

Mumbai Cricket Association

From: Committee of Administrators <coa@bccci.tv>
Sent: 27 August 2019 12:19
To: Andhra Cricket; Andhracricquet; Arunachal CA - Jt. Secretary Joram Anand; Arunachal CA - Secretary; assam cricket association ;; Assam CA - secretary; Baroda CA; Bengal CA; Bengal CA-Sourav Ganguly; Bihar Cricket Association; BIHAR CA; Chhattisgarh State CA; Prasad V. Phaterpekar ;; Gujarat Cricket Association ;; Haryana CA ;; HPCA Dharamsala ;; HPCA Secretary; Hyderabad CA; Hyderabad COA; Jammu & Kashmir CA; Jharkhand State Cricket Association; Debasish Chakraborty; Karnataka Cricket Association ;; Chief Executive Officer KSCA; Kerala CA; Maharashtra Cricket Association ;; Manipur CA; Meghalaya CA; naba bhatta ;; Mizoram CA; MPCA; MPCA Cricket Operations; Mumbai Cricket Association; Nagaland CA-Abu Mehta,Secretary; NAGALAND CRICKET ASSOCIATION; Orissa Cricket Association; Pondicherry CA; arun@cap-cricket.com; Punjab CA; Punjab CA - Deepak Sharma; Saurashtra CA Rajkot; Saurashtra CA Rajkot -Madhukar Worah; Sikkim Cricket Association ;; Sikkim Cricket Association; Tamil Nadu CA; TNCA secretary; Tripcric Assoc ;; UPCA; Vidarbha CA; PS to Justice Dave; Justice Gurram Venkata Seethapathy; C. K. Prasad; justicesralam@gmail.com; Ratnakar Shetty; DDCA CA; chd.cricket@gmail.com; info@cauttarakhand.tv
Cc: Rahul Johri; Electoral Officer
Subject: Advisory on 9+9 rule

Dear All

Certain Member Associations have sought clarifications from the Committee of Administrators regarding the 9+9 years disqualification rule and cooling-off period in the context of eligibility of representatives to contest in the upcoming BCCI Elections.

Accordingly, the Committee of Administrators deems it appropriate to clarify as under:

1. For a person to be eligible to attend the AGM of BCCI and participate in BCCI Elections as a member representative (other than representative of Indian Railways, Armed Forces/Services and Association of Indian Universities), the said representative shall be a **member** of the electoral college of (i.e., an eligible voter within) the Member Association, which he/she seeks to represent in the BCCI and in addition to filing the nomination form in the prescribed form (if he/she desires to contest elections), the said representative shall produce before the Electoral Officer a certified copy of the resolution passed by the general body or apex council of the Member Association, as the case may be (depending on the relevant constitution provisions in this regard of the Member Association), duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the Member Association that empowers the general body or the apex council, as the case may be, to make such nomination. A person representing Indian Railways, Armed Forces/Services and Association of Indian Universities shall be eligible to attend the AGM and vote in BCCI Elections only if the said representative provides a certified copy of the resolution passed by the governing body of the concerned association of former players in terms of Rule 3(a)(ii)E,F and G of the BCCI Constitution, respectively, duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the concerned former player association that empowers the said governing body to make such nomination. Only eligible representatives of Full Members of the BCCI are entitled to stand for election for the post of Officer Bearer or Councillor or member of Governing Council in BCCI whilst eligible representatives of Full Members of the BCCI and eligible representatives of Indian Railways, Armed Forces/Services and Association of Indian Universities are

entitled to vote at BCCI Elections. Associate Members of BCCI are entitled to attend the AGM of BCCI but not entitled to vote in or field candidates for the BCCI Elections.

2. That a person who has been an Officer Bearer or Councillor or member of Governing Council or any committee in a Member Association for a cumulative period of 9 years or more shall **not** be disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or member of Governing Council in BCCI so long as the said person:

- (a) Is a citizen of India;
- (b) Has not attained 70 years of age;
- (c) Has not been declared insolvent or of unsound mind;
- (d) Is not a Minister or Government Servant or does not hold a public office;
- (e) Does not hold office or post in a sports or athletic association or federation apart from cricket;

(f) Has not been an Office Bearer of the BCCI for a cumulative period of 9 years;
[Note: The BCCI Constitution defines an "Officer Bearer" to mean the President, Vice President, Secretary, Joint Secretary or Treasurer. Therefore, any person who has been President, Vice President, Secretary, Joint Secretary or Treasurer of the BCCI for a cumulative period of 9 years is disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or member of Governing Council or any Committee in BCCI or to be BCCI's representative to the International Cricket Council.]

(g) Has not been charged by a Court of Law (i.e. an order framing charges has not been passed by a court of law having competent jurisdiction) for having committed any criminal offence;

(h) Has completed a cooling off period of three years after holding the post of an Officer Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both);

[Note: The Cooling Off requirement is applicable to persons who have held the post of Office Bearer (i.e., President, Vice President, Secretary, Joint Secretary or Treasurer) either in a Member Association or in the BCCI (or a combination of both) for two consecutive terms aggregating to six years or more unless he/she has undergone cooling off for a period of three years. To clarify, if on the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, he/she has not completed six years as Office Bearer in a Member Association or in the BCCI (or a combination of both) in two consecutive terms, he/she is eligible to contest in the BCCI Election. However, he/she will not have a full term and will have to demit office immediately upon completion of the six year period. It is further clarified that an individual who has not held any post (either as a committee member or a governing council member or in any governance or managerial capacity) in the Member Association or the BCCI for the period of three years or more, immediately prior to the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, is not required to undergo cooling off even though he/she has spent more than six years as Office Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both).]

Any person who does not fulfil any of the conditions set out in (a) to (h) above shall not be eligible to be a representative of a Member Association to the BCCI or contest for the post of an Officer Bearer/Councillor and member of Governing Council in BCCI, respectively.

3. In addition to the above, it is also clarified that no individual shall be a Councillor for more than 9 years and in the event of a Councillor completing 9 years before expiry of his/her term, he/she shall cease to hold office on completing of 9 years. Similarly, a Councillor who has held any post for two consecutive Terms either in a Member Association or in the BCCI (or a combination of both) shall not be eligible to contest any further election without completing a cooling off period of three years.

This clarification is being issued with the concurrence of the Electoral Officer, BCCI. In terms of Rule 7 of the Rules of Procedure for BCCI Elections prescribed by the Electoral Officer, BCCI, all disputes or objection arising including but not limited to objection to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

Dated: 27th August, 2019

Yours faithfully,
Supreme Court appointed Committee of Administrators