



BIHAR VIKAS MISSION

(Under Cabinet Secretariat Department, Government of Bihar)
Bihar State Building Construction Corporation campus,
Hospital Road, Rajvanshi Nagar, Patna – 800023
Telephone No – 0612-2285262

Office Order

Grievance submitted by Shri Abhishek Kumar (Registration No. : SW92828C565) who is applicant for the phase-VII position of MIS Cell Lead, has been forwarded to Bihar Vikas Mission through Cabinet Secretariat Department, Government of Bihar by Office of the Chief Secretary, Bihar vide Diary No. 1198 dated 08-04-2022.


In his grievance application, the candidate has submitted that - "Initially I was in the eligible list of MIS Cell Lead and allotted 40 marks. But after grievance despite of getting 40 marks and made eligible in the initial list I get rejected and there are so many candidates whose marks are very less than me but their forms are accepted after grievance redressal, Several times I tried to connect with You on 0612-3500866 & 3500867 given on Bihar Vikas Mission website but no one picks up the phone on both the numbers. My application no. is SW92828C565.

At Serial no. 575 in the initial list of MIS Cell Lead."

Objections raised by the applicant and contents of the application has been minutely examined and relevant facts in the matter are listed hereunder:

- i. The position of MIS Cell Lead has currently been published vide notification no. 42 dated 17-01-2022 for hiring of manpower for phase-VII positions and has been awarded to the empanelled hiring agency – ScaleneWorks People Solution LLP.
- ii. The applicant has been placed at Sr. No. 104 in the "List of Provisionally Eligible candidates as per Criteria" with validated marks – 40, as published by the hiring agency on its portal.
- iii. The applicant has submitted grievance on the portal of the hiring agency requesting consideration of his various experience in response to which the hiring agency has responded that – "The applicant is currently working with Biscomaun (Bihar State Cooperative Marketing Union Ltd.) which comes under the aegis of Government of Bihar and in this case NOC is required and the applicant has not uploaded NOC of the current organisation of Biscomaun. Hence, the candidature will not be considered for further evaluation and is liable to be rejected."
- iv. The applicant has been placed at Sr. No. 575 in the "Initial List of Candidates post Grievance Redressal" with status "Rejected", as published by the hiring agency on its portal.

- v. In the Notification No. 42 dated 17-01-2022 published for Hiring of manpower of Phase-VII positions, it has been mentioned that as per relevant policy of HR Manual of Bihar Vikas Mission – “Employees currently working, in a full time permanent or contractual or part time capacity, in any NGO / Corporation / Society / Company / Department under the aegis of Government of Bihar will be eligible to apply for suitable relevant position with BVM only after submission of No Objection Certificate (NOC) from appropriate Competent Authority at the time of application.”
- vi. In the introduction section on the website of BISCOMAUN, <http://www.biscomaun.co.in/>, it is mentioned that – “Bihar state co-operative marketing union ltd. (BISCOMAUN) is an apex cooperative society formerly registered under section 11 of Bihar cooperative societies Act 1935, having its registration no.12 (p) 1950. From the day of its operation BISCOMAUN was operating in Bihar but in November 2000, Jharkhand State came in to the existence after separation from Bihar and BISCOMAUN operations got divided in to two state such as Bihar & Jharkhand. Due to the legal compulsion under section 103 of Multi State Co-operative Society Act 2002, BISCOMAUN become Multi State Co-operative society.”
- vii. As per the various provisions of the Multi State Co-operative Society Act 2002, registration, audit, inquiry, inspection of society, inspection of books, arbitration etc. are regulated by the competent authority of Central Government. From these provisions in the Multi State Co-operative Society Act 2002, it is clear from that BISCOMAUN being a multi-state co-operative society is regulated by the Central Government and is therefore **not under the aegis of State Government of Bihar.**
- viii. Hon’ble High Court, Patna in its judgement in CJWC No. 23268 of 2013 has ordered that –
“By foot note, it is further clarified that the State of Bihar or the state of Jharkhand shall have no locus to object such registration of the BISCOMAUN under M.S.C.S. Act, 2002 on any ground not contemplated under the M.S.C.S. Act, 2002 in view of the facts noticed hereinabove.”
From the above order of the Hon’ble High Court, Patna it is clear that the State of Bihar has no locus to object registration of BISCOMAUN as Multi State Co-operative Society, therefore it is clear that BISCOMAUN does not come under aegis of Government of Bihar.

 From the above mentioned facts, it is clear that rejection of candidature of the candidate by the hiring agency for not submitting NOC from BISCOMAUN along with its application for the position is MIS Cell Lead is not valid as the organization BISCOMAUN does not come under the aegis of Government of Bihar.


It is to be noted that the applicant in his application form has claimed that he is currently not working with any organization under the aegis of Government of Bihar. Therefore the hiring agency should have exercised extreme caution in rejecting candidature of the candidate on above parameter.

Bihar Vikas Mission has taken serious note of the grievance raised by the candidate and has ordered for minute examination of application of the applicant through its professionals on the basis of documents submitted with online application and found that final marks awarded to the candidate shall be 30.

Sl. No.	Marking Scheme	Final Marks	Remarks
1	Preferred marking on Total post-qualification Experience - Max 35 marks 5 marks for each additional completed year (over 2 years minimum experience)	20	BISCOMAUN (From 1-Sep-17 to 16-Sep-20) - 3 years 16 days RENAISSANCE BIOTECH PVT LTD (From 1-Feb-13 to 15-Sep-16) – 3 years 7 months 15 days Total Post Qualification Experience: 6 years 8 months.
2	Experience in MIS monitoring and data / business analysis - Max 25 marks 5 marks for each completed year of such experience	-	Candidate's Experience in BISCOMAUN – Assistant Godown Manager, presently posted at Law Section and RENAISSANCE BIOTECH PVT LTD – Research Assistant (Learning Area Food and Agriculture testing, Plant Tissue Culture, Molecular Biology) which does not come under MIS monitoring and data / business analysis.
3	Experience of working with state / central government or any other organization under the aegis of State or Central Government / bilateral / multilateral organizations (e.g. World bank, DFID, UNDP, ADB) / reputed private organization / multinational corporation on MIS and data analysis projects - Max 10 marks 5 marks for each completed year of such experience	-	Candidate's Experience in BISCOMAUN – Assistant Godown Manager, presently posted at Law Section and RENAISSANCE BIOTECH PVT LTD – Research Assistant (Learning Area Food and Agriculture testing, Plant Tissue Culture, Molecular Biology) which does not come under MIS monitoring and data / business analysis.
4	Education higher than Bachelor's degree or higher in Statistics / Mathematics / Engineering / Science / Computer Application - Max 10 marks	10	M.Sc. – Biotechnology from Central University of Bihar
5	Bachelor's degree or higher in Statistics / Mathematics / Engineering / Science / Computer Application from any of the institutes as published under the National Institutional Ranking Framework issued by MHRD and / or QS World University Rankings, as updated from time to time - Max 20 marks University / College / Engineering Institution ranked in, as applicable. Institutes ranked upto 50: 20 Marks / Institutes ranked 51 & above: 10 Marks	-	The university / institutes from which candidate has obtained degree are not ranked under NIRF 2021.
Total Marks		30	

The hiring agency is directed to place the applicant in the "Initial List of Candidates post Grievance Redressal" as per marks awarded above. The hiring agency is further directed to bring to notice of Bihar Vikas Mission any other similar cases within 3 working days of receipt of this order along with their certification that no other similar error has been committed during the screening of applications for phase-VII.

This issues with the approval of the competent authority.


(Sanjay Kumar Pansari)
Chief General Manager