

No. CEA-12011/25/2024
Government of India
Ministry of Cooperation
Office of Co-operative Election Authority

9th Floor, Tower-E, World Trade Center,
Nauroji Nagar, Delhi-110029
Dated: 19th February, 2025

To

District Magistrate (Patna) & RO of BISCOMAUN,
96, Mazharul Haque Path, Rajapur, Raja Ji Salai, Indira Nagar,
Patna, Bihar – 800 001
E-Mail ID – ddc-patna-bih@nic.in

Sub.: Election program for the Office Bearers of the Bihar State Cooperative Marketing Union Ltd, BISCOMAUN-reg.

Sir,

I am directed to refer to your letter no. 263 dated 01.02.2025 regarding election of Board of Directors.

2. As you aware, the election of 17 Board of Director of BISCOMAUN have been successfully concluded on 03.02.2025.

3. In the meantime, the Govt. of Bihar has nominated 3 representatives on the Board vide notification no. 1081 dated 31.01.2025 under Section 48 of MSCS Act. As per the letter of Govt. of Bihar, share capital of Bihar & Jharkhand in BISCOMAUN is Rs. 19.76 crore out of which share capital of Bihar govt. is Rs 19.61 crore, which is about 99.26%. **(Annex-I)**

4. The Govt. of Jharkhand has requested on 05.02.2025 to Govt. of Bihar to re-consider the nomination of representative on the Board of Directors of BISCOMAUN as there was no consultation with the Govt. of Jharkhand. **(Annex-II)**

5. The MD, BISCOMAUN has submitted a reply dated 12.2.2025 stating that as per the books of account, the issued share capital is Rs. 30,86,18,506 and out of it, Bihar & Jharkhand share is Rs 30.61 crore (98.63%) and share capital of all societies (Group A & Group B together) is Rs 42.38 lakh. There are 1116 members in Group "A" and 525 members in Group 'B'. There is no share capital of NCDC & NABARD. **(Annex-III)**

6. As regards, your reference no. 233 dated 28.01.2025 seeking clarification whether nominated Members should be permitted to participate to cast their votes at the time of election, if any, for election of the office bearer. There is no express provision for voting by nominated members except the provision under Section 49 (2) (aa) of the MSCS Act, 2002 which envisage that "the Chairperson & Vice-Chairperson shall be elected from the amongst the elected member of the Board in accordance with the direction of the Authority".



7. Natural justice demands that all equity shareholders should have the right to participate in the democratic process and shareholders should have voting power but there are certain anomalies/gaps in the bye-laws of the BISCOMAUN and Act. As per Bye-Laws No. 5, State Government is a member and since the Govt. of Bihar is the dominant shareholder having equity of more than 98%, the Authority has decided in its meeting held on 17.2.2025 that nominated members should have right to vote.

8. Accordingly, election programme to conduct the election of office bearer w.e.f. 27.02.2025 to 28.02.2025 is attached.

This issues with the approval of Cooperative Election Authority.

Encl: As above



Kang. 19/02/25
(Kamal Nain)
Section Officer

Copy to:

1. The Chief Executive Officer/Managing Director of Bihar State Cooperative Marketing Union Ltd, BISCOMAUN, Biscomaun Tower, West Gandhi Maidan, Patna, Bihar – 800 001. E-Mail ID – biscomaun@gmail.com & info@biscomaun.co.in.

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Dated: 19th February, 2025

Revised Election program of Office Bearer (Chairman-1 & Vice-Chairman)

Attachment of the letter no. CEA-12011/25/2024 dated 19th Feb, 2025 for conduct of election

| (A) General Information | | | |
|--|--|--|------------------|
| Name of MSCS | | Bihar State Cooperative Marketing Union Ltd, BISCOMAUN | |
| Returning Officer | | DM /DC Patna | |
| Number of directors | | 20 Elected- Group A & B: 17 (14 General, 2 Women & 1 SC/ST) Nominated: 3 | |
| Area of Operation | | Bihar & Jharkhand | |
| Polling Booth | | Polling booth to be setup | |
| (B) Revised Election program of Office Bearer (Chairman-1 & Vice-Chairman) | | | |
| 1 | Announcement of Election Schedule I. Time window for filing Nomination II. Scrutiny of nomination papers III. Time window for withdrawal IV. Display of list of the Contesting candidate | 27 th February, 2025 (Thursday) 11:00 am – 11:30 am 11:30 am – 12:00 pm 12:00 pm – 12:30 pm | 11:00 AM Onwards |
| 2 | Meeting of Newly Constituted Board & Publication of List of valid Nominations, Polling (if required) | 28 th February, 2025 (Friday) | 11:00 AM Onwards |
| 3 | Declaration of Result of Election of Office Bearers | After approval of Cooperative Election Authority, New Delhi on Format 19N | |

This issues with the approval of Cooperative Election Authority.


