

Proceedings No 9 - Objections raised by Mr. Rajiv Sharma**Srinath Sridevan** <rfilectionofficer2024@gmail.com>

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PROCEEDINGS No 12 OF THE RETURNING OFFICER DATED 12.02.2024

SRINATH SRIDEVAN
Senior Advocate, Madras High Court

In Re Elections to the Rowing Federation Of India

Proceedings in relation to e-mail from Shri Rajiv Sharma dated 12.02.2024

These proceedings are in relation to the communications received from Shri Rajiv Sharma raising a query in respect of nomination of Manipur Rowing Association, Sculling and Rowing Association of Andhra Pradesh, Uttar Pradesh Rowing Association and Telangana Rowing Association.

1. Manipur Rowing Association

1.1 This is in continuation to my earlier Proceedings No. 3, 9 & 11 regarding the Manipur Rowing Associations wherein I had sought for details pertaining to the orders passed by Courts in Manipur and the Registrar of Societies at Manipur.

1.2 I have had a chance to go through the court papers and also study Shri Sharma's objections in detail.

1.3 From the perusal of the same, it appears that there have been no elections within the Manipur Rowing Association from 2022 onwards. Attempts by the statutory authorities to have elections conducted have been challenged in the courts and stay orders are in force.

1.4 I have received emails bearing letters dated 03.02.2024 and 04.02.2024 issued by Mr. S Shyamkishore stating that the differences between the association have been resolved and the submitting their nomination to the Federation.

1.5 Today, I have received another email from Mr. S. Shyamkishore disassociating from the earlier emails and addressing himself as "ex-secretary". He has further stated that Manipur Rowing Association does not want to participate in the RFI elections.

1.6 Several persons (including Shri Sharma) feel that notwithstanding the above, the action of the Federation in not allowing the Manipur Rowing Association to submit candidates for the electoral college is unfair.

1.7 Notwithstanding the various rival contentions, I firmly believe that the right to vote should not be taken away from a sporting body, unless there is a clear breach of the National Sports Code.

1.8 Keeping in mind all of the above, I am of the view that, Manipur Rowing Association ought to be given a fair opportunity to participate in the elections.

1.9 If the Manipur Rowing Association chooses to participate in the elections, it shall submit fresh, valid nominations for Electoral College to the President, Rowing Federation of India on or before 5 pm on 14.02.2024. This can be done by e-mail.

1.10 If this is done, the Federation shall update the Form-1 already published on 06.02.2024 and re-publish the same on 14.02.2024.

1.11 If this is done, then, the Election Time Table will have to undergo some change. In the interest of time, I enclose herewith the amended Election Time Table. Needless to say, if no fresh and valid nomination is received by

the Federation on or before 5 pm on 14.02.2024, no further action is warranted on the part of the Federation.

2. Uttar Pradesh Rowing Association

2.1 There appears to be a grievance about the nature and manner in which the elections have been conducted, or not conducted, and also the manner in which the Acting President is functioning.

2.2 In my view, I cannot go into the manner in which the elections of the member associations is conducted, or the fact that elections are overdue. This aspect can be gone into only by a post-election challenge, and not by a challenge once the process has commenced.

2.3 Hence, the Form -1 as published in relation to Uttar Pradesh Rowing Association stands.

3. Sculling and Rowing Association of Andhra Pradesh and Telangana Rowing Association

3.1 Here too, the grievance is that elections to this association have not been conducted.

3.2 For the same reasons as expressed by me in relation to the Uttar Pradesh Rowing Association, I do not believe this is the correct stage to make a challenge of this nature.

3.3 Hence, the Form -1 as published in relation to Sculling and Rowing Association of Andhra Pradesh, and also in relation to the Telangana Rowing Association, stands.

4. Puduke Rowing Association

4.1 I refer to Proceedings No 7 issued by me. Pursuant to the same, I have received a letter dated 12.02.2024 from the Federation stating that there are no pending litigations as on date with respect Puduke Rowing Association.

4.2 Till date, I have not received any further information from Shri Ramnik Singh Mann, Shri Rajpal Singh and Shri Rajiv Sharma in pursuance to the same.

4.3 As the objection raised before me was a serious one, I grant one further extension of time till 14.02.2024, 5 pm, for any interested parties to communicate to me at the soonest possible, the details of **all pending cases** in relation to the "Puduke Rowing Association", along with interim orders, if any in relation to the same.

