

## **KERALA CRICKET ASSOCIATION**

(Registered under the Travancore- Cochin Literary, Scientific and Charitable Societies

Registration Act, 1955 (ACT XII of 1955)



## **KERALA CRICKET ASSOCIATION**

Member - Board of Control for Cricket in India

Member - Board of Control for Cricket in India

### **MEMORANDUM OF ASSOCIATION**

**AND**

### **RULES AND REGULATIONS**

(As per judgment dated 9<sup>th</sup> August 2018 passed by the Hon'ble Supreme Court of

India in

Civil Appeal No. 4235 of 2014 & connected-matters)

## **MEMORANDUM OF ASSOCIATION**

1. The name of the Association is "THE KERALA CRICKET ASSOCIATION".
2. The objects and purpose of the Kerala Cricket Association are:
  - a) To control and improve quality and standards of the game of Cricket in the State of Kerala, 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 the State of Kerala, 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, BCCI first class matches, One Day Matches, Twenty/20 matches, and any other matches and take all other required steps;
  - c) To strive for sportsmanship and professionalism in the game of Cricket and its governance and administration; inculcate principles of transparency and ethical standards in players, team officials, umpires and administrators; and to ban doping, age fraud, sexual harassment and all other forms of inequity and discrimination;
  - d) To encourage the formation of District Cricket Associations and the organization of Inter-District and other Tournaments; to lay down norms for recognition which achieve uniformity in the structure, functioning and processes of the Member Associations;
  - e) To arrange, control, regulate and if necessary, finance visits of Teams that are Members of the BCCI, International Cricket Council and teams of other Countries to India;

- f) To arrange, control, regulate and finance, visits of Kerala Cricket Teams to tour countries that are members of the BCCI and International Cricket Council or elsewhere in conjunction with the bodies governing cricket in the countries to be visited;
- g) To select teams to represent Kerala in Inter State Matches, One Day Matches, Twenty/20 matches and in any other format in India or abroad as the KCA 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 KCA representative/s to BCCI, as also to Conferences and Seminars connected with the game of Cricket;
- j) To appoint Managers and/or other team officials for the state teams;
- k) To employ and appoint CEOs, professional managers, auditors, executive secretaries, administrative officers, assistant secretaries, managers, clerks, team support staff, players, and other service personnel and staff; and to remunerate them for their services, by way of salaries, wages, gratuities, pensions, honoraria ex-gratia payments and/or provident fund; and to remove/terminate or dismiss such employees or personnel;
- l) To ensure that tickets to cricket matches are widely available well in advance of the matches to members of the public at reasonable rates, and to prevent distribution of the same as largesse; and also, to offer seats gratis or at nominal rates to students;
- m) To lay out cricket grounds and to provide pavilion, canteen and other facilities and amenities for the convenience and benefit of the members, players, and the cricket fans including the women and the disabled, and to ensure the availability of cricket gear and amenities to cricket players;
- n) To constitute Committees, from time to time, and entrust or delegate its functions and duties to such Committees, for achieving the objects of the KCA;

- o) To vest immovable properties and funds of the KCA in Trustees appointed by it, for carrying out the objects of the KCA.
- p) To sell, manage, mortgage, lease, exchange, dispose of or otherwise deal with all or any property of the KCA;
- q) To acquire or purchase properties - movable and immovable, and assets - tangible and intangible, and to apply the capital and income there from and the proceeds of the sale or transfer thereof, for or towards all or any of the objects of the KCA;
- 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 KCA capable of being conveniently carried on in connection with the above.
- 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 KCA
  - II. Being sensitive to Players' before national 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 / Counselors' and Nutritionists among the Team's support staff;
  - V. Having a single point of contact on the logistics and managerial side so that Players' can fully concentrate on the game;
  - VI. Registering all duly qualified agents to ensure there is oversight and transparency in player representation;
  - VII. Offering appropriate remuneration of national standard when representing the state on the national stage, and always recalling that national / state representation has priority over club or franchise;
- u) To grant/donate such sum/s for:

- i. Such causes as would be deemed fit by the KCA 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 KCA 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 KCA 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 KCA and amongst themselves;
  - y) To create and maintain a central repository and database of all cricketers along with their game statistics;
  - z) To introduce a scheme of professionalism and to implement the same;
    - aa) To provide a fair and- transparent grievance redressal mechanism to players, support personnel and other entities associated with cricket;
    - bb) Generally, to do all such other acts and things as may seem to the KCA to be convenient and/or conducive to the carrying out of the objects of the KCA.
3. The income, funds and properties of the KCA, however acquired, shall be utilized and applied solely for the promotion of the objects of the KCA as set forth above to aid and assist financially or otherwise and to promote, encourage, advance and develop and generally to assist the game of cricket or any other sport throughout

Kerala. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise however, by way of profit to the members of the Association.

4. The KCA shall not be dissolved unless the dissolution is decided upon by a resolution passed at a General Meeting of the KCA convened for the purpose, by a majority of 3/4<sup>th</sup> of the members present and entitled to vote. The quorum for such meeting shall be 2/3 of the members who have a right to vote. In the case of dissolution of the KCA, 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 KCA and not running for profit.

## **RULES AND REGULATIONS**

### **CHAPTER ONE: SCOPE**

#### **1.(A) DEFINITIONS**

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

- a) "ADMINISTRATOR" shall mean and include present and former Presidents, Vice Presidents, Honorary Secretaries, Honorary Treasurers, Honorary Joint Secretaries of the KCA, past and present Presidents and Secretaries of Members affiliated to the KCA, a representative of a Member of the KCA, and any person connected with the Governance and Management of the affairs of the KCA or of its Committees.
  - b) "AGENTS' REGISTER" is the register maintained by the KCA under the Regulations for Registration of Players' Agents.
  - c) "APEX COUNCIL" is the principal body of the KCA tasked with its governance as set out in Rule 14.
- C[a] "ASSOCIATION" means "Kerala Cricket Association", and is the one and only member of the Board of Control for Cricket in India in the State of Kerala and shall abide by Rule 3(b).
- d) "AUDITOR" is the auditor of the KCA appointed by the Apex Council of the KCA to discharge the functions set out in Rule 34.
  - e) "KCA" is the Kerala Cricket Association registered under the Travancore- Cochin Literary, Scientific and Charitable Societies Registration Act, 1955(ACT XII of 1955).
  - f) "CEO" is the Chief Executive Officer of the KCA appointed by the Apex Council as set out in Rule 23.

f[a] Club' shall mean a club, gymkhana or an organization engaged in playing and

promoting cricket including clubs of commercial firms, companies, offices or Government or Service clubs, or educational institutions, having a regular constitution and situated in the State of Kerala and having elected or ex-officio office-bearers and having on their rolls at least 15 members and submitting every year to the District Association a list of its office-bearers