Kamal Nain
(Section Officer)



बिहार सरकार
सहकारिता विभाग
अधिसूचना

संख्या-7/नि०(विधि-12)विविध-40/2019/पटना, दिनांक- 31.01.2025 मल्टी स्टेट को-ऑपरेटिव सोसाईटी एक्ट, 2002 की धारा-48 में राज्य अधिष्ठा केन्द्र सरकार द्वारा बहुराज्यीय समिति के निदेशक मंडल में निदेशकों को nominate करने का प्रावधान है।

उक्त अधिनियम की धारा-48(1)(c) में निम्न प्रावधान है :-

where the total amount of issued equity share capital held by the Central Government or the State Government is fifty-one percent or more of the total issued share capital, three members of the board:

Provided that the number of such nominated persons shall not exceed one third of the total number of members of the board:

चूंकि बिहार राज्य सहकारी विपणन संघ लिमिटेड (बिस्कोमान), बिहार और झारखण्ड, पटना की कुल हिस्सा पूंजी 19,76,19,837.00 है, जिसमें बिहार राज्य सरकार की हिस्सा पूंजी 19,61,56,075.00 है, जो कुल हिस्सा पूंजी का 99.26% है, अतएव मल्टी स्टेट को-ऑपरेटिव सोसाईटी एक्ट, 2002 की धारा-48(1)(c) के आलोक में बिहार राज्य सहकारी विपणन संघ लिमिटेड (बिस्कोमान), बिहार और झारखण्ड, पटना के निदेशक पर्वद में अगले आदेश अथवा निदेशक मंडल के पूरे कार्यकाल के लिए राज्य सरकार द्वारा तीन निदेशक निम्न प्रकार नामित किये जाते हैं :-

1. श्री राकेश कुमार, पिता-मुरारी प्रसाद, सिंधी समझौते भवन के पास, नवरतन हाता, पूर्णिया, बिहार, 854301
2. श्री मनोज कुमार सिंह, पिता- मदन सिंह, ग्राम- प्रतापपुर, सिवान, बिहार, पिनकोड-841226
3. श्री दीपक कुमार, पिता- श्री गंगा प्रसाद, बेली रोड, खजपुरा, वी.भी. कॉलेज, मुंदर साह कोल्ड स्टोरेज, रूकनपुरा, पटना, बिहार 800014,

इस प्रकार नामित निदेशकों को उपरोक्त अधिनियम के अधीन प्रदत्त सारे अधिकार होंगे।

बिहार राज्यपाल के आदेश से

ह०/-

सरकार के अपर सचिव।

ज्ञापांक 1081 /पटना, दिनांक 31.01.2025
7/नि०(विधि-12)विविध-40/2019

प्रतिलिपि :- अवर सचिव (ई. गजट कोषांग) वित्त विभाग, बिहार, पटना को आगामी राजपत्र के असाधारण अंक में प्रकाशनार्थ, इसकी दो हार्ड, ब्लॉपी एवं सी.डी. (फ्लैश ड्राइव में) सहित सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

31.01.25
सरकार के अपर सचिव

पत्रांक:-04/समिति (बिस्कोमान)-10/25 सह0.....134 (अनु०)

झारखण्ड सरकार

कृषि, पशुपालन एवं सहकारिता विभाग
(सहकारिता प्रभाग)

प्रेषक,

आलोक कुमार,
सरकार के संयुक्त सचिव।

सेवा में,

अपर सचिव,
सहकारिता विभाग, बिहार, पटना।

राँची, दिनांक-05.02.2025

विषय:-

बिहार राज्य सहकारी विपणन संघ लिमिटेड (बिस्कोमान), बिहार और झारखण्ड, पटना के निदेशक पर्वद के निदेशकों को नामित करने के संबंध में।

महाशय,

निदेशानुसार उपर्युक्त विषय के संबंध में कहना है कि बिहार राज्य सहकारी विपणन संघ लिमिटेड (बिस्कोमान), बिहार और झारखण्ड, पटना के निदेशक पर्वद के निदेशकों को नामित करने के संदर्भ में श्री मनेश्वर पाहन, निदेशक, बिस्कोमान, बिहार और झारखण्ड का परिवाद/अभ्यावेदन दिनांक-04.02.2025 विभाग में प्राप्त हुआ है (सानुलग्नक छायाप्रति संलग्न)।

