

**BEFORE HON'BLE MR. JUSTICE L. NAGESWARA RAO
FORMER JUDGE, SUPREME COURT OF INDIA
OMBUDSMAN, BIHAR CRICKET ASSOCIATION**

BCA/Ombudsman/6 of 2025

Aditya Verma	Versus	...Complainant
Bihar Cricket Association		...Respondent

With

BCA/Ombudsman/7 of 2025

Amit Kumar	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

With

BCA/Ombudsman/8 of 2025

Sanjay Kumar & Anr.	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

With

BCA/Ombudsman/9 of 2025

Sunil Kumar Singh	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

With

BCA/Ombudsman/14 of 2025

Manoj Kumar	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

With

BCA/Ombudsman/16 of 2025

Rupesh Kumar Jha	Versus	...Complainant
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Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/17 of 2025

Classic Cricket Club & Ors. ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/18 of 2025

Kanchan Kumar ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/19 of 2025

Kumar Rupesh Ranjan ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/20 of 2025

Vishnu Kumar ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/21 of 2025

Mohammad Alam ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/22 of 2025

Parmendra Kumar Singh ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/23 of 2025

Rohit Raj ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/24 of 2025

Hemant Kumar Jha ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/25 of 2025

Amit Kumar ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/26 of 2025

Manoj Kumar ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With

BCA/Ombudsman/27 of 2025

Anand Kumar ...Complainant

Versus

Bihar Cricket Association & Ors. ...Respondent

With
BCA/Ombudsman/28 of 2025

Vinit Kumar Rai	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

With
BCA/Ombudsman/29 of 2025

Ankush Kumar	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

And
BCA/Ombudsman/30 of 2025

Pankaj Kumar Chaudhary	Versus	...Complainant
Bihar Cricket Association & Ors.		...Respondent

Appearance:

On Behalf of Complainant:

In BCA/Ombudsman/Complaint No. 6 of 2025

1. Mr. Abhinav Srivastava, Senior Advocate
2. Mr. Kartik Pandey, Advocate

In BCA/Ombudsman/Complaint No. 7 & 30 of 2025

1. Mr. Ashhar Mustafa, Advocate
2. Mr. Talib Mustafa, Advocate

In BCA/Ombudsman/Complaint No. 8 & 23 of 2025

1. Mr. Rajesh Kumar Singh, Senior Advocate
2. Mr. Ambrish Kumar, Advocate

In BCA/Ombudsman/Complaint No. 9 of 2025

1. Mr. Sunil Kumar (Party in Person)

In BCA/Ombudsman/Complaint No. 16, 19, 20 & 29 of 2025

1. Mr. Abu Nasar, Advocate

In BCA/Ombudsman/Complaint No. 17 of 2025

1. Mr. Alok Kumar, Advocate
2. Mr. Animesh

In BCA/Ombudsman/Complaint No. 18 of 2025

1. Mr. Abhinav Srivastava, Senior Advocate
2. Mr. Abu Naser, Advocate

In BCA/Ombudsman/Complaint No. 21 & 25 of 2025

1. Mr. Ashhar Mustafa, Advocate
2. Mr. Vikas Kumar Jha, Advocate
3. Ms. Anita Kumari, Advocate

In BCA/Ombudsman/Complaint No. 22 of 2025

4. Mr. Kanishka Sharma, Advocate

In BCA/Ombudsman/Complaint No. 24, 26 & 27 of 2025

1. Mr. Kumar Kaushik, Advocate
2. Ms. Namrata Dubey, Advocate

In BCA/Ombudsman/Complaint No. 28 of 2025

1. Ms. Surabhi Sanchita , Advocate

On behalf of Respondent (Bihar Cricket Association):

In BCA/Ombudsman/Complaint No. 6, 7, 8, 9, 14 & 16 to 30 of 2025

1. Mr. Atmaram N.S. Nadkarni, Senior Advocate
2. Mr. Salvador Santosh Rebello, Advocate
3. Ms. Manisha Gupta, Advocate
4. Ms. Kritika, Advocate
5. Mr. Navjyot Yesu

