

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY
ORISSA ACT 14 OF 1994

*THE ORISSA SPORTS AUTHORITIES ACT, 1994

[Received the assent of the Governor on the 1st September 1994, first published in an extraordinary issue of the *Orissa Gazette*, dated the 9th September, 1994.]

AN ACT TO CONSTITUTE SPORTS AUTHORITIES FOR THE PROMOTION OF GAMES AND SPORTS AND YOUTH ACTIVITIES IN THE STATE AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO

BE it enacted by the Legislature of the State of Orissa in the Forty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Orissa Sports Authorities Act, 1994.
- (2) It extends to the whole of the State of Orissa.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—
 - (a) "District Authority" means the District Sports Authority constituted under section 11 ;
 - (b) "Government" means State Government of Orissa ;
 - (c) "Managing Director" means the Managing Director of the Sports Authority ;
 - (d) "Member" means a Member of the Sports Authority or the District Authority, as the case may be ;
 - (e) "Prescribed" means prescribed by rules ;
 - (f) "rules" means rules made by the Government under this Act ;
 - (g) "Sports Authority" means the Sports Authority of Orissa constituted under section 3 ;
 - (h) "Year" means the financial year ;
 - (i) "Youth activities" means activities relating to youth, adventure sports, activities for the welfare and promotion of physical fitness of the young persons including building up of character, esprit-d-corps and patriotism through games and sports ;
 - (j) words and expressions used but not defined in this Act shall have the meanings, if any, respectively assigned to them in the relevant Acts.

* For the Bill See Orissa Gazette, Extraordinary, dated the 22nd July 1994 (No. 878)

CHAPTER II

THE STATE SPORTS AUTHORITY

Constitution
of State
Sports
Authority.

3. (1) The Government shall, by notification, constitute an Authority called the Sports Authority of Orissa which shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act and the rules, to acquire, take over, hold and dispose of property and shall, by the said name, sue and be sued.

(2) The Sports Authority shall consist of the following members, namely :—

- (a) a Chairman to be appointed by the Government ;
- (b) the Secretary to Government in the Sports and Youth Services Department, who shall be the Vice-Chairman ;
- (c) the Managing Director ;
- (d) two members of the Orissa Legislative Assembly having sports background, to be elected by the Assembly from amongst its members in the prescribed manner ;

Provided that whenever vacancies arise in offices specified in sub-clause (d) of the above clause due to dissolution of Orissa Legislative Assembly, the State Government may fill up the said vacancies by nominating two persons who shall, unless sooner removed, hold office till the date on which the names of the members elected under the said clause by the Assembly after its reconstitution are published in the Gazette and the term of office of the members so elected shall be co-terminous with the term of office of the members nominated under sub-clause (d) ;

- (e) an officers belonging to the Orissa Finance Service as may be nominated by the Government, who shall be the Member, Finance ;
- (f) the Director, Higher Education, Orissa ;
- (g) the Director, Secondary Education, Orissa ;
- (h) the Director, Elementary Education, Orissa ;
- (i) the Director General and Inspector-General of Police, Orissa ;
- (j) Deputy Director General, National Cadet Corps, Orissa ;
- (k) eight other members, of whom two shall be women, one Scheduled Caste and one Scheduled Tribe member to be appointed by the Government from among—
 - (i) the outstanding sports persons who participated at least at the national level in any discipline of sports and games ;
 - (ii) persons who have rendered valuable service for promotion of sports and games in the State ; and
 - (iii) office bearers of the State Sports Associations.

Powers and
functions of
Sports
Authority.

4. The Sports Authority shall be the principal policy formulating body relating to sports and games and youth activities and shall have the following powers and functions, namely :—

- (a) approve the Sports Calendar of the State ;

