

# MUMBAI CRICKET ASSOCIATION

## MEMORANDUM OF ASSOCIATION

1. The name of the Association shall be "Mumbai Cricket Association" (hereafter referred to as the "Association".)
2. The address of the Association shall be 3<sup>rd</sup> Floor, Cricket Centre, Wankhede Stadium, 'D' Road, Churchgate, Mumbai-400 020.
3. The area controlled by the Association shall be (a) Greater Mumbai (b) Thane District (c) Palghar District (d) Navi Mumbai (upto Khandeshwar) (d) any other area which may be approved by the Board of Control for cricket in India (BCCI), to be under the control of the Association, from time to time.
4.
  - a. To promote, organise, manage and control the game of cricket in the area controlled by the Association by structuring, organising, conducting various tournaments, setting up coaching camps, indoor and outdoor academies for players, umpires, coaches, curators for improvement of game of cricket.
  - b. To popularise the game of cricket throughout the area controlled by the Association by organizing and/or conducting tournaments, matches in all the parts of the area controlled by the Association and to improve the general standard of the game.
  - c. To select teams to represent the Association in any tournament, championship or fixture, local or otherwise and to incur and pay the expenses thereof and further to receive by way of match subsidy, infrastructure subsidy, reimbursement of expenses, allowances incurred by the Association from BCCI or the Sponsor and/ or any other money from the BCCI or any other body controlling, allotting, organizing any matches or tournaments in the jurisdiction of the Association or elsewhere.
  - d.
    - i. To arrange, supervise and regulate visits of outstation or foreign teams, to invite teams to play in the area controlled by the Association, to arrange tours in India and/or outside India, with the permission of the BCCI.
    - ii. To arrange, stage, participate in any match for the benefit of any player/s, umpire/s or for any individual or any institution or for the cause of benefit of general public on such terms as the Association may deem fit.
  - e.
    - i. To purchase, take on lease or otherwise acquire temporarily, permanently or to hire any ground for cricket and to develop such a ground acquired permanently, for playing the game of Cricket and for that purpose to construct club house, pavilions, dressing rooms and refreshment rooms, cafeterias, meeting halls, gymnasium, swimming pool, indoor school, facilities for indoor games to help fitness of players, residential rooms, stadiums, and such other amenities in connection with playing of game of cricket, organizing

- any matches national or international, as may be necessary or expedient or required by the ICC or the BCCI or any other authority connection therewith.(herein after referred to as such facilities.)
- ii. To construct or develop, on the land belonging to the Association or allotted to the Association by the Govt. or any development authority or local authority, a cricket ground, a club house, an Indoor Cricket Academy with all modern facilities required for conducting the game of cricket, on its own or on the "Built Operate" basis and to make use of such facilities for players, support staff, administrators, managers and other sporting purposes and to repair, alter, pull down or demolish any such facilities including stadiums, ground for redevelopment or upgradation of such facilities and may pay the contractor by way of allotment of number of Associate rights, temporarily or permanently of such facilities, on such terms and conditions, as may be decided by the Association, from time to time.
  - iii. To put the such facilities or part of such facilities created and developed for conducting training, coaching of players, umpires, coaches, scorers, statisticians, physios, trainers, video analysts, Biomechanics, playing cricket matches, when not required for those purposes temporarily, to other purposes to recover, only for supporting expenses of maintenance and upkeep and attainment of objects of the Association.
  - iv. To take grounds of the Clubs, gymkhanas or institutions, who are not members of the Association or from the government, for the purpose of arranging camps and/or playing matches on such terms and conditions which may be mutually agreed between the Association and such clubs, gymkhanas or institutions or the Government free or on payment for the same.
- f.
- i. To start or sponsor and/or to subscribe to funds or stage a match for the benefit of institutions, cricketers or persons who may have rendered service to the game of cricket or for their families or to donate to a sporting cause to any institution or to any fund sponsored by the BCCI, In India or by the State Government or by the Central Government.
  - ii. To award scholarship to needy and promising young cricketers below the age of nineteen.
- g. To start and maintain a library of books, periodicals, CDs or any other digital media on sport in general and cricket in particular and to start journal or journals or e-journals, periodicals, e-periodicals and to donate funds to such library
- h. To establish Museum on cricket and cricket Gallery.
- i. To engage coaches, biomechanics, trainers, physios, selectors, statisticians, video analysts, director of coaching, scorers in the various departments of the game and to pay them fees, salaries, honorarium to conduct coaching schemes and/or practice nets for the teams and to take such disciplinary actions and inflict penalties or remove them from engagement if their services are not found satisfactory.

- j. To stage Test/ODI/ T20 and/or other matches official or unofficial allotted to the Association by the BCCI or by any other body controlling cricket in India and on such terms as the Association may deem fit or expedient and to sale tickets to the members and to public and to allow hiring places inside the stadium for advertisements during the matches and use the said funds on the objects of the Association and meet the administrative and match expenses of the Association.
- k. To establish, promote or assist in establishing and promoting any independent body for organizing, conducting T20 matches or any other matches other than Test and ODI matches, not being official international matches and called by whatever name for the promotion of the said format of the game, to help cricketers get employment and earning source and an opportunity to showcase their talent for national or international selection in the said format with the permission of the BCCI.
- l. To subscribe to and become a member of any other Association or Federation whether incorporated or not whose objects are similar, either wholly or in part, to the objects of the Association or the establishment or promotion of which may be beneficial to the Association and in particular to subscribe to finance or lend money to and guarantee the contracts of the BCCI or any other body for the time being controlling the game of cricket in India or any part thereof and any State or regional body or Association. ay be required for the purpose of the Association or for any other body promoted or established by the Association upon bonds, debentures, bill of exchange, Bank overdrafts, promissory-notes or other obligations or security of the Association property or upon gate money of any Test Match or any match to be staged by the Association or by mortgage or charge on the properties of the Association but not for any activity of profit or business.
- m. To borrow or raise money which may be required for the purpose of the Association or for any other body promoted or established by the Association upon bonds, debentures, bill of exchange, Bank overdrafts, promissory-notes or other obligations or security of the Association property or upon gate money of any Test Match, or any match to be staged by the Association or by mortgage or charge on the properties of the Association but not for any activity of profit or business.
- n. To sell, improve, manage, develop, lease, mortgage, dispose of or otherwise deal with all or any part of the property of the Association whether movable or immovable for the benefit of the Association to recover expenses of administration and maintenance of the property and create fund for future expenses, when such property not used for the game of cricket.
- o. To collect funds and to utilize the same in such manner as may be considered fit by the Committee for the fulfillment of the objects of the Association
- p. To receive monies and donations from any persons, committee or institutions specially formed and to utilize the same in any manner and for any purpose as conducive to the objects of the Association.
- q. To give financial assistance and/ or match subsidy to the member clubs for the match expenses as may be decided by the Association from time to time.

- r. To employ and designate on contract or otherwise, clerks, managers, officers on special duty, coaches, trainers, physios, grounds men, peons, servants and workmen and to pay them in return for services rendered to the Association salaries, wages, gratuities, pensions, honorarium, compensations, bonus and/or provident fund wherever applicable and to remove such employees on expiry of contract or on finding his or her service unsatisfactory, in the opinion of the Committee.
- s. To invest monies and funds of the Association in authorised securities or in any way and manner as may be decided upon from time to time.
- t. To promote and assist the players in formation of the players association who are integral agents of the game.
- u. To maintain a website of the Association, register of member clubs and listed clubs, and panel of cricket umpires, scorers, statisticians and to take such steps as may be necessary for development and maintenance of website, efficient umpiring, scoring and statistics.
- v. To use information technology and other advanced technology to improve administration and to achieve all the above objects and to preserve the records of the Association in digital form.
- w. To utilise the income, funds and property of the Association for the promotion of the objects of the Association as set forth above

PROVIDED ALWAYS that no portion of the income, funds or property of the Association shall be paid or transferred directly or indirectly appropriated by way of dividend, interest bonus, profits or otherwise, howsoever to the members of the Association or to their representatives or to their authorized signatories, elected or not save and except as provided for in clauses (f) and (r) herein above

And

- x. Generally to do all other acts, deeds, matters and things as are incidental to the achievement of objects of the Association or as the Association may deem conducive to the attainment of the objects specified above.

