



# Mumbai Cricket Association

CRICKET CENTRE, WANKHEDE STADIUM, 'D' ROAD, CHURCHGATE, MUMBAI - 400 020.

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## REPORT OF SCRUTINY PROCEEDINGS MCA ELECTIONS 2022-2025

SCRUTINY of Nomination Forms Dated 11/10/2022 from 11:00 am

- 1) Shri. J.S. Saharia (Electoral Officer), Shri Avinash Sanas (Authorized Officer), MCA Officers and Staff members and Candidates were present at 11.00 am. at Scrutiny Venue i.e. P.D. Hall, Ground Floor, Wankhede Stadium, Churchgate, Mumbai.

Till 11.20 am only few candidates had reported at Scrutiny Venue hence the Electoral Officer informed to the candidates present at the venue that the scrutiny process shall commence by 11.30 am.

Out of total 53 candidates, who had filed 106 Forms, 38 candidates attended the Scrutiny, as per list attached herewith as Annexure 'A'.

- 2) At 11.30 am the Electoral Officer reiterated the Guidelines Of Scrutiny which were already published on the election page vide Election Order 3 dated 07<sup>th</sup> October 2022 which read as follows:

- I. *As already declared, Scrutiny shall be done from 11.00 am on 11th October 2022 within MCA Premise. Exact location for scrutiny shall be declared on the basis of total number of Nomination Forms received.*
- II. *Only candidates whose names have been proposed and seconded shall be allowed to remain present in the Scrutiny Hall as per Rule (5) of Rules for Elections. No other person including club members, representatives, advocates, proposer, seconder, guards etc. shall be allowed to enter the Scrutiny Hall and attend the Scrutiny Process.*
- III. *Objections can be raised only by Candidates in Writing annexed with Valid Proof supporting their objection.*
- IV. *Objections based on the points / clauses mentioned in MCA Constitution and various relevant orders of Hon'ble Supreme Court including I.A. No. 49930 of 2020 in Civil Appeal No. 4235 of 2014 dated 14th September 2022 will only be entertained.*

- 3) Further the Electoral Officer read out the extract of Declaration of Contestant (Annexure 3) which is as follows:

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*"I hereby affirm that the information provided by me in this Contestant Declaration (Annexure 3) and the Contestant Nomination Form (Annexure 2) along with all supporting documentation therein is true to the best of my knowledge. I hereby understand that the information provided in this Form or in the supporting documentation may be independently verified for accuracy, truthfulness and completeness by the Electoral Officer, MCA and in the event that it is found that I have acted fraudulently or misrepresented any information in this Form or in the supporting documentation, my eligibility to represent the Ordinary Member and the Ordinary Member's eligibility to participate in the MCA Election shall be rejected by the Electoral Officer, MCA."*

**4) Scrutiny of Nomination Papers was started in the following order:**

a. Office Bearers:

- Treasurer : No Objection Raised against any candidate
- Jt. Secretary : No Objection Raised against any candidate
- Secretary : No Objection Raised against any candidate
- Vice – President : No Objection Raised against any candidate
- President : Objection raised in Writing by Mr. Amol Kale  
and Mr. Sanjay Naik against Mr. Sandeep Patil

b. Governing Council of T20 Mumbai:

- Chairman : No Objection Raised against any candidate
- Member : No Objection Raised against any candidate

c. Councillor : : No Objection Raised against any candidate

**5) Parameters of the Form scrutiny:**

Office of the MCA checked the following:

**A. Whether Nomination Form is Complete or not?**

**MUMBAI CRICKET ASSOCIATION  
ELECTIONS 2022 - 2025**

**CHECK LIST FOR NOMINATION PAPER**

Sr. No.	Details	TICK (Any 1)	
1	Date	YES	NO
2	Name of Contestant	YES	NO
3	Signature of Contestant	YES	NO
4	Signature of Proposer	YES	NO

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5	Name of Proposer's Club		YES	NO
6	Signature of Secunder		YES	NO
7	Name of Secunder's Club		YES	NO
8	Name of Candidate		YES	NO
9	Office Address of Candidate		YES	NO
10	Residential Address of Candidate		YES	NO
11	Office Telephone of Candidate		YES	NO
12	Residential Telephone of Candidate		YES	NO

