

PRESENT BEFORE JUSTICE C.PRAVEEN KUMAR,
IN THE HON'BLE COURT OF THE OMBUDSMAN/ETHICS AUTHORITY
ANDHRA CRICKET ASSOCIATION AT VISAKHAPATNAM

IA.NO.1 OF 2025

IN

PRC.NO.22 OF 2025

BETWEEN:

Andhra Cricket Association,
Rep. by its Secretary,
1st Floor, YSR Stadium, P.M.Palem,
Visakhapatnam.

....Petitioner

AND

West Godavari District Cricket Association (WGDCA)
Represented by its Office Bearers.

....Respondent

ORDER DATED: 21.05.2025

1. The facts in brief are as under:

A complaint was filed under Rule 45 of Andhra Cricket Association (ACA) Rules and Regulations basing on a order passed in IA.No.1/2025 in WP.No.9891/2025 dated 17.04.2025 before this Ombudsman. The averments in brief reveal that the respondent is a full member of the petitioner and as per the Rules and Regulations, it was resolved by the Respondent that they adopt the model byelaws sent by ACA without any modification. A complaint dated 13.02.2025 was received by ACA raising concerns on the functioning of the respondent association, in relation cricketing activities; absence of transparent election process and also management being under the control of one particular family. On being satisfied the petitioner authorized one of its representatives to collect all the material and accordingly a mail dated 15.03.2025 was addressed to the respondent seeking its response. Pursuant thereto the respondent, represented by one Mr.V.V.S.M.Srinivasa Raju, said to be the Secretary of the Respondent gave a reply enclosing certain documents.

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2. The averments in the complaint further indicate that the respondent conducted general body meeting on 13.02.2025 and elected new set of office bearers. Prior to this, an election officer was appointed on 20.01.2022 to oversee the conduct of elections. It is stated that once an election officer is appointed it automatically results in suspension of the powers of the existing general body. Despite the same elections were held by the suspended general body without proper mandatory notice to its members. The elected office bearers continued in the office until the end of their tenure i.e., on 14.02.2025. But on 22.01.2025 the body convened a special general body meeting and passed a resolution extending its term to 30.04.2025, on the ground that some civil works are going on and there is a pending audit for the financial year 2024-25. As the extension was done without the approval of ACA, it is stated that the same is illegal and contrary to law. Having regard to the above a notice dated 15.03.2025 was issued by the ACA calling upon the respondents to explain their actions. A reply dated 23.03.2025 was submitted by the respondents.

3. In exercise of its powers under point 2(n) of MOU of ACA and byelaw 3, the Secretary of the petitioner issued proceedings dated 15.04.2025 appointing a three member committee to enquire in all respects the affairs pertaining to WGDCA. It was further stated that until this exercise is completed, the office bearers of WGDCA shall cease all activities including the election which were scheduled on 20.04.2025 for which nominations were called on 08.04.2025. It is also stated that the three member committee shall temporarily administer all cricketing activities under jurisdiction of WGDCA. Referring to the orders passed in writ petition the present complaint came to be filed.

4. In response to the averments made in the complaint, the respondent, represented by its secretary, filed a detailed counter disputing the averments in the complaint and supporting the procedure adopted by the respondent in conducting special general body meeting and also notifying the election schedule. At this stage, it may not be necessary to refer to all the averments made in the

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reply, suffice to state the points urged therein, which are as under:-

A. The Present complaint has been filed in violation of procedure contemplated under Rule 45(1)(c) of Byelaws of ACA.

B. Lack of Jurisdiction of the Secretary of the Petitioner to appoint a three-member enquiry committee.

C. Violation of Principles of Natural Justice

D. Lack of Locus and Suppression of Material Facts by Mr. Y. S. Ranganath, the Complainant.

E. Estoppel and Acquiescence vis-à-vis the Andhra Cricket Association, the Petitioner herein

F. Lack of Authority to Interfere in Respondent's Elections

G. Lack of Procedural Fairness

H. Bias and Apparent Lack of Impartiality

I. Retrospective Rationalization and Bad Faith

J. Proportionality and Excessive Action

K. Irreparable loss and injury

The reply also adverts to the necessity of extending the term of the governing body from 14.02.2025 to 30.04.2025. According to the respondent this extension was necessitated due to ongoing civil works at ACA Bogapuram Ground, Eluru and DNR College, Bheemavaram, apart from completing the audit of annual accounts ending 31.03.2025. The averments also refer to notification issued for the elections and the date of election as 20.04.2025. The reply also delve into the allegations made in the complaint as being bald, vague and false. Every paragraph of the allegations in the complaint are denied. Apart from the above, para 31 of the reply refer to the significant infrastructure development undertaken by the respondent association at various sub-centers of the district. After referring to the orders of the High court and adverting to the issue as to whether the secretary has got the power of issuing the letter/notice on 15.04.2025, prays to set aside the notice dated 15.04.2025. It is also to be noted here that in

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the reply the respondent seek two interim reliefs i.e., to suspend the impugned notice dated 15.04.2025 and to permit the respondent association to resume its election process by permitting the election officer to declare the results of the pending election of the respondent association.

5. A rejoinder to the reply/counter of the respondent is filed by the petitioner association. The reply explains each of the ground taken by the respondent in the reply i.e., from ground (A) to (K). It is specifically averred that having regard to the seriousness of the allegations leveled in the complaint dated 13.02.2025 and several other issues raised by the stakeholders appointment of a committee after following the due process of law is warranted, valid and legal. It is further stated that appointing a three member committee is within the powers of the petitioner, under the contours of MOA and regulations of ACA. A lengthy rejoinder is filed dealing with the averments made in every paragraph of the counter.

