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Sr. No. 10

THE CRICKET ASSOCIATION OF BENGAL

DR. B. C. ROY CLUB HOUSE, EDEN GARDENS, KOLKATA-700 021

Ref No. 105/7/411/18.

Date: - 26th September, 2018.

To,
The Committee of Administrators,
Board of Control for Cricket in India

**COMPLIANCE CERTIFICATE IN TERMS OF JUDGMENT DATED AUGUST 9,
2018 PASSED BY THE HON'BLE SUPREME COURT IN CIVIL APPEAL NO. 4235
OF 2014 AND CONNECTED MATTERS**

1. I am the President of the CRICKET ASSOCIATION OF BENGAL ("Association"), which is a society registered under the West Bengal Societies Registration Act, 1961, and am duly authorised to issue this compliance certificate on behalf of the Association.
2. I have read a copy of the judgment dated 9th August 2018 ("Judgment") passed by the Hon'ble Supreme Court and I have gone through the Constitution of the Board of Control for Cricket in India ("BCCI") circulated by the Committee of Administrators vide email dated 21st August 2018 ("BCCI Constitution").
3. Since the Association is a member of BCCI, the Judgment requires the Association to undertake registration of its constitution on similar lines as the BCCI Constitution within a period of 30 days from the registration of the BCCI Constitution.
4. I have been personally involved in and have supervised the aforesaid exercise of drawing the constitution of the Association on similar lines as the BCCI Constitution. A certified copy of the new constitution of the Association which has been passed and adopted by the members of the Association at a Special General Meeting dated 18.09.18 and which has been filed with the Registrar of Societies, West Bengal for recording the alterations in the Memorandum and Rules of the Association, is enclosed.



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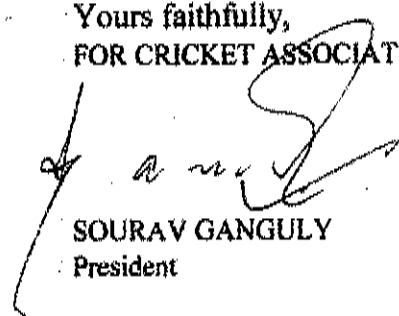
THE CRICKET ASSOCIATION OF BENGAL

DR. B. C. ROY CLUB HOUSE, EDEN GARDENS, KOLKATA-700 021

5. I hereby confirm and certify that the enclosed newly registered constitution of the Association is similar to the BCCI Constitution, as approved by the Hon'ble Supreme Court, in letter and spirit. Except where the expression 'BCCI' has been replaced with the expression 'Association', every deviation from the BCCI Constitutions specified separately in an annexure enclosed hereto along with specific cogent reasons for each such deviation.
6. In case any changes are required to be made to the newly registered constitution of the Association to ensure compliance with the judgment, I personally and on behalf of the Association, undertake to do all such acts and deeds that are necessary to amend the newly registered constitution of the Association (as aforesaid) and register the amended document within the timeline as may be stipulated for this purpose.
7. Needless to add that the undertaking and confirmation given above are also being issued on behalf of the Association and are binding on the Association.

Thanking you.

Yours faithfully,
FOR CRICKET ASSOCIATION OF BENGAL


SOURAV GANGULY
President



Encl.: As above

NOTE ON THE DEVIATIONS MADE IN THE NEW CAB CONSTITUTION (CAB CONSTITUTION) FROM THAT CONTAINED IN THE CONSTITUTION OF THE BCCI (BCCI CONSTITUTION) CIRCULATED BY THE COA VIDE EMAIL DATED 21.08.2018

1. In Article 3 of the Memorandum of Association of the CAB Constitution, after incorporating all the clauses of the Objects Clause of the BCCI Constitution, in a manner made applicable and relevant to the CAB Constitution, the CAB Constitution also preserves and maintains all existing provisions of the Objects Clause of the erstwhile CAB Constitution, which are not inconsistent with and are not in conflict with the BCCI Constitution.
2. Clauses 5 and 6 of the Memorandum of the erstwhile CAB Constitution have been retained. The names of the initial office bearers and subscribers to the Memorandum have been retained to order to maintain continuity with the erstwhile CAB Constitution.
3. Rules 1 and 2 of the Rules forming part of the CAB Constitution are provisions which have been retained from the erstwhile CAB Constitution. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.
4. The definitions from the Definitions Clause of the BCCI Constitution has been incorporated with appropriate modifications to make them applicable and relevant to the CAB Constitution. The Definitions of 'Member', 'Full Member', 'Associate Member' and 'Zone' as existing in the BCCI Constitution have been

deleted, the same not being relevant to the CAB Constitution. Definitions in the erstwhile CAB Constitution, which are not in conflict with the BCCI Constitution, have been retained.

5. Rule 5 (Power) and Rule 6 (Composition) of the Rules forming part of the CAB Constitution are provisions which have been retained from the erstwhile CAB Constitution. This has been done in order to maintain continuity with the erstwhile CAB Constitution.
6. The Provisions of the BCCI Constitution relating to 'Membership and Jurisdiction of Members' being inapplicable to the CAB Constitution, have been deleted save and except to the extent that the same are relevant to the CAB Constitution. The provisions in the erstwhile CAB Constitution have been retained. In view of the importance of the grounds enumerated in Rule 3(b) of the BCCI Constitution relating to disentitlement of the Association from any grant; de-recognition of a Full Member and disqualification from being Office bearers, the same have been incorporated in the CAB Constitution as and by way of specific Declarations in Rule 8 of the CAB Constitution. The CAB Constitution incorporates the concept of 'Apex Council' as mentioned in the BCCI Constitution as the body defined in Rule 34 of the CAB Constitution. As such the CAB Constitution no longer includes the expression 'Governing Body/ Managing Committee' as mentioned in the BCCI Constitution or the expression 'Working Committee' as mentioned in the erstwhile CAB Constitution.
7. The disqualification contemplated in Rule 3(b)(vii) of the BCCI Constitution has been modified to keep elected members, if any, of the diverse Cricket Committees; Standing Committees etc. as well as the members of the erstwhile

Working Committee of the CAB (who were not office bearers) outside the pale of the contemplated disqualification. The Working Committee of the CAB (as per its erstwhile Constitution) comprised of 41 members (there being 10 office bearers and 31 representatives of Clubs, Universities etc.). The effect of Rule 3(b)(vii) of the BCCI Constitution would be that even the non-office bearers would have to observe a cooling off period after completing 2 successive terms. The role and function of such members of the erstwhile Working Committee or of the Standing/ Cricket Committees should not be equated to the role and functions of Office bearers. Moreover these persons (who are not the members of the Apex Council) are required, by dint of their expertise to be given sustained tenures. Furthermore if the disqualification were to apply to members who were in the Working Committee by reason of being representatives of Clubs or who would be members of the Committees, such members may not get the opportunity of serving as an office bearer since their entire permissible tenure would be consumed without any opportunity of serving the Apex Council. This may also, in future, result in members opting to not serve the diverse Committees lest they be deprived of moving up in the hierarchy upto the Apex Council due to disqualification. This is why the disqualification has, in Rule 8(vii) of the CAB Constitution been restricted to Office bearers and elected members of the Apex Council only.

For the very same reasons, similar modifications have been effected in Rule 22(4) and 34(4) of the CAB Constitution to restrict the disqualification of the Office Bearers to persons who have held any post for two consecutive terms in the BCCI or as Apex Council members of the Association. Rule 22(4) and Rule 34(4) of the CAB Constitution, who have their genesis in Rules 6(4) and 14(4) of the BCCI Constitution.

8. Rule 4(2) of the BCCI Constitution has been deleted, not being relevant to the CAB Constitution.
9. Provisions in the CAB Constitution relating to the Classification of its members; Cricket leagues organized by the Association; Subscriptions payable by its members; Termination of membership etc. (As per Rule 10 to 20 of the CAB Constitution) have been retained from the erstwhile CAB Constitution with appropriate changes so as to make them up to date. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.
10. Rule 5(4)(c) of the BCCI Constitution has been deleted, not being relevant to the CAB Constitution.
11. The powers and duties of Office bearers (as appearing in the BCCI Constitution) have been retained. Additional powers and duties of such Office Bearers as were appearing in the erstwhile CAB Constitution which were not in conflict with the BCCI Constitution have been added.
12. The powers and duties of the President (as appearing in the BCCI Constitution) especially that appearing in Rule 23(1)(g) has also been modified to include within its ambit, cases where a vacancy arises on account of incapacitation of an Office bearer.
13. Rule 24 (Vacancies and how vacancies to be filled up) and Rule 25 (Banking Account/Investments) of the CAB Constitution are provisions which have

been retained from the erstwhile CAB Constitution. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

14. The provisions with relation to the Annual General Meeting and Special General Meeting of the BCCI Constitution have been incorporated in the CAB Constitution with appropriate modifications to make the same applicable to the Association. Be it noted that Clause 8(3)(h)(2) of the BCCI Constitution has been deleted on account of the same being inapplicable.

15. Rule 28 (Emergent Meetings) and Rule 33 (Credential at the Meeting) of the CAB Constitution has been retained from the erstwhile CAB Constitution. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

16. Appropriate changes have been made to Rules 10 and 12 of the BCCI Constitution to make the same applicable to the Association.

17. An Additional provision has been added in Rule 29 of the CAB Constitution to indicate the Quorum for an Emergent Meeting.

18. Rule 12(1) of the BCCI Constitution has been modified to include a provision to the effect that a person shall be entitled to vote as the authorized representative of only one affiliated member. This has been done in Rule 31(1) of the CAB Constitution in order to facilitate the process of voting at the meetings of the Association.

19. In Rule 34 (9) of the CAB Constitution, Rule 14(9) of the BCCI Constitution has been incorporated with an appropriate modification to indicate that vacancy in the Apex Council may arise also on account of 'other disqualifications'.
20. The powers and functions of the Apex Council (as appearing in the BCCI Constitution) have been retained. Additional powers and duties of the Working Committee as appearing in the erstwhile CAB Constitution which are not in conflict with the BCCI Constitution have been added.
21. Rule 14(8) of the BCCI Constitution has been modified to the effect that in an Apex Council meeting, in the absence of the President, the Vice President and in the absence of both the President and Vice President, a member elected by those present at the meeting of the Apex Council shall be the Chairperson at such meeting. The modification has been made to facilitate the holdings of the Apex Council meetings of the Association.
22. Rule 19(3) of the BCCI Constitution relating to the Governing Council of the IPL has been deleted.
23. Banking Account/ Investments have been included in Rule 25 of the CAB Constitution. The operation of the Bank Account of the Association is done by the Treasurer in conjunction with the Secretary. In view of the efficacy of the system in the erstwhile CAB Constitution, the equivalent provision in the BCCI Constitution has been deleted.
24. In order to aid in the appointment of the Cricket Committees and Standing Committees in an efficacious manner, the power of such appointment in the CAB Constitution has been conferred on the Apex Council and not on the

General body at the Annual General Meeting as is the position in the BCCI Constitution. Appointment of representatives are applicable only to the case of the BCCI and accordingly Rule 8(3)(i) of the BCCI Constitution relating to the business to be transacted at the Annual General Meeting stands deleted.

25. In Rule 43(1) of the CAB Constitution, the eligibility of the CEO has been modified by deleting the requirement of such person being the CEO/ MD of a Company with a turnover of at least Rs. 100 Crores. This has been done keeping in view the industrial/ economic scenario in the State where it may not practically be possible to get sufficient number of qualified persons to apply or serve as the CEO, if such restriction is maintained.

26. The provisions relating to the Cricket Advisory Committee appearing in the BCCI Constitution have been deleted from the CAB Constitution and its functions have been vested in the Apex Council.

27. The list of tournaments mentioned in Rule 25(2)(a) of the BCCI Constitution has been deleted since such tournaments are national tournaments.

28. Rule 45(2)(C) and 45(2)(D) of the CAB Constitution has been retained from the erstwhile CAB Constitution to include the several Sub-Committees which are necessary for administration and management of non-cricketing matters. This has been done to maintain continuity with the erstwhile CAB Constitution.

29. Rule 26(2)(B)(iv-vii) of the BCCI Constitution has been deleted in the CAB Constitution in view of the existence of a separate Standing Committee in the CAB Constitution.

30. The appointment of the various Cricket Committees has been vested in the Apex Council and not in the General Body. This is to ensure efficacious manner of selection.
31. The functions of the Cricket Talent Committee have been modified keeping in view the existence of Sub-Committees in the CAB Constitution which deal with the same subject matter.
32. Selection of the Men's Selection Committee; the Junior Cricket Committee; Women's Selection Committee and Umpire's Committee has been made subject to final decision by the President. This is in line with long standing tradition in the Association.
33. The eligibility of persons to be members of Umpires' Committee have been modified in view of absence of Umpires having required eligibility as per the BCCI Constitution.
34. The provisions relating to Governing Council being Rule 28 as existing in the BCCI Constitution have been deleted, the same not being relevant to the CAB Constitution.
35. Provisions in the CAB Constitution relating to Registration Of Players; Qualification Of Players; Duties And Obligations Of Affiliated Members; Restriction To Players; Restriction To Umpires; Transfers etc. (As per Rule 51 to 60 of the CAB Constitution) have been retained from the erstwhile CAB Constitution with appropriate changes so as to make them up to date. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

36. The appointment of a Manager (Finance) has been incorporated in the CAB Constitution to supervise the Accounting Staff. This is to be found in Rule 64 of the CAB Constitution.