ORDER

1. On 12th August 2025, the Supreme Court of India passed an order in Special Leave Petition (C) No.21132-21133 of 2025, appointing me as the Ombudsman of the Bihar Cricket Association. By the said order, I was also asked to have a formal meeting with the stakeholders and to work out the modalities for the smooth functioning of the Bihar Cricket Association (hereinafter referred to as the 'BCA').
2. After receiving the said order passed by the Supreme Court, I contacted the CEO, Mr. Manish Raj and summoned all the pending Complaints which were filed before the erstwhile Ombudsman.
3. I met Mr. Aditya Prakash Verma, Mr. Amit Kumar and Mr. Rakesh Kumar Tiwary, the President of Bihar Cricket Association separately. Several allegations were made by Mr. Aditya Prakash Verma and Mr. Amit Kumar against Mr. Rakesh Kumar Tiwary, President of the BCA. They accused the President of committing serious irregularities and malpractices in the functioning of the BCA. They were informed that they have the liberty to file Complaints which would be considered in accordance with the Rules and Regulations of BCA.
4. Mr. Aditya Verma, Mr. Amit Kumar and Mr. Sanjay Kumar filed Complaint Nos.6, 7 and 8 of 2025 on 05.09.2025, 08.09.2025 and 09.09.2025, respectively for the following reliefs:

Complaint No. 6:

“a. An immediate declaration that the appointment of Dr. M. Modassir (IAS Retd.) as Electoral Officer is illegal, void ab initio, and in violation of Rule 37(1) of the BCA Constitution;

- b. Interim measures to stay any electoral proceedings until this Complaint is resolved, to prevent irreparable harm to the Association's integrity;*
- c. Declare Election Notification dated 04.09.2025 void ab initio;*
- d. Declare the Election of Office Bearer of the Bihar Cricket Association void ab initio;*
- e. Implement the Order dated 25.08.2023 passed by the Ld. Ombudsman in Complaint No. BCA 03 of 2023;*
- f. As an interim measure, restrict the current office bearer of the Bihar Cricket Association from taking any administrative decision;*
- g. Any other reliefs as deemed fit in the interest of justice and fair governance."*

Complaint No. 7:

- "i. For issuance of appropriate direction to set aside the notification dated 04.09.2025, by which Election Schedule for the Office Bearers of Bihar Cricket Association (hereafter referred as 'BCA') has been published under the signature of Dr. M. Modassir (Retd. IAS), Electoral Officer, BCA (hereafter referred as 'Respondent No. 3').*
- ii. For issuance of appropriate direction to set aside the appointment of Dr. M. Modassir (Retd. IAS) as Electoral Officer, BCA (which fact surfaced only on publication of impugned notice dated 04.09.2025) to ensure free, fair and transparent election of BCA as his conduct by far has been partisan and there are unimpeachable materials to demonstrate that he has been acting as a tool in the hands of Rakesh Kumar Tiwari (hereafter referred as 'Respondent No. 4").*

- iii. For issuance of appropriate direction to set aside notice dated 04.09.2025, by which notification of Annual General Meeting (hereafter referred as 'AGM') of BCA to be held on 28.09.2025 has been issued under the signature of one Ziaul Arefin (hereafter referred as 'Respondent No. 5'), claiming to be the Secretary of BCA.
- iv. For issuance of appropriate direction to restrain Respondent No. 5 from transacting any business of BCA, for he is unlawfully presenting himself as the Secretary of BCA when the Complainant alone is duly elected Honorary Secretary of BCA. The election was held on 25.09.2022, which result was published on 03.10.2022 with the leave of Hon'ble Supreme Court in which the Complainant was elected as Honorary Secretary for a period of three years.
- v. For Issuance of appropriate direction to stay the operation of the impugned notification(s) / notice(s) with further prayer to restrain Respondent No. 3 and 5 from discharging any function in the capacity of Electoral Officer or Secretary of BCA during the pendency of the present Complaint proceeding.
- vi. For grant of any other relief in the interest of justice, equity and good conscience."

Complaint No. 8:

“(i) To quash/set aside the notification dated 04.09.2025 issued by the Respondent No. 2 by which Annual General Body meeting of Bihar Cricket Association has been convened on 28.09.2025 wherein one of the agenda is for

holding election under Rule 10(2) and 30 (2) (i) of the Constitution of Bihar Cricket Association.

(ii) To quash/set aside the notification dated 04.09.2025 issued by the alleged Electoral Officer, Bihar Cricket Association (Respondent No. 5) by which Election Schedule for season 2025-28 has been published.

(iii) To direct the Bihar Cricket Association to hold the general body meeting of Bihar Cricket Association by inviting the representatives of genuine/legally constituted committee of management of full members and associate members/life members as the Respondent No. 4 has altered the electoral college of majority of full members having voting rights.”

5. The Complaints were forwarded to BCA and a hearing was scheduled to be conducted on 09.09.2025.

6. The Complainants contended that the election notification dated 04.09.2025 requires to be stayed as the said notification was issued in undue haste. It was further contended that the appointment of the Electoral Officer was not in accordance with the BCA Rules and Regulations of 2025.

