

MAHARASHTRA CRICKET ASSOCIATION

(Full member of BCCI)

*(Registered under the Societies Registration Act 1860 and Maharashtra
Public Trusts Act 1950)*

MEMORANDUM OF ASSOCIATION

AND

RULES AND REGULATIONS

(As per judgment dated 9th August 2018 passed by the Hon'ble Supreme Court of India in civil appeal No. 4235 of 2014 & connected matters and on the similar lines of the constitution of the Board of Control for Cricket in India.)

MEMORANDUM OF ASSOCIATION

1. The name of the Association is “MAHARASHTRA CRICKET ASSOCIATION” and it shall hereafter be referred to as the “MCA”.
2. The objects and purposes of the MCA are:-
 - (a) To control and improve quality and standards of the game of Cricket in Maharashtra, lay down policies, build stadia of international standards for conducting matches of the BCCI, roadmaps, guidelines and make rules and regulations (and amend or alter them) in all matters relating to the game of Cricket, recognizing that the primary stakeholders are the players and Cricket fans in India, and that accountability, transparency and purity integrity of the Game are the core values;
 - (b) To provide for measures necessary for promotion and development of the game of Cricket, welfare and interest of Cricketers and elimination of unethical and unfair practices in the Game of Cricket; and for that purpose, organize coaching schemes, establish coaching academies, hold tournaments, exhibition matches, Ranji matches, ODIs, Twenty/20, and any other matches and take all other required steps;
 - (c) To strive for sportsmanship and professionalism in the game of Cricket and its governance and administration; inculcate principles of transparency and ethical standards in players, team officials, umpires and administrators; and to ban doping, age fraud, sexual harassment and all other forms of inequity and discrimination;
 - (d) To encourage the formation of District, Taluka and other Cricket Associations and the organization of Inter-State, Inter-District, Ranji and other Tournaments; to lay down norms for recognition which achieve

uniformity in the structure, functioning and processes of the Member Association;

- (e) To arrange, control, regulate and if necessary, finance visits of Teams that are Members of other State cricket associations; or as directed by BCCI.
- (f) To arrange, control, regulate and finance, visits of Maharashtra Cricket Teams to tour various states as well as other countries that are members of the BCCI and International Cricket associations or elsewhere in conjunction with the bodies governing cricket in the states or countries to be visited;
- (g) To select teams to represent State of Maharashtra, in Ranji Matches, other league matches, One Day matches, Twenty/20 matches and in any other format in India or abroad as the MCA may decide from time to time;
- (h) To foster the spirit of sportsmanship and the ideals of cricket amongst school, college and university students and others and to educate them regarding the same;
- (i) To appoint State representative/s on the BCCI, as also to Conferences and Seminars connected with the game of Cricket;
- (j) To appoint Managers and/or other team officials for the Maharashtra Teams;
- (k) To employ and appoint CEOs, professional managers, auditors, executive secretaries, administrative officers, assistant secretaries, managers, clerks, team support staff, players, and other service personnel and staff; and to remunerate them for their services, by way of salaries, wages, gratuities, pensions, honoraria, ex-gratia payments and/or provident fund; and to remove/terminate or dismiss such employees or personnel;

- (l) To ensure that tickets to cricket matches are widely available well in advance of the matches to members of the public at reasonable rates, and to prevent distribution of the same as largesse; and also to offer seats gratis or at nominal rates to students;
- (m) To lay out cricket grounds and to provide pavilion, canteen and other facilities and amenities for the convenience and benefit of the members, players, and the Cricket fans including the women and the disabled, and to ensure the availability of cricket gear and amenities to Cricket players;
- (n) To constitute Committees, from time to time, and entrust or delegate its functions and duties to such Committees, for achieving the objects of the MCA;
- (o) To vest immovable properties and funds of the MCA in Trustees appointed by it, for carrying out the objects of the MCA;
- (p) To sell, manage, mortgage, lease, exchange, dispose of or otherwise deal with all or any property of the MCA;
- (q) To acquire or purchase properties- movable and immovable, and assets- tangible and intangible, and to apply the capital and income therefrom and the proceeds of the sale or transfer thereof, for or towards all or any of the objects of the MCA;
- (r) To collect funds, and wherever necessary, borrow with or without security and to purchase, redeem or pay off any such securities;
- (s) To carry out any other activity which may seem to the MCA capable of being conveniently carried on in connection with the above, or calculated directly or indirectly to enhance the value or render profitable or generate better income/revenue, from any of the properties, assets and rights of the MCA;

(t) To promote, protect and assist the Players who are the primary agents of the game by :

- (i) Creating a Players' Association to be funded by the MCA;
- (ii) Being sensitive to Players' before domestic and state calendars are drawn up so that sufficient time is provided for rest and recovery;
- (iii) Taking steps, particularly on longer tours, so the emotional wellbeing and family bonds of the Players' are strengthened;
- (iv) Compulsorily having qualified Physiotherapists, Mental Conditioning Coaches/Counsellors and Nutritionists among the Team's support staff;
- (v) Having a single point of contact on the logistics and managerial side so that Players' can fully concentrate on the game;
- (vi) Registering all duly qualified agents to ensure there is oversight and transparency in player representation;
- (vii) Offering appropriate remuneration of a national standard when representing the State on the national stage, and always recalling that State representation has priority over club or franchise;

(u) To grant/donate such sum/s for:

- (i) Such causes as would be deemed fit by the MCA conducive to the promotion of the game of Cricket;
- (ii) The benefit of Cricketers or their spouses and children by introducing benevolent fund schemes or other benefit schemes, as the MCA deems fit, subject to its rules and regulations;
- (iii) The benefit of any other persons who have served Cricket or their spouses and children as the MCA may consider fit;

- (iv) To award sponsorships to sportspersons in games other than Cricket for development of their individual skills; and
 - (v) To donate to any charitable cause;
- (v) To start or sponsor and/or to subscribe to funds or stage matches for the benefit of the Cricketers or persons who may have rendered service to the game of Cricket or for their families, or to donate towards the development or promotion of the game and to organize matches in aid of Public Charitable and Relief Funds;
- (w) To impart physical education through the medium of Cricket;
- (x) To co-ordinate the activities of members and institutions in relation to the MCA and amongst themselves;
- (y) To create and maintain a central repository and database of all Cricketers along with their game statistics;
- (z) To introduce a scheme of professionalism and to implement the same;
- (aa) To provide a fair and transparent grievance redressal mechanism to players, support personnel and other entities associated with Cricket;
- (bb) Generally to do all such other acts and things as may seem to the MCA to be convenient and/or conducive to the carrying out of the objects of the MCA.
3. The income, funds and properties of the MCA, however, acquired, shall be utilized and applied solely for the promotion of the objects of the MCA as set forth above to aid and assist financially or otherwise and to promote, encourage, advance and develop and generally to assist the game of cricket or any other sport throughout Maharashtra.
4. The MCA shall not be dissolved unless the dissolution is decided upon by a resolution passed at a General Meeting of the MCA convened for the

purpose, by a majority of $3/4^{\text{th}}$ of the Members present and entitled to vote. The quorum for such meeting shall be $2/3^{\text{rd}}$ of the Members who have a right to vote. In the case of dissolution of the MCA, if there shall remain after satisfaction of all debts and liabilities, any property whatsoever, it shall be given or transferred to some other institution or institutions having objects similar to those of the MCA and not running for profit.

RULES AND REGULATIONS

CHAPTER ONE:

SCOPE

1. (A) DEFINITIONS

In these Rules and Regulations, unless the context otherwise requires:-

- (a) “ADMINISTRATOR” shall mean and include present and former Presidents, Vice Presidents, Honorary Secretaries, Honorary Treasurers, Honorary Joint Secretaries of the MCA, past and present Presidents and Secretaries of Members affiliated to the MCA, a representative of a Member of the MCA, and any person connected with the Governance and Management of the affairs of the MCA or of its Committees.
- (b) “AGENTS’ REGISTER” is the register maintained by the MCA under the Regulations for Registration of Players’ Agents.
- (c) “APEX COUNCIL” is the principal body of the MCA tasked with its governance as set out in Rule 14.
- (d) “AUDITOR” is the auditor of the MCA appointed by the General Body of the MCA to discharge the functions set out in Rule 34.
- (e) “CEO” is the Chief Executive Officer of the MCA appointed by the Apex Council as set out in Rule 23.
- (f) “CONFLICT OF INTEREST” refers to situations where an individual associated with the MCA in any capacity acts or omits to act in a manner that brings, or is perceived to bring the interest of the individual in conflict with the interest of the game of cricket and that may give rise to apprehensions of, or actual favouritism, lack of objectivity, bias, benefits (monetary or otherwise) or linkages, as set out in Rule 38.
- (g) “COUNCILLORS” are the members of the Apex Council.

