of the BCA in place of Mr. Sanjay Kumar(copy of the minutes of the General Body dated 31.01.2020 at pages 34 to 49 in the record submitted by the petitioner in Case No E.O 4 of 2020 and at pages 3 to 11 on the record submitted by the petitioner in Case No. E.O 3 of 2020 and the said fact has been admitted by Mr. Sanjay Kumar from his Email ID secretarybca78@gmail.com on 03.08.2020 to Sri Sudhir Jha, the then CEO of BCA on his Email ID jhasudhir.placement.lnmi@gmail.com (copy of which is at pages 55,

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R Singh

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22.08.2020

56 of the record submitted by the petitioner in Case No.E.O 4 of 2020) and this fact also reflects in the order dated 20.02.2020 passed by the Hon'ble Justice Nilu Agrawal(Retd.), Ombudsman, Bihar Cricket Association in Case No. BCA/OMBD/02-2020 (copy of which is at pages 63 to 66 on the record submitted by the petitioner in case No. E.O 4 of 2020). From pages 67 to 77 of the record submitted by the petitioner in Case No. E.O 4 of 2020 and from the pages 53 to 56 of the record submitted by the petitioner in Case No.E.O 3 of 2020 it transpires that copy of the minutes of the resolutions taken by General Body in its meeting dated 31.01.2020 at its Agenda No.4 and 10(a) & (b) has also been sent to said Sanjay Kumar and Mr. Sourav Ganguly, the President of the Board of Control for Cricket in India(BCCI) at their respective Email ID secretarybca78@gmail.com and sourav.ganguly@bccci.tv. From the minutes of the General Body dated 31.01.2020 it transpires that there were allegations of irregularities and illegalities against Mr. Sanjay Kumar in discharge of his activities as Honorary Secretary of the BCA and an Inquiry Committee was constituted under the Chairmanship of Sanjay Kumar Singh, Honorary Secretary, Begusarai Cricket Association, who submitted his interim report dated 28.02.2020 to the President, BCA (which copy is at page 50 of the record submitted by the petitioner in Case No. E.O 4 of 2020).

From the above it is prima facie proved that said Sanjay Kumar was restrained from functioning and discharging any duty as Honorary Secretary of BCA. But from pages 77 to 110 of the record submitted by the petitioner in Case No. E.O.3 of 2020, it transpires prima facie that said Sanjay Kumar in defiance of the aforesaid restraintment order/resolution convened Special Meeting of the Committee of Management to be held on 29.02.2020 at 11 A:M at Hotel Alkajar Inn, Kankarbagh, Main road, Patna as Honorary Secretary of the BCA and other acts such as calling players for registration, etc., and replacing already existing Committees of District Cricket Associations in Bihar from those recognized by Meera Pandey, IAS (Retd.) Electoral Officer of the Bihar Cricket Association, Patna, Election 2019-22 (relevant papers of which are at pages 11-14 of the record submitted by the petitioner in Case No.4 of 2020 and 73 to 75 of the record submitted by the petitioner in Case No. E.O 3 of 2020) in which Election Sanjay Kumar was elected as the Honorary Secretary, BCA and the aforesaid activities of said Sanjay Kumar was in defiance of Rules and Regulations of BCA, specially Rule 12 of the said Rules by constituting allegedly fake and unrecognised District Cricket Associations in Bihar and convening Special General Meeting.

In view of the above said, Sanjay Kumar is directed to not represent him as Honorary Secretary of Bihar Cricket Association(BCA) at any forum and to be not indulged in the activities of Cricket in Bihar as Honorary Secretary of BCA till disposal of the present Cases E.O 3 of 2020 and E.O 4 of 2020 or till further order, whichever is earlier.

Put up on 05.09.2020 for appearance of the parties and filing reply, if any, by the Opposite Party in Case No. E.O 3 of 2020 and Opposite Party No.3 in Case No. E.O 4 of 2020 namely Mr. Sanjay Kumar and hearing.

Copy of this order would be sent to all the concerned. Honorary Acting Secretary Cum Honorary Joint Secretary, BCA, is directed to upload this order on the website of the BCA for information to all concerned with the affairs of Bihar Cricket

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22.08.2020

Association and its Full Members and Associate Members. If the Honorary Acting Secretary, BCA thinks fit to inform the concerned Agency of which services has been availed by Sanjay Kumar posing him running his parallel Email ID of the BCA and Portal, this order, he will be at liberty to do so.

id - R Singh
(Raghendra Kumar Singh)
Ethics Officer
Bihar Cricket Association

Copy to:

1. Mr. Rakesh Kumar Tiwary, President, BCA
Email ID: president.bca.rkt@gmail.com
2. Mr. Sanjay Kumar, Opposite Party
Email ID: secretarybca78@gmail.com
3. Honorary Acting Secretary cum Honorary Joint Secretary, BCA
Email ID: jointsecretary@biharcricкетassociation.com
4. Mr. Manish Raj, CEO, BCA
Email ID: ceo@bihar cricket association.com
5. Mr. Vishwas
Email ID: kumarr.vishwas@gmail.com

R Singh
(Raghendra Kumar Singh)
Ethics Officer
Bihar Cricket Association

ETHICS OFFICER
Bihar Cricket Association
Raghwendra Kumar Singh
(Retd. District & Sessions Judge)
BCA/EO/04-2020

Mr. Vishwas, President, District Cricket Association, Jehanabad.....Petitioner

Versus

1. Bihar Cricket Association through its President, Rakesh Kumar Tiwary
 2. Bihar Cricket Association through its In-charge Honorary Secretary cum Honorary Joint Secretary, Mr. Kumar Arvind
 3. Mr. Sanjay Kumar alleged to be erstwhile Honorary Secretary, Bihar Cricket Association
-Opposite Parties

20.08.2020 Mr. Vishwas has filed an application to restrain O.P. No.3 Sanjay Kumar alleging him to be erstwhile Honorary Secretary of Bihar Cricket Association (BCA) from doing any illegal act as Honorary Secretary of the BCA with further prayer to restrain him from using the name, logo and head of the BCA and to declare all the actions taken by him as Honorary Secretary of BCA after 31.01.2020 null and void and to prevent him from taking any action contrary to the provisions of BCA Rules and Regulations. His counsel Mr. Dhaneshwar Vashist wants to state the facts and materials in connection with his aforesaid reliefs with a view to indulgence of mine as Ethics Officer for interim relief to restrain said O.P. No.3 from acting as Honorary Secretary of BCA till the disposal of the present application filed today by the petitioner. Put up on 22.08.2020 for hearing.


(Raghwendra Kumar Singh)
Ethics Officer
Bihar Cricket Association

Case No. E.O 4 of 2020

22.08.2020 Heard Sri Dhaneshwar Vashist, advocate for the petitioner. In Case No. E.O. 3 of 2020 the Chief Executive Officer(CEO) of Bihar Cricket Association(BCA) has also been heard. In the aforesaid Case No. 3 of 2020 and in the present Case No.E.O 4 of 2020 the reliefs sought for and the grounds for aforesaid reliefs are of alike nature and as such the hearing of the present Case No. E.O 4 of 2020 is amalgamated with Case No E.O 3 of 2020.

R. Singh
(Raghwendra Kumar Singh)

Ethics Officer

Bihar Cricket Association

ETHICS OFFICER
Bihar Cricket Association
Raghwendra Kumar Singh
(Retd. District & Sessions Judge)
BCA/EO/03-2020

Bihar Cricket Association through its Chief Executive Officer.....Petitioner
Versus
Sri Sanjay Kumar.....Opposite Party

19.08.2020 An application has been filed by Sri Manish Raj, Chief Executive Officer (CEO) of Bihar Cricket Association (BCA) on behalf of Bihar Cricket Association to restrain Sri Sanjay Kumar, who was restrained/ cease to work as Honorary Secretary of the BCA vide resolution dated 31.01.2020 of the General Body of BCA with other ancillary reliefs. He wants to state the brief facts and concerned materials supported with documents for aforesaid reliefs. Put up on 22.08.2020 for hearing him.


(Raghwendra Kumar Singh)
Ethics Officer
Bihar Cricket Association

22.08.2020 Heard Sri Manish Raj, Chief Executive Officer, BCA. In Case No. E.O 4 of 2020 counsel for the petitioner of the said case has also been heard. Keeping in view the reliefs sought for and alleged grounds for said reliefs are almost similar and as such, both the cases are amalgamated in the present Case No. E.O. 3 of 2020.


