

No. CEA-12011/36/2024
Government of India
Ministry of Cooperation
The Co-operative Election Authority

9th Floor, Tower-E, World Trade Center,
Nauroji Nagar, Delhi-110029
Dated: 22nd July, 2024

ORDER

Whereas, in exercise of the powers conferred by section 45K (1) of the Multi State Co-operative Societies (MSCS), Act 2002 (as amended from time to time) read with rule 19F(a) of the MSCS Rules, 2002, the Co-operative Election Authority (CEA) appointed District Magistrate, Patna, Bihar, as Returning Officer (RO) on 21.12.2023 for conduct of Elections of the Bihar State Cooperative Marketing Union Ltd (BISCOMAUM) and enclosing there with the Election programme (14.05.2024 to 11.06.2024). The election program was later on revised on the request of RO from 18.06.2024 to 11.07.2024 as the earlier dates were overlapping with General Lok Sabha Elections, 2024 in Patna.

Whereas, vide letter no-LIV/03/2024/1479 dated 2.7.2024, the Returning Officer requested the Cooperative Election Authority to cancel the elections of the BISCOMAN citing reasons inter-alia, that the Managing Director (MD) of the BISCOMAUN had not shared accurate information and records regarding proposed amendment of Bye-Laws no. 27 purporting to increase numbers of elected Directors from 17 to 21. It was also stated by the RO that election process had been commenced to elect 21 Board of Directors of BISCOMAUN. However, the proposal to increase number of directors and the amendment in Bye-Law no. 27, was rejected by the competent authority i.e. the Central Registrar of Cooperative Societies (CRCS). Therefore, RO recommended that continuation of elections which were based on unapproved Bye-Laws will not be as per the MSCS Act, 2002 (as amended from time to time) and Rules framed there under.

Whereas, considering the request of the Returning Officer, the CEA vide its letter no. CEA/12011/36/2024 dated 10.07.2024 postponed the election process and later decided to seek a detailed report on the matter from RO vide letter no. CEA/12011/36/2024 dated 12.07.2024.

Whereas, the report of the RO sent vide letter no. LIV-03/2024/1632/ Patna, dated 19.07.2024 in response of CEA/12011/36/2024 dated 12.07.2024 asking for detailed report, inter-alia indicated about lack of transparency in preparation of delegate list, delay in



disclosure of eligibility criteria for election of a delegate. RO also reiterated his recommendations for cancelation of elections of BISCOMAUN in the interest of conducting free, fair & transparent elections.

The Cooperative Election Authority considered all available material with it, Report of the Returning officer dated 19.07.2024 and various provisions of the MSCS Act & Rules (as amended from time to time) and came to the conclusion that the process and attempt to conduct elections have failed as MD/ Board of Director have not extended necessary assistance as required under Section 123 of the MSCS Act and as per provision of Section 45 of the MSCS Act. Now, elections of the BISCOMAUN cannot be held as per the program issued and therefore, the Authority decided to cancel the elections process for Board of Directors and Office Bearers of BISCOMAUN.



This issues with the approval of Cooperative Election Authority

Ved Prakash Dwivedi
(Assistant Registrar)

वेद प्रकाश द्विवेदी / VED PRAKASH DWIVEDI
सहायक निबंधक / Assistant Registrar
भारत सरकार / Government of India
सहकारिता मंत्रालय / Ministry of Cooperation
आर्य समाज भवन / Arya Samaj Bhawan
लखनऊ रोड, नई दिल्ली / Lucknow Road, New Delhi - 110003

To,

**Returning Officer & DM (Patna),
96, Mazharul Haque Path,
Rajapur, Raja Ji Salai, Indira Nagar,
Patna, Bihar – 800 001
E-Mail ID – ddc-patna-bih@nic.in**

Copy to: -

1. The Chief Executive Officer/ Managing Director, Bihar State Cooperative Marketing Union Ltd, 6th Floor, BISCOMAUN Tower, West Gandhi Maidan, Patna, Bihar – 800 001. E-Mail ID – biscomaun@gmail.com & info@biscomaun.co.in
2. Secretary (Ministry of Cooperation), AAU Bhawan, Delhi-110003
3. Central Registrar of Cooperative Societies, WTC, Nauroji Nagar, New Delhi
4. NIC- for uploading on CRCS & MoC website.