37. Rule 70(7) of the CAB Constitution has been retained from the erstwhile CAB Constitution with appropriate changes so as to make them up to date. This has been done in order to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

38. Rule 45 (Amendments and Repeal) of the BCCI Constitution has been modified. This has been done in order to maintain continuity with the erstwhile CAB Constitution. The modified provision is not inconsistent with and is not in conflict with the BCCI Constitution.

39. Rules 73 to 75 of the CAB Constitution have been retained from the erstwhile CAB Constitution with appropriate changes so as to maintain continuity with the erstwhile CAB Constitution. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

40. In keeping with Clause 2(o) of the Memorandum of Association of BCCI, the CAB Memorandum has also incorporated the provision of the Trust. Accordingly, a separate chapter "Rules Governing the Trust" has been retained from the erstwhile CAB Constitution with modifications for application to the Trustees appointed by the Association and in whom the immovable properties and funds of the Association shall stand vested, for carrying

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out the objects of the Association. These provisions are not inconsistent with and are not in conflict with the BCCI Constitution.

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THE CRICKET ASSOCIATION OF BENGAL

MEMORANDUM AND RULES

REGISTERED UNDER

THE WEST BENGAL SOCIETIES REGISTRATION ACT, 1961

No. 20729/385 DATED 27.11.1952

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MEMORANDUM OF ASSOCIATION

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The Memorandum and Rules were amended and adopted at Special General Meeting held on

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THE CRICKET ASSOCIATION OF BENGAL

MEMORANDUM
OF ASSOCIATION

1. NAME

1. The name of the Association is "The Cricket Association of Bengal" and it shall hereafter be referred to as the "CAB" or as "the Association".
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2. REGISTRATION

2. The Registered Office of the Association will be at Kolkata.

3. OBJECTS

3. The objects and purposes of the Association are :

- (a) To control and improve quality and standards of the game of Cricket in West Bengal, lay down policies, 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 West Bengal, 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, Test 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 Regional or other Cricket Associations and Clubs and the organization of Inter-Regional and other Tournaments; to lay down norms for recognition which achieve uniformity in the structure, functioning and processes of the Member Associations and the Clubs;

- (e) To arrange, control, regulate and if necessary, finance visits of other State Teams and Teams that are Members of the International Cricket Council and teams of other States to West Bengal;
- (f) To arrange, control, regulate and finance, visits of the team representing the Association to other States, tour countries that are members of the International Cricket Council or elsewhere in conjunction with the bodies governing cricket in the states or countries to be visited;
- (g) To select teams to represent the Association in Tournaments, One Day matches, Twenty/20 matches and in any other format in India or abroad as the BCCI 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 representative/s of the Association 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 Teams representing the Association;
- (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 Association;
- (o) To vest immovable properties and funds of the Association in Trustees appointed by it, for carrying out the objects of the Association;
- (p) To sell, manage, mortgage, lease, exchange, dispose of or otherwise deal with all or any property of the Association;

- (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 Association;
- (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 Association 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 Association;
- (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 Association;
 - (ii) Being sensitive to Players' before tournament 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 when representing the State and the Association on the national stage, and always recalling that national 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 Association and the BCCI to be 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 Association 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 Association 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 Association 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) Diffusion of useful knowledge in sports of all kinds, particularly, the game of Cricket,
- (cc) Fostering and development of knowledge of sports and health,
- (dd) Establishment of libraries and reading room where one can read books and papers on sports and health,
- (ee) To control the game of Cricket throughout the State of West Bengal and such other areas as may be assigned to the Association by the Board of Control for Cricket in India,
- (ff) To advance and safeguard the interest of the game of Cricket played in accordance with the Laws and Regulations of the ICC
- (gg) To hold and maintain the Laws of Cricket and the Rules and Regulations of the Board of Control for Cricket in India,
- (hh) To encourage construction of Stadium for Cricket in the State of West Bengal,
- (ii) To promote, encourage and improve the game of Cricket,
- (jj) To procure from Government, Corporation of Kolkata , Kolkata Improvement Trust and other Statutory Authorities such facilities as may be necessary for achievement of its objects,

- (kk) To arrange and regulate representative matches in West Bengal and outside by teams representing the Association and to select teams to represent the Association.
- (ll) To encourage formation of Clubs and District Associations for control of the Game in such territories as may be assigned to them by the Association,
- (mm) To foster the spirit of sportsmanship and the ideals of Cricket amongst students and members of affiliated Clubs and District Associations,
- (nn) To maintain a panel of approved Umpires and to do such acts as may be necessary for this purpose,
- (oo) To arrange, organise, authorise or control Tournaments and Leagues and other Representative Matches including official and unofficial Test Matches with other States and Countries,
- (pp) To add, alter, maintain and enforce rules and regulations for the control and governance of the game in West Bengal and to maintain discipline among the players, officials, clubs and affiliated Associations,
- (qq) To take such action as may be necessary to co-ordinate the activities of Affiliated Members in relation to this Association or amongst themselves,

(rr) And for the attainment of the aforesaid objects, the Association may :

- i. Edit, compile, print and publish any newspaper, periodical or leaflet,
- ii. Establish or support or aid in the establishment or support of any other Association having similar objects,
- iii. Enter into agreement with other Association or Clubs for fulfilment of its own objects,
- iv. Assist, subscribe, co-operate with affiliate or give affiliation to, or amalgamate with any other institution, society or association whether incorporated to or registered or not and having objects altogether or in part similar to it,
- v. Accept or procure subscription donations or other contributions on such terms as it may consider reasonable,
- vi. Procure, collect, accept gifts and endowments on such terms as it may consider reasonable,
- vii. Borrow and raise money for the purpose of the Association by the issue of or upon bonds, debentures, bills of exchange, promissory notes or other obligations or securities of the Association.
- viii. Organise relief work in times of famine, flood, epidemic or disaster or any kind or on any other occasion independently of or in collaboration with other individuals, societies or associations,
- ix. Invest any part of such funds as shall not be required immediately for the same purpose and objects in such manner as may be considered advisable from time to time and to change all or any of such investments to secure the repayment of any temporary advance of

money made to the Association for such purposes and objects and also to make donations in any charitable cause.

- x. Acquire movable and immovable properties on behalf of the Association and sell, lease, exchange, dispose of otherwise deal with all or any part of such properties,
- xi. To organise a proper coaching scheme for the benefit of all Cricketers of the State and to give training in the game of Cricket and to impart physical education.
- xii. To appoint a Board of Trustees in whom shall vest immovable assets and funds of the Association as may be entrusted with it from time to time.
- xiii. To appoint a Board of Trustees for such purposes as may be determined from time to time,
- xiv. And generally do all such things as may be lawful, incidental or conducive to the attainment of the foregoing objects or any of them.

4. INCOME AND PROPERTY

The income and property of the Association however acquired or derived shall be utilised and applied solely towards the promotion of its objects as set forth in this Memorandum of Association and 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 the State of West Bengal no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to its members, provided that nothing herein shall prevent the payment of

remuneration to its officers or servants or other persons in return for any services actually rendered by them to it.

5. ASSETS AND LIABILITIES

All assets and liabilities of the unregistered Association shall vest in this registered Association.

6. DISSOLUTION

The Association shall not be dissolved unless the dissolution is decided upon by a resolution passed at a General Meeting of the Association convened for the purpose, by a majority of $\frac{3}{4}$ th of the Members present and entitled to vote. The quorum for such meeting shall be $\frac{2}{3}$ rd of the Members who have a right to vote. In the case of dissolution of the Association, 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 Association and not running for profit.

7. PARTICULARS OF MEMBERS OF THE EXECUTIVE COMMITTEE
ENTRUSTED WITH ASSOCIATION ACTIVITIES

[Set out from previous Constitution]

THE CRICKET ASSOCIATION OF BENGAL**RULES****CHAPTER ONE: SCOPE****1. NAME AND JURISDICTION**

- i. The Association shall be called THE CRICKET ASSOCIATION OF BENGAL having its headquarters in Kolkata where all meetings under these Rules shall be held.
- (ii) The jurisdiction of the Association shall extend over the entire State of West Bengal.

2. OBJECTS OF THE ASSOCIATION

The aims and objects of the Association are expressed in the Memorandum.

3. (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 Association, past and present Presidents and Secretaries of Members affiliated to the Association, a representative of a Member of the Association, and any person connected with the Governance and Management of the affairs of the Association or of its

Committees.

(b) "AFFILIATED MEMBER" shall mean any Club, District Association, University or Organisation affiliated to the Association.

(c) "AGENTS' REGISTER" is the register maintained by the Association under the Regulations for Registration of Players' Agents.

(d) "APEX COUNCIL" is the principal body of the Association tasked with its governance as set out in Rule 34.

(e) "AREA OF KOLKATA" shall mean the City of Kolkata within the limits of the Municipal Corporation of Kolkata and the Municipal Corporation of Howrah.

(f) "ASSOCIATION" shall mean 'THE CRICKET ASSOCIATION OF BENGAL'.

(g) "AUDITOR" is the auditor of the Association appointed by the Apex Council of the Association to discharge the functions set out in Rule 63.

(h) "BCCI" is the Board of Control for Cricket in India initially registered under Act XXI of 1860 at Chennai (Madras) on 28-11-1940 and subsequently registered under the Tamil Nadu Societies Registration Act, 1975.

(i) "BOARD OF TRUSTEE" shall mean the Body of the Trustees duly elected in accordance with the Rules.

(j) "CEO" is the Chief Executive Officer of the Association appointed by the Apex Council as set out in Rule 43.

(k) "COMPETENT AUTHORITY" shall mean The State Government, Central Government, Kolkata Municipal Corporation, Howrah Municipal Corporation, Kolkata Improvement Trust, Howrah Improvement Trust and any other statutory authority.

(l) "CONFLICT OF INTEREST" refers to situations where an individual associated with the Association 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 67.

(m) "COUNCILLORS" are the members of the Apex Council.

(n) "CRICKET COMMITTEES" are the Committees as set up in Rule 46 which consist only of former Players and are charged with selection, coaching and evaluation of team performance.

(o) "CRICKET PLAYERS' ASSOCIATION" refers to the association of Players so constituted and governed by the Code for the Cricket Players' Association.

(p) "DISTRICT ASSOCIATION" shall mean the Association that controls the game of Cricket within the administrative jurisdiction of a particular District excepting Chandernagar.

NOTE :Chandernagar District Association shall enjoy all the rights and privileges of a District Association. Hooghly District Association shall exercise its jurisdiction throughout the District of Hooghly save and except the area of operation of Chandernagar District Association.

(q) "ELECTORAL OFFICER" is the person appointed to conduct, supervise and deal with issues concerning elections as set out in Rule 62.

(r) "ETHICS OFFICER" is the person appointed to administer the Conflict of Interest principles as set out in Rule 68.

(s) "EXISTING MEMBER" is an association or other body corporate that was a Member of the Association immediately before the Effective Date.

(t) "FRANCHISEES" are the various commercial entities who have entered into franchise agreements with the Association for participation in Leagues organized by the Association.

(u) "GENERAL BODY" is the supreme body of the Association which is constituted by its Members.

(v) "GOVERNING COUNCIL" is the Standing Committee constituted by the BCCI which shall be in charge of and conduct the Indian Premier League.

(w) "GROUND" shall mean the turf encompassed area fit to play Cricket hereon as the Committee will deem fit.

(x) "INDIVIDUAL MEMBER" shall mean an Annual, Associate, Life and Honorary Member.

(y) "IPL" refers to the Indian Premier League which is the franchise-based Twenty/20 tournament conducted by the BCCI for a maximum period of 7 weeks.

(z) "JOINT SECRETARY" is the Honorary Joint Secretary of the Association as set out in Rule 23(4).

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(aa) "JUNIOR TOURNAMENT" shall mean any age group tournaments conducted by the Association from time to time.

(bb) "MEMBER" means a member as defined morefully and particularly in Rule 7.

(cc) "MATCH OFFICIAL" includes Umpires, Match Referees, Observers, Statisticians, Ground Staff and Scorers so appointed by the Association or an Affiliate Member from time to time.

(dd) "OFFICE BEARER" means the President, Vice-President, Secretary, Joint Secretary, and Treasurer.

(ee) "OMBUDSMAN" is the independent grievance redressal authority set up under Rule 69.

(ff) "PLAYER" is any Cricketer past or present registered with BCCI or the Association or an Affiliate Member of the Association or any other State Association as a player and shall include any person selected in any squad to represent the Association or India in a Test Match, ODI tour match, Twenty/20 or Junior Tournament Match in India or Abroad.

(gg) "PRESIDENT is the Honorary President of the Association and of the Apex Council as set out in Rule 23(1).

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(hh) "REPRESENTATIVE" of a Member means a person duly nominated as such by the respective Affiliate Member or Member other than an Affiliate Member as the case may be.

(ii) "RULE" shall refer to any rule or sub-rule in these Rules and Regulation, and "RULES" refer to these Rules and Regulations.

(jj) "SEASON" shall mean the Cricket playing season commencing from the 1st of October each year and terminating on the 31st July of the following year.

