The Rajasthan Sports (Registration, Recognition and Regulation of Associations) Rules, 2004

RAJASTHAN India

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Rule

THE-RAJASTHAN-SPORTS-REGISTRATION-RECOGNITION-AND-REG of 2004

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The Rajasthan Sports (Registration, Recognition and Regulation of Associations) Rules, 2004Published vide Notification No. F. 13(15)Sports/2004, dated 9-11-2004, Published in Rajasthan Gazette, Extraordinary, Part 4 (Ga) (I), dated 9-11-2004, Page 125 (1)G.S.R. 38. - In exercise of the powers conferred by section 31 of the Rajasthan Sports (Registration, Recognition and Regulation of Associations) ordinance, 2004 (Ordinance No. 6 of 2004), the State Government hereby makes the following Rules, namely:-Chapter-I Preliminary

1. Short title, commencement and extent.

(1) These rules may be called the Rajasthan Sports (Registration, Recognition and Regulation of Associations) Rules, 2004.(2) It extends to the whole of the State of Rajasthan.(3) It shall come into force on the date of its notification in the official Gazette.

2. Definitions.

(1)In these rules unless the context otherwise require-(a)"Association" means a Sports Association defined in the Ordinance;(b)"Council" means the Rajasthan State Sports Council or as the case may be, the relevant District Sports Council;(c)"Election officer" means a person who has not accepted any fee, remuneration, engagement or assignment or is not associated with the person who has accepted such fee, remuneration, assignment or engagement from the Association seeking to appoint him and shall not be a voting or non-voting member of the Association or any of its affiliated units and must be transparently independent and possess experience of conducting

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elections of either a co-operative body, a Municipal or Panchayat Institution or any other Constitutional Body;(d)"Ordinance" means the Rajasthan Sports (Registration, Reorganisation and Regulation of Associations) Ordinance, 2004 (Ordinance No. 6 of 2004);(e)"Societies Act" means the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958).(2)Words and expression used but not defined in these rules shall have the same meaning as assigned to them in the Ordinance.Chapter-II Registration of Sports Associations

3. Naming of Sports Associations.

(1)A District Level Sports Association shall be known by the name of the Revenue District in the area of which it operates for a particular sports. Example: District Level Association in the District Bikaner and in the field of Football shall be known as "Bikaner District Football Association" or "District Football Association. Bikaner".(2)A State Level Sports Association may be using first word as Rajasthan'. second word as (the name of particular Sports being promoted by it) and then the term 'Association - .Example: (b) A State Level Sports Association in the field of Hockey shall be know 4 as "Rajasthan Hockey Association".(3)Any other mode of naming shall not be allowed by the Registrar.(4)Primary Sports Body may be known by the name of its choice other than naming provisions provided in sub-rule (1) and (2).

4. Application for Registration.

(1)An application for registration of a Sports Association shall be made to the Registrar in the Form I.(2)The application shall be appended with the documents specified in Schedule A of the Ordinance.(3)Application may be submitted to the Registrar in his office by hand or may be sent through registered post.

5. Procedure for dealing with Applications other than those under Chapter VII of the Ordinance.

(1)Registrar shall scrutinize an application received under rule 4 and satisfy himself whether all the required information has been supplied in the application.(2)Registrar shall examine the Memorandum and the bye-laws of the applicant Association and decide whether the Memorandum and the bye-laws are in accordance with the provisions of the Ordinance.(3)Where the Registrar is satisfied that the application is in order, he shall require the applicant Association to deposit the fee for registration, if not already deposited.(4)After ensuring that the application is complete in all respects and in accordance with the provisions of the Ordinance, the Registrar shall register the applicant Association as well as its Memorandum and bye laws and issue a duly numbered Certificate of Registration in Form IV.(5)After scrutiny of application, if the Registrar finds the,application to be incomplete, or not in accordance with the provisions of the Ordinance, he shall inform the applicant Association through a notice about such infirmities and require it to remedy the objections within fifteen days.(6)On receipt of the notice under sub-rule (5), the applicant association may appear through an authorised person, on the day fixed, before the Registrar and shall rectify the deficiencies pointed out in the notice within the time specified in the

notice.(7)Where the application is not in accordance with the provisions of the Ordinance even after an opportunity has been provided by the Registrar under sub-rule (5). he may reject the application.(8)If the applicant Association, in compliance of the notice issued under sub-rule (5), rectifies the deficiencies pointed out in the notice or any other deficiencies and if the Registrar is satisfied that the application is in accordance with the provisions of the Ordinance, he may register the Association together with its bye-laws and issue a duly numbered Certificate of Registration.