(Raghwendra Kumar Singh)
Ethics Officer
Bihar Cricket Association



BIHAR CRICKET ASSOCIATION

(Affiliated to Board of Control for Cricket in India)

Web. : <https://biharcricketassociation.com>
Email : bca@biharcricketassociation.com

Date...19/08/2020...

Ref....BCA/HQ/LEG/001

To,
Sri Raghvendra Kumar Singh
Hon'ble Ethics Officer
Bihar Cricket Association

Sub: Regarding Unethical Activities of Sri Sanjay Kumar, the Expelled Secretary of Bihar CA...

Respected Sir,

This is to Most Humbly Pray before your highly esteemed office

1. That Sri Sanjay Kumar was restrained and "Cease To Work" as Honorary Secretary of Bihar CA w.e.f 31.01.2020 vide the Decision of General Body Meeting of Bihar CA held on 31.01.2020. Moreover, The General Body of Bihar CA in the same meeting also resolved to constitute a 5-member Enquiry committee to enquire into the numerous serious allegations against him. (copy of the minutes of the meeting attached as ANNEXURE-1) (At running page-3-11)
2. That in the meantime, Sri Sanjay Kumar mischievously wrote to Bank of India, Secretariat branch, Patna regarding the operation of bank account in the name of Bihar Cricket Association and the matter was brought to the cognizance of Ms. Nilu Agrawal, the Hon'ble Justice (ret'd) and Hon'ble Ombudsman of Bihar CA. Hon'ble Ombudsman madam passed an order regarding the Authorised Signatory/s of Bihar CA's Bank Account.(Copy attached as ANNEXURE-2) (At running page-12-14)
3. That the ill- activities of Sri Sanjay Kumar, Restrained Honorary Secretary, Bihar Cricket Association has been reported/informed to the President of Board Of Control For Cricket in India (BCCI) vide mail dated 15TH February, 2020 with all supporting documents attached. (copy attached as ANNEXURE-3) (At running page-15-63)
4. That the Interim Report of the 5 member Enquiry Committee so constituted in the General Body Meeting of 31.01.2020 was presented and accepted in the COMMITTEE OF MANAGEMENT Meeting held on 28.02.2020 and it was forwarded to your honour's highly esteemed office.(Copy attached as ANNEXURE-4) (At running page-64-66)
5. That the Interim Report of the 5 member Enquiry Committee so constituted in the General Body Meeting of 31.01.2020 was CONFIRMED in the COMMITTEE OF MANAGEMENT Web-Meeting held on 28.05.2020 (Copy attached as ANNEXURE-5) (At running page-67-70)
6. That the General Body of the Bihar CA in its Meeting held on 26.06.2020 unanimously decided to Expel Sri Sanjay Kumar, the restrained Secretary from participating in any activities for Six Years and it was duly communicated (copy of Letter to Bank of India with "Excerpts of the Resolution" for reference is attached as ANNEXURE-6) (At running page-71-72)

Now, it is prayed before your honour's highly esteemed office that even after the decision/s of the General Body of Bihar CA and subsequently order passed by Hon'ble Ombudsman. He is continuously involved in illegal, unconstitutional, Unethical and without jurisdiction, convening meetings in the name of Bihar CA's Secretary by promoting anti-association

activity/s among the players, members, match officials and stakeholders of Bihar CA. Sri Sanjay Kumar is also disguising the stake holders by using www.biharcricкетassociation.in (website) and biharcricкетassociation@gmail.com (mail id) for spreading false, concocted and misleading information among the players, members, match officials, and stakeholders though he has been ousted from his post. His act and actions are creating chaos and thus, the career of many are at stake due to misinformation. ANNEXURE-7) (At running page-73-112)

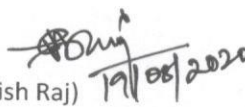
Therefore, it is further prayed before your honour to please pass order as prayed below or as deem fit:

1. Sri Sanjay Kumar be immediately stopped from issuing Notice/s, Order/s, Information/s in the name of Honorary Secretary of Bihar Cricket Association.
2. Order may kindly be passed for general information for considering all his acts& actions, Notice/s, Order/s, Information/s to be Null and Void effective from the date of his "Cease to Work" i.e. 31.01.2020.
3. Order may kindly be passed for Board of Control for Cricket in India for considering all his acts actions, Notice/s, Order/s, Information/s to be Null and Void effective from the date of his "Cease to Work" i.e. 31.01.2020.
4. Order may kindly be passed for Bank of India, Secretariat Branch, Patna; I.G. Registration Department, Govt. Of Bihar; D.G., Sports Authority of Bihar; Google; Sri Mrityunjay Sharma, web designer/host- 'YashorajInfoSys' and all the Full Members(District Cricket Associations) for considering all his acts actions, Notice/s, Order/s, Information/s to be Null and Void effective from the date of his "Cease to Work" i.e. 31.01.2020
5. Order may kindly be passed for plaintiff to publish the order passed by your honour on its official website and through other means of media in the interest of players, match officials, members and stakeholders and for the cause of cricket in Bihar.
6. Order may kindly be passed as your honour may consider and deem fit.

The List of Full Members (Duly Affiliated District Cricket Associations) having Voting Right as decided and published by the Electoral Officer/s appointed by the Hon'ble Supreme Court appointed Committee of Administrator of BCCI for Bihar Cricket Association's Election is attached herewith for Your Honour's Kind Reference.

This prayer is for and on behalf of Bihar Cricket Association as Chief Executive Officer and further most humbly submit that I have taken all precautions and measures to use submissive language, diction and protocol. But, still if any error or mistake have been committed here, is unintentional and due to lack of my Legal Knowledge.

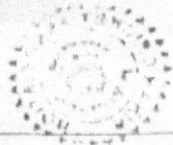
Most Humbly Prayed And Submitted
For Relief as above

(Manish Raj) 
Chief Executive Officer(C.E.O.)
Bihar Cricket Association

Patna

Mob: +91 9934353637

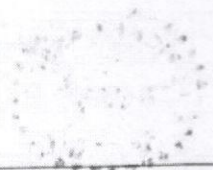
Mail:ceo@biharcricкетassociation.com



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Annual General Body Meeting of the Bihar Cricket Association was held today on 31st of January, 2020 at Hotel Aditya Inn, South Ramana Road, Ara. Sri Rakesh Kumar Tiwari, presided over the meeting. The following persons were present:

- ① Rakesh Kumar - Pres
- ② Dilip Singh
- 3
- 4 ~~Devi Singh~~ (Anil Singh)
- 5 Sanjay Kumar Singh
- 6 ~~Anil Singh~~ Annual Hon. Sec.
- 7 ~~Anil Singh~~ Aurangabad D.C.A. President.
- 8 Rajiv Kumar Singh D.C.A. Banke, President. 9431257736
- 9 Sanjay Singh, Begusarai D.C.A. - Sec. 9431417940
- 10 Manoj Kumar Sec. Bhokaro D.C.A.
- 11 ~~Suman Kumar~~ Sec. D.C.A.
- 12 Sanjay Kumar Singh, Gaya D.C.A.
- 13 Kumar Vanshaji - Gopalganj 9006346786, 9430877644
14. Brahm Kumar Singh - Secretary - Jehanabad District 9431257736
15. Rakesh Kumar - Kaimur D.C.A. Secretary
16. Sadanand Prasad - Khatana - D.C.A. Secretary.
17. ~~Anil Singh~~ - D.C.A. - 1st Sec
- 18 Anil Kumar Gupta - D.C.A. Vice President
19. Kali Charan - Madhubani D.C.A. Secretary Baran
20. Shankar Prasad - Munger D.C.A. Secretary 1st Sec
21. Ajay Kumar - Secretary 2 Nalanda D.C.A.
22. ~~Anil Singh~~ (RAVI KIRAN) - President - Nizampur D.C.A.
23. Manoj Kumar MANISH KUMAR Secretary D.C.A. NAWADA.
24. ~~Anil Singh~~ Praveen Kumar Praveen President Patna D.C.A.
25. Rajesh Kumar - Purnea D.C.A.
26. Shubh Chandralekha Prasad - Rohas D.C.A.
27. ~~Anil Singh~~ S.D.C.A. 1st Sec
28. Sanjay S.D.C.A. Sanjay Kumar Singh Sec. D.C.A.



