

**GOVERNMENT OF KERALA**

**Law (Legislation - Unification) Department**

**NOTIFICATION**

No. 11182/Leg. Uni. 3/99/Law Dated, Thiruvananthapuram 1st June 2002, 11<sup>th</sup> Jyaishta, 1924

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorize the publication in the Gazette of the following translation in the English Language of the Kerala Sports Act 2000 (2 of 2001)

By order of the Governor,

V. RAMKUMAR,  
Law Secretary

**ACT 2 OF 2001**

**THE KERALA SPORTS ACT 2000**

AN

ACT

An act to provide for the promotion of sports and games and to augment the athlete efficiency in the State of Kerala and for the constitution of Sports Councils at the State level, District level and Local level and for matters ancillary or incidental thereto.

Preamble.- WHEREAS it is necessary and expedient to make provisions for the promotion of sports and games and to augment the athletic efficiency in the State and to extend and promote the concept of “Sports for all”;

AND WHEREAS it is expedient to constitute sports councils at State level, District level and Local level for securing grater measure of participation of the people in sports and games and to confer on such sports councils, special powers for carrying out the objects aforesaid:

BE it enacted in the fifty first year of the Republic of India as follows: -

## CHAPTER I

### PRELIMINARY

**1. Short title, extent and commencement.**- (1) This Act may be called the Kerala Sports Act, 2000.

(2) It extends to the whole State of Kerala.

(3) It shall come into force on such date as the Government may by notification, appoint, and different dates, may be appointed for different areas and for different provisions of this Act and any reference to the commencement of this Act in relation to any areas, shall be construed as a reference to the commencement of that provisions in that area.

**2. Definitions:-** In this Act, unless the context otherwise require,-

<sup>1</sup>[(i) “Appellate Tribunal” means the Appellate Tribunal constituted under section 41;]

(ii) <sup>2</sup>[\*\*\*]

(iii) “Corporation Sports Council” means a Corporation Sports Council constituted under section 15 for a Municipal corporation area;

(iv) “District” means a Revenue District;

(iv A) <sup>3</sup>[\*\*\*]

(v) “District Sports Council” means the District Sports Council constituted under section 9 for a district;

<sup>4</sup>[(v A) "District Sports Council Chairman" means the District Collector of the revenue district concerned.]

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1. Subs.by KS(A) Act, 2018

2. The words "Block Panchayat" and definition was omitted by KS(A) Act, 2018.

3. The words " District Level Dispute Redressal Committee and its definition were inserted by KS(A) Act, 2015.

4. Ins. by KS(A) Act, 2015.

(vi) “Educational Institution” means University, College, School, Polytechnic or such other institution where instruction is imparted in any scientific - technical or arts subjects or any other institution notified by Government as an educational institution;

(vii) “Existing Sports Council” means the existing sports council functioning in the State;

<sup>5</sup>[(vii A) "Fund" means the State Sports Development Fund constituted under section 34A;]

<sup>6</sup>[(viii) “Member” means a member of State Sports Council or District Sports Council or Corporation Sports Council or Municipal Sports Council or Village Sports Council whichever is relevant to the context;]

(ix) “Municipal Sports Council” means a Municipal Sports Council constituted under section 15 for a Municipal Council area;

(x) "Notification" means notification published in the Gazette;

<sup>7</sup>[(xA) "open place" means any place, whether enclosed or not , having no building, or not more than five percentage of the total land of which is covered with buildings, and is primarily used, either wholly or partially for sports matters;]

<sup>8</sup>[(xB) "playground" means a place made suitable for the purpose of sports, games or physical exercises;]

(xi) “Prescribed” means prescribed under this Act;

(xii) “Recognised Sports Organisation” means a sports organization registered with the State Sports Council, in accordance with the provisions of this Act;

(xiii) “Regulation” means regulation made by the State Sports Council under this Act;

<sup>9</sup>[(xiv) “sports” include out-door events, games conducted in open place or country sports, indoor games, those included as competitive items in the Common Wealth Games, Asian Games or National Games and aquatic sports, conducted from year to year as National Championships and other sports activities which are declared by the Government, by notification, as sports or games, on the recommendation of the State Sports Council;]

(xv) “Sports Organisation” means an organization constituted in accordance with law having a written constitution for the promotion of sports and games;

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5. Ins. by KS(A) Act, 2015

6. The words " or Town Sports Council or Block Sports Council" were omitted by KS(A) Act, 2018.

7. Cl.(xA) was Ins. by KS(A) Act, 2015.

8. Cl.(xB) was Ins. by KS(A) Act, 2015.

9.Subs.by KS(A) Act, 2015.

<sup>10</sup>[(xvi) “Sports Club” means a sports association registered under the Travancore - Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (12 of 1955) or the Societies Registration Act 1860 (Central Act 21 of 1860) and affiliated to the District Sports Organization concerned in accordance with the provisions of this Act and the rules made there under;]

<sup>11</sup>[(xvi A) "Sports Director" means the officer appointed by the Government as the head of the Sports Department.]

<sup>12</sup>[(xvi B) "Sports facility" means any stadium, playground, open place or any facility which is its part or ancillary to it;]

<sup>13</sup>[(xvii) “sportsman” means, a person who has participated in any sports item specified in clause(xiv) of section 2 at the District , School, University, State, National or International level and is registered as a sportsman;]

<sup>14</sup>[(xviii) stadium means an athletic or sports ground with a gallery for the spectators;]

<sup>15</sup>[(xviii A) “Standing Committee” means the standing committee of the State Sports Council;]

(xix) “State Sports Council” means the Kerala State Sports Council constituted under section 3;

(xx) “Chairman of the State Sports Council” means the Chairman of the State Sports Council;

(xxi) “President of the State Sports Council” means the person nominated by the Government as the President of the State Sports Council;

(xxii) <sup>16</sup>[\*\*\*]

(xxiii) “Village Sports Council” means a village sports council constituted under section 15 for a village panchayat area;

(xxiv) “Year” means financial year.

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10. Subs. by KS(A) Act, 2015.

11. Ins. by KS(A) Act, 2015.

12. Ins. by KS(A) Act, 2015.

13. Subs. by KS(A) Act, 2015.

14. Subs. by KS(A) Act, 2015.

15. Subs. by KS(A) Act, 2018.

16. Omitted by KS(A) Act, 2018.

## CHAPTER II

### ESTABLISHMENT OF STATE SPORTS COUNCIL AND ITS FUNCTIONS

**3. Constitution and composition of the Kerala State Sports Council.** - (1) As soon as may be after the commencement of this Act, the Government may by notification, constitute with effect from such date, as may be specified in the notification, a State Sports Council to be called “the Kerala State Sports Council”.

(2) The State Sports Council shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property, both movable and immovable and to enter into contract and shall by the said name sue and be sued:

(3) The Kerala State Sports Council shall consist of the following members, namely:-

#### Ex-officio Members

- (a) The Minister in charge of sports, who shall be the chairman of the State Sports Council;
- (b) The Secretary to the Government dealing with Sports Department;
- (c) The Finance Secretary (Expenditure);
- (d) The Director General of Police;
- (e) The Director, Sports and Youth Affairs;
- (f) The Director of Public Instruction;
- (g) The Director of Collegiate, Education;
- (h) The Director of Technical Education;
- (i) The Director of Higher Secondary Education;
- (j) The Director of Vocational Higher Secondary Education;
- (k) The Director of Health Services;
- (l) The Secretary of the State Sports Council;
- (m) The Director of Public Relation.

### **Elected Members**

(a) One member each from each of the recognized State Sports Organization elected by the members of such organization from among themselves.

<sup>17</sup>[(b) One member each from each of the District Sports Council, elected by the members of such District Sports Councils from among themselves;]

Provided that, no person elected as a member in items (a) and (b) shall continue as a member in State Sports Council on completion of seventy years of age.