- g) "CONFLICT OF INTEREST" refers to situations where an individual associated with the KCA 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 favoritism, lack of objectivity, bias, benefits (monetary or otherwise) or linkages, as set out in Rule 38.
- h) "COUNCILLORS" are the members of the Apex Council.
- i) "CRICKET COMMITTEES" are the Committees as set up in Rule 26 which consist only of former Players and are charged with selection, coaching and evaluation of team performance.
- j) "CRICKET PLAYERS' ASSOCIATION" refers to the cricket players association as per the BCCI constitution.
- k) "ELECTORAL OFFICER" is the person appointed to conduct, supervise and deal with issues concerning elections as set out in Rule 33.
- l) "ETHICS OFFICER" is the person appointed to administer the Conflict of Interest principles as set out in Rule 39.
- m) "EXISTING MEMBER" is an association that was a Member of the KCA immediately before the Effective Date.
- n) "FRANCHISEES" are the various commercial entities who have entered into franchise agreements with the participation in the Kerala Premier League.
- o) "GENERAL BODY" is the supreme body of the KCA which is constituted by its Members and it shall mean and be comprised of the Honorary Secretaries of the member District Associations and two nominated representatives from each



member District association, men and women players who has represented India in international cricket from the state.

- p) "GOVERNING COUNCIL" is the Standing Committee constituted by the KCA which shall be in charge of and conduct the Kerala Premier League.
- q) "KPL" refers to the Kerala Premier League which is the franchise-based Twenty/20 tournament conducted by the KCA.
- r) "JOINT SECRETARY" is the Honorary Joint Secretary of the KCA as set out in Rule 7(4).
- s) "JUNIOR TOURNAMENT" shall mean any age group tournaments conducted by the KCA from time to time.
- t) "FULL MEMBER" is a District Cricket Association as enumerated in Rule 3(a)(ii) of the Rules or a former international player ( male or female ) hailing from Kerala.
- u) "MATCH OFFICIAL" includes Umpires, Match Referees, Observers, Statisticians, Ground Staff and Scorers so appointed by the KCA from time to time.
- v) "OFFICE BEARER" means the President, Vice-President, Secretary, Joint Secretary, and Treasurer.
- w) "OMBUDSMAN" is the independent grievance redressal authority set up under Rule 40.
- x) "PLAYER" is any cricketer past or present registered with KCA and shall include any person selected in any squad to represent Kerala in Board Matches, One Day matches, Twenty/20 or Junior Tournament Match in India or Abroad.
- y) "PRESIDENT" is the Honorary President of the KCA and of the Apex Council as set out in Rule 7(1).
- z) "REPRESENTATIVE" of a Member means a person/s duly nominated as such by the respective Full Member as the case may be.
- aa) "RULE" shall refer to any rule or sub-rule in these Rules and Regulations, and "RULES" refer to these Rules and Regulations.
- bb) "SECRETARY" is the Honorary Secretary of the KCA as set out in Rule 7(3).
- cc) "TEAM OFFICIAL" refers to the support staff appointed by the KCA including

coaches, managers, physiotherapists, nutritionists, trainers, analysts, counselors and medics.

dd) "TOURNAMENT RULES" means the rules governing the conduct of various domestic tournaments organized by the KCA including the KPL and such other tournaments as may be conducted by the KCA from time to time.

ee) "TREASURER" is the Treasurer of the KCA as set out in Rule 7(5).

ff) "VICE PRESIDENT" is the Vice President of the KCA as set out in Rule 7(2).

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

hh) "ZONE" means any of the 3 zones namely North Zone, South Zone and Central Zone, comprising such teams as may be decided by the KCA from time to time, and subject to the following:

(i) Only Full Members are entitled to field teams for Inter District and other tournaments.

(ii) The KCA may decide on realigning the Zones / Districts in accordance with principles of expediency and competition.

## **(B) INTERPRETATION**

(i) In these Rules, all references to Players, Match Officials and Administrators shall, unless the context otherwise requires, be deemed to include Players, Match Officials and Administrators (and/or equivalent persons) of the KPL and its Franchisees as well.

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

## **2. HEADQUARTERS:**

The Headquarters of the KCA shall be located at Trivandrum OR at such places as may be decided by the General Body from time to time.

### **3. MEMBERSHIP AND JURISDICTION OF MEMBERS:**

(a) Membership

(i) Membership of the KCA shall be confined to Full members , which shall include :

a) District Cricket Associations ; and

b) Former International players ( male and female ) hailing from the State of Kerala

ii) District Cricket Associations

A .Each District shall be represented by a District Cricket Association duly recognized by the KCA and such associations shall be Full Members. No District shall have more than one District Cricket Association as a Full Member.

B. The associations who are the controlling bodies for cricket in the following Districts shall be the Full Members of the KCA:

1. Trivandrum
2. Quilon
3. Pathanamthitta
4. Alappuzha
5. Kottayam
6. Idukki
7. Ernakulam
8. Trichur
9. Palakkad
10. Malappuram
11. Kozhikode
12. Wayanad

13. Cannanore

14. Kasaragod

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

**D. DISTRICT ASSOCIATION: DUTIES AND PRIVILEGES:**

The District Associations shall be the one and only unit affiliated with the KCA constituted for the sole purpose of promoting the game in the best manner possible at the district level. It shall be the responsibility of the District Association to promote the game in the district by arranging nets, coaching camps and league tournaments. It shall also endeavor to conduct knock-out tournaments to train umpires, scorers, coaches, physiotherapists, trainers, video analysts and other such technical officials for the furtherance of the game in the district. If so desired by the Association it shall have the privilege of conducting inter-district and inter-zonal matches on behalf of the KCA as well as inter state and national tournaments.

Each District Association shall pay annually a sum of Rs.150/- as its annual affiliation fee to the Kerala Cricket Association on or before the 30<sup>th</sup> of April, each year. The District Association shall forward to the Kerala Cricket Association the minutes of its Annual General Body, the Annual Report and the statement of accounts audited by a qualified chartered accountant and the names and addresses of the office bearers before the 01<sup>st</sup> of June, every year.

- (i) Any change of address of the District Cricket Association shall immediately be reported.
- (ii) The District Association shall have a minimum of 10 clubs affiliated to it.
- (iii) The District Association shall conduct the league tournament annually.
- (iv) The District Association shall participate in inter-district matches of the Association in all the categories each year.
- (v) The office bearers and Executive Committee members of the District Association including the nominated representatives to the General Body of the State Association shall be bonafide residents of the respective districts.

Any District Association which has failed to comply with the requirement of clause (Dii,iii, iv) shall not be eligible to send their representative to the General Body meeting.

(vi) Whenever any vacancy arises in the General Body of the State Association on account of any Secretaries or any nominee from the District Association being unable to continue for any reason then the Apex Council shall direct the concerned District association to co-opt another person from among its eligible members to fill the vacancy. Such person will remain till the term of the person in whose vacancy he is co-opted subject to the disqualification clause.

(b) Grounds for sanction and de-recognition by BCCI.

(1) KCA shall not be entitled to any grant from the BCCI if the constitution and/or Bye-Laws fails to provide for, or comply with the following.