6. Special Procedure of dealing of applications of already registered Associations.

(1) If the existing Constitution and bye-laws of a Sports Association already registered under the Societies Act are not in conformity with the Ordinance, the Association shall before making the application under rule 4(1) shall amend them by a Special Resolution and bring them in accordance with the provisions of the Ordinance.(2) After adopting a Special resolution for amendment of the bye-laws, a proposal for registration of such an amendment shall be sent to the Registrar immediately and shall be accompanied with the following documents, namely:-(a)The existing set of bye-laws; (b) A comparative statement of the provisions sought to be amended; (c) Three copies of the bye-laws as it appears after the amendment, each signed by all the office Bearers.(d)A certificate signed by the office Bearers to the effect that the proposed amendment is an exact copy of the Special Resolution.(3) If the amended bye-laws are in accordance with the provisions of the Ordinance, the Registrar may register the Association as well as its Memorandum and bye-laws and issue a certificate thereof in form IV-A without asking for confirmation of the minutes in a subsequent meeting of the General Body. Once the Association has been registered on the basis of bye-laws amended through a properly adopted Special Resolution in accordance with the provisions of the Ordinance, these bye-laws can be modified only through another Special Resolution.(4)If the Registrar finds that the bye-laws have not been amended in accordance with the provisions of the Ordinance, he may reject the amendment(s) and take action in accordance with the provisions of the Ordinance.Chapter-III Constitution and Bye-laws

7. Constitution of a Sports Association.

(1)Every Sports Association shall be governed by its Constitution including he bye-laws framed in accordance with the provisions of the Ordinance.(2)Sports Associations shall not include any objective which involves any activity other than those related to Shorts and its promotion.(3)The Registrar may prescribe model Bye-laws to be followed by the Sports Associations. Chapter-IV Inquiry and Disqualifications

8. Procedure for conduct of an inquiry.

(1)An order for conducting an inquiry under Section 23 shall, among other things, contain the following, namely:-(a)name of the person authorized to conduct the enquiry;(b)name of the Sports Association whose affairs are to be enquired into;(c)specific point(s) on which the enquiry is to be made and the period within which the enquiry is to be completed and report is to be submitted to

the Registrar; (d) any other matter relating to the enquiry. (2) A copy of an order for conducting an inquiry under section 23 shall be supplied to the affiliating Association to which the Association in respect of which the enquiry is being conducted, is affiliated.(3)If the inquiry cannot be completed within the time specified in the order referred to in sub-rule (1), the person conducting the enquiry shall submit an interim report stating the reasons for failure to complete the enquiry and the Registrar, if he is satisfied, grant such an extension of time for completion of the inquiry, as he may deem necessary; or he may withdraw the inquiry from the officer to whom it is entrusted and hold the enquiry either himself or entrust it to such other person as he deems fit. (4)On receipt of the order referred to in sub-rule (1), the persons authorized to conduct the inquiry shall proceed to examine the relevant books of accounts and other documents in possession of the sports Association or any of its officers, employees, or members of the Association in regard to the transactions and the working of the Association as he deems necessary for the conduct of such inquiry. (5) The person authorized to conduct the inquiry shall submit his report to the Registrar on all the points mentioned in the order referred to in sub-rule (1). The reports shall contain his findings and the reasons thereof, supported by such documentary or other evidence as recorded or obtained by him during the course of the inquiry.(6)After receiving his report, the Registrar shall afford an opportunity of hearing to the Association concerned which may also file a reply in writing. (7) The Registrar, if satisfied by reply given by the concerned Sports Association may pass order to file the notice or any call for the records of the Association for further satisfaction of impose disqualifications under the Ordinance.(8)If the Registrar passes an order imposing any disqualifications provided under the Ordinance, he shall record the reasons for doing so.