(c) One member each from each of the University in the State elected by the members of the General Council of such University Unions from among the captains of the University teams;

(d) Three members elected by the members of the State Legislative Assembly from among themselves through the method of proportional representation by single transferable vote;

(e) One person elected by the Mayors of the Municipal Corporations of the State from among themselves;

(f) One person elected by the Presidents of the District Panchayats of the State from among themselves;

(g) One person elected by the Chairpersons of the Municipal Councils of the State from among themselves;

(h) One person elected by the Presidents of the Block Panchayats of the State from among themselves;

(i) One person elected by the Presidents of the Grama Panchayats of the State from among themselves.]

### **<sup>18</sup>[Members Nominated by Government]**

<sup>19</sup>[(a) four Physical Education Directors from the Universities in the State;

(b) two sports coaches from among the Sports coaches who have moulded sportsmen of national or international standard or those who have received recognition of the country for their achievements;

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17. Ins. by KS(A) Act, 2018.

18. Subs. for the words" Nominated Members" by KS(A) Act, 2015.

19. Clauses (a) to (g) were omitted and clauses (h) to (k) were renumbered as (a) to (d) by KS(A) Act, 2018.

(c) four leading sportsmen from among the sportsmen who have represented the country in recognized international championships of which two shall be women;

(d) two members from among the sports journalists; nominated by the Government;]

(4) The State Sports Council shall have a President having interest in sports and games, nominated by the Government <sup>20</sup>[and a Vice-President elected by the members of the State Sports Council from among the members specified in item (a) and (b) under the heading "Elected Members" in sub-section(3) in such manner as may be prescribed.]

(5) The President and the Vice-President of the State Sports Council shall exercise such powers as may be prescribed.

(6) The State Sports Council shall be reconstituted in every five years

(7) Every member of the State Sports Council, other than ex-officio members, shall subject to the provisions of this Act and the rules made thereunder, hold office until the next reconstitution of State Sports Council:

Provided that no member nominated or elected in his capacity as a member of a particular body or as the holder of a particular office shall continue as a member beyond a period of three months after he has ceased to be such member or holder of such office unless he again becomes such member or holder of such office within such period:

<sup>21</sup>[Provided further that, the term of office of a member referred to in item (c) under the heading "Elected Members" shall be one year from the date of his election.

Explanation:- A member referred to in the preceding proviso shall not cease to be such member solely on the ground that he has ceased to be the captain of University team within the period of one year specified in the said proviso;]

<sup>22</sup>[(8) No person shall hold office as President or Vice-President of the State Sports Council for a total period exceeding ten years.]

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20. Subs. for the words "and a Vice-President nominated by the Government from among the members specified under the heading 'Elected Members' in Sub-section (3) of section 3" by KS(A) Act, 2018.

21. Ins. by KS(A) Act, 2018.

22. Subs. by KS(A) Act, 2018.

**4. Secretary of the State Sports Council .-** (1) The Government shall, in consultation with the President of the State Sports Council, appoint <sup>23</sup>[an officer, not below the rank of a Joint Secretary to Government or the Director, Sports and Youth Affairs as the Secretary of the State Sports Council.]

(2) Subject to the supervision of the State Sports Council, the Secretary shall be the Chief Executive Officer and shall have general control and command over the employees of State Sports Council and the District Sports Councils.

(3) Subject to the provisions of this Act and the rules made thereunder, the Secretary shall.-

(i) implement the resolutions of State Sports Council and its <sup>24</sup>[Standing Committee;]

(ii) incur the expenditure authorized by the President and the <sup>25</sup>[Standing Committee;]

(iii) make payments by cheques or cash for all the expenses authorized by the State Sports Council;

(iv) be responsible for the safe custody of the fund of the State Sports Council;

(v) keep and maintain accounts of income and expenditure of the State Sports Council;

(vi) keep the records of the meetings and the proceedings of the State Sports Council and <sup>26</sup>[Standing Committee; and]

(vii) submit returns, accounts, statement and other details when required by the Government or any Audit Officer.

(4) The Secretary may, with the permission of the <sup>27</sup>[Standing Committee,] and subject to such restrictions and limitations specified by him by an order in writing entrust any of his functions to any official of the State Sports Council.

**5. Duties, powers and functions of the State Sports Council .-** (1) The duty of carrying out the provisions of this Act shall subject to the restrictions, conditions and limitations herein contained, be vested in the State Sports Council.

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23. Subs. for the words " an officer not below the rank of a Joint Secretary to Government" by KS(A) Act, 2018.

24. Subs. for the words "Administrative Board" by KS(A) Act, 2018.

25. Subs. for the words "Administrative Board" by KS(A) Act, 2018.

26. Subs. for the words "Administrative Board" by KS(A) Act, 2018.

27. Subs. for the words "Administrative Board" by KS(A) Act, 2018.



(2) Save as otherwise expressly provided in this Act, the State Sports Council shall have the following powers and functions, namely:-

- (a) to organize, co-ordinate, regulate and promote all types of sports in the State;
- (b) to establish sports information centres, stadia, pavilions, playgrounds, parks, children's parks, sports training centres, circus training centres, kalaries and to construct buildings, swimming pools, and pools for water polo and boat race and gymnasias;
- (c) to acquire or formally request properties for carrying out all or any of its activities for which the State Sports Council is responsible;

<sup>28</sup>[(cA) The Government may, for the purpose of renovation of any stadium, playground, open place, swimming pool or other permanent sports infra structure which are constructed with the financial assistance from the Government or any agency under it and owned or occupied by the District Sports Council or any other organization registered under it, or for the purpose of its maintenance or management or for both: in case the existing occupants do not manage or maintain the same properly or if the alterations or modifications of the facilities are made for any other purpose not related to sports without the approval of the Kerala Sports Council, take over the management;

Provided that before such take over, the Government shall cause to conduct an enquiry for the purpose by an officer not below the rank of a Joint Secretary to the Government and as part of the enquiry and opportunity of being heard shall be given to the parties concerned after serving notice on them.]

- (d) to conduct or organize by the council itself or through District Sports Council, Corporation Sports Council, Municipal Sports Council, <sup>29</sup>\*\*\*or Village Sports Council or to ensure their participation, in tournaments, competitions, training courses, seminars, coaching centres, exhibitions, tours and other items which help in the promotion of sports and games in the State;
  - (e) to confer titles, issue certificates or award prizes and scholarships or other benefits, in recognition or for encouragement of sports among students, workers, public servants and others;
  - (f) to introduce insurance and accident insurance coverage for sportsmen, coaches and referees in the manner as may be prescribed;
  - (g) to grant assistance by way of loans or otherwise to any person, educational institutions, sports organizations, clubs or associations with a view to promote sports in general or to promote any particular venture or item of sports;
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28. Ins. by KS(A)Act,2015.

29. omitted the words "Town Sports Council, Block Sports Council" by KS(A)Act,2018.

- (h) to rise fund generally for carrying on its activities;
- (i) to arrange or otherwise make provisions for conducting competitions in sports in the State at national, international, inter-state or local level and to arrange sports tours;
- (j) to give grants or funds to educational institutions and recognized sports organizations;
- (k) to make arrangements for establishing playgrounds and for providing equipments and facilities for them;
- (l) to establish, administer and regulate research centre or centres for development of any sports including adventurous and martial sports;
- (m) to establish sports information centres, or centers to collect the statistics and to store the basic data connected with sports and to run libraries and museums connected with sports;
- (n) to formulate and implement schemes for the welfare of sportsmen;
- (o) to formulate and implement schemes for the welfare of the disabled sportsmen;
- (p) to fix criteria for the approval and working of sports associations including the State unit of national sports federation having Central Government recognition.
- (q) to do any other act that may be conducive to the furtherance of the objects of this Act;
- (r) to exercise the powers and to discharge the functions conferred under this Act or the rules made thereunder.

(3) The State Sports Council may subject to any restrictions and conditions as may be specified by it, delegate its powers and duties under this Act and rules made thereunder to the <sup>30</sup>[Standing Committee] of the council or its President or Secretary.

