

Advance Service: Application being filed in WP(C) No. 10342/2019

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Date: Wednesday 6 August, 2025 at 11:57 am IST

Dear All,

Kindly find attached herewith the application filed in the captioned proceedings. The service of the same is hereby complete.

Best Regards,

Balasubramanian Ramesh

Senior Associate



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IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI
C.M. APPL. NO. _____ OF 2025
IN
WRIT PETITION (C) NO.10342 OF 2019

IN THE MATTER OF:

RAJASTHAN EQUESTRIAN ASSOCIATION ... PETITIONER/APPLICANT

VERSUS

EQUESTRIAN FEDERATION OF INDIA & ORS. ... RESPONDENTS

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APPLICANTS/PETITIONERS

THROUGH




**(ASHISH KOTHARI) (BALASUBRAMANIAN R.)
ADVOCATES FOR THE PETITIONERS**

KOCHHAR & CO.

**15TH FLOOR, IREO GRAND VIEW TOWER,
GOLF COURSE EXTN., SECTOR 58,
GURGAON, HARYANA-122011**

DATE: 06.08.2025
PLACE: NEW DELHI

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URGENT APPLICATION

To
The Registrar
Delhi High Court
New Delhi
Sir,

Kindly treat the accompanying suit as urgent under the Delhi High Court Rules and Orders. The grounds for urgency are:

“As prayed for in the accompanying application.”

APPLICANTS/PETITIONERS

THROUGH



(ASHISH KOTHARI) (BALASUBRAMANIAN R.)

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NOTICE OF MOTION

To,
Deputy Registrar,
Delhi High Court
Sir,

The enclosed application has been filed on behalf of the Applicant herein before the Hon'ble Court of Delhi and is likely to be listed on __.08.2025 or any date, thereafter. Please take notice accordingly.

APPLICANTS/PETITIONERS

THROUGH



(ASHISH KOTHARI) (BALASUBRAMANIAN R.)
ADVOCATES FOR THE PETITIONERS

KOCHHAR & CO.

15TH FLOOR, IREO GRAND VIEW TOWER,
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IN THE MATTER OF:

RAJASTHAN EQUESTRIAN ASSOCIATION ... PETITIONER/APPLICANT

VERSUS

EQUESTRIAN FEDERATION OF INDIA & ORS. ... RESPONDENTS

APPLICATION UNDER SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 SEEKING SUSPENSION/SETTING ASIDE OF THE EXTRA-ORDINARY GENERAL MEETING NOTICE BEARING NO. 072/EFI/EOGA/2025 DATED 02.08.2025 ISSUED BY THE RESPONDENT NO. 1

MOST RESPECTFULLY SHOWETH:

1. The captioned Writ Petition has been filed by the Petitioner being aggrieved by *inter alia*, the wholly arbitrary, illegal and opaque functioning and administration of the Equestrian Federation of India (“EFI”), which is not only contrary to the provisions of the National Sports Development Code, 2011 (“**Sports Code**”), but is also causing irreparable harm to the status of equestrian games in India. The contents of the writ petition may be read as part and parcel of the present application, and the same are not being repeated herein for the sake of brevity.
2. The present application is being filed seeking the suspension/setting aside of the Extra-Ordinary General Meeting (“EOGM”) Notice bearing No. 072/EFI/EOGA/2025 dated 02.08.2025 (“**Impugned EOGM Notice**”) issued by the Respondent No. 1, EFI, thereby calling an EOGM on 17.08.2025 at 11:30 hours at DSOI, Dhaula Kuan, New Delhi- 110010. It is submitted that the said EOGM is being held with the ulterior motive of disrupting the functioning of the EFI, and without

following the mandatory pre-requisites for calling an EOGM. A true copy of the Impugned EOGM notice dated 02.08.2025 is annexed herein and marked as **ANNEXURE A-1.**

3. It is pertinent to mention herein that an EOGM can be called only upon satisfying the conditions specified in Article 012 of the Statute of the EFI. The same is reproduced hereinbelow for the sake of convenience:

“ARTICLE 012- EXTRA-ORDINARY GENERAL ASSEMBLY

- 1. In case of necessity, another General Assembly can be convened during the year. This will be called "Extra Ordinary General Assembly".*
- 2. The Executive Committee may whenever they think fit, and or upon requisition made by 50 members of the EFI, an Extra-Ordinary General Assembly can be convened. A meeting convened by requisition shall be fixed for a date not later than 21 days from the date of requisition. The requisition shall specify the objective of the meeting and only business specified shall be discussed at the meeting. The request for the meeting shall be made to the Secretary General of the EFI who shall call the meeting. The right to call the meeting shall not vest with the individual and life members.*
- 3. The conduct of the Extra-Ordinary General Assembly Meeting will be exactly like the Ordinary General Assembly Meeting but quorum has to be minimum of 50 members excluding Executive Committee members.*
- 4. Decisions recorded in the Minutes shall be as binding.*
- 5. The powers of the Extra Ordinary General Assembly will be same as the Ordinary General Assembly except amendments to statutes which can only be taken up in the ordinary General Assembly.*
- 6. Minutes of General Assembly/Extra Ordinary General Assembly must be mandatorily sent/ circulated to all the members within 30 days from the date of the meeting. It will also be placed in the federation reference file.*

A true copy of the original EFI Statute is annexed herein and marked as **ANNEXURE A-2** and true copy of the amended EFI Statute is annexed herein and marked as **ANNEXURE A-3.**

4. The Petitioners verily believe that in the present case, the requisitions were neither placed before or approved by the Executive Committee (“EC”) of the EFI, nor are supported by at least 50 members, thereby making the Impugned EOGM notice invalid and *non-est*. This is established from the fact that the Impugned EOGM notice nowhere states that the same has been issued based on requisitions received from at least 50 members, or with the approval of the EC. It is thus apparent that the said Impugned EOGM notice has been issued unilaterally by Col. Jaiveer Singh, who, as per the information of the Petitioners, is currently suspended from performing the duties of the Secretary General by the EC. It is most surprising that despite the Impugned EOGM Notice being issued by the suspended Secretary General of the EC, no objections in this regard has been raised by the EFI. Furthermore, Col. Jaiveer Singh has failed to disclose the requisitions he allegedly received by him leading to the issuance of the Impugned EOGM Notice, when in fact under Article 012 of the Statute, he was duty bound to place such requisitions, if any, before the EC. However, no such disclosure was ever made, nor were the requisitions, if they existed, ever placed before the EC for its consideration and appropriate decision. The failure to follow this mandatory statutory procedure further vitiates the calling and conduct of the purported EOGM vide the Impugned EOGM Notice.
5. Without prejudice to the above, it is submitted that the Impugned EOGM Notice is nothing but another attempt by Col. Jaiveer Singh in collusion with certain bogus clubs, allegedly operating from Army Cantonment areas across the Country, to usurp power and control over the administration of EFI. In this regard, it is important to place on record the following facts: -
 - a. The current EC of EFI was elected pursuant to the elections of the EFI held in 2019.
 - b. Shortly thereafter, the captioned writ petition came to be filed by the Petitioners, aggrieved *inter alia* by the arbitrary, opaque, and unlawful functioning of Respondent No. 1. The administration and conduct of Respondent No. 1 were

found to be in blatant violation of the Sports Code and were causing serious and irreparable harm to the growth, regulation, and overall standing of equestrian sports in the country.

- c. That in and around the year 2022, Col. Jaiveer Singh, terminated all the members of the said EC, except for Col. S. S. Ahlawat and Harish Khokhar, thereby reducing the members of the EC to three.
- d. In a shocking turn, the Respondent No. 2 herein issued a Notification incorporating a Relaxation Clause, which was designed to insulate erring National Sports Federations from the consequences of their continued non-compliance. The issuance of the said notification triggered the filing of a separate Writ Petition bearing W.P.(C) No. 5989/2022 titled ***“Rajasthan Equestrian Association vs. Union of India & Ors.;”***, being aggrieved by the arbitrary exemption granted to EFI under the Order dated 09.11.2021. The contents of the said writ petition are not repeated here for the sake of brevity but may be read as part and parcel of this application.
- e. In the present proceedings, certain applications were filed by the Respondent No. 1 for orders/directions permitting the Respondent No. 1 to hold its elections for the Executive and Selection Committees. The said application was decided by this Hon’ble Court *vide* order/judgement dated 11.04.2023. The said order laid down a detailed mechanism for conducting elections of EFI, including one time setting up of an electoral college for the elections. A true copy of the judgement dated 11.04.2023 of this Hon’ble Court in the applications filed by the Respondent No. 1 in the present proceedings is annexed herein and marked as **ANNEXURE A-4**
- f. The said order was challenged by EFI in LPA Nos. 369/2023 and 370/2023, wherein the Hon’ble Division Bench of this Hon’ble Court passed an Interim Order dated 30.05.2023, holding that unless the issues which arise in the writ

petitions, in relation to the validity of the exemption granted to the Respondent No. 1 EFI are decided, the elections of the EC cannot be held. Therefore, the Hon'ble Division Bench of this Hon'ble Court was pleased to stay the operation of the judgement dated 11.04.2023 pending the disposal of the aforementioned writ petitions.

- g. Thereafter, on 17.09.2023, the EFI held an EOGM where, under Agenda VI (*"Status of cases pending before the Hon'ble Delhi High Court and related issues"*), a decision was allegedly and purportedly taken allowing the existing office bearers to continue, despite the fact that no such decision was taken in the meeting. It is submitted that despite no such decision being taken during the meeting, the Minutes of Minutes circulated by Col. Jaiveer Singh falsely stated that the said decision had been duly approved. On account of the illegalities and the manipulation of the minutes of the EOGM by Col. Jaiveer Singh, the said decision was challenged by the Petitioner in an application filed in the present proceedings, culminated in the judgment dated 21.05.2024 passed by this Hon'ble Court.
- h. This Hon'ble Court in its judgment dated 21.05.2024 held *inter alia* that:
 - The EOGM minutes inaccurately reflected the discussions and decisions. The Hon'ble Court was appalled to find that the transcript of the said EOGM placed on the record of this Hon'ble Court with the affidavit of Col. Jaiveer Singh did not match with the video recording as filed by the Respondent No. 1. It was held that no decision, as recorded in para 9.1 of the EOGM minutes, that pending the elections of the Respondent No. 1, the existing office bearers continue to function, was ever taken or agreed upon by the members of the EOGM. The Court specifically noted the *mala fides* of Col. Jaiveer Singh in placing an incorrect transcript of the EOGM with manipulated omissions on the record of the Hon'ble Court.
 - There was no approval for extension of tenure of existing office bearers. It was held that the discussion on the extension of the tenure of the existing

officers was not a part of the EOGM Agenda. Further, the order dated 15.09.2023 of this Hon'ble Court circumscribed the EOGM to discussions as set forth on the agenda, unless approved by the Ld. Chairman, which was never provided. Thus, the discussion/decision was in violation of the order of this Hon'ble Court dated 15.09.2023.

- Any continuation of the current regime was without legal authority. Therefore, the Hon'ble Court was pleased to appoint an ad-hoc Administrative Committee to supervise the administration of the Respondent No. 1 Association, with the assistance of the Ld. Court Observer appointed by this Hon'ble Court.
- i. Thereafter, the EC elected pursuant to the 2019 elections, was reinstated by the Hon'ble Division Bench of this Hon'ble Court *vide* its order dated 29.05.2025 in LPA No. 453/2024 titled *Equestrian Federation of India vs. Rajasthan Equestrian Association & Ors.*, and LPA No. 449/2024 titled *Chandigarh Horse Riders Society vs. EFI & Ors*, whereby the aforementioned judgement dated 21.05.2025 stood challenged. A true copy of the judgement dated 29.05.2024 of the Hon'ble Division Bench of this Hon'ble Court in LPA No. 453/2024 and LPA No. 449/2024 is annexed herein and marked as **ANNEXURE A-5**
 - j. Since the then elected president, Lt. Gen. Gopal R. indicated his inability to continue as the President of the EFI, the EC unanimously appointed Col. Jagat Singh (VP Tech) as the interim president using its powers under Clause 11 of Article 013 of the EFI Statute. It is pertinent to mention therein that the EFI statute was illegally amended in the 60th Annual General Meeting dated 27.03.2022, and the said amendments are also under challenge before this Hon'ble Court in WP (C) No. 10783/2022 titled **Col. Rajesh Pattu, SJRP, VSM, (Retd.) vs. Equestrian Federation of India & Ors.** However, it is relevant to note that no amendment has been made to Article 012 of the statute.

- k. Furthermore, *vide* judgement dt. 07.01.2025 passed by this Hon'ble Court in the aforementioned separate Writ Petition, being **WP(C) 5989/2022 titled "Rajasthan Equestrian Association vs. Union Of India & Ors;"**, wherein the legality and validity of certain exemptions from following certain critical provisions of the Sports Code (including the legality of the voting rights granted to clubs) granted by the Govt. of India (Respondent No. 2) to EFI were challenged, this Hon'ble Court was pleased to hold *inter alia* as under: -

"47. The MYAS has failed to record any substantive rationale for granting the exemptions in the impugned order. Its justification that the peculiarities of Equestrian sports necessitate the exemptions is based on generalized observations rather than empirical evidence. In the impugned order, Respondent No. 1 has merely noted the lack of infrastructure, expertise, and horses but has not explained why these factors render compliance with the Sports Code impractical or riddled with practical difficulty for its implementation. Furthermore, there is no evidence placed on record to suggest that Respondent No. 1 undertook any fact-finding exercise to verify the averments of EFI before they granted the impugned exemptions. As is clear from the documents placed on record and the report of the Observer in W.P.(C) 10342 of 2019, there are glaring discrepancies in the membership of State associations over club associations in the EFI, which is an aspect which ought to have been carefully studied before the exemptions were granted under the impugned order.

48 The Court notes that even under the current exemptions, the broader objectives of the Sports Code, i.e., representation, inclusivity, and grassroots development—remain unmet. The exemptions have merely institutionalized an unequal system where clubs dominate governance, sidelining State and District associations. Thus, in absence of a detailed fact-finding exercise before the exemptions were granted, the decision appears to have been a mere endorsement of EFI's request, without independently verifying the actual state of facilities or participation. In light of the foregoing discussion, the Court holds that the exemptions granted to EFI under the impugned order are arbitrary and lack substantive factual foundation.

50. At the same time, the Court recognizes the limited percolation and participation in Equestrian sports. However, the data furnished by EFI lacks sufficient depth and does not demonstrate any concrete or sustained efforts to promote the sport or expand its reach. Furthermore, the submissions of the

Petitioner and the report of the Observer in W.P.(C) 10342 of 2019 indicate a significant reduction in the membership of State Associations, alongside an increase in the membership of individual clubs within EFI. The exemptions have allowed EFI to remain in non-compliance with the requirement of having membership from 2/3rd of the States and to permit clubs as voting members of the national federation, while also granting relaxations from compliance with the Model Election Guidelines of the Code. The exemptions, rather than addressing governance challenges, have perpetuated a structure that does not align with the principles of transparency, accountability, and representation mandated by the Sports Code.