**CHECK LIST FOR ANNEXURE - 2 (OLD / NEW)**

Sr. No.	Details	TICK (Any 1)		
1	Name		YES	NO
2	Father's / Husband's Name		YES	NO
3	Age		YES	NO
4	Residential Address		YES	NO
5	Name of Club		YES	NO
6	Designation in Club		YES	NO
7	Enclosed Document (Any 1)	Passport	Voter Id	Aadhar Card
8	Is Document Self Attested ?		YES	NO
9	Name of Ordinary Member Club	NA	YES	NO
10	Stamp of Ordinary Member Club	NA	YES	NO
11	Signature of Authroized Signatory	NA	YES	NO
12	Name of Authorized Signatory	NA	YES	NO
13	Signature of Cricketer	NA	YES	NO
14	Name of Cricketer	NA	YES	NO

**CHECK LIST FOR ANNEXURE - 3**

Sr. No.	Details	TICK (Any 1)		
1	Name		YES	NO
2	Father's / Husband's Name		YES	NO
3	Age		YES	NO
4	Residential Address		YES	NO
5	Name of Club		YES	NO
6	Designation in Club		YES	NO
8	Name of Contestant		YES	NO
9	Sign of Contestant		YES	NO
10	Date		YES	NO

Remark:

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Signature: \_\_\_\_\_

**B. Whether Candidate is eligible or not?**

MUMBAI CRICKET ASSOCIATION ELECTIONS 2022 - 2025 PRELIMINARY CHECK LIST FOR CANDIDATES				
Name of Candidate: _____				
Nomination Form No. _____				
Post Contesting For :_				
Sr. No.	Details	Tick Any 1		Remark
<b>A</b>	<b>As per Rule 6 (5) of Constitution of MCA &amp; Order of Hon'ble Supreme Court dated 14/09/2022</b>			
1	The Representative is a citizen of India	YES	NO	As per Annexure 2
2	The Representative has not attained the age of seventy (70) years and is above the age of 35 years in case of contesting for the post of President or Vice-President	YES	NO	D.O.B.: _____; Age : _____ As Per Document of Annexure 2 & Aadhar Card / Passport / Voter Id
3	The Representative has not been declared to be insolvent or of unsound mind	YES	NO	As per Annexure 2
4	The Representative is not a Minister, or a Government Servant	YES	NO	
5	The Representative has not been convicted by a Court of Law for commission of a criminal offence & sentenced to imprisonment	YES	NO	As per Annexure 2
6	Whether completed a cumulative period of 9 years	YES	NO	
7	Whether required to undergo a cooling off period of 3 years	YES	NO	
<b>B</b>	<b>As per Rule 7 of Rules of Election</b>			
8	<b>Rule 7(a)</b> Annual Subscription pending	YES	NO	
9	<b>Rule 7(d)</b> Whether an Employee of MCA, BCCI, IPL, GCH or Mumbai Indians	YES	NO	
<b>C</b>	<b>Verification of Signature</b>			
10	Signature of Candidate found correct as per MCA Record	YES	NO	
11	Signature of Proposer found correct as per MCA Record	YES	NO	
12	Signature of Secunder found correct as per MCA Record	YES	NO	

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Verified By :

**C. Whether in view of the Hon'ble Supreme Court judgement dated 14/09/2022, (i) the cumulative period of 9 years is completed? and (ii) the cooling off period after 2 consecutive terms is observed?**

6) All the Nomination Forms where no objections were received were scrutinised first (except for the post of President). They were after scrutiny found to be correct and therefore **Accepted**.

However, the following details needs to be mentioned on the basis of records provided by MCA:

- I. **Mayank Khandwala** has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off, thus is eligible to contest and hold post for remainder period, if declared winner.
- II. **Iqbal Shaikh** is 68 years old, thus not more than 70 years; and also, he has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off, thus is eligible to contest and hold post for remainder period, if declared winner.
- III. **Deepak Patil** has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off, thus is eligible to contest and hold post for remainder period, if declared winner.
- IV. **Ganesh Iyer** has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off, thus is eligible to contest and hold post for remainder period, if declared winner.
- V. **Arman Mallick** has completed 8 years as representative of Islam Gymkhana (not an elected member by contesting election) and has completed 4 years and 6 months as elected member. Thus, as per Hon'ble Supreme Court Judgement dated 14/09/2022 in IA 49930 of 2020 in Civil Appeal 4235 of 2014, BCCI v/s Cricket Association of Bihar & others in para 20 it has directed the following amendment in clause 14(3) & 14(4),