9. Superseding the Executive Body of a Sports Association under Section 24.

(1)If the Registrar, after being satisfied by an inquiry is of the opinion that any ground(s) for disqualification exist(s) in accordance with the provisions of the Ordinance, he may appoint an Ad-hoc Executive Committee in accordance with Section 24(l)(a) of the Ordinance.(2)The Ad-hoc Executive Committee shall be constituted from among those persons who are eligible to be elected to the Executive Body of the Association at the time of its supersession subject to the provisions of section 24(2) of the ordinance.(3)The Ad-hoc Executive Committee may comprise a minimum of five and a maximum of twenty-one members.(4)The Ad-hoc Executive Committee shall function exactly in the manner of an Executive Body and shall have all its powers and responsibilities.(5)The Ad-hoc Executive Committee shall, immediately after its appointment, call an Extraordinary General Meeting in accordance with its bye-laws and rectify the grounds due to which the disqualification was imposed and proceed to conduct fresh elections in accordance with the provisions of the Ordinance.Chapter-V Tradition

10. Recognition to already registered Association undertaking games or sports activity in the State.

(1)A Sports Association already registered under the Societies Act shall be entitled to exercise its opinion to be registered under the Ordinance.(2)A Sports Association wishing to get itself so registered under the Ordinance, shall submit an application in Form I to the Registrar within thirty days from the commencement of the Ordinance after having amended its bye-laws in accordance

with the provisions of the Ordinance.(3)The application for registration submitted under sub-rule (1) shall be appended with the documents listed in Schedule A of the Ordinance.(4)The Registrar shall, after receiving the application under sub-rule (1), follow the same procedure as specified in rule 5.

11. Election procedure for Elections under section 26(3).

- Every Association covered under Chapter VII of the Ordinance, while complying with the provisions of Section 26 of the Ordinance shall follow the following procedure for its elections under Section 26(3) of the Ordinance-(1)Elections of a Sports Association shall be conducted by an Independent Election officer in presence of the Election Observer (s).(2)An Election officer would be appointed by the Executive Body of a Sports Association or by an office-bearer authorized to appoint him under its bye-laws after getting it approved by the Registrar. Name, address and contact numbers of such Election officer shall be communicated in the Notice issued for elections.(3)Such an Election officer shall be transparently independent, shall not have ever accepted any fee, remuneration or assignment from the Association and shall not be a voting or non-voting member of the Association or any of its affiliated units and must possess experience of conducting elections of either a co-operative body, a Municipal or Panchayat Institution or any other Constitutional Body.(4)Nomination shall be received by the Election officer at a notified time and place. He shall provide a duly numbered receipt thereof. He may take the assistance of the Sports Association whose elections he is conducting. (5) The venue of the elections shall be decided by the Executive Body of the concerned Association or by a person authorized in the bye-laws of that Association.(6) Venue for the Elections of a State Level Sports Association shall not be below a District Headquarter and for a District Level Sports Association, not below a Municipal or Panchayat HQ and shall be in a public place. A private residence or a private campus shall not be used for the purpose of conducting the elections. However, a venue other than a District or Municipality/Panchayat HQ, as the case may be, can be fixed with the prior permission of the Registrar.(7)On a representation being made to him. if the Registrar is satisfied at any stage after the issue of notice of elections that the appointment of the Election officer is not in accordance with sub-rule (3), the Registrar may cancel the appointment and appoint an officer subordinate to him to act as the Election officer. Similarly, if the venue of an election is in contravention of sub-rule (6), the Registrar, on being satisfied on the basis of a representation made to him, may change the venue.(8) If an action is taken by the Registrar under sub-rule (7), he may postpone the date of election by a minimum of 15 days and give a notice thereof to all the voting and non-voting members and endorse it to the Secretary of the Sports Body concerned who shall endorse it to all the members. The endorsement issued by the Secretary shall be treated as the amended notice of elections. Any failure to issue the endorsement would be a ground for appointing an Ad-hoc Executive Committee for free and fair conduct of elections.(9)Elections of the Sports Association shall be held in accordance with the bye-laws of that Sports Association, in an Annual General Meeting, subject to the provisions of these rules and the provisions of the Ordinance.(10)No election shall be valid, if held in the absence of election Observer(s) as provided for in the Ordinance, or without possessing a valid Certificate of Registration at the time of Elections. Such an invalid Election would be a ground for appointment of an Ad-hoc Executive Committee for the purpose of conducting proper Elections in accordance with the provisions of the Ordinance and these