51. The continuation of the exemptions cannot be permitted indefinitely without addressing the systemic deficiencies identified in this judgment. However, the Court recognizes that an abrupt cessation of the exemptions, without a clear roadmap for reform, risks creating a governance vacuum, detrimental to the sport and its athletes. To balance these concerns, the Court directs that the exemptions remain operational as a strictly interim measure, pending the completion of the fact-finding exercise and the implementation of concrete steps to bring EFI into compliance with the principles of the Sports Code. Any further decision regarding the extension, modification, or withdrawal of the exemptions shall be based on the findings of the Committee.”

1. Furthermore, *vide* the aforesaid judgement dt. 07.01.2025 passed in WP(C) No. 5989/2022, this Hon’ble Court was pleased to appoint a committee headed by HMJ Najmi Waziri (Rtd.), to give a report on the following:

(i) **Assessment of Infrastructure:** Identify and evaluate the facilities available for Equestrian sports, including their geographic distribution and accessibility. Specifically, the Committee shall determine:

- The availability of Equestrian infrastructure in each district and State.
- Ownership, maintenance, and accessibility of facilities provided by government bodies, SAI, EFI, State associations, or private clubs.
- The feasibility of athletes from districts lacking infrastructure, utilizing the facilities available in adjoining districts or regions.

(ii) **Participation and Representation:** Examine the level of athlete participation and representation, including:

- i. The number and distribution of registered equestrian athletes across Districts and States.
- ii. The role of clubs, State associations, and District associations in promoting grassroots participation.
- iii. The extent to which State and District associations fulfil their mandate under the Sports Code.

c) **Functionality of State Associations:** Assess the effectiveness and contributions of State Associations in the development of Equestrian sports and their compliance with the Sports Code.

d) **Role of Clubs:** Evaluate the contributions of clubs to the governance, infrastructure, and development of Equestrian sports and their compatibility with the representative framework of the Sports Code.”

It is submitted that the Justice Waziri Fact-Finding Committee constituted by this Hon’ble Court is yet to submit its report thus far. A true copy of the judgement dated 07.01.2025 in W.P.(C) No. 5989/2022 is annexed herein and marked as **ANNEXURE A-6**

- m. The Petitioner understands that after the reinstatement of the EC, several discrepancies and illegalities were observed in the accounts, expenditure, and other functioning of the EFI, during the time when the EFI was unilaterally run by Col. Jaiveer Singh. Pursuant to an investigation, a Show Cause Notice dated 20.03.2025 (“SCN”) was issued to Col. Jaiveer Singh by the EC, and thereafter, due to the non-submission of a proper response to the said SCN, Col. Jaiveer Singh was suspended by the EC *vide* its decision dated 11.04.2025. The Petitioners understand that the said decision of the EC has not been challenged by Col. Jaiveer Singh before any Court thus far, and the same has now attained

finality. A true copy of the decision of the EC dated 11.04.2025 is annexed herein and marked as **ANNEXURE A-7**.

- n. While Col. Jaiveer appears to be under suspension, strangely the Impugned EOGM notice has been circulated by Col. Jaiveer Singh.
6. From the above facts, it is apparent that an internal rivalry/tussle is going on between the EC and Col. Jaiveer Singh, which appears to have resulted in the issuance of the Impugned EOGM notice, in blatant disregard of the EFI statute and the interest of the sport. Clearly, two factions have been created within EFI, who are fighting for control over the federation without having an iota of concern or regard for the development of the sport.
7. In fact, the Petitioner has learnt from credible sources that all the clubs operating from Army controlled areas, as well as some other clubs under the influence of the Army Services Corps (“ASC”)/Col. Jaiveer Singh were directed to make a request for holding the EOGM and were also provided with the requisitions which have been reproduced in the Impugned EOGM Notice. The Petitioner further understands that all the requisitions (if any) for holding the EOGM are identical. This information was also provided by the Petitioner No. 2 to Dr. S.Y. Querashi, the Ld. Court Appointed Observer, *vide* his email dated 02.08.2025, and Dr. Querashi was requested to bring the said interference by the ASC into the functioning of the EFI to the attention of this Hon’ble Court. A true copy of the email dt. 02.08.2025 from the Petitioner to the Ld. Court Appointed Observer is annexed herein and marked as **ANNEXURE A-8**
8. As is apparent from the above, the Impugned EOGM notice has been orchestrated by the now suspended Sec. Gen. Col. Jaiveer Singh (Retd) by abusing his control over several clubs in view of the ongoing rivalry between him and the EC. The same shows the sorry state of affairs within the EFI and is causing serious mistrust regarding the administration of Equestrian Sports in the Country among the athletes, State Associations as well as District Associations. It is submitted that in view of the

categorical finding of this Hon'ble Court that the exemptions granted to EFI that *inter alia*, permitted giving voting rights to the clubs were illegal and also the fact that Justice Waziri Committee is in the process of completing its report pursuant to the directions of this Hon'ble Court, it is important that Col. Jaiveer Singh and the dubious clubs are prevented from interfering in the working of the Federation until Justice Waziri Committee submits its report, and a final decision regarding the electoral college as well as the election of the EFI is taken.

9. Without prejudice to the above, it is submitted that the agendas contained in the Impugned EOGM notice cannot be discussed since a majority of the same are beyond the scope of powers/authority of the AGM. In this regard, the Petitioner wishes to submit specific comments to each of the agendas mentioned in the EOGM notice, which are as under:

AGENDA POINTS	SPECIFIC COMMENTS
<p><u>Agenda No I-</u> Dr SY. Quraishi, the Learned Observer appointed by Hon'ble High Court of Delhi report to be circulated for discussion and decision taken thereafter to be implemented by EFI.</p>	<ul style="list-style-type: none"> • The report of the Ld. Court Appointed Observer was duly filed before this Hon'ble Court for its consideration and appropriate action, hence any decision or direction, if so required, for the EFI to discuss or implement, must emanate from this Hon'ble Court. • Issuance of any such direction falls outside the scope and ambit of the powers and responsibilities entrusted to the Ld. Court Appointed Observer by this Hon'ble Court. • While there is no objection to the circulation of the report for the information of the members, convening an EOGM for its discussion and implementation is entirely unwarranted and without legal basis. The Petitioner believes that the present agenda item is merely a ploy to overthrow the EC reinstated by this Hon'ble Court.
<p><u>Agenda No II-</u> Nomination of an Interim President through a vote by the house who shall chair the EOGM and will be the Interim</p>	<ul style="list-style-type: none"> • Interim president can be appointed only in case a vacancy for the said position arises in the Respondent Federation. The Petitioner understands that since the reinstatement of the EC, Col. Jagat Singh, who was duly nominated as

<p>President of EFI till next AGM or elections whichever is earlier.</p>	<p>the President of the EFI by the EC following the resignation of Lt. Gen. Gopal R. on 05.08.2024, in its meeting held on 17.08.2024. The Petitioner further believes that the said decision has not been challenged till date and hence has attained finality.</p> <ul style="list-style-type: none"> • Without prejudice to the above, there is no provision under the EFI Statute for the creation or appointment of an "Interim President" through a vote of the General Body. • The manner of succession in respect of the office of the President are governed by Clause 6 of Article 017 of the Statute, which provides the EC with the power to nominate a suitable member to act as President. The said powers can be exercised only if such a vacancy arises. • Accordingly, the proposed nomination of an "Interim President" is legally untenable and impermissible under the existing statutory framework of the EFI, and the question of electing any interim President does not arise when a President, nominated by the EC in accordance with the Statute, is already functioning. • Finally, the Petitioner further understands that no such requisition was sent regarding the present agenda point, and the Respondent No. 1 is thus called upon to place on record the requisitions received. Furthermore, it appears that the present agenda point has been added merely on account of the internal rivalry, with a view to disrupting the functioning of the EFI, which is not in the interest of the sport.
<p><u>Agenda No III-</u> EFI Calendar 2025-26 put up on 07 Feb 2025 on EFI website to be discussed and finalized including the following</p> <p>(i) All jury to be foreign, and FEI empaneled</p> <p>(ii) Detailment to be done by Secretariat</p>	<ul style="list-style-type: none"> • Event allotment and the publication of the calendar are governed by Article 028 of the Statute. • Clause 5 clearly provides that the proposed calendar/first draft is to be approved by the EC and circulated to all members by 31st May each year, and the final calendar is to be published by the Secretary General by 31st July. Thus, no post-facto revisions or interference by the

	<p>General Body can be permitted when the calendar is approved by the EC.</p> <ul style="list-style-type: none"> Without prejudice, Clause 4 of Article 028 explicitly mandates that once approved by the EC, the calendar cannot be changed unless the proposed change is examined and approved by the EC. The power to approve or amend the calendar rests solely with the EC, and not with the General Body, let alone at an EOGM convened on vague and undefined grounds.
<p><u>Agenda No IV</u>- Based on the 2nd FEI's Asian Championship 2025 selection criteria as approved at the 62nd AGM held on 18 Aug 2024 the following will be put up by Secretary General for discussion and approval: -</p> <ul style="list-style-type: none"> (i) Updated results of selection trials (ii) Stage II of selection process (iii) For Eventing and Dressage, the preparation of list of probables will be based on two trails since in India only two events could be conducted (iv) Budget (v) Any other point related to 2nd FEI's Asian Championship 2025 	<ul style="list-style-type: none"> It is respectfully submitted that the selection for any event, including the conduct and evaluation of selection trials, falls within the exclusive domain of the Selection Committee duly constituted under Article 015 of the Statute. Further, as per Clause 3.2 of Article 015, the decisions of the Selection Committee are required to be placed before the EC for its approval. There is no statutory requirement under the EFI Statute for any part of the selection process, including updated results, staging of trials, or preparation of the list of probables, to be placed before the General Body for discussion or approval.
<p><u>Agenda No V</u>- Draft Selection Criteria will be put up by Secretary General for discussion and approval of the house for the following international events: -</p> <ul style="list-style-type: none"> (i) Youth Asian Games – 2025 (In addition to discuss and approve long list submitted with IOA, name of coach, manager and vet doctor) (i) Asian Games – 2026 (ii) Youth Olympics - 2026 	<p>As stated hereinabove in response to Agenda No. IV, the selection for any event, including the conduct and evaluation of selection trials, falls within the exclusive domain of the Selection Committee duly constituted under Article 015 of the Statute. The response to Agenda No. IV may be read as part of the present response, and the same is not being repeated herein for the sake of brevity.</p>

<p>Agenda No VI- A list of all pending payments will be circulated and put up for clearance at the EOGM</p>	<ul style="list-style-type: none"> • It is submitted that all financial matters, including the monitoring and clearance of payments, fall within the responsibilities of the Vice President (Finance) as set out under Article 020 of the Statute. • The Vice President (Finance) is required to report such financial matters to the EC. There is no provision in the Statute that mandates or requires the General Body to consider or approve such payments.
<p>Agenda No VII- Why a new EFI email and website created. Notice to be issued for both to be shut down</p>	<ul style="list-style-type: none"> • The Petitioner understands that the day-to-day management of the EFI falls within the purview of the EC. Thus, the present discussion is merely another attempt to usurp the powers granted to the EC under the EFI statute.
<p>Agenda No VIII- List of membership applications of Clubs/Institutional/State Association and Life/ Individual pending acceptance to be put up for discussion and approval</p>	<ul style="list-style-type: none"> • It is respectfully submitted that, as per Clause 3 of Article 004 of the Statute, all such membership applications are required to be screened for eligibility by the Bid Evaluation and Membership Screening Committee, which is duly nominated by the EC. • Accordingly, there is no requirement under the Statute for the General Body to be involved in the screening or approval process for membership applications. The matter falls exclusively within the domain of the said Committee and the Executive Committee. • Furthermore, the acceptance of any further membership application from such bogus club, individuals and institutional members will have to be restricted pending the final decision of the present petition, since the status of the said bogus clubs are still pending scrutiny. It is submitted that the said bogus clubs are being granted memberships with a view to increasing the voter base, in order to influence the elections of the EC, and thereby usurp control over the EC. It is relevant to note that the said issue had earlier been raised before this Hon'ble Court prior to the AGM dated 09.07.2023, wherein this Hon'ble Court was pleased to direct that the agenda point in relation to the grant of new memberships

	should be deferred to await the elections of the EC.
Agenda No IX- Nomination of two senior advocates and one advocate of EFI	The Petitioner understands that the present agenda item is also an attempt to usurp the powers of the EC, and EOGM does not have any locus to raise the present issue.
Agenda No X- Nomination of interim Selection Committee	it is respectfully submitted that the Selection Committee is already in place and hence, there is no occasion or requirement for the appointment of any interim committee.
Agenda No XI- Nomination of interim Membership screening and Bid Evaluation Committee	It is submitted that the constitution of this Committee is governed by Article 014(1) of the Statute, which vests the power of nomination solely with the EC, and accordingly, the matter lies outside the purview of the General Body. Further, with a pre-existing Bid Evaluation Committee, there is no requirement for any such decision to be taken by the General Body
Agenda No XII- Nomination of interim Dispute Resolution Disciplinary and Ethics Committee	It is submitted that the constitution of this Committee is governed by Article 014(2) of the Statute, which vests the power of nomination solely with the EC, and accordingly, the matter lies outside the purview of the General Body.
Agenda No XIII- Technical Guidelines 2025 to be put up for discussion and approval	It is submitted that under Clause 15 of Article 013 of the Statute, the EC is empowered to approve and issue Technical Guidelines and General Regulations as may be required for the development of the sport and the conduct of events. Accordingly, this matter falls exclusively within the domain of the EC and is outside the purview of the General Body.
Agenda No XIV- National Qualifier Guidelines 2025 vis- a - vie REL guidelines. 2023 discussion and approval	It is submitted that under Clause 15 of Article 013 of the Statute, the EC is empowered to approve and issue Technical Guidelines and General Regulations as may be required for the development of the sport and the conduct of events. Accordingly, this matter falls exclusively within the domain of the EC and is outside the purview of the General Body.
Agenda No XV- VP (Finance) and Secretary General are responsible to deal with EFI's bank i.e. Canara Bank, Delhi	<ul style="list-style-type: none"> It is submitted that such a proposal is contrary to the scheme of the Statute. Under Article 024 of the Statute, the Treasurer is vested with the responsibility of being in charge of all money,

<p>Cantt on all issues including change of signatory etc.</p>	<p>account books, papers, vouchers, and records, including cheque books, pertaining to the Federation.</p> <ul style="list-style-type: none"> • In light of the above, the proposed agenda item appears to be motivated towards obtaining control over the bank accounts of the EFI, which includes funds received from the Government of India. • Any such attempt to bypass the statutory role of the Treasurer and reassign financial control would be impermissible and contrary to the framework of the Statute
<p>Agenda No XVI- Every three months an EOGM / AGM to be conducted to discuss decisions of the EC and for their approval / not approval by the house.</p>	<p>It is submitted that there is no such requirement under the EFI Statute. The Statute does not contemplate or provide for periodic approval of Executive Committee decisions by the General Body, and accordingly, such a proposal cannot be enforced. The functioning and decision-making of the EC are governed by the Statute, and any deviation from its provisions would be impermissible and per se amount to a violation of the statute of the EFI.</p>
<p>Agenda No XVII- Status of EFI Secretariat and Staff.</p>	<ul style="list-style-type: none"> • It is submitted that this matter is squarely within the administrative domain of the Federation and is governed by the relevant provisions of the Statute. • Under Clause 4 of Article 018, the Vice President (Administration) is responsible for matters relating to the Secretariat and administrative functioning. • Additionally, under Clause 2 of Article 022, the Secretary General is entrusted with responsibilities concerning the supervision and control of the administrative staff. Further, under Clause 4 of Article 017, the President is vested with overall responsibility to ensure the smooth functioning of the Federation. • In view of the above, there is no requirement for the status of the Secretariat and its staff to be placed before the General Body for discussion. Further, the present agenda item is merely another attempt to override the powers of the EC and to usurp control.