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*'14.4.1 Each of the elected Councillors shall have a term of 3 years in office, subject to a maximum of 3 Terms on the Apex Council.'*

Also, the judgement dated 16/07/2018 in Complaint of Iqbal Shaikh v/s Arman Mallick, the COA Justice Gokhale and Justice Kanade has observed in para 13 that,

*'we are of the view that a nominated representative who has represented a founding member such as Islam Gymkhana, therefore cannot be said to be an elected member or a permanent member but only a representative of the founder member. The said period therefore will have to be excluded while calculating period of 9 years.'*

**Arman Mallick** has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off, thus is eligible to contest and hold post for remainder period, if declared winner.

- VI. **Navin Shetty** has not completed total cumulative 9 years as elected Councillor/Office Bearer/ Managing Committee/ Governing Council and has also undergone cooling off thus is eligible to contest and hold post for remainder period, if declared winner.
- 7) Two Objections were received on the nominations filed by Shri Sandeep Patil for the post of President of MCA. These were filed by Shri Amol Kale and Shri Sanjay Naik, also contesting for the same category i.e. the President of MCA. The said objections are similar and pertain to the 'Conflict of Interest' against Shri Sandeep Patil. They both have requested for Rejection of the Nomination Form of Shri Sandeep Patil.

E.O. after examining all the facts, objections raised, provisions of MCA etc has passed a detailed reasoned Order which is attached herewith. Both objections raised against Shri Sandeep Patil have been REJECTED and he is declared as a VALID candidate.

The process of scrutiny is started at 11:00 am and completed just now, under the strict supervision of E.O.

*J.S. Saharia*  
*11/10/22*

(J. S. Saharia)

Electoral Officer for MCA Elections.

*G/S*

*20 = 25 pm*

**Annexure "A"**  
**List of Candidates, who attended the Scrutiny**

**MUMBAI CRICKET ASSOCIATION**

**ELECTION 2022-2025**

**ATTENDANCE LIST FOR SCRUTINY**

<b>Sr. No</b>	<b>Name of Candidate</b>	<b>Present</b>
1	ABHAY SHANKAR HADAP	Present
2	AJAY SUDARSHAN SETH	Present
3	AJINKYA SUDHIR NAIK	Present
4	AMOL KALE	Present
5	ANIL TIKARE	Present
6	ARMAN MALLICK	Present
7	BHUSHAN K. PATIL	Present
8	DAWOOD PATEL	Present
9	DEEPAK J. PATIL	Present
10	DEEPAN S. MISTRY	Present
11	DEV DUTTA D. MITHBAVKAR	Present
12	GANESH IYER	Present
13	GAURAV R. PAYYADE	Present
14	HEMA DEEPAK PHADKE	Present
15	IQBAL HASAN SHAIKH	Present
16	JAGDISH ACHREKAR	Present
17	KAMTEKAR SHRIKANT MUKUND	Present
18	KAUSHIK VILAS GODBOLE	Present
19	KHODADAD YAZDEGARDI	Present
20	MANGESH S. SATAM	Present
21	MAULIK J. MERCHANT	Present
22	MAYANK K. PARIKH	Present
23	MAYANK KHANDWALA	Present
24	MILIND NARVEKAR	Present
25	NEIL R. SAVANT	Present
26	NILESH JAYSING BHOSALE	Present
27	PRAMOD T. YADAV	Present
28	PRASHANT B. SAWANT	Present

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29	RAJESH JAGDISH MAHANT	Present
30	SANDEEP M. PATIL	Present
31	SANDEEP N. VICHARE	Present
32	SANJAY NAIK	Present
33	SANJEEV P. KHANOLKAR	Present
34	SHAFIQUE FAROOQUE PATEL	Present
35	SURAJ SAMAT	Present
36	SURENDRA C. SHEWALE	Present
37	SURENDRA P. HARMALKAR	Present
38	VIGHNESH ARVIND KADAM	Present

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