5. Tripura Rowing Association

5.1 A grievance has been raised that the office bearers of the Tripura Rowing Association are holding office in multiple state sports associations in breach of the National Sports Code.

5.2 By my Proceedings No. 9, I had asked for a response on this aspect from the Federation and the Tripura Rowing Association. I have received no response till date, save a response from the Federation dated 12.02.2024 saying that they were unaware of this issue.

5.3 As the objection raised before me was a serious one, I grant one further extension of time till 14.02.2024, 5 pm, for any interested parties to communicate to me at the soonest possible, their views, if any, in relation to the allegation that the office-bearers of the Tripura Rowing Association namely Mr.Rupak Debroy and Shri Amlan Chakraborty are holding office in other state sports associations, in violation of Clause 3.6 to Annexure-II of the National Sports Code.

6. Election Time Table

6.1 I have issued directions in relation to the Manipur Rowing Association in Paragraph 1 above. This may necessitate changes to the Election Time Table.

6.2 Additionally, any further directions I may issue in relation to the Puduke Rowing Association or the Tripura Rowing Association, may also necessitate publication of a fresh Form – 1.

6.3 I therefore make it clear that any change to the Election Time Table will be limited only to these points. Further, the Revised Election Time Table, shall be read as a part and parcel of Clause 4 of Election Guidelines issued by me on 29.01.2024.

Dated this the 12th day of February 2024.

Amended Election Time Table

The following will be substituted in place of Clause 4 of the Election Guidelines dated 29.01.2024:

| | Date | Day | Event | Relevant Forms |
|----|---|---|---|-----------------------|
| 1 | 29.01.2024 | Monday | Election notification to be issued by President/Secretary General RFI | |
| 2 | 05.02.2024 (before 5 pm) | Monday | Receipt of names of nominated Electoral College Members from the affiliated eligible Associations by RFI President/Secretary | |
| 3 | 6.02.2024. | Tuesday | Preparation/display/ circulation of Electoral College list by President and Secretary-General of RFI. Copy to be forwarded to Returning Officer. | Form 1 |
| 4 | 10.02.2024 and 12.02.2024 | Saturday [From 10 am to 5 pm] Monday [From 12 noon to 5pm] | Submission of Nomination forms physically to Returning Officer [See Guideline 3 for location] | Form 2 |
| 5. | 14.02.2024 (before 5 pm) | Wednesday | Receipt of names of nominated Electoral College Members from Manipur Rowing Association by RFI President/Secretary | |
| 6. | 14.02.2024 (before 9 pm) | Wednesday | Preparation/display/ circulation of Amended Electoral College list by President and Secretary-General of RFI. Amended Copy to be forwarded to Returning Officer by adding nominees of Manipur Rowing Association as S. No 53 & 54, if applicable. | Form 1 |
| 7. | 16.02.2024 (From 10 am to 5 pm) | Friday | Submission of Nomination forms physically to Returning Officer by Manipur Rowing Association, if any. [See Guideline 3 for location] | Form 2 |
| 5 | 16.02.2024 | Friday | List of all nominations received will be compiled and sent to Secretary-General of RFI who will publish the same. | Form 3 |
| 6 | 17.02.2024. (12 noon) | Saturday | Scrutiny of Nominations by Returning Officer | |
| 7 | 17.02.2024 | Saturday | Preparation of list of validly nominated candidates after scrutiny. Returning Officer will send the List to Secretary-General of RFI, who will publish the same. | Form 4 |
| 8 | 19.02.2024 20.02.2024 (Before 5 pm) | Monday Tuesday | Candidates desirous of withdrawing their nominations may do so in writing. | Form 5 |
| 9 | 20.02.2024 | Tuesday | Final List of Candidates to be prepared by Returning Officer. | Form 6 |

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|----|------------|--------|--|-----------------------------------|
| | | | Returning Officer will send the List to Secretary-General of RFI, who will publish the same. | |
| 10 | 25.02.2024 | Sunday | Polling Day from 11.00 am to 2.00 pm | Ballot Paper will be in Form 7-12 |
| 11 | 25.02.2024 | Sunday | Counting of votes | Form 14 |
| 12 | 25.02.2024 | Sunday | Returning Officer will declare all results | Form 15 |

Dated this the 12th day of February 2024.

RETURNING OFFICER
SRINATH SRIDEVAN