# MUMBAI CRICKET ASSOCIATION

## RULES

1. Every reference in these rules to the masculine shall include the feminine and the singular shall include the plural. Marginal notes shall not affect the construction of any rule.
2. The Committee shall be the sole authority for interpretation of these rules and the bye-laws and regulations made there under and the decisions taken under these rules either by the President or the committee, upon any question, protest, appeal, against any public statement made against the Association in any media or in any other dispute affecting the Association and member clubs and for the game of cricket in general shall be final and binding on the members, individuals, institutions dealing with the Association under these rules, byelaws and under the contracts, agreements, arrangements or otherwise with the Association.
3. Unless there is something in a subject or context inconsistent therewith :-
  - i. "Association" shall mean Mumbai Cricket Association.
  - ii. "An ordinary" member means a club affiliated to the Association as an ordinary member.
  - iii. "An associate" member means a club which is admitted as an associate member to the Association.
  - iv. "A listed" club means a club, gymkhana, office, school, college who are admitted as listed members and whose name is registered in the list, kept by the Association for the clubs which are registered under either Societies Act, Trust Act or Companies Act and are not an ordinary or associate member of the Association and are actively playing cricket, having its own cricket ground, which shall be used by the Association for playing matches and/ or coaching camps organized by the Association.
  - v. "Address of the Association" shall mean the address as mentioned in clause 2 of the Memorandum of Association and printed on the letterhead of the Association.
  - vi. "Board" or "BCCI" shall mean The Board of Control for Cricket in India.
  - vii. "Mumbai" for the purpose these rules and the bye laws made there under shall include area under the control of the Association as per clause 3 of the Memorandum of Association.
  - viii. "Club" shall mean club, Gymkhana, institution, association or cricketing body including clubs of commercial firms or companies or offices which are already ordinary members of the Association and after the adoption of these rules shall mean an association of persons who have come together under the common name to play the game of cricket and shall include maidan club, gymkhana, institution, association or cricketing body including sports clubs of commercial firms or companies, schools, colleges or offices who actively play the game of cricket by enrolling or employing players to play on their behalf having a constitution and club managing committee.

- ix. "An authorized signatory of a member" shall mean a person who is the committee member of the said member club and nominated by the said club's managing committee to be one of the authorized signatory for the club.
  - x. "A representative of the member club" shall be an individual, who is one of the committee members of the club as per the records of the Association and who is appointed as one of the authorized signatories of the club.
  - xi. "Committee" shall mean the Managing Committee of the Association.
  - xii. "Game" shall mean the game of cricket.
  - xiii. "Member" shall include Patron in chief, Patron, Honorary Members, Donor Members, and clubs who have been affiliated as Ordinary Members, Associate Members and listed members as may be listed by the Association and shall include the individuals who represent the respective member club in any capacity, from time to time for any purpose.
  - xiv. "Person" shall include any company or association or body whether incorporated or not or an individual representing the same.
  - xv. "Rules" shall mean these Rules, Regulations, all bye laws and all tournament rules, laws of cricket as adopted by the Association, for the time being in force and include any rules which may be formed from time to time for use of Association property, stadium, ground etc.
  - xvi. "Financial Year" shall mean 1st April to 31st March of following year or a period of twelve months which may be adopted by the Association as its financial year.
  - xvii. "Cricket season" shall mean a period from July to June or such period of the year as may be otherwise declared by the Association as the "cricket season".
  - xviii. "Registered Address" of the member shall be the address where all the correspondence by the Association shall be required to be done by the Club management. In case of school/college gymkhana, institution and Office Club, no correspondence shall be done on the residential address of the individual authorized representative or authorized signatory of the said office club, school/ college clubs gymkhana or an institution.
4. Every member shall be bound to conform to the Rules of the Association as may be in force from time to time.
  5. The Association shall have following members:
    - i. Patron in chief
    - ii. Patron
    - iii. Honorary Members
    - iv. Donor Members
    - v. Ordinary Members
    - vi. Associate Members and
    - vii. Listed members.

The Ordinary, Associate and listed members shall be only the clubs and shall not be any individuals/proprietors.

6. His Excellency the Governor of Maharashtra shall be the Patron in Chief of the Association.
7. All past Presidents shall be invited as Patron members of the Association.
8. The Committee may invite a distinguished visitor or any other person of distinction, interested in the game who has rendered meritorious services in the opinion of the Committee to the Association as an Honorary Member for such period as the Committee may deem fit.
9. Any person who has completed the age of 21 years and who pays Rs. 5,00,00,000/- (Rs. Five Crore only) or more to the Association may be enrolled by the Committee as Donor Member.
10. Any Club playing the game may be eligible to be enrolled as an Ordinary Member or an associate member or the listed member of the Association as the case may be, as per the Rules for Membership and Affiliation of the Association.
11.
  - i. All members other than
    - a. Patron in Chief
    - b. Patron
    - c. Honorary member and
    - d. Donor membershall be classified into following categories:
    - A. Maidan Clubs
    - B. Office Clubs
    - C. School/College Clubs
  - ii. The total number of Ordinary Members in all above categories shall not exceed 350 at any time.
  - iii. The Associate members shall not exceed 50 in numbers
  - iv. The Committee shall have as many listed members, as the Association may require for the use of the grounds and the facilities for conducting matches.
12. All clubs classified as Office Clubs shall pay Rs.500/- plus tax and other Ordinary and Associate Clubs shall pay Rs.250/- plus tax as annual subscription before 30th April, each year in advance.
13. In case the annual subscription is not paid before the 30th April, the member shall pay the said with fine of Rs. 1000/- in addition to annual subscription after the grace period of 30 days from the last date for payment of subscription for the respective year.
14. If the arrears of subscription and the penalty or any part thereof shall remain unpaid at the end of the second year, the membership of the Defaulter Member shall stand suspended for a period mentioned in the notice from the Association. The committee may remove the suspension on payment of arrears of fees and fine of Rs. 5,000/-, before the date fixed for payment of arrears by the committee but not later than 3 years from the date of default. However during the period of suspension the member shall not be entitled to any benefits or privileges from the Association declared by the Association during the period of suspension. The privileges suspended will accrue to the clubs only after 30 days from the payment of arrears.
15. If the defaulting member club does not pay the subscription arrears along with fine within 3 years from the date of default as per clause 13 hereinabove, the said club shall be removed from membership of the Association.
16. A member desiring to resign from the Association shall inform the Joint Honorary Secretaries Secretary in writing. The Committee shall accept the resignation of a member provided no amount is due from the member resigning. In case there are

arrears from such member, such members shall not be paid any dues receivable from the Association.

17. A member expelled or removed or resigned under this rule shall forfeit all its rights, privileges and claims against the Association. In case of dispute in the management or control of the member club, all its rights and privileges, save and except cricketing activities, shall be suspended till the dispute is settled or the legal suit, if any, is finally disposed by the competent authority.
18. Pending expulsion or removal it shall be in the power of the Committee to suspend such member from the Association for a period the committee may think fit not exceeding 36 months.
19. A member expelled or removed for reasons other than for nonpayment of subscription, under this rule may on its application made within two years after expulsion, be readmitted by a resolution taken at a meeting of the General Body specially convened for the purpose provided however that two thirds of the members present vote for readmission of such member, provided further that an Ordinary Member shall be readmitted only as an Associate Member, subject to vacancy in the same category on priority. If there is no vacancy at the time of approval for readmission, the club may have to wait till the vacancy is created in the same category as expelled or removed member.
20. There shall be a Managing Committee which shall be elected as per the Election bye laws, which shall govern the affairs and control the finances of the Association and will have a term of three years.
21. The candidate for the posts of the President, the Vice President, the Hon. General Secretary, the Hon. Treasurer, Joint Hon. Secretary and the Members of the Managing Committee, shall only be representatives of Ordinary Members.
22. The Managing Committee shall consist of :
  - i. The President
  - ii. Vice-President
  - iii. Hon. General Secretary
  - iv. Hon. Treasurer
  - v. Joint Hon. SecretaryAll the above shall be called as office bearers of the Association and
  - vi. Ten members shall be called members of the Managing Committee
23. Any member of the Committee shall cease to be a member thereof :-
  - a. If he absents himself from three consecutive meetings without obtaining leave of absence from the Committee.
  - b. If he is adjudged insolvent.
  - c. If he is convicted of a criminal offence or involving moral turpitude.
  - d. If he is absent from the area controlled by the Association for a period exceeding six months.
  - e. If the Ordinary member of which he is the representative is expelled from the Association or its membership is terminated under these Rules.
  - f. If he ceases to be the representative of ~~any~~ Ordinary Member, under whose representation such member was elected, for period exceeding 6 months.
  - g. If he takes regular or contractual or temporary employment and entitled to draw any sum by way of salary, remuneration, honorarium or whatever name called with the Association, BCCI, its affiliates, GCH, B.G.Shirke and its associates, IPL Franchisee (Mumbai Indians) or any other organization which in the opinion of the Committee may cause conflict of interest. However, any appointment by BCCI as Manager, Observer, Umpire, Match Referee or Match Official or a Tournament Director or