- (h) “CRICKET COMMITTEES” are the Committees as set up in Rule 26 which consist only of former Players and are charged with selection, coaching and evaluation of team performance.
- (i) “CRICKET PLAYERS’ ASSOCIATION” refers to State Chapter of the Cricket Players’ Association as per the BCCI Constitution.
- (j) “ELECTORAL OFFICER” is the person appointed to conduct, supervise and deal with issues concerning elections as set out in Rule 33.
- (k) “ETHICS OFFICER” is the person appointed to administer the Conflict of Interest principles as set out in Rule 39.
- (l) “EXISTING MEMBER” is an association or individual or cricket club or other body corporate that was a Member of the MCA immediately before the Effective Date.
- (m) “GENERAL BODY” is the supreme body of the MCA which is constituted by its Members.
- (n) “JOINT SECRETARY” is the Honorary Joint Secretary of the MCA as set out in Rule 7 (4).
- (o) “JUNIOR TOURNAMENT” shall mean any age group tournaments conducted by the MCA from time to time.
- (p) “MEMBER” or “FULL MEMBER” is a District Cricket Association having voting rights and as enumerated in Rule 3(a) of these Rules, and other individual life members, Patrons, Benefactors, Institution Members (Colleges), Founder Gymkhanas, Special Gymkhana and affiliated Club Members and other bodies corporate who have been members prior to the effective date of this constitution. Former international cricketers (men and women) hailing from the jurisdiction of the MCA shall be granted automatic membership as Full Members with voting rights and shall be eligible to be office bearers and members of the Apex Council.

- (q) “MATCH OFFICIAL” includes Umpires, Match Referees, Observers, Statisticians, Ground Staff and Scorers so appointed the MCA or a Full Member from time to time.
- (r) “MCA” is Maharashtra Cricket Association initially registered under Societies Registration Act 1860 and subsequently under the Maharashtra Public Trusts Act 1950, at public-trust-registration (P.T.R.) number F-1042.
- (s) “OFFICE BEARER” means the President, Vice-President, Secretary, Joint Secretary, and Treasurer.
- (t) “OMBUDSMAN” is the independent grievance redressal authority set up under Rule 40.
- (u) “PLAYER” is any Cricketer, past or present, registered with MCA or any of its Members as a player and shall include any person selected in any squad to represent Maharashtra in BCCI tournaments,
- (v) “PRESIDENT” is the Honorary President of the MCA and of the Apex Council as set out in Rule 7 (1).
- (w) “REPRESENTATIVE” means:
- (1) in the case of a Full Member other than an individual, a person duly nominated as such by the said Full Member; and
 - (2) in the case of a Full Member who is an individual, the said Full Member personally.
- (x) “RULE” shall refer to any rule or sub-rule in these Rules and Regulations, and “RULES” refer to these Rules and Regulations.
- (y) ‘SECRETARY’ is the Honorary Secretary of the MCA as set out in Rule 7 (3).
- (z) “TEAM OFFICIAL” refers to the support staff appointed by the MCA including coaches, managers, physiotherapists, nutritionists, trainers, analysts, counsellors and medics.

- (aa) “TOURNAMENT RULES” means the rules governing the conduct of various state tournaments organized by the MCA and such other tournaments as may be conducted by the MCA from time to time.
- (bb) “TREASURER” is the Treasurer of the MCA as set out in Rule 7 (5).
- (cc) “VICE PRESIDENT” is the Vice President of the MCA as set out in Rule 7 (2).
- (dd) “YEAR” means financial year commencing from the 1st day of April and ending on the 31st day of March of the following year.
- (ee) “ZONE” means any of the 5 zones namely North Zone, South Zone, East Zone, West Zone and Central Zone, within the territorial jurisdiction of MCA, comprising such teams as may be decided by the MCA from time to time, and subject to the following:
- (i) Each District Cricket Association, the cricket clubs, playing the invitation tournaments prior to the effective date of this Constitution, the gymkhanas, and such other teams that may be invited to participate by the Apex Council in place of relegated teams, will be entitled to field teams for the State tournaments.
 - (ii) The MCA may decide on realigning the Zones in accordance with principles of expediency and competition.

(B) INTERPRETATION

- (i) In these Rules, all references to Players, Match Officials and Administrators shall, unless the context otherwise requires, be deemed to include Players, Match Officials and Administrators.
- (ii) The EFFECTIVE DATE shall be the date on which these Rules come into force.

2. HEADQUARTERS:

The Headquarters of the MCA shall be located at Pune.

3. MEMBERSHIP AND JURISDICTION OF MEMBERS:

(a) Full Membership of the MCA shall be confined to

- (1) District Cricket Associations,
- (2) Life Members,
- (3) Patrons,
- (4) Benefactor;
- (5) Institution Members (Colleges),
- (6) Founder Gymkhanas,
- (7) Special Gymkhana,
- (8) Affiliated Club Members
- (9) Former International Cricketers (Men and Women) hailing from the jurisdiction of the MCA.

[A list of full members duly recognised by the MCA is at Annexure “A” of these Rules & Regulations.]

(b) Disputes:

Where disputes are pending regarding the duly recognized association to represent a particular District, the District shall be represented by the recognized association, subject to any order of the Court or resolution of the MCA as the case may be.

(c) Annual updates

All Members (other than individuals) shall, on or before 15th November of each year, inform and update the MCA as to the names of their Office Bearers and the members of their respective Governing Bodies/ Managing Committees, their respective tenures, the audited

statement of accounts and the balance sheets.

(d) Jurisdiction

The territorial jurisdiction of the Full Members classified under Rule 3(a)(ii) shall extend to the 21 districts of the State of Maharashtra, and shall exclude those districts of administrative Maharashtra that are covered by Mumbai Cricket Association and Vidarbha Cricket Association. If the State of Maharashtra were to be bifurcated, the newly created State would apply to the B.C.C.I. to determine its membership status vis-à-vis the MCA, and the decision of BCCI will be final and binding.

4. VOTE & ACCOUNTS OF TOURNAMENTS

- (1) Each Full Member shall have one vote, to be exercised individually and in person and not by proxy, and in the case of other full members like District Cricket Associations, Institutions Members (Colleges), Founder Gymkhanas, Special gymkhana and Affiliated Club Members, through their authorized representative.
- (2) A Member, required to submit the annual or other accounts, balance sheets or statements of expenditure either under these Rules or under the rules of any tournament/ match, or under the resolutions or decisions of the MCA relating to any grant, fails to submit the accounts or the statements of expenditure relating to such grant, tournament, match or otherwise, within the period stipulated thereunder, shall not be entitled to any further financial grants from the MCA till the requirement is complied with.

Each of the Members other than Life Members and former international cricketers (men and women), will have to pay the annual membership fees

as stipulated from time to time by the Apex Council. Such fees shall be paid no later than 60 days from the end of the financial year.

Provided that notwithstanding anything stated above, nothing shall prevent the Apex Council, for good reason, from extending for a maximum period of 6 months, the time for submitting of accounts and statements beyond the period referred to above.

CHAPTER TWO:**THE GENERAL BODY AND OFFICE BEARERS AND
THEIR POWERS & FUNCTIONS****5. CONSTITUTION AND FUNCTIONS OF THE MCA**

- (1) The General Body is constituted of all the Full Members of the MCA.
- (2) The authorized Representatives of the various Full Members shall cast their votes on behalf of their respective Full Member, and the individual members shall cast their votes in person, and not by proxy.
- (3) All powers of governance, management and decision-making shall vest in the General Body. In addition to the powers already given to the Apex Council, and the CEO under these Rules, the General Body may delegate such powers as it deems fit to any of them.
- (4) In addition to, and without prejudice to the generality of powers vested in it, the General Body shall have the power:
 - (a) To collect funds and wherever necessary borrow, with or without security, for purposes of the MCA and to raise loans with or without security and to purchase, redeem or pay off any such security.
 - (b) To follow the Laws of Cricket in India as framed by the BCCI.
 - (d) To review any decision of the Apex Council.
 - (e) To appoint auditors and fix their remuneration.
 - (f) To approve the audited balance sheets and financial statements.
 - (g) Generally, to do all such other acts and things as may appear to the General Body to be expedient, convenient and/or conducive to the carrying out of the above functions of the MCA.

