

**M.Aravindan B.A., B.L.**  
**R. Vishnu B.A., B.L (Hons).**  
**Advocate**

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To:

25.02.2020

1. Mr.Radhey Shyam Julaniya, I.A.S.  
Secretary Sports  
Shastri Bhavan  
Dr.Rajendra Prasad Road,  
New Delhi-110001

2. Mr.Narinder Dhruv Batra  
President,  
Indian Olympic Association  
Olympic Bhavan  
B-29, Qutub Industrial Area  
New Delhi.

3. Mrs.RajLaxmi Singh Deo  
President  
Rowing federation of India  
No.33- 17/2, officers colony  
R.K.Puram,  
Secunderabad-500056

**REPORT SUBMITTED BY THE ELECTION OFFICER**

1. The Election of RFI was conducted on 06.12.2019 for the term commencing from 01.04.2020 to 31.03.2024, which was later declared by the IOA and Hon'ble Ministry of Youth and Sports Affairs (MYAS) by letter dated 04.01.2020 & 22.01.2020 as invalid on the ground as stated therein. The President of the IOA addressed a letter dated 04.01.2020 directing the RFI to conduct fresh elections within 90 days. Subsequent to the afore-stated letter,



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the President of RFI by letter dated 23.01.2020, addressed to the Hon'ble MYAS stated that they are amending the Constitution of RFI in terms of the defects pointed out by the Ministry and further assured that fresh election would be conducted in terms of the amended Constitution of RFI and as per the directions of IOA, in conformity with NSC, 2011. It was further clearly stated that the RFI has 25 affiliates.

2. In conformity with the representation given above, The RFI conducted its EGM on 25.01.2020 and unanimously passed a resolution amending the Constitution by removing the Article permitting Proxy voting and reducing the number of councillors from three to two from each affiliate.

3. On 27.01.2020 in terms of NSC, 2011 R/w Constitution of RFI, fresh elections were called by the President of RFI on 27.01.2020 for the term commencing from 2020 to 2024 for various Posts to be held on 22.02.2020 at SATS, Water Sports Academy, Hyderabad (same is enclosed as **Annexure-1**). In and by the said notification the President of RFI called for nomination of two eligible councillors from eligible affiliates to be sent to the President by Email and Post on or before 31.01.2020. Mr. K. Ramu, Advocate, was appointed as the Election Officer/ Returning Officer to conduct the election. As per the above notification dated 27.01.2020, the President of RFI received nominations from all the 19 affiliates nominating 38 eligible councillors forming the Electoral College. The Rules and conduct of elections were framed and published on 30.01.2020 by me (same is enclosed as **Annexure-2**).



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4. Since both the President and the Secretary General were contesting the election, the President of RFI requested the RO to finalise the FORM -1 list of valid councillors independently. An email in FORM-1 format was sent by the President to the RO giving her inputs on each of the councillors that were received. Similar inputs were received from the Secretary General on few councillors. The Email received from the President was forwarded by certain councillors to other councillors and it was wrongly understood that the Email sent by the President giving her comments to be the final FORM-1 list of councillors. Hence few of the affiliates had raised objection and a complaint was also marked to the MYAS and IOA. Even before publication and finalisation of the complaints raised by few affiliates and declaration of FORM-1 by RO on 04.02.2020, the Secretary General of IOA by Email dated 03.02.2020 wrote a letter to the President, RO and others stating as if there was violation of Rules and there are many complaints received from various affiliates and thus forthwith directed RFI to stop the election process and further informed the President of RFI that an administrator would be appointed for RFI after consulting with the President of IOA . (same is enclosed as **Annexure-3**)

5. After the aforesaid letter of Secretary General of IOA, the Treasurer of RFI addressed a letter dated 04.02.2020 to the RO stating that the letter dated 03.02.2020 issued by the Secretary General of IOA is without jurisdiction, as the same is contrary to IOA Constitution and also on ground that RFI is a registered society under the Societies Registration Act, and therefore requested the RO to declare the FORM-1 as scheduled on 04.02.2020 (same is enclosed



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as **Annexure-4**). Hence after considering the letter issued by the Treasurer and various representations issued by few councillors, FORM-1 of valid councillors was published on 04.02.2020, with detailed reasons for acceptance and rejection of nomination of councillors (same is enclosed as **Annexure-5**).