- Coach for a particular series shall not be considered as the employment and such individual shall not be considered as an employee of the BCCI.
- h. Completes the age of 70 years, while in the committee.
  - i. If he takes up any post, honorary or otherwise, in other sports Association or sports body
  - j. Any other further disqualification as may be specified individually or generally by the Jurisdictional Court, from time to time.
24. An Apex Council shall be constituted to give guidance, counsel and in general to advise the Managing Committee in matters related to administration of the Association. The Managing Committee after election in its 1st meeting shall nominate members of the Apex Council from the Managing Committee and sent the intimation for nomination of member of Accountant General and Players Representative.
25. It shall consist of:
- a. Office Bearers of the Association as mentioned in rule 22 above
  - b. In addition to elected Office Bearers One member out of the elected Managing Committee members duly nominated by themselves
  - c. Member Representative of Accountant General of the State
  - d. Two members to be nominated by the Players Association from amongst themselves, i.e. one male and one female
26. The quorum for Apex Council shall be 6 members. The term of the Apex Council shall be co-terminus with the Managing Committee.
27. In case of any vacancy in the post of President, the same shall be filled up from amongst the existing Office Bearers within 7 days from the date of vacancy. The committee shall not conduct any business till such vacancy is filled up by the committee. The Committee shall not transact any other business except filling up the vacancy in that managing committee meeting called for filling up the vacancy.
28. In case of vacancy in any other post in the Managing Committee except for the post of President, during the tenure of a Managing Committee the same shall be filled up by the Managing Committee by electing one member from amongst existing members and further vacancy shall be filled up by a member who had lost the recently concluded elections as a Managing Committee member, in the order of number of votes secured.
29. In the event of Managing Committee being elected unopposed, the vacancy arising in the Managing Committee except Office Bearers shall not be filled up and the Managing Committee shall continue as properly constituted Committee under the Bye-Laws till the next elections.
30. The President, and in his absence, Vice President will occupy the Chair in the meetings of the Committee.
31. In the absence of the President and the Vice-President, any member duly voted to the chair by the members present shall act as the Chairman for that particular meeting. In case of equality of votes for the election of the Chairman, the issue shall be decided by drawing of lots, immediately.
32. The Chairman of the meeting shall have power to suspend the working of the meeting for any misbehavior of a managing committee member and is empowered to suspend such member and ask him to leave the meeting and shall have power not to continue the proceedings till he leaves the meeting.
33. The Hon. General Secretary shall convene all the meetings of the Association except, where there are separate convener secretary appointed by the Managing Committee and the Convener Secretary shall record the Minutes of such meetings in the Minutes Book and submit them for confirmation in the next managing committee meeting. The Committee and The General Secretary shall have power to allot duties and functions to the Jt. Hon. Secretary. The Concerned Secretary shall carry on all

the correspondence on behalf of the Association and implement the decisions of the Committee and the General Body, unless any other office bearer or the member is specifically authorized in the matter.

34. All the important agreements, contracts in writing, plans, registers of members and records therein and documents shall be in the custody of the Hon. Gen. Secretary of the Association.
35. The President, Vice-President, Hon. Gen. Secretary, Hon. Treasurer and Jt. Hon. Secretary shall be ex-officio members of all Sub-Committee except the Selection Committees.
36. The Hon. Treasurer shall prepare annual budget with the help of CEO, keep account for all subscriptions and donations and other moneys payable to or receivable by the Association. The treasurer shall make all payments and incur expenditure as directed by the Committee out of the funds of the Association. He shall get the accounts of the Association prepared and audited after the end of the every financial year before the due date for annual general meeting and present the same to the managing committee and to general body. Invest and/or disburse the funds of the Association, to withdraw any or all of the existing fixed deposits before the date of maturity in accordance with any general or specific directions of the General Body or Managing Committee or the Finance committee.
37. The elected managing committee member shall be in charge of a subcommittee except the selection committee, as may be allotted to him by the managing committee and shall act as convener of the allotted subcommittee. Such member shall deliberate issues concerning the said subcommittee or the issues referred by the managing committee specifically to such subcommittee and shall record the minutes and place the minutes before the managing committee for approval.
38. The Sub-Committee shall have no financial powers. The Sub-Committee except selection committee, shall not consist of more than six members. The Selection committee shall consist of four members. The Sub-Committee shall normally be appointed for a term of three years. The Managing committee shall have power to remove, change any sub committee member, for any reason, before the completion of term of three years, if they think fit. In the exceptional circumstances, the President shall have power to add member to any subcommittee, for improving the working of that committee.
39. No person, who has been elected on a committee or nominated on any Sub-Committee for a period of three consecutive years shall be eligible for nomination for a period of three years, thereafter, on any Sub-Committee.
40. No person, except office bearers, shall be appointed on more than one sub committees at the same time or shall not be called as a special invitee permanently on any committee
41. The Managing Committee shall have all the powers, authority and discretion to do all acts and things except such acts as by these rules are expressly directed or required to be done by the General Body. Exercise of such powers, authorities and discretion shall be subject to the control and regulation of the General Body. No regulation shall retrospectively invalidate any act of the Committee which was otherwise valid.
42. The Managing Committee shall exercise superintendence over the CEO, the Cricket Committees and the Sub Committees in the discharge of their duties generally, and in particular, in accordance with any general or special direction of the General Body.
43. The Association shall not refuse or withhold without any reason any permission to its members to conduct tournaments, unless it affects the Association's tournaments, matches due to non-availability of particular player representing the Association or if such grounds required by the Association and if such activities of the members have not been specifically prohibited by the BCCI.

44. Club affiliated to the Association shall not conduct or organize any tournament or any matches or camps without the previous permission of the Association.
45. No member or a club affiliated to the Association in any capacity shall conduct or organize any tournament or any match/matches or camps, in which player/teams from region outside their jurisdiction or from a foreign country are participating or are likely to participate without the previous permission of the Association. Permission for conducting or organizing any tournament or match/matches, camps will be accorded in accordance with the rules framed by the Association in this regard from time to time.
46. No member or a Club affiliated to the Association shall conduct or organize any international Tournament or International match/matches, camps for foreign visitors without the previous permission of the Association.
47. No member shall allow the use of his ground for playing or conducting the matches, which are not approved by the Association, when use of such ground is required by the Association for matches.
48. No Umpire who is on the panel of umpires of the Association shall officiate in any match or the tournament which is not approved by the Association
49. Not following any of the above rules shall amount to misconduct and shall be liable to action under these rules.
50.
  - a. The Managing Committee shall ordinarily meet once a month preferably on the last Friday of the month to conduct the business of the Association. However, the Hon. Gen. Secretary on the instruction of the President or on a requisition signed by six members of the Committee shall convene meetings of the Committee in addition to normal monthly committee meeting.
  - b. Notice of the meetings of the Committee shall be given to all its members at least four clear days before the meeting either by e- mail, or in writing at the last registered address by post or by courier with the agenda fixed for the same. In case the notice of meeting does not reach a member four clear days before the meeting, the meeting shall not be invalid but a member may request the President to postpone the discussion on particular item on agenda for want of time which the President may, at his discretion, allow or not allow.
  - c. The President may direct the Hon. Gen. Secretary to convene an urgent meeting of the Committee on shorter notice but the notice must mention the reason for the urgency.
  - d. The quorum necessary for the transaction of the business of the Committee shall be eight.
  - e. Every question at a Committee meeting shall save as herein otherwise provided be determined by a majority of the votes of members present. Each member having one vote. In case of an equality of vote, the Chairman of the meeting shall have a casting vote in addition to his own vote.
  - f. In an emergency, a resolution in writing circulated by the Hon. Gen. Secretary by email, or by post or by courier and agreed to by the majority of the Members of the Committee by email or by post or by courier or in person in writing as might have been requested by the Hon. Gen. Secretary shall be valid and effective as if it had been taken at a meeting of the Committee. Such Circular Resolution shall be ratified in the next Managing Committee meeting.

- g. All proceedings, deliberations, opinions expressed by the individual members of the managing committee or the sub-committee and discussions in the managing committee or in the sub-committee shall be treated by the members of the Committee and/or Sub-Committees as confidential and any member of the Committee and/or Sub-Committee found guilty of disclosing the individual opinions or the discussions on any subject without authority directly or indirectly, shall be liable to be suspended for such period as a member of the Committee and/or Sub-Committee so decide, provided two third of the total number of members of the Committee so decide.
- h. The Functions of the President and Managing Committee shall be
- i. To carry out the objects of the Association specified in the Memorandum of Association
  - ii. To make rules for use of stadium, grounds, indoor cricket academy and any other property of the Association, to decide the rates for use of the same and the penalty for misuse of the same.
  - iii. To establish and improve the library, museum, cricket gallery or any other facility.
  - iv. To subscribe to funds for the benefit of cricketers who may have rendered services to the game of cricket and for their families or to donate to a sporting cause or institution a sum not exceeding Rs. 50,000/- or to a Fund sponsored by the BCCI or by the State Government or by the Central Government a sum as may be decided by the Committee from time to time. The Committee may decide the quantum of donation either from its general fund or from the Benevolent fund for such purposes.
  - v. To maintain a Dr. H D Kanga library, books and periodicals on Sports and Cricket in particular and to start journal or e- journal/s and make donations to the library.
  - vi. To give financial assistance to Ordinary Members, Associate Members, listed members, not exceeding totally 10% of the net income in any financial year. The said clubs will be required to submit their accounts to the Association certified by Chartered Accountant.
  - vii. To make, repeal, amend or add to all necessary Regulations and Bye-Laws not inconsistent with these rules, the Election bye laws, Bye laws for Registration of Players, Bye laws for Board of Umpires. Bye laws for use of Association's Colours. Such Regulations and Bye-Laws shall remain in force until all or any of them are altered or repealed by the Committee.
  - viii. To prohibit any act or practice including in the opinion of the committee, unauthorized use of official logo of the Association, its colors or the name of the association on any personal letterheads, visiting cards or any literature for personal advantage/ benefit, monetary or otherwise by any individual, member or by cricketer, which in the opinion of the Committee is detrimental to the interest of the game and the Association interest and to deal with any such member, individual disregarding such prohibition in such manner as the committee may think proper.