6. ELECTION & TERM OF OFFICE BEARERS

- (1) The following Office Bearers of the MCA shall be elected by the Full-Members of the MCA from amongst their representatives at an Annual General Meeting, amongst the Councillors of the Apex Council. No person who does not meet the eligibility criteria shall be entitled to contest the post of office-bearer
1. The President
 2. The Vice-President
 3. The Secretary
 4. The Joint Secretary
 5. The Treasurer
- (2) The Term of office of an Office Bearer shall be 3 years. Their position shall be Honorary.
- (3) No person shall be an Office Bearer for more than 3 terms in all.
- (4) An office bearer who has held the post for two consecutive terms either in the MCA 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. During the cooling off period, such an office bearer shall not be a member of the Governing Council or of any committee whatsoever of the BCCI or of the MCA. The expression 'office bearer' should not be circumvented by being a member of any other committee of the MCA or of BCCI, as the case may be.
- (5) A person shall be disqualified from being an Office Bearer, a member of any Committee or a representative to the BCCI or any similar organization if he or she:
- (a) is not a citizen of India;
 - (b) has attained the age of 70 years;

- (c) is declared to be insolvent, or of unsound mind;
- (d) is a Minister or Government Servant or holds a public office;
- (e) holds any office or post in a sports or athletic association or federation apart from cricket;
- (f) has been an Office Bearer of the MCA for a for a cumulative period of 9 years; or
- (g) has been charged by a Court of Law for having committed any criminal offence, i.e. an order framing charges has been passed by a court of law having competent jurisdiction.

7. POWERS AND DUTIES OF OFFICE-BEARERS:

(1) THE PRESIDENT

- (a) The President shall preside at all meetings of the General Body and the Apex Council.
- (b) The President shall be one of the three persons who sign the audited annual accounts and other financial statements of the MCA.
- (c) The President shall also exercise such functions and duties as he may be empowered with by the General Body or the Apex Council.
- (d) The President shall, in the event of a vacancy or indisposition of an Office Bearer, delegate the functions to another Office Bearer until the vacancy is duly filled up, or the indisposition ceases.

(2) THE VICE PRESIDENT

- (a) The Vice President shall officiate in the President's absence when the President is unavailable.
- (b) The Vice President shall also exercise such function and duties as he may be empowered with by the General Body or the Apex Council.

(3) THE SECRETARY

The Secretary shall:

- (a) Keep and maintain the minutes of Annual General Meetings and Special General Meetings of the General Body, the meetings of the Apex Council and of the Committees appointed by the General Body in appropriate books and shall cause them to be properly and correctly recorded and confirmed.
- (b) Be one of the three persons who sign the audited annual accounts and other financial statements of the MCA.
- (c) Be in charge of the records of the General Body, the Apex Council, and all Committees, and such properties as may be entrusted to his care by the MCA, or the Apex Council as the case may be.
- (d) Convene the Annual General Meetings, the Special General Meetings and the meetings of the Apex Council with the concurrence of the President.
- (e) Circulate to all Members of the MCA the statement of accounts prepared by the Treasurer.
- (f) Have the power to delegate any work to the Honorary Joint Secretary.

(4) THE JOINT SECRETARY

The Joint Secretary shall:

- (a) Convene and keep minutes of the Committees that may be placed in his charge at the Annual General Meeting or by the Secretary.
- (b) Assist the Secretary in all matters pertaining to the affairs of the MCA.

(5) THE TREASURER

The Treasurer shall:

- (i) Receive all subscriptions and donations and the monies payable and/or receivable by the MCA;
- (ii) Be one of the three persons who sign the audited annual accounts and other financial statements of the MCA; and shall be the signatory to operate the bank accounts of MCA along with the second signatory being either the Secretary or the President.
- (iii) Keep accounts of all monies received and expended by the MCA, in respect of assets, credits and liabilities of the MCA.
- (iv) Prepare statement of accounts.
- (v) Place before the Apex Council:
 - (i) Annual Balance Sheet;
 - (ii) Statement of Accounts of the MCA; an
 - (iii) Annual Budget;
- (vi) Place before the Annual General Meeting duly audited:
 - (i) Annual Balance Sheet; and
 - (ii) Statement of Accounts of the MCA;
- (vii) Invest and/or disburse the funds of the MCA, to withdraw any or all of the existing fixed deposits before the date of maturity in accordance with any general or special directions of the General Body or the Apex Council.
- (viii) Prepare budgets to be presented at the Annual General Meeting, Special General Meetings and Meetings of the Apex Council.
- (ix) Coordinate with the Auditor as well as the CEO to obtain insight into the utilization of funds by the Full Members.

CHAPTER THREE:
MEETINGS OF THE GENERAL BODY

8. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the General Body shall be held every year, not later than 30th September at such place and time as the President may fix.
- (2) Elections to the members of the Apex Council shall take place every 3 years at the General Meeting.
- (3) The following business shall be transacted at every Annual General Meeting of the General Body:
 - (a) Confirmation of the minutes of the previous General Meetings.
 - (b) Adoption of the Report of the Secretary for the year under review.
 - (c) Adoption of the Treasurer's Report and the audited accounts for the year under review.
 - (d) Adoption of the Annual Budget.
 - (e) Appointment of Auditor or Auditors for the year and fix their remuneration.
 - (f) Power of appointment of the Ombudsman and Ethics Officers shall vest with the Apex Council.
 - (g) Consideration of:
 - (1) the Report and recommendations of the Apex Council, the CEO and the Committees and to propose policy directions to the Apex Council.
 - (2) any amendments to the Rules and Regulations of the MCA, provided no amendment to the Rules and Regulations of the MCA proposed by a Full Member shall be considered unless the proposals

for amendments are received by the Secretary before 31st July.

(3) the Reports of the Ombudsman and Ethics Officer and any recommendations made therein.

(h) Consideration of any motion, notice whereof is given by a Full Member to the Secretary twenty-one days before the meeting. (Such a motion shall be circulated in advance to all members) .

(i) Consideration of any other business which the President may consider necessary to be included in the agenda.

(j) Transaction of any other business of an informal character as may be permitted by the Chairperson.

(4) The record of the proceedings of the Annual General Meetings and Special General Meetings shall, after the approval of the Chairperson of the Meeting be circulated within two months of the Meeting to the Members of the MCA and then entered in the Minutes Book. The minutes shall be duly confirmed after correction, if any, and signed by the Chairperson at the subsequent Annual General Meeting.

(5) The Secretary shall, at least twenty one (21) days prior to the date fixed for the Annual General Meeting, forward to each member a notice setting out the agenda of business to be transacted at the Annual General Meeting along with:

(a) Copies of the minutes of the previous meeting or meetings to be confirmed at the Annual General meeting;

(b) Copies of audited Statement of Accounts to be adopted and to be passed at the Annual General Meeting;

(c) Copies of the audited Statement of Accounts of any tour or tours;

(d) Treasurer's Reports and the Annual Budget;

(e) Report of the Ombudsman; and

(f) Copies of all documents and papers having a reference to any item on the Agenda of the General Meeting;

(6) Any Member desiring to raise any point relating to the Agenda or Accounts at the Annual General Meeting shall give seven days' notice thereof to the Secretary. The Secretary shall circulate such notice to all Members before the date fixed for the meeting.

9. SPECIAL GENERAL MEETING

(1) A Special General Meeting of the General Body may be convened by the Secretary:

- (a) on a directive of the President;
- (b) on a resolution of the Apex Council, or
- (c) on a requisition signed by not less than 30 (thirty) Full Members specially stating the business to be transacted at such Meeting.

No business other than the one for which the Special General Meeting is called will be transacted at such meeting.

(2) In the event of the Secretary failing to convene a Special General Meeting within thirty days of the receipt of a requisition, the requisitionists may themselves convene a Meeting for the purpose specified in the requisition at such place and time as may be decided by the requisitionists.

(3) The President may at his discretion direct the Secretary to convene a Special General Meeting at shorter notice in which case a notice of at least 10 days shall be given.