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MINUTES OF THE MEETING OF THE GENERAL BODY HELD ON 31st JANUARY, 2020 AND COMENCED FROM 12:30 PM AT HOTEL ADITYA INN, SOUTH RAMNA ROAD, ARA, BHOJPUR UNDER THE CHAIRMANSHIP OF MR. RAKESH KUMAR TIWARY, THE PRESIDENT OF BCA

Attendees: As per the proceeding register

The Honorary Secretary, of the Host Association (Bhojpur District Cricket Association) welcomed the Members and office bearers of Bihar Cricket Association present in the meeting.

The Hon'ble Chairman brought the house in order and directed to discuss the agenda.

Few of the members raised the issue of suspension and/or expulsions of Mr. Ajay Narayan Sharma, Ex-Secretary, BCA and Mr. Neeraj Singh, Associate Member, as these suspensions were made by the outgoing committee of management without any valid reason.

The Hon'ble Chairman requested the house to withdraw such suspensions and the entire house decided to withdraw such suspensions. The house unanimously confirmed the withdrawal of these suspensions.

With the permission of the Hon'ble Chair, Mr. Ravi Kiran, President, Muzaffarpur District Cricket Association raised the issue of absence of Mr. Sanjay Kumar, Honorary Secretary, BCA and Mr. Ashutosh Nandan Singh, Honorary Treasurer, BCA from the meeting.

The Hon'ble Chairman informed the house that both the absent office bearers have reached the venue of the meeting, but, are not participating in the meeting for the reasons best known to them. The Hon'ble Chairman further informed the house that Vice-President of BCA Shri Dilip Singh, Honorary Joint Secretary of BCA Shri Kumar Arvind and few other respected senior members tried their best to request both the said office bearers to participate in the meeting, but Honorary Secretary was adamant in getting an assurance from the Hon'ble President that in the house no uncomfortable questions shall be raised against him and no-coercive action shall be taken against him. As his demand could not be given assurance to, he along with Honorary Treasurer left the meeting.

Few of the members also tried to put their submissions in respect to illegalities committed by the Honorary Secretary, but, the Hon'ble Chairman

Rakesh Kumar Tiwary



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requested the members that this issue shall be taken up at the end of the meeting as few members including District Representative of BCA Shri Sanjay Kumar Singh is still trying to persuade both the office bearers to participate in the meeting.

On the direction of Hon'ble Chairman the house returned to discuss the agenda of the meeting.

At this stage the Vice-President Shri Dilip Singh informed the house that as Honorary Secretary is not present in the house, therefore, the proceeding register is not available. The Hon'ble Chairman informed the house that in the last General Body Meeting dated 29th September, 2019 the then Honorary Secretary did not place the proceeding register in the house, thereupon new proceeding register was opened and the same shall be used as proceeding register now onwards. The house unanimously confirmed the new proceeding register for BCA meetings w.e.f. 29th September, 2019.

The house after being satisfied commenced to discuss the agenda for the meeting:

AGENDA No. 1: TO DISCUSS AND CONFIRM THE MINUTES OF THE PREVIOUS GENERAL BODY MEETING

The minutes of the previous meeting held on 29th September, 2019 having single agenda of Election of Office Bearers and District Representative of BCA was unanimously adopted and confirmed by the house. Thereafter the Hon'ble Chairman signed the minutes of the meeting and the house resolved that the said signed minutes should be pasted on the proceeding register.

AGENDA No. 2: TO DISCUSS AND ADOPT THE REPORT OF THE SECRETARY FOR THE YEAR UNDER REVIEW

As the Honorary Secretary, Mr. Sanjay Kumar, refused to participate in the meeting, therefore, the house unanimously decided to defer the same for next General Body Meeting.

AGENDA No. 3: TO DISCUSS AND ADOPT THE TREASURER'S REPORT AND AUDITED STATEMENT OF ACCOUNTS FOR THE YEAR UNDER REVIEW

Rakesh Kumar



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As the Honorary Treasurer, Mr. Ashutosh Nandan Singh, did not participate in the meeting, therefore, the house unanimously decided to defer the same for next General Body Meeting.

AGENDA No. 4: TO DISCUSS AND ADOPT THE ANNUAL BUDGET

As the Honorary Secretary and Honorary Treasurer did not participate in the meeting, therefore, the house unanimously decided to defer the same for next General Body Meeting.

Several Office Bearers of different District Cricket Association said that it is a serious matter for which Honorary Secretary of BCA should be condemned and the responsibilities of Honorary Secretary of BCA be given to Honorary Joint Secretary of BCA. The Hon'ble Chairman assured the house that all issues related with the act & action of Honorary Secretary be taken up as the last agenda of the meeting.

Few members informed the Hon'ble Chairman that CEO of BCA is present in the meeting, therefore, the report relating to accounts, budget etc. could be tabled by him. On the direction of Hon'ble Chairman, the CEO informed the house that all the relevant documents were handed over to the Honorary Secretary for placing the same in the meeting, but, he has taken away all the documents with him. However, the CEO assured the house that in a day or two he will hand over the relevant documents available to him to the Hon'ble President of BCA.

AGENDA No. 5: APPOINTMENT OF AUDITOR OR AUDITORS FOR THE YEAR AND FIX THEIR REMUNERATION

Mr. Ravi Kiran, President, Muzaffarpur District Cricket Association proposed the name of M/s Ashish Halder & Co. as Auditor of BCA for the year 2020-21. Mr. Rajiv Kumar Singh, President, Banka District Cricket Association seconded the proposal made by Mr. Ravi Kiran.

The house decided to appoint M/s Ashish Halder & Co. as Auditor of BCA for the year 2020-21 and unanimously confirmed the appointment of M/s Ashish Halder & Co. as Auditor of BCA for the year 2020-21.

The house further unanimously resolved to authorize the Honorary Joint Secretary of BCA to fix the remuneration of M/s Ashish Halder & Co.

Rakesh Kumar Singh



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AGENDA No. 6: TO APPOINT CRICKET COMMITTEES AND STANDING COMMITTEES AS MENTIONED IN THE RULES OF BCA

Mr. Rajesh Kumar Baitha, representative of Purnea District Cricket Association raised the issue to reconstitute the various committees and sub-committees of BCA afresh, as the same was constituted at the instance of erstwhile Honorary Secretary of BCA and he has included his handpicked persons in these committees and as such the House unanimously decided to discontinue the existing committees.

After much discussion, the house decided to reconstitute all the committees and sub-committees of BCA afresh.

The house further decides and confirms to authorize Hon'ble President of BCA to constitute/appoint Cricket committees and Standing committees as mentioned in the Rules of BCA in consultation with the senior Representatives of Full Members of BCA.

Few of the members raised the issue of transparency in the appointment procedure of Selection Committee; Coaches and other support staffs for the state teams. The house decided to concur the constitution of 3/5 member **Cricket Advisory Committee** comprising of Players retired from Senior State Teams, which shall be responsible to suggest names to the Committee of Management for appointment of selection committees, coaches and other support staff for the state teams in transparent manner by adhering to the principles of selection process. The Hon'ble President is authorised to constitute 3/5 Member **Cricket Advisory Committee**. The Committee of Management shall appoint selectors, coaches and support staffs for the teams from amongst the names from the panel submitted by Cricket Advisory Committee.

Accordingly, the house unanimously confirms the constitution of **Cricket Advisory Committee**. The House also unanimously agreed and resolved to constitute (1) **Media Committee** (2) **Finance Committee** (3) **Infrastructure Committee** (4) **Legal Committee** (5) **Statistics Committee** (6) **Talent Search Committee** for smooth conduct of activities of Bihar Cricket. Hon'ble President shall appoint/nominate its members including the Chairmen in consultation with Senior Representatives of Full Members.

It was also decided and confirmed that the nomenclature of **General Manager/s** be rechristened as per the requirement and in the interest of Cricket Operation in Bihar.

Rajesh Kumar Baitha



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The House discussed the points/circumstances raised by Mr. Ravi Kiran of Muzaffarpur DCA regarding the "Cease of Power" to any member of Selection Committee or any other committee/s within the preview of BCA.

The House unanimously authorized the President to take suitable action to replace/ dismiss/ and or refer the matter to appropriate authority for suitable action after receiving valid complaints

AGENDA No. 7 (a) AND 7 (b):

The CEO informed the house that all the concerned reports were taken away by the Honorary Secretary of BCA, therefore, he is not in position to place these reports before the House.