(kk) 'SECRETARY' is the Honorary Secretary of the Association as set out in Rule 23(3).

(ll) "TEAM OFFICIAL" refers to the support staff appointed by the Association including coaches, managers, physiotherapists, nutritionists, trainers, analysts, counsellors and medics.

(mm) "TOURNAMENT" shall mean the League & Knock-out Tournaments run and conducted by the Association.

(nn) "TOURNAMENT RULES" means the rules governing the conduct of various domestic tournaments organized by the Association.

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(oo) "TREASURER" is the Treasurer of the Association as set out in Rule 23(5).

(pp) "TRUST" shall mean Trust created by the General Body of the Association in accordance with Law.

(qq) "TRUSTEE" shall mean the person elected by the General Body of the Association from time to time as per the Rules of the Association to manage, control and deal with the corpus of the Trust and affairs vested and/or that may be vested from time to time by the Association in accordance with law.

(rr) "VICE PRESIDENT" is the Vice President of the Association as set out in Rule 23(2).

(ss) "YEAR" means financial year commencing from the 1st day of April and ending on the 31st day of March of the following year.

(tt) ZONE shall mean four Zones into which the Districts of the State of West Bengal have been grouped for the purpose of Inter Zonal District Championship.

3. (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

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Officials and Administrators (and/or equivalent persons) of the Leagues organized by the Association and its Franchisees as well.

(ii) The EFFECTIVE DATE shall be the date on which these Rules come into force.

4. **HEADQUARTERS:**

The Headquarters of the Association shall be located at Kolkata.

5. **POWER**

Without prejudice to the generality of the aims and objects as defined by the Memorandum, the Association shall have power to do all such acts as shall be deemed to be incidental or conducive to the attainment of the aforesaid objects.

6. **COMPOSITION**

The Association shall consist of Cricket playing Clubs, District Associations, Universities or Organisations as may be affiliated thereto.

7. **MEMBERSHIP AND JURISDICTION OF MEMBERS:**

There shall be two categories of members, namely :

(a) **AFFILIATED MEMBERS HAVING VOTES:**

(i) Clubs

- (ii) District Associations
- (iii) Office Sports Federation
- (iv) Universities and
- (v) Technological Students Gymkhana (IIT, Kharagpur)

(b) **INDIVIDUAL MEMBERS HAVING NO VOTE:**

(i) **Life Members:**

In addition to the existing members under this category, the Apex Council may enroll any person as a Life Member on payment of a lump sum subscription as per Rule 14.

(ii) **Associate Members :**

In addition to the existing members under this category, the Apex Council may enroll any person as an Associate Member on payment of admission fee and subscription as per rule 14.

(iii) **Annual Members:**

In addition to the existing members under this category, the Apex Council may enroll any person as an Annual Member on payment of admission fee and subscription as per Rule 14.

(iv) **Honorary Members :**

Persons of eminence, who have rendered valuable services to the game of Cricket may be admitted as Honorary Members by the Apex Council.

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(v) **Special Member:**

In addition to the above categories of members, the Association may enroll any person as a Special Member on the payment of an admission fee and subscription as per Rule 14.

(c) **ANNUAL UPDATES:**

All Affiliated Members shall, on or before 15th November of each year, inform and update the Association 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.

8. **DECLARATIONS:**

- (i) No post in the Association shall be held for more than 9 years.
- (ii) The Apex Council of the Association shall include atleast two representatives of players (one male and one female) and a nominee of the Accountant General of the State.
- (iii) The Association shall grant automatic membership to former international players hailing from the State.
- (iv) The Association shall not have proxy voting.
- (v) The office bearers and members of the Apex Council of the Association shall stand disqualified under any of the grounds laid down in Rule 22(5) and Rule 34(3) below respectively.

- (vi) Individuals who are disqualified from being office bearers and/or members of the Apex Council as aforesaid shall also be disqualified from being representatives/ nominees or members of any committee/ council.
- (vii) An office bearer or an elected member of the Apex Council who has held such post for two consecutive terms either in the association or in the BCCI (or a combination of both) shall not be eligible to contest any further election in the Association without completing a cooling off period of three years. During the cooling off period, such an office bearer or an elected member of the Apex Council shall not be a member of the Apex Council or of any committee whatsoever of the BCCI or of the Association.
- (viii) The Association shall appoint an Electoral Officer, an Ethics Officer and an Ombudsman.
- (ix) The Association shall abide by the principles of transparency laid down in Chapter 8 of these Rules.

9. VOTE & ACCOUNTS OF TOURNAMENTS

- (1) Each Affiliated Member shall have one vote, to be exercised through its authorized Representative.
- (2) An Affiliated 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 Association

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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 Association till the requirement is complied with.

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.

10. CLASSIFICATION OF AFFILIATED MEMBERS:

10.1 All Clubs affiliated to the Association shall be grouped into two categories :

- (a) Clubs playing in the First Division League
- (b) Clubs playing in the Second Division League

Note: Clubs directly affiliated with the Association, not playing in the League shall be treated as a Club playing in the Second Division for the purpose of nomination in the Annual General Meeting.

11. NEW AFFILIATION AND/OR ENROLMENT OF MEMBERS

Subject to appropriate resolution being adopted by the Apex Council permitting new Affiliation and Notification to that effect being issued, any Club situate within the area of Kolkata [as defined in Rule 3 (e)] intending to seek affiliation may apply in prescribed Form as at APPENDIX "C" following the Notification of the Association together with a fee of such amount as the Apex Council may determine from time to time, provided however, the said Club shall, amongst others, be required to fulfill the stipulations contained hereinafter.

- (a) It must play at least 6 (six) full day matches of 5 hours duration against the affiliated Clubs with permission of the Association after making application as per APPENDIX 'C' for 2 (two) consecutive years, of which at least 2 matches shall be played on their home ground. All such matches shall be played under the supervision of Official Umpires posted by the concerned Standing-Committee of the Association. The Official Umpires shall take the list of players and submit the same to the Association with comments, if any, including the playing ground.

Before making any application as per APPENDIX -C the Clubs shall have the following requisite qualifications viz.

- (i) It must be properly constituted Club playing Cricket, according to the BCCI rules.

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- (ii) It must possess either of its own or jointly and/or independently or by virtue of an irrevocable unexpired lease hold right of at least 25 year granted by appropriate Authority a Cricket playing Ground. If at any time subsequent to grant of Affiliation, the right and title of the Club in respect of the Ground stands revoked or cancelled and/or the Club is dispossessed of the Ground for any reason whatsoever, affiliation if any granted shall stand automatically revoked and cancelled if such Club fails to provide an alternative ground of the same category, on or before 31st August of the succeeding Calendar year.

Note: This Sub Rule (ii) shall have no application in respect of the Clubs affiliated with the Association on or before March 2000.

- (iii) It must be properly constituted Club upto the satisfaction of the Apex Council of the Association.

- (b) After fulfillment of the above conditions the said Club- shall apply as per APPENDIX 'D' for granting full-fledged affiliation.

The Apex Council shall consider their case before granting such affiliation to the Club concerned. Non-fulfillment of the conditions stated above, and/or misconduct on the part of the said Club shall make them liable for rejection of their application.

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(c) If affiliation is granted, they shall have the following rights :

- (i) The Club shall have the right to attend any Annual General Meeting/Special General Meeting and to take part in voting.

No Club shall be affiliated as a Club to play in the First Division League.

(d) Any District Association praying for affiliation must apply in the prescribed form as per APPENDIX 'D' provided hereinafter along with an application fee of Rs.70/- and shall apply every year between 1st and 31st August.

- (i) It must possess a cricket playing ground of its own or possess a ground on sharing basis or have the user's right for the ground allotted to them by the competent authority and such allotment with its detail must be produced to the Association as and when asked for.

- (ii) It must be a properly constituted Association to the satisfaction of the Apex Council of the Association.

- (iii) The District Association shall play all District Tournaments organised by different District Associations affiliated to the

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Association and shall organise age group Inter-School and Inter-Club Tournaments.

- (iv) The said Association shall have the right to attend the Annual General Meeting, Special General Meeting and to take part in voting and will have the right to participate in the elections of the Apex Council and will also enjoy the rights conferred on them as an affiliated Member. All District Associations affiliated in such manner will form a separate constituency named as District Constituency.
- (e) The Apex Council shall have the right to reject any application under Sub-Paragraph (a), (b) and (d) without assigning any reason whatsoever. In such case the application fee shall be refunded.
- (f) The Affiliated Members shall have the right to attend the Annual General Meeting and to take part in voting and also to nominate any person either in the election of the Apex Council or nominate, propose or second any person for being elected as a Trustee.

12. **PROMOTION AND RELEGATION:**

The promotion from Second Division League and the relegation from the First Division League shall be decided each Season by the Tournament Sub-Committee according to the Bye Laws of the tournaments that may be framed from time to time and remain in force for the time being, which shall be binding and mandatory on all participating clubs and teams.

13. EFFECT OF NON-PARTICIPATION IN THE LEAGUE AND KNOCK-OUT TOURNAMENTS AND/OR NON COMPLIANCE OF ASSIGNED DUTIES:

- (a) Any affiliated Club which will not participate in the Knock-Out tournament run by the Association in a particular year shall be deprived of the facilities and privileges which are admissible to the Clubs participating in the tournaments for the said year.
- (b) Participating in the League Tournament shall remain mandatory as per categories provided in Rule 10.1.
- (c) Non participation in the league tournament in any particular year by any First Division Club shall relegate the said Club to the Second Division and the Club shall also be deprived of the facilities and privileges enjoyed by it.
- (d) Non participation in the league tournament by any Club in the Second Division category for 1 year shall make the said Club deprived of the facilities and privileges enjoyed by the said Club for the concerned year.

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- (e) Non participation in the league tournament by any Club playing in the Second Division category for 2 consecutive years shall make the said Club ipso facto disaffiliated.
- (f) District Associations, Universities including Technological Students Gymkhana (Kharagpur), Office Sports Federation failing to perform their duties as may be assigned every year will be deprived of the facilities and privileges extended to them by the Association for the year and if such failure continues for 3 consecutive succeeding years, the concerned Unit shall stand ipso facto disaffiliated.

14. **SUBSCRIPTION:**

- (a) Life Members : A lump sum subscription for a Life Member shall be such amount as the Apex Council may from time to time determine.
- (b) Unless otherwise determined by the Apex Council, Annual Subscription of associate members and annual members shall be as may be decided by the Apex Council from time to time.
- (c) Annual Affiliation Fees :
 - (i) Clubs playing in First Divn.
 - (ii) Clubs playing in Second Divn.

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- (iii) District Association
- (iv) Office Sports Federation
- (vi) Universities
- (vii) Technological Students Gymkhana (Kharagpur)

Such annual fees shall be as may decided by the Apex Council from time to time.

- (d) An Associate Member and an Annual Member shall be required to pay an admission fee as will be determined by the Apex Council from time to time, in addition to the Annual Subscription at the time of his or her enrolment.
- (e) A Club, a District Association, University or Organisation seeking affiliation shall be required to pay admission fee as may be decided by the Apex Council from time to time in addition to the Annual Subscription.
- (f) Special Member: Unless otherwise determined by the Apex Council, Special Member shall make payment of a onetime lump sum total subscription of Rs.2.5 lakhs which would entitle him to be a Special Member for a period of five calendar years from the time of his or her enrolment. The Association reserves the right to renew such membership on terms and conditions as may be decided by the Apex Council at the time of such renewal.

15. **DATE OF PAYMENT:**

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Annual Subscription of all Members shall become due and payable from 1st day of April every English Calendar year and prior to expiry of 15th July of each year, save and except in case of Annual and Associate Members, the last date of payment shall be 31st July every year, which shall be extended till 30th September of the year as provided under Rule 15(b). Subscriptions shall only be paid on year to year basis and not otherwise.

(a) **Affiliated Members:**

- (i) No Affiliated Member shall be eligible to attend, vote for election or to nominate a candidate or seek election at the Annual General Meeting of the Association or nominate, propose or second any person for being elected as a Trustee unless Annual Subscription and other dues to the Association have been paid on or before 15th July, each year and it does not suffer from any disqualifications as per Rules.
- (ii) The Apex Council may remove the name of any such defaulting member after 15 days notice has been served under registered post, should the Annual Subscription and other dues, if any, of the said affiliated member remain unpaid on the 31st July each year. Any notice served at the registered address shall be deemed as duly served.
- (iii) No defaulting member shall have the right to attend and/or vote at any Special General Meeting or at any other Meeting/Meetings of the Associations.

(b) **ASSOCIATE AND ANNUAL MEMBERS :**

Associate and Annual Members whose subscription shall be in arrears on 15th July each year shall ordinarily be served with a Notice under Certificate of Posting at the recorded address shown in the Register of Members of this Association and/or by Notification in two local Newspapers. Any such member who shall fail to pay his or her annual subscription and other dues to the Association on or before 1st July of the year shall be given an extension of time till 30th September of the said year. Such defaulting members as on 2nd day of August shall be served with Notice under Registered Post with acknowledgement due asking them to clear up their dues payable to the Association with a late fee by 30th September each year.

Any individual member who shall fail to pay his or her annual subscription by 30th September of the year, shall ipso facto cease to be a member of this Association and his or her name shall be removed from the Register of Members without any further Notice.