(4) For any Special General Meeting the Secretary shall give Twenty One days' notice specifying the business to be transacted at that meeting.

(5) In the event of the Secretary failing to convene a Special General Meeting at

the direction of the President or on a resolution of the Apex Council within Ten days, the President may convene a meeting under his own signature.

10. QUORUM AT ANNUAL GENERAL MEETING & SPECIAL GENERAL MEETING

- (1) Fifty (50) Full Members present and entitled to vote shall be a quorum for an Annual General Meeting. No business shall be transacted at the Annual General Meeting unless the quorum requisite is present at the commencement of the business of the meeting. If within an hour from the time appointed for the Annual General Meeting a quorum is not present, the meeting shall stand adjourned to the same day of the following week and at the same place and time. If at the adjourned meeting the quorum is not present within an hour from the time of the meeting, the Full Members present shall form the quorum.
- (2) For a Special General Meeting Fifty (50) Full Members, present and entitled to vote shall be quorum. If no quorum is present at the appointed time of the meeting, the meeting shall stand adjourned for an hour. If at the adjourned meeting the quorum is not present, the Full Members present shall form the quorum.

11. CHAIRPERSON AT MEETINGS

The President shall preside as Chairperson at the Annual General Meeting or the Special General Meeting of the General Body and in his absence the Vice-President shall preside. In the event of the Vice President also being absent, the Meeting shall elect one amongst them as the Chairperson of the Meeting.

12. VOTING AT ANNUAL GENERAL MEETINGS / SPECIAL GENERAL MEETINGS

- (1) At the Annual General Meeting / Special General Meeting, each Full Member shall have one vote.
- (2) At an Annual General Meeting / Special General Meeting, a resolution placed before the meeting duly moved and seconded shall be put to vote and shall be decided either on a show of hands or by a secret ballot as the Chairperson may decide.

13. CASTING VOTE OR DRAWING LOTS

Save as provided otherwise by these Rules, questions arising at any meeting shall be decided by a majority of votes and in the event of a tie, the Chairperson shall have a single casting vote. If the Chairperson of the Meeting declines to exercise his casting vote, the issue shall be decided by drawing lots.

CHAPTER FOUR:
GOVERNANCE

14. THE APEX COUNCIL

- (1) There shall be an Apex Council for the MCA which shall be primarily responsible for the governance of the affairs of the MCA.
- (2) The Apex Council shall comprise of the following 19 Councillors:
- (a) Ten to be elected amongst the 21 District Cricket Associations on a Zonal basis. (Two from each of the five Zones),
 - (b) Two to be elected from and amongst the Life Members, Patrons and Benefactors of MCA,
 - (c) Two to be elected from and amongst the Affiliated Club Members of MCA,
 - (d) One to be elected from and amongst the four Founder Gymkhanas and the Special Gymkhana,
 - (e) One to be elected from and amongst the Institution Members (Colleges),
 - (g) Two International Players [One Male and One Female] from amongst those of its members who hail from the jurisdiction of MCA. The said players to be nominated to the Apex Council shall be the representative of all the Intl players from Maharashtra and elected amongst themselves.
 - (h) One to be nominated by the Accountant General of Maharashtra from among the serving senior functionaries of the office, co-

terminus with the nominee's tenure;

(3) A person shall be disqualified from being a Councillor if he or she:

- (a) is not a citizen of India;
- (b) has attained the age of 70 years;
- (c) is declared to be insolvent, or of unsound mind;
- (d) is a Minister or a Government Servant or holds a public office [except for the nominee under Rule 14(2)(h)];
- (e) holds any office or post in a sports or athletic association or federation apart from cricket;
- (f) has been an Office Bearer of the MCA for a cumulative period of 9 years; or
- (g) has been charged by a Court of law for having committed any criminal offence, i.e. an order framing charges has been passed by a court of law having competent jurisdiction.

(4) 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. A Councillor who has held any post for two consecutive Terms either in the MCA 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. During the cooling off period, such a Councillor shall not be a member of any committee whatsoever of the MCA or of the BCCI. The expression 'Councillor' should not be permitted to be circumvented by being a member of any other committee of the MCA or in BCCI, as the case may be.

(5) No individual, including one filling up a vacancy under Sub-Rule (9) below shall be a Councillor for more than 9 years. In the event of a Councillor completing 9 years before the expiry of his term, he shall cease to hold office

on completion of 9 years.

- (6) No nominated Councillor shall have more than one term of 3 years.
- (7) Notwithstanding anything contained elsewhere in these Rules, a former President of the MCA shall not be entitled to be elected or nominated to the Apex Council in any capacity except for a second and final term as President, subject to sub-Rules (4) and (5) above.
- (8) No Councillor, once elected, shall hold any office in a Full Member Association. The Full Member shall take steps to fill up the vacancy so created immediately.
- (9) Any vacancy in the Apex Council due to death, resignation, insolvency, unsoundness of mind, nomination to the BCCI or other disqualification shall be filled up for the remaining period:
- (a) In the case of an elected Councillor, by elections at a Special General Body meeting of the MCA convened by the Secretary for that purpose within 45 days;
 - (b) In the case of a nominated Councillor, in the same manner as prescribed for the respective nominee in Rule 14(2) above;
- (10) For the purposes of the Societies Registration Act 1860 and Maharashtra Public Trusts Act 1950, the governing body of the MCA shall be the Apex Council.

15. POWERS AND FUNCTIONS OF THE APEX COUNCIL

- (1) The affairs of the MCA shall be governed by the Apex Council and its framework of governance shall:
- (i) Enable strategic guidance of the entity;

- (ii) Ensure efficient monitoring of management;
 - (iii) Appoint various Cricket and Standing Committees other than Selection Committees.
 - (iv) Ensure the performance of the respective roles, responsibilities and powers of the CEO, Managers, Cricket Committees and Standing Committees; and
 - (v) Ensure a distribution and balance of authority so that no single individual has unfettered powers.
- (2) The Apex Council shall have all the powers of the General Body and 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 Apex Council which was otherwise valid.
- (3) The Apex Council shall exercise superintendence over the CEO, the Cricket Committees and the Standing Committees in the discharge of their duties generally, and in particular, in accordance with any general or special direction of the General Body,
- (4) In addition to and without prejudice to the generality of powers conferred directly or by necessary implication under these Rules and regulations and the Memorandum of Association, the Apex Council shall exercise the powers and perform the duties hereafter mentioned:
- (a) To control, permit and regulate all aspects regarding the visits of other BCCI-approved domestic cricket teams to Maharashtra and visits of Maharashtra cricket teams to other states and foreign countries and to

settle the terms on which such visits shall be conducted.

- (b) To lay down conditions on which Players shall take part in a tour to any state or foreign country and by which such Players shall be governed, including terms of payments to such Players.
- (c) To control, expand and regulate the finances of the MCA.
- (d) To institute or defend any action or proceedings for or against the MCA or against any Office-Bearer or employee of the MCA.
- (e) To mediate in regard to issues between Members, failing resolution of which a reference may be made to the Ombudsman.
- (f) To interact and consult with the Cricket Players' Association regarding representations made on their behalf.
- (g) To purchase, sell and/or mortgage, exchange and/or otherwise dispose of immovable property wherever situated, in order to promote the objects of the MCA.
- (h) To collect funds and whenever necessary borrow not exceeding 25% of the General Fund with or without security for purposes of the MCA and to raise loans with or without security and to purchase, redeem or pay off any such security.
- (i) To fill up, till the following Annual General Meeting, any vacancy occurring of a member of a committee by reason of death or being adjudged insolvent or being of unsound mind or being convicted of a criminal offence involving moral turpitude or by resignation or any other disqualification.
- j) To frame rules and lay down conditions including those of travel, accommodation and allowances under which MCA Players shall take part in cricket tournaments/matches or Exhibition, Festival and Charity matches organized by the MCA or by a Member under the

authority of the MCA in the course of a visit or tour of a state or foreign cricket team to India.

- (k) To frame rules for the Maharashtra state (MCA) Championship of India for the Ranji Trophy matches or for University, Schools or other tournaments or for any Exhibition matches between members and *I* or between the Universities in India.
- (l) To frame rules regarding the appointment, service conditions and disciplinary action concerning employees and officers of the MCA.
- (m) To make the Tournament Rules for all tournaments as per guidelines of BCCI.
- (n) 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 MCA, 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.
- (o) To make rules generally for the management of the affairs of the MCA.
- (p) To start or sponsor and/or to subscribe to funds or stage a match for the benefit of cricketers or persons who may have rendered service to the game of cricket or for their families or to donate for the development or promotion of the game to be regulated by rules framed in this regard from time to time.
- (q) 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.