The house once again showed anger against the act & action of the Honorary Secretary of BCA.

These agendas were deferred for next General Body Meeting. However, few members informed the house that minutes of the meeting of COM dated 02.10.2019 is available and the minutes of the meeting of COM dated 15.11.2019 is also available with the CEO and other members of COM. Hence, on the direction of Hon'ble Chairman, the copies of minutes of the meetings of COM dated 02.10.2019 and 15.11.2019 were circulated among the members present in the house. Thereafter, the house unanimously confirmed the decisions taken by the COM in its meeting dated 02.10.2019 and 15.11.2019 except the agenda no. 6 of meeting dated 02.10.2019 by which Mr. Santosh Jha was allowed to continue as Media Manager and the agenda of meeting dated 15.11.2019 by which COM decided to grant subsidy to host association @ 25,000/- and Rs. 10,000/- to visiting team. The House unanimously approved and confirmed the proposal of Mr. Subir Chandra Mishra for enhancing the subsidy amount. The proposal of Mr. Subir Chandra Mishra is annexed with this minutes of the meeting as ANNEXURE-A

At this stage Hon'ble Chairman informed the house that the Hon'ble High Court in the case of Mr. Ravi Kiran (order dated 23.10.2019 passed in CWJC No. 3381/2019) has directed BCA to appoint Ombudsman within two months and therefore the Committee of Management in its meeting dated 15.11.2019 has been pleased to appoint Hon'ble Mrs. Justice Neelu Agrawal, Retired Judge, Patna High Court as Hon'ble Ombudsman of BCA. The

Rakesh Kumar Singh



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Hon'ble Chairman further informed the house that Hon'ble Ombudsman, Mrs. Justice (Retd.) Neelu Agarwal, has received the charge from erstwhile Hon'ble Ombudsman of BCA and has started discharging her duties.

After discussion, the house decided to approve the decision of Committee of Management dated 15.11.2019 taken in respect to appointment of Hon'ble Ombudsman in compliance of order passed by the Hon'ble Patna High Court.

The house unanimously confirms the appointment of Hon'ble Mrs. Justice (Retd.) Neelu Agrawal as Hon'ble Ombudsman of BCA on the consolidated remuneration of Rs. 36 lakhs per annum.

AGENDA No. 7 (c): ANY AMENDMENTS TO THE RULES & REGULATIONS OF THE BCA OF WHICH PROPER NOTICE HAVE BEEN GIVEN AS PER THE BYE LAWS/CONSTITUTION:

Few of the members pointed out several typographical and clerical mistakes in the Rules & Regulations of BCA which needs to be corrected/rectified.

Members have also raised few amendments including the authority of Honorary Secretary in bank operation as in the BCCI Constitution such authority have been given to Joint Secretary and Treasurer.

The house unanimously decided to authorize Hon'ble President of BCA to constitute a 3/5 member committee to consider the Member's suggestions for corrections of typographical/clerical mistakes and to submit their report to be considered in next General Body Meeting.

The House further decided that Special General Body Meeting shall be held within three months and as most of the business could not be transacted in absence of Honorary Treasurer and Honorary Secretary therefore same day Annual General Body Meeting shall also be convened. The house unanimously confirmed that Hon'ble President will do the needful for convening Special General Body Meeting followed by Annual General Body Meeting within three months. The House further decided that the members willing to raise any question and/or give suggestions for any corrections and amendments in the Rules & Regulations of BCA may send their notices/letters to Hon'ble President on his email ID (president.bca.rkt@gmail.com) for necessary action.

Rakesh Kumar Singh



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AGENDA No. 7 (d): THE REPORT OF THE OMBUDSMAN AND ETHICS OFFICER AND ANY RECOMMENDATION MADE THEREIN:

The CEO informed the house that erstwhile Hon'ble Ombudsman has passed several orders and has already handed over the charge to newly appointed Hon'ble Ombudsman, who has started discharging her duties.

The CEO has also informed the house that Hon'ble Ethics Officer has passed only one order in the case of Mr. Manish Ojha, Chairman Junior Selection Committee.

The House unanimously adopted the orders/decisions passed by the Hon'ble Ombudsman and Hon'ble Ethics Officer.

Few of the members raised the issues of qualification and other matters relating to present Hon'ble Ethics Officer. As per the BCA Rules, an Ethic Officers should be minimum retired district judge.

The house further decided to accept the recommendation of Search & Screening Committee constituted in the meeting of Committee of Management dated 15.11.2019 as far as the recommendation for appointment of Mr. Raghvendra Kumar Singh, Retd. District Judge as Ethic Officer and as such confirmed the same. It was also resolved unanimously by the House that Hon'ble Mrs. Justice (Retd.) Neelu Agarwal, Hon'ble Ombudsman of BCA shall function in additional responsibility of Ethics Officer also till Mr. Raghvendra Kumar Singh, Retd. District Judge joins his duty and takes charge of Ethics Officer.

AGENDA No. 8: CONSIDERATION OF ANY MOTION, NOTICE WHEREOF IS GIVEN BY A FULL MEMBER AS PER THE RELEVANT CLAUSE OF THE CONSTITUTION

Several members have raised questions and given notices, thereof.

The Hon'ble Chairman requested the members to raise their respective questions while taking up agenda no. 10 (a).

AGENDA No. 9: TO APPOINT BCA'S REPRESENTATIVE OR REPRESENTATIVES ON THE BCCI OR SIMILAR ORGANIZATION:

The house decided to appoint Hon'ble President as the Representative on the BCCI and similar organization.

The house unanimously confirmed the appointment of Mr. Rakesh Kumar Tiwary, the President of Bihar Cricket Association as the representative on the BCCI and similar organization.

Rakesh Kumar Tiwary



②

**AGENDA No. 10 (a) & 10 (b): ANY OTHER MATTER WITH THE
PERMISSION OF HON'BLE CHAIRMAN:**

A. With the permission of the Chair,

- (i) Mr. D. V. Patwardhan, Honorary Secretary, Arwal District Cricket Association charged Honorary Secretary of BCA Shri Sanjay Kumar for the following:
 - (a) Conflict of Interest and criminal conspiracy in getting his son selected for senior state team.
 - (b) Financial Irregularities
 - (c) Opening of illegal bank account in the name of Arwal District Cricket Association.
 - (d) Non-cooperation with full members;
 - (e) Interference in selection process
- (ii) Mr. Manoj Kumar, Honorary Secretary, Bhojpur District Cricket Association alleged that players suspended by the district association and duly informed to BCA, have been allowed for selection trial and included in the state team at the instance of Honorary Secretary of BCA.
- (iii) Mr. Ravi Kiran, Honorary President, Muzaffarpur District Cricket Association alleged that Honorary Secretary of BCA and Media Manager of BCA (Mr. Santosh Jha) continuously remains present on the ground during the selection trial to influence the selectors for selecting particular players of their choice and succeeded in getting their sons selected in senior state team.
- (iv) Mr. Gyaneshwar Gautam, Honorary Secretary, East Champaran District Cricket Association charged Mr. Sanjay Kumar, Honorary Secretary of BCA that he intentionally avoided the meeting to save his skin from the charges of financial irregularities and selection process. Mr. Gyaneshwar Gautam has also charged Mr. Sanjay Kumar, Honorary Secretary of BCA for disobeying the direction of Hon'ble President of BCA and also the order dated 22.01.2020 passed by Hon'ble Ombudsman.
- (v) Mr. Binod Kumar Singh, Honorary Secretary, Jehanabad District Cricket Association alleged that at the instance of Honorary Secretary of BCA, a parallel association has been constituted in the Jehanabad district in which brother-in-

Rakesh Kumar Singh



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law of Honorary Secretary of BCA has been made Secretary and convener of State Level Tournament.

- (vi) Mr. Manish Kumar Anand, Honorary Secretary, Nawada District Cricket Association charged Honorary Secretary of BCA that he get the players of his choice registered with the BCCI and the selectors had to select players from amongst them during the trial held after the registration.
- (vii) Mr. Rajesh Kumar Baitha, representative of Purnea District Cricket Association charged Mr. Sanjay Kumar, Honorary Secretary of BCA of financial irregularities in making huge payments to the parties/vendors/agencies by him during his brief tenure without prior approval by COM or any superior authority. Mr. Baitha further alleged that all work orders, purchase orders etc. have also been issued without prior approval of COM and/or other office bearers.