Agenda No XVIII- Software for horse, rider registration and entries to be get made and implemented within 04-06 weeks	<ul style="list-style-type: none"> • It is submitted that the implementation of any such technology which may assist in improving administrative efficiency falls within the purview of the EC. There is no provision under the Statute that requires or empowers the General Body to direct or mandate the development or implementation of software or other administrative tools. • Such matters are to be considered and decided upon by the EC in consultation with the relevant office bearers, having regard to feasibility, timelines, and budgetary allocations.
--	---

Further, a note has been added to the present agenda item stating If any member misbehaves including an EC member, he shall be asked to leave the meeting by Chair/ Secretary General or else his membership will be terminated. It is submitted that the suspended Secretary General, by issuing such a notice, is trying to suppress any opposition being raised against him. It is shocking that such a statement has been made in a notice calling for EOGM, that too by an already suspended Secretary General. The same only shows the utterly highhanded and aggressive manner in which the suspended Secretary General, Col. Jaiveer Singh is attempting to run the Respondent Federation. Thus, in view of the above, it is clear that the requisition forming the basis of the notice calling for EOGM itself is writ in illegalities and is against the mandate of the statute of the Respondent No. 1 Authority. Therefore, the EOGM so convened by the Respondent No. 1 on the basis of the said illegal requisition cannot be permitted.

10. In view of the above, it is humbly submitted that until and unless the elections of the EFI are held strictly as per the Sports Code and in a democratic manner, the in-fighting within the EFI will continue, and the sport will continue to suffer. The current state of affairs within the Federation is marked by dysfunction, internal sabotage, and deliberate obstruction, all of which are inimical to the interests of the sport. The continued uncertainty and illegal interference in the functioning of EFI has already

had a chilling effect on the administration and promotion of equestrian sports in the country. It is submitted that the election of a fresh EC of the EFI assumes even greater urgency in light of the upcoming Asian Equestrian Championship scheduled to be held in December 2025. It is critical that a democratically elected and stable governing body elected by *bona fide* stakeholders (and not fictitious clubs, irrelevant institutions, and individuals) of the sport are put in place well in time to ensure proper athlete preparation, logistical coordination, and compliance with international standards. Any further delay in conducting elections would gravely prejudice the sport and its stakeholders across the nation.

11. In the above circumstances, it is imperative that the EFI/Col. Jaiveer Singh are directed not to conduct the so-called EOGM on 17.08.2025 or any other date until the elections of the EFI are held as per the Sports Code and a properly elected EC takes charge.
12. It is submitted that grave prejudice would be caused to the Petitioner and the integrity of the judicial process unless the impugned notice calling the EOGM is quashed.
13. The present application is *bona fide* and in the interest of justice.

PRAYER

14. In light of the foregoing, it is most respectfully prayed that this Hon'ble Court may be pleased to:
 - a. Pass an Order quashing the impugned notice bearing No. 072/EFI/EOGA/2025 dated 02.08.2025 issued by Col. Jaiveer Singh (Retd.)/the Respondent No. 1, Equestrian Federation of India ("**EFI**"), thereby convening the EOGM on 17.08.2025 at 11:30 hours at DSOI, Dhaula Kuan, New Delhi- 110010
 - b. Restrain the Respondents from holding the EOGM on 17.08.2025 at 11:30 hours at DSOI, Dhaula Kuan, New Delhi- 110010, or any other date thereafter;

- c. Restrain the clubs whose voting rights are also under consideration to call for any EOGM until a final decision is taken by this Hon'ble Court in relation to their eligibility to vote in the AGM/EOGM of the EFI;
- d. Direct that no further membership applications from any club, individual or institutional members affiliated with or constituting part of the bogus entities referred to in the present petition shall be accepted or processed by the Respondent Federation, pending final adjudication of the present petition, since the legitimacy and status of such entities remains under scrutiny before this Hon'ble Court;
- e. Pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

APPLICANTS/PETITIONERS**THROUGH****(ASHISH KOTHARI) (BALASUBRAMANIAN R.)****ADVOCATES FOR THE PETITIONERS****KOCHHAR & CO.****15TH FLOOR, IREO GRAND VIEW TOWER,****GOLF COURSE EXTN., SECTOR 58,****GURGAON, HARYANA-122011****PH: +(91) 9971969135 | 7875904684****EMAIL: ashish.kothari@kochhar.com****DATE: 06.08.2025****PLACE: NEW DELHI**

**IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL WRIT JURISDICTION)**

C.M. No. of 2025

IN

WRIT PETITION CIVIL NO. 10342 OF 2019

IN THE MATTER OF:

Rajasthan Equestrian Association

...Petitioner

VERSUS

Equestrian Federation of India & Ors.

...Respondents

AFFIDAVIT

I, Raghuvendra Singh Dunlod S/o Late Lt. Col. Raghuvir Singh, aged about 73 years, R/o Dunlod House, Civil Lines, Jaipur – 302019, Presently at Gurugram do hereby solemnly affirm and declare as under: -

1. That I am the President of the Petitioner in the above matter and I am well acquainted with the facts of the case and as such competent to swear the instant affidavit.
2. That I have read and understood the contents of the accompanying application and state that the accompanying application has been drafted by my counsel under my instruction and contents of the application are based on the information derived from the records and the same are true and correct to the best of my knowledge.



3. That the contents of the present affidavit are true and correct and no part of it is false and nothing material has been kept concealed therefrom.

DEPONENT

VERIFICATION

Verified by me at _____ this _____ day of _____ 202~~5~~ that the contents of the accompanying affidavit are true and correct to my knowledge and are based on information derived from the records and believed to be correct

I identify the
signature

DEPONENT



ATTESTED

JOGINDER SINGH
ADVOCATE & NOTARY
GURUGRAM DISTT. (HR.)
06 AUG 2025



ANNEXURE

A-

EXTRA-ORDINARY GENERAL ASSEMBLY

At

**Defence Services Officers
Institute**

**Dhaura Kuan
New Delhi - 110 010**

on

17 Aug 2025



072/EFI/EOGA/2025

07 Aug 2025

(All EFI Members)

NOTICE

**THE EQUESTRIAN FEDERATION OF INDIA: EXTRA-ORDINARY
GENERAL ASSEMBLY TO BE HELD ON 17 AUG 2025 AT DSOI,
DHAULA KUAN, NEW DELHI - 110010**

- Under the authority of EFI Statutes and rules therein an Extra Ordinary General Body Meeting (EOGM) of EFI will be held at **1130 hours** on **17 Aug 2025** at **DSOI, Dhaula Kuan, New Delhi- 110 010**. The Agenda points of the meeting are as under :-

S.NO

Agenda Points

- Agenda No I** : Dr SY Quraishi, the Learned Observer appointed by Hon'ble High Court of Delhi report to be circulated for discussion and decision taken thereafter to be implemented by EFI *.

(Copy attached as Appendix A)



Jaiveer Singh
Colonel
Secretary General
Equestrian Federation of India

Agenda No II : Nomination of an Interim President through a vote by the house who shall chair the EOGM and will be the Interim President of EFI till next AGM or elections whichever is earlier. **(Copy attached as Appendix B)**

Agenda No III : EFI Calendar 2025-26 put up on 07 Feb 2025 on EFI website to be discussed and finalized including the following **(Copy attached as Appendix C) :-**

(i) All jury to be foreign and FEI empanelled –
Approved / Not Approved

(ii) Detailment to be done by Secretariat –
Approved / Not Approved

Agenda No IV : Based on the 2nd FEI's Asian Championship 2025 selection criteria as approved at the 62nd AGM held on 18 Aug 2024 the following will be put up by Secretary General for discussion and approval :-

(i) Updated results of selection trials - Stage I –
Approved / Not Approved **(Copy attached as**

Appendix D)

(ii) Stage II of selection process - Approved /
Not Approved

(iii) For Eventing and Dressage the preparation of list of probables will be based on two trials since in India only two events could be conducted – Approved /
Not Approved **(Copy attached as Appendix E)**

(iv) Budget - Approved / Not Approved

(v) Any other point related to 2nd FEI's Asian
Championship 2025. **(Jaiveer Singh)**
Secretary General
Federation of India



- Agenda No V** : Draft Selection Criteria will be put up by Secretary General for discussion and approval of the house for the following international events :-
- (i) Youth Asian Games – 2025 (**Copy attached as Appendix F**) (In addition to discuss and approve long list submitted with IOA, name of coach, manager and vet doctor) (**Copy attached as Appendix G**) – Approved / Not Approved
- (ii) Asian Games – 2026 (**Copy attached as Appendix H**)- Approved / Not Approved
- (iii) Youth Olympics – 2026 (**Copy attached as Appendix J**) - Approved / Not Approved

- Agenda No VI** : A list of all pending payments will be circulated and put up for clearance at the EOGM (**Copy attached as Appendix K**) – Approved / Not Approved

- Agenda No VII** : Why a new EFI email and website created. Notice to be issued for both to be shut down* ! - Approved / Not Approved

- Agenda No VIII** : List of membership applications of Clubs / Institutional / State Association and Life / Individual pending acceptance to be put up for discussion and approval (**Copy attached as Appendix L**) - Approved / Not Approved

- Agenda No IX** : Nomination of two senior advocates and one advocate of EFI - Approved / Not Approved

(Jaiveer Singh)
Colonel
Secretary General
Equestrian Federation of India



- Agenda No X** : Nomination of interim Selection Committee - Approved / Not Approved
- Agenda No XI** : Nomination of interim Membership screening and Bid Evaluation Committee - Approved / Not Approved
- Agenda No XII** : Nomination of interim Dispute Resolution Disciplinary and Ethics Committee - Approved / Not Approved
- Agenda No XIII** : Technical Guidelines 2025 to be put up for discussion and approval (**Copy attached as Appendix M**)- Approved / Not Approved
- Agenda No XIV** : National Qualifier Guidelines 2025 (**Copy attached as Appendix N**) vis- a -vie REL guidelines 2023 (**Copy attached as Appendix O**) discussion and approval.
- Agenda No XV** : VP (Finance) and Secretary General are responsible to deal with EFI's bank i.e Canara Bank, Delhi Cantt on all issues including change of signatory etc.
- Agenda No XVI** : Every three months an EOGM / AGM to be conducted to discuss decisions of the EC and for their approval / not approval by the house.
- Agenda No XVII** : Status of EFI Secretariat and Staff.



(Jaiveer Singh)
Colonel
Secretary General
Equestrian Federation of India

Agenda No XVIII : Software for horse, rider registration and entries to be get made and implemented within 04-06 weeks.

Agenda No XIX : Any other points from members.

* MYAS / SAI / IOA / FEI to be informed to enable them rectify / update their records.

Note :-

(i) In case any individual /org/state / UT association /clubs goes to the court to obtain stay to hold the said EOGM, the Col Jaiveer Singh, Secretary General is empowered to take all steps as per law to defend it. The lawyers will be Senior Advocate Jayant Mehta, Senior Advocate Kirtiman Singh and Advocate Manmeet Singh.

(ii) If any member misbehaves including an EC member he shall be asked to leave the meeting by Chair/ Secretary General or else his membership will be terminated.

2. Individual / Life members can be present at the meeting whereas Club/ Institutional members shall be represented by one delegate and State/UT Association by a maximum two delegates. The delegates should be in possession of authority letter duly signed by their office bearer. Authority letter attached at **Appendix 'P'**.




(Jaiveer Singh)
Colonel
Secretary General
Equestrian Federation of India

3. Dr SY Quraishi, the Learned Observer appointed by Hon'ble High Court of Delhi has kindly consented to be present at the EOGM to be held at 1130 hours on 17 Aug 2025 at DSOI, Dhaula Kuan, New Delhi- 110 010.

Place : Delhi Cantt- 110 010

Dated : 07 Aug 2025




(Jaiveer Singh, Retd)
Colonel
Secretary General

Enclosure : Appendix ' P' – Sample Authority letter.

State/ UT / Club / Institutional Member No:

EQUESTRIAN FEDERATION OF INDIA
AUTHORITY LETTER FOR EXTRA – ORDINARY GENERAL ASSEMBLY

I, of being a State/ UT Association/ Club/ Institutional members of Equestrian Federation of India, hereby appoint of as our authorized delegate in our absence to attend in the Extra- Ordinary General Assembly of the Equestrian Federation of India to be held at 11:30 hours on 17 Aug 2025 at DSOI, Dhaula Kuan, Delhi Cantt – 110 010.

(Office Stamp)

Signature _____

Designation _____

Name of Association / Club / Institution
member

ANNEXURE A-2



EQUESTRIAN FEDERATION OF INDIA

C/o "B" SQUADRON, 61 CAVALRY, CARIAPPAMARG, DELHI CANTT - 110 010

Tele: +91-11-25683601, +91-11-25683602

E-mail: efindianf@yahoo.co.in

Website: www.efinf.org

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STATUTES
OF
EQUESTRIAN FEDERATION OF INDIA

(Earlier Memorandum and Rules and Regulations)

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TENTH EDITION

With effect from 27th Aug 2017, being the effective date of this Edition of Statutes, all other texts covering the same matter (Previous edition 2016) issued prior to this date are superseded.

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STATUTES

EQUESTRIAN FEDERATION OF INDIA

ARTICLE 000-INTRODUCTION

1. The Equestrian Federation of India was constituted in 1967, and is duly registered with the Registrar of Societies under the Societies Registration Act (Act xxi of 1860). Hereinafter referred to as EFI.
2. The registered office of the EFI is located at C/o "B" Squadron 61 Cavalry Cariappa Marg, Delhi Cantt - 10. (India) in the State of Delhi. Tele cum Fax No: **+91-11-25683601, 25683602** Website **www.efinf.org**
3. The EFI Emblem is a Striking Horse-head in the Indian Tricolour within a Chakra (wheel).
4. The EFI Flag consists of the Tri-Colour Logo of the Federation on a White Satin a contemporary splash of the Indian Flag.

CHAPTER I

PURPOSES AND PRINCIPLES

ARTICLE 001-PURPOSES

1. EFI is a recognized body of Federation Equestre Internationale (FEI) and will be the sole authority for conducting in INDIA all National and International Equestrian disciplines recognized by them.
2. To encourage and develop Equestrian sport in Olympic/FEI disciplines and Equestrian sport peculiar to India and Asian region and improve the standard of

performance of Indian riders in various international events.

3. To promote interest in riding, breeding of required type of horses, their training, care veterinary control and medication.
4. To establish and publish rules and regulations for conduct of National Events and events peculiar to Asia region. All events in general will be governed by FEI/EFI rules.
5. To allot, approve programmes for equestrian competition held under the aegis of EFI in India and exercise control over their technical organization and actual conduct.
6. To encourage holding of competitions, provide technical know-how and promote highest standard of organization.
7. To organize coaching camps, clinics in judging, course designing, technical delegate, steward and veterinary control of all equestrian disciplines approved and recognized by FEI/EFI.
8. To organize training and appoint adequate number of judges, course designers, technical delegates, stewards and veterinarians in various equestrian disciplines in order to get them empanelled with FEI.
9. To promote understanding and co-operation between various State associations, its members, and give them support and strengthen their authority, prestige and improve equestrian standards throughout the country.
10. To assist Organizing Committee of local Horse Shows by extending technical know-how, in terms of appointment of judges, etc.

