

# Bihar Administrative Service Association

North of Income Tax Golamber, Nehru Marg, Patna-800001

(Registration No-663/2003)

Website: basabihar.com, E-mail Id: infobasa1@gmail.com

**Shashank Shekhar Sinha**  
**President**

Mob. No.- 9334118192



**Anil Kumar**  
**General Secretary**

Mob. No.- 9431409463

Memo No ..... ११ .....

Date ..... 2.12.20 .....

**Vice President**  
Md. Moezuddin  
9304951990

Ajay Kumar  
9835737317

**Joint Secretary**  
Subodh Kumar  
7979919465

**Gopal Sharan**  
8210342042

**Treasurer**  
Sunil Kumar Tiwary  
9431085120

**Joint Treasurer**  
Mona Jha  
9430881025

प्रिय श्री सुशील जी,  
नमस्कार,

आपका 26.11.2020 का लिखा आदेशात्मक पत्र मिला जो मेरे द्वारा आपको 09.08.18 को लिखे गये पत्र का जवाब है।

बहुत देर से दर पे आँखे लगी थी,

हुजूर आते-आते बहुत देर कर दी।

मुहब्बत के दो बोल सुनने न पाए,

वफाओं के दो फुल चुनने न पाए,

तुझे भी हमारी तमन्ना थी जालिम,

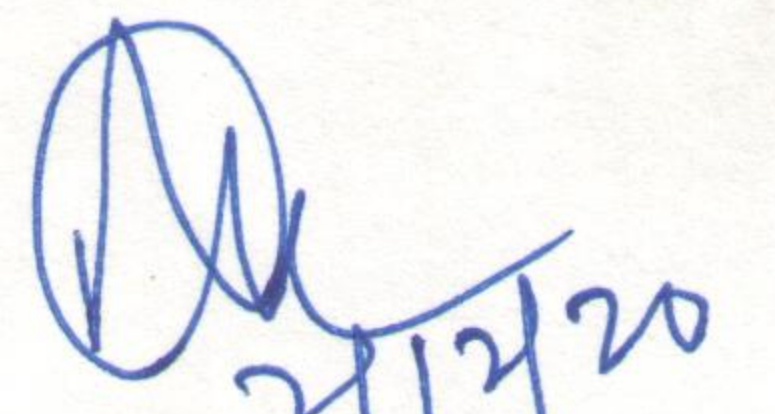
बताते-बताते बहुत देर कर दी।।

हुजूर आते-आते बहुत बहुत देर कर दी.....

खैर, 2 वर्ष 3 माह 17 दिन के बाद आपने मेरे पत्र का जवाब दिया, उसके लिए सप्रेम धन्यवाद। आपके इस पत्र को केन्द्रीय कार्यकारिणी समिति की अगली बैठक में रखा जाएगा। आपकी संतुष्टि के लिए तत्कालीन केन्द्रीय कार्यकारिणी समिति की सहमति (संभवतः) से सक्षम प्राधिकार के समक्ष बासा कार्यालय के पत्राक 12 दिनांक- 11.09.2019 द्वारा मेरे पत्र का जवाब/शपथ पत्र दायर किया गया था, उसके पृष्ठ-5 की छायाप्रति आपके अवलोकनार्थ संलग्न की जाती है।

उम्मीद है भविष्य में भी इसी प्रकार आपका सहयोग मिलता रहेगा।

अनुलग्नक:- यथोक्त।

  
21/12/20  
(महासचिव)

There is nothing wrong to hold General Body Meeting after one year as per 3 (b) bye laws, it has given power by the words "Or till the Constitution of new Central Committee."

The complainant was joint Secretary from 2008 to 2011 and again from 2011 to 2017 but no objection was raised by him in Central Executive Committee Meeting about audit, Commercial uses of BASA building, General Body Meeting etc. While during 2008 to 2011, Central Executive Committee hold 20 Meetings in which Complainant cum Joint Secretary attended 3 Meetings only. Again during 2011 to 2017, Central Executive Committee hold 36 Meetings in which Complainant cum Joint Secretary attended 3 Meetings only.

Moreover according to bye laws 3(b) (ii) "be the president on requisition in writing by not less than 30 members of the association, within one month of receipt of requisition/notice and the notice of such extra ordinary general Meeting shall be such extra ordinary general Meeting shall be sent out to the members through their respective District unit.

Provided that no member signed the requisition for convening the extra ordinary general Meeting should be in arrear of subscription/ dismissed/terminated before the date of such requisition."

As such the complainant could have avail the opportunity given in 3(b)(ii) of bye laws but he did not, the reason best known to him. Moreover amendment of one year has been made to two year in 3(b) copy is being annexed as annexure III. Central Committee has decided to have Aam Sabha on 24.11.2019.

15. That the statement made in Para-14 of the complaint is false and fabricated allegation against the Office bearers of the BASA and

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Part of Oath of Mr. Shashi Kr.  
through Letter No. 21 of  
BASA dtd. 11.9.2019  
before competent  
authority.

Handwritten notes in blue ink: "Hepher" and "Date 99/2/12/20".