The house discussed the aforementioned charges against Mr. Sanjay Kumar, Honorary Secretary of BCA and Mr. Santosh Jha, Media Manager of BCA. After much discussion the house arrived at the conclusion that the Committee of Management in its meeting dated 02.10.2019 were misguided which resulted in taking decision to continue Mr. Santosh Jha to the post of Media Manager of BCA, whereas Mr. Santosh Jha was never appointed to the post of Media Manager by the outgoing Committee of Management.

The house unanimously decided to remove Mr. Santosh Jha from his duties of Media Manager and to recover the remuneration which he illegally received from BCA.

The house further decided unanimously to constitute five member committee under the chairmanship of Mr. Sanjay Kumar Singh, Honorary Secretary, Begusarai District Cricket Association and Mr. Kalicharan, Secretary, Madhubani District Cricket Association nominated as Convener. The house also decided to include an advocate, an Auditor and a retired police officer as Member in the five member committee and for the same Hon'ble President of BCA was authorized. The Chairman of this Five Member Enquiry Committee shall serve the memo of Charges to Mr. Sanjay Kumar, Honorary Secretary of BCA and after complying the principles of natural justice will submit its report within a month from its constitution so that this report be considered in the immediately next general body meeting. Five member enquiry committee shall submit final report within 90

Rajesh Kumar Singh



days from the date of issuing notice. By permission of President the said period may be extended.

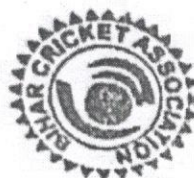
The house unanimously further decided to restrain Mr. Sanjay Kumar, Honorary Secretary of BCA from discharging the duties of Honorary Secretary of BCA till decision of General Body to be taken in forthcoming General Body Meeting and till then Mr. Sanjay Kumar is being restrained from discharging his duties as the Honorary Secretary of Bihar Cricket Association. The house further resolved that till the final decision by the General Body Meeting the duties and function of Honorary Secretary of BCA shall be discharged by the Honorary Joint Secretary and be authorized/entitled to operate Bank Account of BCA.

The house also resolved unanimously that in the event Mr. Sanjay Kumar, Honorary Secretary does not hand over the charge to Mr. Kumar Arvind, Honorary Joint Secretary within 24 hours of service of notice, the CEO is authorized to take suitable penal action/all necessary action against Mr. Sanjay Kumar, Honorary Secretary of BCA. The house further resolved and authorized CEO to take suitable action against Mr. Sanjay Kumar, Honorary Secretary of BCA.

- B. With the permission of the chair, several members of various District Cricket Association raised the issue of development of infrastructure in the districts. Few of the members supported the issue and apprised the Hon'ble Chair about the difficulties faced by the members in developing the infrastructure at district level due to financial constraints of the full members. On the request of the members, the Hon'ble Chairman assured the members that each full member shall be given infrastructure subsidy of Rs. 02 (two) lakhs in cash and/or by way of providing equipment(s) for development of cricket at ground level.

The Hon'ble Chairman further informed the house that BCA will develop four cricket grounds for Board Matches beside Moin-Ul Haq Stadium and Urja Stadium. The Hon'ble Chairman further assured the house that the BCA will develop State of Art Zonal Centers for arranging, strengthening, conditioning camps and other cricket skill developing programs to cricketers and holding different seminars, meetings etc. In a reply to the matter raised by Mr. Kumar Vansh Giri, Secretary of Gopalganj DCA, the Chairman informed the House that Bihar Cricket Association has already started the process of lease of a stadium at Gopalganj and further action shall be taken after the Lease Agreement is signed.

Ratish Singh



(11)
C. With the permission of the Chair, Mr. Rajesh Baitha, representative of Purnea District Cricket Association raised issue of transparency in calling the players for selection trial by the BCA. After much discussion, the House arrived at the conclusion that the performances of the players at inter district level tournaments and the performance in the BCCI sponsored matches shall be the sole criteria for calling players for selection trial by the BCA.

The Hon'ble Chairman assured the House that now onwards the players shall be called for state team selection trial on the basis of players performance in inter-district matches and BCCI sponsored matches.

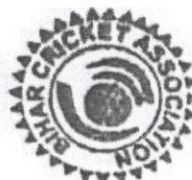
D. With the permission of the Chair, Mr. D. V. Patwardhan requested for waving of affiliation charges for tournament in the name of "Swargiye Vashishth Narain Singh T-20 Tournament" to be held at Patna in the memory of Legendry Mathematician. The House unanimously approved the waver of affiliation charges for "Swargiye Vashishth Narain Singh T-20 Tournament".

E. With the permission of the Chair, Mr. Sanjay Kumar Singh, District Representative of BCA requested for fixation of remuneration of Private Secretary to the Office Bearers as decided in the meeting of COM dated 15.11.2019. The House unanimously approved remuneration of Rs. 30,000/- per month (All inclusive) for the Private Secretaries to the Office Bearers. The House also allowed remuneration @ 50,000/- to the Private Secretary/Personal Advisor to the President and the Honorary Secretary.

F. The Chairman informed the House that the Honorary Secretary, Cricket Players Association of Bihar (CPAB) has recommended in writing the names of two players, one male and one female, namely Mr. Rakesh Ranjan and Ms Lovely Raj for nominating them as member in the Committee of Management of BCA.

The House unanimously confirmed the nomination of Mr. Rakesh Ranjan and Ms. Lovely Raj as members of Committee of Management. However, this is subject to confirmation from the BCCI.

Rakesh Ranjan



(12)

G. With the permission of the Chair, Mr. Rajesh Kumar Baitha, representative of Purnea District Cricket Association raised the issue of approval of all the three reports of 3-men committee constituted by the Committee of Management in its meeting dated 15.11.2019 to eliminate the dispute of Full Members.

At this stage, Mr. Prakash, representative of Vaishali District Cricket Association and Mr. Rajiv Jaiswal, representative of Katihar District Cricket Association raised objection with respect to adoption of 3rd report of 3-men committee in which disputes of Vaishali, Katihar and Kishanganj District Cricket Associations have been decided.

The House showed anger with respect to the decision of the 3-men committee wherein it has been mentioned that a compromise/Consent have been arrived in the matter of Katihar DCA and Vaishali DCA at local level. At this stage, Mr. Sanjay Kumar Singh, District Representative made clarification and informed the house that it was orally told to him that compromise/settlement/consent in Vaishali & Katihar DCA have been arrived at local level and therefore, on that basis the 3rd Report of 3-men committee was issued, but as it is being stated in the house that no such compromise/consent have been arrived and there being no evidence compromise/settlement/consent as such available with BCA record, therefore, the house may take appropriate decision.

The house discussed the issue at length and finally house agreed to approve and adopt first two reports of 3-men committee without any amendment. The house partially approved the third report by which the house approved and adopted the decision of 3-men committee with respect to Kishanganj District Cricket Association but rejected the decision of 3-men committee with respect to Vaishali District Cricket Association and Katihar District Cricket Association AND for these two District Associations (Katihar and Vaishali) the decision of 3-men committee taken in the interim order shall prevail.

H. With the permission of Chair, Mr. Subir Chandra Mishra, Ex-Convener & Special Invitee along with Mr. Manoj Kumar Singh, representing Sitamarhi DCA, Mr. Manoj Kumar of Bhojpur DCA and Mr. Jai Shankar Singh of Lakhisarai DCA raised following issues which is based on the bad experience faced by the Full Members during the tenure of outgoing management:

Rajesh Kumar Singh



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- i. No members of Committee of Management of BCA and/or its member will interfere in the internal affairs of the Full Members.
- ii. No members of Committee of Management of BCA and/or its member will recognize any parallel association within the jurisdiction of Full Member without following the due process of law provided in the Rules & Regulations of BCA.
- iii. The Hon'ble President/Honorary Secretary will inform all the concerned authorities including the respective District Magistrates and Superintendent of Police about the present status of the office bearers of its Full Members.
- iv. No members of Committee of Management of BCA and/or its member will grant affiliation to any tournament without the approval/forwarding of/by the respective Full Member(s).
- v. To make payment of pending bills of Full Members on the basis of bills submitted by the Full Members AND to revalidate the un-used cheques issued by the BCA to the Full Members.

The House discussed all the aforesaid issues and **approved and confirmed** the same unanimously.