- ix. To interpret, arbitrate and to adjudicate all disputes, protest or questions referred to it by members or by any other person or club, through the protest committee specially constituted for that purpose or directly. Once the matter is resolved either by the protest committee or by the managing committee it shall be final and binding on the parties.
- x. To appoint from time to time such Sub-Committees as it may deem necessary or expedient and to delegate or confer on such committee, such powers or duties of the Sub-Committee as the Committee may determine. The Sub-Committee shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee. Such special committee formed for such specific purpose shall stand dissolved after the purpose is over automatically.
- xi. To elect Senior & Junior Selection Committees for all age groups comprising of four members each who shall have played first class cricket. In case the first class players are not available then the player who has played in inter university and none of them is a candidate for selection as a player and does not suffer from any conflict of interest. One of them shall act as a Chairman.
- xii. To appoint a Manager to manage tours undertaken by the Association and accompany the team, for the purpose of managing the team.
- xiii. To invite members representatives for any special purpose as volunteers without remuneration.
- xiv. To fix rates for seating accommodation for witnessing cricket matches and to allot seats to member clubs, invitees, donors, Govt and local authorities and members of public during the matches in the Association's stadiums, grounds.
- xv. To execute, sign, seal, deliver or cause to be executed, signed, sealed and delivered all such agreements, deeds, documents and assurances as may be necessary to carry out the objects of the Association.
- xvi. To open an account or accounts in such scheduled bank or banks in the name of the Association and shall be operated by such office-bearers of the Association as the Committee may from time to time decide.
- xvii. The remuneration of the auditors appointed to fill any casual vacancy shall be fixed by the Committee.
- xviii. To control, expand and regulate the finances of the Association
- xix. To institute or defend any action or proceedings for or against the Association or against any Office Bearer, Managing Committee member or employee of the Association.
- xx. To interact and consult with the Players Association regarding representations made on their behalf.
- xxi. To purchase, sell and/or mortgage, exchange and/or otherwise dispose of immovable property wherever situated, in order to promote the objects of the Association.
- xxii. To frame rules and lay down conditions including those of travel, accommodation and allowances under which Players shall take

- part in cricket tournaments/matches organized by the BCCI or the Association.
- xxiii. To frame rules regarding the appointment, service conditions and disciplinary action concerning employees and officers of the Association.
- xxiv. To make the Tournament Rules for various local tournaments and matches involving Maidan Clubs, Schools, Colleges and Office Clubs.
- xxv. To frame in consultation with the CEO, rules for the appointment of Managers, Secretaries, Administrative Officers, Peons and other service personnel and staff and for payment to them and other persons in return for their services rendered to the Association, salaries, wages, gratuities, pensions, honorariums, compensations, any ex-gratia payment and/or provident fund and to regulate discipline by suspending, fining, removing or dismissing such employees.
- xxvi. To make rules generally for the management of the affairs of the Association.
- xxvii. To either on its own, or through its delegate, entertain, hear and decide administrative appeals by employees or other directly affected parties against the orders of the CEO or the Cricket Committees as the case may be.
- xxviii. To appoint an Ethics Officer and fix his remuneration.
- xxix. To appoint an ombudsman and fix his remuneration
- xxx. To do all such other acts, deeds and things as shall be necessary or expedient for the general welfare and conduct of the Association.

51. The Managing Committee shall nominate the President or one of the committee members to be the representative of the Association on the BCCI for the term of the managing committee. Such representative shall attend all the working committee meetings during the said term and voice the any grievances of the Association, contribute the views of the Association on any subject on behalf of the Association.

52. Functions of the CEO:

- a. To implement all the Rules and Regulations made by the Managing Committee and the Apex Council in regard to non-cricketing matters.
- b. To issue guidelines in respect of travel, accommodation, allowances, etc., to be paid to players, support staff and officials participating in matches.
- c. To manage immovable property of the MCA wherever situated, in order to promote the objects of the MCA.
- d. To secure Players' welfare to ensure that the logistics manager will arrange for accommodation and travel, to ensure that tickets given to Players for matches will be on par with those given to the Members, and to also ensure that no expenditures towards the game (baggage handling, injury related, etc.) will be undertaken by the Player, failing which such expenses will be reimbursed to the Player within 30 working days of the requisition being made. Also, to process requests made by Players to make arrangements for the accommodation and travel of their respective wives / partners / family members, wherever permitted at the cost of players.
- e. To ensure that all measures are adopted to eliminate any form of racial, communal, casteist or other hatred from the game, with stringent action taken against the offenders including the initiation of criminal proceedings.

- f. To maintain the H.D. Kanga library of books, periodicals, DVDs and other databases on Sports in general and Cricket in particular, and to publish journals, books and other material as well as update the official website of the MCA, from time to time.
- g. To publicize the stadium capacity of all stadia across the jurisdiction of the Association with compulsory seat numbers, to provide transparent online and offline ticket booking services with reasonably priced tickets and maximize the access of the public to the games.
- h. To ensure at stadiums, wholesome and hygienic food and beverages at affordable rates, clean and hygienic restrooms for all genders and for the differently-abled, adequate fire and emergency entries and corridors, sufficient access avenues and wheelchairs for the differently-abled, proper signage, parking and transport facilities as well as efficient security systems.
- i. To assist the Cricket Committees and facilitate the implementation of their tasks and recommendations.
- j. To collate monthly reports concerning the functioning of the various Committees, to create action plans in advance and upload the same on the website of the MCA.
- k. To create a database of all cricketers at all levels, maintain records and statistics, track performances and certify age and identity of participants, through Statistical committee.
- l. To coordinate with member clubs, to conduct tournaments, to provide better access to the public, with particular reference to women and the disabled, through stadium committee.
- m. To enter transparently into contracts with third parties and vendors for the purposes of the various Committees of the MCA.
- n. To report to the Managing Committee every quarter or as often as required by the Committee on the functioning of the management and the progress made in developing cricket.
- o. To consider the reports of the Auditor, to verify whether Members are meeting their objectives and to assess whether cricket is being suitably developed and promoted across the jurisdiction of the Association.
- p. To consider all applications for financial aid or any other benevolence to cricketers, Umpires and administrators as per the rules framed by the General Body in this behalf from time to time and recommend the same to the Managing Committee for their approval.
- q. To examine all the expenditure exceeding the Budget and to control such outlays as are required for the proper administration of the MCA.
- r. To process requests made for increase in all types of allowances, subventions/subsidies to be paid to the Associations, tariff for Coaching Camps, Coaching Subsidies to the Associations, allowance to the players for matches of different Trophies and when playing against foreign sides, both at home and away and to recommend the same to the Managing Committee.
- s. To do all acts and things which are delegated by the Managing Committee to him, and all other functions as are necessary and expedient to carry out the objects of the MCA as aforesaid.

53. No person who has served on one particular Selection Committee for 3 consecutive years shall be eligible for re-appointment as a selector for next 3 years.

54. The selection committee shall consist of four selectors and one of them shall be appointed as a Chairman, who will have a casting vote during the selection meeting.

55. The Selection Committee shall select the Captain and the probable team. In the event of there being an equality of votes for the appointment of a Captain, the Chairman shall have a casting vote.
56. On appointment of Captain, the Captain and the coach shall be an ex-officio member of the Selection Committee but shall not have voting rights. However, the Captain with the Coach of the team and the selector present shall decide the playing eleven on the day of the match. On the Tour, the team shall be selected by the Captain, Vice-Captain, Coach and the selector present. The Manager shall be Convener. In case any Selector is present on such Tours he shall Chair the meeting. The Captain shall have casting vote for selection of final eleven.
57. Notice of all General Meetings shall be sent by at least two modes from the following (a) under a certificate of posting or (b) through courier with proof of delivery, or (c) delivery through a person or (d) by e-mail, to the Patron in chief, Patron members, Honorary Members, Donor Members and the Hon. Secretaries of the member clubs whose names are on the records of the Association and are entitled to attend and vote at the general meeting, at least fourteen days prior to the date fixed for such a meeting and in addition by putting up notice of meeting on the Association's notice board outside the office of the Association 14 days prior to the date of meeting.
58. The notice shall specify the place, date and time of such a meeting and the agenda of the meeting to be transacted, accompanied by a printed or cyclostyled or typed copy of the annual report and the audited statement of accounts for the past year.
59. The Annual General Meeting shall be held before 30th September of every year.
60. The members shall send the motions to the General Secretary, at the office of the Association with the explanation, duly signed and seconded by the representatives of the Ordinary members, at least 7 days before the Annual General meeting to the Hon. General Secretary
61. The Hon. Gen. Secretary shall circulate such motions to the Members under Certificate of Posting at least 4 days prior to the date fixed for the Annual General Meeting. Any accidental omission to send the copy of such motion to any member shall not make the motion invalid.
62. Accidental omission to give any such notice of a meeting to any member entitled thereto or the non-receipt thereof by him shall not invalidate the proceedings of any General Meeting.
63. A separate enclosure shall be reserved for Patron in chief, Patrons, Honorary members, Donor members and representatives of Associate members and listed members, for them to attend the meeting.
64. The quorum for General Meetings including special general meetings shall be thirty excluding Patron, Hon. Members, Donor Members and Associate Members.
65. If at an Annual General Meeting, there is no quorum, the meeting shall stand adjourned by 30 minutes on the same day and place or to any day at the same place and time as may be fixed by the Chairman of the Meeting.
66. At such an adjourned meeting, no quorum shall be necessary but the meeting shall not transact any business other than that for which the meeting was originally called.
67. The President and all the representatives of the Ordinary members present at a General Meeting shall each have one vote.
68. The President or in his absence the Vice-President or in his absence any member present and elected by the majority members present shall preside over the General Meeting and shall have a casting vote besides his vote in the case of an equality of votes on any question. If the candidates proposed at the meeting for the Chair secure equal number of votes, the election shall be decided by drawing lots.
69. The President has the power to adjourn the meeting to some other day, time and place. Notice of such adjourned meeting shall be posted on the Notice Board of the



Association. At the General meeting, the Chairman has the power to adjourn the meeting to some other day, time and place.