16. **ACCOUNTING YEAR:**

The Accounting year of the Association shall be from 1st April each year to the 31st March of the following year.

17. **RIGHTS AND PRIVILEGES OF MEMBERS:**

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(i) Subject to the provisions of these rules generally or any bye-laws thereunder, only the affiliated members, shall, amongst others, have the following rights and privileges:

(a) Right to vote at the Annual General Meeting provided Annual Subscription and other dues, if any have paid under Rule 15(a)(i).

(b) Right to seek election to the Apex Council subject to the provision of Rules 15(a)(i).

(c) Right to propose or second along with other Two Affiliated members nomination of a person for being elected for the Office of the Chairman of the Board of Trustees or a Trustee thereof in the General Meeting (subject to fulfillment of the requisite qualification by the said person as prescribed in TRUST RULES) in the prescribed Form as at APPENDIX -E subject to the provision of Rules 15(a), provided however, only One person can be either proposed or seconded at a time by an Affiliated member.

(d) Any Affiliated Member committing default in timely payment as per Rule 15(a) shall not be considered for being included either in the Apex Council or in any other Sub-Committee.

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- (ii) Life Members, Associate Members, Annual Members, Honorary Members (when enrolled) and Special Members shall have no right to participate in the control and/or management of the Association, nor any right to attend any Annual General Meeting or Special General Meeting of the Association, but shall enjoy the only privilege of free entrance to all Cricket matches organised by the Association except Charity or Benefit or other matches for benevolent purposes and the matches which will be allotted by the Board of Control for Cricket in India on the condition of levying charges to members.

18. TERMINATION OF MEMBERSHIP:

- (a) By resignation or death of any individual member :
- (b) By loss of qualification of eligibility :
- (c) By default in payment of subscription by any Affiliated Member for any year or of other dues to the Association as provided in Rule 15a(ii)
- (d) Any affiliated member is liable to be disaffiliated or loss the membership, in case of misconduct by such member, at the discretion of the 3/4th majority of members of the Association.
- (e) Any Affiliated Member by committing default as provided in Rule 13(e) & (f).

19. RE-AFFILIATION:

- (a) An affiliated member which ceased to be a member of the Association by forfeiture of membership under Rule 15(a)(ii) may, subsequent to payment of all arrears, apply for Re-affiliation by deposit of a fee of Rs.10,000/-
- (b) An affiliated member which ceased to be a member of the Association by forfeiture of membership either by voluntary withdrawal or by forfeiture of membership under Rule 13 may apply for re-affiliation with an application fee of Rs.10,000/-. The decision of the Apex Council in this regard shall be binding and the Apex Council, however, may reject any such application without assigning any reason.

20. REGISTER OF MEMBERS:

A Register of members shall be kept in which shall be set forth the correct names, dates of members. Any notice sent under certificate of posting, to the recorded address of the members shall be sufficient evidence of such service.

CHAPTER TWO: THE GENERAL BODY AND OFFICE BEARERS AND THEIR POWERS & FUNCTIONS

21. CONSTITUTION AND FUNCTIONS OF THE ASSOCIATION:

- (1) The General Body is constituted of all the Members of the Association.
- (2) The authorized Representatives of the various Affiliate Members shall cast their votes on behalf of their respective Affiliate Members. The Members other than Affiliate Members shall have no right to vote.
- (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 Association and to raise loans with or without security and to purchase, redeem or pay off any such security.
 - (b) To frame the Laws of Cricket as applicable in West Bengal and to make alterations, amendments or additions to the Laws of Cricket as applicable in West Bengal whenever desirable or necessary.
 - (c) To review any decision of the Apex Council.
 - (d) 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 Association.

22. ELECTION & TERM OF OFFICE BEARERS

- (1) The following Office Bearers of the Association shall be elected by the A affiliate Members of the Association from amongst their representatives at an Annual General Meeting:

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 any post as Office bearer for two consecutive terms either in the Association or in the BCCI (or a combination of both) shall not be eligible to contest any further election without completing a cooling off period of three years. 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 Association. The expression 'office bearer' should not be permitted to be circumvented by being a member of any other committee or of the Governing

Council in BCCI or the Apex Council of the Association, as the case may be.

- (5) A person shall be disqualified from being an Office Bearer of the Association or any Committee or a representative of the International Cricket Council 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 BCCI for a cumulative period of 9 years or of the Association 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.

23. 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 exercise superintendence over the office bearers in discharge of their duties consistent with the Rules and the specific

directions, if any, of the Apex Council. All powers and privileges of the parliamentary procedure shall be vested in him.

- (c) The President in consultation with the Secretary may take any decision which calls for immediate attention and such decision shall be valid, until the same is ratified by the Apex Council and/or the concerned Standing-Committee convened for the said purpose.
- (d) The President shall have the power to do correspondence on behalf of the Association.
- (e) The President shall be one of the three persons who sign the audited annual accounts and other financial statements of the Association.
- (f) The President shall also exercise such functions and duties as he may be empowered with by the General Body or the Apex Council.
- (g) The President shall, in the event of a vacancy or indisposition / incapacitation of an Office Bearer, delegate the functions to another Office Bearer until the vacancy is duly filled up, or the indisposition or incapacitation 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 functions 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) Keep upto-date register of all Affiliated Members, Honorary Members, Life Members, Associate Members and Annual Members.
- (c) Define the duties and functions of officers, clerks and employees of the Association.
- (d) Exercise a general supervision over the employees and conduct all affairs of the Association according to the Rules and Bye Laws, but shall not change any policy.
- (e) Be- Ex Officio Members of all Standing and Subcommittees.
- (f) Prepare every year the Annual Report on the working of the Association and place the same at the Annual General Meeting of the Association after being duly approved by the Council.
- (g) Represent the Association at Meetings of the Zonal Committee for fixing dates etc. of Ranji, Duleep, Cooch Behar and other Trophy Matches, if so

authorized by the President.

- (h) Sanction payments of bills and vouchers after due scrutiny by the scrutiniser, who shall be appointed by the Finance Sub-Committee and forward the same to the Treasurer.
- (i) Shall have the power to make temporary appointment of staff as and when necessary for a period not exceeding three months and shall forward the details of such appointment to the Apex Council immediately.
- (j) Shall have the power to suspend a member of the staff on grounds of misconduct or breach of Service Rules and Code of Conduct.
- (k) Be one of the three persons who sign the audited annual accounts and other financial statements of the Association, upon the same having been scrutinized by the finance sub-committee and the treasurer.
- (l) Be in charge of the records and documents of the General Body, the Apex Council, and all Committees, and such properties as may be entrusted to his care by the Association or the Apex Council as the case may be.
- (m) Convene the Annual General Meetings, the Special General Meetings and the meetings of the Apex Council with the concurrence of the President.
- (n) Circulate to all Members of the Association the statement of accounts prepared by the Treasurer.
- (o) Have the power to delegate any work to the Honorary Joint Secretary
- (p) The Secretary shall also have the power to do correspondence on behalf of the Association.

(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 Association.

(5) THE TREASURER

The Treasurer shall:

- (i) Receive all subscriptions and donations and the monies payable and / or receivable by the Association;
- (ii) Be one of the three persons who sign the audited annual accounts and other financial statements of the Association.
- (iii) Keep accounts of all monies received and expended by the Association, in respect of assets, credits and liabilities of the Association.
- (iv) Prepare statement of accounts.
- (v) Place before the Apex Council:
 - (i) Annual Balance Sheet;
 - (ii) Statement of Accounts of the Association; and
 - (iii) Annual Budget;

- (vi) Place before the Annual General Meeting duly audited:
 - (i) Annual Balance Sheet; and
 - (ii) Statement of Accounts of the Association;
- (vii) Invest and/or disburse the funds of the Association, 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 Affiliate Members/ Members other than Affiliate Members.
- (x) Deposit all money as and when received into the accounts of the Association with Banks.
- (xi) Have charge of all funds of the Association.
- (xii) Check, pass Bills and Vouchers and make all payments after the necessary Bills and Vouchers have been duly sanctioned by the Secretary or Joint Secretary.
- (xiii) Operate the Banking Accounts of the Association in conjunction with the Secretary.
- (xiv) Place before the Finance Sub-Committee the Quarterly Statement of Accounts of the Association.

(xv) Be Ex-officio member of the Finance Subcommittee and District Sub-Committee.

(xvi) Keep the imprest cash not exceeding Rs.25,000.00 for urgent expenses.

24. VACANCIES AND HOW VACANCIES TO BE FILLED UP

(a) The office of any Office bearer shall fall vacant by holder's death or resignation or incapacitation or disqualification under any of the provisions hereof. A Club or an Association or an Organisation shall have no power to withdraw an Office bearer, if he has already been elected as an Office bearer as a representative of the Club or an Association or an Organisation. Similarly once an authorised representative has been nominated by any Affiliated member and such representative is elected as a Member of Apex Council or any other Committee or Sub-Committee, such nomination cannot be withdrawn and/or changed until expiry of the tenure of the concerned Committee.

(b) In the case of any vacancy created in the post of any Office-bearer/s by way of resignation or death or incapacitation or disqualification under any of the provisions hereof the said vacancy or vacancies will be filled up through the process of election by the General Body at a Meeting specially convened for that purpose. Such process of vacancy filling of Office Bearer/s must be completed within 60 days from the date of such vacancy/vacancies.

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- (c) The Apex Council shall have the power to fill up any vacancy in Members of the Committee and Sub-Committee Vacancies.

25. BANKING ACCOUNT/INVESTMENTS

- (a) Banking Account shall be opened in the name of the Association in such Nationalized Banks or scheduled banks as may be approved by the Apex Council and shall be operated jointly by the Hony. Treasurer in conjunction with either the Hony. Secretary or in his absence, the Hony. Joint Secretary..
- (b) The Treasurer shall have power to invest surplus funds of the Association in any Nationalised or Scheduled Banks; Government, Scheduled and prescribed Securities and to deal with and operate the same jointly in conjunction with either the Hony. Secretary or in his absence, the Hony. Joint Secretary.

CHAPTER THREE: MEETINGS OF THE GENERAL BODY

26. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the General Body shall be held every year, not later

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than 30th September at such place and time as the President may fix.

- (2) Elections and Nominations to the Apex Council shall take place every 3 years at the Annual 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) Appointment of the Ombudsman and Ethics Officer.
- (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 Association, provided no amendment to the Rules and Regulations of the Association proposed by an Affiliated 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 an Affiliated 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 BCCI 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

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Annual General Meeting along with:

- i. Copies of the minutes of the previous meeting or meetings to be confirmed at the Annual General meeting;
 - ii. Copies of audited Statement of Accounts to be adopted and to be passed at the Annual General Meeting;
 - iii. Copies of the audited Statement of Accounts of any tour or tours;
 - iv. Treasurer's Reports and the Annual Budget;
 - v. Report of the Ombudsman; and
 - vi. 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.

27. 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 10 Affiliated 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.

28. EMERGENT MEETING:

An Emergent Meeting may be called with a Notice of 48 hours either by post or by Newspaper advertisement. If a quorum be not present within a quarter of an hour of the

appointed time the meeting shall stand adjourned. At such adjourned meeting the members present whatever their number shall be competent to transact the business which could have been transacted at the ordinary meeting had a quorum been present thereat. No fresh agenda shall be included in such adjourned meeting.

29. QUORUM AT ANNUAL GENERAL MEETING/ SPECIAL GENERAL MEETING/ EMERGENT MEETING:

- (1) Ten Affiliate 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 date of the following month 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 Affiliate Members present shall form the quorum.
- (2) For a Special General Meeting ten Affiliate 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 Affiliate Members present shall form the quorum.
- (3) For an Emergent Meeting ten Affiliate 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

Affiliate Members present shall form the quorum.

30. CHAIRPERSON AT MEETINGS

The President shall preside as Chairperson at the Annual General Meeting or the Special General Meeting or the Emergent 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.

31. VOTING AT ANNUAL GENERAL MEETINGS / SPECIAL GENERAL MEETINGS/ EMERGENT MEETINGS:

1. At the Annual General Meeting / Special General Meeting/ Emergent Meeting, each Affiliated Member shall have one vote. Members other than Affiliated Members shall have no vote. A person shall be entitled to vote as the authorized representative of only one affiliated member.

2. At an Annual General Meeting / Special General Meeting/ Emergent 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.

32. CASTING VOTE OR DRAWING LOTS

Save as provided otherwise by these Rules, questions arising at any meeting shall be

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decided by a majority of votes and in the event of a tie, the Chairperson shall have a casting vote. If the Chairperson of the Meeting declines to exercise his casting vote, the issue shall be decided by drawing lots.

33. CREDENTIAL AT THE MEETING:

At the Annual General meeting or the Special General Meeting or the Emergent Meeting, a representative of an Affiliated Member shall submit a letter signed by its Honorary Secretary authorizing the representative to attend the meeting failing which he shall not be allowed to attend the meeting. The name of such representative shall be incorporated in APPENDIX 'A' No other person shall be allowed to attend the Meetings whose name does not appear in APPENDIX 'A'.

No person shall be allowed to attend the Meetings if any Affiliated Member fails to submit the APPENDIX 'A' within the stipulated time.