- I. With the permission of Chair, Mr. Jay Shankar Singh, Honorary Secretary of Lakhisarai District Cricket Association condemned the action of few erstwhile office bearer/authority who interfered in the management of Full Members and allowed parallel associations which was unauthorized and against rules of Bihar Cricket Association

The house showed anger against the outgoing Committee of Management for its whimsical and malafide action in this regard.

- J. With the permission of the Chair, few of the members raised the issue of having office for BCA, the earlier office was being run in the Hotel owned by the erstwhile Honorary Secretary and his family members.

The Hon'ble Chairman accepted the proposal of the members and authorized Honorary Joint Secretary of BCA to find out an independent office space for BCA. The House approved the same. The office space for running President's Secretariat was also approved.

Rakesh Kumar Singh



(14)
K. With the permission of Chair, Mr. Manoj Kumar, Honorary Secretary of Bhojpur District Cricket Association raised the issue of making the official website of BCA being biharcricketassociation.com operational as the erstwhile Honorary Secretary allowed another website being biharcricketassociation.in for the reason best known to him. BCCI is also recognizing biharcricketassociation.com as official website for BCA.

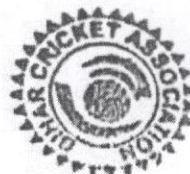
The House unanimously approved and confirmed that biharcricketassociation.com shall be the official website of BCA and authorized the CEO to sign an agreement with the M/s Technicus Infotech immediately and in the meantime the company be requested to make the BCA website operational. The house further resolved to direct the Office bearers and CEO to update the official website of BCA being biharcricketassociation.com. However, there being some dispute regarding the client ship/ownership of the two different websites, therefore, the House authorized the President to take final decision in the matter.

L. With the permission of the Chair, several members raised the issue of examination for umpires held in the year 2019 wherein those Umpires were also asked to appear in the said examination who have successfully passed the examinations held in the past. The Chairman referred the matter to the Umpiring Committee for detail report in the matter and for suitable recommendations for future course of action.

M. With the permission of the Chair, the members raised the issue of delay in holding domestic cricket of BCA. In course of discussion, the house was unanimous for creating a post in BCA. After much discussion the House unanimously arrived at the conclusion and confirms that a post in the name & style of 'General Manager, Cricket Operation' shall be created/rechristened

The house further resolved unanimously that the job of General Manager, Cricket Operation shall be 'to control the game of cricket of BCA', which will include all sorts of cricketing activities, conducting the domestic matches of BCA, organizing the BCCI sponsored matches etc.

Rakesh Kumar Singh



(15)

N. With the permission of the Chair, Mr. Dilip Singh, Vice President of BCA informed the House that report from the Screening & Search Committee constituted by the Committee of Management has been submitted and is required to be considered by the House. Mr. Singh also informed the House that one of the recommendation of Screening & Search Committee in relation to appointment of Hon'ble Ombudsman is concerned has already been given effect by the Committee of Management in view of an order passed by the Hon'ble Patna High Court in the Case of Mr. Ravi Kiran.

The House one by one discussed the recommendations of Screening & Search Committee and with few corrections accepted the same. The final acceptance of the recommendations of Screening & Search Committee after few corrections is enclosed with this minutes of the meetings as ANNEXURE

The House unanimously decided to direct the Honorary Joint Secretary of BCA to do the needful for the appointment of persons whose names are mentioned in ANNEXURE

O. With the permission of the Chair, several members raised the issue of formation of 'Governing Council' and to recommend two names as the representatives of Full Members.

The House discussed the issue and finally arrived unanimously at the conclusion that Vaishali District Cricket Association and Sitamarhi District Cricket Association are authorized to send the names of their respective representative who shall be included in the Governing Council.

The House further decided that as Mr. Sanjay Kumar, Honorary Secretary has been restrained from discharging the duties of Secretary of BCA, therefore, in his place Mr. Kumar Arvind, the Honorary Joint Secretary shall be the ex-officio member of Governing Council in place of Honorary Secretary of BCA.

P. With the permission of the Chair, Mr. Kumar Arvind, Honorary Joint Secretary of BCA informed the House that a letter for Consent to the Accountant General of Bihar has been sent and name sent/recommended by the A.G. office, Bihar shall be adopted for being nominee of the A.G. in BCA's Committee of Management.

The House unanimously accepted and approved any such nomination by the Accountant General of Bihar. The House also approved and authorised the C.E.O. to provide the basic

Rakesh Kumar Singh



(16)

facilities/amenities to the 5 member Enquiry Committee to facilitate the Enquiry. The House further authorized the President to inform the Chairman and its members regarding the Scope and jurisdiction of its enquiry. The Enquiry Report shall be submitted to the Hon'ble Ombudsman and the President.

Regarding the matter arising out of pending issues before I.G. Registration of Bihar, the House unanimously authorized the President to take suitable action for Registration by consulting the SCAs, BCCI and Legal experts for further action in this regard.

Q. MEETING OF GENERAL BODY MEETING

The house decided that it would meet again in the month of March on a date, time and place to be notified in advance by the Hon'ble President of BCA.

At the end of the meeting Hon'ble Chairman thanked the members of Host Association for successfully organizing the AGM and taking care of the participating members and special invitees.

Meeting concluded with vote of thanks to the Hon'ble Chair.



Rakesh Kumar Tiwari

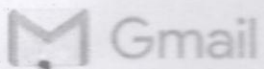
[RAKESH KUMAR TIWARI]
PRESIDENT,
BIHAR CRICKET ASSOCIATION

8/22/2020

Gmail - BCA /OMBD/02-2020

ANNEXURE - 2

12



Rakesh Kumar Tiwary <president.bca.rkt@gmail.com>

BCA /OMBD/02-2020

1 message

NILU AGRAWAL <niluagrawal44@gmail.com>

Fri, Feb 21, 2020 at 2:32 PM

To: Rakesh Kumar Tiwary <president.bca.rkt@gmail.com>

Sent from my iPhone

 BCA (copy).docx
9K

**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
(ii) president.bca.rkt@gmail.com
(iii) secretarybca78@gmail.com
(iv) secretariat.patna@bankofindia.co.in
(v) jointsecretary@biharcricicketassociation@gmail.com

Certified copy issued on 21.02.2020

3/22/2020

Gmail - Report on ill activities committed by restrained Hon'secretary of BCA Mr. Sanjay Kumar



Rakesh Kumar Tiwary <president.bca.rkt@gmail.com>

Report on ill activities committed by restrained Hon'secretary of BCA Mr. Sanjay Kumar

2 messages

Rakesh Kumar Tiwary <president.bca.rkt@gmail.com>

Sat, Feb 15, 2020 at 10:52 PM

To: sourav.ganguly@bcci.tv, jay.shah@bcci.tv, arun.dhumal@bcci.tv, rahul.johri@bcci.tv

Cc: saba.karim@bcci.tv

To,
The President,
Board of Control for Cricket in India,

SUBJECT: Report in respect to the ill-activities of Mr. Sanjay Kumar, Honorary Secretary, Bihar Cricket Association (General Body in its meeting dated 31.01.2020 has been pleased to restrained him from discharging the duties of Secretary of BCA).

Sir,

Under compelling circumstances and on the request of majority of members of Bihar Cricket Association I am reporting here-in-below the factual chronological event and the ill-activity committed by Mr. Sanjay Kumar, Honorary Secretary, Bihar Cricket Association (General Body in its meeting dated 31.01.2020 has been pleased to restrained him from discharging the duties of Secretary of BCA).

Sept. 2019 : BCCI appointed 3-Men Supervisory Committee under the Chairmanship of Mr. Alok Kumar.

: The Supervisory Committee after taking charge, held cricket trials by the National Selectors for selection of State teams for Vijay Hazare Trophy and Vinoo Mankad Trophy.

: The Supervisory Committee did not consider the list of 63 players selected by the Senior Selection Committee constituted by the erstwhile Committee of Management rather held open trial in which they also allowed the 63 players selected by the Senior Selection Committee constituted by the erstwhile Committee of Management.

: The National Selectors selected 15 + 05 players' team for Vijay Hazare Trophy.