7. The Learned Senior Counsel for the BCA raised an objection to the maintainability of the Complaints on the ground that Mr. Verma and Mr. Kumar are not full members of the BCA and the Complaint at the behest of non-members is not maintainable.

8. The BCA was given an opportunity to file a counter to the two Complaint nos. 6 and 7 of 2025. The Complaints were directed to be taken up for hearing at 5:00 PM on 15.09.2025 through virtual conference. I expressed my prima facie opinion that the further

proceedings pursuant to the election notification dated 04.09.2025 cannot be stayed at that stage.

9. Complaint Nos. 6, 7 & 8 were taken up for hearing on 15.09.2025. The Complainants argued that the election notification dated 04.09.2025 was issued in violation of the procedure prescribed in Rule 34 and 35 of the Rules and Regulations, 2025 of the BCA. Amended Rules and Regulations, 2025 were registered only on 01.07.2025. Without framing the rules of procedure for conducting elections as per Rule 34, the election notification was issued on 04.09.2025.

10. The Complainants argued that the Ombudsman has ample power to interfere with the election notification and in view of gross illegalities committed by the President of BCA, the election scheduled on 28.09.2025 to the Committee of Management, BCA needs to be stayed.

11. The Learned Senior Counsel for the Respondent (BCA) countered the submissions of the Complainants by contending that the Ombudsman does not have jurisdiction to interdict the election process. The Electoral Officer has been conferred with the power to conduct the elections in accordance with the election notification and any orders passed by him in relation to the election process etc. are final. In any event, according to BCA, the Ombudsman does not have the power to pass interim orders during the pendency of the Complaints staying the election notification.

12. The Respondent further argued that, the Supreme Court has given directions to conduct elections to the committee of managements of State Cricket Associations every 3 years. The term of the present elected committee comes to an end on 03.10.2025. Hence, the elections cannot be interfered with at this step.

13. As the nomination of full members of the BCA were to be received by the Electoral Officer between 13th to 16th September, 2025 and the voters list had to be finalized on 19.09.2025, the Ombudsman kept the Complaint Nos. 6 & 7 pending. Liberty was given to the parties aggrieved by non-inclusion in the voters' list or inclusion of ineligible persons in the voters' List to approach the Ombudsman after the voters' list was finalized by the Electoral Officer on 19.09.2025.

14. The hearing in Complaint Nos.6 & 7 of 2025 was directed to be held on 21.09.2025 and it was made clear in the order that the issues of jurisdiction and the power of the Ombudsman to interfere with the election notification dated 04.09.2025 would be dealt with after hearing the parties on 21.09.2025.

15. The voters' list was finalized by the Electoral Officer on 19.09.2025. The Ombudsman also received Complaint Nos.9 to 30 of 2025. Copies of all the Complaints were sent to the BCA. Complaint Nos. 10, 11, 12, 13 & 15 received by the Ombudsman relate to issues other than the challenge to election notification dated 04.09.2025 and therefore they will be heard and adjudicated upon, after BCA files its response to the said Complaints.

16. On 20.09.2025, the hearing could not take place as the email account of the Ombudsman was suspended by Google for undisclosed reasons due to which the Ombudsman could not open the files relating to the Complaints sent with the emails. Another email account was opened by the Ombudsman, and the Complainants were asked to send their Complaints afresh. The BCA was asked to file their replies to the Complaints before noon on 23.09.2025.

17. A hearing was conducted in Complaint Nos. 6 – 9, 14 & 16 - 30 of 2025 on 23.09.2025 from 5:00 pm to 07:30 pm virtually. The hearing continued on 24.09.2025 between 04:00 pm to 06:00 pm and on 25.09.2025 between 09:00 am to 10:00 am. During the course of

hearing from 23rd to 25th September, 2025, the Learned Counsel appearing for the Complainants contended that the election to the Committee of Management cannot be permitted to continue as the entire process was initiated in violation of the Bihar Cricket Association Rules and Regulations, 2025¹.

18. Further, the Learned Counsel appearing in Complaint Nos.9, 14 & 16 to 30 of 2025 contended that the Complainants have not been included in the voter's list because of manipulation by the President and the present Committee of Management. Though the facts are different in the Complaints, broadly the Complainants contended that they were elected office bearers of the District Cricket Associations in the elections conducted in 2022 and that they had been arbitrarily displaced by Ad-hoc Committees appointed by the Committee of Management. Ineligible persons have been nominated to represent the District Cricket Associations. They argued that their Complaints have to be decided after a detailed inquiry is conducted by the Ombudsman and, in the meanwhile, the election to the Committee of Management of the BCA should be stayed.