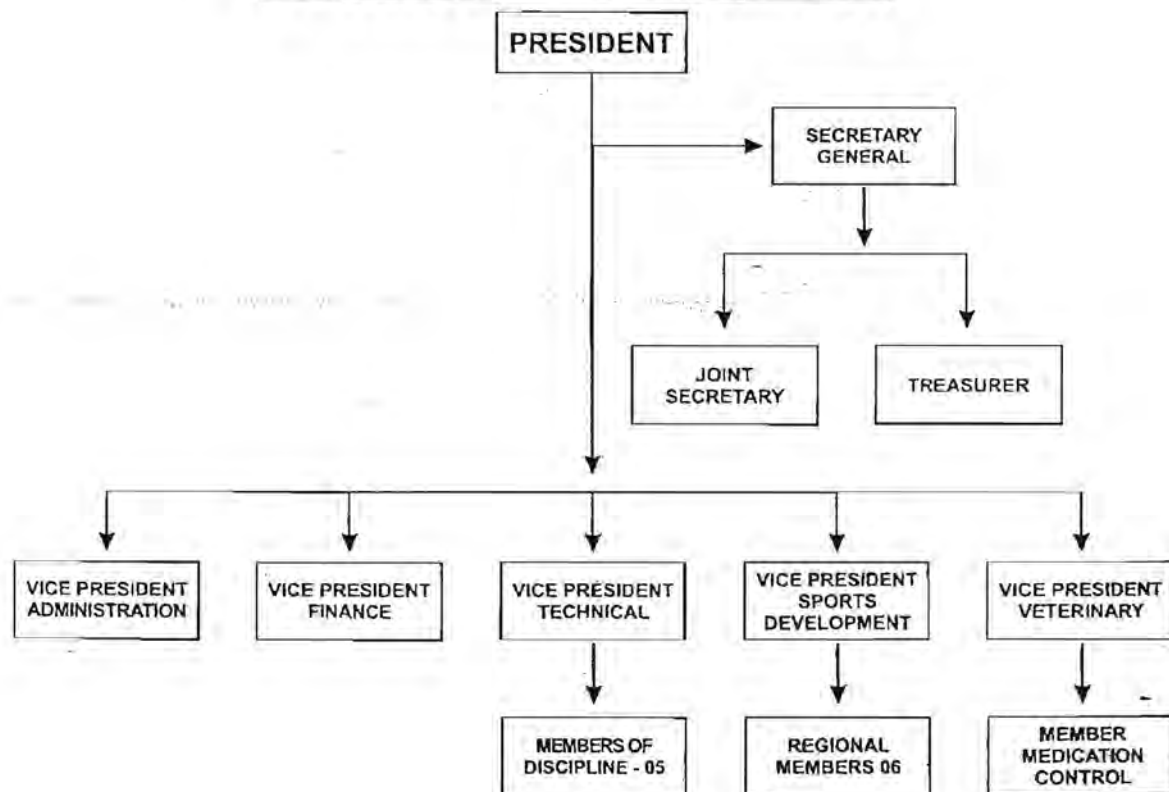
11. To print, publish and sell periodicals, books or leaflets to promote equestrian sport in order to keep all its members updated on all aspects.
12. To arrange representation of the EFI in International bodies, Asian bodies and in such other bodies as is considered necessary and to participate in their meetings and proceedings.
13. To acquire and dispose off property, movable and immovable in the best interest of the federation.
14. To undertake, create and execute any trust, which may lawfully be undertaken by the Federation.
15. To borrow or raise money for the purposes for which the Federation has been constituted.
16. To render financial assistance, as and when possible, to its members to further the objects of the Federation.
17. To liaise and co-operate with Government and other organisation, private bodies and clubs for the promotion and development of any one or more of the objectives of the Federation.
18. Generally to do all acts necessary and expedient for the promotion of any of the above objectives or any other objectives which are ancillary and/or incidental to the above objectives or to any one of them that will further the general purposes of the Federation.
19. As required under Section 2 of the Societies Registration Act XXI of 1860 (Punjab Amendment Act 1957) as extended to the Union Territory of Delhi, the names, address, occupation and designation of the members of the Executive Committee will be issued to all concerned from time to time.

20. **Utilisation of Fund:** The funds and property of the society shall be used only for the purpose and objectives of the society.

ARTICLE 002 - PRINCIPLES

1. The EFI is based on principles of equality and mutual respect between all members without prejudice to race, colour, region and internal political beliefs.
2. All members of EFI will recognize its parental body as the sole authority for National and International Equestrian Disciplines conducted under their aegis. In case of any disagreement, the decision of President on advise of the Executive Committee of EFI will be final.
3. The EFI has complete jurisdiction over all its competitors.

ARTICLE - 003
ORGANISATION OF EFI



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1. The responsibility of the management of the EFI will lie with Executive Committee. The following will constitute the Executive Committee consisting of 21 members.

1.1 The President

1.2 Vice President (Administration), Vice President (Veterinary), Vice President (Finance), Vice President (Technical) & Vice President (Sports Development)

1.3 Executive Committee members 6, of which five will be responsible for the five official disciplines such as Dressage, Jumping, Eventing, Tent Pegging and Endurance the sixth member will be responsible for Medication control and Equine Welfare.

1.4 Regional Members (06): From six zones as at Article 028

1.5 Secretary General (01)

1.6 Joint Secretary (01)

1.7 Treasurer (01)

CHAPTER II

MEMBERSHIP

ARTICLE 004 - MEMBERSHIP

1. There will be four categories of members

1.1 **Individual Members:-** Indian citizens/NRI's who are 18 years of age and above are eligible to become members. All individual members must be riders or ex riders/veterinarians/breeders associated with equestrian sports. However, on the approval of the Executive Committee, a non rider may be made a member, if in the opinion of the Executive Committee he/she would be able to contribute to the development of the equestrian sport significantly.

1.2 **State Associations:-** All State association are eligible to be members of the EFI.

1.3 **Institutions/Clubs/Units:-** Institutions including All India Bodies, Clubs, Defence Units and Government Establishments can apply for membership of the EFI. However such membership will be restricted to only those organizations that are involved in Equestrian Activities. The Executive Committee may seek general assembly approval for terminating membership of those institutions which do not meet the above criteria.

1.4 **Honorary Members :** - The Executive Committee may confer honorary membership of required designation (i.e. either as Honorary President/Vice President / Executive Committee Member) to the members for their long and outstanding contribution to EFI and to further the cause of equestrian sports in the country. Honorary membership,

of the designation last held, will also be granted to members who have completed three terms or twelve years as an elected office bearer of the federation. Honorary members can attend meetings, if invited, but will not have voting rights. Honorary membership can also be granted to elite riders who are Arjuna awardees/ Asian Game medalists in recognition of their contribution to the sport.

2. All membership applications will be screened for eligibility by the membership screening committee duly nominated by the Executive Committee.

ARTICLE 005 - PROCEDURE FOR MEMBERSHIP

1. Application for individual membership, duly proposed and seconded by existing members, must be sent by the applicant to the Secretary General in the prescribed membership form. Relevant details/ personal resume of the applicant, highlighting his / her equestrian background/ certificate from appropriate recognised equestrian institution/ Club /State Association, should be attached with the application. The Executive Committee/Screening committee may call for a personal interview of the applicant.
2. State Association applying for membership/affiliation to EFI must apply in the prescribed membership form. The State Association will furnish list of affiliated members along with recognition from its state Olympic Association. The EFI after examining the details will grant provisional membership to the association. Thereafter, after assessing the equestrian activities, process of elections, audited accounts, age & tenure of office bearers of the state association the EFI will then grant regular membership status with voting rights to the said association. In case of non-compliance of

above, EFI may suspend/terminate the membership of the state association. The EFI will recognize only one state association per state in the Union of India.

3. Clubs/institutions/Army Units applying for membership to the EFI must apply on the prescribed form to the Secretary General. All relevant details regarding the office bearers, membership list and profile, number of horses and ponies owned/held, facilities available etc. must be forwarded alongwith the application form. The Secretary General, on the advice of the Screening Committee, may ask for further information, if necessary. In case of Clubs/Schools, proof of affiliation to the respective State Association is mandatory. Army clubs need not be affiliated to State Associations.
4. If all the information provided by the application is found satisfactory by the Screening Committee, then the same will be put up to the Executive Committee for ratification. The General Assembly will be informed of the same. The members thus ratified will enjoy all rights and benefits, including voting rights and right to contest elections.

ARTICLE 006 - SUBSCRIPTIONS

1. On approval of an application, an applicant will be charged an annual subscription effective from (date of ratification by Executive Committee) as laid down in these statutes. However, at the time of application a non refundable application fee must accompany the application, otherwise it is null and void.
2. All annual subscriptions will be paid in advance by 31 Oct of each financial year ending 31 Mar. Failure to pay by due date will automatically disqualify a member from voting rights in ensuing General Assembly. The

EFI Secretariate will ensure that the subscription bills are raised and forwarded to all concerned well in time.

3. The fee payable by all categories of members will be decided by the EC and ratified by the GA.

ARTICLE 007- RIGHTS OF MEMBERS

1. All members will have the following rights:-
 - 1.1 Right to receive the copy of the Statues, Memorandum and Rules and Regulations of the EFI, as and when published, on payment of prescribed fee.
 - 1.2 Right to receive the Balance Sheet and audited accounts of the EFI.
 - 1.3 Right to attend the General Assembly (Annual General Body Meeting) and Extra Ordinary General Assembly.
 - 1.4 Right to vote at General Assembly Meeting / Extra Ordinary General Assembly subject to conditions stipulated in these Statutes.
 - 1.5 Right to stand for election after fulfilling criteria, if any, for the post.
 - 1.6 Liabilities of the members are limited to the extent of their subscriptions and entrance fees.
 - 1.7 Each member is entitled to a membership card issued by the Federation.
2. **Resignation**: A member shall give in writing his intention to withdraw from the membership of the EFI to the Executive Committee (addressed to the Secretary General). Such a resignation will take effect from the

date of its acceptance by the Executive Committee.

3. **Removal/Suspension/ Termination of Memebership:**

A member shall cease to be a member of the EFI if:-

3.1 He has been adjudicated as insolvent by a court.

3.2 He, being a Government servant, has been dismissed from Service.

3.3 He has been found guilty by a competent court for an offence involving gross misconduct or has been sentenced to imprisonment.

3.4 He has not paid the bills on due date as stipulated in these Statutes despite two reminders.

4. **Removal/Suspension of Membership:**

4.1 An individual member may be removed from the Federation if he has been found guilty of any conduct which, in the opinion of the Executive Committee, is against the objectives of the EFI or contrary to its interest. In such a case, the decision of the Executive Committee must be by a majority of two third votes. In the case of a State Association and Institutional members, the same has to be put up to General Body/Extra Ordinary General Body and its decision will be final.

4.2 The Executive Committee, may suspend an individual member for an offence for a specific period. The decision for suspension will be by voting based on two third majority. At the end of the suspension period,

the member will be automatically reinstated all his rights. Such actions will need to be ratified by the Executive Committee.

4.3 The General Assembly, by a two third majority of votes, can suspend/remove/terminate from the Federation any member including the member of Executive Committee and other Sub Committee for gross misconduct or for activities contrary to interests of the EFI, after giving due notice in writing.

5. **Right of Appeal:** A member whose membership has been terminated or suspended by the Executive Committee, shall have the right to appeal to the General Assembly at its meeting, whenever it is due. Till such time a decision is taken by the General Assembly, the member shall be treated as a suspended member of the EFI.

6. **Reinstatement:** When the General Assembly decides by a two third majority of voter members present to reinstate a member after hearing his appeal against termination, the member will be reinstated after paying all dues and the normal subscription.

7. **Effect of Suspension or Removal/Expulsion:**

7.1 When an individual member is suspended by the Executive Committee he will not be allowed to participate in any event during that period and will also not be allowed to attend or take part in any meeting of the EFI except when his appeal is being heard in such meeting.

7.2 In case of a State associations/Clubs or an Institutional member, the concerned organisation or institute or a Unit or a Club will not be allowed to conduct or hold any competition or event under its

patronage/aegis of EFI or send a representative to attend or take part in any meeting of the Federation.

7.3 The cases of suspension and subsequent reinstatement as well as case of expulsion and removal will be made known as soon as possible to other members by the Secretary General of EFI. He will also inform the concerned member in writing of the decision.

CHAPTER III

GENERAL ASSEMBLY

ARTICLE 008 - COMPOSITION

1. The General Assembly, in session under the Statues, is the supreme authority of EFL.
2. The General Assembly shall be the controlling body of the Federation. All authority is vested in it and decisions of the assembly shall be binding on all members.
3. Each State Association, Institution, Club or Unit member may be represented by two delegates and has two votes. The voting authorization will be signed by President or Secretary/CO or OC in the case of Institutional/Unit members.
4. Honorary President, Honorary Vice President and other Honorary Members and Ex-officio Members may attend the General Assembly without voting rights.

ARTICLE 009 - FUNCTIONS AND POWERS OF GENERAL ASSEMBLY:

The functions and powers of General Assembly are supreme and will be as follows:-

1. To approve the minutes of last General Assembly.
2. To approve the agenda.
3. To elect members of Executive Committee/Sélection Committee, whenever is due.
4. To receive, discuss and approve the Annual Report submitted by the Secretary General.
5. To receive and approve the Annual Financial Report submitted by Vice President (Finance) and /or by

Secretary General/Honorary Treasurer.

6. To approve Budget proposal for the next financial year.
7. To receive, discuss and approve reports if any received from Vice Presidents/Executive Committee members.
8. To approve reinstatement of expelled members except those expelled or terminated on disciplinary grounds.
9. To decide on items put on the agenda by the Executive Committee on request of members.
10. To approve and amend rules and regulations/statutes. These, however, would have to be passed by two third valid votes of members present.
11. To consider suspension and thereafter termination of membership of a member who approaches an out side agency for dispute resolution, bypassing the inbuilt statutory mechanism.
12. To take appropriate action on issues relating to non implementation of statutes raised by members, including disqualifying the person concerned in an extreme case by two third majority. However, before taking any action the matter must be referred to the Dispute Resolution and Disciplinary Committee for necessary inquiry and report.
13. To deal with any other matter not specifically provided for elsewhere in these rules.

ARTICLE 010 - AGENDA GENERAL ASSEMBLY

1. Points to be included in an agenda for an ordinary General Assembly must be sent to Secretary General EFI by 30th of April of the year in question, in writing, in order to enable the Secretariat to include the same. The Secretary General will ensure that all such points are put up to the Executive Committee for discussion and

deliberation. The Executive Committee may, thereafter, decide to include or exclude the points in the agenda of the General Assembly. The member concerned, in any case, will have to be informed of the outcome by the Secretary General in writing.

2. Only items notified in the agenda may be decided at a session. In exceptional cases, the Chairman may allow unlisted items also to be discussed.