Rules.(11)The Election officer shall issue a separate notice of election at least 21 days in advance, accompanied by the name, address and telephone contact number of the Election officer, Voter's list and a copy of the audited accounts of the Association for the previous financial year. (12) Election notice shall be sent through registered post/speed post to the members along with the Voter's List. Services of a Courier Services may be used in addition.(13)[Not printed in Gazette.](14)A copy of the Voter's List shall also be sent to the Rajasthan State Sports Council or as the case may be, to the District Sports Council. Voter's List of the eligible voters shall be prepared by the Secretary as per his record and he would get the same approved by the Executive Body either in a meeting or by circulation before the issue of notice for the elections and shall get it vetted by the record of the Rajasthan State Sports Council in order to secure the compliance of Section 26(4) of the Ordinance. After the list has been vetted by the Council concerned, the List shall be prominently displayed at its office Notice Board and shall be submitted to the Election officer to be circulated along with the notice of elections.(15)A list of persons eligible to contest the elections in accordance with Section 26(4) of the Ordinance shall be applied for by the Association to the Rajasthan State Sports Council or District Sports Council, as the case may be and such a list shall be made available by the Association to the voting members along with the notice of Elections. (16) Objections, if any, shall be given in writing to the Election officer within seven days from the receipt of election notice with a copy to the Rajasthan State Sports Council and the Registrar.(17) Election officer shall consider such objections on the basis of the record of the Association and the Rajasthan State Sports Council/District Sports Council and shall give his verdict in writing after getting it approved by the Council concerned and shall publish a final Voter's List and List of persons eligible to contest the elections at least 7 days before the date of the elections.(18)Authorisation Letters (proxies) in Form III may be submitted to the Election officer. The Authorisation letter shall carry the signatures of all the office bearers of the Sports Association concerned and shall have the seal of the Association affixed on it, a photograph of the person representing, and shall be supported by a Resolution of the Executive Body of that Association. In the absence of an Authorisation letter or a proper Authorisation letter, only the Secretary of the member Association shall be permitted to represent the member Association. Authorisation letters shall be handed over to the Election officer before the commencement of the AGM.(19)Identification of the person representing shall be done on the basis of an attested photograph appended to the Authorisation letter. (20) In the Annual General Meeting of an Association, Elections shall always be the last agenda.(21)An AGM having Elections as one of the Agendas cannot be adjourned except for want of quorum. The Quorum for holding Elections shall be one half of the total valid membership of the Association.(22)The Authorisation Letter (proxies) may be submitted in the format prescribed in these rules on the letterhead of the affiliated Association. The Election officer shall allow or disallow the Proxy after satisfying himself as to the validity of the Proxy with the consent of the election Observer(s).(23)All Nominations have to be supported by at least 2 member Associations, one as a proposer and another as a seconder.(24)Procedure for receiving Nominations-An office Bearer of an affiliated Association may submit a Nomination Form in Form II for himself as a candidate or any Hony. Secretary of an affiliated Association may submit a Nomination form as a proposer for another eligible person as a candidate to the Election officer anytime after 7 days of the issue of the Notice of elections in the format prescribed under these Rules at a place which shall be specified by the Election officer. If the Nomination Form is submitted by the candidate himself, it shall be supported by a member as a proposer and another as a seconder. If the Nomination Form is submitted by a proposer, it shall

