

MINUTES OF THE EMERGENT MEETING OF THE COMMITTEE OF MANAGEMENT HELD ON 28TH OF FEBRUARY, 2020 AND COMMENCED FROM 11:00AM ONWARDS AT 46, PATLIPUTRA COLONY, PATNA UNDER THE CHAIRMANSHIP OF MR. RAKESH KUMAR TIWARY, THE PRESIDENT OF BCA

Attendees: As per the Proceeding Register

The Hon'ble President called the meeting in order.

It was brought to the Notice of the members that since inception of new committee, Mr. Sanjay Kumar, the Hony. Secretary managed and yield his power to get his son selected in the Vijay Hazare Trophy team ignoring the team selected by the National Selectors.

- It was also told to the members that Mr. Sanjay Kumar used to be present along with Mr. Santosh Kumar Jha all along the Selection trials, Trial Matches and even during the Selector's meeting
- Mr. Sanjay Kumar also interfered in the matters of Full Members and illegally constituted/allowed a parallel committee in Jehanabad by nominating his close relative as office-bearer.
- Declined to abide by the concurrence of the President in regard to the Venue of the Annual General meeting to be held at Hotel Aditya Inn, South Ramana Road, Ara. He on his own notified it at some other place.
- Mr. Sanjay Kumar even defied the orders dated 22.01.2020 of Hon'ble Ombudsman in this regard.
- Mr. Sanjay Kumar reached the place of the meeting, but, did not attend. He even carried all the documents, records, reports etc. with him.
- General body restrained Mr. Sanjay Kumar from discharging his duty and decided that Mr. Kumar Arvind, being the Honorary Joint Secretary, shall function in his place. Mr. Kumar Arvind was also allowed to be the authorized signatory along with Honorary Treasurer in transaction of BCA's Bank Account.
- Mr. Sanjay Kumar through his contrary notices and information, created a chaos among the Full Members regarding the AGM. He tried his level best to stop and disturb the Bank operation. In spite of the decision of the General body. He has not handed over anything to the new incumbent i.e. Mr. Kumar Arvind, the Hony. Joint Secretary till this day.
- Mr. Sudhir Kumar Jha, CEO informed the members how was he insulted over phone with threats and abusive language by Mr. Sanjay Kumar.
- Mr. Dilip Singh, the vice president informed the members about Mr. Sanjay Kumar's whimsical way. Mr. Singh said that Mr. Sanjay Kumar not only violated the Rules and Regulations of Bihar Cricket Association, but, also ignored the suggestions of other members of the Committee of Management time and again. He gave away Work Orders

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to the Vendors and even made appointments without approval. His act was autocratic, whimsical, unauthorized and without any reason or rhyme.

The chairman of the 5 member enquiry committee constituted by the General Body was requested to come in the meeting hall. Mr. Sanjay Kumar Singh, the chairman of the 5 member enquiry committee presented the INTERIM REPORT which is attached herewith

To,
The President
Bihar Cricket Association
Patna

Sub: INTERIM REPORT -1

Sir,

The 5 Member Enquiry Committee issued 3 Notices to all the concerned for presenting the required papers, documents, records and other information. The 5 Member Enquiry committee has met twice in the meantime.

No records, requisitions, vouchers, documents have been received by us yet.

(1) The CEO stated that during a meeting of the staffs, they refused to sign and said that Mr. Sanjay Kumar, the Alleged Secretary has instructed them to not give any information to why one without his instruction.

(2) Mr. Sanjay Kumar, the Honorary Secretary is not cooperating in the Enquiry and it is also evident from his reply to Notice dated 18.02.2020 vide his mail. His communication to the staff of BCA is also evident that he is hell bent to not cooperate with the 5 Member Enquiry committee. Moreover, it was also reported to this committee by CEO regarding threats and abusive language used by Mr. Sanjay Kumar. The action of Mr. Sanjay Kumar is strongly condemned by this committee and suggests to Mr. Sudhir Kumar jha, CEO to take legal action or whatever he deems fit to be taken in this matter.

Therefore, the Enquiry in to allegations of 'Financial Irregularities' requires to be reported only after receiving the requisite records, documents etc.

"Conflict of Interest"

(1) The matter has also been mentioned in the COA's Report submitted before the Hon'ble Supreme Court.

(2) The matter was earlier enquired by the office of the President of BCA

(a) The answer to President's enquiry was called from the chairman of Sr. Selection committee, but, uninviably justified by Mr. Sanjay Kumar

(b) It is confirmed that Mr. Shivam S. Kumar is the son of the Secretary of BCA who was included in the Vijay Hazare team along with 5 other players

(c) The clarification of the Chairman, Sr. Selection Committee to the Enquiry by the President, BCA, is found to be misleading, false and concocted.

