

**In the office of Amateur Kabaddi Federation of India (AKFI)
E-386 Basement Greater Kailash Part 1 New Delhi – 110 048**

In the matter of names of Representatives of Kabaddi Association of Jharkhand
(Reg. No. 9594/136 of 2019-2020) (KAJ1)

and

Kabaddi Association of Jharkhand (Reg. No. 83/391 of 2014-2015) (KAJ)

ORDER

The Hon'ble Delhi High Court vide its order dated 10th February 2023 in WP(C) 8915/2019, 9287/2019, 6355/2021, 6366/2021 and 8439/2021 has directed the Administrator to conduct Election of Amateur Kabaddi Federation of India (AKFI).

"62. Since the AKFI continues to be under the control of the Administrator and elections of the Executive Committee of AKFI have to be held, the petitions are disposed of in the following terms:

(i) the 'age and tenure restriction' on the members of the Governing Body imposed by the National Sports Development Code of India 2011 applies not only to the Amateur Kabaddi Federation of India but also to all its constituents at the State and District Level; and

(ii) the amendments carried out to Clause 15.10 and Clause 30 of the AKFI Constitution are quashed. The Original Clause 15.10 and Clause 30, extracted hereinabove, are restored; and

(iii) all the State and District Associations and bodies, if they want to continue to be members of the AKFI have to amend their Memorandum of Associations/Constitutions and bring them in conformity with the Sports Code particularly in respect of the Age and Tenure restrictions imposed by the Sports Code; and

(iv) if the District Associations/bodies and/or State Association refuse or fail to comply with the 'age and tenure restriction' imposed by the Sports Code, they would be liable for action which may entail disaffiliation and/or removal as a recognized District and State constituent of the AKFI; and

(v) the representatives of the State Associations to the National Federation have to be compliant of the 'age and tenure restriction' imposed by the Sports Code and likewise the representatives of the District Associations/bodies to the State Association have to be compliant of the 'age and tenure restriction' imposed by the Sports Code; and

(vi) if the representatives of the State Associations to the National Federation and the representatives of the District Associations/bodies to

the State Association are not compliant of the 'age and tenure restriction' imposed by the Sports Code, then they shall not constitute the electoral college and shall be disqualified from contesting for any post of the executive committee and also from casting their vote for such an election; and

(vii) the State Associations and the District Associations, after the expiry of the term of the existing Executive Committee, shall hold fresh elections strictly in accordance with the 'age and tenure restriction' imposed by the Sports Code; and

(viii) the election notification dated 07.08.2019 for elections to the AKFI and the notification of the electoral college of AKFI issued by the Administrator are quashed; and

(ix) the Administrator shall prepare and notify the schedule for the holding of the elections of the office bearers of AKFI in accordance with these directions, which should not be later than 3 months from the date of this order; and

(x) the President and Secretary of the affiliated Member unit should attend the General Body Meeting of AKFI, however if the President and Secretary of an affiliated member are unable to attend or are not compliant of the 'age and tenure restriction' imposed by the Sports Code, they may nominate, in accordance with the Constitution of AKFI, a person who is compliant. If there is a dispute on the nomination, then the nomination by the President shall prevail."

95
AKFI received an email from Kabaddi Association of Jharkhand (Reg. No. 9594/136 of 2019-2020) on (hereinafter referred as KAJ1) seeking voting rights in the Election of AKFI. Copy of the email was sent to Kabaddi Association of Jharkhand (Reg. No. 83/391 of 2014-2015) and their reply was received on 28th March 2023. Hearing was fixed on 30th March at 6.30 pm through virtual mode. No one joined from KAJ1. AKFI received representation from Mr. Shiv Sagar of KAJ1 requesting another opportunity to be heard as he could not attend the hearing on 30.03.2023. In the interest of justice, the representation was accepted, and hearing was fixed on 02.04.2023 at 6.00 pm through virtual mode. The hearing took place on 02.04.2023 at 06.00 pm.

Present

1. Mr. Ashutosh Joshi Advocate for KAJ
2. Mr. Shiv Sagar and Mr. Sunny Singh for KAJ1

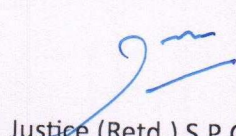
KAJ1 Urged that the authorised representatives of their association be permitted to participate in the election of AKFI. Their association is recognised by Registrar of Societies having Registration no. 9594/136 of 2019-2020 and is affiliated to AKFI and JOA Both Mr. Rajeev Ranjan Mishra and Mr. Bipin Kumar Singh President and Secretary of KAJ are not eligible to participate in the election of AKFI. They have tried to run kabaddi in an arbitrary manner. Players from outside the state are allowed to play from Jharkhand in various National Championships organised by AKFI. There are news published in the newspapers showing involvement of Mr. Bipin Kumar Singh in criminal cases.

Ld. Counsel for KAJ stated that their association is duly affiliated unit of AKFI. It has participated and organised Various Championships assigned to it by AKFI. KAJ1 is not registered or affiliated under AKFI & JOA. Objections had been filed to Inspector General of Registrar of Societies Ranchi dated 16th July 2019 for registering two associations in the same name.

I have considered the submissions raised on behalf of both the parties and have examined the documents on record. It is not disputed that KAJ is an affiliated unit of AKFI. It is also correct that the objections filed by KAJ1 against the names of Mr. Rajeev Ranjan Mishra and Mr. Bipin Kumar Singh as the representatives of KAJ in the Electoral College of AKFI in the year 2019 were dismissed and the order has attained finality. KAJ continues to be affiliated unit of AKFI till date. It has organised various National championships assigned by AKFI. There can't be two different associations of Kabaddi in a State as affiliated units of AKFI.

The representation filed on behalf of KAJ1 is dismissed.

Scanned copy of the order be sent to both the parties by email today itself.



Justice (Retd.) S.P. Garg

Administrator / President

Amateur Kabaddi Federation of India

New Delhi

12.04.2023