- (r) Generally to do all such other acts and things which are delegated to it by the MCA and all other functions to be expedient, convenient and/or conducive to the carrying out of the above functions of the Apex Council.

Provided that the exercise of powers under Clauses (g),(k), (i), (m), (n) and (o) shall be subject to ratification by the MCA at its next meeting, failing which the rules shall lapse.

- (5) The Apex Council shall meet at least once every month at such time and place and shall conduct proceedings in such manner as it may from time to time decide.
- (6) A Special Meeting of the Apex Council may be convened at any time by the President and shall be convened on a requisition to that effect being made in writing by not less than seven (7) Councillors. Any such requisition shall express the object of the meeting proposed to be called and shall be sent to the Secretary.
- (7) Fourteen days' clear notice of the Meeting of the Apex Council together with the Agenda shall be given to the Councillors. For a Special Meeting of the Apex Council convened for the purposes stated in Sub-Rule (5) above, Seven days' clear notice shall be given. An Emergent meeting of the Apex Council may be convened with Two days' notice.
- (8) Eight (8) members of the Apex Council shall form a quorum for its meetings. The President or in his absence a member elected by those present at the meeting shall be the Chairperson. In the event of a tie, the Chairperson shall have a casting vote.

(9) A resolution by circulation by all members of the Apex Council shall be as valid and effective as if it had been passed at a meeting of the Apex Council. Such a resolution shall be ratified at the next meeting of the Apex Council.

(10) The Secretary shall keep the minutes of every Meeting in a book which shall be signed by the Chairperson when approved.

16. MCA JURISDICTION OVER PLAYERS, MATCH OFFICIALS & TEAM OFFICIALS OF MEMBERS

The MCA shall have concurrent jurisdiction and control over Players, Match Officials and Team Officials within the jurisdiction of a Member. Such individuals participating in cricket under the aegis of a Member shall be deemed ipso facto to submit to the jurisdiction of the MCA.

17. CONDUCT OF PLAYERS

The Apex Council shall have the power to enquire into the conduct of any Player within its jurisdiction and may take such disciplinary action against the Player as the Apex Council may deem fit, which decision shall be final.

18. ENQUIRY INTO CONDUCT OF PLAYERS, MATCH OFFICIALS, ADMINISTRATORS, ETC.

In the event of the MCA enquiring into the conduct of a Player, Match Official, Administrator, etc., the MCA shall proceed in the manner prescribed in Rule 41.

CHAPTER FIVE:
MANAGEMENT

19. ADMINISTRATION OF THE MCA

- (1) Pune shall be the administrative headquarters where the office of the MCA shall be permanently situated. It shall be the Central Secretariat of the MCA.
- (2) The day-to-day management of the MCA shall be conducted by professionals in both cricketing and non-cricketing matters.

20. NON-CRICKETING MATTERS

- (1) The day to day management of non-cricketing matters including operations, technical, human resources, finance and media shall be conducted by the CEO under the supervision of the Apex Council aided by the advice of the Standing Committees as set out in Rule 24.
- (2) The CEO shall be assisted by Managers as may be appointed under Rule 23.

21. CRICKETING MATTERS

- (1) The management of cricketing matters such as selections, coaching and evaluation of team performance shall be exclusively handled by the Cricket Committees comprising only of Players as set out in Rule 26.
- (2) The management, evaluation and selection of umpires shall be done by the Umpires Committee comprising only of Umpires as set out

in Rule 27.

- (3) The reports of the Cricket and Umpires Committees shall be sent to the CEO for being forwarded to the Apex Council, but the CEO shall not in any way be involved in the preparation; approval or amendment of the same.

22. EFFICIENCY IN FUNCTIONING

- (1) The bankers, lawyers and others offering professional services to the MCA shall be appointed in a fair and transparent manner, and may be changed from time to time, as the MCA may deem expedient.
- (2) The bank account of the MCA shall be operated by 2 authorized signatories, one of whom shall be the treasurer of MCA, and the other shall be the Secretary or the President of MCA.
- (3) The CEO and the Cricket & Umpires Committees shall function independently in their respective domains without any interference or approval from each other.

23. THE CEO

- (1) The day-to-day management of the affairs of the MCA shall vest in a full time CEO to be appointed by the Apex Council, who shall be a management professional with relevant management experience of at least 5 years in a senior position with a reputed organisation
- (2) The CEO shall be assisted by not more than 6 full-time professionals (Managers) who shall be appointed by the Apex

Council in consultation with the CEO essentially to govern the streams of finance, technical, infrastructure, law, media and human resources. The CEO may however realign or reallocate these streams as he deems fit.

(3) The eligibility criteria for the CEO and Managers shall be laid down by the Apex Council keeping in mind the following guidelines:

- (a) Knowledge and familiarity with cricket or other sports;
- (b) Understanding of financial position and fiscal direction of the MCA;
- (c) Knowledge of operations of cricket administration and overall policy;
- (d) Clarity on role, division of responsibilities and hierarchy; and
- (e) Familiarity with regulatory and legal responsibilities as well as attendant risks.

(4) There shall be an appropriate induction process laid down by the Apex Council for the CEO and the Managers, which shall include a fair and transparent process of appointment.

24. THE FUNCTIONS OF THE CEO

The CEO shall have the following functions on behalf of the MCA:

- (1) To implement all the Rules and Regulations made by the Apex Council in regard to non - cricketing matters.
- (2) To issue guidelines in respect of travel, accommodation,

allowances, etc., to be paid to players, support staff and officials participating in matches, other than international matches.

- (3) To lease and manage immovable property of the MCA wherever situated, in order to promote the objects of the MCA.
- (4) To lay down parameters for the laying of grounds for playing the game and to provide pavilion, canteen and other conveniences and amenities in connection therewith.
- (5) To appoint Team Officials for the MCA teams which shall compulsorily include qualified coaches, managers, physiotherapists, nutritionists, trainers, analysts, counsellors and medics. However, the Head Coach of each of the MCA Teams shall be appointed by the Cricket Advisory Committee referred to in Rule 26(2)A(ii) below.
- (6) 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.
- (7) 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.

- (8) To start and maintain a 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 the official website of the MCA.
- (9) To produce by itself the Cricket content for telecast of cricket matches and/or ceremonies by hiring or owning equipment and hiring necessary crew, technicians, etc.
- (10) To publicize the stadium capacity of all stadia across the country 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.
- (11) To provide 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.
- (12) To arrange and organize the State Championship of India for the Ranji Trophy matches or for University, Schools or other tournaments or for any Exhibition matches between members and I or between the Universities in India

including regulations and bye-laws in respect of travel, accommodation, allowances to be paid to players and officials participating in such matches.

- (13) To frame guidelines generally for the convenience and ease of day-to-day management of affairs of the MCA.
- (14) To prescribe guidelines to lay out or convert any ground into high quality turf wickets at all levels in all areas of the MCA territory and to provide Pavilions, Canteens, Public Conveniences and other amenities with disabled access and suitable signage, especially to involve more Indians in the game of cricket and to encourage participation of all sections of society.
- (15) To assist the Cricket Committees and facilitate the implementation of their tasks and recommendations.
- (16) 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.
- (17) To create a database of all cricketers at all levels, maintain records and statistics, track performances and certify age and identity of participants.
- (18) To take steps to create world class infrastructure at all levels in all areas across MCA territory. To coordinate with District associations and other playing teams, to conduct tournaments, to provide better access to the public, with particular reference to women and the disabled.

- (19) To put in place mechanisms to encourage MCA cricketers to play nationally and internationally and hone their skills so that a wider talent pool is available to represent the country.
- (20) To sign and enter transparently into contracts for and on behalf of the MCA including with third parties and vendors for the purposes of the various Committees of the MCA,
- (21) To report to the Apex Council every month or as often as required by the Apex Council on the functioning of the management and the progress made in developing cricket in MCA jurisdiction.
- (22) To consider the reports of the Auditor, to verify whether Full Members are meeting their objectives and to assess whether cricket is being suitably developed and promoted across MCA jurisdiction.
- (23) 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 Apex Council for their approval.
- (24) To examine all the expenditure exceeding the Budget and to

control such outlays as are required for the proper administration of the MCA.