<sup>31</sup>**[6. Standing Committee of the State Sports Council. -** (1) State Sports Council shall have a Standing Committee consisting of the following members, namely:-

- (a) President, State Sports Council;
  - (b) Vice - President;
  - (c) Government Secretary, Sports Department;
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30. Subs. for the words "Administrative Board" by KS(A)Act,2018.

31. Subs. by KS(A)Act,2018.

- (d) Finance Secretary (Expenditure);
- (e) Director of Public Instructions;
- (f) Director, Sports and Youth Welfare;
- (g) Secretary, State Sports Council;
- (h) Total seven members, including six members elected by the members of the State Sports Council elected from among them of whom one shall be a member representing the elected members of the District Sports Council and one shall be a member elected from the members nominated to State Sports Council specified in item (b) or (c), of them one shall be a woman.

(2) The Standing Committee shall meet at least once in a month.

(3) The Standing Committee shall supervise the general functioning of the State Sports Council.

(4) The Standing Committee shall meet at such time and place as the President of the State Sports Council decides.

(5) The quorum for meeting of the Standing Committee shall be one - third of its total membership including an ex-officio member.]

**7. Meeting of the State Sports Council.** - (1) The State Sports Council shall meet at least twice in an year and one of such meetings shall be the annual meeting.

(2) The President of the State Sports Council may, whenever he thinks fit, convene a special meeting of the State Sports Council for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed the President shall convene a special meeting of the State Sports Council to discuss urgent matters of importance upon a written requisition by not less than one-third of the total members of the State Sports Council.

(4) The quorum for a meeting of the State Sports Council shall be one-third of its total membership.

**8. Procedure of the State Sports Council.** - (1) The State Sports Council shall transact its business through resolutions passed in such manner and in accordance with such procedure, as may be prescribed.

(2) a copy of every resolution shall be forwarded to the Government within fifteen days of the passing of that resolution.

(3) The Government may call for any records or information regarding any resolution from the State Sports Council and the State Sports Council shall be bound to furnish such record or information.

(4) The Government may, after giving reasonable notice to the State Sports Council and after hearing its objections, if any, suspend or cancel or modify any resolution passed by the State Sports Council.

### **CHAPTER III**

#### **DISTRICT SPORTS COUNCILS**

**9. District Sports Council.** - (1) The Government shall, by notification, constitute a body to be called "The District Sports Council" in every district in the State to exercise the powers and perform the functions conferred on, or assigned to, the District Sports Council under this Act.

(2) Every District Sports Council, shall be a body corporate by the name of the District for which it is constituted, having perpetual succession and common seal with power subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of movable and immovable properties, to enter into contracts and to do all matters proper and expedient for the purpose for which it is constituted and shall by the said name sue and be sued.

(3) Every District Sports Council shall consist of the following members, namely:-

#### **Ex-officio Members**

- (a) the President of the District Panchayat;
- (b) the District Collector;
- (c) The District Superintendent of Police;
- (d) The Executive Engineer (Buildings <sup>32</sup>[\*\*\*]) of the Public Works Department;
- (e) The Deputy Director of Collegiate Education having jurisdiction in the District;
- (f) Deputy Director of General Education having jurisdiction in the District;
- (g) Corporation Mayor or Municipal Chairperson of District Headquarters or President of the Village Panchayat;
- (h) Secretary of the District Sports Council;
- (i) District Officer of the Public Relations Department;
- <sup>33</sup>[(j) the District Medical Officer (Health and Family Welfare);]

32. The words "and Roads" was omitted by KS(A)Act,2018.

33. Ins. by KS(A)Act,2018.

<sup>34</sup>[(k) the District Medical Officer (Ayurveda).]

### **Elected Members**

(a) One member each elected from each recognized District Sports Organisation affiliated as a unit of any recognized State Sports Organisation;

<sup>35</sup>[Provided that no person who has been elected as per clause (a) shall continue as a member of the District Sports Council on completion of seventy years of age.

(b) One person elected by the Chairpersons of Municipal Council within the districts from among themselves;

(c) One person elected by the Presidents of Block Panchayats within the districts from among themselves;

(d) The Village Panchayat Presidents within the district shall elect from among themselves three persons, if the number of such village Panchayat Presidents are less than fifty and five persons, if it is more than fifty- of whom one shall be a woman and one shall be from the Scheduled Caste or Scheduled Tribe.]

### **Nominated Members**

<sup>36</sup>[(a) (i) one third of the Members of the Legislative Assembly representing the Assembly constituencies in the District;]

<sup>37</sup>[(ii) one person among the recognized coaches in the district;]

(b) The District Collector shall nominate,-

(i) One Physical Education Instructor from the College within the district;

(ii) one male student and one female student <sup>38</sup>[and one sportsman and one sportswoman] from within the district having district level achievements in sports;

(iii) One physical education teacher from the schools in the District;

(iv)<sup>39</sup>[\*\*\*]

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34. Ins. by KS(A)Act,2018.

35. Subs. by KS(A)Act,2018.

36. Subs. by KS(A)Act,2015.

37. Subs. by KS(A)Act,2018.

38. Ins. the words "and one sportsman and one sportswoman" after the words " one male student and one female student" by KS(A)Act,2015.

39. Omitted by KS(A)Act,2015.

<sup>40</sup>[(4) There shall be a President and a Vice-President for every District Sports Council elected from among the members of the Council as may be prescribed.

Provided that a member elected to the State Sports Council, from District Sports Council under the heading "Elected Members" as per clause (b) of section 3 shall not be eligible to be elected as President or Vice-President of the District Sports Council;]

(5) The District Sports Council shall be reconstituted once in every five years;

(6) Every member of the District Sports Council other than ex-officio member shall, subject to the provisions of this Act and the rules made thereunder, hold office until the next reconstitution of the District Sports Council.

Provided that the term of office of the nominated male student and female student shall be one year from the date of nomination.

<sup>41</sup>[(7) No person shall hold office of the President or Vice-President of the District Sports Council for a total period exceeding ten years.]

**10. Powers and functions of District Sports Council.** - (1) It shall be the duty of every District Sports Council to perform such of the functions of the State Sports Council as may be delegated to the District Sports Council from time to time by the State Sports Council.

(2) Without prejudice to the generality of the functions referred to in sub-section(1), the District Sports Council may perform all or any of the following functions, namely:-

(a) co-ordinate the activities of the Corporation Sports Council, Municipal Sports Council,<sup>42</sup>[\*\*\*] Village Sports Council and other registered sports organizations in the district;

(b) organize sporting events or competitions or tournaments within the district;

(c) perform such other functions as the State Sports Council may specify by regulations.

(3) The District Sports Council shall, in the discharge of its functions, and in appropriate manner jointly with other Government agencies, non-Governmental institutions, educational institutions and other organizations engaged in sports and games and shall also act according to the directions as the State Government may give to it in writing.

40. Subs. by KS(A)Act,2018.

41. Subs. by KS(A)Act,2018.

42. Omitted by KS(A)Act,2018.

**11. Executive Committee of the District Sports Council** – <sup>43</sup>[(1) There shall be an Executive Committee of the District Sports Council consisting of its President, Vice-President, Secretary, a member to be elected to the State Council under the heading 'Elected Member' as per clause (b) of section 3 and five members elected by the District Sports Council from among its members-of whom one shall be a woman.]

(2) It shall be the duty of the Executive Committee to discharge the day-to-day functions of the District Sports Council and to perform such other duties entrusted to it by the District Sports Council, from time-to-time.

(3) The procedure and quorum of meeting of Executive Committee shall be such as may be prescribed.

<sup>44</sup>**[12. Meeting of the District Sports Councils.** - (1) Every District Sports Council shall meet at least twice in a year on the dates as may be fixed by the President and one of such meeting shall be the annual meeting.

(2) The President may, whenever he deems fit convene a special meeting of the District Sports Council for the conduct of urgent business to be performed.