ARTICLE 011-ANNUAL GENERAL ASSEMBLY

1. The General Assembly shall be held at least once in every calendar year but not later than 30th Sep. Such Annual General Assembly shall be called "Ordinary General Assembly Meeting".
2. General Assembly Meeting will be held after giving a minimum notice of 30 days in writing specifying the date, place and hour of the meeting and the agenda of the Meeting. Such information will also be dispatched under postal certificate to all members.
3. The quorum for holding an Annual General Assembly Meeting shall be a minimum of 75 members of the EFI. A member for this purpose means an individual member in person or a unit/institutional member, represented by one individual of that organization. No proxy is allowed to count towards quorum.
4. General Assembly will be presided by the President, However, if cannot be chaired by the President, then the Vice President (Administration) will preside. In case of absence of both, Executive Committee will nominate the Chairman.

ARTICLE 012- EXTRA-ORDINARY GENERAL ASSEMBLY

1. In case of necessity, another General Assembly can be convened during the year. This will be called "Extra Ordinary General Assembly".
2. The Executive Committee may whenever they think fit, and or upon requisition made by 50 members of the EFL, an Extra-Ordinary General Assembly can be convened. A meeting convened by requisition shall be fixed for a date not late than 21 days from the date of requisition. The requisition shall specify the object of the meeting and only business specified shall be discussed at the meeting.
3. The conduct of the Extra-Ordinary General Assembly Meeting will be exactly like the Ordinary General Assembly Meeting but quorum has to be minimum of 50 members excluding Executive Committee members.
4. Decisions recorded in the Minutes shall be as binding.
5. The powers of the Extra Ordinary General Assembly will be same as the Ordinary General Assembly except amendments to statutes which can only be taken up in the ordinary General Assembly.
6. Minutes of General Assembly/Extra Ordinary General Assembly must be mandatorily sent/ circulated to all the members within 30 days from the date of the meeting. It will also be placed in the federation reference file.

CHAPTER IV

EXECUTIVE COMMITTEE

ARTICLE 013 - ORGANISATION AND FUNCTIONS OF EXECUTIVE COMMITTEE

1. The management of the business of the EFI shall be vested in the Executive Committee of members as structured below:-
 - 1.1 President - 1
 - 1.2 Vice President - 5 (Technical, Administration, Finance, Veterinary, Sports Development).
 - 1.3 Secretary General - 1
 - 1.4 Joint Secretary - 1
 - 1.5 Treasurer - 1
 - 1.6 Other Members - Other Members - 6- one member each for Dressage, Eventing, Jumping, Tent pegging, Endurance and Medication Control and Equine Welfare.
 - 1.7 Regional Members- 6 (One member representing each zone/region. For this purpose, the country is divided into six regions as in Chapter VII)
2. The President at his discretion, may invite any person (s) to Executive Committee/Executive Board Meetings

who in his opinion may meaningfully contribute to the discussions and deliberations. However, such invitees will not have any voting rights.

3. The Executive Committee will meet at least four times in a year with a 15 days notice. The interval between such meetings shall, however, not exceed three months.
4. The quorum for holding of Executive Committee Meeting shall be a minimum of seven members.
5. All the members of the Executive Committee shall be elected from amongst the members of the EFI. It shall be obligatory for the Secretary General, Joint Secretary and Treasurer to be Delhi based.
6. A member of the Executive Committee when associated with a team during an event, shall not claim his prerogative as a member of the Executive Committee.

6.1 **Conflict of Interest:** A person with conflict of interest will not be elected as member of Executive Committee neither he will be any office bearer of the federation. The definition of conflict of interest is to be followed as per article 158 of general regulations of FEI.

7. Each member of the Executive Committee, shall assume his office on the following day of the conclusion of Annual General Assembly meeting in which the elections were made and will hold the office for a term of four years or till the next Annual General Assembly meeting, whichever is later. All members of the Executive Committee except the President, Secretary General & Treasurer may serve a maximum of two consecutive terms followed by a cooling off period of 2 years. For the govt employees, the order of DOPT is applicable, according to which any govt servant cannot hold elective office in any Sports Federation/ Association for a term of more than four years or for one

term, whichever is less. However this rule will not apply to a govt servant who is an athlete and has participated at National/ International Games and Championship. In the case of President, Secretary General and Treasurer, the following restrictions will apply with regard to re-election.

7.1 The President can hold the office for a maximum period of twelve years with or without break i.e. three terms.

7.2 The Secretary General and the Treasurer may serve a maximum of two successive terms of four years each after which a minimum cooling off period of four years will apply to seek fresh election to either post. Such a member, on completion of twelve years/3rd term will be granted honorary designation equivalent to the position last held by the individual concerned. Such members will not be entitled to contest any further elections. Such honorary members, however, will be entitled to attend meetings as and when they are invited.

8. Members who wish to serve on the Executive Committee should be proposed and seconded by individual/Institutional members of the EFI, 21 days in advance of the meeting. The Secretary General will notify the list of candidates by displaying the same conspicuously on the EFI Notice Board 10 days before the meeting, at which they are to be elected.
9. If a vacancy in the Executive Committee occurs during the year, due to demise, resignation or for any other reason, the Executive Committee may nominate a suitable member of the Federation to hold the said office till the next Annual General Assembly Meeting. This short term will not, however, count towards his total tenure in case he is subsequently elected for a term.

10. Elections of the above committee members will be held once in four years or whenever a vacancy occurs during the General Assembly/Extra Ordinary General Assembly from amongst members. All such elected members will serve a four year term. The election process will be guided by-laws as framed and approved by Executive Committee from time to time.
11. If an Executive Committee member does not attend three consecutive meetings without cogent reason, he/she will cease to be a member and the President can nominate another suitable EFL member to meet immediate requirement. A suitable member will, however be elected in the ensuing General Assembly to fill up the vacancy.
12. The Executive Committee is empowered to form sub committees / any other committees that it considers necessary.
13. The Executive Committee is empowered to approve and issue Technical Guidelines/General Regulations as required for development of sport and conduct of events.
14. **Age of office-Bearers:** The office bearers (President, Secretary General & Treasurer) shall cease to hold the post on attaining the age of 70 years.

CHAPTER-V

FORMATION AND DUTIES OF OTHER COMMITTEES

ARTICLE 014- COMMITTEES

The following committees will be nominated by the Executive Committee:

1. **Advisory Committee**: A three member Advisory Committee will be nominated by the Executive Committee. The committee will act as an advisory body to the President and the Executive Committee. The term for this committee will be two years. It is, however, mandatory that this committee is constituted by members who have been elected in earlier Executive Committees. The function of this committee will be purely advisory in nature. The points raised by the members of this committee must mandatorily form a part of Executive Committee agenda.
2. **Bid Evaluation Committee**: The committee will consists of three members nominated by the Executive Committee. Any member of the EFI is eligible to be the member of the committee. All the bids received for hosting of events under the aegis of EFI will be examined by the committee. The committee, after careful examination, will present the bids with its comments to the Executive Committee for approval and subsequent calendar finalisation. The term of this committee will be for two years.
3. **Membership Screening Committee**: The Executive Committee will nominate a three member committee to screen and examine all membership applications. The Committee will then put up/ present the list with its comments to the Executive Committee for its approval. The term of this committee will be for two years.

4. **Media and Publicity Committee:** The Executive Committee will nominate a three member Media and Publicity Committee to ensure due publicity and suitable media coverage for the sport and sports persons. The term of this committee will be for two years.

5. **Dispute Resolution and Disciplinary Committee:** The Executive Committee will nominate a three member committee, who are not members of Executive Committee, for resolution of all disputes relating to violation of statutes, disciplinary cases arising in course of events held under the aegis of EFI etc excluding those which are referable to technical committee constituted for their resolution. The committee will, after calling for all relevant records and facts and after giving reasonable opportunity to the parties, will render its reasoned decision within a maximum period of sixty days. If a party continues to be aggrieved, it shall be open to that party to file an appeal against the committee's decision before the Executive Committee within a period of thirty days from the date of the aforesaid decision. The decision of the Executive Committee, thereafter, will be final and binding on the parties. It will, however, be mandatory for the Executive Committee to take up the appeal in its following meeting. The term of this committee will be for two years.

6. **CAS CLAUSE:** The Equestrian Federation of India agrees to file an appeal against the orders of the Federation Equestre Internationale (FEI) before the Court of Arbitration for Sports. (CAS).

**ARTICLE 015 - SELECTION COMMITTEE ELECTION,
TENURE AND PROCEDURES**

1. The Selection Committee consisting of five members will be **elected by the General Assembly**. Only members who have won medals in any of the equestrian disciplines in the National Equestrian Championships are eligible. Their tenure will be of one/two/three/four years but must co-terminus with the Asian Games. The term will terminate at the AGM/ election succeeding the Asian Games. They can seek reelection for another term by simple majority. **The President shall nominate the chairman of the Selection Committee to conduct the proceedings of the meeting.** All proceedings will be recorded. The Secretary General can attend meetings but without voting rights and will record all proceedings and obtain signature of all attending Selection Committee members. Signed copies will be sent to all committee members by Secretary General within 10 days of convening a meeting. Copies will also be sent to all Executive Committee members and placed in the federation reading file.
2. If a Selection Committee member does not attend two consecutive meetings without any valid reason for absence, he will cease to be a member and the President can nominate another suitable EFI member to meet immediate requirement. A suitable member will however, be elected in the ensuing General Assembly to fill up the vacancy. The criteria for members seeking re election to the Selection Committee will be the same as stipulated in the statutes for Selection Committee members.
3. The Selection Committee composed as stipulated in these statutes will assemble as and when necessary for following responsibilities.

3.1 Selection of Indian teams and Chef d'equipe /Coaches/Managers for all disciplines to represent India in International Events held in India and abroad. This will include Asian Games /Olympics/ International / Regional Games. Performance and merit will be the only criteria.

3.2 Selection Criteria will be finalized and intimated to all members and thereafter will be strictly adhered to.

3.3 The Selection Committee will also decide the nominations for Arjuna, Dronacharya Rajiv Gandhi Khel Ratna and similar awards and their recommendations will be put up to the Executive Committee for final approval. The final decision will thereafter be conveyed to the Government and to the General Assembly by the Secretary General.

3.4 The President may reconvene Selection Committee meeting should in his opinion there is need to do so, based on complaints/ representations received by him. However the reconvening of the meeting can be done only once.

ARTICLE 016 - CHEF D'EQUIPE / COACHES/ MANAGERS

1. All Chef D'equipe/ Managers/ Coaches to accompany Indian teams for all International competitions held in foreign countries/ India including Asian Games, World Equestrian Games and Olympic Games will be done by the Selection Committee and then approved by the Executive Committee. If for any reason, there is an urgency to decide and the Executive Committee cannot meet, then the Secretary General must inform them at the earliest. In any case, the Chef D'equipe will mandatorily submit a report of all foreign trips in the

CHAPTER VI

DUTIES

ARTICLE 017: PRESIDENT

1. The President is overall responsible for ensuring that the purposes and principles of EFI are observed and for general supervision of all its activities and will guide all members in discharge of their duties.
2. The President should generally chair all sessions of General Assembly, Executive Committee/Executive Board and other committee that may be formed. However, he may delegate responsibility to chair meeting in case of his temporary inability to attend such meetings.
3. The President will ensure that the financial position of EFI is sound.
4. The President, in consultation with Secretary General, has full powers to ensure smooth day to day running of EFI, its Secretariat, and for holding the General Assemblies and its related expenditure. They are also vested with powers to incur expenditure involved in organising or supervising any equestrian competition held under the aegis of EFI.
5. To deal with disciplinary matters subject to ratification by Executive Committee and General Assembly as laid down in these statutes.
6. The President is entitled to casting vote in case of a tie. This will be clearly recorded in the minutes.
7. In the event of resignation by the President, the Vice President (Administration) will preside. If the Vice President (Administration) is also not available, the

Executive Committee may nominate a suitable member as the President. It is, however, mandatory for such a member to get formally elected within six months of the nomination or the next AGM which-ever is earlier.

ARTICLE 018 - VICE PRESIDENT (ADMINISTRATION)

He will be responsible to General Assembly for administration of EFI. His duties will be as under:

1. Responsible for all duties of administrative nature, involving all activities of EFI.
2. He will assist the President in the duties related to administration.
3. Preside over the Executive Committee Meeting and General Assembly / Extra Ordinary General Assembly in the absence of the President.
4. He will guide and oversee the functioning of the Secretariat on all administrative matters including upkeep and maintenance of office, communication, holding of meetings and smooth functioning.
5. The Secretary General will report to him directly on all matters of administration of EFI. On assumption to the post of President in light of President's absence, the Secy Gen and Secretariat will refer all matters marked for the President to him.

ARTICLE 019 - VICE PRESIDENT (TECHNICAL)

He will be responsible to General Assembly for all Technical activities of EFI. Briefly, his duties will be as under:

1. Responsible for all Technical issues (Excluding Veterinary)

2. He will assist the President in all Technical related issues.
3. He will nominate the EFI Jury/Technical Delegates for all National championships at least one month in advance and for important events such as International events/Asian Games trials jury should be nominated 3 months in advance.
4. He will be responsible for formulating Technical Guidelines for all events to be conducted under the aegis of EFI.
5. He will present to the Executive Committee a summary of all Technical Delegates report at the end of the equestrian calendar.
6. All competition rules and prospectus once finalised for a competition, will not be altered by any Organising Committee without the approval of Vice President (Technical).
7. All amendments to Technical Guidelines, rules and regulations will be drafted by him in consultation with members of each discipline of the Executive Committee. However; no such changes shall take effect unless approved by the Executive Committee.
8. He will be responsible for organizing clinics for judges and will update the EFI directory. The draft updated directory prepared by him will, however, need approval of the Executive Committee.
9. Executive committee members responsible for each discipline such as jumping, eventing, endurance, dressage and tent pegging will report to him and generally work under his guidance.

ARTICLE 020 - VICE PRESIDENT (FINANCE)

He will be responsible to General Assembly for all financial affairs of EFI. His duties will be as under:

1. He will assist the President/Secretary General in preparation of Budget Estimates and get them approved by the General Assembly.
2. Will ensure budgetary and monetary provisions, as laid down in the Statutes, are strictly adhered to.
3. Raise funds by way of sponsorships, donations etc.
4. He will be responsible for all expenses, income and investments. Further, he will report to the Executive Committee on the financial status of the Federation.
5. He will be responsible for drafting the corpus fee policy/ guidelines, payable by organizing committees for events to be held under the aegis of EFI. He will keep himself informed on the track record / credit worthiness of organizations dealing with the EFI and shall advise the Executive Committee/ President appropriately.
6. He will monitor and present to the Executive Committee and to the General Assembly the list of individual and institutional defaulters.
7. The Treasurer will report to him and generally work under his guidance.