- (25) To advise the MCA regarding investments.
- (26) 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 Apex Council.
- (27) To do all acts and things which are delegated by the MCA and Apex Council to him, and all other functions as are necessary and expedient to carry out the objects of the MCA as aforesaid including carry on correspondence in the name of the MCA.

25. THE STANDING COMMITTEES

- (1) The Standing Committees are the Committees that provide guidance and advice on behalf of the Members to the CEO.
- (2) The Standing Committees are:
 - A. The Senior Tournament Committee:

- (i) The Senior Tournament Committee shall consist of FIVE persons appointed by the Apex Council , one from each Zone.
- (ii) The Committee shall advise the CEO on the conduct of all cricket Tournaments within the jurisdiction of MCA, including various age-group tournaments, women's tournaments, and tournaments of all three formats of the game, namely One-Day, T/20, and Four-Day cricket, in accordance with their respective rules as framed by the MCA:

B. The Tours, Fixtures & Technical Committee

- (i) The Tours, Fixtures & Technical Committee shall consist of FIVE persons appointed by the Apex Council one from each Zone. At least three of these five persons ought to have played a minimum of 25 MCA games.
- (ii) The Committee shall, subject to any directions of the MCA, advice the CEO on the making of draws and fixing of dates and venues in respect of the following:

- (a) Tours of MCA Teams visiting different parts of India/ abroad;
 - (b) Tours of other BCCI member teams/ foreign teams visiting MCA
 - (c) All matches and Tournaments conducted/organized by the MCA.
- (iii) The Committee shall, subject to any directions of the General Body or the Apex Council, advise the CEO on the following:
- (a) Appointment of Observers for domestic competitions and other State matches
 - (b) Considering any amendments with regard to laws, experimental laws, technical matters that may be referred to it by the BCCI
 - (c) Framing and finalizing the playing conditions for all tours to and from MCA.

26. THE CRICKET COMMITTEES

- (1) The Cricket Committees are the Committees comprised exclusively of former Players who are tasked with the Selection, Coaching and Evaluation of Team Performances.
- (2) The Cricket Committees are:
 - A. The Men's Selection Committee
 - (i) The Men's Selection Committee shall select the Senior Maharashtra Team in all formats of the game including Four / Five Day Cricket, One Day Cricket, and T/20 cricket. This Committee shall also be responsible for providing evaluation reports of the respective team performances to the Apex Council on a quarterly basis.
 - (ii) The Men's Selection Committee shall consist of five persons to be appointed by a Cricket Advisory Committee comprising Maharashtra cricketers identified by the MCA, subject to the following criteria:
 - (a) Every member of the Men's Selection Committee should have played a minimum of:
 - (i) Seven Ranji Trophy Matches; or
 - (ii) Thirty Maharashtra domestic Matches; or

- (iii) Ten One-Day Domestic Matches .
 - (b) Every member of the Men's Selection Committee should have retired from the game at least 5 years previously.
 - (c) The senior most Ranji Trophy player among the members of the Committee shall be appointed as the Chairperson.
- (iii) The Men's Selection Committee shall appoint a Captain for the team in each format, who shall be an Ex-Officio member of the Committee. The Captain however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote.
- In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

B. The Junior Cricket Committee

- (i) The Junior Cricket Committee shall consist of five persons to be appointed by the MCA at the Annual

General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time.

Only former Players who have played a minimum of 25 State Matches shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most amongst the members of the Committee shall be appointed as the Chairperson.

- (ii) The Junior Cricket Committee shall:
 - (i) Select all age group teams up to Under-22 years for the purpose of coaching camps and to participate in BCCI tournaments.
 - (ii) Appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no

majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail. On an overseas tour, the Cricket Manager/Coach, Captain and Vice-Captain shall constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

- (iii) Vet and select Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a quarterly basis.
- (iv) Organize and conduct junior tournaments of the MCA;
- (v) Organize junior tours within India / foreign countries, subject to permission of BCCI where applicable.
- (vi) Decide any dispute in regard to junior tournaments;

(vii) Inculcate proper ethics in the youth, particularly through interactions with senior and former Players on issues such as drugs, betting, match-fixing, etc.

C. The Women's Selection Committee

- (i) The Women's Selection Committee shall select the Women's National Team across all age groups for representation in State Tournaments, One Day state matches, T/20 and any other format. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a monthly basis.
- (ii) The Women's Selection Committee shall consist of five persons to be appointed by the MCA at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time.
- Only former Players who have represented the

Women's National Team shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most player shall be appointed as the Chairperson.

- (iii) The Women's Selection Committee shall appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

D. The Women's Cricket Committee

- (i) The Women's Cricket Committee shall consist of five former women Players who have played at least Five BCCI Domestic Cricket matches, the senior most of whom shall be the Chairperson.
- (ii) The Committee shall:
 - (a) Draw up programmes of coaching at MCA levels.

- (b) Plan and conduct Women's Junior and Senior MCA tournaments.
- (c) Organize tours to other states / foreign countries, subject to permission of BCCI where applicable.
- (d) Decide any dispute in regard to Women's Tournaments.
- (e) Generally have control over Women's Cricket activities, outside of those covered by the Women's Selection Committee.

E. The Differently-Abled Cricket Committee

- (i) The Differently-Abled Cricket Committee shall consist of THREE persons to be appointed by the Apex Council of MCA, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Differently-Abled Players who have represented the MCA in any format of the game shall be eligible to appointed to this Committee. It is preferable that different categories of impairment (visual, physical, etc.) be represented among the

members of the Committee. The senior most among the Players shall be the Chairperson.

- (ii) The Differently-Abled Cricket Committee shall, in consultation with the Cricket Talent Committee, select the Differently-Abled State Teams across all age groups for representation in Tests, One Day matches, Twenty/20 and any other format. In addition, this Committee shall also propose to the CEO the best practices to be inculcated including coaching, counselling and special equipment. This Committee shall also endeavour to bring the various existing cricket associations for various types of impairment under the common umbrella of the MCA and evolve training programmes and raise awareness.
- (iii) This Committee shall appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of

the players, the Captain's wishes in that regard shall prevail. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

G. The Cricket Talent Committee:

- (i) The Cricket Talent Committee shall consist of THREE persons to be appointed by the Apex Council of MCA , on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have played atleast 20 State matches and have the highest level of coaching certification shall be eligible to appointed to this Committee. The senior most among the Players shall be the Chairperson.
- (ii) This Committee shall:
 - (i) Be responsible for scouting for talent in men, junior, women and disabled cricket.
 - (ii) Organize the framework within which the State Cricket Academy and the various District Cricket Academies will be established

and perform.

- (iii) Create the programmes and coaching centres for coaching at MCA levels;
 - (iv) Improve infrastructure in all areas of the MCA
 - (v) Make provisions for making the game of cricket accessible to the general public by creating turf wickets, pay-and-play facilities and converting existing fields and grounds into high quality pitches;
 - (vi) Encourage the youth to take up cricket by setting up promotional camps and other avenues of engagement with the game; and
 - (vii) Provide evaluation reports of the targets set and achieved and the details of its programmes to the Apex Council on a quarterly basis.
- (3) No person who has been a member of any Cricket Committee for a total of 5 years shall be eligible to be a member of any Cricket Committee.
- (4) No person who has been a member of any Cricket

Committee shall write, comment or publicize any discussions or decisions of the selections made except where so authorized by the MCA or the Apex Council. Any violation of this confidentiality provision will invite removal and substitution by the MCA or the Apex Council.

- (5) The Chairpersons of the respective Cricket Committees shall submit a quarterly report to the CEO which shall then be forwarded by him to the Apex Council for assessment and action, if any.
- (6) The Apex Council is empowered to add any further Cricket Committees as may be required, particularly to cater to weaker sections of society.

27. THE UMPIRES COMMITTEE

- (1) The Umpires Committee shall consist of THREE persons appointed by the Apex Council of MCA, each of whom shall have been a former State umpire for BCCI. In the event of such a person not being available, any umpire who has officiated in at least 25 State matches shall be eligible to be appointed. No person may be a member of this Committee for more than 5 years. The senior most umpire shall be the

Chairperson of the Committee.

