

**Objections to the Nominations sent by Jammu and Kashmir Amateur Kabaddi
Association (JKAKA) for the Electoral College of AKFI**

ORDER

Jammu and Kashmir Amateur Kabaddi Association (in short JKAKA) is an Affiliated State Association 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 State Association sent name of its two representatives namely 1. Mr. Kuldeep Kumar Gupta and 2. Mr. Surinder Mohan Gupta. Authorisation dated 29.09.2018 was signed by Mr. Anil Gupta President JKAKA and Mr. Surinder Mohan Gupta General Secretary jointly.

While inviting names of two authorised representatives for "Electoral College", details concerning status of the elected representatives of the State Association's were also called for. JKAKA provided these details vide its letter dated 05.10.2018 to the effect that :

1. Last election of JKAKA was held on 24.12.2016.
2. The President and Secretary of JKAKA were holding post since 2010 and 2016 respectively.
3. Date of Birth of the President Mr. Anil Gupta was as 04.05.1965; about 53 years old.

Secretary Mr. Surinder Mohan Gupta is about 50 years of age as his date of birth is 10.08.1968.

Treasure Mr. Sangram is aged 45 years as his date of birth is 10.07.1973.

4. No court case was pending against JKAKA or against any of its Office Bearers.

While publishing list of "Electoral College" of AKFI on the website of AKFI, objections were invited against names of two representatives sent by Affiliated State Associations for ensuring correctness and genuineness of the representatives. In this case of JKAKA objections were received by email from Mr. Sudesh Raina, on 06.11.2018 and on 09.11.2018. Another set of objection from Mr. Rakesh Kumar and Mr. Sanjit Kumar was also received. Hearing on these objections was fixed for 29.11.2018 and notice of hearing was communicated to Objectors as well State Association.

Meanwhile a communication dated 15.11.2018 was received from Objector Mr. Rakesh Kumar by post stating that he was withdrawing his complaint against JKAKA.

This communication was supported by photocopy of his identity documents, duly attested under his signatures. Since Objections / Complaint filed Mr. Sudesh Raina were to be heard and matter was taken up for hearing on 29.11.2018, Objector Mr. Rakesh Kumar also appeared on the date of hearing to press his objections stating that his communication withdrawing his objections was under misconception. Accordingly hearing on objections was provided to the objectors.

Objections in substance were that working of JKAKA was poor and members of the Association had not been changed for last more than 20 years. There were more than 10 Districts / Clubs which were not being given affiliation by the State Association. Only one Club namely Shaheed DBP sports club was actively organising Kabaddi Tournaments and promoting Kabaddi and still it was not being affiliated by the State Association.

Objector Rakesh Kumar almost repeated these objections alleging that Mr. Kuldeep Kumar Gupta, currently Chief Executive Officer (CEO) of JKAKA had conducted elections in undemocratic manner and thus elected Surinder Mohan Gupta as Secretary. He created post of CEO which was against law, and a common perception prevailing is that real powers and authority were being exercised by CEO.

During hearing on these objections, objectors, however, could not controvert the fact that last elections of the JKAKA Office Bearers were held in 2016 and President of the Association namely Mr. Anil Gupta elected in 2016 was holding post of President since 2010, and General Secretary Mr. Surinder Mohan Gupta was elected in 2016 for that post for the first time. Contentions of objectors was however that prior to Mr. Anil Gupta as the President, his father Mr. Chaman Lal Gupta was the President of JKAKA from 1994 to 2010 and Mr. Surinder Mohan Gupta had remained Joint Secretary in the association since 1995. Objectors admitted during hearing that elections of the Association held in 2016 had not been challenged in the court. They also could not controvert the submissions from the Association that elections in 2016 were held in the presence of observers appointed by State Olympic Association, State Sports Council and AKFI respectively.

During hearing, the parties expressed desire to have amicable settlement in the interest of promotion of Kabaddi in the State. Parties were directed to inform us as and when the settlement takes place.

As a subsequent development, after hearing on objections was held on 29.11.2018 and matter was reserved for orders, a communication dated 28.12.2018 has been received on email of AKFI to the effect that Mr. Suresh Kumar Raina, Member Shaheed Sports Club, Mr. Sanjit Kumar and Mr. Rakesh Kumar were withdrawing their complaints, each such request bearing signatures of Mr. Sudesh Kumar Raina dated 18.12.2018, request signed by Mr. Sanjit Kumar dated 18.12.2018 and finally request signed by Rakesh Kumar dated 18.12.2018. Each request very categorically states about withdrawing the complaint. Request has further been received by post with documents/ withdrawal letters.

Elected body of the JKAKA is in accordance with its constitution, elected in the elections held in 2016 and these elections were held in the presence of the Observers appointed by State Sports Council and AKFI and these elections have not been questioned in any court of law. Rest all other objections concerning poor functioning of State Association etc. may be considered separately, as not associated with subject of representatives for the "Electoral College".

"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 JKAKA for "Electoral College" are accepted as such for the limited purpose for first round of elections of AKFI. Objections are disposed off in terms of hearing given to both sides and observations made above and in terms of complaints withdrawn by the objectors.

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

16.01.2019

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Administrator
AKFI