Subject to Rule 15(a)(iii), in any Meeting each member having voting right shall be entitled to send only one authorised representative with a Letter of Authority signed by its Honorary General Secretary/Appropriate Authority authorising him to attend the Meeting, failing which such representative shall not be allowed to attend the meeting.

CHAPTER FOUR: GOVERNANCE**34. APEX COUNCIL**

- (1) There shall be an Apex Council for the Association which shall be primarily responsible for the governance of the affairs of the Association.
- (2) The Apex Council shall comprise of 9 Councillors of whom 5 shall be the elected Office Bearers as per Rule 22 and the remaining 4 shall be:
 - (a) One to be elected by the Affiliated Members of the Association from among their representatives;
 - (b) Two to be nominated by the Players' Association from amongst themselves, one male and one female;
 - (c) One to be nominated by the Comptroller and Auditor General of West Bengal from among the serving senior functionaries of the CAG's 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 34(2)(c)];
 - (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 BCCI or of the Association 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 Councilors shall have a term of 3 years in office, subject to a maximum of 3 Terms on the Apex Council. A Councilor who has held any post for two consecutive Terms in the BCCI or the Apex Council of the Association (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 Councilor shall not be a member of any committee whatsoever of the BCCI or of the Association. The expression 'Councilor' should not be permitted to be circumvented by being a member of any other committee or of the Governing Council of BCCI or in the Apex Council of the Association, as the case may be.
- (5) No individual, including one filling up a vacancy under Sub-Rule (9) below shall be a Councilor for more than 9 years. In the event of a Councilor completing 9 years

before the expiry of his term, he shall cease to hold office on completion of 9 years.

- (6) No nominated Councilor shall have more than one term of 3 years.
- (7) Notwithstanding anything contained elsewhere in these Rules, a former President of the Association 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 Rules 34(4) and 34(5) above.
- (8) No Councilor, once elected, shall hold any office in an Affiliate Member Association. The Affiliate 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 ICC or BCCI or other disqualifications shall be filled up for the remaining period:
 - (a) In the case of an elected Councilor, by elections at a Special General Body meeting of the Association convened by the Secretary for that purpose within 45 days;
 - (b) In the case of a nominated Councilor, in the same manner as prescribed for the respective nominee in Rule 34(2) above;

35. POWERS AND FUNCTIONS OF THE APEX COUNCIL

- (1) The affairs of the Association 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) Ensure the performance of the respective roles, responsibilities and powers of the CEO, Managers, Cricket Committees and Standing Committees; and
 - (iv) 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.

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(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 State cricket teams to West Bengal and visits of West Bengal team 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 other States 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 Association.
- (d) To institute or defend any action or proceedings for or against the Association or against any Office-Bearer or employee of the Association.
- (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 Association.
- (h) To collect funds and whenever necessary borrow not exceeding 25% of the

General Fund with or without security for purposes of the Association and to raise loans with or without security and to purchase, redeem or pay off any such security.

- (i) To appoint members of the Cricket Committees and Standing Committees and to fill up 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 Players representing the Association shall take part in cricket tournaments/matches or Exhibition, Festival and Charity matches organized by the Association or BCCI or other State Associations.
- (k) To frame rules for tournaments to be held in the State of West Bengal and for University, Schools or other tournaments or for any Exhibition matches between members and / or between the Universities in India.
- (l) To frame rules regarding the appointment, service conditions and disciplinary action concerning employees and officers of the Association.
- (m) To make the Tournament Rules for various domestic tournaments and exhibition matches involving Members, Universities and other entities.

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- (n) To revise the rate of subscription and/or admission fee for Associate, Annual and Life Members and the entry fee for League and Knock-out Tournaments.
- (o) 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 Association, 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.
- (p) To make rules generally for the management of the affairs of the Association.
- (q) 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.
- (r) 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.
- (s) To carry out the objects of the Association specified in the memorandum

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of the Association.

- (t) To frame rules regarding the qualifications of the Players, Umpires and Affiliated Members not repugnant to these rules and may delegate such Sub-Committee.
- (u) To manage and administer the funds of the Association and also to approve the Budget as may be placed by the Hony. Treasurer.
- (v) To take action as may be deemed proper against an Affiliated Member, its Members. Players of the Affiliated Units, Members of the Apex Council. Members of the Sub-committee, Life, Annual and Associate Members for misconduct and maintenance of discipline provided that before taking any action, the Apex Council shall give the party concerned an opportunity of being heard.
- (w) To decide all disputes or questions referred to it.
- (x) To make bye-laws not repugnant to these rules.
- (y) To appoint Manager for the State Teams from amongst the members of the Committee or Sub - Committee.
- (z) To appoint representative or representatives from amongst the members of the Apex Council or from amongst the Trustees to represent the Association on the Board of Control for Cricket in India or any State Body or any Organisation.
- (aa) To constitute various Committees and to delegate to them such powers as may be necessary from time to time.

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- (bb) To procure, accept, collect and receive subscriptions, donations, gifts, legacies, contributions and endowment.
- (cc) To make donations or gifts to Charitable Institutions or causes or to other Associations, Institutions, Clubs, Players and Persons.
- (dd) To invest funds of the Association in Nationalised Banks, Government, Scheduled and Prescribed Securities in such manner as the Apex Council may deem fit from time to time and vary such investments as occasion will arise.
- (ee) To nominate the Secretary or the Joint Secretary or any other member or members to act on behalf of the Association and/or the Apex Council with full power and authority to sign, execute and present any Deed, Document or Instrument and/or to give a valid and effectual discharges as if all the Members of the Apex Council have been acting jointly.
- (ff) To appoint Officers, Clerks and other employees and to suspend or dispose with their services as occasion may require and to fix their salaries, remunerations, allowances, bonus, guarantees and other privileges.
- (gg) To frame and implement Service Rules and Code of Conduct and Provident Fund Rules for the Staff.
- (hh) To create and administer the Benevolent and Benefit Funds and to frame rules relating to fund raising and for its administration.
- (ii) To consider and approve the Draft Annual Report of the Hony Secretary and Statement of Accounts prepared by the Hony. Treasurer.

- (jj) To deal with and take appropriate measures relating to Staff Provident Fund and if necessary¹ to form specific Trust for the purpose.
- (kk) To fix the rate of tickets for Test, Exhibitions and other representative matches and also to appoint a special Committee for distribution of such tickets.
- (ll) To grant new affiliation within the month of September each year to Club/Clubs, District Association/s, Universities. Association/s who has/have applied as per Rule 11.
- (mm) To call upon any Affiliated Club/District Association/University/Organisation to produce any such books, letters or documents as may be required.
- (nn) To consider and/or approve with modifications if any the Tournament bye laws, groups of 1st and 2nd Division teams respectively, Prize Trophy etc., on the recommendation of the Tournament Sub-Committee.
- (oo) To consider and/or approve with modification, if any the classification of Umpires on the recommendation of the Umpires Sub-Committee.
- (pp) To stop if found necessary all facilities including financial to the Affiliated Clubs in case of failure to submit report through their Captain on Umpiring of all - Tournament matches.
- (qq) To recognise at its discretion any Organisation/Association who are engaged in the development and promotion of the game of Cricket in the entirety of the State of West Bengal.

- (rr) To consider and take appropriate actions, if required, relating to any irregularity in the mode of functioning of the Association brought to its notice by the Board of Trustees.
- (ss) In the Event of any disagreement by and between the Board of Trustees and the Apex Council relating to or arising out of any matter concerning the Trustees, to refer the same to the General Both, whose decisions shall be final and binding.
- (tt) To nominate the members of the Trust including its Chairman; to demise and transfer to the Trust such movable/immovable assets as may be decided from time to time and to make rules for the governance of such Trust.
- (uu) To raise loan, create charge or take on lease for the benefit and/or for attainment of any of the objects.
- (vv) Generally to do all such other acts and things which are delegated to it by the Association 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 (j),(k), (l), (m), (o) and (p) shall be subject to ratification by the Association at its next meeting, failing which the rules shall lapse.

- (5) The Apex Council shall meet at least once every 3 months 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 three Councilors. 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 Councilors. 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) Five members of the Apex Council shall form a quorum for its meetings. The President or in his absence the vice 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.

36. BCCI JURISDICTION OVER PLAYERS, MATCH OFFICIALS & TEAM OFFICIALS OF MEMBERS

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

37. 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.

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

In the event of the Association enquiring into the conduct of a Player, Match Official, Administrator, etc., the Association shall proceed in the manner prescribed in Rule 70..

CHAPTER FIVE: MANAGEMENT

39. ADMINISTRATION OF THE ASSOCIATION

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

40. 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 44.
- (2) The CEO shall be assisted by Managers as may be appointed under Rule 43.

41. 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 46.

- (2) The management, evaluation and selection of umpires shall be done by the Umpires Committee comprising only of Umpires as set out in Rule 47.
- (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.

42. EFFICIENCY IN FUNCTIONING

- (1) The bankers, lawyers and others offering professional services to the Association shall be appointed in a fair and transparent manner, and may be changed from time to time, as the Association may deem expedient.
- (2) The CEO and the Cricket & Umpires Committees shall function independently in their respective domains without any interference or approval from each other.

43. THE CEO

- (1) The day-to-day management of the affairs of the Association shall vest in a full time CEO to be appointed by the Apex Council, who shall be a management professional with management experience of at least 5 years as the CEO/MD of a company.

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- (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 Association;
 - (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.

44. THE FUNCTIONS OF THE CEO

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

- (1) To implement all the Rules and Regulations made by the Governing Body and 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 Association wherever situated, in order to promote the objects of the Association.
- (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 teams representing the Association which shall compulsorily include qualified coaches, managers, physiotherapists, nutritionists, trainers, analysts, counsellors and medics. However, the Head Coach of each of the State Teams shall be appointed by the Apex Council.
- (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. Also, to process requests made by Players to make arrangements for the accommodation and travel of their respective wives / partners / family members, wherever permitted.

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- (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 Association.
- (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 State of West Bengal 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 League matches or matches for University, Schools or other tournaments or for any Exhibition matches between members and / or between the Universities in West Bengal 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 Association.
- (14) To prescribe guidelines to lay out or convert any ground into high quality turf wickets at all levels in all areas of the State and to provide Pavilions, Canteens, Public Conveniences and other amenities with disabled access and suitable signage, especially to involve more people of the State of West Bengal 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 Association.
- (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 the State. To coordinate with Clubs, District and Regional associations, 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 cricketers to play nationally and internationally and hone their skills so that a wider talent pool is available to represent the Association.
- (20) To sign and enter transparently into contracts for and on behalf of the Association including with third parties and vendors for the purposes of the various Committees of the Association, and to ensure that in all contracts for television and media rights, the interests of the public remain uncompromised, and full, unhindered broadcasts of all deliveries and their replays are shown.
- (21) To report to the Apex Council every quarter or as often as required by the Apex Council on the functioning of the management and the progress made in developing cricket in West Bengal.
- (22) To consider the reports of the Auditor, to verify whether Affiliated Members are meeting their objectives and to assess whether cricket is being suitably developed and promoted across the State.
- (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 Association.
- (25) To advise the Association 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 Association and Apex Council to him, and all other functions as are necessary and expedient to carry out the objects of the Association as aforesaid including carry on correspondence in the name of the Association.

45. THE STANDING COMMITTEES

- (1) The Standing Committees are the Committees that provide guidance and advice on behalf of the Members to the CEO. The members of the Standing Committees including the Chairpersons thereof shall be appointed by the Apex Council.

- (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.

The Committee shall advise the CEO on the conduct of the league and knockout.

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B. The Tours, Fixtures & Technical Committee

- (i) The Tours, Fixtures & Technical Committee shall consist of FIVE persons appointed by the Apex Council. At least three of these five persons ought to have played a minimum of 25 First Class games.
- (ii) The Committee shall, subject to any directions of the Association, advise the CEO on the making of draws and fixing of dates and venues in respect of the following:
 - a) tours of Team representing the Association visiting other States and abroad;
 - b) tours of foreign teams or other State teams visiting West Bengal; and
 - c) all matches and Tournaments conducted/organized by the Association.
- (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 matches during the tours of other State teams and foreign teams in West Bengal.
 - (b) Considering the laws of the game and amendments thereto, experimental laws, technical matters that may be referred to it by the General Body and matters regarding the Laws of the game to be discussed at the BCCI.
 - (c) Framing and finalizing the playing conditions for all tours to and from West Bengal.

C. SUB-COMMITTEES:

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The Apex Council at its first meeting (or any subsequent meetings) constitute the following Standing Sub-Committees each having a Chairman. All the meetings of the respective Sub-committees shall generally be presided over by the Chairman of the Sub-Committee.

Each Sub-Committee, unless otherwise provided, shall include not more than five members including the Chairman but excluding the Ex-Officio members as provided elsewhere under these rules. The following Sub-Committees shall act under the respective terms of the reference and shall remain responsible to the Council.

The Composition of the Sub-Committees where either total number of members would be otherwise than as specified above or pre-qualification for having membership of such Sub-Committee is requisite, is given below :

a. **Medical**

One of the members of the medical Sub-Committee shall be a Medical Practitioner who shall be in-charge of Medical Unit of the Association. The functions of the Medical Sub-Committee shall be:

- (a) To maintain all equipments, medicines etc.
- (b) To be in-charge of providing medical assistance to the players concerning all the recognised disciplines.
- (c) To recommend to the Finance Standing Committee for purchasing of new equipments, furniture, medicine as and when necessary.
- (d) To draw up a Budget and forward the same to the Finance Standing Committee.

