

**OFFICE OF THE RETURNING OFFICER
FOR JFI ELECTION**

Sub.: Order of Hon'ble High Court on CM No.4798/2018 of WP (C) 10353/2017

Based on the directions of the Hon. High Court of Delhi in order dated 07/02/2018 , copy of which was made available to the Returning Officer on 08/2/2018, the impleaded applicants who were Respondent Nos. 10 & 11 in the above mentioned case, were called for a hearing on 09/2/2018 at JFI Office. The President and General Secretary of the Delhi Judo Council were also called as they are the affected party.

Both groups were heard. On behalf of the applicants their learned Counsel argued that in continuation of the National Sports Code issued by the Ministry of Youth Affairs and Sports (MYAS) in January 2011 and the instructions contained in the MYAS letter dated 01/05/2010, the Govt. of NCT of Delhi has issued instructions in letter dated 12/1/2015 . In the letter of the NCT of Delhi, it is directed that the instructions contained in the MYAS letter dated 01/05/2010 be enforced on all the Delhi State Sports Associations recognized by the Delhi State Sports Council and the Delhi Olympic Association. This implies that the instructions including age restriction and tenure restriction apply to all elected posts in the State Sports associations.

The Counsel states that the present working President of the Delhi Judo Council is beyond the prescribed age limit and he has continued to hold the position of the President of the Delhi Judo Council much beyond the permitted tenure. Since elections have not been held in the Delhi Judo Council subsequent to the merger in 2001, the present General Secretary is also not eligible to be part of the Electoral College of the JFI.

The President of the Delhi Judo Council argues that the said letter of the NCT of Delhi dated 12/01/2015 has never been brought to his notice; hence neither he nor the General Secretary can be held responsible for not fulfilling the directions. He admits that he is beyond 70 years in age and is keen to hand over the reins to younger generation. However, he is unable to do so due to the stay in the matter from the District (Saket) Court in a case filed by the petitioners here.

It is evident that the Hon. High Court of Delhi has directed to hold the election of JFI through an independent Returning Officer to start cleaning up the process. It is true that there are irregularities that continue in the State Councils and the JFI has not taken effective action in this regard. A free and fair election is the first step. The content of the NCT of Delhi letter dated

12/1/2015 is very clear and there is no reason why such a direction should be ignored once it has been brought to notice.

The Directions of the High Court of Delhi to the Returning Officer was to ensure that the Electoral Roll contains such persons who are duly eligible based on the National Sports Development Code, the Govt. of India directions and the State Govt. orders. For this purpose instructions have been issued to all concerned State Judo associations on 30/11/2017 by JFI to hold elections, wherever due. Some of them have gone ahead and held elections in order to be part of the Electoral College of the JFI. However, the Delhi Judo Council does not seem to have taken any action to hold the election stating that the matter is under stay. They could have filed a petition before the district court so that the status of the office bearers could be regularized and the Delhi Judo Council became a validly elected body.

All efforts have been made and action taken to hold the elections to the JFI through a free fair and transparent process. The aim is to complete the process within the time-limit laid down by the Hon'ble High Court of Delhi. The defect now evident in the Delhi Judo Council should not vitiate the JFI election process.

Hence it is decided to delete the names of the representatives of the Delhi Judo Council from the Electoral Roll of the JFI Elections. They will not be allowed to participate in the elections scheduled on 10th Feb. 2018.



Dr. Nivedita P Haran, IAS (Retd.)
Returning Officer for
JFI Election

Date : 9th Feb. 2018
Place : Delhi