70. The ordinary business of an Annual General Meeting shall be :-
- a. to confirm the Minute of the last Annual General Meeting and of any Special General Meeting held during the year.
  - b. to receive and adopt the annual report and the audited statement of account as presented by the Committee.
  - c. To appoint an Auditor or Auditors and to fix their remuneration to hold office until the next Annual General Meeting. No person who is a member of the Committee or office-bearer of the Association or a partner of such a member or office-bearer or is indebted to the association shall be eligible for appointment as auditor.
  - d. To ratify any bye laws, rules or amendment to the Bye laws and rules, carried by the Committee during the period after the last Annual general meeting.
  - e. To consider any recommendations of the Committee, notice whereof is given in writing to the members seven days before the date of the Meeting
  - f. To consider any motion notice whereof is given in writing to the Hon. Gen. Secretary by a member or representative of an Ordinary Member seven days before the date of the Meeting
  - g. To transact any other business as may be allowed by the Chairman.
71. A Special General Meeting may be convened by the President whenever ~~he~~ thinks necessary or by the Hon. Gen. Secretary on a requisition of at least 30 Ordinary Members of the Association or on a resolution passed by the committee.
72. Such requisition for the special meeting proposed to be called must be signed by the representatives as requisitionists and deposited at the office of the Association.
73. A Special General Meeting convened by the President or on receipt of the requisition, the Managing Committee shall forthwith within 15 days proceed to convene a Special General Meeting with 14 days notice.
74. If the Committee does not proceed to convene a Special General Meeting within 15 days from the date of requisition being so deposited, the requisitionists at least 30 in number may themselves convene a Special General Meeting by giving 14 days' notice to the committee and other member's representatives to transact the business stated in the requisition only.
75. At such Special General Meeting no member shall be at liberty to discuss any subject other than that for which the meeting is called.
76. The President in an emergency is authorized to convene a Special General Meeting with three working days' notice of such emergency meeting.
77. If, at a Special General Meeting convened on a requisition by the representatives of the ordinary members, quorum of 30 is not present within thirty minutes of the time fixed for the Meeting, the said meeting shall be cancelled and requisition shall be invalid and the Association shall not be liable to reimburse the expenses of such invalid meeting.
78. Save as provided otherwise in these rules or by bye-laws voting shall be by show of hands unless voting by poll is demanded by those who are present and eligible to vote at such meeting and all decisions by poll shall be taken by bare majority.
79. At any General Meeting the declaration by the Chairman of the meeting that a resolution has been carried unanimously or by a particular majority shall be final and binding with immediate effect.

80. If a poll is demanded as aforesaid it shall be taken in such a manner and at such time and place as the Chairman of the meeting directs either at once or after an interval or adjournment or otherwise. The result of the poll shall be deemed to be resolution of the meeting at which the poll was demanded.
81. The demand for a poll as directed by the Chairman after the interval of poll shall not prevent the continuance of a meeting of any business other than the question on which the poll has been demanded.
82. Any proposals for any suspension of the rules must reach the Jt. Hon. Secretaries at least 14 days before the Annual General Meeting at which they are to be considered.
83. At any General Meeting any rule except rule one to three of these rules may be temporarily suspended if three-fourths of the members present and voting are in favour of the suspension of a rule or rules
84. Alteration or amendment or addition to Memorandum of Association or to these rules shall not be made except at a Special General Meeting by a resolution carried by a majority of two-thirds of the votes of the members present and voting at the meeting. Any alteration or an amendment or addition so made shall take effect immediately unless the meeting shall otherwise decide.
85. At any General Meeting the Chairman shall have the sole right to interpret the rules and decide all points of order or objections raised by members and his decision thereon shall be final and binding.
86. Any dispute as to the admission or rejection of a vote, the Chairman shall determine the same and such determination shall be final and conclusive.
87. Any question decided at a General Meeting shall not be reopened at any subsequent meeting until after the expiry of six months.
88. The Association and/or Managing Committee shall have powers to frame Bye-Laws, tournament rules, rules for use of Association's property, stadium, club house, grounds, playing conditions, and regarding the discipline and conduct of the employee, contractor, captains, players, umpires, team officials, administrators, referees, selectors, invitees, spectators, volunteers, member's representatives, member's authorized signatories, Franchisee of the BCCI, its owners or persons who represent the franchisee, who are under the contract with the Association for use of association's property or not, on the field, off the field. The Association shall have further power to amend the said bye laws from time to time in writing or by usage or by customs ordinarily followed in the absence of written conditions.
89. Any club or its authorized representative or its member refuses or neglects to follow these rules as approved by the Committee or the Association or guilty of such conduct which committee may consider likely to endanger the harmony or affect the character, stability, interest of the Association, such a club or its representative or its member shall be liable to be suspended pending enquiry, by the committee and if held guilty of such offence after giving opportunity of being heard, may further debar them from participating in the affairs of the association for a period maximum up to expiry of managing committee term, as may be decided by the committee .

In absence of the Ethics Officer and/or Ombudsman due to any reason:

90. The President or the managing committee after giving opportunity of being heard, shall have powers to take disciplinary action directly or through the committee appointed for that purpose on any employee, contractor, Administrator, Player, Umpire, Team Official, Referee, Selector, invitee, spectator. Volunteer, or representative of Franchisee of BCCI or the Association who have been allowed use of Association's property or its representative accredited or not present inside the

Association's premises and misbehaved with the staff doing duty, managing committee members present, volunteers appointed by the Committee or with any person representing the Association or with other present for the match or the function or event organized by the Association or in the premises of the Association in the premises of the Association or not including prohibiting such person from entering into Association premises temporarily or permanently.

91. The President or the managing committee shall apart from disciplinary action directly or through the committee specially appointed, have powers to levy further penalties including claiming financial damages on any person found guilty of any misconduct or indiscipline, as they may deem fit.
92. Any person being found guilty of misconduct or indiscipline shall forfeit all his rights and privileges as employee, contractor, Member, Administrator, Player, Umpire, Team Official, referee, Selector, invitee, spectator, franchisee, accredited person as the case may be and he shall not, thereafter be entitled to hold any position or office, contractual or otherwise with the Association, as may be decided by the President or the Committee.
93. The President and the managing committee shall directly or through the committee specially appointed, after giving opportunity of being heard, have powers to take disciplinary action on any Club found guilty of,
  - (a) conducting or organizing any tournament or any matches or camps without the previous permission of the Association.
  - (b) participating or are likely to participate in any matches, tournament, without the previous permission of the Association.
  - (c) to allow the use of his ground for playing or conducting the matches, which are not approved by the Association.
  - (d) protest
94. In case of any Member of the Association found guilty after giving opportunity of being heard, of any misconduct or indiscipline, the President or the managing committee may further unanimously recommend to general body expulsion of such person from the membership of the association by a resolution of the committee.
95. In case of any protest regarding umpire decision in any match or tournament, the President or the disciplinary committee appointed by the President, shall after hearing both the parties involved, may award match to opponent or debar the club found guilty from playing further matches in the said tournament, or stop the concerned club from further playing in any other tournament till the end of the season and further may recommend to general body for expulsion of such club or relegation of the said club from ordinary to Associate or remove from Associate membership.
96. The disciplinary action as may be thought fit after giving opportunity of being heard,, shall be taken by the managing committee, for
  - (i) refusing to follow or neglecting to follow rules, directions for playing the game of cricket including rules, directions for use of ground or the stadium as approved by the Committee or agreed by the Association from time to time or
  - (ii) refusing to allot plot allotted to the club for the matches being conducted by or under the auspicious of the Association or
  - (iii) for being guilty of such conduct which committee may consider likely to endanger the harmony or affect the character, stability, interest of the Association or of such an individual or a club,
  - (iv) In case of club or its representative or players or members of the team for infringement of laws of cricket, showing dissent to umpire decision, using abusive

language towards umpires, match officials, fellow cricketers, players whether present or not, assault on umpires, fellow cricketers, players, instigating spectators to use abusive language to umpires, fellow players during the match or during the intervals or after the match.