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b. **Stadium**

Seven members including Chairman shall form the Sub-Committee. The scope of reference shall mean Stadium Complex at Eden Gardens including Dr. B.C.Roy Club House, Score Board, Indoor Coaching Centre etc, excluding ground etc. The functions of the Stadium Sub- Committee shall include:

- (a) To maintain the Assets save and except as may be vested to the Trust from time to time.
- (b) Shall draw up a Budget and forward the same to the Finance Standing Committee.

c. **Finance**

The functions of the Finance Sub- Committee shall be:

- (a) To prepare and place the Budget for the year for consideration of the Apex Council within two months of formation of the Finance Sub Committee.
- (b) To call for Draft Budget from different Standing and Cricket Committees.
- (c) To take necessary steps to regulate and control the finance.

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(d) To allocate Budget grants to different heads of expenditure and to ensure that Budget grant is not exceeded without previous approval of the Council.

(e) To forward requisition to the Council as and when necessary and to obtain sanction for Supplementary Grant.

(f) To check and verify bills and vouchers or cause them to be checked by a Scrutinizer and/or to appoint an Internal Auditor as and when necessary subject to the approval of the Apex Council.

(g) To call for tenders, for brochures, advertisements, displays, canteens, catering and other matters.

(h) To receive and consider quarterly and financial position of the Association from the Hony. Treasurer.

(i) To fix up Passage Money and other expenses for delegates appointed to attend Meetings of the Board of Control for Cricket of India and other Organisations relating to Cricket.

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(j) To place before the Apex Council for sanction of any expenditure exceeding Rs.10,00,000/-not provided in the Budget.

(k) To Recommend Annual Increment, Provident Fund, Exgratia, Dearness Allowance, Gratuity for the Staff for approval of the Apex Council.

The Hony. Treasurer shall be an Ex-Officio member of the Standing Committee.

d. **School**

The functions of the School Sub- Committee shall be:

- (a) To deal with all matters in connection with School Cricket and to frame rules for the said purpose.
- (b) To make necessary arrangements for improvement of School Cricket.
- (c) To draw up Budget and to forward the same to the Finance Standing Committee.

e. **Ground**

The functions of the Ground Sub- Committee shall be:

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- (a) To be responsible for all matters relating to Grounds as per Rule 58 and to recommend measures for improvement of the Grounds and to arrange for new Grounds.
- (b) To draw up a Budget and recommend to the Finance Standing Committee, and
- (c) To keep records and inventories of all implements, machineries, rollers, lawn mowers, screens, pitch covers and other apparatus pertaining to the ground.

f. **District**

Six members including the Chairman shall form the Sub Committee. Five members thereof will be from the District Associations.

The functions of the District Sub- Committee shall be:

- (a) To co-ordinate the activities of the Districts relating to the Cricket except the clubs directly affiliated to the Association.
- (b) To draw up a Budget and forward the same to the Finance Standing Committee.
- (c) To be responsible for maintenance of structures and fixtures of Indoor Covered Pitches and other properties of the Association in the Districts.

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(d) To keep records and inventories of all the properties of the Association in the Districts.

(e) To hold Inter-Zonal Competitions/ Tournaments among the following zones:

East Zone shall include Malda, Birbhum, Murshidabad and Nadia.

North Zone shall include Cooch Behar, Jalpaiguri, Siliguri and (North) and (South) Dinajpur.

West Zone shall include Burdwan, Bankura, Hooghly and Purulia.

South Zone shall include - 24 Parganas (North) and (South), Midnapore, Howrah and Chandernagore.

(f) To deal with all matters in connection with the Tournaments to be conducted amongst different District Associations.

g. College

The functions of the College Sub- Committee shall be:

(a) To deal with all matters concerning Cricket in Colleges vis - a - vis Universities in West Bengal.

(b) To run the West Bengal Inter-University Cricket Tournament Ajoy Ghosh Memorial Championship to be played amongst the Universities in West Bengal on the basis of rotation.

(c) To take such steps as may be necessary for improvement of Cricket in Colleges and Universities.

(d) To draw up a Budget and forward the same to the Finance Standing Committee.

h. Transfer

The functions of the Transfer Sub- Committee shall be:

(a) To deal with all matters relating to Transfer of Players, except as provided under Rule 56.

i. Library

The functions of the Library Sub- Committee shall be:

(a) To prepare and maintain list of books and to take necessary steps for preservation of the same.

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- (b) To frame Rules and Regulations for running the Library and recommend the same to the Apex Council for approval.
- (c) To maintain a Register of all books, newspapers and periodicals belonging to the Association.
- (d) To draw up a Budget and forward the same to the Finance Standing Committee.
- (e) To maintain and preserve Photo Gallery and make necessary additions thereto.

j. **Statistical**

Statistics in respect of all Cricket matches organised by the Association and all other Tournaments participated by this Association will be maintained by the Statistical Sub-committee.

k. **Seminar**

The functions of the Seminar Sub- Committee shall be to hold Seminar on Umpiring, Coaching, Technical matters and any other matters relating to the game of Cricket.

l. **Players' Benevolent & Benefit Fund**

The functions of the Players' Benevolent and Benefit Sub- Committee shall be:

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- (a) To recommend bye-laws and guidelines for payment of money to the former Players and Umpires.
- (b) To consider applications from former and present Players and Umpires and grant payment to the deserving candidate.

m. **District Coaching :**

Five Members out of which three shall be from District and two from other Affiliated Units shall form the Standing Committee.

The functions of the District Sub- Committee shall be:

- (a) To organise and look after the required coaching programmes in the Districts and shall co-ordinate with the Coaching Standing Committee from time to time.

n. **Membership:**

The functions of the Membership Sub- Committee shall be:

- (a) To maintain and upkeep the records of Membership and to deal with all matters relating to an arising out of the same.
- (b) To recommend to the Apex Council any issue arising out of Membership including grant of any additional facilities or otherwise.

Note : Recommendations mentioned in Terms of Reference, as above, shall be placed before the Apex Council, unless otherwise specifically provided.

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3. COMMITTEE MEETINGS

While Meeting of any Committee may be convened at any time by the Hony. Secretary by giving three days notice, meeting of the Tournament and Umpires' Committees may be convened by giving 24 hours notice in case of any emergent requirement in the interest of the game. In such notice of calling such meeting may be given by Fax/Personal service/Telephone. At least THREE members present in person shall form a quorum at a meetings of the Committees.

46. 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 Team representing the Association for representation in Domestic matches, One Day matches, Twenty/20 and any other formats. This selection shall be subject to final decision by the President. 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

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appointed by the Apex Council comprising of reputed former national cricketers identified by the Association at the Annual General Meeting, subject to the following criteria:

- (a) Every member of the Men's Selection Committee should have played a minimum of:
 - (i) Seven Test Matches; or
 - (ii) Thirty First Class Matches; or
 - (iii) Ten One Day International Matches and twenty First Class 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 Test cap 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.

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- (iv) On a 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.

B. The Junior Cricket Committee

- (i) The Junior Cricket Committee shall consist of five persons to be appointed by the Apex Council, on such terms and conditions as may be decided by the Apex Council from time to time. This selection shall be subject to final decision by the President. Only former Players who have played a minimum of 25 First Class games 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-23 years for the purpose of coaching camps or for playing against local or foreign teams within India or abroad in any format of the game.
- (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

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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 for final decision by the President in the matter, as well as providing evaluation reports of the respective team performances to the Apex Council on a quarterly basis.

(iv) 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 Team representing the Association across all age groups for representation in Domestic Tournaments, One Day matches, Twenty/20 and any other format. This selection shall be subject to final decision by the President. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and

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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 Apex Council, 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 international amongst the members of the Committee 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.
- (iv) 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.

D. The Women's Cricket Committee

- (i) The Women's Cricket Committee shall consist of four former women Players who have played at least First Class cricket nominated by the Apex

Council, the senior most of whom shall be the Chairperson..

(ii) The Committee shall:

- (a) Draw up programmes of coaching at zonal and national levels.
- (b) Plan and conduct Women's Junior and Senior domestic tournaments.
- (c) Organize tours to other States and foreign countries or tours of other States and countries to West Bengal.
- (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 nominated by the Apex Council, the senior most of whom shall be the Chairperson,, 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 State 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 Team representing the Association across all age groups for representation in Domestic Tournaments, 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 Association 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. 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.

F. The Cricket Talent Committee

- (i) The Cricket Talent Committee shall consist of THREE persons to be appointed by the Apex Council, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who

have played at least 20 First Class games and have the highest level of coaching certification shall be eligible to be 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) Encourage the youth to take up cricket by setting up promotional camps and other avenues of engagement with the game; and
- (iii) 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) 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.

(5) The Apex Council is empowered to add any further Cricket Committees as may be required, particularly to cater to weaker sections of society.

47. THE UMPIRES COMMITTEE

- (1) The Umpires Committee shall consist of THREE persons appointed by the Apex Council, each of whom shall have been a former umpire from West Bengal. This selection shall be subject to final decision by the President. The senior most umpire shall be the Chairperson of the Committee.
- (2) The function of the Umpires Committee shall be to standardize umpiring throughout West Bengal and to draw up and maintain a panel of Umpires to officiate matches in the State of West Bengal and classify them into Elite Panel, and All Bengal 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 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 / demerits 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 BCCI and International Cricket Council in regard to amendments, alterations and additions to the laws of the game.

48. INADVERTENT OMISSION TO GIVE NOTICE OF MEETING

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Inadvertent omission to give notice of an Annual General or Special General Meeting or Emergent 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.

49. PERMISSION TO CONDUCT TOURNAMENTS

- (1) No Club affiliated to the Association shall conduct or organize any tournament or any matches in which players/teams from the region within the jurisdiction of the Association are participating or are likely to participate without the previous permission of the Association.
- (2) No member or a Club affiliated to Association shall conduct or organize any tournament or any match/matches in which players/teams from regions outside their jurisdiction are participating or are likely to participate without the previous permission of the Association.
- (3) Permission for conducting or organizing any tournament or match/matches will be accorded only to the members of the Association and will be in accordance with the rules framed by the Association in this regard from time to time.
- (4) No member or a Club affiliated to the Association 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 and the Association. Permission for conducting or organizing any International Tournaments or International match/matches will only be accorded by the Association or the BCCI on special occasions.

- (5) Members or their affiliates desirous of undertaking tours abroad or inviting foreign teams shall obtain the previous permission of the Association and the BCCI, which may be granted in accordance with the Rules framed by the Association and the BCCI.

50. 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 Association 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.

51. REGISTRATION OF PLAYERS

- (a) FOR CLUBS :

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Save as provided hereafter, all Clubs playing in different Divisions shall have to register the names of the Players at least seven working days (excepting Sundays and Holidays) before their participation in any match, subject to registration of the Players for each Season between 1st of September and 31st December of the current English Calendar Year.

Provided however, if any Player is participating in any National or State assignments, such Player could be registered within 7 days from the date of being released from his/her assignments.

The Players registered within the aforesaid period shall be treated as Registered Players of the Club, for whom they are registered upto 31st August of the following year. The registration process can only be done by the secretary or its authorized representative of the managing committee of the concerned club in the absence of the secretary. No other person or officer will have any authority to the registration and transfer of the individual player.

The names and actual residential address of the Players shall have to be entered in the Form to be obtained from the Association and delivered in duplicate to the Association against proper receipt duly filled up along with :

- (i) recent 2 coloured Passport size photograph of the Players;
- (ii) for Players above 20 years, certified true copies of their own "Voters' ID Cards" or "Aadhar Cards" or "Passports".
- (iii) for Players under 20 years their "Voters ID Cards" or "Aadhar Cards" or "Passports" or certified true copies of their "Birth Certificates" by the Gazetted Officer along with "Voters ID Cards" or "Aadhar Cards" or "Passports" of their parents.

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Production of Originals for inspection may at any time be sought for:

One copy of Identity Card duly certified by the Association of each registered player shall have to be collected by the Club concerned from the Office of the Association before fielding the player. The Identity Cards of the Players representing the Club in any particular match shall have to be produced at the ground on demand by the Captain of the opponent team through Umpire/Umpires.

The maximum number of registration of Players by a Club during a season shall not exceed 30 in numbers.

If any registration of a Player is procured on any incorrect information, such registration shall forthwith on detection stand automatically cancelled and the concerned Club and/or the Player shall be liable for penal consequences.

(b) FOR DISTRICT ASSOCIATIONS :

The matters in regard to the registration of Players in different Districts shall be governed by the Rules of the respective District Associations.

Note: A Player registered with any affiliated Club, in addition may register his name with any District Association or vice versa.

(c) The matter relating to the Players for Women Cricket shall be governed by the Rules of this Association to be framed on that behalf from time to time.

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52. **QUALIFICATION OF PLAYERS**

(a) No Player who has represented any other State, Railway Sports Control Board or Services Sports Control Board in any Senior Domestic Tournament of the Board of Control for Cricket in India shall be eligible to play in any Tournament held by the Association in the same Season.

(b) No Players who has represented other State, Railway Sports Control Board or Services Spoils Control Board in any Senior Domestic Tournament of the Board of Control for Cricket in India shall be eligible to play in any Tournament run by this Association in the following season unless an Inter State transfer has been granted in his/her favour by the Board of Control for Cricket in India.