- (b) accord administrative and financial sanctions for construction and maintenance of Stadia, Indoor Stadia, Swimming Pools, Play Fields and other sports infrastructure and the like in the State;
- (c) approve the proposals received from the District Authority for construction of sports infrastructure and the like in the district and forward the same to the State Government, Government of India and Sports Authority of India, as the case may be, for sanction of grants under relevant schemes;
- (d) implement the sports programmes of the Government of India, Sports Authority of India and the Netaji Subhas National Institute of Sports, Patiala and the State Government;
- (e) accord administrative and financial sanctions for the creation of posts in the Sports Authority and the District Authority;
- (f) approve budget estimates of the Sports Authority;
- (g) promote youth activities and other matters related and incidental thereto draw up and implement plans in keeping with the policy of sports, games and youth activities, Youth Welfare Policy of Government of Orissa and Government of India;
- (h) raise finances by leasing out the property owned by or vested in it in the manner prescribed;
- (i) augment the income of the Sports Authority by conducting tournaments, matches and other sports events and adventures activities and arranging sale of tickets, receipt of donations, etc. in connection therewith;
- (j) accept endowments bequests, donations, trophies, grants and transfer of any movable and immovable properties made over to the Sports Authority;
- (k) take steps for the welfare of the Sports persons, sports officials and the like and to run benevolent schemes for active, veteran and retired sports persons and officials;
- (l) co-ordinate and supervise all games, sports, physical education and youth activities implemented by the State Level and District Level bodies and disciplinewise State Level Sports Association affiliated to the All India bodies like Orissa Olympic Association, Orissa Cricket Association, Orissa Football Association, Orissa Amateur Athletic Association and Orissa Lawn Tennis Association and to ensure that the funds allotted to these institutions for promotion of sports, games, physical education and youth activities are properly utilised;
- (m) provide for education, training and coaching in various games, sports and youth activities and, for that purpose, establish, manage and administer institutions fully or partly;
- (n) approve and present the audited statement of accounts and utilisation certificates of the Sports Authority to the Government;
- (o) approve the audited statement of accounts of all Districts Authorities and submit the same to the Government, together with utilisation certificates;
- (p) audit the accounts of District and State Level Associations and institutions receiving grants from the Government and submit reports to the Government regarding their activities and proper utilisation of funds;
- (q) take over all or any sports infrastructure for which land has been allotted or funds have been provided by the Government partly or fully;
- (r) exercise such other powers and perform such other functions as may be conferred on it by the Government from time to time.

Salaries and allowances and other conditions of service of Chairman and allowances of members.

5. (1) The Chairman of the Sports Authority shall be entitled to such salary and allowances as may be prescribed.

(2) Other members of the Sports Authority shall be entitled to such allowances as may be prescribed from time to time.

Managing Director and powers and functions.

6. (1) There shall be a Managing Director of the Sports Authority to be appointed by the Government from among the officers belonging to the State or the Central Government or the Defence Service, who are eligible to be appointed as an Additional Secretary or a Secretary to the Government.

(2) The Managing Director shall be the Chief Executive of the Sports Authority and shall exercise the following powers and perform the following functions, namely:—

- (i) implement all the programmes of the Sports Authority;
- (ii) exercise general supervision and control over the Sports Officers, Office Staff, Field Staff, Coaches, Superintendents of Sports Hostels or any other employee of the State Authority and District Authorities;
- (iii) exercise administrative control over all the Sports Hostels and other institutions of games, sports, youth activities;
- (iv) deal with all the administrative matters pertaining to appointment postings, transfers, promotion and disciplinary actions of the staff of the Sports Authority and District Authorities;
- (v) run the day-to-day administration of the Sports Authority and conduct all its financial and administrative transactions;
- (vi) be the custodian of the finances of the Sports Authority;
- (vii) prepare and present the audited statement of accounts, utilisation certificates to the Sports Authority for its approval;
- (viii) recommend administrative and financial sanctions for the creation of the posts of officers and other employees for the performance of the functions of the Sports Authority and District Authorities.

7. The Sports Authority shall review, in its meeting, atleast once a year, the Progress and performance of the Authority and give such policy directions to the Managing Director and the District Authorities, as it may deem fit.

8. (1) The Chairman or, in his absence, the Vice-Chairman shall preside over the general body meetings of the Sports Authority.

(2) The Chairman shall be the appellate authority in respect of orders passed by the Managing Director and shall have powers to call for any information, document and data pertaining to the Sports Authority.

(3) The Chairman shall be competent to appoint any Committee to enquire into, and report on, the affairs of the Sports Authority and all State Level Associations who receive grants from Government, proper maintenance and upkeep of infrastructure partly or wholly funded by the Government, and to pass such orders thereon as he may consider proper.

(4) The Chairman may direct convening of the meetings of the Sports Authority for any purpose.

9. The Chairman may, in writing, delegate such of his powers as he may consider necessary, to the Vice-Chairman.

Powers of
Vice-
Chairman

10. In addition to the powers delegated by the Chairman and other powers conferred under this Act, the Vice-Chairman shall exercise the following powers, namely:—

- (i) preside over all meetings of the Selection Committee to be constituted for appointment, whether by promotion or selection, two posts of Junior Coaches, Junior Sports Managers, Junior Physical Education Teachers and such other posts of the Sports Authority as may be decided by the Authority;
- (ii) co-ordinate the activities of the Sports Authority in relation to the Departments of the Government.