(v) on any individual or franchisee who has been accredited or not and has been allowed to enter the stadium premises or on the ground under the control of the Association for a specific purpose and time, for the infringement of the directions, rules and regulations of the Association for use of ground or the stadium premises under the agreement or otherwise, for misbehaving, using abusive language, acting in rude manner with the officials and the staff of the association, abusing, threatening and assaulting the officials and the staff, acting against or prejudicial to the interest of the Association

#### 97. Transparency

- i. The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the MCA (including the Managing Committee, Apex Council and the General Body) shall be freely available to the general public at a reasonable price. The same shall also be available on the Website of the MCA.
- ii. The composition of the various Committees, their reports of work done, financial outlay and expenditure shall be uploaded on the Website of the MCA on a quarterly basis at distinct links dedicated to each Committee. It shall be the responsibility of the CEO to ensure that this is done.
- iii. All payments and expenditures made by the MCA which is in excess of Rs.25 lakh shall be enumerated and uploaded on the website.
- iv. All proceedings and conclusions of the Ombudsman and the Electoral Officer shall be uploaded on the Website of the MCA annually.
- v. The audited accounts, balance sheets, profit & loss accounts and annual reports shall be uploaded on the Website of the MCA annually.
- vi. The Financial and Compliance reports of the Auditor shall be uploaded on the Website of the MCA annually.
- vii. All notices on or behalf of the MCA including tenders for goods and services, for contractual arrangements and the like shall be promptly uploaded on the Website of the MCA.
- viii. The website of the MCA shall have dedicated links to all the stadia in the jurisdiction of the Association which host international matches, along with their complete seating capacity, pricing and transparent booking procedures for all tournaments whether international, domestic or IPL. All sponsor and other free allotments shall also be disclosed, in no event being more than 10% of the entire seating capacity in any particular category.

#### 98. Conflict of Interest

- a. A Conflict of Interest may take any of the following forms as far as any individual associated with the MCA is concerned:
  - i. Direct or Indirect Interest:  
When the MCA, a Member or a Franchisee enter into contractual arrangements with entities in which the individual concerned or

his/her relative, partner or close associate has an interest. This is to include cases where family members, partners or close associates are in positions that may, or may be seen to compromise an individual's participation, performance and discharge of roles.

Illustration 1: A is an Office Bearer of the MCA when it enters into a broadcast contract with a company where A's son B is employed. A is hit by Direct Conflict of Interest.

Illustration 2: C is a Member of the Managing Committee. The MCA enters into a contract with a new franchisee, the Managing Director of which is C's partner in an independent commercial venture. C is hit by Indirect Conflict of Interest.

Illustration 3: D is the Office Bearer of the Association. D's wife E has shares in an IPL Franchisee which enters into a stadium contract with the State Association. D is hit by Indirect Conflict of Interest.

Illustration 4: F is President of the MCA. His son-in-law is a Team Official of a Franchisee. F is hit by Conflict of Interest.

Illustration 5: G is an employee of the MCA. His wife runs a catering agency that is engaged by the MCA. G is hit by Conflict of Interest.

ii. Roles compromised:

When the individual holds two separate or distinct posts or positions under the MCA, a Member or the Franchisee, the functions of which would require the one to be beholden to the other, or in opposition thereof.

Illustration 1: A is the Coach of a team. He is also Coach of an IPL Franchisee. A is hit by Conflict of Interest.

Illustration 2: B is Secretary of the MCA. He is also President of a member club. B is hit by Conflict of Interest.

Illustration 3: C is the Vice President of the MCA. He is also President of a member club and member of a Standing Committee. C is hit by Conflict of Interest.

Illustration 4: D is a Selector. He is also coach of an IPL franchisee. D is hit by Conflict of Interest.

iii. Commercial conflicts:

When the individual enters into endorsement contracts or other professional engagements with third parties, the discharge of which would compromise the individual's primary obligation to the game or

allow for a perception that the purity of the game stands compromised.

Illustration 1: A runs a cricket academy. He is appointed as a selector. A is hit by Conflict of Interest.

Illustration 2: B is a commentator. He also runs a sports management company which contracts members of the team. B is hit by Conflict of Interest.

Illustration 3: C is a selector. He is contracted to write a column on a tour that the national team is on. C is hit by Conflict of Interest.

Illustration 4: D is a team captain. He is also co-owner of a sports management agency which is contracted to manage other team members. D is hit by Conflict of Interest.

Illustration 5: E is a member of the IPL Governing Council. He is engaged by a cricket broadcaster to act as an IPL commentator. E is hit by Conflict of Interest.

iv. Prior relationship:

When the individual has a direct or indirect independent commercial engagement with a vendor or service provider in the past, which is now to be engaged by or on behalf of the MCA, its Member or the Franchisee.

Illustration 1: A is President of the MCA. Prior to his taking office, he has been engaged professionally for his services by a firm B. After A becomes President, B is appointed as the official consultants of the MCA. A is hit by Conflict of Interest.

Illustration 2: B is the Secretary of a State Association. Prior to his election, he ran a firm C, specializing in electronic boundary hoardings. Upon becoming Secretary, the contract for the Association's stadium hoardings is granted to C. B is hit by Conflict of Interest.

Illustration 3: D is the Office Bearer of MCA. Before he came into this office, he used to engage E as his auditor for his business. After becoming Office Bearer, E is appointed as auditor to the MCA. D is hit by Conflict of Interest.

Illustration 4: F is the Captain of a member team, and G is the team's manager. When F is made Captain of the state team, G is appointed as the state team's manager. F is hit by Conflict of Interest.

v. Position of influence:

When the individual occupies a post that calls for decisions of governance, management or selection to be made, and where a friend, relative or close affiliate is in the zone of consideration or subject to such decision-making, control or management. Also, when the individual holds any stake, voting rights or power to influence the decisions of a franchisee / club / team that participates in the commercial league(s) under MCA;

Illustration 1: A is a selector. His son is in the zone of consideration for selection. A is hit by Conflict of Interest.

Illustration 2: B is the Secretary of a State Association. He also runs a cricket academy in the State. B is hit by Conflict of Interest.

Illustration 3: C is an umpire. His daughter D is a member of a team which is playing a match in which C officiates. C is hit by Conflict of Interest.

Illustration 4: E is the President of a State Association and his company F owns 12 cricket clubs in the State from which probables are selected for the State team. E is hit by Conflict of Interest.

EXPLANATION: The Illustrations which refer to a President / Secretary / Vice-President may be read as illustrations referring to any other Office Bearer, and also to the members of the Managing Committee, Apex Council and the Committees.

- b. Within a period of 15 days of taking any office under the MCA, every individual shall disclose in writing to the Managing Committee any existing or potential event that may be deemed to cause a Conflict of Interest, and the same shall be uploaded on the website of the MCA. The failure to issue a complete disclosure, or any partial or total suppression thereof would render the individual open to disciplinary action which may include termination and removal without benefits. It is clarified that a declaration does not lead to a presumption that in fact a questionable situation exists, but is merely for information and transparency.
- c. A Conflict of Interest may be either Tractable or Intractable.
- i. Tractable conflicts are those that are resolvable or permissible or excusable through recusal of the individual concerned and/or with full disclosure of the interest involved;
  - ii. Intractable conflicts are those that cannot be resolved through disclosure and recusal, and would necessitate the removal of the

individual from a post or position occupied so that the conflict can cease to exist;

Explanation: In Illustration (iii) of Rule 98(a)(i), if the wife held 51% shares, the conflict will be treated as intractable. If the wife holds 3% shares, whether the conflict is tractable or intractable will have to be decided by the Ethics Officer on the facts of the case. If the wife holds only 100 shares out of 1 crore shares, a disclosure of the same may be sufficient.

d. It is clarified that no individual may occupy more than one of the following posts at a single point of time except where prescribed under these Rules:

- i. Player (Current)
- ii. Selector/Member of Cricket Committee
- iii. Team Official
- iv. Commentator
- v. Match Official
- vi. Administrator/Office Bearer
- vii. Electoral Officer
- viii. Ombudsman & Ethics Officer
- ix. Auditor
- x. Any person who is in governance, management or employment of a Franchisee
- xi. Member of a Sub-Committee
- xii. CEO & Managers
- xiii. Officer Bearer of a member
- xiv. Service Provider (Legal, Financial, etc.)
- xv. Contractual Entity (Broadcast, Security, Contractor, etc.)
- xvi. Owner of a Cricket Academy

e. As far as incumbents are concerned, every disclosure mandated under Sub-Rule (3) may be made within 90 days of the Effective Date.

#### Ethics Officer

99. The Association shall appoint an Ethics Officer at the Annual General Meeting for the purpose of guidance and resolution in instances of conflict of interest. The Ethics Officer shall preferably be a retired Judge of a High Court or a person of repute so appointed by the Association after obtaining his/her consent and on terms as determined by the Association in keeping with the dignity and stature of the office. The term of an Ethics Officer shall be one year, subject to a maximum of 3 terms in office.

100. After considering the relevant factors and following the principles of natural justice, Ethics Officer may do any of the following:

- a. Declare the conflict as Tractable and direct that:
  - i. The person declare the Conflict of Interest as per Sub-Rule (3);or



- ii. The interest that causes the conflict be relinquished; or
      - iii. The person recuse from discharging the obligation or duty so vested in him or her;
    - b. Declare the conflict as Intractable and direct that:
      - i. The person be suspended or removed from his or her post; and
      - ii. Any suitable monetary or other penalty be imposed; and
      - iii. The person be barred for a specified period or for life from involvement with the game of cricket;
101. The Ethics Officer is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstance.