(3) Subject to such conditions as may be prescribed, if not less than one third of the total members of the District Sports Council demand in writing for the discussion of matters of urgent nature a special meeting of the District Sports Council shall be convened by its President within fifteen days of such demand.

(4) The quorum of a meeting of the District Sports Council shall be one third of its total membership.

(5) The District Sports Council shall transact its business by resolution passed in such manner and in accordance with such procedure, as may be prescribed.

(6) Copy of every resolution shall be forwarded to the State Sports Council, within fifteen days from the date of its passing.]

**13. Powers and functions of the President and Chairman of District Sports Council.-**

(1) The Chairman of the District Sports Council shall preside over the meetings of the District Sports Council <sup>45</sup>[and shall supervise the functioning of the District Sports Council.]

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43. Subs. by KS(A)Act,2018.

44. For the words "Chairman" wherever it occurs, the word "President" shall be substituted- KS(A)Act,2018.

45. Subs. for the words " and shall exercise such powers and perform such duties as may be prescribed" by KS(A)Act,2018.

(2) The President shall, in absence of the Chairman, preside over the meetings of the District Sports Council and shall exercise such powers and perform such functions <sup>46</sup>[as may be prescribed.]

<sup>47</sup>[(3) The Vice-President shall, in the absence of the President preside over the meetings of the District Sports Council and Executive Committees and shall exercise such powers and perform such duties as the President may, from time to time, delegate to him.]

**14. Secretary of the District Sports Council.** - (1) The Secretary of the State Sports Council shall, with the approval of the <sup>48</sup>[Standing Committee], by deputation or selection, as the case may be, appoint an officer not below the rank of a Section Officer in the Kerala Government Secretariat service or an officer of equivalent rank in other Departments or in the rank of the Assistant Secretary of the Sports Council, as Secretary to the District Sports Council.

Provided that more than <sup>49</sup>[three] posts of Secretaries of District Sports Council shall not be set apart for appointment through selection from the Officers of the State Sports Council.

(2) The Secretary shall subject to the provisions of this Act and the rules made thereunder,-

(i) give effect to the resolution of the District Sports Council and its Executive Committee;

(ii) be responsible for the safe custody of the fund of District Sports Council;

(iii) maintain and keep the accounts of receipts and expenditure of the District Sports Council;

<sup>50</sup>[(iv) examine and cause to be audited the statements and accounts of the Corporation Sports Council, Municipal Sports Council, and Village Sports Council;]

(v) submit returns, accounts, statements or other details, whenever required by the Government or any audit authority.

(3) The Secretary of the District Sports Council, shall exercise other powers and perform duties as are conferred or imposed on him by the <sup>51</sup>[President] of the District Sports Council.

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46. Subs. for the words "as may be delegated to him by the Chairman from time to time" by KS(A)Act,2018.

47. Ins. by KS(A)Act,2018.

48. Subs. for the words "Administrative Board" by KS(A)Act,2018.

49. Subs. for the word "five" by KS(A)Act,2018.

50. Ins. by KS(A)Act,2018.

51. Subs. for the word "Chairman" by KS(A)Act,2018.



## CHAPTER IV

### CORPORATION SPORTS COUNCIL, MUNICIPAL SPORTS COUNCIL, <sup>52</sup>[\*\*\*] AND VILLAGE SPORTS COUNCIL

**15. Constitution of Corporation Sports Council, Municipal Sports Council etc .-** For the purpose of co-ordinating and implementing various activities connected with sports and games, in rural and urban areas, <sup>53</sup>[the State Sports Council shall], in consultation with District Sports Council and the local authorities concerned, by notification, constitute with effect from such date as may be specified in the notification,-

- (a) a Corporation Sports Council for each Municipal Corporation area;
- (b) a Municipal Sports Council for each Municipal Council area;
- (c) <sup>54</sup>[\*\*\*]
- (d) <sup>55</sup>[\*\*\*]
- (e) a Village Sports Council for each Village Panchayat area.

**16. Composition of Corporation Sports Council. -** (1) Every Corporation Sports Council shall consist of the following members, namely:-

#### Ex-officio Members

- (a) the Mayor of the Municipal Corporation, who shall be the President of the Corporation Sports Council;
  - (b) <sup>56</sup>[the Police Officer not below the rank of Assistant Commissioner], having jurisdiction over the Municipal Corporation area;
  - (c) <sup>57</sup>[the Executive Engineer of the Local Self Government Institutions], having jurisdiction over the Municipal Corporation area;
  - (d) the Regional Joint Director of the Municipalities having jurisdiction over the Municipal Corporation area;
  - (e) the Secretary of the Municipal Corporation, who shall be the Secretary of the Corporation Sports Council;
- 

52. Omitted by KS(A)Act,2018.

53. Subs for the words " the State Sports Council may" by KS(A)Act,2018.

54. Omitted by KS(A)Act,2018.

55. Omitted by KS(A)Act,2018.

56. Subs. for the words " Assistant Commissioner of Police" by KS(A)Act,2018.

57. Subs. for the words" the Executive Engineer (Buildings and Roads)" by KS(A)Act,2018.

(f) Deputy Director of Collegiate Education, having jurisdiction over the Municipal Corporation area;

(g) District Educational Officer;

(h) Tahsildar having jurisdiction over the Municipal Corporation area;

<sup>58</sup>[(i) The Health Officer having jurisdiction over the Municipal Corporation area;]

### **Nominated Members**

(a) two persons having achievements to their credits in sports, nominated by the Municipal Corporation Council of whom one shall be a woman;

(b) one male student and one female student within the Municipal Corporation Area having achievements to their credit in sports, competitions, nominated by the Municipal Corporation Council;

### **Elected Members**

(a) <sup>59</sup>[five members- elected by the Councilors of Municipal Corporation from among themselves of which at least two shall be women] and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;

(b) five members elected by the office bearers of sports organizations and clubs registered with the Corporation Sports Council from among themselves in the manner prescribed, of whom one shall be a women and one shall be a person belonging to Scheduled Caste or Scheduled Tribe.

(2) <sup>60</sup>[The Chairman of the Municipal Corporation Educational Standing Committee shall be the Vice-President of the Corporation Sports Council] and the Vice-President shall, discharge the duties entrusted to him by the President and shall preside over the meeting of the Corporation Sports Council in the absence of the President.

**17. Executive Committee of the Corporation Sports Council.-** There shall be an Executive Committee for every Corporation Sports Council consisting of its President, Vice-President and Secretary and six members of whom one shall be a woman, elected by the members of the Corporation Sports Council from among themselves, for day-to-day administration of its business.

**18. Composition of Municipal Sports Council.-** (1) Every Municipal Sports Council shall consist of the following members, namely:-

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58. Ins. by KS(A)Act,2018

59. Subs. for the words " three members elected by the Councilors of Municipal Corporation from among themselves of whom one shall be a woman" by KS(A)Act,2018

60. Subs. for the words" Members of Corporation Sports Council shall elect a Vice-President from among themselves" by KS(A)Act,2018.

### **Ex-officio Members**

- (a) the Chairperson of the Municipal council; who shall be the president of the Municipal Sports council;
- (b) the Deputy Superintendent or Assistant Commissioner of Police having jurisdiction over the Municipal Council area;
- <sup>61</sup>[(c) the Assistant Executive Engineer, Local Self Government Institutions having jurisdiction over the Municipal Council area;]
- (d) the Regional Joint Director of Municipalities, having jurisdiction over the Municipal Council area;
- (e) the District Educational Officer, having jurisdiction over the Municipal Council area;
- (f) the Secretary of the Municipal Council, who shall be the Secretary of the Municipal Sports Council;
- (g) the Tahsildar having jurisdiction over the Municipal Council area;
- (h) Member of Legislative Assembly, representing the Municipal Council area.
- <sup>62</sup>[(i) the Health officer having jurisdiction over the Municipal Council area.]