उक्त प्राप्त परिवाद/अभ्यावेदन में उल्लेखित है कि सहकारिता विभाग, बिहार सरकार के अधिसूचना ज्ञापांक-1081 दिनांक-31.01.2025 के द्वारा बिहार राज्य सहकारी विपणन संघ लिमिटेड (बिस्कोमान), बिहार और झारखण्ड, पटना के निदेशक पर्वद में अगले आदेश अथवा निदेशक मंडल के पूरे कार्यकाल के लिए तीन निदेशक को नामित किया गया है, जो बिस्कोमान के उपविधियों की धारा-27V एवं VI के अनुरूप नहीं है।

प्रसंगवश उल्लेख करना है कि वर्तमान में बिस्कोमान एक Multi State Cooperative Society के रूप में बिहार एवं झारखण्ड में कार्यरत है। ऐसे में झारखण्ड सरकार से विचार-विमर्श किये बिना उक्त अधिसूचना द्वारा बिस्कोमान के निदेशक पर्वद के लिए निदेशकों का नामित किया जाना यथोचित प्रतीत नहीं होता है।

अतः अनुरोध है कि उक्त तथ्यों को संज्ञान में लेते हुए सहकारिता विभाग, बिहार सरकार के अधिसूचना ज्ञापांक-1081 दिनांक-31.01.2025 द्वारा बिस्कोमान के निदेशक पर्वद के निदेशकों को नामित किये जाने के संदर्भ में पुनर्विचार करने की कृपा की जाय।

अनुलग्नक:-यथोक्त।

विश्वासभाजन,

(आलोक कुमार)

सरकार के संयुक्त सचिव।

ज्ञापांक:-04/समिति (बिस्कोमान)-10/25 सह0.....134 राँची, दिनांक-05.02.2025

प्रतिलिपि:-केन्द्रीय पंजीयक, सहयोग समितियाँ, भारत सरकार, नई दिल्ली को सादर सूचनार्थ प्रेषित।

सरकार के संयुक्त सचिव।

ज्ञापांक:-04/समिति (बिस्कोमान)-10/25 सह0.....134 राँची, दिनांक-05.02.2025

प्रतिलिपि:-सचिव, सहकारिता विभाग, बिहार सरकार, पटना/निबंधक, सहयोग समितियाँ, झारखण्ड, राँची को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

सरकार के संयुक्त सचिव।



Phone :- 0612-2219819
 Fax :- 0612-2232377
 E-mail :- biscomaun@gmail.com
info@biscomaun.co.in

Bihar State Co-operative Marketing Union Ltd. (BISCOMAUN)

Bihar & Jharkhand

6th Floor, Biscomaun Tower, West Gandhi Maidan, Patna-800001

Ref. No. Meeting/243/M-1395

Date:- 12/02/2025

To,

The Chairman,
 Cooperative Election Authority,
 Ministry of Cooperative,
 9th Floor Tower, E-World Trade Centre,
 Nauroji Nagar, New Delhi-110029.

Sub.- Election of BISCOMAUN.

Ref.- Your Letter No.- CEA-12011/66/2024 dated 10.02.2025.

Sir,

As desired by your good self we are placing the following facts for your kind consideration.

1. As per our record and Balance sheet of BISCOMAUN as on 31-03-2024 share capital of State govt. is ₹30.61 Cr. and that of affiliated Cooperative Societies with BISCOMAUN is ₹42.38 lakh.
2. Share capital of State govt. is that of erstwhile united Bihar & Jharkhand. In the year 2000, Bihar was reorganized into Bihar & Jharkhand state but Assets and liabilities of BISCOMAUN was not divided uptill now, so it is not possible to mention the subscribed share capital of Bihar & Jharkhand state separately.
3. As per approved Bye Laws No.-27 of BISCOMAUN, there is provision for 4 Nominated Directors. The relevant clause of Bye Laws No-27 are as follows :-
 - iii. One shall be representative of NCDC or one representative of NABARD or a financial institution providing loan or financial assistance to BISCOMAUN on terms and conditions mutually agreed upon.
 - iv. One shall be representative of a National level Cooperative Society, if it has subscribed to a minimum level of Share Capital as may be mutually agreed upon, Provided that if there are more than one National Society as member then the representation shall be by way of election from this constituency.

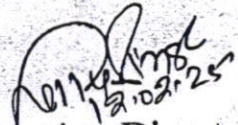
v. One shall be the Registrar, Co-operative Societies, Bihar or his nominee.

vi. One shall be the Registrar, Co-operative Societies, Jharkhand or his nominee.

But for the aforesaid categories falling under clause nos. (iii) & (iv) it is clarified that they are not share-holder and they have never nominated any representative in the Board of BISCOMAUN.

4. It is stated that in the previous consecutive two Board of Director of BISCOMAUN there was no any nomination by the state Govt. in terms of Section 48 of the MSCS Act, 2002 and there was no nomination in terms of aforesaid clause of Byelaw bearing no. 27 (v) and (vi).

Yours Faithfully


12.10.25
Managing Director