6. Subsequent to the Publication of Form-1 the list of valid councillors forming the Electoral College, further representation was received from Col. R.S. Bhanwala of Delhi Rowing Association and Mr. B.C. Thakur of Jharkhand Rowing Association (JRA) to re-consider the decision taken by the RO on 04.02.2020 with regard to nomination of Councillors. After considering the representation of the complainant and on the analysis of relevant Rules of NSC, 2011 and RFI Constitution, the RO had adjudicated in detail on 08.02.2020 that the complaint does not have any merits. (Same is enclosed as **Annexure-6**). With respect to JRA, certain particulars were requested from the rival councillors in order to give fair opportunity to hear every one.

7. In the meantime few of the councillors numbering about 12 filed their nomination in person to the RO on 08.02.2020 and the same was also intimated to the President and the Secretary General of RFI. On 10.02.2020 the President of IOA, Mr. Narinder Dhruv Batra in a letter addressed to the RO and others Superseded the letter dated 03.02.2020 letter issued by Mr. Rajeev Mehta, Secretary General of IOA, and reiterated that the elections of RFI will continue as scheduled and also appointed Mr. K. Govindraj, the President of Basketball Federation of India as IOA observer on the very same day. (Same is



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enclosed as **Annexures-7 & 8**). On the very same day the RO, Mr. K.Ramu suffered a Stroke and was hospitalised. Certificate issued by the Doctor is enclosed as (**Annexure 9**). Hence by a Notification dated 11.02.2020, the President invoking her powers conferred under the Rules, appointed me as the Returning Officer/Election Officer to continue the election process and further appointed Mr. R. Vishnu, Advocate to assist me in the conduct of election. For the sake of convenience of the councillors, I accepted to receive the nomination papers from the office of Mr. K. Ramu, as specified in the election notification. (Same is enclosed as **Annexure-10**). On 11.02.2020, I received 14 nominations from various councillors for various posts in person. As proof of receiving the nomination in persons, photographs were taken at the time of submission of nomination by each individual.

8. It is pertinent to state that on 11.02.2020 few councillors submitted their grievance by way of a complaint and was handed over in person to me. (same is enclosed as **Annexure-11**). Mr. Rajan Singh from Uttarakhand Rowing Association informed me and Mr. R. Vishnu about the Writ Petition filed by him before the Uttarakhand High Court in WP.No.306 of 2020 and served the same on Mr.R. Vishnu on behalf of Mr. K. Ramu. On 14.02.2020 the Hon'ble Uttarakhand High Court refused to grant any interim order and posted the matter after few weeks. (Copy is annexed as **Annexure-12**). As per the Schedule of election, Form-3 consisting of List of Nominated candidates were published (same is enclosed as **Annexure-13**). Thus in all the office of RO received 26 nominations out of 38 councillors. Subsequently List of Validly



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nominated councillors in FORM-4 was also published on 12.02.2020, in and by which the nomination of 25 councillors were accepted and nomination of Mr.Rajan Singh for the post of Joint Secretary alone was rejected after taking into account the relevant rules viz., Clause 5(5) of NSC, 2011 (Model Election guidelines) R/w Clause 3.4 of Election notification (same is enclosed as **Annexure-14**). As scheduled, on 13.02.2020 since there was no withdrawal of nomination, the final list of contesting candidates was published in Form-6 (same is enclosed as **Annexure-15**). On 13.02.2020 the Deputy Secretary to Government of India, MYAS directed DG SAI to depute suitable officer to observe the proceedings of the elections of RFI and directed the observer to submit a report in a sealed cover (same is enclosed as **Annexure-16**).

9. After the publication of the final list of candidates, few other complaints were received and in order to ascertain the merits of the complaints, the same was forwarded to the respective councillors and their reply was sought in compliance with the Principles of Natural Justice. On 17.02.2020, a common detailed Order was passed addressing all the issues raised by Joint protest letter dated 11.02.2020 under Annexure 9 referred above, as well as other issues pertaining to Chandigarh Rowing Association, JRA and recognition of State Olympic Association were also addressed (same is enclosed as **Annexure-17**).