### **Nominated Members**

- (a) two persons having achievements to their credit in sports nominated by the Municipal Council, of whom one shall be a woman;
- (b) one male student and one female student having achievements to their credit in sports, nominated by the Municipal Council;
- <sup>63</sup>[(c) two Physical Education Teachers in the Municipal area nominated by the Municipal Council, of whom one shall be from college and one shall be from school.]

### **Elected Members**

- (a) <sup>64</sup>[five members elected by the Municipal Councillors from among themselves of whom at least two shall be woman] and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;
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61. Subs. by KS(A)Act,2018.

62. Ins. by KS(A)Act,2018.

63. Subs. by KS(A)Act,2018.

64. Subs. by KS(A)Act,2018, for the words " three members elected by the Municipal Councilors from among themselves, of whom one shall be woman".

(b) two persons elected by the office bearers of sports organisations registered with the Municipal Sports Council from among themselves.

<sup>65</sup>[(2) The Chairman of the Municipal Educational Standing Committee shall be the Vice-President of the Municipal Sports Council] and the Vice-President shall discharge the duties entrusted to him by the President and shall preside over the meetings of the Municipal Sports Council, in the absence of the President.

**19. Executive Committee of the Municipal Sports Council.** - There shall be an executive committee for every Municipal Sports Council consisting of its President, Vice-President, Secretary and six members, of whom one shall be a woman, elected by its members from among themselves, for administering its day-to-day affairs.

**20.** <sup>66</sup>[\*\* \*]

**21.** <sup>67</sup>[\*\*\*]

**22.** <sup>68</sup>[\*\*\*]

**23.** <sup>69</sup>[\*\*\*]

**24. Composition of Village Sports Council.** - (1) Every Village Sports Council shall consist of the following members, namely:-

#### **Ex-officio Members**

(a) the President of the Village Panchayat, who shall be the President of the Village Sports Council;

(b) the Secretary of the Village Panchayat, who shall be the Secretary of the Village Sports Council;

(c) the <sup>70</sup>[Sub-Inspector of Police], having jurisdiction over the Village Panchayat area;

<sup>71</sup>[(d) the Assistant Engineer of the Local Self Government Institutions having jurisdiction over the Grama Panchayat area;]

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65. Subs. for the words " The Members of the Municipal Sports Council shall elect a Vice-President from among themselves" by KS(A)Act,2018.

66. Omitted by KS(A)Act,2018.

67. Omitted by KS(A)Act,2018

68. Omitted by KS(A)Act,2018

69. Omitted by KS(A)Act,2018.

70. Subs. for the words "Circle Inspector" by by KS(A)Act,2018.

71.Subs. by KS(A)Act,2018.

- (e) the Medical Officer, having jurisdiction over the Village Panchayat area;
- (f) the Village Officer, having jurisdiction over the Village Panchayat area;

#### **Nominated Members**

- (a) two persons having achievements to their credit in sports, nominated by the Village Panchayat of whom one shall be a woman;
- (b) two Physical Education Teachers nominated by the Village Panchayat;
- (c) one person nominated by the Village Panchayat among the President of the Parent-Teacher Associations of the Educational Institutions situated in the Village Panchayat area.

#### **Elected Members**

- (a) three persons elected by the members of the Village Panchayat from among themselves of whom one shall be a woman and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;
- (b) two persons elected by the Presidents of Sports Organizations and Clubs registered with the Village Panchayat from among themselves;

<sup>72</sup>[(2) The Chairman of the Standing Committee for Health and Education of the Village Panchayat shall be the Vice-President of the Village Sports Council.]

(3) The Vice-President, shall discharge the duties entrusted to him by the President and shall preside over the meetings of the Village Sports Council, in the absence of the President.

**25. Executive Committee of the Village Sports Council.** - (1) There shall be an executive committee for every village Sports Council consisting of its President, Vice-President, Secretary and six members, of whom one shall be a woman, elected by its members from among themselves, for administering its day-to-day affairs.

**26. The duties and functions of the Secretary to the Village Sports Council.** - The duties and functions of the Secretary to the Village Sports Council shall be as may be prescribed.

**27. Functions of the Corporation Sports Council, Municipal Sports Council etc.-** The Corporation Sports Council, the Municipal Sports Council and the Village Sports Council may, perform all or any of the following functions, namely:-

- (a) Co-ordinate the activities of the registered sports organizations and clubs within the jurisdiction of the Sports Council;

(b) Organize sports events or competitions or tournaments within their area of jurisdiction;

(c) Perform such other functions entrusted to it by District Sports Council.

**28. Term of office of members of Corporation Sports Council, Municipal Sports Council etc.-**

(1) Every member of the Corporation Sports Council, Municipal Sports Council. <sup>73</sup>[\*\*\*]and Village Sports Council, other than the ex-officio members shall hold office for a period of five years from the date of his nomination.

Provided that the term of office of the student representatives nominated to the Corporation Sports Council, the Municipal Sports Council <sup>74</sup>[\*\*\*] shall be one year from the date of their nomination.

(2) No person shall be nominated as a member for more than two consecutive terms.

**29. Meeting of the Corporation Sports Council, the Municipal Sports Council etc.-**

(1) Every Corporation Sports Council, Municipal Sports Council <sup>75</sup>[\*\*\*] and Village Sports Council shall meet at least twice in a year <sup>76</sup>[and one of it shall be the annual meeting.]

(2) One third of the total number of its members shall be the quorum for a meeting.<sup>77</sup>

**30. Settlement of disputes between Councils, Sportsmen and Sports Organizations.-**

(1) if a dispute arises in respect of any matter under the provisions of this Act or rules made thereunder between two or more Sports Councils or between Sports Council and Sportsman or between two or more Sportsmen or between two or more Sports Organizations or between a Sports Organization and Sportsmen of a district or between a Sports Organization and any Sports Council within the district, the District Sports Council shall have power to settle such dispute.

(2) Any person, Sports Organization, Sports Club and Sports Council, aggrieved by any decision taken by a District Sports Council under this Act or the rules made thereunder may appeal to the Appellate Tribunal within such time and in such manner as may be prescribed and the decision of the Appellate Tribunal thereon shall be final.]

## CHAPTER V

### REGISTRATION OF SPORTS ORGANIZATION AND SPORTSMEN

**31. Registration of Sports Organization.-** (1) Any sports organization carrying activities as the State level or at the district level, may registered with the State Sports Council as a recognized organization under this Act, and any application for such registration shall be submitted to the District Sports Council of the district in which its headquarters is

73. Omitted by KS(A)Act,2018.

74. Omitted by KS(A)Act,2018.

75. Omitted by KS(A)Act,2018.

76. Ins. by KS(A)Act,2018.

77. Subs. by KS(A)Act,2018.

situated,<sup>78</sup>[in the form as may be prescribed, subject to the terms and conditions specified in subsection (1A).]

(1A) There shall be the following qualifications and compliance of conditions, for the registration of a Sport Organization, namely:-

(i) It shall be an independent institution under the Societies Registration Act, 1860 (Central Act 21 of 1860) or the Travancore- Cochin Literary, Scientific And Charitable Societies Registration Act, 1955(12 of 1955) and functioning exclusively for the development of sports;

(ii) There shall be an independent and written bye-law providing for its efficient functioning, election of office bearers from time to time, represent all classes of public, protection of the interest of players, promotion of sports and games, keeping of accounts and auditing and introducing no-confidence motion against the office bearers;

(iii)It shall have functioned actively for a period of more than three years, including holding of meetings from time to time as commanded by the bye-law, till the day on which the application for registration given;

(iv)The term of office of the office bearers shall be one time term of four years and if not less than two thirds of votes of the members have been obtained, the office bearers shall be eligible to be re-elected for a similar term or period;

Provided that the office bearers shall not hold office for a period exceeding <sup>79</sup>[a total twelve years or till the completion of seventy years.]