CHAPTER III

DISTRICT SPORTS AUTHORITY

Constitution
of District
Sports
Authority.

11. (1) The Government shall, by notification, constitute an Authority for each district to be called the District Sports Authority.

(2) The District Authority shall consist of the following members, namely :—

- (a) Collector of the district, who shall be the Chairman, *ex-officio*;
- (b) Superintendent of Police of the district, who shall be the Vice-Chairman, *ex-officio*;
- (c) Inspector of Physical Education of Education Circle of the district, Member *ex-officio*;
- (d) Executive Engineer, Roads and Buildings or Executive Engineer, Rural Development to be nominated by the Chairman of the District Authority, Member *ex-officio*;
- (e) the District Sports Officer appointed under section 12, who shall be the Member-Secretary;
- (f) a teacher to be nominated by the Government from among the Physical Education Teachers in the district;
- (g) four other Members, of whom, one shall be appointed by the Sports Authority from among the outstanding sports persons who participated in the national competitions, persons who have rendered valuable service for the promotion of sports and games in the district and reigning champions at the national level tournaments, and the remaining three including one woman shall be nominated by the Government.

District
Sports
Officer.

12. There shall be a District Sports Officer of every District Authority who shall be appointed by the Sports Authority in the manner prescribed.

Functions
of the
District
Authority.

13. The District Authority shall perform the following functions, namely:—

- (i) approve the Sports Calendar of the District;
- (ii) approve the proposal for construction of Stadium, Indoor Stadium, Swimming Pools, Play Fields and the like in the district and to obtain the administrative and financial sanctions from the Sports Authority;
- (iii) approve the budget estimates and the revised estimates of the District Authority;
- (iv) raise finances by leasing out the properties owned by, or vested in, it in the manner prescribed;
- (v) augment the income of the District Authority by conducting tournaments, matches and other sports events and arranging the sale of tickets in connection therewith;

- (vi) accept endowments, bequests, donations, trophies, grants and transfer of any movable and immovable properties made over to the District Authority;
- (vii) promote and organise indigenous sports, women sports, rural sports, tribal sports, children sports, adventure sports and the like at the district level;
- (viii) promote and organise major games and sports which have National and International importance at the district level and arrange to send the district teams for State Level events to be conducted by the sports Authority;
- (ix) implement the various sports programmes of the Sports Authority of India, Netaji Subhas National Institute of Sports, Patiala and the like which are allotted to the district;
- (x) approve and present the audited statements of accounts and utilisation certificates to the Sports Authority;
- (xi) co-ordinate all games, sports and physical education activities in all educational institutions and District Level Associations whether or not they are receiving grants from Government and ensure that the funds allotted to these institutions and associations for the promotion of games, sports and physical education are properly utilised;
- (xii) exercise such other powers and perform such other functions as may be conferred upon, or entrusted to, it by or under this Act.

Powers and
Functions of
Member -
Secretary of
the District
Authority

14. The Member-Secretary shall be the Chief Executive of the District Authority and he shall exercise the following powers and perform the following functions, namely :—

- (i) implement all the programmes of the District Authority;
- (ii) exercise general supervision and administrative control over the District Sports Officer, Coaches, field and other staff working under the administrative control of the District Authority, subject to general supervision of the Chairman of the District Authority and the Managing Director of the Sports Authority;
- (iii) run the day-to-day administration of the District Authority and conduct all its financial and administrative transactions;
- (iv) work under the general supervisions and administrative control of the Chairman of the District Authority and Managing Director of the Sports Authority;
- (v) prepare and present the audited statements of accounts and utilisation certificates to the District Authority for its approval;
- (vi) convene the meetings of the District Authority from time to time as may be decided by the Chairman of the District Authority.

CHAPTER IV

MISCELLANEOUS

Term of
office of
members and
Sports Authority
procedure
and conduct
of its
meeting.

15. (1) The term of office of the State Sports Authority and the District Sports Authority shall be four years from the date of publication of their names in the Gazette.

(2) When any vacancy occurs in the office of a member, due to death, resignation or otherwise, such vacancy shall be filled up by fresh nominations, election or appointment as the case may be and the person so nominated, elected or appointed shall continue for the unexpired portion of the term of the member in whose place, he is so nominated, elected or appointed.