(c) Notwithstanding anything contained in the foregoing rules, the restrictions, as above, shall not apply to Players playing in the Ranji Trophy Championship, for the Railway Sports Control Board and Services Sports Control Board provided they are bonafide employees of the said Organisations having their Headquarters in West Bengal. Players who have represented the Railway and/or Services Sports Control Board shall be allowed to play only for their respective Clubs or Organizations.

(d) While Affiliated Units participating in CAB 1st Division Tournaments may register maximum 4 Outstation Players in any Season but not exceeding 3 Outstation players shall be permitted to participate in a match of any of the Tournaments.

(e) Affiliated Units participating in CAB 2nd Division Tournaments shall not be eligible to register or play any Outstation Player in any Season.

"Outstation players" shall mean and include Players having ordinary residence outside the State of West Bengal irrespective of being shown to be in any employment roll of any Establishment within the State of West Bengal.

(f) Violation of any part of the above rules shall make the Club and the Player concerned liable to be penalized as may be deemed necessary.

53. DUTIES AND OBLIGATIONS OF AFFILIATED MEMBERS

(a) No Affiliated Member shall be allowed to play with an Unaffiliated Club without the permission of the Apex Council.

(b) No Affiliated Member shall tour outside the State without the permission of the Apex Council.

(c) Fielding any Unregistered or Illegally registered Cricketer and/or submission of any incorrect information/declaration with regard to registration of a Cricketer would invoke penal measures and the concerned Player shall be suspended as may be decided by the Tournament Sub-Committee.

(d) Each Affiliated Club, Unit, District Association- University and Organisation shall be duty bound to furnish each year the names of its Office Bearers, Committee Members and Statement of Accounts showing satisfactory and proper utilisation of financial aid made by the Association. Each such Club, Unit, District Association, University or Organisation shall produce certificate regarding allotment/possession of a cricket playing ground of its own exclusively or a share of the same with others allotted to by Competent Authority and by failure to do so it may lose the entitlement of privileges including financial assistance. Each Affiliated Member shall be duty bound to furnish a copy of the Constitution and/or Memorandum and Articles of the Association as and when demanded by the Association.

(e) Each Affiliated Club, Unit, District Association, University and Organisation shall be duty bound to furnish through its Captain the Confidential Report on Umpiring in all Tournament/ Matches fixed by the Association within 72 hours of the conclusion of the match.

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(f) The District Associations shall conduct various tournaments amongst its Affiliated Units. They shall also organise Inter School Tournament within their District. They shall also participate at various levels. They will control and conduct the matters relating to Registration. Transfer of players and all other matters relating to various Tournaments within their District.

(g) Association shall be eligible to conduct various domestic tournaments for Women Cricket who shall be eligible to participate at various levels of such tournaments under the control and supervision of the Association. The Registration and Transfer of Players and all other matters concerning or relating to the tournament shall be directly under the control and supervision of the appropriate Standing/ Cricket committee of the Association.

54. RESTRICTION TO PLAYERS

(a) No Player shall be eligible to play for more than one Affiliated Club during the season. A Player, however, may play in Friendly or Exhibition or Tournament matches outside the State of West Bengal for an Affiliated member other than the one for which he is registered, subject to permission of the Association.

A Player in addition to an Affiliated Club or District Association with whom he is registered shall be permitted to play either for his Office, College, School or University provided he

is a bonafide employee of the Office and a bonafide student of the College, School or University.

(b) No Player participating in any match within the jurisdiction of the Association or Board of Control for Cricket in India shall be permitted to comment on the match either in the Press or over the Radio and TV. This rule shall apply also to the Manager /Coach/Selector appointed for the team.

(c) if any Affiliated Member or any Player belonging to an Affiliated Member infringes any of the above rules, the Committee shall have the power to take such disciplinary action as it may deem fit and proper against the Member and/or Player as the case may be.

(d) A Player can only represent a District either by his birth qualification or bonafide residential qualification.

55. RESTRICTION TO UMPIRES

(a) No Umpire shall be eligible to conduct any unrecognized match without prior approval of the Association in writing.

(b) No Umpire shall refuse any posting without assigning cogent reason in writing atleast five days prior to the scheduled match. Similarly, no Umpire shall remain absent in any assigned match without any valid and sufficient reason, which shall have to be communicated in writing to the Association without any delay. In the event of any willful refusal and/or absence of any Umpire (s), the Umpires Committee, as the case maybe,

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shall be entitled to take such penal measures as it may deem fit and necessary including curtailment of match fees or otherwise.

56. TRANSFERS

(a) A Player desiring to play for any new Club, shall have to apply to the Association on a prescribed form in triplicate (Appendix 'B') to be supplied by the Association between 1st September and 15th September each year, together with a Transfer Fee of Rs.5/-, The applicant shall mention the name of the Affiliated Clubs which he desires to play subject to the consent of such club.

A Cricketer engaged in any National or State assignments, whether within or abroad during 1st day of September to 15th day of September may however, apply in writing directly to the Hony. Secretary expressing his intention to seek transfer to any other Affiliated Club subject to such application duly signed by the Player must reach the Association by 10th day of September of the concerned Year. The application must contain the name of the Affiliated Club with whom he is registered and the Affiliated Club to which he seeks transfer. Provided however, within 10 days from the date of conclusion of the National engagements, the said Player would be required to complete the transfer as per Rule above.

A Cricketer who has played for the Country during the course of preceding two years and/or is a current Player of the Country but not available in the Country during 1st and

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15th September, may seek transfer by applying in writing directly to the Hony. Secretary expressing his intention to seek transfer to any other Affiliated Club, subject to such application duly signed by the Player must reach the Association by 10th day of September of the concerned year. The Application must contain the name of the Affiliated Club with whom he is registered and the Affiliated Club to which he seeks transfer. Provided, however, within 10 days from the date of arrival in the Country, but not later than 10th day of January next Calendar year, the said Player shall have to present himself before the Association and complete the transfer by applying on a prescribed form in triplicate (Appendix "B") to be supplied by the Association, together with a fee of Rs.5/-.

A Cricketer who has played for Bengal in any First Class Match during the course of preceding two years or is a current Bengal Player may seek transfer in favour of any particular Club for the following season between 1st day of May and 15th day of September by presenting himself before the Association and applying on a prescribed form in triplicate (Appendix 'B') to be supplied by the Association together with a fee of Rs.5/-.

Any case which is not mentioned in the aforesaid Rule relating to and/or arising out of transfer of any Cricketer from one Affiliated Club to another shall be referred to and considered on merits of each case by a Special Committee consisting of the President and the Secretary and Joint Secretary of the Association and their decision, which shall have cut of date of 10th day of January, shall be final and binding on all concerned.

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A Player desiring to play for a new District Association shall apply in writing in duplicate, to the Association between 1st September and 30th September each year. The applicant shall mention the name of the Affiliated District Association to which he desires to play and the District Association in which he played last time.

The eligibility of Transfer shall be dealt with by the District Sub-Committee and in case of any dispute the matter may be referred to the Apex Council of the Association and the Decision of which shall be final and binding.

A copy of the application for transfer shall be forwarded to the Hony. Secretary of the Club for which he played last, to its registered address under Certificate of Rusting within 48 hours (excepting Sundays and Holidays) from the date of signing the transfer.

- (a) Application for transfer shall be allowed to be withdrawn within five days from the date of submitting the original application only in favour of the last Club for which a Player played last and from which the transfer is sought.
- (b) In case of withdrawal, withdrawal Fees of Rs. 10/- shall have to be paid against each Player and transfer fee shall not, however, be refunded.
- (c) A Player can apply for one transfer during the same season.
- (d) A Player who has not played in the State for any Affiliated Club during the last three consecutive seasons, need not take a transfer and may play for any Club unless he is disqualified under Rules.

(e) The total number of Affiliated Clubs shall be divided in following categories:

1. The Clubs finishing in Group A in 1st Division League - 'A' Category.
2. The top nine Clubs in Group B and Group C of 1st Division League will be 'B' Category.
3. The Clubs finishing in 10th to 13th position of B and C group in 1st Division League will be 'C' category.
4. The Clubs finishing in 1 to 8 position in the Second Division will be 'D' Category.
5. The Clubs finishing 9th to 41st position in 2nd Division- 'E' Category'.
6. The Clubs finishing 42nd to 57th position in 2nd Division 'F' Category.

The charges for transfer of a regular Player between the above Categories shall be payable/ receivable by the Affiliated Club concerned through the Association at the rate stated below in case of its Player seeking transfer from or in its favour respectively.

Category-A	Rs.1,500/-
Category-B	Rs.1,000/-
Category - C	Rs.750/-
Category - D	Rs.500/-
Category - E	Rs.250/-
Category - F	Rs.50/-

The regular Player shall mean the player who has played at least in 50% matches of his Club played in previous year's League Tournament.

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The Association shall pay to the Club as 'Coaching Subsidy' an amount equivalent to 100% of the income made by the Club out of the above transfer transaction.

57. SELECTED PLAYER

A Player selected by the Association to represent the State Team in any Tournament organised by the Board of Control for Cricket in India or for any Exhibition match shall be released by the Club, District Association or Organisation concerned for such matches and shall report himself unless prevented by sufficient cause. A Player/Club/District Association/Organisation contravening these Rules shall be dealt with by the Committee in such manner as it think fit.

58. GROUND

(a) All Affiliated Members shall place their Grounds properly marked and in proper playing condition at the disposal of the Association for all Tournament matches as may be arranged by the Association.

(b) All Affiliated Clubs playing in the League and Knock-out tournaments of the Association shall be duty bound to identify and provide their "Home" Ground on or before 31st day of October every year, failing which the Tournament Sub-Committee shall be entitled to deal with the same in such manner and mode as it may deem fit and necessary in the interest of the Tournaments.

59. COLOURS, CREST, CAPS AND BLAZERS

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- (a) The Colours of the Association shall be Navy Blue and Gold.
- (b) The Crest of the Association shall be as depicted in the front cover of Rule Book.
- (c) The Cap shall be in Navy Blue colour with Crest of the Association placed in front of the Cap.
- (d) The Blazer of the Association shall be in Navy Blue colour with Crest of the Association and the year, in the front pocket. The Association Blazer shall only be worn by those players who have played for the State unless otherwise permitted by the Committee.

60. CLUBS INTERESTED SHALL ABSTAIN FROM VOTING

No Member of the Apex Council or of any of the Committees shall vote on a matter of complaint, appeal or claim in which the Club or Body which he/ she represents is interested and he/she shall not sit while such matter or complaint, appeal or claim is being investigated.

CHAPTER SIX: ELECTIONS

61. 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.

62. THE ELECTORAL OFFICER

- (1) At least four 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 West Bengal.
- (2) The Electoral Officer shall oversee and supervise the entire election process including scrutiny of the electoral rolls for Councillors and the Players' Cricket Association, 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, the Players' Cricket Association or any of the Committees, the Electoral Officer shall decide the same and such decision shall be final and conclusive.

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CHAPTER SEVEN: AUDIT & ACCOUNTS

63. 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 Association 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 Association 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 Association 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 Association 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.

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64. ACCOUNTS

True accounts shall be kept by the Treasurer of all moneys received and expended by the Association and the matters in respect of which such receipts and expenditure take place and of all assets, credits and liabilities of the Association.

There shall be appointed a Manager (Finance) to supervise the accounting staff of the Association. Such manager shall be appointed by the Apex Council. The Manager (Finance) shall be a Chartered Accountant. The Accounts Department of the Association under the Manager (Finance) shall comprise of not less than three members, each of whom shall be a Commerce Graduate with Hons. in Accountancy.

The Manager (Finance) shall be appointed by the Apex Council

65. 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 Association 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**66. TRANSPARENCY**

- (1) The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the Association (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 Association.
- (2) The composition of the various Committees, their reports of work done, financial outlay and expenditure shall be uploaded on the Website of the Association 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 Association 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 Association annually.
- (5) The audited accounts, balance sheets, profit & loss accounts and annual reports shall be uploaded on the Website of the Association annually.
- (6) The Financial and Compliance Reports of the Auditor shall be placed on the uploaded on the Website of the Association annually.
- (7) All notices on or behalf of the Association including tenders for goods and services, for contractual arrangements and the like shall be promptly uploaded on the Website of the Association.

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- (8) The website of the Association shall have dedicated links to all the stadia in the State which host national and international matches, along with their complete seating capacity, pricing and transparent booking procedures for all tournaments whether international or 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.

67. CONFLICT OF INTEREST

- (1) A Conflict Of Interest may take any of the following forms as far as any individual associated with the Association is concerned:

- (i) *Direct or Indirect Interest:* When the BCCI or the Association, a Member 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 BCCI or the Association 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 BCCI or the Association. 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 BCCI or the Association. His wife runs a catering agency that is engaged by the BCCI or the Association. G is hit by Conflict of interest.

(ii) *Roles compromised:* When the individual holds two separate or distinct posts or positions under BCCI or the Association, a Member 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 BCCI. He is also President of a State Association. B is hit by Conflict of Interest.

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Illustration 3: C is the Vice President of the BCCI. 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 BCCI 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 BCCI or the Association, its Member or the Franchisee.