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10. Even after redressal of the above complaint, two other representations were received, one regarding the rejection of nomination of Mr. Rajan Singh and another with respect to nomination of councillors to Jharkhand Rowing Association. Hence with a view to give quietus to all the issues, once again a detailed Order was passed on 20.02.2020 (same is enclosed as **Annexure-18**). In and by the said letter/Order dated 20.02.2020, since there was no basis to recall my earlier adjudication which was done after following all the Rules, Codes and Principles of Natural Justice, the Rejection of Nomination of Mr. Rajan Singh was sustained. With respect to Jharkhand Rowing Association is concerned, serious issues were raised by the Secretary General of the JRA stating that Mr. Ranvijay Singh nominated by the President of JRA viz., Mr. B.C. Thakur was not even a member of JRA and since no document was produced to prove the membership of Mr. Ranvijay Singh as member of JRA., the representation of Mr. B.C. Thakur was rejected. In this regard on 21.02.2020, Mr. B.C. Thakur Vide his email agreed to be bound by the Order dated 20.02.2020 passed by me earlier. In the meantime I was orally informed that the Rowing Association of Madhya Pradesh had also moved a Writ Petition before the Hon'ble Delhi High Court in WP. No. 1863/2020. No interim order was granted by the Hon'ble Delhi High Court and hence the election was proceeded with as per the election schedule.

11. On 21.02.2020 the President of RFI appointed Hon'ble Mr. Justice N. Authinathan (Retd. Judge), High Court, Madras as an Independent Observer to oversee the election process (same is enclosed as **Annexure-19**). On



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22.02.2020 I met the Independent Observer Hon'ble Mr. Justice N. Authinathan (Retd. Judge), High Court, Madras and briefed him on the various process of the election and we entered the election hall together on 22.02.2020 at around 10.45 am along with Mr. R. Vishnu.

12. Upon my prior instructions, two separate voting booths were kept with an enclosure to protect the privacy of the councillors. Similarly the Do's and Dont's while voting were also printed and kept on display in the election hall. All the councillors were seated outside the election hall. Since there was a delay in the flight, Mr. K. Govindraj, the IOA observer informed me and the Independent observer over phone to commence with the election orientation with the councillors. Hence all the councillors were requested to sit inside the Election hall. They were shown six empty Boxes in which they were to drop their votes, post wise. In order to avoid confusion, six different Ballots of different colours were prepared for different posts and explained in detail to all the councillors. Each of the Ballot boxes in which votes were to be dropped, were also affixed with the relevant ballot paper for easy identification of the posts. Councillors were requested to use the Pen provided near the ballot box and they were asked to put only tick mark and not any other mark. The councillors were warned that use of any other pen or mark would entail in rejection of the said vote. In the meanwhile Mr.K.Govindraj, IOA observer joined us in the election hall. It was unanimously decided by us that only councillors who are to vote alone should be present inside the Election hall and all others were advised to be seated outside.



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13. At this point of time, one of the councillors Mr. Ramnik Singh Mann raised an issue with respect to Clause 2.5 of the Election Rules published on 30.01.2020 as being contrary to NSC, 2011. I duly replied to the same stating that Mr. Ramnik Singh Mann was neither an aggrieved person nor was any person rejected on the ground specified under Clause 2.5. I duly informed him that the President is the final authority in sending the nominations and it is only based on the same Col. R.S. Bhanwala's Nomination (DRA) was rejected. Further it was pointed out that the nomination of the Councillor sent by Mr. B.C. Thakur, President of Jharkhand Rowing Association (JRA) is concerned, the very membership of the person nominated by the President Mr. B.C. Thakur was seriously disputed. Hence Clause 2.5 has no relevance to any of the affiliates. That apart, he was also informed that the said issue had already been addressed through various letters which have already attained finality and that, the same cannot be re-opened at the time of voting. Thereafter Mr. Girish J Phadnis asked about the non presence of GOI observer. I duly replied to him showing the letter dated 13.02.2020 referred supra, wherein the Deputy Secretary to Government of India, MYAS had directed DG SAI to depute an observer and file a report. In spite of the Ministry's letter dated 13.02.2020, DG SAI had not deputed any observer. Since there was no impediment in NSC, 2011 and RFI Rules in respect of GOI Observer, the IOA Observer, myself and the Independent observer found it fit to proceed with the election as scheduled.