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(d) The inclusion of 6 players in the Vijay Hazare team was uncalled for (Coach and Captain of the team refused to the claim made by the Chairman, Sr. Selection committee)

Conclusion: It is found with the evidences (trailing mails) that the 5 players out of the 6 changes in the Vijay Hazare team were out of the players selected by the National Selectors. The selection of Mr. Shivam S. Kumar, the son of Mr. Sanjay Kumar (the Honorary Secretary of BCA) was out of turn, biased and an example of favoritism, thus, leading to "Conflict of Interest". It was also found that Mr. Sanjay Kumar along with Mr. Santosh jha and few others used to be physically present during Selection trials, Trial matches and Selectors meeting. When the President of BCA was contacted, he presented the copies of the complaints received by his office against Mr. Sanjay Kumar and his Action taken Reports.

Action/S recommended: (1) BCA must take immediate action to stop any payments to Mr. Shivam S. Kumar.(2) Action against Mr. Sanjay Kumar (the Honorary Secretary) be taken for " Conflict of Interest" , because, he knowingly conspired to the selection of his own son in the state team by his influence. Mr. Sanjay Kumar's involvement in influencing the Selection committee and getting his son selected is also a criminal act. Therefore, suitable legal action be taken.

This is 5 member Enquiry committee's INTERIM REPORT and the findings are prima facie.

With Regards!

(Sanjay Kumar Singh)

For & On behalf of

5 member Enquiry committee constituted
by BCA's General Body

- (1) The Members unanimously adopted the report and decided to write to the Board to immediately stop/withheld any payment/ all benefits of Match Money to Mr. Shivam S. Kumar till submission of final report of the Enquiry committee. It was also decided to extend the tenure of the 5 member Enquiry committee constituted by the General Body in the present circumstances till Final Report is given by them. It was also decided that for availability of information sought by the committee, Mr. Sudhir Kumar Jha, CEO is authorized to take all suitable and legal action.
- (2) The Members also discussed about the absence of Mr. Amiker Dayal and Ms. Kavita Roy (representatives of ICA). The Chairman informed the house that proper information of this meeting has already been sent to the ICA as well as both the representatives through mail and phone. (Mr. Ashok Malhotra had verbally assured about the participation of ICA representatives on phone)
- (3) The Members unanimously decided to authorize Mr. Sudhir Kumar Jha, the CEO to apprise the Hon'ble Ombudsman/ Ethics Officer, BCCI and all concerned about the

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INTERIM REPORT of the 5 member Enquiry Committee and specially the part of the report concerning "Conflict of Interest with criminal conspiracy" of Mr. Sanjay Kumar.

The members were unanimous for actions to be taken by CEO as authorized to him by the General Body. CEO was asked to take proper/legal action against the web designer (Mr. Mrityunjay Sharma) of <https://biharcricketassociation.in> for violating the terms & conditions of the mutual agreement signed by CEO for & on behalf of Bihar Cricket Association. The uploading of wrong and misleading Notice/Information under the signatures of Mr. Sanjay Kumar and Mr. Santosh Jha and connivance of the web designer be suitably taken care of.

- (4) The members were informed about the status of the BCA office and it was brought to the notice that there is no agreement with the land lord and the office has been locked by Mr. Sanjay Kumar since 31st of January, 2020.

The members unanimously decided and authorized the CEO to take suitable action to get the office opened in presence of police/ authorities.

- (5) It was also decided to shift the BCA office to new premises (1) At Buddha Marg, Near Ashok Cinema, Patna @85,000/- pm rent +electricity bill + Maintenance and (2) 404, Manav Enclave, Near Alpana Market, Patna @25,000/ pm rent + Electricity bills + Maintenance (negotiated by Mr. Kumar Arvind) The furnishings & Office equipments to be procured from/by GEM PORTAL.
- (6) The members unanimously agreed to schedule the SPECIAL GENERAL BODY MEETING followed by GENERAL BODY MEETING on 27th of March, 2020 from 11:00 AM onwards at Hotel Republic, Exhibition Road, Patna. The Notice and Agenda of the meeting/s will be served upon within stipulated time frame and as per the relevant clause/s of the Rules & Regulations of the Bihar Cricket Association.
- (7) The members unanimously agreed to the initial proposal tabled by Mr. Subir Chandra Mishra for conduct of Inter-District Tournaments.
- (a) Score card (online scoring through portal) of every match and performance of players shall be collected and preserved for future programme LIKE State Trial/camp etc
 - (b) Venues and other details shall be published along with the fixture.
 - (c) The payments to the participating teams and host shall be reimbursed as per the BCA's policy.
 - (d) Posting of Umpires and Match officials shall be made with consultation of the COM through CEO.

The meeting ended with thanks to the chair.

Rakesh Kumar Singh