Illustration 1: A is President of the BCCI or the Association. 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 BCCI or the Association. 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.

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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.

- (ii) *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 the Association;

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.

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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 Association, 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 Association. 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.

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Explanation: In Illustration 3 to Rule 67(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 10% 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
- (j) 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.

68. THE ETHICS OFFICER

- (1) The Association 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 the Hon'ble High Court at Calcutta so appointed by the Association after obtaining his/her consent and on terms as determined by the Association 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) SuoMotu;
 - (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:

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(a) Declare the conflict as Tractable and direct that:

- (i) the person declare the Conflict of Interest as per Rule 67(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**69. THE OMBUDSMAN**

- (1) The Association 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 Chief Justice of a High Court so appointed by the Association after obtaining his/her consent and on terms as determined by the Association 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 Association 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 Association.

70. GRIEVANCE REDRESSAL

- (1) The types of disputes/ differences that form the Ombudsman's remit and the procedures for redressal are:

- (a) **Member, Association & Franchisee Disputes**

Any disputes between or among the Association, its Members, Zones and the Cricket Players' Association shall be automatically referred to the Ombudsman.

Procedure: Both parties would submit their arguments and a hearing

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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 Association commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the Association or the game of cricket or endanger the harmony or affect the reputation or interest of the Association or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the Association and/or the Rules of conduct framed by the Association, 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 Association, 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 reasonable 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 Association

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

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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 Association.
- (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 Association on being found guilty and expelled by the Association 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 Association.
- (5) A Member once expelled, may, on application made after expiry of three years since expulsion, be readmitted by the Association, provided the same is accepted at a General Body meeting by 3/4th members present and voting.

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- (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 Association (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.
- (7) No Member of the Apex Council or of any of the Committees shall vote on a matter of complaint, appeal or claim in which the Club or Body which he/she represents is interested and he/she shall not sit while such matter or complaint, appeal or claim is being investigated.

CHAPTER TEN: MISCELLANEOUS

71. NOTICE

- (1) Any notice required to be served on any Member of the Association 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 Association.
- (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.

72. INDEMNITY

Every Office-bearer, Councilor, CEO, Manager or a Member of a Committee of the Association shall be indemnified out of the Association'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 Association and shall be answerable only for their own act, neglect or default and not for those of any other person.

73. SUITS BY OR AGAINST THE ASSOCIATION

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

74. AMENDMENT AND REPEAL

The Association shall have the power to alter, extend or abridge the purpose for which it is established as provided in Memorandum & Rules of Association in accordance with the provisions of The West Bengal Societies Registration Act, 1961.

The Memorandum of the Association and these Rules and Regulations may be altered by a Special General Meeting of its Members having voting rights as hereinafter mentioned convened for the purpose and in compliance with the provisions provided under Section 8(1) of the West Bengal Societies Registration Act, 1961 (as amended). The Rules and the provisions of the Memorandum of the Association may be altered only by a Special General Meeting of its Members having voting rights convened for the purpose. These Rules and Regulations shall not however 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 the Hon'ble Supreme Court.

75. INTERPRETATION OF RULES

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The Apex Council shall be the sole authority for interpretation of these Rules and of the Bye-laws and regulations made there under the decision taken under the Rules or upon any question or interpretation or upon any matter affecting the Association and not provided for in these Rules or Bye-laws or regulations made thereunder, shall be final and binding on the members.

76. DISSOLVED

If upon the dissolution of the Association there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the Members of the Association or any of them but shall be given to same society on such terms and conditions to be determined by votes of not less than $\frac{3}{4}$ th of the Affiliated Members present personally or in default thereof as the appropriate Court of Government may determine in that behalf.

77. ANY MATTER NOT PROVIDED FOR IN THESE RULES SHALL BE DEALT WITH BY THE APEX COUNCIL.

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RULES GOVERNING THE TRUST

1. Setting up of the Trust:

This Trust is constituted in furtherance of the Objects of the Association, as provided in its Memorandum of Association.

2. Number of Trustees & Terms of Office:

The number of Trustees shall be 5, one of whom shall be the Chairman of the Trust. The Chairman and the Trustees shall be nominated by the Apex Council of the Association subject to the qualifications provided hereinafter. The Trustees shall hold office for a period of 3 years. The Retiring Trustees as also the Chairman shall, however, be eligible for re-nomination. It is however made clear that until appointment of New Trustees, the earlier nominated Trustees shall continue to hold their respective office. Similarly in the event of death, resignation, removal of a Trustee or in the event of a Trustee being incapacitated to hold the office of the Trustee, the Apex Council shall be entitled to nominate a fresh Trustee in place and stead of such Trustee.

Note: For the purpose of computation of a year, a part of the year shall be treated as a full year.

3. Qualification and Appointment of Trustee:

(a) Only former Office Bearers of the Association shall be eligible to be nominated as Trustees and/or the Chairman provided that no continuing Office bearer or Member of the Apex Council shall be eligible for being nominated as a Trustee or Chairman.

(b) In the event of death of a Trustee including the Chairman or on resignation or refusal to act as Trustee/Chairman or becoming disqualified under the provisions of Indian Trust Act, 1882 or

otherwise becoming incompetent to act in accordance with law, the vacancy so caused shall be filled in by the Apex Council within 60 days through the procedure of nomination provided hereinbefore who shall hold office as stipulated herein for the balance period of their erstwhile Trustee.

(c) All assets, funds and property assured, vest, granted and demised or that may in future be assured, vest, granted or demised or placed under the control of the Trust shall ipso facto become vest jointly in hands of the Trustees so appointed who shall hold the same upon trust and deal with the same for promotion of the game of cricket strictly according to the Rules & Regulations of the Association or as may be directed from time to time by the Apex Council of the Association in accordance with law.

4. Powers and Duties of the Board of Trustees

(1) The Assets, Funds and Properties of the Association that maybe demised, granted, transferred and assured unto and in favour of the Trust by the Association from time to time shall vest in Trust and managed, controlled, utilised and dealt with by the Board of Trustees as Corpus of the Trust.

(2) The Board of Trustees shall be entitled to exercise and perform all powers and duties as are expressly conferred upon from time to time by the Apex Council of the Association, SAVE & EXCEPT what are prohibited either under the Legislative Enactments, Statutory orders or otherwise expressly restricted by the General Body of the Association.

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(3) Save as aforesaid the Board of Trustees shall have, amongst others, the following powers :-

(a) To hold the Corpus as maybe vested from time to time and accruals therefrom upon Trust for the Association according to the Rules thereof and not to apply any part thereof for profit or gain or for any other purpose other than for promotion, development, supervision, encouragement of the Game of Cricket and for benefit and/or achievement of the objects of the Association.

(b) To provide funds to the Apex Council of the Association from the accruals derived from the Corpus for development, programmes, encouragement and or promotion of the Game of Cricket or other ancillary objects of the Association.

(c) To use or utilise the earnings from the corpus only for upkeep, encouragement, improvement or enlargement of the objects of the Association.

(d) To consider and approve Capital Expenditure of the Association exceeding Rs. 1,00,000/- and to provide suggestions, if any, to the Apex Council of the Association.

(e) To consider and approve deficit Budget, any, of the Association and to provide suggestions, if any to the Apex Council of the Association.

(f) To maintain proper Books of Accounts as required under the law and to have Accounts of the Trust duly audited qualified Chartered Accountant in accordance with law.

(g) To consider, approve and adopt Annual Accounts of the Trust within 60 days from end of each Financial Year.

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(h) To allow and permit inspection of Accounts, Books, Papers or Documents otherwise of the Trust to the Office bearers of the Association and/or its duly authorised persons as and when required on prior Notice.

(i) Banking Accounts and/or Investments of Trust in permissible Securities shall be operated jointly by the Chairman and by one other Trustee.

(j) To nominate from amongst the Trustees, one Convenor to convene all meetings of Board of Trust in consultation with Chairman and to cause minutes of the proceedings and resolutions of the meeting to be correctly recorded, all correspondence to be issued, and in-charge of all records, documents, registers and others or to do other acts, deeds, matter and things as may be entrusted upon him from time to time in accordance with law.

(k) To consider, decide and approve all such other matters that may be entrusted upon by the Apex Council from time to time.

In addition to the powers provided hereinabove, the Chairman of the Board of Trustees shall have the following powers:

(i) To preside over all meetings of the Board of Trustees and to delegate the functions of the Convenor to anyone of the Trustees with the concurrence of the Trustees.

(ii) In the event of equality of votes, to exercise the power of casting vote;

(iii) To invite any person as he may deem fit and necessary to attend any meeting of the Board of Trustees and to obtain his suggestions as and when required.

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(iv) For a just cause, to recommend dissolution of the Board of Trustees and for appointment of New Trustees, to the Apex Council of the Association who shall forward it to the General Body of the Association for dealing with the same in accordance with Rules of the Association.

(v) To take emergent decision in extraordinary circumstances and get the same duly ratified by the Board of Trustees, subject to however, subject to however, such ratification shall have to be obtained within 7 days from the date of such decision being taken by the Chairman.

5. Meeting Of The Board Of Trustees:

(a) The Board of Trustees shall meet at such time, venue and place as may be determined from time to time but there shall be at least 4 meetings of the Trustees in a financial year.

(b) At any meeting of the Board of Trustees presence of 3 Trustees shall form quorum.

(c) Meeting of the Board of Trustees shall ordinarily be called by giving at least 7 day prior notice in writing. However Emergent Meeting may be called with a notice of 24 hours. Notice duly delivered under Certificate of Posting shall be deemed to be proper service. Provided however, in an Emergent Meeting Notice shall be delivered by Special messenger. All Notices of meetings of the Board of Trustees shall have to be served upon the Office bearer of the Association together with all related papers and documents.

(d) The Meeting of the Board of Trustees may be convened at any time by the Convenor with the concurrence of and/or consultation with the Chairman of the Board of Trustees. In the event more than two Trustees express their desire, in writing, to have a Meeting of the Board of

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Trustees to be convened, the Convenor shall, in such circumstances convene the Meeting of the Board of Trustees forthwith by giving 7 days prior notice.

(e) In the event the Chairman is unable or incapacitated to preside over any scheduled meeting or is absent, the same shall be presided by any one of the Trustees present thereat and duly elected by the Trustees who shall act as and assume powers of the Chairman only for the said scheduled meeting.

(f) Each Member of the Board of Trustees shall have one vote and all decisions at the Meetings shall be decided by majority of votes and in the event of equality on any issue, the Chairman of the Board of Trustees shall have casting vote. Votes shall be by show of hands or by ballot as the Chairman may determine at the commencement of the Meeting.

(g) The President, Hony. Secretary, Hony. Joint Secretary and Hony. Treasurer of the Association shall be entitled to attend all the meetings of the Board of Trustees, provided however, neither of them shall have any voting right.

(h) Notice and papers in connection with the meetings shall be issued and circulated either by the Chairman of the Board of Trustees or the Convenor appointed amongst the Trustees and all such notices and papers shall be delivered either by hand delivery against appropriate receipt or by post under Certificate of Posting.

All decisions and/or resolutions adopted in the Meeting of the Board of Trustees shall be communicated to the Apex Council of the Association within 3 days in writing.

6. **General:**

(A) In the event of any disagreement relating to any issue and/or decision by and between the Board of Trustees and the Apex Council of the Association, the same shall be referred to the General Body of the Association through its President and the decision of the General Body duly adopted in accordance with Rules of the Association shall be final and binding.

(B) The Trustees shall have no power of whatsoever nature to sell, transfer, encumber or alienate the Corpus or any part thereof including its earning thereof without express approval in writing of the Association.

(C) The Trust may be dissolved and/or revoked or any of the terms herein provided be amended, revoked, modified or enlarged by the Association at any time, subject to however, the same is adopted and resolved by votes of not less than 75% of the Affiliated Members of the Association in the Meeting of the General Body convened solely for the said purpose and in the event of dissolution and/or revocation of the Trust, the properties, assets and corpus of the Trust shall immediately vest with the Association.

(D) The Trust may sue or be sued in the name of the Board of Trustees.

(E) Any other matter, function, duties or otherwise not specifically provided shall be governed under the provisions of Indian Trust Act, 1882 as amended from time to time and the Rules Regulations and decisions adopted by the General Body of the Association.

September 29, 2018. On scrutinizing the amended constitution, several material deviations including in the provisions relating to disqualifications and powers of electoral officer have been found. Copy of the revised/ corrected compliance certificate (along with enclosures thereto) is at Sr. No. 9 (Pages 101 to 146) of Volume III of the accompanying Compilation of Documents.

- (b) **Cricket Association of Bengal:** Amended constitution was received on September 25, 2018 and compliance certificate was received on September 26, 2018. However, the compliance certificate is not as per the required format. Further, on scrutinizing the amended constitution, several material deviations including in the provisions relating to selection of teams being subject to final decision of



President, disqualifications not being applicable to its representative to BCCI and the creation of a trust to be administered by former office bearers as trustees have been observed. Copies of the compliance certificate (along with enclosures thereto) is at Sr. No. 10 (Pages 147 to 297) of Volume III of the accompanying Compilation of Documents.

- (c) **Chhattisgarh State Cricket Sangh:** Compliance certificate along with amended constitution was received on September 24, 2018. However, the compliance certificate was not as per the prescribed format. When the