ARTICLE 021 - VICE PRESIDENT (VETERINARY)

He will be responsible to General Assembly on all veterinary matters. His duties will be as under:

1. Provide/make available necessary veterinary cover during conduct of National/International events

- conducted under the aegis of EFI. Make arrangements for Dope Testing and other tests that may be required during an equestrian event.
2. Make arrangements to provide veterinary cover to all animals in Coaching Camps and camps established during an equestrian competition approved by the EFI.
 3. Nominate veterinary personnel to act as members of Veterinary Commissions in competitions conducted under aegis of EFI.
 4. Keep liaison with the Indian Contact Veterinarian on FEI panel of Veterinarians and keep track of all Veterinary activities and work in conjunction with him.
 5. Organise and help conduct EFI/FEI Veterinary courses for Veterinarians in India or abroad.
 6. Periodically screen Indian Veterinarians on FEI Veterinarian panel and in consultation with Contact Veterinarian, submit his recommendations for alterations, additions and deletions to president EFI.
 7. Advisor to President on all veterinary matters. He will keep close liaison with the Animal Husbandry Department of Government of India and keep track of existing/prevaling veterinary diseases common and peculiar to Genus Equus and issue suitable instructions to all animal holders and riders.
 8. Make available necessary veterinary lab facilities for sports horses as and when needed and is feasible.
 9. He will automatically be the President of Veterinary Commission for shows held in India. In his absence he can nominate a suitable Veterinarian to be the President.

10. The member Medication Control Protocol will assist him in all issues relating to medication control and will work under his guidance.
11. He can function as or nominate Contact Veterinarian to interact with FEI.

ARTICLE 022- VICE PRESIDENT (SPORTS DEVELOPMENT)

He will be responsible for all activities relating to development of equestrian sport. Briefly, his duties will be as under:

1. He will be responsible for initiating sports development activities to popularise equestrian sport throughout the country.
2. He will initiate and coordinate development activities with the FEI.
3. He will coordinate and network with the State Associations for development of equestrian sports in the regions and in the States.
4. He will, in consultation with the President and Executive Committee members, draw up developmental plan for Regional Competitions within South Asia and Asian Regions.
5. He will coordinate with the President and the Quarter Master General to initiate training facilities for skilled manpower such as farriers, dressers, instructors etc. for Club members/ State Associations.
6. He will be responsible for development of equestrian sports in all regions and work in consultation with the Regional Members who, in turn, will report to him from time to time on the activities carried out in their region and generally work under his guidance.

7. He will be responsible for updating the list of coaches for National and Regional levels.
8. He will be responsible for coordinating the development of infrastructure.
9. He will keep the President and the Executive Committee informed and seek their guidance in implementing developmental issues.

ARTICLE 023 - SECRETARY GENERAL

The Secretary General (SG) is an ex-officio member of the Executive Committee and of all standing Committees in consultative capacity without the right to vote. He is the head of the Secretariat of EFI and responsible for the following:

1. The management of the Secretariat and financial management within the budget approved by General Assembly. He is also authorised to keep an Imprest Cash as approved by Executive Committee for defraying urgent cash expenditure.
2. Day to day functioning of EFI Secretariat and upkeep as also maintenance of office.
3. Responsible for convening meetings, sessions, recording of minutes and its distribution and implementation of decisions. He will ensure that the minutes of General Assembly / Extra Ordinary General Assembly and Executive Committee as well as selection committee meeting are prepared promptly and disseminated to all concerned, including a copy in the Federation reference file.
4. The preparation of Annual Report of EFI, and its submission during General Assembly.

5. The correspondence of EFI and the execution of formal documents with the approval of President. He will mandatorily keep the Executive Committee informed of all communications received from Government of India/ State Governments / Sports authority of India/ Indian Olympic Association/ Federation Equestre Internationale. These will be included by him in the agenda of all Executive Committee Meetings.
6. He will consult the respective Vice Presidents and seek their guidance in dealing with subject specific matters relating to Federation Equestre Internationale, Indian Olympic Association, Government of India and State Associations.
7. Maintain an updated list of approved Coaches, Course Designers and Judges of all disciplines in consultations with the Vice President (Technical). He, however, cannot unilaterally make changes in the list without approval of the Executive Committee.
8. He will ensure that the Federation website is updated with all the information for the benefit of the members. He must, however, ensure that the latest technical guidelines, as applicable, calendar of events, grades of horses, updated points of horses and riders and approved list of officials and results, are correctly available on the website at all times. All changes made must be updated promptly.
9. Keep President and Vice Presidents posted with all developments and seek their guidance in implementing Statutes, Rules and Regulations of EFI. He will function under the directions of Executive Committee, President and Vice Presidents.

10. His absence from office/ leave will be approved by the President / Vice President (Administration). During his absence, his function will be performed by the Joint Secretary.
11. He will ensure that the membership register is updated regularly.
12. He will ensure that after conclusion of each event results are obtained from the Organising Committee/ Technical Delegate promptly. It is absolutely necessary for him to ensure that the upgrading and downgrading of horses are done prior to the commencement of the next competition/event and updated on the website.
13. The Secretary General will keep the Executive Committee members informed of all invitations received from International Federations/ foreign countries regarding participation of Indian Team. All such communication must be placed before the Executive Committee for its approval. However, should there be an urgency to decide prior to the Executive Committee meeting then the Secretary General will consult the President and seek his approval for participation and inform the Executive Committee subsequently.
14. He will maintain and update the Federation reference file which will include minutes of the Annual General Meeting, Executive Committee meeting, Selection Committee meeting, all invites to the Federation, courses/seminars/clinics etc. This file will be placed in the EFI office and made available to all members.

ARTICLE 024 - JOINT SECRETARY

- 1 He will assist the Secretary General in day to day running of EFI Secretariat.
- 2 In absence of the Secretary General the Joint Secretary will officiate as the Secretary General.
- 3 **Duties of Joint Secretary**
 - 3.1 Assist the Secretary General in all administrative functions of the Secretariat.
 - 3.2 Prepare the agenda points and minutes in consultation with the Secretary General for all meetings including Executive Committee and Annual General Meetings and ensure that those are circulated to all concerned well in time.
 - 3.3 Ensure that all trophies, mementoes, office equipment and records are well maintained and available when required.
 - 3.4 Ensure that website is updated.
 - 3.5 Ensure that all circulars, letters and communications are attended to promptly and efficiently. However he must take guidance from Secretary General on the same.
 - 3.6 He will assist the Secretary General in all matters relating to Veterinary issues. He will maintain a meticulous record of all Dope test results and all reports/records relating to competitive status of horses. Organise the documentation and administrative support to Veterinary/ farriery clinics organised by the Federation.
 - 3.7 Seek activity reports from Regional members at least once a year to present the same to Executive Committee.

- 3.8 Updating Grading register.
- 3.9 Ensure timely receipt of prospectus relating to events to be held under the aegis of EFI and after examining, approve the same in consultation with Secretary General and Vice President (Technical).
- 3.10 Ensure that the list of Jury and TDs prepared by the Vice President (Technical) is circulated well in time to all concerned.
- 3.11 To be in regular touch with the OC of all events under the aegis of EFI and ensure that they are provided with the latest Technical Guidelines of the Federation. Also to assess from time to time the overall preparatory work done by the OC and to keep all concerned informed.
- 3.12 To liaise with State association and seek activity reports from all State associations.
- 3.13 To ensure that reports of all coaching camps are properly maintained and to put up the same to President and Vice President Technical.
- 3.14 To ensure that all results of all events are systematically recorded and available when required. Also seek from the NRI riders of their performance record.
- 3.15 Ensure that all bids of events are compiled and forwarded to Vice President (Technical) and put up to Executive Committee for final approval and inclusion in the calendar.
- 3.16 Compile an overall events report in consultation with Vice President (Technical) at the end of the season for presenting the same to the Executive Committee.

3.17 Assist the Vice President (Sports Development) in preparing performance appraisal presentations for the Executive Committee for disciplines such as Dressage, Eventing, Jumping and Endurance.

3.18 Visit events if necessary on the advice of Secretary General/Vice President/ President and submit a report to the concerned official.

ARTICLE 025 - TREASURER

1. He shall receive all money, including subscriptions of the Federation, and maintain proper account of the same and issue proper receipts.
2. He shall be in charge of all money, accounts books, papers, vouchers and records including cheque books pertaining to EFI and shall submit an audited statement of accounts annually and/or otherwise, if necessary.
3. He shall deposit all money, when received by the Federation, in the approved Bank immediately and maintain receipts for all payments made.
4. He will present annual accounts for audit and get the accounts thoroughly audited by the Chartered Accountant selected by the General Assembly. Such audit will be carried out within three months of the closing of financial year and the profit and loss account, income and expenditure account reflected properly.
5. He will send copies of his correspondence with Chartered Accountant to the Secretary General for coordination and information of the President and Vice President (Finance).

6. He will assist in the preparation of the Annual Budget Estimate and also present the annual audit report before the Executive Committee and the General Assembly.
7. No expenditure shall be made by the Treasurer without the sanction of the President/Secretary General. He will ensure that expenditure authorised is within the powers vested in the office bearers concerned and also ensure that budget estimates authorised by the General Assembly are not exceeded.
8. He will submit to the President and Vice President (Finance) periodical state of financial affairs and will also keep them posted of any developments.
9. He will keep the President and Vice President (Finance) informed of the following:
 - 9.1. List of members who have defaulted in payment of membership fee.
 - 9.2. List of Creditors and Debtors.
10. Get all accounts audited by the Board of officers as nominated by the President/Vice President (Finance) at the conclusion of any major show directly organised and conducted by the EFI. This will precede audit by the Chartered Accountant.
11. He will maintain details of deposits, Investments (and their renewal as and when warranted under proper authority) and keep them under his personal custody. A physical check will be carried out periodically and a certificate rendered to President EFI for his information.
12. He will be responsible for raising subscription bills and bills relating to corpus money or any other dues receivable by the Federation.

13. He will furnish an updated account of the grants/financial support received from Ministry of sports, Government of India/any other agency and present the same to Executive Board, Executive Committee and GA.

ARTICLE 026 - MEMBERS - EXECUTIVE COMMITTEE - (6)

1. One member will be responsible for each of the disciplines Jumping, Dressage, Eventing, Endurance & Tent Pegging and one for Medication Control and Equine Welfare.
2. The member discipline will be responsible to the Executive Committee and to the General Assembly for all issues relating to his discipline.
3. The member discipline will chalk out plans and programmes for the improvement of the discipline and present the same to the Executive Committee for approval.
4. The member discipline will ensure that all statistics and data relating to the discipline is updated and readily available.
5. The member discipline will make specific plans for improvements in the competitive standard of the discipline concerned.
6. The member discipline will coordinate and guide the Organising Committee of events relating to his discipline.
7. He will assist the Vice President (Technical) in updation and amendments to Technical guidelines.
8. The member disciplines will to the extent possible personally attend all events relating to his discipline but mandatorily attend the NEC Championships relating to his discipline.

9. The member for Medication Control and equine welfare will assist the Vice President (Veterinary) in all aspects and will be directly responsible for the medication control.

ARTICLE 027 - FINANCIAL POWERS

1. To ensure that financial position of the Federation remains sound, strict economy and fiscal control will be exercised. No unauthorised expenditure will be incurred and the monetary ceilings as prescribed below are strictly adhered to.
2. No expenditure will be incurred without prior approval of the Annual Budget by the General Assembly. The annual expenditure will be confined to the amount so approved, under each budgetary head. Any excess due to unforeseen circumstances will first be got approved by the Vice President (Finance), who will seek due approval of the same in the subsequent Executive Committee Meeting. He will also keep the President informed of such unforeseen expenditure.
3. The financial powers of the following office bearers will be prescribed by Executive Committee from time to time
 - 3.1 Executive Committee
 - 3.2 President
 - 3.3 Secretary General
 - 3.4 Joint Secretaries

CHAPTER - VII

REGIONAL MEMBERS

ELIGIBILITY, SELECTION CRITERIA/PROCEDURE AND DUTIES FOR EFI REGIONAL MEMBERS/ZONE WISE DISTRIBUTION OF STATES

ARTICLE 028 - ZONES/REGIONS

The country is divided into six Regions/Zones as under:

- | | | | |
|----|-----------------|---|--|
| 1. | North Zone | - | Jammu & Kashmir, Himachal Pradesh, Punjab, Haryana and Union Territories of Chandigarh and Delhi |
| 2. | East Zone | - | West Bengal, Bihar, Jharkhand and Orissa |
| 3. | Central Zone | - | Uttar Pradesh, Madhya Pradesh, Chhattisgarh and Uttarakhand |
| 4. | West Zone | - | Maharashtra, Goa, Gujarat, and Rajasthan |
| 5. | South Zone | - | Tamil Nadu, Kerala, Karnataka, Andhra Pradesh, Telangana and Puducherry |
| 6. | North East Zone | - | Assam, Manipur, Nagaland, Sikkim, Arunachal Pradesh, Tripura, Meghalaya and Mizoram |

ARTICLE 029 - DUTIES OF REGIONAL MEMBERS

1. Responsible for all duties as enumerated in the Statutes of EFI in respect of Executive Committee, as he becomes its member after election. In addition, he will have the following responsibilities:

2. Promote and co-ordinate equestrian activities in his zone.
3. Identify local talent especially from amongst school and college going children and from local Riding School/Club.
4. Arrange/organise and help in raising local civilian Riding Clubs in as many cities, colleges and schools as possible.
5. Liaise and co-ordinate with mounted unit to get maximum help in organising exclusive horse shows in their zones.
6. Liaise with University sports bodies and obtain infrastructure for equestrian events which could form a part and parcel of their sports events.
7. Keep contact with EFI and obtain their help in organising their own shows/ coaching camps / clinics etc.
8. Liaise with Army and Para Military authorities holding their shows and include some events purely for civilians and /or organise their own shows by utilising their infrastructure.
9. Arrange suitable instructors/coaches for local riders with the help of EFI.

ARTICLE 030 - ELIGIBILITY AND CRITERIA FOR ELECTION OF REGIONAL MEMBERS

1. All nominations must be sent to Secretary General for compilation and scrutiny for elections in the General Assembly as laid down in these statutes.
2. In case no nominations are received, the President EFI, in consultation with Executive Committee, can nominate a suitable person as the regional member.
3. All Regional members must mandatorily be the resident/temporary resident of the region. Members residing outside the region must be sponsored by the

State Association to contest election as Regional members.

ARTICLE 031 - STATE ASSOCIATION

1. All State associations must mandatorily hold their General Body Meetings once every year and a copy of the minutes must be forwarded to EFI by 31st of March of the following year. Where as the State Association will have full autonomy in conducting their affairs and elections, they will however ensure that members suspended/terminated by the EFI are not representative office bearers in dealing with the EFI.
2. Calendar of Events relating to National / Regional Championship should be sent well in advance for approval/further dissemination to all members of the EFI.
3. A brief report on the promotional activities and events held should be forwarded to EFI at least once a year.
4. The Executive Committee may recommend to the General Assembly regarding the derecognition of State Association which are not engaged in conducting events and promoting the sport within the State / Region.
5. State Associations must hold regular activities such as coaching camps, National/Regional/Local level equestrian championships. A report of those events must be forwarded to EFI from time to time.

