

**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 granting of affiliation to Amateur Kabaddi Federation of Goa

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."

AKFI has received a representation from Amateur Kabaddi Association of Goa, hereinafter referred as 'AKAG', through its General Secretary Sh. Suresh M. Kanolkar for granting affiliation of Amateur Kabaddi Federation of India to AKAG. Goa Kabaddi Association, hereinafter referred as 'GKA', through its Secretary General Mr. Nilesh R. Khandeparkar has raised its objection against granting of affiliation to the AKAG.

Both the parties were heard in through virtual mode.

PRESENT:

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| 1. Sh. Mahesh Jaisingrao Rane Advocate | On behalf of AKAG |
| 2. Mr. Abhijeet Kamat Advocate | On behalf of GKA |

Ld. Counsel for AKAG submitted that it's society is registered under Societies Registration Act, 1860, bearing registration No.483/ Goa/2019 dated 12.11.2019. Photocopy of the registration certificate has been also placed on the record. He further urged that Secretary of AKAG Sh. Suresh Mangesh Kanolkar is a State / International Referee and has represented in National Championship organized by AKFI in male and female section as well as in Sub-Junior, Junior and Senior categories. 75% of the committee members are sports persons. The treasurer of AKAG is a Chartered Accountant by profession. AKAG fulfils all the criteria required as per NSDCI-2011, hence is eligible and entitled to get affiliation with the Amateur kabaddi Federation of India. GKA is an unregistered society. A case is sub-judice

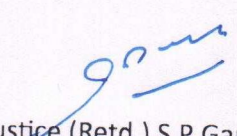
before the Civil Court Junior Division, Panaji, Goa. It is prayed that Amateur Kabaddi Federation of India should grant affiliation to AKAG at the earliest.

It is submitted on behalf of GKA that it was formed in the year 1978 and is an affiliated member of AKFI for the last 40 years. GKA is also a registered society under Societies Act, 1880 since 18.12.1978 vide registration No.42/Goa/78 dated 08.12.1978. The Society was required to renew its registration from time to time, but it has failed to renew its registration, however, now the steps have been taken for getting the renewal of the registration. The GKA has been governing the sport of Kabaddi in the State of Goa and is also affiliated to the Goa Olympic Association. Amateur Kabaddi Association of Goa seeking affiliation to the AKFI was formed in the year 2019. Nothing is known about the activities of the said association. The Secretary General of the AKAG had raised objections to the inclusion of the names of Mrs. Rukmani Kamat and Mr. Nilesh Khandeparkar as the representatives of GKA in the Electoral College of AKFI in the year 2019. The said objections were rejected by the Administrator of AKFI vide order dated 25.01.2019. The said order has not been challenged till date, hence has attained finality. It is prayed that the request of AKAG for granting affiliation be rejected.

I have considered the submissions raised on behalf of both the parties and have examined the documents on record. It is not disputed that GKA is an affiliated unit of AKFI. It is also correct that the objections filed by Sh. Suresh M. Kanolkar against the names of Mrs. Rukmani Kamat and Mr. Nilesh Khandeparkar as the representatives of GKA in the Electoral College of AKFI in the year 2019 were dismissed and the same has attained the finality. GKA continues to be affiliated unit of AKFI till date. It has participated in the various championships organised 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 AKAG for granting affiliation is dismissed at this stage.

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