<sup>80</sup>[Explanation:- for the purpose of this section, office bearer means,-

(i) President;

(ii) General Secretary or Secretary or Honorary General Secretary;

(iii) Treasurer or Honorary Treasurer;]

(v) No office bearer shall hold office of any other Sports Organization at a time, except the State Sports Council or the Ker ala Olympic Association;

(vi) There shall be an approved system to keep the decisions of the meeting and accounts in writing. The accounts shall be kept accurate and it shall be audited annually by a Chartered Accountant;

(vii) Before applying for registration, annual championship shall be conducted in the senior, junior and sub-junior levels for fixed aged groups;

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78. Sub section (1A) was inserted after section 31 by KS(A)Act,2015.

79. Subs. by KS (A) Act, 2018.

80. Ins. by KS(A)Act,2018.

(viii) Membership shall be limited to those belonging to their respective district and where membership is given to individuals and clubs, such membership shall not entail any right of vote to such members in any meeting of the organization;

(ix) In the State level, there shall be only one recognized organization for one sports discipline. The properly recognized organizations alone shall be eligible for the admissible financial aids, that is, grants and other benefits including grace marks. There shall be eligibility for grace marks and other benefits only if the certificates issued to the winners and participants of State level competitions conducted by the recognized State Sports Organizations are countersigned by an observer nominated by the State Sports Council. Only one organization from each district shall be eligible for affiliation of the State Organization. But, at least ten district level organizations shall be affiliated to the State Organization;

(x) There shall be suitable officers at the District level and State level;

(xi) There shall be only one recognized organization for each sports discipline without considering whether it is for youth or men or woman.

(xii) The State Sports Council shall be given fifteen days prior information regarding the general body meeting, meeting for the election of office bearers, and of other meetings in which important decisions are to be taken and the State Sports Council shall sent its observers to such meetings;

(xiii) Every Sports Organization shall complete their accounts immediately on the close of every financial year and an annual report containing significant matters in their functioning in the said year shall be published before the 31<sup>st</sup> day of May, including in the website of the organization;

(xiv) Documents and accounts shall be prepared in the electronic format also and shall be made accessible to all its members and to the State Sports Council;

(xv) It shall be duty bound to produce the documents and accounts, including soft copies, as and when demanded by the State Sports Council;

(xvi) Once in a year the general body meeting, and once in four years or before that according to the term of office of the office bearers a special meeting to elect the executive committee members including President, Secretary and Treasurer shall be convened;

(xvii) The sportsmen who have participated in the national or international level competitions shall be made members in the sports organizations with the right to vote and their number shall not be less than fifteen percent of the total membership and their selection shall be in consultation with State Sports Council;



(xviii) The District Organizations, State Organizations and organizations in the Local Self Government Institutions shall, before the 1<sup>st</sup> day of April every year, take steps to publish the calendar of activities and programmes for the next year in their website or in the website of the State Sports Council or in both;

(xix) All sports organizations shall take steps to publish a schedule in an electronic format also with a comprehensive description of details regarding the services being rendered by them and the rights of their members;

(xx) <sup>81</sup>[The State Secretaries and District Secretaries of all Sports Organizations shall be Sportsman who had participated at least in the State Level And District Level] competitions in their respective sports disciplines and shall be either active in the field of sports or retired sportsman;

(2) The District Sports Council shall consider the application and if it is satisfied that the conditions for granting recognition have been complied with, the application shall be submitted along with its recommendation for such registration to the State Sports Council within <sup>81A</sup>[thirty] days from the date of receipt of application.

(3) <sup>82</sup>[\*\*\*]

(4) <sup>83</sup>[\*\*\*]

(5) The State Sports Council shall consider an application received under <sup>83A</sup>[sub-section (2)] and if it is satisfied that registration shall be given, such Sports Organization shall be registered as a recognized State Sports Organization or a recognized District Sports Organization, as the case may be, <sup>84</sup>[otherwise the refusal of the application shall be informed to the said Sports Organization with in one month]

(6) Any person aggrieved by any decision of the District Sports Council or the State Sports Council, as the case may be, with regard to the registration of a sports organization <sup>85</sup>[may file appeal in the Appellate Tribunal along with the fees as may be prescribed and the decision of the Appellate Tribunal thereon shall be final.]

<sup>86</sup>[(7) The sports clubs functioning only in the area of any Municipal Corporation or Municipal Council or Village Panchayat may register as a sports club with the Corporation Sports Council or Municipal Sports Council or Village Sports Council concerned, as the case may be.

(8) Any application for registration under sub-section (7) shall be submitted to the Sports

81. Subs. by KS(A)Act,2018.

81A. Subs. for the words " sixty" by KS(A)Act,2018.

82. Omitted by KS(A)Act,2018.

83. Omitted by KS(A)Act,2018.

83A. Subs. for the words "sixty" under subsection (2) or subsection (4) by KS(A)Act,2018.

84. Ins. by KS(A)Act,2018.

85. Subs. by KS(A)Act,2018.

86. Ins. by KS(A)Act,2018.

Council concerned in such form and in such manner and subject to such terms and conditions as may be prescribed along with the prescribed fee.

(9) The applications received under sub-section (8) shall be considered by the Sports Council concerned and if it is satisfied that the conditions required for such registration have been complied with such sports club shall be registered or otherwise the information regarding refusal of the application shall be intimated to the applicant.

(10) Any person aggrieved by a decision taken under sub-section (9), may appeal before the District Sports Council concerned within such time and in such manner, as may be prescribed.

(11) The terms and conditions for registration of Sports Organisation and withdrawal of such registration and the procedure to be followed by the District Sports Council and the State Sports Council in granting such registration and the privileges of such registered Sports Organization shall be such as may be prescribed.]

<sup>87</sup>[31 A. **Withdrawal or suspension of recognition of Sports Organizations.-**

(1) The State Sports Council may, if any of the following irregularities are found out in the activities of a recognized Sports Organization, until a complete and comprehensive enquiry is made, suspend the recognition of that Sports Organization, as an interim measure namely:--

(a) if the Registrar of Societies or any other authority has initiated legal proceedings on the basis of accusation of misappropriation of fund;

(b) If it fails in conducting election as prescribed in the bye-law of the organization or if serious lapses occur in the election process;

(c) if it fails in submitting the audited annual accounts as prescribed;

(d) if the funds are misappropriated or unauthorizedly re-appropriated;

(e) if it fails in furnishing correct informations as and when demanded;

(f) if continuous lapses occur in complying with the provisions stipulated in accepting the general funds including Governmental assistance;

(g) if report of a statutory authority, alleging grave irregularities on the internal affairs of the organization is received;

(h) in a situation in which any other grave irregularities are found out, in public interest;

(i) if the affiliation of a State Organization is suspended by the National Association or Federation concerned;

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(2) The State Sports Council may, after giving the Sports Organization an opportunity of being heard, withdraw its recognition on any of the following grounds, namely:-

- (a) Violation of the terms and conditions for recognition or of its bye-law;
  - (b) if an irregularity under clauses (a),(b),(d),(f) and (g) specified in sub-section (1) regarding the functioning of the organization is confirmed on enquiry;
  - (c) if the concerned National Association or Federation concerned has perpetually canceled the recognition or nullified the affiliation of the State Organization;
- (3) The office bearer of an organization, the recognition of which has been cancelled as per this section, shall not be eligible for becoming the office bearer of any other Sports Organization.]

<sup>88</sup>[(4) If the recognition of any organization is cancelled under the section, the State Sports Council may organize District Level and State Level competitions of athletic items concerned, in consultation with the Central Federation of such organization in the manner as may be prescribed.]

<sup>89</sup>[**31 B. Permission of Kerala State Sports Council for organizing competitions temporarily.**- Any sports organization other than a registered sports organization shall obtain prior permission of the Kerala State Sports Council, in the manner as may be prescribed, for temporarily organizing District level and State level sports competitions in the State in the sports item they represent.

**32. Registration of Sports Persons.**- (1) Any Sports persons may register as a sports person in the District Sports Council and any application for such registration, shall be submitted to the District Sports Council in such manner and subject to such terms and conditions as may be prescribed.