carry the consent of the candidate and be supported by another member as a seconder. On behalf of the members, the signature for proposer shall be by the Hony. Secretary of an Association and the signature for seconder have to be by either the Hony, Secretary of a member Association or the Authorised representative (Proxy) of a member Association. One affiliated member Association can Nominate or act as a proposer or seconder for only one person for one post. After receipt of Nomination form, the Election officer shall decide whether the Nomination form is valid or invalid on the basis of the Record of the Association and the record of the Rajasthan State Sports Council/Districts Sports Council which he must have in order to satisfy the requirement of Section 26(4) of the Ordinance. Nominations shall be received up to 3 days before the elections up to 9 P.M.Example. - if the elections are on 15th December, Nomination Forms can be received up to 9 P.M. of 12th December. (25) A Scrutiny for checking the validity of the Nominations may be done by the Election officer in the presence of the office bearers, Observers and contestants on the next day after the Nominations close. Notice of scrutiny must be given to all contestants at least 12 hour's in advance. The Scrutiny shall be done at a place notified by the Election officer and shall be either at the place where the Nominations have been received or near the venue of the elections.(26)Withdrawal of Nominations shall be permitted up to 9 P.M. on the day before the elections at a place which the Election officer shall notify in advance. (27) Elections shall be conducted by Secret Ballot. The Ballot shall be prepared by the Election officer in respect of the posts for which more than one valid nominations have been received. (28) A single ballot paper would normally be used in respect of all the posts being contested. All voting would be done simultaneously.(29)Procedures for elections to all the posts including the post of office Bearer would be the same. (30) There shall be no co-option to any post. All the posts shall be filled up by way of elections.(31)In case of any dispute, the decision of the Election officer, arrived at with the consent of the Observer(s), shall be final.(32)On conclusion of the Elections, the Election officer shall issue a certificate in accordance with the provisions of Section 13(2) of the Ordinance (Appendix III).

12. Superseding the Executive Body of a Sports Association on non-compliance of Section 26.

(1)If an already registered Sports Association fails to apply for registration under the Ordinance as required under Section 26, within thirty days from the commencement of the Ordinance, the register shall issue an order superseding the existing Executive Body and appointing an Ad-hoc Executive Committee in lieu thereof to manage the affairs of the Association.(2)If an Association is superseded in accordance with the provisions contained in Section 26(2) of the Ordinance for not being able to bring its bye-laws in conformity of the provisions of the Ordinance to the satisfaction of the Registrar, the provisions of the Ordinance shall apply to the Association so superseded.(3)An Association covered under Chapter VII of the Ordinance shall make amendments in its bye-laws with reference to its Constitution which is validly registered under the Societies Act. Any violation of this provision would be a ground for appointment of the Ad-hoc Executive Committee.(4)If it is found at the time of submission of application for registration that an Association covered under Chapter VII of the Ordinance had been working under a Constitution other than the validly registered Constitution with the Registrar of Societies under the Societies Act, the Registrar shall supersede the Executive Body of the Association under Section 26(2) of the Ordinance and appoint and Ad-hoc Executive Committee for correcting the anomaly and securing compliance of the

provisions of Chapter VII of the Ordinance.(5)The Ad-hoc Executive Committee may be constituted from only among those persons who are eligible to be elected to the Executive Body of the Association at the time of commencement of the Ordinance.(6)The Ad-hoc Executive Committee may comprise a minimum of five and a maximum of twenty-one members.(7)The Ad-hoc Executive Committee shall function exactly in the manner of an Executive Body and shall have all its powers and responsibilities.(8)The Ad-hoc Executive Committee shall, immediately after its appointment, call an Extraordinary General Meeting and get amended bye-laws approved within thirty days of taking charge and apply for registration in accordance with the provisions of the Ordinance.(9)The Ad-hoc Executive Committee shall conduct elections for the new Executive Body within thirty days of getting its bye-laws amended and getting itself registered in accordance with the provisions of the Ordinance.Chapter-VI Miscellaneous

13. Procedure for compounding of offences.

- For giving effect to the provisions of compounding provided in Section 25(5) of the Ordinance, the Registrar may follow the following procedure-(1)On an application being made to the Registrar in the Application Form provided in Appendix IV of these Rules, such an application shall be taken on record, and an opportunity of hearing shall be given to the person filing the application.(2)The Registrar, after hearing the applicant and recording his reasons in writing for doing so, may compound the offence.