(3) The procedure to be followed at the meetings of the State Sports Authority and District Sports Authority shall be such as may be prescribed.

Transfer of
certain
institution.

16. The Government may, at any time after the commencement of this Act, transfer to the Sports Authority the properties and functions of the existing State Sports Council, the powers and functions of the Directorate of Sports and Youth Services alongwith the staff, as it may deem proper;

Provided that in the event of the Government transferring the staff as aforesaid, the conditions of service of such staff as on the date immediately preceding the date of such transfer shall not be varied to their disadvantage.

Authentica-
tion of orders
etc.

17. All the orders and decisions of the Sports Authority and the District Authority shall respectively be authenticated by the signature of the Managing Director and the Member-Secretary, respectively.

Sports Auth-
ority to func-
tion under
the general
supervision
of Govern-
ment.

18. The Sports Authority shall function under the general supervision of the Government and the Government shall have powers to give such directions as it may deem fit from time to time and shall also review the action of the Sports Authority.

Funds of
the Sports
Authority.

19. The Sports Authority and the District Authority each shall have its own funds consisting of—

- (a) the grants made by the State Government and the Central Government;
- (b) all money received by or on its behalf under the provisions of this Act or any other law for the time being in force or under any other contract ;
- (c) all proceeds of the disposals of property by or on its behalf;
- (d) all rents accruing from any of its properties;
- (e) all moneys received by or on its behalf from any local authority, public corporation, public or private companies, public and philanthropists or persons by way of grants, endowments, trusts, gifts or deposits or in any form ;
- (f) all interests and profits arising from any investment or transaction in connection with any money belonging to it ;
- (g) proceeds from tournaments conducted by it and collection of fees for coaching in various sports activities.

Powers of
authorities to
borrow.

20. The Sports Authority may, from time to time, with the previous sanction of the Government and subject to the provisions of this Act and to such conditions as may be prescribed, borrow any sum required for the purposes of this Act.

Guarantee of
loans.

21. The Government may guarantee in such manner as they think fit the payment of the principal and interest of any loan proposed to be raised by the Sports Authority or any District Authority.

Accounts
and audit.

22. (1) Every Authority under this Act shall cause proper accounts and other records in relation thereto to be kept, including the proper system of internal check, and prepare an annual statement of accounts, including the income and expenditure account and the balance sheet, in such form as may be prescribed by regulations.

(2) The accounts of every Authority under this Act shall be audited by such persons as may be appointed by the Government and any expenditure incurred in connection with such audit shall be payable by the concerned Authority to the Government.

Inspection
and control.

23. (1) The Government shall have the right to cause an inspection to be made by such person or persons as they may direct to the affairs and properties of the Sports Authority or any District Authority, its building, stadia, indoor stadia, swimming pools, play-fields and the site and also to cause an enquiry to be made into the matters connected with the said Authorities.

(2) In every case of such inspection or enquiry, the Government shall give notice to the concerned Authority of their intention to cause such inspection or enquiry to be made and the concerned Authority shall be entitled to be represented thereat.

Recruitment
of officers and
employees and
their
conditions of
service.

24. Save as otherwise provided in this Act, the recruitment and conditions of service of the officers and the employees of the Sports Authority and District Authority shall be such as may be prescribed.

Power to
make rules.

25. The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

Power to
make regula-
tions.

26. The Sports Authority may, with the previous approval of the Government, make regulations not inconsistent with the provisions of this Act and the rules to provide for all or any of the following matters, namely:—

- (a) the administration of the funds and other properties of the Authorities under this Act and the maintenance of their accounts;
- (b) the duties of officers and employees of the Authorities ;
- (c) the procedure to be followed by the Authorities in inviting, considering and accepting tenders;
- (d) supervision and guidance of the activities of all Sports Associations, Sports Councils and other Sports Bodies within the State so as to ensure excellence in sports and games in conformity with the National Sports Policy and the State Sports Policy and guidelines relating thereto ; and
- (e) any other matter arising out of the functions of the Authorities under this Act, in which it is necessary or expedient to make regulations.

Power to
remove
doubts and
difficulties.

27. If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything not inconsistent with the provisions of this Act or the rules, which appears to them necessary for the purpose of removing the doubt or difficulty:

Provided that no order shall be issued under this section after the expiry of a period of two years from the date of commencement of this Act.