(i) The Kerala Cricket Association shall not have any provision for any post to be held for more than 9 years,

(ii) The Apex Council of the Kerala Cricket Association shall include at least two representatives of players (one male and one female) and a nominee of the Accountant General of the State.

(iii) The Kerala Cricket Association shall grant automatic membership to former international players hailing from the State.

(iv) The Kerala Cricket Association shall not have proxy voting.

(v) There shall be a provision whereby the office bearers and members of the Apex council of the Kerala Cricket Association stand disqualified under any of the grounds laid down in Rule 6(5) and Rule 14(3) below respectively.

(vi) There shall be a provision whereby 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) There shall be a provision whereby an office bearer or an elected member of the Apex Council who has held any post for two consecutive terms either in a state 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 or an elected member of the Apex Council shall not be a member of the Governing Council or of any committee whatsoever of the BCCI or of a state association.

(viii) The Kerala Cricket Association shall appoint an Electoral Officer, an Ethics Officer and an Ombudsman.

(ix) The Kerala Cricket Association shall abide by the principles of transparency laid down in Chapter 8 of these Rules.

2) In the event of the grant being denied to any Member under Rule 3(b)(1) above, the BCCI shall directly spend the grant in respect of the State concerned in its capacity as *parens patriae*.

3) If any Association continues to be disentitled for a grant under Rule 3(b)(l) above for a continuous period of 2 years, the BCCI may derecognize the Association as a Member, and if it is a Full Member, in its place, recognize any other Association from that State which complies with the requirements of Rule 3(b)(l) above.

(c) Annual Updates

All Members shall, on or before June 30<sup>th</sup> of each year, inform and update the KCA as to the names of their Office Bearers and the members of their respective Governing Bodies/ Managing Committees, their respective tenures, the audited statement of accounts and the balance sheets.

(d) Jurisdiction

The territorial jurisdiction of the Kerala Cricket Association shall be of the administrative State so defined under the Constitution of India.

#### **4. VOTE & ACCOUNTS OF TOURNAMENTS**

1) Each Full Member shall have one vote . Each District Cricket Association shall exercise its vote through its Secretary or authorized representative. Each former International player shall exercise his/her vote personally and there shall be no proxy voting .

2) A Member, required to submit the annual or other accounts, balance sheets or statements of expenditure either under these Rules or under the rules of any tournament/ match, or under the resolutions or decisions of the KCA 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 there under, shall not be entitled to any further financial grants from the KCA 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.

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

### **5. CONSTITUTION AND FUNCTIONS OF THE KCA**

1. The General Body is constituted of all the full Members of the KCA .
2. The respective Secretaries / authorized representatives of the District Cricket Associations shall cast their votes on behalf of their respective District Cricket Associations. The former International players ( male and female ) shall cast their votes personally and not by proxy .
3. All powers of governance, management and decision- making shall vest in the General Body. In addition to the powers already given to the Apex Council, the Governing 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 KCA 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 in Kerala and to make alterations, amendments or additions to the Laws of Cricket in Kerala whenever desirable or necessary.
  - c. To direct and control the Governing Council, to lend oversight and assistance to the KPL conducted by the Council and to ensure that the interests of the franchises and the players are protected.
  - d. To review any decision of the Apex Council or the Governing Council.
  - e. 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 KCA.

- f. To take such action as it deems fit against a District Association including disaffiliation from the Association when the District Association does not abide by the rules and by-laws and the regulations concerning the function of the District Association. Any party aggrieved by an order passed under this rule may appeal to the ombudsman within 30 days of receipt of such order.

## **6. ELECTION & TERM OF OFFICE BEARERS**

**(1)** The following Office Bearers of the KCA shall be elected by the Full Members of the KCA from amongst their representatives at an Annual General Meeting through an election procedure adopted by the General Body from time to time and shall normally hold office for a period of three years or until the newly elected incumbents assume charge; whichever is later.

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 for two consecutive terms either in a state 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 KCA or of BCCI. 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 KCA or BCCI, as the case may be.

5) A person shall be disqualified from being an Office Bearer, a member of the Governing Council or any Committee or a representative to the BCCI or any similar organization if he or she:

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

## **7. POWERS AND DUTIES OF OFFICE-BEARERS:**

### **(1) THE PRESIDENT**

- (a) The President shall preside at all meetings of the General Body and the Apex Council.
- (b) The President shall be one of the three persons who sign the audited annual accounts and other financial statements of the KCA.
- (c) The President shall also exercise such functions and duties as he may be empowered with by the General Body or the Apex Council.

- (d) The President shall, in the event of a vacancy or indisposition of an office bearer, delegate the functions to another office bearer until the vacancy is duly filled up, or the indisposition ceases.

(2) THE VICE PRESIDENT

- a) The Vice President shall officiate in the President's absence when the President is unavailable.
- b) The Vice President shall also exercise such 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) Be one of the three persons who sign the audited annual accounts and other financial statements of the KCA.
- c) Be in charge of the records of the General Body, the Apex Council, the Governing Council and all Committees, and such properties as may be entrusted to his care by the KCA, the Apex Council or the Governing Council as the case may be.
- d) Convene the Annual General Meetings, Special General Meetings and the meetings of the Apex Council, Governing Council and sub-committee meetings including selection committee meetings with the concurrence of the President.
- e) Circulate to all Members of the KCA the statement of accounts prepared by the

Treasurer.

- f) Have the power to delegate any work to the Honorary Joint Secretary.

(4) THE JOINT SECRETARY

The Joint Secretary shall:

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

(5) THE TREASURER

The Treasurer shall:

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

- (i) Annual Balance Sheet; and
- (ii) Statement of Accounts of the KCA;

(vii) Invest and/or disburse the funds of the KCA, to withdraw any or all of the existing fixed deposits before the date of maturity in accordance with any general or special directions of the General Body or the Apex Council.

(viii) Prepare budgets to be presented at the Annual General Meeting, Special General Meetings and Meetings of the Apex Council.

(ix) Coordinate with the Auditor as well as the CEO to obtain insight into the utilization of funds by the Full Members.

### **CHAPTER THREE: MEETINGS OF THE GENERAL BODY**

#### **8. ANNUAL GENERAL MEETING**

1. The Annual General Meeting of the General Body shall be held every year, not later than 31<sup>st</sup> July at such place and time as the Apex council 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) Appointment of the Cricket Committees and Standing Committees as mentioned in Rules 26 and 25.

(h) 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. the Report and recommendations of the Governing Council and to propose policy directions to the Apex Council.
3. any amendments to the Rules and Regulations of the KCA, provided no amendment to the Rules and Regulations of the KCA proposed by a Full Member shall be considered unless the proposals for amendments are received by the Secretary before 30<sup>th</sup> June.
4. the Reports of the Ombudsman and Ethics Officer and any recommendations made therein.

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

(j) To appoint the representative or representatives on the BCCI and/or similar organizations.

