

FROM THE DESK OF

JUSTICE R.K. GAUBA

SENIOR ADVOCATE

FORMERLY:

JUDGE, HIGH COURT OF DELHI

JUDICIAL MEMBER, APPELLATE TRIBUNAL FOR ELECTRICITY

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BOXING FEDERATION OF INDIA (BFI) – ELECTIONS FOR THE TENURE 2025-29

Returning Officer's Order dated 15.03.2025

1. This Order shall be read in continuation of the Order dated 13.03.2025 passed and published by the undersigned.
2. The process for Elections of the "Office bearers and other Member of Executive Council" of the *Boxing Federation of India* ("BFI") for the tenure of 2025-29 was set in motion by the incumbent President (Mr. Ajay Singh) issuing, on 04.03.2025, a Notice convening Annual General Meeting (AGM) to be held on 28.03.2025, one of the agenda items to come up in such AGM being the said Elections. The undersigned was appointed as the Returning Officer ("RO") by the President of BFI through a communication dated 07.03.2025, which was duly published. These elections are being held in accordance with the *Memorandum of Association and Rules & Regulations* ("R&Rs") of BFI read with *Model Election Guidelines* which are part of *National Sports Development Code of India (NSCI), 2011* ("National Sports Code").
3. By the above-said Notice dated 04.03.2025, nominations were invited by the President of BFI from the affiliated Members of BFI of their respective Representatives (two each) for forming the *Electoral College*. Based on the nominations received, the President BFI prepared the *Electoral College List* and published the same on 12.03.2025, making over a copy to the undersigned. It may be noted that the said List included the names of only one Representative each from two Members viz. Himachal Pradesh and Meghalaya, excluding the second names, and included none from Tripura, the President having given his reasons for such exclusions by footnotes. On the strength of order dated 10.03.2025 passed by Hon'ble High Court of Delhi in Hon'ble Court by order dated 10.03.2025 on CM Appl. 14437-14438/2025 in WP(C) 3579/2024 *Kuldeep Sharma v. UOI and others*, the writ petitioner (Kuldeep Sharma) had made a representation before the undersigned in relation to the affairs and office bearers of *Delhi Amateur Boxing Association* ("DABA"), one of the constituent Members of BFI. Against the above backdrop, the President BFI in the *Electoral College List*, published by him on 12.03.2025, had stated in the footnote that the inclusion of the names of the two nominees of DABA is "Subject to orders of Learned Returning officer".
4. Meanwhile, Mr. Hemanta Kumar Kalita, the incumbent Secretary General of BFI had prepared another *Electoral College List*, having put it up to the President with copy of the email endorsed to the undersigned.
5. The representation of Mr. Kuldeep Sharma concerning DABA and the position created by two different *Electoral College Lists* was considered at the public hearing held on 12.03.2025 and 13.03.2025. By a detailed order passed in late hours of 13.03.2025, it was, *inter alia*, concluded that the *Electoral College List* prepared by Mr. Kalita, the incumbent Secretary General of BFI cannot be acted upon for several reasons particularly in view of the unambiguous rules vesting in the President the "overall powers of supervision" over the working of BFI and also responsibility to "oversee office



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Bearers/Members" of the EC. Thus, by Order dated 13.03.2025, it was decided that the *Electoral College List* published by the President on 12.03.2025 shall only be used for further process of these elections. By the same very order dated 13.03.2025, the objections raised against the nominations sent by the President of DABA were accepted and it was directed that the "*Electoral college List prepared and published on 12.03.2025 by the President BFI shall, thus, be read omitting the names of Mr. Rohit Jainendra Jain and Mr. Neeraj Kant Bhatt*".

6. In terms of the schedule for the Elections at hand published on 12.03.2025, the submissions of nominations by the Representatives of the Members in the *Electoral College List* has commenced on 14.03.2025, this process slated to conclude at 6 PM on 16.03.2025. Meanwhile, some further representations by email communications have come in, received from around the time of conclusion of above-mentioned hearing on 13.03.2025 or after the order dated 13.03.2025 had been issued. These need to be considered and decided upon.
7. By her email sent at 10.35 PM on 13.03.2025, Ms. Aastha Khanna writing on behalf of DABA has submitted a note on powers of RO. This was sent after the Order dated 13.03.2025 had already been issued by the undersigned. The detailed submission made at the hearing were duly considered. The communication stands suitably dealt with and calls for no further action.
8. The other representations having a bearing on the *Electoral College List* are by:
 - (i) Emails dated 09.03.2025 and 10.03.2025, each from Mr. Juber Khan addressed to the President BFI and to the RO respectively, seeking action against Rajasthan Boxing Association and inclusion of his name in proposed ad-hoc committee;
 - (ii) Email dated 10.03.2025 from Mr. Fateh Singh Rathore addressed to the RO seeking exclusion of Mr. Dharendra Singh and permission for his participation in the election process for Rajasthan;
 - (iii) Mr. Larry Kharpran and Mr. Dondor Marwein, each for "for Meghalaya Boxing Association" by Emails sent at 4.31 and 4.52 PM respectively PM on 13.03.2025 seeking confirmation that the Electoral College List would be the one circulated by the Secretary General of BFI;
 - (iv) Mr. S. Ramesh Babu, Advocate, by his email sent at 09.16 PM on 13.03.2025, taking exception to the nomination of Mr. Pon. Bhaskaran to the Electoral College List from Tamil Nadu;
 - (v) Mr. Santosh Kumar Chhetri by email communications dated 11.03.2025 and 14.03.2025 against nominations of Mr. Pramod Kumar and Mr. Atul Agnihotri as representatives of UP Association to the Electoral College on the grounds that there has been no resolution passed in the State Association and their inclusion is questionable on same grounds as applied by the President to justify some other exclusion;