14. General.

- Every Sports Association shall be guided by the high standards of financial propriety. The principles, on which emphasis is generally laid, are the following:(1)Every member of the Executive Body of every Association is expected to exercise the same vigilance in respect of expenditure as person of ordinary prudence would exercise in respect of expenditure of his own money.(2)The expenditure should not be prima facie more than the occasion demands.(3)Any expenditure which directly or indirectly give advantage to any of the member of the Executive Body is not permissible.(4)Every Sports Association is responsible for enforcing financial order and strict economy at every step.Form I(See rule

4)ApplicationRajasthan/District.....SportsAssociation

1.	Name of the Sports Association :	Name of this Sports Association Rajasthan/DistrictSportsAssociationand shall remain as such.
2.		Registered office of this Sports Associationand its area of operationlimited to
3.	Sports represented by the Sports Association :	
4.	According to the Bye-laws the present office Bearers of	of the Association, the managementis entrusted to an Executive Body, of which are:-
		me Profession Full Address Post

Chairman Secretary Treasurer

The undersigned who are associated with the Sports represented by this Association and whose 5. names, profession and addresses are given below, are desirous of getting this Association registered under its constitution (Memorandum and Bye-laws):-

S. No. Name and Father's Name Profession Full Address Post

We, the undersigned, hereby certify that we know the signatories and they have put their signatures in our presence. We also declare that we are not members of this Sports Association.

1. Signature	2. Signature	
(Name/Profession/Full Address)	(Name/Profession/Full Address	3)
Chairman Secretary Treasurer		
6.	Association to which affiliated	:
7-	Date and S. No. of the Certificate of Affiliation	:
8.	Name of constituent District Association/Primary Sports Bodies	
9.	List of documents necessary for Registration as per Schedule'A'	1
2		
3	•••••	
10.	Amount deposited in the Treasury as per Section 5(2)	Deposite Challan/Receipt No.Date
Chairman Secretary Treasurer		
VerificationWe, the undersigned, of out knowledge and no facts have brought into light, the Registration take any other legal action. Chairman Secretary Treasurer	e been concealed. If any informa	tion contrary to these facts is
Form II(See rule 11)Nomination F	ormI/We nominate myself/Sh	for the post
of Sh is holding of	•	-
Association). Applied by/Proposed	_	
the Association)Proposed by/Seco	•	•
Representative(Name of the Assoc	ciation)I hereby consent to the N	omination(Signature of the

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consenting candidate)Submitted to the Election officer for further needful action.Form IIIAuthorisation Letter (Proxy Form)(Example)(See rule 11)Attested PhotographI
2. This is to further certify that the Memorandum and the bye-laws of the
Association (name of the Association) are in accordance with the provisions
of the Ordinance and have been attested as such.
Form IV-A(See rule 5)This is to. certify that the Memorandum/bye-laws of the
1(name of the post)(name of the person)
2.
3.
4.

and so on.(signature of the Election officer)(countersignature of the Observer(s))Minimum of six copies to be made-one each for the 1. Record of the Election officer, 2. Observer(s), 3. concerned Association, 4. Registrar, 5. Rajasthan State Sports Council/District Sports Council, and 6. Rajasthan Olympic Association/District Olympic Association.Form VI(See rule 13)Application for Compounding under Section 25(5)(To be accompanied by an affidavit)To,The RegistrarSub-Compounding of offence committed under Section 25 of the Rajasthan Sports

(Registration, Reorganisation and Regulation of Associations) Ordinance, 2004.Sir, This is to bring to your kind notice that the applicant has been charged with an offence under Section 25 of the Rajasthan sports Ordinance. (Describe the offence committed).I would plead that though the above offence has been committed by me, there was no deliberate intent on my part to commit such an offence and the said offence has been committed inadvertently.It is, therefore, requested that the said offence may kindly be compounded.(Humble Applicant)