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

(l) 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 KCA and then

entered in the Minutes Book. The minutes shall be duly confirmed after correction, if any, and signed by the Chairperson at the subsequent Annual General Meeting.

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

- a) Copies of the minutes of the previous meeting or meetings to be confirmed at the Annual General meeting;
- b) Copies of audited Statement of Accounts to be adopted and to be passed at the Annual General Meeting;
- c) Copies of the audited Statement of Accounts of any tour or tours;
- d) Treasurer's Reports and the Annual Budget;
- e) Report of the Ombudsman; and
- f) Copies of all documents and papers having a reference to any item on the Agenda of the General Meeting;

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

## **9. SPECIAL GENERAL MEETING**

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

- a) on a directive of the President;
- b) on a resolution of the Apex Council, or
- c) on a requisition signed by not less than 10 Full Members specially stating the business to be transacted at such Meeting.

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

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

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

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

(5) In the event of the Secretary failing to convene a Special General Meeting at the direction of the President or on a resolution of the Apex Council within Ten days, the President may convene a meeting under his own signature.

#### **10. QUORUM AT ANNUAL GENERAL MEETING & SPECIAL GENERAL MEETING**

(1) Ten Full Members present and entitled to vote shall be a quorum for an Annual General Meeting. No business shall be transacted at the Annual General Meeting unless the quorum requisite is present at the commencement of the business of the meeting. If within an hour from the time appointed for the Annual General Meeting a quorum is not present, the meeting shall stand adjourned to the same 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 Full Members present shall form the quorum.

(2) For a Special General Meeting ten Full Members, present and entitled to vote shall be quorum. If no quorum is present at the appointed time of the meeting, the

meeting shall stand adjourned for an hour. If at the adjourned meeting the quorum is not present, the Full Members present shall form the quorum.

#### **11. CHAIRPERSON AT MEETINGS**

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

#### **12. VOTING AT ANNUAL GENERAL MEETINGS / SPECIAL GENERAL MEETINGS**

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

#### **13. CASTING VOTE OR DRAWING LOTS**

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

### **CHAPTER FOUR: GOVERNANCE**

#### **14. THE APEX COUNCIL**

1. There shall be an Apex Council for the KCA which shall be primarily responsible



for the governance of the affairs of the KCA.

2. The Apex Council shall comprise of 9 Councilors of whom 5 shall be the elected Office Bearers as per Rule 6 and the remaining 4 shall be:
  - a) One to be elected by the Full Members of the KCA ;
  - b) Two, one male and one female, to be nominated by the cricket Players' Association from amongst those of its representatives who hail from Kerala ;
  - c) One to be nominated by the Accountant General of Kerala from among the senior functionaries of the office, co-terminus with the nominee's tenure.
  
- (3) A person shall be disqualified from being a Councilor if he or she:
  - a) is not a citizen of India;
  - b) has attained the age of 70 years;
  - c) is declared to be insolvent, or of unsound mind;
  - d) is a Minister or a Government Servant or holds a public office [except for the nominee under Rule 14 (2 ) (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 for a cumulative period of 9 years or of a State association for a cumulative period of 9 years;
  - 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 either in a state 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 a Councilor shall not be a member of the Governing Council or of any committee

whatsoever of the BCCI or of a state association. The expression 'Councilor' should not be permitted to be circumvented by being a member of any other committee or of the Governing Council in BCCI or any state 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 KCA shall not be entitled to be elected or nominated to the Apex Council in any capacity except for a second and final term as President, subject to sub-Rules (4) and (5) above.
- (8) No Councilor, once elected, shall hold any office in a Full Member Association. The Full Member shall take steps to fill up the vacancy so created immediately.
- (9) Any vacancy in the Apex Council due to death, resignation, insolvency, unsoundness of mind, nomination to the BCCI or other disqualification shall be filled up for the remaining period:
  - (a) In the case of an elected Councilor, by elections at a Special General Body meeting of the KCA 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 14(2) above;
- (10) For the purposes of the Travancore- Cochin Literary, scientific and Charitable Societies Registration Act, 1955(ACT XII of 1955 ) the governing body of the KCA shall be the Apex council.

## **15. POWERS AND FUNCTIONS OF THE APEX COUNCIL**

- (1) The affairs of the KCA 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, except the Governing Council; 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, except for the Governing Council of the KPL which is directly accountable to the General Body.
- (4) In addition to and without prejudice to the generality of powers conferred directly or by necessary implication under these Rules and regulations and the Memorandum of Association, the Apex Council shall exercise the powers and perform the duties hereafter mentioned:

- a) To control, permit and regulate all aspects regarding the visits of cricket teams to Kerala and visits of Kerala Team to other states and foreign countries to settle the terms on which such visits shall be conducted.
- b) To lay down conditions on which Players shall take part in a tour to any state/foreign country and by which such Players shall be governed, including terms of payment to such players.
- c) To control, expand and regulate the finances of the KCA.
- d) To institute or defend any action or proceedings for or against the KCA or against any Office-Bearer or employee of the KCA.
- 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 KCA.
- h) To collect funds and whenever necessary borrow with or without security for purposes of the KCA and to raise loans with or without security and to purchase, redeem or pay off any such security.
- i) To fill up, till the following Annual General Meeting, any vacancy occurring of a member of a committee by reason of death or being adjudged insolvent or being of unsound mind or being convicted of a criminal offence involving moral turpitude or by resignation or any other disqualification.
- j) To frame rules and lay down conditions including those of travel, accommodation and allowances under which Players shall take part in cricket tournaments/matches or Exhibition, Festival and Charity matches organized by the KCA in the course of a visit or tour of any cricket team to Kerala.
- k) To frame rules for the state level matches or for University, Schools or other tournaments or for any Exhibition matches between members and / or between

the Universities.

- l) To frame rules regarding the appointment, service conditions and disciplinary action concerning employees and officers of the KCA.
- m) To make the Tournament Rules for various domestic tournaments and exhibition matches involving Members, Universities and other entities.
- n) To frame, in consultation with the CEO, rules for the appointment of Managers, Secretaries, Administrative Officers, Peons and other service personnel and staff and for payment to them and other persons in return for their services rendered to the KCA, salaries, wages, gratuities, pensions, honorariums, compensations, any ex-gratia payment and/or provident fund and to regulate discipline by suspending, fining, removing or dismissing such employees.
- o) To make rules generally for the management of the affairs of the KCA.
- p) To start or sponsor and/or to subscribe to funds or stage a match for the benefit of cricketers or persons who may have rendered service to the game of cricket or for their families or to donate for the development or promotion of the game to be regulated by rules framed in this regard from time to time.
- q) To either on its own, or through its delegate, entertain, hear and decide administrative appeals by employees or other directly affected parties against the orders of the CEO or the Cricket Committees as the case may be.
- r) Generally, to do all such other acts and things which are delegated to it by the KCA and all other functions to be expedient, convenient and/or conducive to the carrying out of the above functions of the Apex Council.
- s) If any member of the General Body of the KCA including a councilor, Office bearers, executive committee members of District Cricket Association and its members, a member club, a member of a member club who indulges in activities which is detrimental to the interest of association and game of cricket or willfully refuses or neglects to comply with any decision of the Association or to comply with any provisions of the rules or be guilty of such conduct as the Apex council may consider likely to endanger the harmony or affect the character and stability,

the Apex council may suspend such member on prima facia satisfaction about the charges leveled against such person. The apex council shall constitute a sub-committee to enquire into the allegations/charge leveled against such persons and the committee shall submit a report to the Ombudsman.