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14. Thereafter Mr.Sandeep Gupta approached me and the other observers and demanded that one Mr.Bhatnagar, who according to Mr.Sandeep Gupta was an advocate of RFI to be permitted as observer representing them. The same was disallowed stating that there was no rule permitting an individual member to appoint an observer and he was also informed that if his request was to be accepted then the same would open a pandoras's box for other candidates to seek similar request. Subsequently two councillors belonging to Madhya Pradesh Rowing Association viz., Mr. Devraj Singh & Mr.Sandeep Gupta handed over individual letter dated 22.02.2020 stating that they are participating in the election without prejudice to "their Rights and Legal Remedies" (same is enclosed as **Annexures-20 & 21**)

15. Mr. Amarjyothi Singh Deo who was contesting for the post of Secretary General approached us and handed over a form for withdrawal of his nomination (same is enclosed as **Annexure-22**). On receipt of the same I informed him that the last date for withdrawal having lapsed, and there being no rule to accept his withdrawal on the day of election, his name having also been printed in the ballot paper, his request was turned down. However his letter of withdrawal and my refusal was made known to all the councillors during the orientation. Thereafter the election process started.

16. The empty Ballot Boxes were opened and shown to all the candidates to show that the ballot boxes were indeed empty. On my directions in order to ensure fair election, the entire Election process was Video-graphed and Cell



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Phones were strictly prohibited to be brought inside the Election Booth. Both the IOA Observer and the Independent Observer checked and confirmed that the ballot papers were strictly printed in the format as prescribed under National Sports Code 2011. The election process started around 12 PM and completed by 1:15 Pm and out of 38 councilors, 37 of them were present and voted. Only one councilor from Uttarakhand Rowing Association Lt. Gen. Harpal Singh did not come and hence we waited till the scheduled time of closure of voting viz., 2PM. After the conclusion of the voting process, all the councilors/candidates were asked to come inside the Election hall.

17. Thus in all, 37 councilors voted out of valid 38 councilors. We have secured the signature of the respective candidates acknowledging their arrival, and separate signatures were obtained acknowledging the receipt of receiving the ballot paper (same is enclosed as **Annexures-23 & 24**). All the 6 Voting Ballot Boxes were opened at the same time and all the ballot papers were kept in 6 different trays and we commenced counting of the votes. We took the help of Mr. Sandeep Gupta and Mr. Ramnik Singh Mann, who were gracious to help us unfold the ballot papers. The entire Voting and counting process was video-graphed and after completing the counting of votes for all the posts,

18. I announced the results in the presence of IOA observer and the Independent observer and all the candidates present. The details of the votes polled, rejected votes and the individual vote secured by each of the candidate were declared jointly by myself, Mr. K.Govindraj and Hon'ble Mr. Justice



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N.Authinathan (Retd Judge) High Court Madras. For the post of **President (1 No.)** Mrs. Raj Laxmi Singh Deo was declared elected; for the Posts of **Vice-President (4 Nos.)** – (i) Mr. Rajpal Singh, (ii) Mr. G.Bhaskar, (iii) Mr. Souvik Ghosh and (iv) Mr. Sreekumar Kurup were declared elected; for the post of **Secretary General (1 No.)** Mr. M.V. Sriram was declared elected; while for the post of **Joint Secretary (2 Nos.)** (i) Mr. Krishna Kumar Singh and (ii) M. Chiranjith Phukan were declared elected. For the post of **Treasurer (1No.)** Mr. Nababuddin Ahmed was declared elected.

19. For the post of **Executive Committee (5 Nos.)** (i) Mr. Jasbir Singh, (ii) Mr. Venkateswara Rao, (iii) Mr. Ismail Baig (iv) Mr. Jacob and (v) Mr. Manjunatha secured top five high Votes. In the result of the Executive Committee, Mr. Jacob and Mr. Manjuntha Secured 25 votes each while Mr. Venkateswarao Rao and Mr. Ismail Baig secured 22 votes each. Since there was a tie between these two sets of candidates, we proposed to the candidates to have a toss or pick of lots, but it was unanimously decided that seniority in age, be taken as the deciding factor and therefore accordingly the above candidates were declared elected.

20. The details of the votes polled, rejected votes and the individual vote secured by each of the candidate have been declared in Form 14 and the list of successful candidates were declared in Form 15 (same is enclosed as **Annexures-25 & 26**). The copy of FORM 15 was handed over to the President RFI and we successfully concluded the election proceedings in strict adherence



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to the NSC, 2011, IOA and RFI Rules. I also requested the independent Observer and IOA Observer to send their respective report to the concerned authorities. Hence my report on the election of RFI, be taken on record.

Thanking you,



**M.ARAVINDAN**  
**Returning Officer,**  
**Rowing Federation of India**