ARTICLE 032 - EVENT ALLOTMENT AND CALENDAR

1. All bids received by the EFI Secretariat must be forwarded to the Bid Evaluation Committee.

2. On allotment of event, a corpus fees as stipulated by Executive Committee has to be paid by the organising Committee. 50% of the said fee should be paid one month prior to commencement of the event and the balance amount to be remitted within one week of conclusion of event, a gurantee of which by way of post-dated cheque/ bank gurantee etc. has to be furnished prior to the event.
3. Association/ Institutions willing to host NEC events must have earlier record of hosting at least one Regional Championship under the aegis of EFI.
4. The Calendar, once approved by the General Assembly, cannot be changed unless the change is examined and approved by the Executive Committee.
5. The proposed calendar/ First Draft will be approved by the Executive Committee and circulated to all members by 31st May each year. This will then be posted on the website. Suggestion/ comments of members, if any must be sent to the Secretary General by 30th June of the relevant year. The final calendar of events will be published by Secretary General by 31st July of the same year. Should there be more than one bid for a National Championship, Executive Committee should consider allotting the event to different Regions in different calendar years in order to promote the sport in all the regions and to maintain the National character of sport and Federation.
6. The calendar of events relating to participation of Indian Team in foreign countries should be prepared by the Secretary General and put up for approval of the President.

7. During a competition for the event/selection trials, preceeding an international event, any horse during the event selected for Indian/Foreign team will be provided by the rider/Unit/ Club without any preconditions, failing which rider/Unit/Club can be debarred from participation for up to three years.

CHAPTER VIII

GENERAL

ARTICLE 033 - CORRESPONDENCE

1. All correspondence to the EFI should be addressed to the Secretary General. Members should invariably quote their membership number while corresponding with the EFI.

ARTICLE 034 - MISCELLANEOUS

1. **Affiliation:** The EFI will be affiliated to the Sports Authority of India, the Indian Olympics Association, the International Tent Pegging Federation, Asian Equestrian Federation and Federation Equestre Internationale. The EFI can also become a member of other equestrian organization and other allied organization as and when authorized by the Executive committee. The General Assembly will be kept informed.
2. **Reciprocation:** The Executive Committee may extend reciprocal facilities to the members of the affiliated Association/Organisations/Clubs/Institutons and Defence/Para military Forces/Poice Organisations/ Establishment and Units.
3. **Winding up:** The winding up of the EFI can only be decided by the votes of two-third of the members, delivered in person or by proxy, at an Extra Ordinary General Assembly Meeting, Specially convened for this purpose

4. **Disposal of Assets:** On dissolution of the society, the net assets and properties of the society shall be transferred to an association of persons or trust or society having similar purpose and objects of this society with prior approval of General Assembly.
5. **Registration of Horses:** All horses participating in competitions held under aegis of EFI must be registered with EFI as laid down by the Secretariat. This will be a one time registration for a particular horse.
6. **Irrevocability:** The society is irrevocable.
7. The amended statutes will come into force with effect from 27th August 2017.

EQUESTRIAN FEDERATION OF INDIA

(Earlier Memorandum and Rules and Regulations)

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ELEVENTH EDITION

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EQUESTRIAN FEDERATION OF INDIA**ARTICLE 000 - INTRODUCTION**

1. The Equestrian Federation of India was constituted in 1967, and is duly registered with the Registrar of Societies under the Societies Registration Act (Act xxi of 1860), hereinafter referred to as EFI.
2. The registered office of the EFI is located at T1 Station Road Cariappa Marg, Delhi Cantt - 10 (India) in the State of Delhi. Tele No : + 91-11-25683601, 25683602 Website www.efinf.org.
3. The EFI Emblem is a Striking Horse-head in the Indian Tri-colour within a Chakra (wheel).
4. The EFI Flag consists of the Tri-Colour Logo of the Federation on a White Satin a contemporary splash of the Indian Flag.

CHAPTER I**PURPOSES AND PRINCIPLES****ARTICLE 001 - PURPOSES**

1. EFI is a recognized body of Ministry of Youth Affairs & Sports (MYAS), Indian Olympic Association (IOA), Federation Equestre Internationale (FEI), Asian Equestrian Federation (AEF), International Tent Pegging Federation (ITPF) and is the sole authority for conducting in INDIA all Local, Regional, National and International Equestrian disciplines recognized by them.
2. To encourage and develop Equestrian sport of FEI disciplines, Equestrian sport peculiar to India, Asian region and improve the standard of performance of Indian riders in various international events.
3. To promote interest in Equestrian Sports, breeding of required type of horses, their training, care, veterinary control and medication.
4. To establish and publish rules and regulations for conduct of Regional,



National, International Events and events peculiar to Asia region. All events in general will be governed by FEI/ITPF/EFI rules as applicable. **88**

5. To allot, approve programmes for equestrian competitions held under the aegis of EFI in India and exercise control over their technical organisation and actual conduct.
6. To encourage holding of competitions and to provide latest technical know-how.
7. To organize coaching camps, clinics for officials and veterinary control of all equestrian disciplines approved and recognized by FEI/ITPF/EFI.
8. To organize training and appoint adequate number of officials and veterinarians in various equestrian disciplines in order to get them empanelled with FEI/ITPF.
9. To promote understanding and cooperation between various affiliated members, and to give them support and strengthen their authority, prestige and to improve equestrian sports throughout the country.
10. To assist Organising Committee of local Horse Shows by extending technical know-how, in terms of appointment of officials, etc.
11. To print, publish and sell periodicals, books or leaflets to promote equestrian sport in order to keep all its members updated on all aspects.
12. To arrange representation of the EFI in Govt, International and Asian bodies as is considered necessary and to participate in their meetings and proceedings.
13. To acquire and dispose off property, movable and immovable in the best interest of the federation.
14. To undertake, create and execute any trust, which may lawfully be undertaken by the Federation.
15. To borrow or raise money for the purposes for which the Federation has been constituted.



16. To render financial assistance, as and when possible, to its members for furtherance of the objectives of the Federation.
17. To liaise and cooperate with Government and other organisation, private bodies and Institution/Clubs for the promotion and development of any one or more of the objectives of the Federation.
18. Generally, to do all acts necessary and expedient for the promotion of any of the above objectives or any other objectives which are ancillary and/or incidental to the above objectives or to any one of them that will further the general purposes of the Federation.
19. As required under Section 2 of the Societies Registration Act XXI of 1860 (Punjab Amendment Act 1957) as extended to the Union Territory of Delhi, the names, address, occupation and designation of the members of the Executive Committee will be issued to all concerned from time to time.
20. Utilisation of Fund: The funds and property of the society shall be used only for the purpose and objectives of the society.

ARTICLE 002 - PRINCIPLES

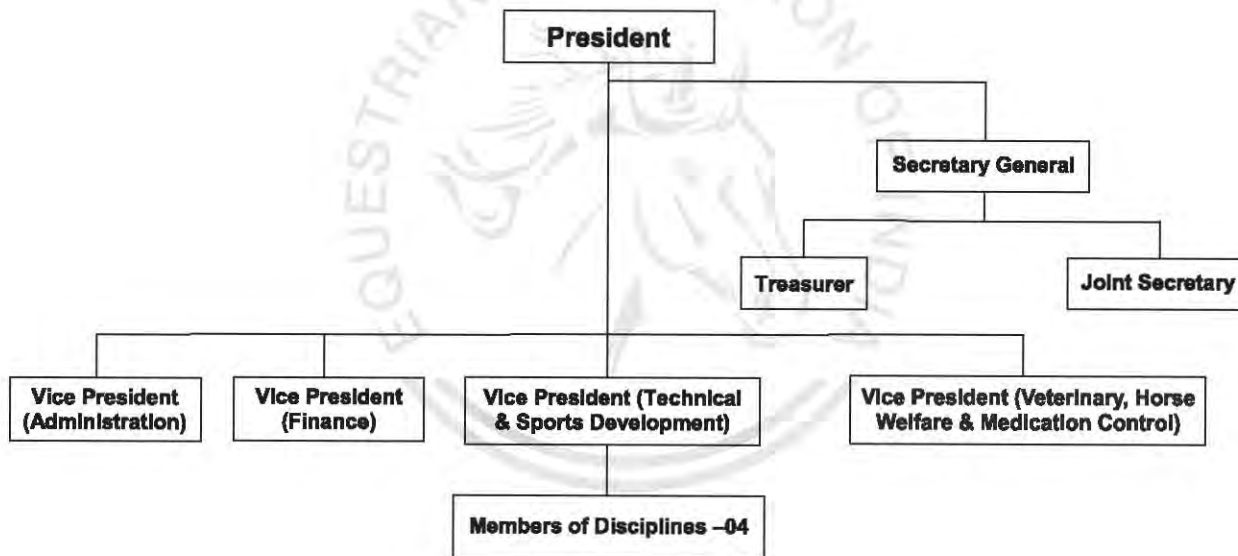
1. The EFI is based on principles of equality and mutual respect between all members without prejudice to race, colour, region and internal political beliefs.
2. The EFI shall encourage and support the promotion of gender equality in sport at all levels and in all structures with a view to implement the principle of equality of men and women as Equestrian is a gender neutral sport.
3. The EFI is committed to promoting a safe sporting environment and therefore all forms of harassment and abuse are prohibited and will not be tolerated by the EFI. Measures for prevention of sexual harassment of women as per instructions of Govt of India on the subject will be followed.
4. All members of EFI will recognize its parental body as the sole authority for National and International Equestrian Disciplines conducted under their aegis. In case of any disagreement, the decision of President on advice of the Executive Committee of EFI will be final.



5. All memberships are on voluntary basis. It is a condition of membership that each member Individual/Life/Institution/Cub/State/UT Equestrian Association will comply and are bound by the EFI Rules and Regulations including but not limited to the Statutes, Technical Guidelines, National Anti-Doping Agency (NADA) rules, prevention of Age fraud, prevention of sexual harassment of women and any decision issued by the authorised bodies of the EFI in relation to all facets of its functioning / the conduct of EFI governed equestrian Events, all of which shall also bind Organising Committees, Officials, Horse Owners, Persons Responsible, Athletes, team officials and other individuals and bodies involved in EFI Events. EFI reserves the right to terminate membership.
6. The EFI and its affiliated members encourage and support the promotion and implementation of ethics, basic principles of good governance in equestrian sports and in their organizations in India.
7. The EFI has complete jurisdiction over all its competitors.



ARTICLE 003
ORGANISATION OF EFI



1. The responsibility of the management of the EFI will lie with Executive Committee. The following will constitute the Executive Committee consisting of 12 members.

- 1.1 The President

- 1.2 Vice President (Administration), Vice President (Veterinary, Horse Welfare & Medication Control), Vice President (Finance) and Vice President (Technical & Sports Development).

- 1.3 Executive Committee members 4, of which one each will be responsible for the three Olympic disciplines i.e Dressage, Jumping, Eventing and one as Member for Non-Olympic disciplines i.e Tent Pegging and Endurance.

- 1.4 Secretary General (01)

- 1.5 Joint Secretary (01)

- 1.6 Treasurer (01)



MEMBERSHIP**ARTICLE 004 - MEMBERSHIP**

1. There will be five categories of members.
 - 1.1 **Individual/Life Members:** - Indian citizens who are 18 years of age and above are eligible to become members. All individual/Life members should be having interest in Equestrian sports. He/she would be able to contribute to the development of the equestrian sport significantly. This category of membership shall not confer any voting rights to them in the elections of the EFI. Individual membership is for a period of one year subject to voluntary renewal by the individual every year. Life Membership is for life time.
 - 1.2 **State/UT Equestrian Associations:** - All State /UT Equestrian Association are eligible to be members of the EFI as per parameters formulated by the EFI. The right of a State/UT Equestrian Association to retain its membership with the EFI shall solely be dependent upon the eligibility criteria laid down by the EFI.
 - 1.3 **Clubs:**- Clubs can apply for membership of the EFI. However, such membership will be restricted to only those organizations that are involved in Equestrian Activities which will be guided by parameters formulated and amended from time to time by EFI. The Executive Committee may seek general assembly approval for terminating membership of those Clubs which do not meet the above criteria.
 - 1.4 **Institution:** Any organisation of an all India standing connected with Equestrian sport like Sport Control Board etc shall be accepted as affiliated members.
 - 1.5 **Honorary Members:** - The Executive Committee may confer honorary membership of required designation (i.e. either as Honorary President/Vice President / Executive Committee Member) to the members for their long and outstanding contribution to EFI and to further the cause of equestrian sports in



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the country. Honorary membership, of the designation last held, will also be granted to members who have completed three terms or twelve years as an elected office bearer of the federation. Honorary members can attend meetings, if invited, but will not have voting rights either in the EC or in the General Assembly. Honorary membership can also be granted to elite riders who are Arjuna awardees/ Asian Game medalists in recognition of their contribution to the sport.

2. All five categories of members will be addressed as member hereafter but in specific cases same will be clearly stated.
3. All membership applications will be screened for eligibility by the Bid Evaluation and Membership Screening committee duly nominated by the Executive Committee.

ARTICLE 005 - PROCEDURE FOR MEMBERSHIP

1. Application for Individual/Life membership, duly proposed and seconded by existing members, must be sent by the applicant to the Secretary General in the prescribed membership form. Relevant details/ personal resume of the applicant, highlighting his / her equestrian background/ certificate from appropriate recognised equestrian institution/ Club / State / UT Equestrian Association should be attached with the application. The Executive Committee/Bid Evaluation and Membership Screening committee may call for a personal interview of the applicant.
2. State/UT Equestrian Association applying for membership/affiliation to EFI must be recognised by respective State Olympic Association, fulfil criteria formulated and approved by the EFI. The EFI after examining the details of those association who are active since minimum one year will be granted provisional membership to the Association for a period of one year without voting rights. Thereafter, after assessing the parameters, the EFI shall grant them permanent membership for one year and the same will be renewed on yearly basis. The State/ UT Associations shall have voting rights only after being given the status of a permanent member. These State/UT Equestrian Association will be called recognized Association. In case of non-compliance of above, EFI may derecognize any Association. The EFI will recognize only one State Association/UT per State/UT in the Union of India. While granting recognition/ affiliation to the



State/UT Associations, the EFI will take into consideration the representative character of the State/ UT Association as to ensure that only truly representative body of the Equestrian sports gets the recognition.

3. Institutions /Clubs applying for membership to the EFI must apply on the prescribed form to EFI. All relevant details regarding the office bearers, membership list and profile, number of horses and ponies owned/held, facilities available etc. must be forwarded along with the application form. The Secretary General, on the advice of the Bid Evaluation and Membership Screening Committee, may ask for further information, if necessary. In case of Institution/ Clubs members, it is at their discretion to join either their District Association of State/UT Equestrian Associations or EFI directly even if a State/UT Equestrian Association exist in their State/UT. In case they decide to choose State/UT Equestrian Association, then they cannot vote in EFI Elections and would automatically become the members of the District Association of respective State/UT Equestrian Association. All Institution/Club shall mandatorily be member of EFI.
4. If all the information provided by the application is found satisfactory by the Bid Evaluation and Membership Screening Committee, then the same will be put up to the Executive Committee for ratification and thereafter to the General Assembly for approval. The members thus ratified will enjoy all rights and benefits, including voting rights and right to contest elections.

ARTICLE 006 - SUBSCRIPTIONS

1. On approval of an application, an applicant will be charged an annual subscription effective from (date of ratification at the AGM) as laid down in these statutes. However, at the time of application a non-refundable application fee must accompany the application, otherwise it is null and void.
2. All annual subscriptions will be paid in advance by 31 Oct of each financial year ending 31 Mar. Failure to pay by due date will automatically disqualify a member from voting rights in ensuing General Assembly. The EFI Secretariat will ensure that the subscription bills are raised and forwarded to all concerned well in time.