- t) No office bearer of the Association or Apex council member or trustee shall be paid any bonus, honorarium or other emoluments excepting travelling allowances, dearness allowances, rental, medical and out of pocket expenses. Members rendering services to the Association shall be entitled to get remuneration.

Provided that the exercise of powers under Clauses (j), (k), (l), (m), (n), (o) and (s) shall be subject to ratification/approval by the General Body of KCA 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(S) 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 a member elected by those present at the meeting shall be the Chairperson. In the event of a tie, the Chairperson shall have a casting vote.

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

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

#### **16. KCA JURISDICTION OVER PLAYERS, MATCH OFFICIALS & TEAM OFFICIALS.**

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

#### **17. CONDUCT OF PLAYERS**

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

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

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

### **CHAPTER FIVE: MANAGEMENT**

#### **19. ADMINISTRATION OF THE KCA**

1. Trivandrum shall be the headquarters where the office of the KCA shall be permanently situated. It shall be the Central Secretariat of the KCA.

2. The day-to-day management of the KCA shall be conducted by professionals in both cricketing and non- cricketing matters.
3. The Governing Council of the KPL shall be accountable directly to the General Body and not to the CEO or the Apex Council.

## **20. NON-CRICKETING MATTERS**

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

## **21. CRICKETING MATTERS**

1. The management of cricketing matters such as selections, coaching and evaluation of team performance shall be exclusively handled by the Cricket Committees comprising only of Players as set out in Rule 26.
2. The management, evaluation and selection of umpires shall be done by the Umpires Committee comprising only of Umpires as set out in Rule 27.
3. The reports of the Cricket and Umpires Committees shall be sent to the CEO for being forwarded to the Apex Council, but the CEO shall not in any way be involved in the preparation, approval or amendment of the same.

## **22. EFFICIENCY IN FUNCTIONING**

1. The bankers, lawyers and others offering professional services to the KCA shall be appointed in a fair and transparent manner, and may be changed from time to time, as the KCA may deem expedient.
2. The bank account of the KCA shall be operated by 2 authorized signatories from



out of a list of authorized signatories designated by the Apex Council from amongst the apex council members and the professional management who are based out of the KCA.

3. The CEO and the Cricket & Umpires Committees shall function independently in their respective domains without any interference or approval from each other.

### **23. THE CEO**

1. The day-to-day management of the affairs of the KCA 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.
2. The CEO shall be assisted by not more than 3 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 and infrastructure and human resources. The CEO may however realign or re allot 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 KCA;
  - c) Knowledge of operations of cricket administration and overall policy;
  - d) Clarity on role, division of responsibilities and hierarchy; and
  - e) Familiarity with regulatory and legal responsibilities as well as attendant risks.
- (4) There shall be an appropriate induction process laid down by the Apex Council for the CEO and the Managers, which shall include a fair and transparent process of appointment.

### **24. THE FUNCTIONS OF THE CEO**

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

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 KCA wherever situated, in order to promote the object of KCA, subject to the approval of the General Body.
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 which shall compulsorily include qualified coaches, managers, physiotherapists, nutritionists, trainers, analysts, counselors and medics. However, the Head Coach of each of the Senior Teams shall be appointed by the Cricket Advisory Committee referred to in Rule 26(2)A(ii) below.
6. To secure Players' welfare to ensure that the logistics manager will arrange for accommodation and travel, to ensure that tickets given to Players for matches will be on par with those given to the Members, and to also ensure that no expenditures towards the game (baggage handling, injury related, etc.) will be undertaken by the Player, failing which such expenses will be reimbursed to the Player within 30 working days of the requisition being made. Also, to process' requests made by Players to make arrangements for the accommodation and travel of their respective wives / partners / family members, wherever permitted.
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 KCA.

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 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 Championships, for the Ranji Trophy matches or for University, Schools or other tournaments or for any Exhibition matches between members and / or between the Universities in India including regulations and bye-laws in respect of travel, accommodation, allowances to be paid to players and officials participating in such matches.
13. To frame guidelines generally for the convenience and ease of day-to-day management of affairs of the KCA.
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 Indians in the game of cricket and to encourage participation of all sections of society,
15. To assist the Cricket Committees and facilitate the implementation of their tasks and recommendations.
16. To collect monthly reports concerning the functioning of the various Committees, to create action plans in advance and upload the same on the website of the KCA.

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 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 internationally and hone their skills so that a wider talent pool is available to represent the country.
20. To sign and enter transparently into contracts for and on behalf of the KCA including with third parties and vendors for the purposes of various committees of the KCA, and to ensure that in all contracts for television and media rights, the interest of the public remain uncompromised, and full, unhindered broadcast of all deliveries and their relays 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 India.
22. To consider the reports of the Auditor, to verify whether Full Members are meeting their objectives and to assess whether cricket is being suitably developed and promoted across 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 KCA.
25. To advise the KCA 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 KCA and Apex Council to him, and all other functions as are necessary and expedient to carry out the objects of the KCA as aforesaid including carry on correspondence in the name of the KCA.

## **25. THE STANDING COMMITTEES**

The Standing Committees are the Committees that provide guidance and advice on behalf of the Members to the CEO.

The Standing Committees are:

### **A. The Senior Tournament Committee**

(i) The Senior Tournament Committee shall consist of three persons appointed by the KCA at the Annual General Meeting, one from each Zone,

(ii) The Committee shall advise the CEO on the conduct of the tournaments , matches in accordance with their respective rules as framed by the KCA

### **B. The Tours, Fixtures & Technical Committee**

(i) The Tours, Fixtures & Technical Committee shall consist of THREE persons appointed by the KCA at the Annual General Meeting, one from each Zone. At least one of these three persons ought to have played a minimum of 25 First Class games,

(ii) The Committee shall, subject to any directions of the KCA, advise the CEO on the making of draws and fixing of dates and venues in respect of the following:

a) all matches and Tournaments conducted/organized by the KCA.

(iii) The Committees shall, subject to any directions of the General Body or the Apex Council, advise the CEO on the following:

(a) Appointment of Observers for inter District/ inter Zonal and other matches.

(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/International Cricket Council.

(c) Framing and finalizing the playing conditions for all tours to and from Kerala.

## **26. THE CRICKET COMMITTEES**

(1) The Cricket Committees are the Committees comprised exclusively of former Players who are tasked with the Selection, Coaching and Evaluation of Team Performances.