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- (vi) Mr. Samir Saha describing himself as Secretray of Tripura Amateur Boxing Association by Emails dated 12.03.2025 and 13.03.2025 seeking permission form RO for voting in the elections of BFI and submission on procedure;
- (vii) Dr. Rupak Debroy describing himself as the President of Tripura Amateur Boxing Association by Email sent at 6.18 AM today (15.03.2025) submitting a representation dated 15.03.2025 seeking inclusion of his name and that of Mr. Ashok Kumar Saha in the Electoral College List primarily on the grounds that the exclusion is discriminatory, the said Association being affiliated with Tripura State Olympic Association which, in turn, is affiliated unit of Indian Olympic Association, also raising some questions as to the present status of the President BFI;
- (viii) Maharashtra Olympic Association Ad-hoc Committee for Boxing through Emails dated 13.03.2025, one sent by Mr. Nilesh Jagtap (Convenor) and the other by same person with Mr. Deepak Majari (Chairman) proposing inclusion of two names as their representatives in the Electoral College;
- (ix) Dr. Rakesh Tiwari by email sent at 4.18 PM today (15.03.2025) making demand for immediate rectification by inclusion of Maharashtra Boxing Association; and
- (x) Mr. MK Pushkaran and Mr. Usman K, describing themselves as the President-in-charge and Secretary-in-charge of Kerala State Amateur Boxing Association sent by email dated 14.03.2025 submitting Complaint letter with some documents seeking removal of the names of Dr. NK Sooraj and Mr. D. Chandralal from the Electoral College List, referring in this context to some internal disputes.
9. The above-mentioned representations have been examined. It is noted that in terms of the R&Rs of BFI read with *Model Election Guidelines* forming part of the National Sports Code, which govern and regulate this election, the choice of persons nominated as representatives in the Electoral College is of the President/General Secretary of the State Association (the former holding primacy over the latter), the scrutiny at the level of BFI being limited to ensure that the same is made by person authorised by the R&Rs and is of persons who are eligible to be so nominated and there is no disqualification incurred. As already concluded and held by order dated 13.03.2025, the preparation of the *Electoral College List* is primarily the responsibility of the President of BFI, the list finalized by him holding primacy over any other list, if separately or differently prepared by the Secretary General. The role of the RO begins after his appointment and making over of the *Electoral College List* to him by the President/Secretary General under sub-clause (f) in sub-para (iii) under Para S of Section II in Part-B of R&Rs of BFI. The *Electoral College List*, prepared and published on 12.03.2025, excluding certain nominations received by BFI from Himachal Pradesh, Meghalaya and Tripura, leaving the subject of objections in relation to Delhi to the undersigned against backdrop mentioned at length in Order dated 13.03.2025, was thus passed on to the undersigned as per rules.

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10. As noted in the Order dated 13.03.2025, though the List published by the President of BFI excluded certain nominees from three States (Himachal Pradesh, Meghalaya and Tripura) and also kept the subject open for another (Delhi), objections were received only in relation to Delhi. The request for inclusion of names on basis of above-mentioned representations from Rajasthan cannot be granted as it is beyond the domain of the RO. It was held on 13.03.2025 that the list prepared by the Secretary General of BFI cannot be acted upon. There is no room or reason for a different view to be taken now, on these representations concerning exclusion of nominees from Meghalaya or Tripura, or for inclusion of certain names from Tamil Nadu, or UP, or Kerala.
11. As regards Maharashtra, the Executive Director of BFI has reported that in the said State there is a Review committee appointed by BFI to look after the affairs of Maharashtra Boxing Association, there being no elected body in place and also that the names of representatives were received after the cut-off time i.e., post 6:00 p.m. on 10.03.2025 and, therefore, the names of the representative of Maharashtra Boxing Association are not included in the Electoral College. These reasons are found to be sufficient to reject the representations.
12. The questions raised vis-à-vis Delhi were decided by reasoned order passed on 13.03.2025 and the *Electoral College List* resultantly emerging post the said Order dated 13.03.2025 has to be abided by without suggestions for further amendments being entertained at this stage. For the reasons set out above, the representations mentioned in para 7 (*supra*) are rejected.
13. Besides the above, there are eleven email communications dated 11.03.2025 sent by an entity describing itself as "*Indian Generalist Association*" sharing copy of representation given to certain authorities in State of UP on registration of Sports Associations and copies of sundry documents raising questions about credibility of the candidature of Mr. Pramod Kumar. The process of filing nominations of candidates for the election is presently underway. The nominations received would be subjected to scrutiny on 18.03.2025, the time and venue whereof has already been notified. The communications are premature and stand disposed of accordingly. If the individual in question offers his candidature for the election, such objections may be examined, *if raised at scrutiny*, as per rules regulating the process.
14. The Executive Director of BFI is requested to publish a copy of this on the official website of the BFI and also communicate to all concerned.

Date: 15.03.2025



(Justice R. K. Gauba)

Returning Officer

for Elections of BFI (for term 2025-29)

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