- (2) The function of the Umpires Committee shall be to standardize umpiring throughout MCA territory and to draw up and maintain a panel of Umpires to officiate matches in MCA territory and classify them into Elite State Panel, All State Panel, according to the merits of the Umpires (subject to reclassification), as per criteria worked out by the Committee. The Committee shall hold examinations from time to time for this purpose.
- (3) The Committee shall appoint umpires for all MCA matches and shall assist Members in the formation of the panels of Umpires in their respective areas. The Committee shall endeavour to promote umpiring by conducting camps and programmes.
- (4) The Committee shall draw a format to obtain confidential reports from captains on umpires, match referees or any other designated persons to assess the merits/de-merits of the Umpires.
- (5) The Committee may hold, organize and arrange seminars and conventions of umpires to discuss the laws of the game, experimental rules and suggestions of

International Cricket Council in regard to amendments, alterations and additions to the laws of the game.

28. INADVERTENT OMISSION TO GIVE NOTICE OF MEETING

Inadvertent omission to give notice of an Annual General or Special General Meeting or Meetings of the Apex Council or of any of the Committees to any member entitled thereto or the non-receipt thereof by such individual shall not invalidate the proceedings of such meetings.

30. PERMISSION TO CONDUCT TOURNAMENT.

- (1) No Club affiliated to a member shall conduct or organize any tournament in which players/teams from the region within the jurisdiction of a member are participating or are likely to participate without the previous permission of the member affiliated to the BCCI.
- (2) No member or a Club affiliated to a member shall conduct or organize any tournament in which players/teams from regions outside their jurisdiction are participating or are likely to participate without the previous permission of the BCCI.
- (3) Permission for conducting or organizing any tournament will be

accorded only to the members of the BCCI and will be in accordance with the rules framed by the BCCI in this regard from time to time.

- (4) No member or a Club affiliated to a member shall conduct or organize any international Tournament or International match/matches in which foreign players/teams are participating or are likely to participate without the previous permission of the BCCI. Permission for conducting or organizing any International Tournaments or International match/matches will only be accorded to the Members of the BCCI on special occasion.
- (5) Members or their affiliates desirous of undertaking tours abroad or inviting foreign teams shall obtain the previous permission of the BCCI, which may be granted in accordance with the Rules framed by the BCCI.

31. BAN ON PARTICIPATION IN UNAPPROVED TOURNAMENTS

- (1) No Member shall participate or extend help of any kind to an unapproved Tournament.
- (2) No Player, Umpire, Scorer, Official or other person associated with the BCCI / MCA shall participate in

any unapproved tournament.

- (3) The Apex Council shall take appropriate action including suspension and stoppage of financial benefits and any other action against individuals / Members contravening the above.

CHAPTER SIX:**ELECTIONS****32. PROCEDURE FOR ELECTIONS**

The General Body shall from time to time frame rules of procedure for the elections. Any amendments to the procedure adopted shall be made at least 3 months prior to the elections.

33. THE ELECTORAL OFFICER

- (1) At least THREE weeks prior to the Annual General Meeting at which an election is to be held, the Apex Council shall appoint an Electoral Officer, who shall be a former member of the Election Commission of India. However, for the first elections to be held under this new constitution, the Electoral Officer shall be appointed as per the criteria laid out in this new constitution by the outgoing secretary holding office.
- (2) The Electoral Officer shall oversee and supervise the entire election process including scrutiny of the electoral rolls for Councillors, which shall include all nominations and candidatures being subject to his scrutiny in accordance with the Rules.
- (3) In case of any dispute or objection as to candidacy,

disqualification, eligibility to vote, or the admission or rejection of a vote in the elections to the Apex Council or any of the Committees, the Electoral Officer shall decide the same and such decision shall be final and conclusive.

CHAPTER SEVEN:
AUDIT & ACCOUNTS

34. AUDITOR(S):

- (1) The General Body shall at every Annual General Meeting appoint one or more auditors to hold office for a 1 year period and shall fix their remuneration. The Auditor shall be eligible for reappointment by the General Body.
- (2) The Auditor(s) of the MCA shall have the right of access at all times to the Books of Accounts, Vouchers and any other documents relating to the accounts of the MCA and shall be entitled to obtain from the Office-Bearers and Committees such information and explanation as may be necessary in the discharge of his/their duties.
- (3) The Auditor(s) shall provide an opinion on the financial statements' of the MCA and recommendations on the financial controls within the system, which shall be contained in a Financial Report.
- (4) The Auditor(s) shall also ascertain how the funds of

the MCA are being utilized by the respective Members. It will be the responsibility of the Auditor(s) to verify the statements made by the Member associations in this regard and to give findings, which shall be contained in a Compliance Report.

- (5) Both the Financial Report and the Compliance Report of the Auditor(s) shall be considered at the Annual General Meeting.

35. ACCOUNTS

True accounts shall be kept by the Treasurer of all moneys received and expended by the MCA and the matters in respect of which such receipts and expenditure take place and of all assets, credits and liabilities of the MCA. This shall include the separate account maintained for the IPL as well.

36. SETTLEMENT OF ACCOUNTS & BALANCE SHEET

The accounts shall, unless the General Body fixes any other date there for, be settled by the Treasurer on the 31st of March in each year, and a balance sheet of the assets and liabilities of the MCA on that day shall be made out by him. The Balance Sheet duly audited with the Auditor's remarks shall be laid before the General Body at the

Annual General Meeting.

CHAPTER EIGHT:**TRANSPARENCY & CONFLICT OF INTEREST****37. TRANSPARENCY**

- (1) The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the MCA (including the 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.
- (2) 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;
- (3) All payments and expenditures made by the MCA which is in excess of Rs. 25 lakh shall be enumerated and uploaded on the website.
- (4) All proceedings and conclusions of the Ombudsman and the Electoral Officer shall be uploaded on the Website of the

MCA annually.

- (5) The audited accounts, balance sheets, profit & loss accounts and annual reports shall be uploaded on the Website of the MCA annually.
- (6) The Financial and Compliance Reports of the Auditor shall be placed on the uploaded on the Website of the MCA annually.
- (7) 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.
- (8) The website of the MCA shall have dedicated links to all the stadia in the MCA territory 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.

38. CONFLICT OF INTEREST

- (I) 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, the IPL 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 IPL Governing Council. The IPL 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 a State 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, the IPL 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 State Association. B is hit by Conflict of Interest.

Illustration 3: C is the Vice President of the MCA. He is also President of a State Association 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 MCA 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, the IPL 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 Commissioner of the IPL. Before he came into this office, he used to engage E as his auditor for his business. After becoming Commissioner, E is appointed as auditor to the IPL. D is hit by Conflict of Interest.

Illustration 4: F is the Captain of an IPL team, and G is the team's manager. When F is made Captain of the national team, G is appointed as the national 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 Apex Council, and the Committees.

- (2) Within a period of 15 days of taking any office under the MCA, every individual shall disclose in writing to the Apex Council 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.
- (3) A Conflict of Interest may be either Tractable or Intractable:
 - (a) 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.

- (b) 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 3 to Rule 38(1)(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.

- (4) 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:

- (a) Player (Current)
- (b) Selector / Member of Cricket Committee
- (c) Team Official
- (d) Commentator
- (e) Match Official
- (f) Administrator / Office-Bearer

- (g) Electoral Officer
 - (h) Ombudsman & Ethics Officer
 - (i) Auditor
 - G) Any person who is in governance, management or employment of a Franchisee
 - (k) Member of a Standing Committee
 - (l) CEO & Managers
 - (m) Office Bearer of a Member
 - (n) Service Provider (Legal, Financial, etc.)
 - (o) Contractual entity (Broadcast, Security, Contractor, etc.)
 - (p) Owner of a Cricket Academy
- (5) As far as incumbents are concerned, every disclosure mandated under Sub-Rule (3) may be made within 90 days of the Effective Date.

39. THE ETHICS OFFICER

- (I) The MCA 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 be a retired Judge of a High Court so appointed by the MCA after obtaining his/her consent and on terms as

determined by the MCA 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.

- (2) Any instance of Conflict of Interest may be taken cognizance of by the Ethics Officer:
 - (a) Suo Motu;
 - (b) By way of a complaint in writing to the official postal or email address; or
 - (c) On a reference by the Apex Council;

- (3) After considering the relevant factors and following the principles of natural justice, the 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 Rule 38(3)(a); 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.

The Ethics Officer is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstances.