(2) The Cricket Committees are:

A. The Men's Selection Committee

(i) The Men's Selection Committee shall select the state team for representation in Tests, One Day Matches Twenty/20 Matches and any other format. 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 three persons to be appointed by a Cricket Advisory Committee comprising of reputed former national cricketers identified by the KCA 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) 30 First Class Matches; or
  - (ii) 20 one dayers or T/20 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 cap among the members of the Committee shall be appointed as the Chairperson.
- (iii) 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, 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/domestic 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 three persons to be appointed by the KCA at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have played a minimum of twenty five First Class matches shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most amongst the members of the Committee shall be appointed as the Chairperson,

(ii) The Junior Cricket Committee shall:

- (i) Select all age group teams up to Under-22 years for the purpose of coaching camps 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 over the selection of the players, the Captain's wishes in that regard shall prevail. On an overseas tour, the Cricket Manager/Coach, Captain and Vice-Captain shall constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.
- (iii) Vet and select Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a quarterly basis.
- (iv) Organize and conduct junior tournaments of the KCA;
- (v) Organize junior tours;
- (vi) Decide any dispute in regard to junior tournaments;
- (vii) Inculcate proper ethics in the youth, particularly through interactions with senior and former Players on issues such as drugs, betting, match-fixing, etc.

C. The Women's Selection Committee

I. The Women's Selection Committee shall select the



women's State Team across all age groups for representation in BCCI first class matches, One Day Matches, Twenty/20 Matches and any other format. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a monthly basis.

II. The Women's Selection Committee shall consist of three persons to be appointed by the KCA at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have represented the Women's State 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 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 / domestic 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 five former women Players who have played at least First Class cricket. One Player shall be nominated from each Zone at the Annual General Meeting of the KCA, the senior most of whom shall be the Chairperson.

(ii) The Committee shall:

- a) Draw up programmes of coaching at zonal and State levels.
- b) Plan and conduct Women's Junior and Senior domestic tournaments.
- c) Organize tours.
- 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 Zonal Selection Committees

- (i) The Zonal Selection Committee for each Zone shall select the Zonal Team from that Zone for inter-zonal competitions and trophies. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the Zonal Team from that Zone.
- (ii) The Zonal Selection Committee for each Zone shall consist of one Selector from each Full Member from that Zone as laid down in Rule I(A)(hh), who shall be nominated by the respective Associations at the Annual General Meeting of the KCA. Only former Players who have played at least 25 First Class games are 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 each Zonal Selection Committee shall be appointed as the Chairperson for the respective Zonal Selection Committee.
- (iii) The Zonal Selection Committee shall appoint a Captain for the team, 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.

#### F. The Differently-Abled Cricket Committee

- (i) The Differently-Abled Cricket Committee shall consist of THREE persons to be appointed by the KCA at the Annual General Meeting, 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 State Teams across all age groups for representation in Board Matches, One Day, Twenty/20 and any other format. In addition, this Committee shall also propose to the CEO the best practices to be inculcated including coaching, counseling 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 KCA 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.

G. The Cricket Talent Committee

(i) The Cricket Talent Committee shall consist of THREE persons to be appointed by the KCA at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have played at least 20 First Class games and have the highest level of coaching certification shall be eligible to appointed to this Committee. The senior most among the Players shall be the Chairperson,

(ii) This Committee shall:

(i) Be responsible for scouting for talent in men, junior, women and disabled cricket,

(ii) Organize the framework within which the High Performance Cricket Centre and the various State/District/Zonal Cricket Academies will be established and perform,

(iii) Create the programmes and coaching centre for coaching at regional and national levels;

(iv) Improve infrastructure in all areas of the State ;

(v) Make provisions for making the game of cricket accessible to the general public by creating turf wickets, pay-and-play facilities and converting existing fields and grounds into high quality pitches;

(vi) Encourage the youth to take up cricket by setting up promotional camps and other avenues of engagement with the game; and

- (vii) Provide evaluation reports of the targets set and achieved and the details of its programmes to the Apex Council on a quarterly basis.
- (3) No person who has been a member of any Cricket Committee for a total of 5 years shall be eligible to be a member of any Cricket Committee. ,
- (4) No person who has been a member of any Cricket Committee shall write, comment or publicize any discussions or decisions of the selections made except where so authorized by the Apex Council. Any violation of this confidentiality provision will invite removal and substitution by the Apex Council.
- (5) The Chairpersons of the respective Cricket Committees shall submit a quarterly report to the CEO which shall then be forwarded by him to the Apex Council for assessment and action, if any.
- (6) The Apex Council is empowered to add any further Cricket Committees as may be required, particularly to cater to weaker sections of society.

## **27. THE UMPIRES COMMITTEE**

1. The Umpires Committee shall consist of THREE persons appointed by the KCA at the Annual General Meeting, each of whom shall have been a former international umpire from Kerala . In the event of such a person not being available, any umpire who has officiated in at least 25 First Class matches shall be eligible to be appointed. No person may be a member of this Committee for more than 5 years. The senior most umpire shall be the Chairperson of the Committee.
2. The function of the Umpires Committee shall be to standardize umpiring throughout Kerala and to draw up and maintain a panel of Umpires to officiate matches in Kerala and classify them into Elite Panel, and state Panel of Umpires,

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 state/zonal/District level matches and shall assist Members in the formation of the panels of Umpires in their respective areas. The Committee shall Endeavour to promote umpiring by conducting camps and programmes.
4. The Committee shall draw a format to obtain confidential reports from captains on umpires, match referees or any other designated persons to assess the merits / de-merits of the Umpires.
5. The Committee may hold, organize and arrange seminars and conventions of umpires to discuss the laws of the game, experimental rules and suggestions of International Cricket Council in regard to amendments, alterations and additions to the laws of the game,

## **28. THE GOVERNING COUNCIL**

1. The Governing Council of the KPL shall consist of SEVEN; members who shall be inducted at every Annual General Body Meeting of the KCA. The term of the members of the Governing Council (other than the Secretary, Treasurer, C&AG nominee and CEO) shall be one year.
2. The composition of the Governing Council shall be as follows:
  - (i) four representatives of the General Body, of which two shall be the Secretary and Treasurer, and two others to be elected by the General Body;
  - (ii) One representative of the Cricket Players' Association from amongst those of its members who hail from Kerala (other than the representatives on the Apex Council);
  - (iii) The Councilor who is the nominee of the Accountant General of Kerala on the Apex Council;

- iv) The CEO of the KCA;
- 3. One of the two elected Member representatives shall be the Chairperson of the Governing Council.
- 4. All decisions relating to the KPL would be taken by the Governing Council by majority and in case of equality of votes the Chairperson shall have a casting vote.
- 5. The Governing Council shall maintain a separate Bank Account which shall be operated by two authorized signatories from out of a list of authorized signatories designated by the Governing Council .
- 6. The Governing Council shall, at the following Meeting of the General Body, submit a report along with all decisions taken by it.