23.09.2019 : Election of BCA was held under the supervision of BCCI appointed 3-men Supervisory Committee, wherein following office bearers and a Member Representative (District Representative) were elected:

i. President : Mr. Rakesh Kumar Tiwari

- ii. Vice-President : Mr. Dilip Singh
- iii. Secretary : Mr. Sanjay Kumar
- iv. Joint Secretary : Mr. Kumar Arvind
- v. Treasurer : Mr. Ashutosh Nandan Singh
- vi. District Representative: Mr. Sanjay Kr. Singh

02.10.2019 : First meeting of newly elected office bearers and District Representative was held wherein Junior Selection Committee was constituted due to urgency of the situation. In this meeting, the Supervisory Committee handed over the charge to the Honorary Secretary.

Copy of the minutes of the meeting dated 02.10.2019 is enclosed herewith and marked as Enclosure-1 to this report.

04.10.2019 : 06 players were replaced by the Senior Selection Committee constituted by the Erstwhile Committee of Management (Apex Council), even though the Supervisory Committee did not even consider proper to take work from the Selection Committee constituted by the erstwhile Committee of Management (Apex Council). Even the newly elected Committee of Management were not made aware about the continuing the Senior Selection Committee.

Out these replaced 06 players, only one players from the standby list of National Selector was included in the team and rest 05 was not in the select list of National Selector. Among these 05 players one player was the Son of Honorary Secretary namely Shivam S. Kumar. In the final status report submitted by the Supreme Court Appointed Committee of Administrators, a member of Supervisory Committee Mr. Alwin has admitted the fact that out of 6 players, 05 players were not selected by the National Selector.

Copies of list of players selected by the National Selector and list of players replaced by the Chairman, Senior Selection Committee of BCA are enclosed herewith and marked as Enclosure-2 & 3 respectively to this Report.

04.10.2019 (06.54 pm) : The President of BCA immediately asked the CEO of BCA (as the President of BCA did not have the email ID of the Chairman, Senior Selection Committee of BCA) to seek explanation on the following points from the Chairman, Senior Selection Committee of BCA:

- (a) Was there any demand of replacement from team management of Vijay – Bihar Cricket Association, even if there was a demand of replacement, why not replacement from amongst the stand-byes already selected, was sent.
- (b) Why a player did not figure in even 60 players shortlisted by this very selection committee, Mr. C Krishna was not shortlisted among the 60 players for the purpose.
- (c) Mr. Krishna was also not selected for under 19 team, how all of sudden have been selected for Vijay Hazare team.

(d) If the replacement was made it should be from amongst the stand-byes and as per the proficiency of the player this replacement.

Copy of email dated 04.10.2019 is enclosed herewith and marked as Enclosure-4, to this Report.

05.10.2019 (10:31 am) : Chairman, Senior Selection Committee of BCA sent his explanation on official email of BCA, addressed to the President and CEO of BCA. This explanation by the Chairman, Senior Selection Committee of BCA was forwarded by the Honorary Secretary of BCA vide email dated 05.10.2019 with the endorsement that "I find his reply to your queries and concern regarding the selection/ replacement of player(s) to be highly justifiable and factual".

Thus, it is an admitted case of 'Conflict of Interest'.

Copy of email sent by the Honorary Secretary of BCA alongwith explanation by Chairman, Senior Selection Committee, both dated 05.10.2019 are enclosed herewith and marked as Enclosure-5 to this Report.

05.10.2019 (05:34 PM) : The President of BCA sent email to the Chairman, Senior Selection Committee of BCA on his email ID stating therein that his explanation is not satisfactory and made few quarries. This has not been responded by him till date.

Copy of email dated 05.10.2019 sent by the President of BCA is enclosed herewith and marked as Enclosure-6, to this Report.

21.10.2019 (07:56 PM) : The President of BCA also made quarries with respect to replacement of players from the Head Coach and Captain of Vijay Hazare team, who vide his email dated 21.10.2019 informed that he has not demanded any replacement. The Captain informed that he is not aware about the replacement of players.

Copy of email dated 21.10.2019 sent by the Coach and Captain of Vijay Hazare team is enclosed herewith and Enclosure-7, to this Report.

10.10.2019 (03:59 PM) : The President of BCA vide email dated 10.10.2019 asked the Honorary Secretary to issue notices to the members of Committee of Management fixing the date, time, place and Agenda of the meeting. But, the Honorary Secretary of BCA refused to comply the same and thereby disobeyed the direction of the President of BCA.

Copy of email dated 10.10.2019 sent by the President of BCA is enclosed herewith and marked as Enclosure-8, to this Report.

: The Honorary Secretary of BCA taking advantage of his own illegality of not convening the Committee of Management, kept on making huge expenses without the knowledge of any senior office bearers including the President of BCA. Not only that kept on making payment salary to such employees who were not appointed by

the Committee of Management nor there is any approval by the President of BCA. The Honorary Secretary also involved in conspiring with the Senior Selection Committee and has succeeded in replacing players in regular interval.

: It will further be relevant to mention herein that the website being biharcricketassociation.com is the official website of BCA and is also registered as such with BCCI. However, like erstwhile management continued with the unofficial website being biharcricketassociation.in and is uploading all information on this unofficial website itself.

15.11.2019 : Finally, the meeting of Committee of Management was convened on 15.11.2019. In the said meeting beside other decision, a decision in respect to appointment of Ombudsman of BCA was taken in view of order dated 23.10.2019 passed in CWJC No. 3381 of 2019 by which Hon'ble Patna High Court has been pleased to direct for appointment of Ombudsman within two months. In this meeting on the assurance of the Honorary Secretary that he will act in agreement with the members of the office bearers, the act and action done by the Honorary Secretary till that date was approved.

: But since thereafter again the Honorary Secretary commenced his activity without taking into confidence the majority of the members of Committee of Management.

28.12.2019 : The Honorary Secretary in connivance with the office staffs and the CEO of BCA, tried to include the name of Mr. Amikar Dayal in the Committee of Management as players representative. The email dated 28.12.2019 was sent from the email ID of one Chandan Kumar (staff of BCA) recommending the name of Mr. Dayal and the same was accepted by the CEO and accordingly Mr. Dayal was nominated in the Committee of Management, but, no information was ever sent to the President of BCA. Everything was done behind the back of the President of BCA.

Mr. Amikar Dayal could not be included in the Committee of Management (Apex Council) for the reasons that Rule 14 (5) of the Constitution of BCCI and similarly Rule 17 (6) of the Constitution of BCA clearly provides that members nominated in the Committee of Management/ Apex Council shall have only one term.

Mr. Amikar Dayal was the nominated member in the erstwhile Committee of Management and as such could not be nominated for his inclusion in the Committee of Management of BCA for the second term.

Not only that, Rule 14 (3) of the Constitution of BCCI and Rule 17(3) of the Constitution of BCA clearly provides that **a person shall be disqualified from being a Councilor if he or she (d) is a Minister or a Government Servant or holds a public office [except for the nominee under Rule 14 (2)(c) (for BCCI)/ 17(2) (c) (for BCA)].** Under Rule 14(2)(c)/ 17(2)(c), nominee by the Comptroller & Auditor General/ Accountant General of Bihar is nominated in the Apex Council/Committee of Management. Mr. Amikar Dayal is an employee of Food Corporation of India and is posted at Patna.

03.01.2020 (10:39 AM) : The President of BCA asked the Honorary Secretary vide email dated 03.01.2020 to issue notices to all the members for Annual General Body Meeting fixing the date as 31.01.2020, time as 12:30 PM and place of the meeting at 'Aarah'. The President of BCA also requested the Honorary Secretary to discuss the agenda for the meeting. But, the Honorary Secretary refused to discuss the agenda and did not notify the AGM.

Copy of the email dated 03.01.2020 is enclosed herewith and marked as Annexure-9, to this Report.

07.01.2020 : The Honorary Secretary held Press-Conference on 07.01.2020 on the eve Women's International Match during which on a question by the media person, the Honorary Secretary replied that the meeting of AGM shall be held at 'Patna'.

Copy of press release dated 08.01.2020 is enclosed herewith and marked as Enclosure-10, to this Report.

09.01.2020 (04:04 PM) : When the Honorary Secretary did not notified the notification of AGM, then the President of BCA under the Rules of BCA notified the AGM with Agenda on the official website of BCA.

Copy of the email dated 09.01.2020 is enclosed herewith and marked as Enclosure-11, to this Report.