(2) The terms and conditions for registration as sportsperson, and the procedure to be followed by the District Sports Council in this behalf and the privileges of such sportspersons shall be such, as may be prescribed.

(3) Any person aggrieved by any decision of the District Sports Council, with regard to the registration of sportsperson, may appeal before the <sup>90</sup>[Appellate Tribunal within such time and in such manner as may be prescribed and the decision of the Appellate Tribunal thereon shall be final.]

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88. Ins. by KS (A) Act,2018.

89. Ins. by KS(A)Act,2018.

90. Subs. for the words " District Level Dispute Redressal Committee" by KS(A)Act,2018.

## CHAPTER VI

### DISSOLUTION OF THE EXISTING SPORTS COUNCIL

**33. Dissolution of the existing Sports Council and transfer of its assets and liabilities.-**

(1) Notwithstanding anything contained in the Travancore- Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (Act XII of 1955), with effect on and from the date of coming into operation of the State Sports Council constituted under this Act, the existing Sports Council shall be deemed to have been dissolved.

(2) All properties and all rights of whatever kind used, enjoyed or possessed by and all interests of whatever kind owned in or vested in or held by, the existing Sports Council and all liabilities legally subsisting against it shall, with effect on and from the date specified in sub-section (1) and subject to such directions, as may be issued by the Government in this behalf, vest in the State Sports Council.

(3) Upon the constitution of the State Sports Council under this Act, every officer or other employee employed in connection with the affairs of the existing Sports Council shall become an officer or other employee of the State Sports Council and shall hold his office for the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held under the existing Sports Council, if this section had not been enacted and shall continue to hold office unless and until his employment in the State Sports Council is terminated in accordance with law or until his remuneration, terms and conditions are duly altered by the State Sports Council.

(4) Notwithstanding anything contained in sub-section(3), any officer of Government, deputed for employment in connection with the affairs of the existing Sports Council and employed as such immediately before the date of commencement of this Act shall stand reverted to the service of the Government.

## CHAPTER VII

### FINANCE, ACCOUNTS AND AUDIT

**34. Grants by the State Government.-** The Government of Kerala shall, after due appropriation made by the State Legislature by law in this behalf, pay to the State Sports Council, by way of grants, such sum of money as it may think fit for carrying out the purposes of this Act.

<sup>91</sup>**[34 A. State Sports Development Fund.-** (1) The Government shall, with the objectives specified in subsection (3), constitute a "State Sports Development Fund" under the Director of Sports and Youth Affairs, by converting the Sports Development

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Fund constituted as per G O(Rt) No.68/12/S&YA, dated 20<sup>th</sup> March, 2012 and existing on the date of commencement of the Kerala Sports (Amendment) Ordinance, 2015(12 of 2015), which shall be administered by a Board of Trustees constituted under subsection (4).

(2) All grants, grant- in-aid and donations received from the Central and State Governments, Corporates, Associations, Societies, Boards, Trusts or from any other legal source shall be credited to the State Sports Development Fund.

(3) The State Sports Development Fund may be utilized for the following matters, namely:-

- (i) to provide encouragement to sportsmen for sports in general and especially in particular sports disciplines, for achieving excellence at State, national or international level;
- (ii) to provide special coaching in sports disciplines to the sportsmen, sports coaches and sports specialist;
- (iii) to provide assistance for the infrastructure facilities required to promote excellence in sports;
- (iv) to provide assistance to Sports Organizations, Sports Clubs, educational institutions, individuals and Government - Non Government organizations for purchasing sports equipments as part of promotion of excellence in sports;
- (v) to promote international co-operation inspiring the development of sports and exchange programmes for the training of sportsmen and coaches;
- (vi) to provide suitable assistance to the sportsmen who sustain injury while on coaching for competitions or during competitions;
- (vii) to provide suitable assistance to eminent Keralite Sportsmen who earned reputation to the country by winning international competitions and to the State by winning national competitions;
- (viii) to provide sufficient insurance coverage to sportsmen who are registered in the Sports Council and is active in the sports field.

(4) The Government shall constitute a "Board of Trustees" with the following members, namely:-

- |                                                  |                       |
|--------------------------------------------------|-----------------------|
| (i) Minister for Sports                          | Chairman (ex-officio) |
| (ii) The Secretary to Government (Sports)        | Member (ex-officio)   |
| (iii) The President, Kerala State Sports Council | Member (ex-officio)   |

(iv) The Secretary to Government,

Finance (Expenditure) Department

Member (ex-officio)

(v) The Finance Officer of the Directorate

of Sports and Youth Affairs

Member

(vi) The Secretary, Kerala State

Sports Council

Member

(vii) Persons nominated by the

Government from among the

eminent sportsmen and officials

Five Member

(viii) The Director of the Sports and Youth Affairs, who shall be the Member- Secretary and Treasurer

(ix) The affairs of the Trust shall be conducted in accordance with the written Trust Deed, signed and registered under the Indian Trust Act, 1882 (Central Act 2 of 1882)]

**35. State Sports Council Fund.** - (1) The State Sports Council, shall establish a fund to be called the "State Sports Council Fund" and the following shall be credited thereto:-

- (a) all sums of money given by the State Government under section 34;
- (b) any grants or donations made to the State Sports Council, by any other person for the purposes of this Act;
- (c) any amount received by the State Council, from any other source.

(2) The State Sports Council Fund shall be applied for meeting,-

- (a) the expenses in connection with the functioning of the State Sports Council; and
- (b) any other expenses which are required to be met by the State Sports Council.

**36. District Sports Council Fund-** (1) Every District Sports Council shall constitute a fund to be called "the District Sports Council Fund", and shall be credited thereto the following: -

- (a) all sums of money paid or any grants made by the State Sports Council to the District Sports Council, for the purposes of this Act;

(b) any grants or donations made to the District Sports Council by any person or local self government institutions or other organizations for the purposes of this Act;

(c) any other amount received by the District Sports Council, from any other source.

(2) A District Sports Council Fund shall be applied for meeting,-

(a) the expenses in connection with the functioning of the District Sports Council;

(b) the expenses in connection with the functioning of the Corporation Sports Council, Municipal Sports Council and Village Sports Council;

(c) any other expenses, which are required to be borne by the District Sports Council.

**37. Constitution of Funds for Corporation Sports Council, Municipal Sports**

**Council** <sup>92</sup>[\*\*\*] **etc.-** (1) Each Corporation Sports Council, Municipal Sports Council, <sup>93</sup>[\*\*\*], Block Sports Council, Village Sports Council, as the case may be, shall constitute a Fund in its name, and shall be credited to such fund the amount received for any special purpose in addition to the amount received from the District Sports Council.

(2) The fund constituted under sub-section (1) shall be kept applied and audited in the manner as may be prescribed.

**38. Budget.-** (1) Every Corporation Sports Council Municipal Sports Council, <sup>94</sup>[\*\*\*] and Village Sports Council shall, in every year, prepare in such form and within such time, as may be prescribed, a budget for the next financial year showing the estimated receipt and expenditure during that financial year and forward copy of the same to the concerned District Sports Council.

(2) After considering the Budget estimates under sub-section (1), the District Sports Council shall prepare in such form and within such time, as may be prescribed, a budget for the next financial year showing the estimated receipt and expenditure during the financial year and forward a copy of the same to the State Sports Council.

(3) The State Sports Council shall prepare its budget estimate, considering the budget estimates forwarded to it by the District Sports Councils and forward the same to the Government, within such time as may be prescribed.

(4) On receipt of the budget forwarded to it under sub-section (3), the State Government shall examine the same and suggest such alterations, corrections or modifications to be made therein as it may think fit, and forward such suggestions to the State Sports Council for its consideration.

(5) The State Sports Council shall, in accordance with the suggestions, if any, given by

92. Omitted by KS(A)Act,2018.

93. Omitted by KS(A)Act,2018.

94. Omitted by KS(A)Act,2018.

the Government under sub-section (4), before 31st March of every year incorporate in its budget and in the budget of the District Sports Council alterations, corrections and modifications, and the budget so altered, corrected or modified, shall be passed by the State Sports Council.