## **29. INADVERTENT OMISSION TO GIVE NOTICE OF MEETING**

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

## **30. PERMISSION TO CONDUCT TOURNAMENTS**

- 1. No Club affiliated to a member shall conduct or organize any tournament or any matches in which players/teams from the region within the jurisdiction of a member are participating or are likely to participate without the previous permission of the member affiliated to the KCA.
- 2. No member or a Club affiliated to a member 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 KCA.

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

### **31. BAN ON PARTICIPATION IN UNAPPROVED TOURNAMENTS**

1. No Member shall participate or extend help of any kind to an unapproved Tournament.
2. No Player, Umpire, Scorer, Official or other person associated with the KCA shall participate in any unapproved tournament.
3. The Apex Council shall take appropriate action including suspension and stoppage of financial benefits and any other action against individuals / Members contravening the above.

## **CHAPTER SIX: ELECTIONS**

### **32. PROCEDURE FOR ELECTIONS**

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



### **33. THE ELECTORAL OFFICER**

1. At least 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 Central Election Commissioner or Election Commissioner of Kerala . In the event such a person not being available, any other former State Election Commissioner , preferably from a neighboring State , may be appointed .
2. The Electoral Officer shall oversee and supervise the entire election process including scrutiny of the electoral rolls for Councilors , which shall include all nominations and candidatures being subject to his scrutiny in accordance with the Rules.
3. In case of any dispute or objection as to candidacy, disqualification, eligibility to vote, or the admission or rejection of a vote in the elections to the Apex Council, or any of the committees , the Electoral Officer shall decide the same and such decision shall be final and conclusive.

## **CHAPTER SEVEN: AUDIT & ACCOUNTS**

### **34. AUDITOR(S):**

1. The General Body shall at every Annual General Meeting appoint one or more auditors to hold office for a 1 year period and shall fix their remuneration. The Auditor shall be eligible for reappointment by the General Body.
2. The Auditor(s) of the KCA 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 KCA 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 KCA 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 KCA are being utilized by the respective Members. It will be the responsibility of the Auditor(s) to verify the statements made by the Member associations in this regard and to give findings, which shall be contained in a Compliance Report.
5. Both the Financial Report and the Compliance Report of the Auditor(s) shall be considered at the Annual General Meeting.

### **35.ACCOUNTS**

True accounts shall be kept by the Treasurer of all moneys received and expended by the KCA and the matters in respect of which such receipts and expenditure take place and of all assets, credits and liabilities of the KCA. This shall include the separate account maintained for the KPL as well. The books of accounts shall be kept at such places as the Apex Council deems fit and shall always be open to inspection by the members of the General Body at the office of the Association. The Apex Council shall from time to time determine whether and to what extent and at what time and place and under what conditions and regulations the accounts and books of the Association or any of them shall be open to the inspection of the members of the Association.

### **36.SETTLEMENT OF ACCOUNTS& BALANCE SHEET**

The accounts shall, unless the General Body fixes any other date there for, be settled by the Treasurer on the 31st of March in each year, and a balance sheet of the assets

and liabilities of the KCA on that day shall be made out by him. The Balance Sheet duly audited with the Auditor's remarks shall be laid before the General Body at the Annual General Meeting.

## **CHAPTER EIGHT: TRANSPARENCY & CONFLICT OF INTEREST**

### **37. TRANSPARENCY**

1. The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the KCA (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 KCA.
2. The composition of the various Committees (including the Governing Council), their reports of work done, financial outlay and expenditure shall be uploaded on the Website of the KCA 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 KCA which is in excess of Rs. 25 lakhs 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 KCA annually.
5. The audited accounts, balance sheets, income & expenditure accounts and annual reports shall be uploaded on the Website of the KCA annually.
6. The Financial and Compliance Reports of the Auditor shall be placed on the uploaded on the Website of the KCA annually.
7. All notices on or behalf of the KCA including tenders for goods and services, for contractual arrangements and the like shall be promptly uploaded on the Website of the KCA.
8. The website of the KCA shall have dedicated links to all the stadia in the State which host international matches, along with their complete seating capacity,

pricing and transparent booking procedures for all tournaments whether international, domestic or KPL. All sponsor and other free allotments shall also be disclosed, in no event being more than 10% of the entire seating capacity in any particular category .

### **38. CONFLICT OF INTEREST**

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

(i) Direct or Indirect Interest: When the KCA, a Member, the KPL 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 KCA 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 KPL Governing Council. The KPL 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 KPL 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 KCA. 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 KCA. His wife runs a catering agency that is engaged by the KCA. G is hit by Conflict of Interest.

(ii) Roles compromised: When the individual holds two separate or distinct posts or positions under the KCA, a Member, the KPL 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 KPL Franchisee. A is hit by Conflict of Interest.

Illustration 2: B is Secretary of the KCA. He is also President of a State Association. B is hit by Conflict of Interest.

Illustrations: C is the Vice President of the KCA. 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 KPL 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 KCA 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 KPL Governing Council. He is engaged by a cricket broadcaster to act as an KPL commentator. E is hit by Conflict of Interest.

(iv) Prior relationship: When the individual has a direct or indirect independent commercial engagement with a vendor or service provider in the past, which is now to be engaged by or on behalf of the KCA, its Member, the KPL or the Franchisee.

Illustration 1: A is President of the KCA. 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 KCA. 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 KPL. 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 KPL. D is hit by Conflict of Interest.

Illustration 4: F is the Captain of an IPL team, and G is the team's manager. When F is made Captain of the national team, G is appointed as the national team's manager. F is hit by Conflict of Interest.

(v) Position of influence: When the individual occupies a post that calls for decisions of governance, management or selection to be made, and where a friend, relative or close affiliate is in the zone of consideration or subject to such decision-making, control or management. Also, when the individual holds any stake, voting rights or

power to influence the decisions of a franchisee / club / team that participates in the commercial league(s) under KPL;

Illustration 1: A is a selector. His son is in the zone of consideration for selection. A is hit by Conflict of Interest.

Illustration 2: B is the Secretary of a State Association. He also runs a cricket academy in the State. B is hit by Conflict of Interest.

Illustration 3: C is an umpire. His daughter D is a member of a team which is playing a match in which C officiates. C is hit by Conflict of Interest.

Illustration 4: E is the President of a State Association and his company F owns 12 cricket clubs in the State from which probables are selected for the State team. E is hit by Conflict of Interest.

EXPLANATION: The Illustrations which refer to a President / Secretary / Vice-President may be read as illustrations referring to any other Office Bearer, and also to the members of the Apex Council, the Governing Council and the Committees.

(2) Within a period of 1.5 days of taking any office under the KCA, 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 KCA. The failure to issue a complete disclosure, or any partial or total suppression thereof would render the individual open to disciplinary action which may include termination and removal without benefits. It is clarified that a declaration does not lead to a presumption that in fact a questionable situation exists, but is merely for information and transparency.