11.01.2020 : The President of BCA as a last indulgence again requested the Honorary Secretary vide email dated 11.01.2020 (04:47 PM) to notify the AGM but in response thereof he vide email dated 11.01.2020 (07:30 PM) put the President of BCA in dock and asked him to stop acting illegally AND notified his own Agenda of AGM to be held at Patna on 31.01.2020

Copy of email sent by the President and Honorary Secretary both dated 11.01.2020 are enclosed herewith and marked as Enclosure-12, to this Report.

22.01.2020 : The two notifications of AGM, confused the Members of BCA and therefore one of the member filed petition before the Hon'ble Ombudsman, who vide order dated 22.01.2020 held that the prerogative of fixing the date, time and place of meeting is with the President of BCA therefore held that the AGM shall be held at 'Aarah'. The direction of the Hon'ble Ombudsman was to upload her order on the website within 24 hours but the Honorary Secretary, Mr. Sanjay Kumar, chose to fault the direction of the Hon'ble Ombudsman and till date her decision has not been uploaded on the website.

Copy of the order dated 22.01.2020 passed by the Hon'ble Ombudsman is enclosed herewith and marked as Enclosure-13, to this Report.

27.01.2020 : Finally, the Honorary Secretary issued fresh notification of AGM with fresh Agenda (with few modification) to be held on 31.01.2020 at Aarah.

Copy of notification dated 27.01.2020 is enclosed herewith and marked as Enclosure-14, to this Report.

31.01.2020 : On the schedule date, time and place fixed by the President of BCA meeting was convened. The Honorary Secretary also reached the venue of the meeting at Aarah but was wanting an assurance that uncomfortable questions shall not be raised against him in the meeting. The Vice-President, Honorary Joint Secretary and senior representative members of BCA tried their best to convince the Honorary Secretary to participate in the meeting and face the House, but in vain and the Honorary Secretary and Honorary Treasurer left the venue of the meeting with all the records of the BCA.

In absence of Honorary Secretary and Honorary Treasurer, the proceeding of AGM commenced as scheduled. Bihar Cricket Association has 38 Full Members and in the AGM dated 31.01.2020, out of 38 Full Members, 34 Full Members were present and the House unanimously decided to **restrain Mr. Sanjay Kumar, Honorary Secretary from discharging the duties of Secretary of BCA and Honorary Joint Secretary of BCA has been directed to take charge of the functioning of Secretary of BCA.** The necessary information in this regard has already been sent to BCCI through email dated 04.02.2020.

Copy of the communication made to BCCI dated 04.02.2020 is enclosed herewith and marked as Enclosure-15, to this Report.

02.02.2020 : The decision of the General Body taken in the meeting dated 31.01.2020 was duly communicated by the CEO of BCA to the Honorary Secretary vide email dated 02.02.2020.

03.02.2020 : In response thereof the Honorary Secretary, Mr. Sanjay Kumar, vide email dated 03.02.2020 wherein he categorically stated that **'It is made clear that I have full faith and believe in the general body and Honorable president of BCA'**.

Copy of email dated 03.02.2020 is enclosed herewith and marked as Enclosure-16, to this Report.

06.02.2020 : In view of the decision taken in the AGM dated 31.01.2020, a notice dated 06.02.2020, sent through email, has been issued to the Honorary Secretary and thereby communicating the decision of the General Body dated 31.01.2020 and has also been requested to hand over the charge to Joint Secretary of BCA, but on one pretext or the another, the Honorary Secretary is continuing to discharge the duties of the Secretary of BCA.

Copy of the email dated 06.02.2020 is enclosed herewith and marked as Enclosure-17 to this Report.

: After the AGM, it came to knowledge of the President of BCA that two players representatives had also reached the venue on the basis of a letter issued by the Indian Cricketers Association. On quarry it was found that the said letter by the Indian Cricketers Association was for the participation of two players representative in the meeting of Apex Council (For the BCA, the Apex Council is Committee of Management) and the knowledge of the letter issued by the ICA was with the Honorary Secretary only and was not communicated properly.

Taking advantage of the letter of ICA, the Honorary Secretary issued press note that the ICA has held the AGM of BCA to be null and void.

Copy of the press-release is enclosed herewith and marked as Enclosure- 18, to this Report.

15.02.2020 : Today i.e. 15.02.2020, the Honorary Secretary on the requisition by the three members of Committee of Management has convened meeting of Committee of Management on 29.02.2020, whereas Rule 18 (6) of Rules of BCA the special meeting of Committee of Management shall be convened by the President. In the present case the requisition has not been forwarded to the President and the meeting of Committee of Management has been convened by the Honorary Secretary himself.

Copy of the notice (email dated 15.02.2020) is enclosed herewith and marked as Enclosure-19, to this Report.

: In the facts and circumstances of the case detailed here-in-above it is requested that final decision with respect to the Honorary Secretary is not taken by the Enquiry Committee appointed by the General Body of BCA, Mr. Sanjay Kumar, Honorary Secretary of BCA shall not be entertained and the Indian Cricketers Association may be requested/directed to communicate with the President of BCA (president.bca.rkt@gmail.com) for any clarification. It is assured that the honor and respect of players shall be in the prime consideration of BCA and its stake holders.

Thanking You,

With Regards,

[Lakesh Kumar Tiwari]
President,
Bhar Cricket Association.

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बिहार क्रिकेट एसोसिएशन के चुनाव अधिकारी के द्वारा नामांकन पत्र जारी किया गया
Date : (20-09-2019)

नए चुनाव अधिकारी के द्वारा बिहार क्रिकेट एसोसिएशन के चुनाव की संसोधित तिथियाँ घोषित..... Date : (20-09-2019)

विजय हजारे के लिए बिहार की टीम घोषित Date : (20-09-2019)

पटना: विजय हजारे एक दिवसीय टूर्नामेंट के लिए बिहार टीम की घोषणा राष्ट्रीय चयनकर्ताओं की टीम जतिन परांजपे और गगन खोदा के द्वारा कर दी गयी. आशुतोष अमन को कप्तान बनाया गया है. टीम इस प्रकार है : 1. आशुतोष अमन 2. शाशीम राठौर 3. केशव कुमार 4. बाबुल कुमार 5. मो . रहमतुल्लाह 6. सचिन कुमार 7. कुमार आदित्या 8. कमलेश कुमार सिंह 9. समर कादरी 10. निक्कू कुमार 11. रोहन कुमार सिंह 12. विकास रंजन 13. विकास यादव 14. उत्कर्ष भाष्कर 15. विवेक कुमार सुरक्षित खिलाडी: 1. रोहित राज 2. पवन कुमार 3. आकाश राज 4. मो सरफराज असरफ 5. अशफान खान कोच : निखलेश रंजन , सहायक कोच : धीरज कुमार , ट्रेनर : गोपाल कुमार और फिजियो : डा अभिषेक

बीसीए चुनाव की नामांकन कार्यक्रम स्थगित, अगला कार्यक्रम बाद में घोषित होगा
Date : (18-09-2019)



गए प्रमाण के आधार पर बीसीसीआई के द्वारा
अयोग्य घोषित खिलाड़ियों की सूची
Date : (06-10-2019)

ए लेवल कोच का परिणाम हुआ जारी
Date : (04-10-2019)

विजय हजारे की टीम में हुआ बदलाव, छह
खिलाड़ी बदले गए Date : (04-
10-2019)

पटना : जयपुर में चल रहे विजय हजारे एक दिवसीय
टूर्नामेंट की टीम में छह खिलाड़ी को बदलने का निर्णय
वरीय चयन समिति (पुरुष वर्ग) के चेयरमैन ज़िशानुल
यकीन के द्वारा लिया गया. जिन खिलाड़ियों को बदला
गया है वो इस प्रकार है : 1. केशव कुमार 2. समर
कादरी 3. रोहन कुमार (चोटिल), 4. . कमलेश 5.
विकाश रंजन 6. कुमार आदित्या इन खिलाड़ियों के
स्थान पर जिनका चयन किया गया है, वो इस प्रकार है :
1. सकीबुल गनी 2. शिवम् एस कुमार 3. शशि शेखर 4.
विपुल कृष्णा 5. सरफराज 6. चिरंजीवी ये सभी
खिलाड़ी 5 अक्टूबर को पटना में रिपोर्ट करेंगे. धन्यवाद
भवदीय संतोष झा मीडिया मैनेजर, बीसीए

सिनीयर महिलाओं के T-20 के लिए ट्रायल 7
और 8 को उर्जा स्टेडियम में Date :
(04-10-2019)