6. Heard, Sri.J.Sarath, learned counsel for the petitioner and Sri.Satish Parasaram, learned Senior Counsel for the Respondent.

7. The learned counsel for the petitioner reiterates the grounds raised in the complaint and the rejoinder to contend that the action taken by the petitioner is valid and legal, having regard to the nature of allegations made in the complaint. Since the petitioners have made out a prima facie case, which requires further probe, pleads that the matter be heard by making an interim arrangement for administering cricketing activities in the respondent district as the cricketing season is going start from 01.06.2025. He read the order passed by the Division Bench of the Hon'ble High Court.

8. On the other hand, the learned senior counsel opposed the same. But however restricts his submission to the order passed by the Division Bench and pleads for appointment of a committee in which there is a member of the present governing council of the respondent.

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9. The point that arise for consideration is whether the petitioner is entitled for the relief claimed as an interim measure ?

10. In Writ Appeal No.522/2025 on the file of High Court of Andhra Pradesh at Amaravathi, (wherein an order passed in IA.No.1/2025 in WP.No.9891/2025 was challenged), the Division Bench after hearing both sides passed the following order. The operative portion of which is as under:

"9. Mr. Adinaryana Rao appearing for the Andhra Cricket Association does not have any objection to this suggestion that the judgment and order impugned to that extent could be modified with a view to leaving the Ombudsman free to decide as to who would run the affairs of the West Godavari District Cricket Association after 30.04.2025.

10. Be that as it may, since there is consensus ad idem on this particular issue, the judgment and order to the limited extent that instead of the Committee appointed by the Secretary of the State Association taking over the affairs of the District Association after 30.04.2025, it shall be open to the Ombudsman to make any arrangement as it deems fit and proper, for running the affairs of the District Association, pending final decision on the issues which are before the Ombudsman.

11. Learned Senior Counsel for the appellant has vehemently urged that appropriate directions be issued to the Ombudsman to decide the matter at the earliest, preferably within a time frame of 2 to 3 weeks, however, we feel that no specific direction in this regard is required, fixing a time frame, as we hope that appropriate orders would be passed without any undue delay."

A reading of the above order passed by the Hon'ble High Court makes it very clear that the order of learned Single Judge was modified and instead of committee appointed by Secretary takingover the affairs of district administration after 30.04.2025, the Ombudsman was asked to make arrangements as it deems fit for running the affairs of association pending final decision on the issues which are referred to Ombudsman. Therefore what is before the Ombudsman now is for making a temporary arrangement with regard to managing the affairs of District Association till final orders are passed in these proceedings.

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11. At this stage it may not be proper to go into the question as to whether the order dated 15.04.2025 passed by the Secretary is legal or valid for the reason that if the same is accepted the consequences would follow and ultimately nothing would survive for adjudication in the main case. Similarly the request of the respondent for declaration of results also cannot be granted at this stage, having regard to the issue involved namely as to whether secretary was right in passing the order dated 15.04.2025.

12. Having regard to the order passed in WA.No.522/2025, a stop gap arrangement/interim arrangement shall be made by appointing a three member committee in the interest of the game and administration of district association. Of course, these members who are appointed shall act independently and if necessary take the help of the staff/coaches of the ACA or Respondent Association, for administering cricketing activities in the district i.e., for conducting the tournaments and also for selection of cricket teams in all categories, if required.

13. Both the parties were directed to suggest some names and accordingly names were sent by mail within an hour or two after conclusion of the proceedings. I also made some discrete enquiries and decided to constitute a committee with the following three members; **1) Sri.E.Ashok Kumar Goud**, (Retired DSP and an Ardent Lover and follower of Cricket), (Phone No.9849192265), he not only played inter university cricket, representing Nagarjuna University for two years, but also represented Krishna District in under-19, under-22 and under-25. He was also a member of the selection committee for Central Zone under-25 in the year 2008-09. It is also to be noted that his two sons who are now in US, played for Andhra at various levels, **2) Sri.R.Sri Rama Chandra Murthy**, (Retired from South Central Railway and stationed in Hyderabad), (Phone No.9000244892), represented Andhra in the inter state cricket tournaments and also played in inter state universities. He is also a Ranji Trophy Player. He is a qualified -NCA, Level-A. He also worked as mentor for

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Senior Womens Team during the year 2022-23/24 and 3) Sri.Sk. Shakir Hussain, (Phone No.7013633143). He represented Andhra in under-14, under-16 and under-22. He is level-O certified coach from ACA. At present he is a players representative in West Godavari District Cricket Association.

14. The remuneration of the each member of the committee per month would be Rs.25,000/-, in addition to TA and accommodation on their visit to West Godavari District, which shall be paid by ACA. The order of appointment shall be communicated to the members by the ACA at the earliest.

15. In so far as administration of Respondent association, it is an admitted fact that from 15.04.2025 onwards no authority is incharge of the day to day functioning of the association. As the matter will be taken up for hearing in third week of June, 2025 and since there is nobody running the respondent from 15.04.2025, it may not be necessary to direct the committee to involve themselves in dayto day activities. But the committee so appointed shall take care of payment of salaries to the employees of respondent by taking signatures of appropriate persons for issuing cheques etc and accounting the same in necessary books. Except to the extent indicated above, the committee shall not involve themselves in the administration of the District Cricket Association. The date for hearing of the main case shall be fixed in the third week of June, 2025.

16. With the above directions, the IA is disposed of.

C. Praveen Kumar
21/5/2025
OMBUDSMAN