(3) A Conflict of Interest may be either Tractable or Intractable:

a) Tractable conflicts are those that are resolvable or permissible or excusable

through recusal of the individual concerned and/or with full disclosure of the interest involved.

b) Intractable conflicts are those that cannot be resolved through disclosure and recusal, and would necessitate the removal of the individual from a post or position occupied so that the conflict can cease to exist. Explanation: In Illustration 3 to Rule 38(l)(i), if the wife held 51% shares, the conflict will be treated as intractable. If the wife holds 3% shares, whether the conflict is tractable or intractable will have to be decided by the Ethics Officer on the facts of the case. If the wife holds only 100 shares out of 1 crore shares, a disclosure of the same may be sufficient.

(4) It is clarified that no individual may occupy more than one of the following posts at a single point of time except where prescribed under these Rules:

- a) Player (Current).
- b) Selector / Member of Cricket Committee
- c) Team Official
- d) Commentator
- e) Match Official
- f) Administrator / Office-Bearer
- g) Electoral Officer
- h) Ombudsman & Ethics Officer
- i) Auditor
- 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.

### **39. THE ETHICS OFFICER**

1. The KCA 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 High Court or a legally well-versed person so appointed by the KCA after obtaining his/her consent and on terms as determined by the KCA in keeping with the dignity and stature of the office. The term of the Ethics Officer shall be one year, subject to a maximum of 3 terms in office.
2. Any instance of Conflict of Interest may be taken cognizance of by the Ethics Officer:
  - a. Suo Motu;
  - b. By way of a complaint in writing to the official postal or email address; or
  - c. On a reference by the Apex Council;

(3) After considering the relevant factors and following the principles of natural justice, the Ethics Officer may do any of the following:

- (a) Declare the conflict as Tractable and direct that:
- (i) the person declare the Conflict of Interest as per Rule 38(3)(a); or
  - (ii) the interest that causes the conflict be relinquished; or
  - (iii) the person refuse from discharging the obligation or duty so vested in him or her.
- (b) Declare the conflict as Intractable and direct that:
- (i) the person be suspended or removed from his or her post; and
  - (ii) any suitable monetary or other penalty be imposed; and
  - (iii) the person be barred for a specified period or for life from involvement with the game of cricket.

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

## **CHAPTER NINE: THE OMBUDSMAN**

### **40. THE OMBUDSMAN**

1. The KCA shall appoint an Ombudsman at the Annual General Meeting for the purpose of providing an independent dispute resolution mechanism. The Ombudsman shall be a retired Judge of the Supreme Court or a retired Judge of a High Court so appointed by the KCA after obtaining his/her consent and on terms as determined by the KCA 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 KCA 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 KCA.

40 A. The power and functions of an ethics officer and ombudsman shall be discharged by a single authority.

#### **41. GRIEVANCE REDRESSAL**

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

- (a) Member. Association & Franchisee Disputes

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

Procedure: Both parties would submit their arguments and a hearing would be conducted following the principles of natural justice and exercising all powers of enquiry and hearing as the Ombudsman deems fit before appropriate orders are passed.

- (b) Detriment caused by Member or Administrator

If any Member or any Administrator of the KCA commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the KCA or the game of cricket or endanger the harmony or affect the reputation or ; interest of the KCA or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the KCA and/or the Rules of conduct framed by the KCA, the Apex Council, on receipt of any

complaint shall issue a show Cause Notice calling for explanation and on receipt of the same and/ 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 KCA, 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 KCA

Where a member of the public is aggrieved, the same may be brought in the form of a complaint to the Ombudsman.

- (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 bye law, Regulations for Players, Team Officials, Administrators, Managers and Match Officials of the KCA.
- (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 KCA on being found guilty and expelled by the KCA 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 KCA.
- (5) A Member or Franchise once expelled, may, on application made after expiry of three years since expulsion, be readmitted by the KCA, provided the same is accepted at a General Body meeting by 3/4th members present and voting.
- (6) Pending inquiry and proceeding into complaints or charges of misconduct or any act of indiscipline or violation of any Rules and Regulations, the concerned Member, Administrator, Player, Match Official, Team Official, or other individual associated with the KCA (along with their respective privileges and benefits) may be suspended by the ombudsman until final adjudication. However, the said adjudication ought to be completed within six months, failing which the suspension shall cease.
- (7) The ombudsman shall have power to pass an interim order as it deems fit.

## **CHAPTER TEN: MISCELLANEOUS**

### **42.NOTICE**

1. Any notice required to be served on any Member of the KCA 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 KCA.
3. Any notice sent via post or e-mail shall be deemed to have been served at the time when the same was sent, and it shall be sufficient to prove either that the letter containing the notice was properly addressed and posted or that the email was sent to the correct e-mail address.

### **43.INDEMNITY**

Every Office-bearer, Councillor, CEO, Manager or a Member of a Committee of the KCA shall be indemnified out of the KCA's funds against all losses and expenses incurred in the discharge of his or her duties, except those which have occurred through willful 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 KCA and shall be answerable only for their own act, neglect or default and not for those of any other person.

### **44.SUITS BY OR AGAINST THE KCA**

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

#### **44 A. SECRECY CLAUSES:**

Every office bearer of the Association, official, employee, agent, accountant or clerk or other person employed in the business of the Association shall, before entering

upon his duties, be deemed to have pledged himself to observe a strict secrecy respecting all transactions of the Association among themselves, with the members of the Association and the public and the press and the statement of accounts with individuals, institutions and corporations and in all matters relating thereto and shall thereby pledge himself not to reveal any of the matters which may come to his knowledge in the discharge of his duties except when required to do so by the Apex council or by any meeting of the General Body or by a Court of Law.

No member of the Association shall be entitled to enter upon the premises and property of the Association to require discovery of any information respecting any detail of the Association, conduct of its business affairs in general or in particular except with the permission in writing by the Honorary Secretary.

#### **45.AMENDMENT AND REPEAL**

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

The old constitution shall cease to operate the filed as soon as this constitution comes into force.

All steps /actions / projects/appointments validly undertaken /made under the old bye law shall be deemed to be valid.

All resolution passed by the General body/central council under the old bye law shall continue to be binding and shall strictly followed unless validly reversed.

46. **COLOURS & CREST:** The crest of the Association shall be a dextrally coiled conch in gold colour on a navy-blue background encircled by a sunburst with thirty-two points alternatively oriented to right and left with the right oriented ones longer than the left oriented ones. A circle in gold shall be printed just outside the conch with the conch itself in the center and the words "KERALA CRICKET ASSOCIATION" shall be printed in bold letters and in gold colour around the conch so that it positions itself outside the circle and inside the sunburst, and with the sign of a heart printed at the bottom so that it maintains equal spacing between the first letter of the word Kerala and last letter of the word Association and comes directly below the conch.

**FLAG :** The Association shall have a flag with a blue back-ground and the crest in gold embossed thereon.

**SEAL:** A common seal shall be provided for the purpose of the Association and to affix it to any deeds or other documents or letters required to be under its common seal.