19. The Learned Senior Counsel for the BCA reiterated his submissions which were made during the course of the earlier hearings on 9th and 15th September 2025.

20. The Complainants and the BCA were informed by the Ombudsman that all the Complaints shall be heard on merits after the completion of the pleadings. They were requested to make their submissions on the relief pertaining to stay of the election notification of 04.09.2025. Though the Complainants in Complaint Nos.9, 14 & 16 to 30 were also heard, their submissions are not being referred to in this order as the said Complaints will be adjudicated later after the BCA files its response to the said Complaints.

¹ for short, the Rules of 2025

21. The Learned Counsel for the Complainants submitted as follows:

- a) The BCA Amended Rules and Regulations, 2025 cannot be acted upon till they were registered by the Registrar of Societies.
- b) No Rules of Procedure for conducting elections have been made by the General Body in accordance with Rule 34 of the Amended Rules and Regulations, 2025.
- c) The Resolutions dated 19.01.2025 and 25.05.2025 only relate to eligibility of the office bearers of the BCA to contest the election. They are not the Rules of Procedure as provided for in Section 34 of the Amended Rules and Regulations, 2025 of the BCA.
- d) The Ombudsman has ample power to pass appropriate orders in the Complaints filed before him. There is no restriction on the types of disputes and differences that can be decided by the Ombudsman.
- e) The Electoral Officer is temporarily appointed to conduct the elections, unlike the Ombudsman who holds office for a period of one year at a time subject to maximum of three years.
- f) The Electoral Officer has not been given the power to decide the correctness of inclusion of persons in the voters' list.
- g) The present Committee of Management illegally interfered with the elected committees of the District Cricket Associations and managed to have their own people being nominated from several District Cricket Associations to become full members of the BCA.

22. The contentions of the Respondent are as follows:

- a) The Rules and Regulations of 2022 of BCA were framed on the basis of the orders passed by the Supreme Court of India. There were certain amendments that were proposed by the Committee of Management which were also placed before the Supreme Court. The Supreme Court approved the Rules proposed by the BCA which were finally registered on 01.07.2025.
- b) On the basis of the recommendations made by the Committee of Administrators headed by Justice R.M. Lodha, former Chief Justice of India, an independent disputes resolution mechanism was incorporated in the Rules and Regulations of the State Cricket Associations and power was conferred on the Ombudsman to redress the grievances of the members tournament franchises, officials and Cricket Player Association.
- c) Likewise, the Rules provided for the appointment of an Ethics officer who would deal with conflict of interest of the members of the Committee of Management. The election to the Committee of Management is required to be conducted by an Electoral Officer. The Learned Counsel for the Respondent contended that there is a clear demarcation of the powers between the Ombudsman, Ethics Officer and the Electoral Officer in the Amended Rules and Regulations of 2025. The Ombudsman does not have the power to interfere with the election process as it is entirely within the domain of the Electoral Officer.
- d) Even Courts of law would not normally interfere with the election process once a notification has been issued.
- e) In any event, interim orders cannot be passed by the Ombudsman staying the elections.

- f) Rules of procedure that are provided for in Rule 34 of the Amended Rules and Regulations, 2025 have been confirmed by the BCA on 25.05.2025, pursuant to the resolution of the Annual General Meeting on 19.01.2025.
- g) The Electoral Officer framed Rules of Procedure for conducting the election on 04.09.2025. The Learned Senior Counsel also brought to the notice of the Ombudsman that similar Rules of Procedure have been framed by the Electoral Officer of the Punjab Cricket Association on 25.06.2025.
- h) Rules of Procedure for conducting elections were framed by the Electoral Officer on 07.09.2022 before the earlier elections which were held to COM on 25.09.2022.

Findings

23. As stated in the earlier paragraphs, the scope of the present proceedings relates to the notification dated 04.09.2025 by which, a schedule has been prepared for election to the Committee of Management to be conducted on 28.09.2025.

