

**Objections to the Nominations sent by Chandigarh Kabaddi Association (CKA) for
the Electoral College of AKFI**

ORDER

Chandigarh Kabaddi Association (in short CKA) is an Affiliated Unit of AKFI. While preparing "Electoral College" for the election of Office Bearers of AKFI, names of two representatives of the unit were invited and accordingly the Association sent name of its two representatives namely 1. Mr. Hemraj and 2. Mr. Sanjeev Bharanta. Authorisation was signed by Mr. Hemraj President CKA and Mr. Sanjeev Bharanta General Secretary jointly.

While inviting names of authorised representatives for "Electoral College", details concerning status of the elected representatives of the Association were also called. CKA provided these details vide its letter dated 05.10.2018 as below:

1. Last election was held on 10.04.2016 (Photocopy of elections and results was attached).
2. The President and General Secretary of CKA both were in their 2nd term, occupying posts since 2012.
3. Date of Birth of the President Mr. Hemraj is 17.04.1960; about 57 years of age.
Secretary Mr. Sanjeev Kumar Bharanta is about 51 years of age as his date of birth is 18.04.1967.
Treasurer Mr. Karam Singh (1st Term) is aged 52 years as his date of birth is 01.02.1966.
4. No court case was pending against CKA or against any of its Office Bearers.

While publishing list of "Electoral College" of AKFI on its website, objections were invited against names of representatives sent by Affiliated Unit for ensuring correctness and genuineness of the representatives.

Objections dated 05.11.2018 were received on AKFI email. These objections / Complaints were represented to have been filed / forwarded by 10 Clubs operating in Kabaddi Game in the Union Territory of Chandigarh. In substance objections were that elections of the existing body were conducted in illegal and arbitrary manner; fake signatures of unit members were misused; most of the units were not in favour to select Secretary Mr. Sanjeev Bharanta and President Mr. Hemraj. Though elections were due in August 2015, it were delayed deliberately to formulate units

and clubs who would help President and Secretary to retain their posts. Finally elections were held in 2016, after delay of 8 months from due date and out 14 units only 3 were aware of elections and other 11 units were not informed regarding elections. All these illegalities and irregularities were brought to the notice of Mr. Janardan Singh Gehlot telephonically but he declined to listen.

Notice of these objections was communicated to CKA and hearing on these objections was fixed for 22.11.2018 as per the schedule of hearing put on the website of AKFI and conveyed to both the sides on their email. Hearing was taken up on 22.11.2018 wherein both sides appeared. From Objector Mr. Harjit Singh Saini, Dr. Sarabjit Singh and Mr. Mukesh appeared and Mr. Hemraj President and Mr. Sanjeev Bharanta Secretary appeared from the affiliated unit.

During hearing Mr. Harjit Singh Saini and Dr. Sarabjit Singh submitted their written objections separately, however on lines with objection received on email. These objections referred to Article 29.1.2 of MOA of AKFI which provided for disaffiliation / de-recognition of an affiliated unit if it failed to hold elections after completion of normal tenure for which Office Bearers were elected. Sports Development Code 2011 Part IV was also referred to on this point. These objections were re-emphasised during hearing. All these contentions and allegations were refuted and denied from CKA side. Photo Copy of general body meeting held on 10.04.2016 wherein elections of Office Bearers of CKA were held as per agenda was also filed. Documents revealed that elections were held where Mr. Harjinder Singh was the Presiding Officer, and an observer from Chandigarh Olympic Association and observer Mr. S.S Lakkad from AKFI were also present.

During hearing parties were impressed to explore possibilities of settlement of their disputes and to work together towards promotion and better performance of game of Kabaddi. Both the parties agreed to sit together and try to resolve their controversies amicably.

They did work on it and a communication dated 04.12.2018 was received on AKFI email that a compromise was reached between CKA and complainant clubs to treat their complaints / objection as 'withdrawn'.

Copy of compromise bearing signatures of objectors and representatives of CKA was attached.

Objections accordingly were to be taken up for disposal in terms of compromise but than an email dated 13.12.2018 was received from objectors Mr. Harjit Singh and Dr. Sarabjit Singh that compromise be treated as cancelled / withdrawn due to breach of terms and conditions of compromise by CKA. Communication however failed to pinpoint terms and conditions allegedly broken by CKA. Any how the objections have also been considered on merits.

Objection emphasised during hearing was that elections of Office Bearers of CKA held in 2016 were delayed by 8 months. 4 years tenure of the previous body which was elected in the year 2011 had come to an end in 2015. The association / unit was liable for disaffiliation because of the breach. Elections were manipulated by misusing signatures of the unit members; new units were included without due process and non audit of accounts of the Association. All these contentions were controverted.

It is a matter of record as appears from document dated 10.04.2016 when general body meeting of CKA was held, it was attended by 14 member units. One of the agenda was to elect Office Bearers of the association. Document shows that election of Office Bearers was taken up and Mr. Hemraj and Mr. Sanjeev Bharanta were elected as President and General Secretary unanimously / unopposed. Presence of Observer from Chandigarh Olympic Association and AKFI is also recorded by their signatures. Admittedly election was not challenged in any court and the elected body exists even to-day. Even if election in April 2016 were held after some delay, admittedly no proceedings for disaffiliation / de-recognition were initiated. Even if Mr. Janardan Singh Gehlot had declined to listen on the point, admittedly no other forum was chosen to press the point. Likewise other objections that 11 member units remained uninformed about elections and that new member units were added without observing due process was also not challenged before any court or any other forum. No legal notice was issued to the Office Bearers so elected. No complaint was filed for misuse of signatures; allegations are vague. The delay in making complaint has remained unexplained. As such objections appear prima facie without merit to question the names of the 2 representatives received from CKA and are disposed of.

“Electoral College” for the election of Office Bearers has been constituted for a limited purpose that the elected body of AKFI will amend the MOA of AKFI so as to bring it in conformity with Sports Code. Accordingly names received from CKA for “Electoral College” are accepted as such for the limited purpose for first round of elections of AKFI.

Objections are disposed of in terms of hearing given to both sides and observations made above.

Copy be sent by e-mail to both the parties and be put on the website of AKFI.

17.01.2019

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Administrator
AKFI