#### Ombudsman

102. The Association shall appoint an Ombudsman at the Annual General Meeting for the purpose of providing an independent dispute resolution mechanism. The Ombudsman shall preferably be a retired Judge of the Supreme Court or a retired Chief Justice of a High Court or a person of repute so appointed by the Association after obtaining his/her consent and on terms as determined by the Association in keeping with the dignity and stature of the office. The term of the Ombudsman shall be one year, subject to a maximum of 3 terms in office.

103. The Association shall, in consultation with the CEO frame regulations regarding the discipline and conduct of players, match officials, Administrators, Committee members and other associated with the Association.

104. The types of disputes/differences that form the Ombudsman's ambit and the procedures for redressal are:

a. Member & Franchisee Disputes

Any disputes between or among the Association, its members, Franchisees, Zones and Cricket Players' Association shall be automatically referred to the Ombudsman.

Procedure: Both parties would submit their arguments and a hearing would be conducted following the principles of natural justice and exercising all powers of enquiry and hearing as the Ombudsman deems fit before appropriate orders are passed.

b. Detriment caused by Member or Administrator

If any Member or any Administrator of the Association commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the Association or the game of cricket or endanger the harmony or affect the reputation or interest of the Association or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the Association and/or the Rules of conduct framed by the Association, the Managing Committee, on receipt of any complaint shall issue a Show Cause Notice calling for explanation and on receipt of the same and/or in case of no

cause or insufficient cause being shown, refer the same to the Ombudsman.

Procedure: The Ombudsman shall, after providing opportunity of hearing to the parties concerned, pass an appropriate order.

c. Misconduct or Breach by Others

In the event of any complaint being received from any quarter or based on any report published or circulated or on its own motion, of any act of indiscipline or misconduct or violation of any of the Rules and Regulations by any Player, Umpire, Team Official, Selector or any person associated with the Association, the Managing Committee shall refer the same within 48 hours to the CEO to make a preliminary enquiry.

Procedure: The CEO shall forthwith make a preliminary inquiry and call for explanations from the concerned person(s) and submit his report to the Managing Committee not later than 15 days from the date of reference being made by the Managing Committee. On receipt of the report, the Managing Committee shall forward the same to the Ombudsman, who shall call for all particulars and unless it decides that there is no prima facie case and accordingly drops the charge, hearing shall commence on the case and the same shall be completed as expeditiously as possible by providing a reasonable opportunity to the parties of being heard. If, despite due notice, any party fails to submit any cause or submits insufficient cause, the Ombudsman shall after providing reasonable opportunity of hearing to the parties concerned, pass appropriate order. In the event any party refuses and or fails to appear despite notice, the Ombudsman shall be at liberty to proceed ex-parte on the basis of the available records and evidence.

d. By the Public against the Association

Where a member of the public is aggrieved concerning ticketing and access and facilities at stadia, the same may be brought in the form of a complaint to the Ombudsman.

Procedure: The Ombudsman would adopt the same procedure as laid down in (c) above after referring the complaint to the CEO to solicit a report on the complaint.

105. The Place of hearing shall be decided by the Ombudsman from time to time. The Ombudsman shall have the power to impose penalties as provided in the Regulations for Players, Team Officials, Administrators, Managers and Match Officials of the Association.
106. The decision of the Ombudsman shall be final and binding and shall come into force forthwith on being pronounced and delivered.

107. Any Administrator, Player, Match Official, Team Official, Selector or other individual associated with the Association on being found guilty and expelled by the Association shall forfeit all their rights and privileges. He or she shall not in future be entitled to hold any position or office or be admitted in any committee or any role on the Association.
108. A Member or Franchise once expelled, may, on application made after expiry of three years since expulsion, be readmitted by the Association, provided the same is accepted at a General Body meeting by 3/4th members present and voting.
109. Pending inquiry and proceeding into complaints or charges of misconduct or any act of indiscipline or violation of any Rules and Regulations, the concerned Member, Administrator, Player, Match Official, Team Official, or other individual associated with the Association (along with their respective privileges and benefits) may be suspended by the Managing Committee until final adjudication. However, the said adjudication ought to be completed within six months, failing which the suspension shall cease.
110. The Ombudsman to be appointed may also discharge the duties of an Ethics Officer.
111. The Association shall not be dissolved unless its dissolution is decided upon by a resolution passed at a Special General Meeting of the Association specially convened for the purpose and notice whereof is given at least twenty-one days prior to the date of such Meeting and if at such Meeting three-fourths of the members present and entitled to vote, vote for such dissolution. The quorum for such Special General Meeting shall be three-fourths of the members entitled to vote on the records of the Association on the date of Issue of notice for such Meeting.
112. If upon winding up or dissolution of the Association there shall remain after satisfaction of all its debts and liabilities any property whatsoever the same shall be distributed to any similar Association having similar objects.
113. The Old constitution shall cease to operate the field as soon as this constitution comes into force.
114. All steps/actions/projects/ appointments validly undertaken/made under the old constitution shall be deemed to be valid.
115. All resolutions passed by the General Body/Managing Committee under the old constitution, which are consistent with the provisions of this constitution shall continue to be binding and shall be strictly followed unless validly reversed.

# MUMBAI CRICKET ASSOCIATION

## BYE-LAWS FOR ELECTION

1. Candidates for the election of President, Vice-President, Hon. Treasurer, Hon. Gen. Secretary, Jt. Hon. Secretary and members of the Managing Committee shall be elected as per these Election bye laws.
2. For the first election process under these rules, the present sitting President shall be the adjudicator.
3. The General Elections under these bye laws shall be held before 30th June, after every three years. In the exceptional circumstances, the election may be held at a later date, as may be decided by the Managing Committee but not later than 60 days after 30th June.
4. At least 35 days before the date of the election an Election Officer preferably an individual unconnected with the Mumbai Cricket Association and recommended by the state election officer, shall be appointed by the Managing Committee to act as an Election Officer under these bye-laws and to conduct the elections. Any vacancy for the post of election officer, after the appointment of the Election officer, shall be filled in by the President at his own discretion.
5. A Person shall be disqualified from contesting elections if he or she:
  - (a) Is a minor or
  - (b) is declared to be an insolvent or of unsound mind
  - (c) is charged of a criminal offence involving moral turpitude or
  - (d) is not an ordinary resident of area under the jurisdiction of the Association or
  - (e) is an individual who is an employee of the BCCI, Garware Club House, IPL or Employer who is in financial arrangement or a conducting arrangement with the Association or any other contractual arrangement where there shall be affecting the interest of the Association due to such employment or
  - (f) has attained age of 70 years on the date of election or.
  - (g) Holds any post, honorary or otherwise in any other sports body other than cricket or
  - (h) Has been an elected member for consecutive 2 terms and/or has completed cumulative period of 9 years as elected member or
  - (i) is a government servant or a Minister in the Government.
  - (j) is otherwise disqualified under the Election bye laws here under
6. The Managing Committee, from time to time, shall decide the names of employers/contractors who may be in a position to create conflict or in a position to affect the interest of the Association.
7. In addition to whatever stated in clause 5, a person who has completed the age of 35 years and representing an ordinary member, who has attended at least two annual general meetings of the association out of last three annual general meetings as an authorised signatory and representative of the same ordinary member and who is not suffering from any legal disability may be elected as the President or Vice President.
8. On election to the managing committee, the elected member shall hold office for term of three years and remain in office until, he or she continues to be representative of the same ordinary member till the next committee is elected.
9. The ordinary members shall give names of their representatives who is also one of the authorised signatories of the club, who shall be voting at the election, at least 30 days before the election date. No change in representatives shall be allowed after that date.

10. The election officer shall finalise the list of voters from the representatives of the ordinary members, after the end of the time announced by the Gen. Secretary.
11. Along with the notice convening the election the Gen. Secretary shall forward to the each Ordinary Members :-
  - (a) Two Nomination Papers, in the form shown in Appendix 'A' hereto. (If any Ordinary Member requires more Nomination Papers he may obtain them from the office of the Association duly signed by the Gen Secretary, on payment of Rs. 25 for each additional Nomination Paper).
  - (b) A copy of an up-to-date list, alphabetically arranged, of the names and addresses of the Ordinary Members with the names of the representatives nominated by the ordinary Members thirty days before the election date, shall be forwarded with the notice of the election.
  - (c) An intimation regarding the time and last date for filing duly filled up nomination papers shall be intimated with notice of election. The time for filing duly filled up nomination papers shall be 7.00 p.m. on the last date specified in the notice which shall be a date seven clear days before the date fixed for the election.
  - (d) Printed cards serially numbered in accordance with the alphabetical list of Ordinary Members in the form shown in appendix 'B' hereto in duplicate.
  - (e) The name and address of the Election Officer.
12. Accidental omission to forward Nomination Papers or accidental mistakes or omission or misprint in the list of Ordinary Members or the mistake in the names of the representatives shall not invalidate an election.
13. Printed cards, in duplicate, mentioned in Bye-law 11 (d) above duly filled in and signed by the authorised signatory on the record of the Association of each Ordinary Member shall be presented to the office of the Association along with two passport size photographs of the representative of the Ordinary Member attending and voting at the election at least 6 clear days before the date fixed for election before 7.00 p.m. on the last day. First copy shall be retained in the office of the Association. Second copy of the card will be handed over to the representative of the Ordinary Member after the same has been duly stamped with the seal of the Association and with the photograph of the representative affixed on it.
14.
  - (a) No representatives of a member whose subscription is not received seven clear days before the date of the election with the fine, before 7.00 p.m., shall be eligible to vote or be a candidate for the election to the committee subject to rule 14 of the association.
  - (b) No Individual from whom any dues are in arrears to the Association as shown in the audited annual accounts which are not received seven clear days before the date of the election, before 7.00 p.m., shall be eligible to vote or be a candidate for the election to the Committee.