क्या शु-म

पटना दि. 26.11.2020

सेवा में,

अध्यक्ष / महासचिव,  
बिहार एडमिनिस्ट्रेटिव सर्विस एसोसिएशन,  
पटना।

विषय : BASA Bye laws के 3 (b) के तहत आम सभा आयोजित करने के संबंध में।

प्रसंग : आपका Legal Notice दिनांक 09.08.2018

महाशय,

उपर्युक्त विषयक श्री अनील कुमार कोटि क्रमांक-850/2011 के द्वारा दिनांक 09.08.2018 को तत्कालीन अध्यक्ष / महासचिव, बिहार एडमिनिस्ट्रेटिव सर्विस एसोसिएशन को Legal Notice दी गई थी, जिसमें वर्णित है कि "No amendment has been made so for term of Central Executive Committee"

आपके अनुसार आपका कार्यकाल दिनांक 23.11.2020 को समाप्त हो चुका है। आपके द्वारा दिया गया Legal Notice (छायाप्रति संलग्न) आपके अनुपालन हेतु आपको वापस किया जा रहा है। इसमें आपके द्वारा अनुरोध किया गया है कि Term पूरा होने पर status of President and General Secretary of BASA has been reduced to acting President and acting General Secretary of BASA

अनुरोध है कि उक्त Legal Notice में वर्णित बिन्दुओं का अनुपालन करते हुए सभी सदस्यों को सूचित किया जाय।

अनु० :- यथोक्त

विश्वासभाजन

Handwritten signature and date: "26.11.2020"  
सुशील कुमार, वि०प्र०से०  
कोटि क्र०- 586/11

सेवा में,

अध्यक्ष / महासचिव,  
बिहार एडमिनिस्ट्रेटिव सर्विस एसोसिएशन,  
पटना।

विषय : BASA Bye laws के 3 (b) के तहत आम सभा आयोजित करने के संबंध में।

प्रसंग : आपका Legal Notice दिनांक 09.08.2018 के संबंध में।

महाशय,

उपर्युक्त विषयक श्री अनील कुमार कोटि क्रमांक-850/2011 के द्वारा दिनांक 09.08.2018 को तत्कालीन अध्यक्ष / महासचिव, बिहार एडमिनिस्ट्रेटिव सर्विस एसोसिएशन को Legal Notice दी गई थी, जिसमें वर्णित है कि "No amendment has been made so for term of Central Executive Committee"

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अनु० :- उपरोक्त

विश्वासभाजन

सुशील कुमार, वि०प्र०से०  
कोटि क्र०- 586/11

(6)

~~Administrative Service Association~~

~~Income Tax Golambar~~

To,

The President,  
The General Secretary,  
Bihar Administrative Service Association,  
Income Tax Golambar,  
Bailey Road, Patna.

Date: 9.8.18

Subject : Requisition for convening The annual General Body Meeting of  
BASA as per rule 3(b) of BASA Bye Laws for constituting new  
Central Executive Committee

Reference : Rule 5(vii) of Bye Laws of Bihar Administrative Service Association.

Sir,

With reference to above mentioned subject read with referred provision of  
Bye Laws, you are requested to convene the Annual General Body Meeting of  
BASA for constituting new Central Executive Committee. Rule 5(vii) of Bye Laws  
of Bihar Administrative Service Association has mandated only one year term  
of Central Executive Committee, meaning thereby, the term of present Central  
Executive Committee has expired on 16.07.2018.

So far my knowledge is concerned, Rule 5(vii) of Bye Laws of Bihar  
Administrative Service Association has not been amended or altered till date as  
per provision for amendment of BASA Bye Laws which has been defined in rule  
14 of Bye Laws. It refers section 12 and 12 A of Societies Registration Act of  
1860 which reads as;

“ Societies enabled to alter, extend or abridge their purposes-

Whenever it shall appear to the governing body of any society  
registered under this Act, which has been established for any  
particular purpose or purposes, that it is advisable to alter,  
extend, or abridge such purpose to or for other purposes within  
the meaning of this Act, or to amalgamate such society either  
wholly or partially with any other society, such governing body  
may submit the proposition to the members of the society in a  
written or printed report, and may convene a special meeting

9-8-18

9/8/18

for the consideration thereof according to the regulations of the society;

but no such proposition shall be carried into effect unless such report shall have been delivered or sent by post to every member of the society ten days previous to the special meeting convened by the governing body for the consideration thereof, nor unless such proposition shall have been agreed to by the votes of three-fifths of the members delivered in person or by proxy, and confirmed by the votes of three-fifths of the members present at a second special meeting convened by the governing body at an interval of one month after the former meeting.

Hence, no amendment has been made so far term of Central Executive Committee is concerned by competent authority as per prescribed rule and law, therefore, you are requested to;

(1) Immediately call Annual General Body meeting for constitution of new Central Executive Committee.

(2) Don't take any major financial or administrative decision because the term of present Central Executive Committee has expired on 16.07.2018 as per constitution of BASA and legally speaking, your status has been reduced to acting President and acting General secretary of BASA.

(3) Treat this letter as legal notice for above mentioned subject. A copy of this letter is being retained by me for future use and reference. Please acknowledge receipt of this notice and act in accordance with law.

Yours Sincerely,

(Anil Kumar)

Private Secretary To Minister,  
Urban Devt. and Housing Deptt., Govt. of  
Bihar, First Floor, Vikash Bhawan, Bailey  
Road, Patna-1, BAS Civil List No.-850/2011