24. Pursuant to the directions issued by the Supreme Court of India, all State Cricket Associations were required to amend their Rules and Regulations to bring them in accord with the recommendations made by the Committee of Administrators of the BCCI as per the recommendation of the Justice Lodha Committee. The BCA framed Rules and Regulations of 2018, incorporating the recommendations made by Justice Lodha Committee. The said Rules were amended in the year 2022, pursuant to the directions of the Supreme Court of India to all State Associations of the BCCI. Elections were conducted in September 2022 on the basis of the Rules and Regulations of 2022. There were further modifications that were suggested by the Annual

General Meeting of the BCA which led to further amendments to the Rules and Regulations which were placed before the Supreme Court for its approval. After the Supreme Court of India granted its approval, the Amended Rules and Regulations of 2025 were registered with the Registrar of Societies on 01.07.2025.

25. The tenure of the Committee elected in September 2022 comes to an end on 03.10.2025. An election notification was issued on 04.09.2025. On the same day, the Electoral Officer also notified the Rules of Procedure for conducting the elections to the Committee of Management.

26. On 19.01.2025, a resolution was passed by the AGM in the following terms:

“The representative nominated by the District Cricket Association/ Full member could either be the office bearer of the full member which includes only President, Vice President, Secretary, Joint Secretary and Treasurer or the Current Office Bearer or Governing Council Members of the Bihar Cricket Association (2022-2025) eligible to contest General 2025. The power and decision to nominate such representative shall fully vest with the valid Full Members”.

The said resolution was confirmed by the AGM on 25.05.2025. I do not agree with the submissions made on behalf of the BCA that the said resolutions are the Rules of Procedure as prescribed in Rule 34 of the Amended Rules and Regulations of 2025. The aforesaid resolution to include members of the Governing Council of the BCA in the list of eligible members to contest elections cannot be said to be the Rules of Procedure for conducting elections. Though there is no express power conferred on the Electoral Officer to frame Rules of Procedure to conduct elections in Rule 34, there is no bar for Rules to be made by

the Electoral Officer for conducting the election. The Electoral Officer framed rules of Procedure for the earlier elections in 2022. In the recent elections to Punjab Cricket Association also, Electoral Officer made the rules of procedure for conducting elections.

27. The Rules of Procedure would govern the election to be held pursuant to the notification dated 04.09.2025. The Complainants contended that election notification dated 04.09.2025 requires to be stayed due to non-compliance of the Rule 34 which provides for Rules of Procedure to be framed by the General body and any amendments to be made to the procedure 3 months prior to the election. I have already disagreed with the Respondent that the resolutions dated 19.01.2025 and 25.05.2025 are indeed the Rules of Procedure contemplated by Rule 34. However, I am of the view that the election notification cannot be stayed for the reasons given in the following paragraph.

28. According to Rule 44, the Ombudsman can decide all types of disputes and differences arising between or among the BCA, its members, Tournament Franchises, Zones and the Cricket Players Association. That apart, any Complaints against the member or any administrator of BCA can also be referred to the Ombudsman. Further, any acts of indiscipline or misconduct or violation of any Rules and the Regulations by any player, employer, officials, selector or any person associated with the BCA can also be taken up by the Ombudsman. The Complaints made by the public against the BCA are also within the jurisdiction of the Ombudsman. There is no merit in the contention of the Complainants that the Ombudsman has jurisdiction to interfere with the election process which has been initiated by the notification dated 04.09.2025. It is clear from Rule 35 that the Electoral Officer has been conferred with the power relating to finalisation of the voters' list and the nominations for elections to the Committee of Management

and his decision is final. The Ombudsman has not been given any supervisory authority over the Electoral Officer. The Ombudsman does not have any appellate jurisdiction over the Electoral Officer.

29. In view of the above, the request made by the Complainants to stay the elections scheduled to be held on 28.09.2025 is rejected.

30. The *locus standi* of the Complainants in Complaint Nos.6, 7 and 8 of 2025 shall be decided at a later date to be fixed by the Ombudsman.

31. The BCA is directed to file its replies in Complaint Nos.9 to 30 within a period of four weeks from today. The Complainants are at liberty to file their responses to the reply that may be filed by the BCA within a period of two weeks thereafter. The Complainants are directed to implead the affected parties in their Complaints and furnish copies of the Complaints to them within a period of two weeks from today. The persons who are added as Respondents in the Complaints are at liberty to file their responses within a period of 2 weeks from the date they receive copies of the Complaints.


32. The parties are at liberty to bring on record any additional material in support of their respective Complaints.

33. It is hereby clarified that the official email ID of the Ombudsman, BCA is bca2025.ombudsman@gmail.com.

34. The Secretary, BCA is directed to notify this order on the website of the Bihar Cricket Association.

Ordered accordingly

Date: 26.09.2025


Justice. L. Nageswara Rao
Former Judge, Supreme Court of India
Ombudsman
Bihar Cricket Association