**CHAPTER NINE:
THE OMBUDSMAN**

40. THE OMBUDSMAN

- (1) The MCA shall appoint an Ombudsman at the Annual General Meeting for the purpose of providing an independent dispute resolution mechanism. The Ombudsman shall be a retired Judge of the Supreme Court or a retired Chief Justice of a High Court so appointed by the MCA after obtaining his/her consent and on terms as determined by the MCA 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.
- (2) The MCA shall, in consultation with the CEO frame Regulations regarding the discipline and conduct of the Players, Match Officials, Team Officials, Administrators, Committee Members and others associated with the MCA.

41. GRIEVANCE REDRESSAL

- (1) The types of disputes/ differences that form the Ombudsman's ambit and the procedures for redressal are:
 - (a) Member, Association & Franchisee Disputes

Any disputes between or among the MCA, its Members, IPL Franchisees, Zones and the 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 MCA commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the MCA or the game of cricket or endanger the harmony or affect the reputation or interest of the MCA or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the MCA and/or the Rules of conduct framed by the MCA, the Apex Council, 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 MCA, the Apex Council 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 Apex Council not later than 15 days from the date of

reference being made by the Apex Council. On receipt of the report, the Apex Council 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 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 MCA

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.

- (2) 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 MCA.
- (3) The decision of the Ombudsman shall be final and binding and shall come into force forthwith on being pronounced and delivered.
- (4) Any Administrator, Player, Match Official, Team Official, Selector or other individual associated with the MCA on being found guilty and expelled by the MCA 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 MCA.
- (5) A Member or Franchise once expelled, may, on application

made after expiry of three years since expulsion, be readmitted by the MCA, provided the same is accepted at a General Body meeting by 3/4th members present and voting.

- (6) 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 MCA (along with their respective privileges and benefits) may be suspended by the Apex Council until final adjudication. However, the said adjudication ought to be completed within six months, failing which the suspension shall cease.

CHAPTER TEN:
MISCELLANEOUS

42. NOTICE

- (1) Any notice required to be served on any Member of the MCA or any Administrator or other entity shall be addressed to their registered addresses.
- (2) All notices shall be served by way of electronic mail to the official e-mail addresses as are furnished to the MCA.
- (3) Any notice sent via post or e-mail shall be deemed to have been served at the time when the same was sent, and it shall be sufficient to prove either that the letter containing the notice was properly addressed and posted or that the email was sent to the correct e-mail address.

43. INDEMNITY

Every Office-bearer, Councillor, CEO, Manager or a Member of a Committee of the MCA shall be indemnified out of the MCA's funds against all losses and expenses incurred in the discharge of his or her duties, except those which have occurred through wilful act or default and if so, each one shall be chargeable only for so much moneys or properties as they shall actually receive for or in the

discharge of the business of the MCA and shall be answerable only for their own act, neglect or default and not for those of any other person.

44. SUITS BY OR AGAINST THE MCA

The MCA shall sue or be sued in the name of the Secretary.

45. AMENDMENT AND REPEAL

These Rules and Regulations of the MCA shall not be repealed, added to, amended or altered except when passed and adopted by a 3/4th majority of the members present and entitled to vote at a Special General Meeting of the General Body convened for the purpose or at the Annual General Meeting. Any such amendment will not be given effect to without the leave of Hon'ble Supreme Court.

Re: In Re: Maharashtra Cricket Association

Committee of Administrators <coa@bccci.tv>

Thu, Sep 5, 3:51 PM
(2 days ago)

to Neela, Riyaz, Maharashtra, Rahul

Dear Ma'am,

This is in reference to your email dated 4th September 2019, attaching a copy of the constitution passed by the General Body of Maharashtra Cricket Association ("MCA") on 1st September 2019.

The Committee of Administrators has perused the aforesaid constitution, and upon comparison with the constitution approved by the Committee of Administrators vide email dated 14th August 2019 has found to its utmost surprise that the following addition has been made to Rule 6 of the constitution of MCA, which is set out as below:

Constitution approved by COA vide email dated 14 th August 2019	Constitution approved by the General Body of MCA
<p>The following Office Bearers of the MCA shall be elected by the Full-Members of the MCA from amongst their representatives at an Annual General Meeting :</p> <p>No person who does not meet the eligibility criteria shall be entitled to contest the post of office-bearer</p> <ol style="list-style-type: none">1. The President2. The Vice-President3. The Secretary4. The Joint Secretary5. The Treasurer	<p>The following Office Bearers of the MCA shall be elected by the Full-Members of the MCA from amongst their representatives at an Annual General Meeting, <u>amongst the Councillors of the Apex Council</u>. No person who does not meet the eligibility criteria shall be entitled to contest the post of office-bearer</p> <ol style="list-style-type: none">1. The President2. The Vice-President3. The Secretary4. The Joint Secretary5. The Treasurer

The aforesaid change is not in consonance with the judgment dated 9th August 2018 of the Hon'ble Supreme Court and accordingly needs to be deleted.

Further, the Committee of Administrators has received several representations including from former international players and members of the MCA in relation to the provisions of the constitution of MCA. In view thereof, the Committee of Administrators deems it necessary to incorporate the following amendments to Rule 14 of the constitution of the MCA:

Existing Provision in the MCA Constitution	Proposed Amendment
--	--------------------

Rule 14(2)

The Apex Council shall comprise of the following 19 Councillors:

- (a) Ten to be elected amongst the 21 District Cricket Associations on a Zonal basis. (Two from each of the five Zones),
- (b) Two to be elected from and amongst the Life Members, Patrons and Benefactors of MCA,
- (c) Two to be elected from and amongst the Affiliated Club Members of MCA,
- (d) One to be elected from and amongst the four Founder Gymkhanas and the Special Gymkhana,
- (e) One to be elected from and amongst the Institution Members (Colleges),
- (g) Two International Players [One Male and One Female] from amongst those of its members who hail from the jurisdiction of MCA. The said players to be nominated to the Apex Council shall be the representative of all the Intl players from Maharashtra and elected amongst themselves.
- (h) One to be nominated by the Accountant General of Maharashtra from among the serving senior functionaries of the office, co-terminus with the nominee's tenure;

Rule 14(2)

The Apex Council shall comprise of the following 19 Councillors (including 5 elected Office Bearers as per Rule 6):

- (a) Ten to be elected amongst the 21 District Cricket Associations on a Zonal basis. (Two from each of the five Zones),
- (b) Two to be elected from and amongst the Life Members, Patrons, Benefactors and Former International Cricketers of MCA,
- (c) Two to be elected from and amongst the Affiliated Club Members of MCA,
- (d) One to be elected from and amongst the four Founder Gymkhanas and the Special Gymkhana,
- (e) One to be elected from and amongst the Institution Members (Colleges),
- (g) Two International Players [One Male and One Female] from amongst those of its members who hail from the jurisdiction of MCA. The said players to be nominated to the Apex Council shall be the representative of all the Intl players from Maharashtra and elected amongst themselves.
- (h) One to be nominated by the Accountant General of Maharashtra from among the serving senior functionaries of the office, co-terminus with the nominee's tenure;

Accordingly, MCA is advised to incorporate the aforesaid proposed amendments to the constitution of MCA and send the amended copy to the Committee of Administrators for confirmation/approval.

As regards MCA's request for a direction to the Charity Commissioner, please note that as a special case, the Committee of Administrators can favourably consider issuing a communication to the MCA confirming that the constitution sought to be registered is in compliance with the aforesaid judgment of the Hon'ble Supreme Court once the MCA submits to the COA the amended constitution after incorporating the changes advised above and furnishing an undertaking from the officer of MCA who has signed the compliance certificate

that the constitution which will be submitted for registration is the same and/or identical to the constitution approved by the Committee of Administrators .

Thanking you,

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

On Wed, Sep 4, 2019 at 7:42 PM Neela Gokhale

<neelagokhaleadvocate@gmail.com> wrote:

Sir/Madam,

In pursuance of my email dated 02.09.2019, PFA herewith a copy of the constitution, which was duly passed by General Body of the Association on 01.09.2019. This is to confirm that the copy attached herewith and the one approved in the GB Meeting, is the exact copy approved by you. We are submitting the same to the Ld. Charity Commissioner, Pune Region, Pune, for its registration.

This is for your kind information.

--

Regards

Dr. Neela Gokhale

Advocate

Supreme Court of India

.....