**39. Accounts and Audit.** - (1) The State Sports Council or the District Sports Council (hereinafter referred to in this section as 'the council') as the case may be, shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the income and expenditure and balance sheet, in such form and in such manner as may be prescribed.

(2) The Accounts of the Council shall be examined and audited by the Director of the Local Fund Accounts in accordance with the provisions of Kerala Local Fund Audit Act, 1994 (14 of 1994).

(3) The audited statement of accounts and working report of the State Sports Council shall be forwarded to the Government before 31st July of ensuing year and as soon as possible it shall be laid before the Legislative Assembly by the State Government.

**40. Power to borrow-** The State Sports Council may, with the previous sanction of the Government, as regards the purpose and amount of loan and subject to such conditions, as may be specified by the government, as to security and rate of interest borrow any sum of money from any Scheduled Bank or Co-operative Bank or any other corporate body.

## CHAPTER VIII

### APPELLATE TRIBUNAL

<sup>95</sup>**[41. Constitution of Appellate Tribunal** - (1) The Government shall, by Gazette notification, constitute an Appellate Tribunal for settling any dispute, question or any other matter under this act and for taking decision on appeals to be settled under this Act between-

- (a) State Sports Council and a District Sports Council;
- (b) State Sports Council and a Sportsman;
- (c) State Sports Council and Sports Organization; and
- (d) District Sports Council.]

(2) The Tribunal shall consist of, -

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- (a) the Law Secretary, ex-officio, who shall be the Chairman of the Tribunal;
  - (b) a person qualified to be appointed as a District Judge nominated by the Government;
  - (c) an expert in sports nominated by the Government.
- (3) The term of office and other conditions of service of the members of the Appellate Tribunal other than the ex-officio member shall be such as may be prescribed.
- (4) The Appellate Tribunal shall be deemed to be a Civil Court and shall have the same powers as may be exercised by a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) while trying a suit or executing a decree or order.
- (5) Notwithstanding anything contained in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), the Appellate Tribunal shall follow such procedure as may be prescribed.
- (6) The decision of the Appellate Tribunal shall be final and binding on the parties to the appeal and it shall have the force of a decree made by a Civil Court.
- (7) The execution of any decision of the Appellate Tribunal by the Civil Court to which such decision is sent for execution shall be made in accordance with the provisions of the Code of Civil Procedure 1908 (Central Act 5 of 1908).

**42. Bar of jurisdiction of Civil Court-** No suit or other legal proceedings shall lie in any Civil Court, in respect of any dispute, question or other matter which is required, by or under this Act, <sup>96</sup>[to be determined by the Appellate Tribunal.]

**43. Bar to the enforcement of right on behalf of unregistered sports organization and sportspersons -** Notwithstanding anything contained in any other law for the time being in force, no suit, appeal or other legal proceedings for the enforcement of any right on behalf of any sports organization or by a sportsperson, which or who, as the case may be, has not been registered in accordance with the provisions of this Act shall be instituted, commenced or heard, tried or decided by the Appellate Tribunal or by any court, after the commencement of this Act and no such suit, appeal or other legal proceeding shall be continued, heard, tried or decided by any court, after such commencement, unless such sports organization or sports person has been registered in accordance with the provisions of this Act.

## CHAPTER IX

### OFFICERS AND STAFF

**44. Appointment of Officers and Staff.-** (1) Subject to the provisions of sub-section(2) the Secretary of the State Sports Council may in consultation with Public Service Commission, and in the manner which is helpful for exercising the powers, duties and

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functions of all councils under this Act, appoint such officers and staff for the councils with the prior approval of Government, as may be required against posts duly sanctioned by it;

Provided that in all appointments to be made directly, <sup>97</sup>[fifty percent] shall be reserved for sportsmen.

(2) The State Sports Council may, with the previous approval of the Government appoint on deputation an employee of the State Government or Central Government as an employee of the State Sports Council or the District Sports Council on such terms and conditions as it thinks fit.

(3) Except as provided in this section, the appointment and conditions of service of the officers and employees of the State Sports Council and the District Sports Council shall be such as may be prescribed.

## CHAPTER X

### MISCELLANEOUS

**45. Power to make rules-** (1) The Government may, make, rules either prospectively or retrospectively, to carry out the purpose of this Act.

(2) In particular and without prejudice to the generality of the above said power, in such rules provisions may be made for the following, namely:-

(a) all matters connected with election or nomination of members by the State Sports Council or the District Sports Council;

(b) the resignation of members in the State Sports Council, District Sports Council, Corporation Sports Council, Municipal Sports Council, <sup>98</sup>[\*\*\*]Village Sports Council etc and filling up of consequent vacancies and other casual vacancies;

(c) the maintenance of accounts by the State Sports Council and the District Sports Council and the publication of audited statement of accounts and the reports of auditors;

(d) the restrictions and conditions, subject to which the State Sports Council or the District Sports Council may enter into contract or held or dispose of property;

(e) the manner in which the meeting of State Sports Council, District Sports Council, Corporation Sports Council, Municipal Sports Council, <sup>99</sup>[\*\*\*]Village Sports Council etc. shall be summoned and procedure of such meeting and other related matters;

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97. Subs. for the words " such percentage of posts as may be prescribed" by KS(A)Act,2018.

98. Omitted by KS(A)Act,2018.

99. Omitted by KS(A)Act,2018.

(f) conditions of service of the Officers and staff of the State Sports Council and the District Sports Council;

<sup>100</sup>[(g) powers, duties and functions of the Secretary of State Sports Council, Standing Committee of the State Sports Council, Secretary of the District Sports Councils and Executive Committee of the District Sports Council;]

(h) the Sports Council constituted under this Act shall prepare budgets and the manner and time limit for submission to the District Sports Council or State Sports Council or the government, as the case may be;

(i) the procedure to be followed by Appellate Tribunal under sub-section (5) of Section 41;

(j) any other matter which is required to be or may be prescribed under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**46. Power of State Sports Council to make Regulations** - (1) The State Sports Council may, subject to the provisions of this Act and the rules made thereunder and with the previous approval of the Government by notification, make regulations generally to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-

(a) the conditions and procedure for the affiliation of Sports Clubs;

<sup>101</sup>[(aa) powers and functions of the District Sports Council;]

(b) prescribe the standards, qualifications and conditions for conducting or organizing any sports or game or tournament;

(c) the establishment of sports organization and maintenance of play grounds;

(d) the functions and powers of the District Sports Council, Corporation Sports Council, Municipal Sports Council and Village Sports Council;

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100. Subs. by KS(A)Act,2018.

101. Ins. by KS(A)Act,2018.

- (e) acceptance of donations and endowments and its management;
- (f) any other matter which under this Act are to be, or maybe provided for by regulations.

**47. Nomination of First State Sports Council and First District Sports Council-** Notwithstanding anything contained in this Act, the first State Sports Council and the First District Sports Council shall be nominated by the Government and may continue for a period of two years from the date of such nomination or till the constitution of the said authorities in accordance with the provisions of this Act, whichever is earlier.

**48. Members of the Council, Staff etc. are to be Public Servants -** Every member of the State Sports Council, District Sports Council, Corporation Sports Council, Municipal Sports Council and Village Sports Council and the Officers and staff appointed under this Act is to be considered as a public servant within the meaning of Section 21 of the Indian Penal Code (Central Act 45 of 1860).

**49. Removal of difficulties -** (1) If any difficulty arises in the constitution of the first State Sports Council or the first District Sports Council or otherwise, in giving effect to the provisions of this Act, the Government may, by order, do anything not inconsistent with the provisions of this Act, which appears to them necessary for the purpose of removing the difficulty.

(2) Every order made under the sub-section (1) shall be laid, as soon as may be after it is issued, before the Legislative Assembly.

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