The Hon. Treasurer shall forward to the Election Officer, before the scrutiny of the nomination papers, a certified List of Ordinary Members and individual as mentioned in (a) and (b) above.

15. Every candidate, who is not covered by Election Bye-Law\_14 above, for the election as President, Vice-President, Gen. Secretary, Jt. Hon. Secretary, Hon. Treasurer or member of the Managing Committee shall be duly proposed and seconded by a signatory of an Ordinary Member of the Association and the candidate shall sign the Nomination Paper in token of his willingness to serve if elected and shall also duly fill up the Nomination Paper provided however that no candidate shall contest for more than one seat at any election.

Provided however that if a Candidate is required to proceed abroad or out of the Area Controlled by the Association, on an official assignment of the Association or the Board as an Official, Manager, Coach, Statistician, and/or scorer or as member of a cricket team representing the Association or the Board, such candidate may thereupon authorise in writing along with such proof, any person to fill up the Nomination Paper, to sign the Nomination Paper in token of his willingness to serve if elected and/or to withdraw the candidature on his behalf. The acts and signatures of such authorised representative shall for all purposes be effective and binding.

16. All Nomination Papers shall be deposited with the Election Officer or at the Office of the Mumbai Cricket Association on or before the date fixed for receiving nominations before 7.00 p.m.
17. The Election officer shall start scrutiny of nomination papers at 6.00 p.m. on the day after the last day for submitting Nomination Papers at the Office of the Mumbai Cricket Association. Candidates whose names have been proposed and seconded shall be entitled to attend before the Election officer when the Nomination Papers are being scrutinised.
18. On the decision of the Election Officer either accepting or rejecting the nomination of any candidate, only the candidates shall be entitled to prefer an appeal to the President and in the absence of the President, the Vice-President. His decision on appeal shall be final.
19. Any candidate whose candidature is accepted, may withdraw his candidature by a notice in writing addressed to the Election Officer two days before the date of election before 7.00 p.m.
20. If the printed card is not received by an Ordinary Member, the Gen. Secretary shall, at the request in writing from such Ordinary Member (on Club's letter head) issue a duplicate printed card bearing the same serial number, after intimating the President or in his absence the Vice President.
21. This duplicate printed card will have to be collected from the Office of the Association, and the same after being duly filled in and signed by the authorised signatory on the records of the Association of the Ordinary Member be presented to the Office of the Association along with two passport size photographs of the representative of the ordinary Member attending and voting at the election at least 6 clear days before the date fixed for such meeting before 7.00 p.m.
22. Second copy of the card will be handed over to the representative of the Ordinary Member after the same has been duly stamped with the seal of the Association and with the photograph of the representative affixed on it.
23. Representative of the Ordinary Member will have to bring his copy of printed card along with him at the time of his attending and voting at the election.
24. A representative of an Ordinary Member who does not produce the duplicate copy of the printed card/letter with the photograph and duly stamped with the seal of the Association shall not be entitled to attend and vote at the election. However, If a Club is to be represented by the same representative who had represented the Club at the last election, the printed card duly filled in has nevertheless to be submitted, but it is not necessary to affix fresh photographs and to give his specimen signature thereon. However the representative will be required to produce the earlier duplicate postcard with the photograph at the time of election.
25. The Election Officer shall on receipt of the printed cards prepare a list of the Ordinary Members and their representatives entitled to vote at the election and shall submit a copy of such list to the Gen. Secretary six clear days before the election. Such list shall remain at the office of the Association and may be inspected by any representative of an Ordinary Member between 12 noon and 2.00 p.m. and 3.00 p.m. to 6.30 p.m. at the office of the Association. Any objection as to inclusion or omission of a representative of an Ordinary Member from

- such list shall be communicated two days before the date of the election to the President or in the absence of the President from Mumbai the Vice-President for his decision and the decision of the President or the Vice-President shall be final and binding.
26. The Election Officer shall get printed such number of voting papers with counter-foils as are required for the election and have only the counter-foils duly serially numbered and bound up separately in six books each book containing an equal number of voting papers and shall hand over these books to the persons to be appointed by the Election Officer for issuing the ballot papers on the election day, fifteen minutes before the start time for voting.
  27. If the number of candidates proposed for election is equal to the number to be elected under rule 22 the candidates shall be declared as elected unopposed.
  28.
    - (a) Voting, unless decided by electronic process by the committee, shall be by ballot.
    - (b) The Ballot paper shall be issued to the voter who shall sign on the counter-foil of the ballot paper.
    - (c) In case of electronic voting, the Election officer shall demonstrate the voting process, whenever required by the voter. The voter shall be required to sign in register to record the name of the representative and the name of the ordinary member for whose behalf he/she shall be voting on the electronic voting machine.
  29. The Election Officer, in case of voting by ballot, in the presence of candidates if they so desire shall show that the ballot boxes are empty and shall seal them himself at the place of election, in the presence of the candidates present.
  30.
    - (a) The issue of ballot papers shall commence at 3.00 p.m. Every voter after receiving the ballot paper shall after casting his votes deposit the paper in the ballot box and no voter shall be allowed to take away the ballot paper from the ballot counter. The issue of the ballot paper shall continue till 6.15 p.m.
    - (b) The ballot box shall be kept in an open place.
    - (c) Voters, volunteers or the polling officers shall not be allowed to carry mobile phone, cameras or any electronic or electrical gadget inside the polling area. Anybody found carrying any of the above objects inside the polling area, he shall not be allowed to vote till he/she removes such gadget and keeps the same out of balloting area.
    - (d) The Election officer and any authorized person by him shall be authorised to check, frisk any person, voter, volunteer present at the balloting area to ensure that no person carries mobile phone, camera or any electronic gadget etc.
  31. Every member shall be entitled to cast one vote for President, one vote for Vice-President, one vote for the Hon. Treasurer, one vote for Gen. Secretary, one vote for Jt. Secretary and ten votes for members of the Managing Committee. Provided that if a member casts any more votes than he is entitled to cast, his ballot paper shall be invalid.
    - (a) In so far as the election of ten members to the Managing Committee is concerned if more than ten votes are cast.
    - (b) in so far as the election of Gen. Secretary and Jt. Secretary is concerned if more than one vote each are cast.
    - (c) in so far as the election of Hon. Treasurer is concerned if more than one vote is cast and
    - (d) in so far as the election of President is concerned if more than one vote is cast.
    - (e) in so far as the election of Vice-President is concerned if more than one votes are cast.
  32. If two or more candidates receive an equal number of votes the result shall be determined by the chairman of the election by his casting vote.

33. In case of election by ballot, after the election time is over, the total number of votes shall be confirmed from the counter foils of the used ballot papers. The counter foils of used ballot papers and the unused ballot papers with counter foils shall be kept in an envelope which will be sealed by the Election Officer and handed over to the Chairman of the election who will sign such envelope and keep it with him in the office of the Association for 15 days or in the event of an appeal until the appeal is disposed off whichever is later where after the sealed papers may be destroyed.
34. After the ballot is concluded the Election Officer shall hand over the ballot boxes to the scrutineers appointed. The scrutineers shall be appointed by the Chairman of the election from amongst the representatives of Ordinary Members present at the Meeting other than the candidates for election. The scrutiny shall take place in the presence of the Election Officer appointed as herein provided. Candidates or their representatives shall be entitled to be present at the scrutiny of the ballot papers. Scrutineers shall not be allowed to carry mobile phone, cameras or any electronic or electrical gadget at the time of scrutiny. Anybody found carrying any of the above objects during scrutiny, he shall not be allowed to enter till he/she removes such gadget and keeps the same out of balloting area.
35. After the scrutiny is over and total number of votes tally with the number of used ballot papers, all the ballot papers shall be kept in an envelope which shall be sealed and signed by the Chairman of the election and thereafter kept by the Chairman for 15 days from the date of the election where after they shall be destroyed unless an appeal is filed in which case by law 33 shall apply.
36. The result of the election shall be announced either by the Chairman of the election or by any other person authorised by him after the voting or shall be posted on the Notice Board.
37. All the disputes in connection with election shall be referred to the President elected and in case of dispute for the post of President then to the immediately previous President and in his absence from Mumbai to newly elected Vice-President and in the absence of the President and Vice-President to the immediately previous President, in writing within 48 hours of the announcement of the results.
38. The dispute referred shall be decided by the person to whom it is referred as per 37 above, within forty-eight hours from the time of receiving the complaint and after hearing all the parties concerned and his decision shall be final.
39. All the printed cards showing the names of the representatives of Ordinary Members shall be delivered by the Election Officer to the Gen. Secretary elected at the election within ten days of the election.