3. The fee payable by all categories of members will be decided by the EC and ratified by the GA.

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ARTICLE 007 - RIGHTS OF MEMBERS

1. All members will have the following rights:-
 - 1.1 Right to receive the copy of the Statutes, Memorandum and Rules and Regulations of the EFI, as and when published, on payment of prescribed fee.
 - 1.2 Right to receive the Balance Sheet and audited accounts of the EFI.
 - 1.3 Right to attend the General Assembly (Annual General Body Meeting) and Extra Ordinary General Assembly.
 - 1.4 Right to vote in Elections held with General Assembly Meeting / Extra Ordinary General Assembly shall lie only with the existing Institution/Club and State/UT Equestrian Association Members.
 - 1.5 All members desirous of contesting Elections have to be Individual/Life member of EFI and are required to be proposed by State/UT Equestrian Association/Institution/Clubs affiliated with EFI.
 - 1.6 Liabilities of the members are limited to the extent of their subscriptions and entrance fees.
 - 1.7 Each member is entitled to a membership card issued by the Federation.
2. **Resignation:** A member shall give in writing his intention to withdraw from the membership of the EFI to the Executive Committee (addressed to the Secretary General). Such a resignation will take effect from the date of its acceptance by the Executive Committee.
3. **Removal/Suspension/Termination of Membership:** A member shall cease to be a member of the EFI if: -
 - 3.1 He has been adjudicated as insolvent by a court.
 - 3.2 He, being a Government servant, has been dismissed from Service.



- 3.3 A member who has been found guilty by a competent court for an offence involving moral turpitude, gross misconduct or has been sentenced to imprisonment or has been Framed by a Court of Law that has a sentence of 6 months or more.
- 3.4 He has not paid the bills on due date as stipulated in these Statutes despite two reminders.
- 3.5 The Dispute Resolution, Disciplinary and Ethics Committee of the EFI recommends any instances that merit termination which may involve gross misconduct and/or moral turpitude. The final decision of termination shall vest with the EC for Individual/Life members and General Assembly for Institution/Club/State/UT members.

4. **Removal/Suspension of Membership:**

- 4.1 An Individual/Life member may be removed from the Federation if he/she has been found guilty of any conduct which, in the opinion of the Executive Committee based on their reasoned decision, is against the objectives of the EFI or contrary to its interest. In such a case, the decision of the Executive Committee which must be passed by a two third majority is final and binding. In case of a State/UT Equestrian Association and Institution/Club members, the same has to be put up to General Body/Extra Ordinary General Body and its decision will be final and binding which shall be required to be passed by a simple majority of members present.
- 4.2 The Executive Committee, may suspend an individual/life member for an offence for a specific period. The decision for suspension should be passed by a simple majority. At the end of the suspension period, the member may be automatically reinstated with all his/her rights. Such cases will need to be ratified by the Executive Committee.
- 4.3 The General Assembly, by a two third majority of votes, can suspend/remove/terminate from the Federation any member of Executive Committee, Selection Committee, Athletes' Commission and other Sub Committee for gross misconduct or for activates contrary to interests and objectives of the EFI.



5. **Right of Appeal:** - A Life/Individual member whose membership has been terminated or suspended by the Executive Committee, shall have the right to appeal to the Executive Committee. In case of Institution/Club members and State/UT Equestrian Association their appeal will be routed through Dispute Resolution, Discipline & Ethics Committee, Executive Committee to General Assembly at its meeting, whenever it is due. Till such time a decision is taken by the Executive Committee or General Assembly, the member shall be treated as a suspended/terminated member of the EFI.
6. **Reinstatement:** - When the Executive Committee decides by a two third majority of voting members present to reinstate an individual/life member after hearing her/his appeal against termination and in case of Institution/Club member, State/UT Equestrian Association a two third majority at the General Assembly, the member as applicable will then be reinstated after paying all dues and the normal subscription.
7. **Effect of Suspension or Removal/Expulsion:**
 - 7.1 When an individual/life member is suspended by the Executive Committee he/she will not be allowed to participate in an event in any official capacity during that period and will also not be allowed to attend or take part in any meeting of the EFI except when his appeal is being heard in such meeting.
 - 7.2 In case of a Institution/Club/ State/UT Equestrian associations/ members, shall not be allowed to conduct or hold any competition or event under its patronage/aegis of EFI or send a representative to attend or take part in any meeting of the Federation except in the meeting in which the appeal of the member concerned is being heard.
 - 7.3 The cases of suspension and subsequent reinstatement as well as case of expulsion and removal will be made known as soon as possible to other members by the Secretary General of EFI. He will also inform the concerned member in writing of the decision.



GENERAL ASSEMBLY**ARTICLE 008 - COMPOSITION**

1. The General Assembly, in session under the Statues, is the supreme authority of EFI.
2. The General Assembly shall be the controlling body of the Federation. All authority is vested in it and decisions of the assembly shall be binding on all members.
3. Each State/UT Equestrian Association member may be represented by authorised representatives and has two votes each. The voting authorization will be signed and stamped by President or Secretary of State/UT Equestrian Association. Each Institution/Club member shall have one vote. The voting authorization will be signed and stamped by authorised signatory of Institutions/ Clubs.
4. Honorary President, Honorary Vice President and other Honorary Members and Ex-officio Members may attend the General Assembly without voting rights.

ARTICLE 009 - FUNCTIONS AND POWERS OF GENERAL ASSEMBLY

The functions and powers of General Assembly are supreme and will be as follows: -

1. To approve the minutes of last General Assembly.
2. To approve the agenda.
3. To elect members of Executive Committee/Selection Committee, whenever is due.
4. No proxy voting is permitted and voting will be through Secret Ballot only. The election process will be guided bye-laws as formed and approved by EFI from time to time.
5. To discuss and approve the Annual Report submitted by the Secretary General.



6. To receive and approve the Annual Financial Report submitted by Vice President (Finance) and /or by Secretary General/Treasurer.
7. To approve Budget proposal for the next financial year.
8. To discuss and approve reports if any received from Vice Presidents/Executive Committee members.
9. To approve reinstatement of expelled members except those expelled or terminated on disciplinary grounds.
10. To decide on items put on the agenda by the Executive Committee on request of members.
11. To approve and amend rules and regulations/statutes. These, however, would have to be passed by a simple majority of votes of members present.
12. To consider suspension and thereafter termination of membership of a member who approaches an outside agency for dispute resolution, bypassing the inbuilt statutory mechanism.
13. To take appropriate action on issues relating to non implementation of statutes raised by members, including disqualifying the person concerned in an extreme case by two third majority. However, before taking any action the matter must be referred to the Dispute Resolution, Disciplinary and Ethics Committee for necessary inquiry and report.
14. To deal with any other matter not specifically provided for elsewhere in these rules.

ARTICLE 010 - AGENDA GENERAL ASSEMBLY

1. Points to be included in an agenda for an ordinary General Assembly must be sent to Secretary General EFI ten days prior to the date of meeting of General Assembly, in order to enable the Secretariat to include the same. The Secretary General will ensure that all such points are put up to the Executive Committee for discussion and deliberation. The Executive Committee may, thereafter, decide to include or exclude the points in the agenda of the General Assembly. The member concerned, in any case, will have to be informed of the outcome by the Secretary General in writing.



2. Only items notified in the agenda may be decided at a session. In exceptional cases, the Chairman may allow unlisted items also to be discussed.

ARTICLE 011 - ANNUAL GENERAL ASSEMBLY

1. The General Assembly shall be held at least once in every calendar year but not later than 30th September. However, under compelling circumstances the AGM may be delayed. Such Annual General Assembly shall be called "Ordinary General Assembly Meeting".
2. General Assembly Meeting will be held after giving a minimum notice of thirty days in writing specifying the date, place and hour of the meeting and the agenda of the meeting. Such information will also be dispatched under postal certificate to all members.
3. The quorum for holding an Annual General Assembly Meeting shall be a minimum of 75 members of the EFI. A member for this purpose means an individual/ life member in person or a State / UT / Institution / Club member, represented by one individual of that organization. No proxy is allowed to count towards quorum.
4. General Assembly will be presided by the President, However, if cannot be chaired by the President, then the Vice President (Administration) will preside. In case of absence of both, Executive Committee will nominate the Chairman.

ARTICLE 012 - EXTRA-ORDINARY GENERAL ASSEMBLY

1. In case of necessity, another General Assembly can be convened during the year. This will be called "Extra Ordinary General Assembly".
2. The Executive Committee may whenever they think fit, and or upon requisition made by 50 members of the EFI, an Extra-Ordinary General Assembly can be convened. A meeting convened by requisition shall be fixed for a date not later than 21 days from the date of requisition. The requisition shall specify the objective of the meeting and only business specified shall be discussed at the meeting. The request for the meeting shall be made to the Secretary General of the EFI who shall call the meeting. The right to call the meeting shall not vest with the individual and life members.



3. The conduct of the Extra-Ordinary General Assembly Meeting will be exactly like the Ordinary General Assembly Meeting but quorum has to be minimum of 50 members excluding Executive Committee members.
4. Decisions recorded in the Minutes shall be as binding.
5. The powers of the Extra Ordinary General Assembly will be same as the Ordinary General Assembly except amendments to statutes which can only be taken up in the ordinary General Assembly.
6. Minutes of General Assembly/Extra Ordinary General Assembly must be mandatorily sent/ circulated to all the members within 30 days from the date of the meeting. It will also be placed in the federation reference file.



EXECUTIVE COMMITTEE**ARTICLE 013 - ORGANISATION AND FUNCTIONS OF EXECUTIVE COMMITTEE**

1. The management of the business of the EFI shall be vested in the Executive Committee of members as structured below:-
 - 1.1 President - 1
 - 1.2 Vice President - 4 (Technical & Sports Development, Administration, Finance and Veterinary and Horse Welfare & Medication Control)
 - 1.3 Secretary General - 1
 - 1.4 Joint Secretary - 1
 - 1.5 Treasurer - 1
 - 1.6 Other Members - 4 (One each for Olympic disciplines i.e Dressage, Jumping & Eventing and one for non-Olympic disciplines i.e Tent Pegging and Endurance)
2. The President at his discretion, may invite any person (s) to Executive Committee Meetings who in his opinion may meaningfully contribute to the discussions and deliberations. However, such invitees will not have any voting rights.
3. The Executive Committee will meet at least four times in a year with a 15 days notice. The interval between such meetings may not exceed three months. However, for urgent matters, emergency meetings can be called wherein the said notice period is not required.
4. The quorum for holding of Executive Committee Meeting shall be a minimum of seven members.
5. All the members of the Executive Committee shall be elected from



amongst the members of the EFI. It shall be obligatory for the Secretary General, Joint Secretary and Treasurer to be Delhi based.

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6. A member of the Executive Committee when associated with a team during an event, shall not claim his prerogative as a member of the Executive Committee.
- 6.1 **Conflict of Interest:** A person with conflict of interest will not be elected as member of Executive Committee neither he will be any office bearer of the federation. The definition of conflict of interest is to be followed as per EFI's Internal Regulations.
7. Each member of the Executive Committee, shall assume office on the following day of the conclusion of the Annual General Assembly in which the elections were held for the particular appointment and will hold office for a term of four years. Govt employees seeking to hold elective office in the Equestrian Federation of India will comply with the guidelines promulgated by the Central Govt on the subject. In case of President, Secretary General and Treasurer the following conditions will apply with regard to re-elections.
 - 7.1 The President can hold the office for a maximum period of twelve years with or without break i.e. three terms.
 - 7.2 The Secretary General and the Treasurer may serve a maximum of two successive terms of four years each after which a minimum cooling off period of four years will apply to seek fresh election to either post.
8. Members who wish to serve on the Executive Committee should be proposed and seconded as per the EFI Election Bye Laws and the rules prescribed therein.
9. **Prominent Sportspersons of Outstanding Merit in the Executive Committee.** A minimum of 25% of the Executive Committee ought to be prominent sports persons of outstanding merit on tenure basis. The Prominent Sports Persons should also be elected for the Athletes Commission of the EFI.
10. **Restriction on holding office in more than one NSF.** A person cannot hold office simultaneously in more than one NSF.



11. If a vacancy in the Executive Committee occurs during the year, due to demise, resignation or for any other reason, the Executive Committee may nominate a suitable member of the Federation to hold the said office till such time the next AGM/EOGM whichever is earlier. This short term will not, however, count towards his/her total tenure in case he/she is subsequently elected for a term. However, the term of his/her election to post having fallen vacant will be for the period remaining of the outgoing member.
12. Elections of the above committee members will be held once in four years or whenever a vacancy occurs during the General Assembly/Extra Ordinary General Assembly from amongst members. All such elected members will serve a four year term or as stated in the Election Notice. The election process will be guided as per bye-laws framed and approved by EFI from time to time wherein it will be ensured that voting takes place through Secret Ballot and no proxy voting is permitted.
13. If an Executive Committee member does not attend three consecutive meetings without cogent reason, he/she will cease to be a member and the President can nominate another suitable EFI member to meet immediate requirement. A suitable member will, however be elected in the ensuing elections to fill up the vacancy.
14. The Executive Committee is empowered to form sub committees / any other committees that it considers necessary.
15. The Executive Committee is empowered to approve and issue Technical Guidelines/ General Regulations as required for development of sport and conduct of events.
16. **Age of Members of Executive Committee, Selection Committee, Sub Committees etc:** All functionaries of Executive Committee, Selection Committee, Sub Committee etc shall cease to hold the post on attaining the age of 70 years.
17. **Athletes' Commission:** In line with International Olympic Committee (IOC) and Indian Olympic Association (IOA) the EFI would form an Athlete's Commission consisting of 05 Members. Once the Athlete's Commission is formed, a Chairperson and a Vice Chairperson would be elected by the members of the Athlete's Commission of which one would be a male and the other a female



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who would represent the Athlete's Commission on the EC pertaining to their mandate only. The mandate of the Athlete's Commission are as under: -

- (i) Represent the athletes within the federation.
- (ii) Liaise between active athletes and federation.
- (iii) Uphold the rights and obligations of the athletes.

Athlete's Commission Members:-

Total No of Member - 05
Elected members - 03
Nominated member - 02 (to be nominated by the President, EFI to bring in gender equality)

Eligibility of Candidates: - The eligibility to contest as member of athletes' commission would be atleast National Medal winner at senior level competitions.

Tenure of Athlete's Commission:- Each Member of the Athlete's Commission would be elected for a term of 4 years or the next AGM/NEC event whichever is earlier where maximum athletes would gather.

18. The Athlete's Commission through its Chairperson and Vice Chairperson would be responsible to co-ordinate, represent and be the voice of the participating athletes in the Executive Committee. They shall attend Executive Committee meeting for matters pertaining to their charter only. All matters pertaining to Athletes' complaints, suggestions and redressals would be forwarded with clear recommendation of Athletes' Commission to Secretary General who shall put up to Executive Committee for their reasoned decision.



FORMATION AND DUTIES OF OTHER COMMITTEES**ARTICLE 014 - COMMITTEES**

The following committees will be nominated by the Executive Committee: -

1. **Bid Evaluation and Membership Screening Committee:** The committee will consist of three members nominated by the Executive Committee. Any member of the EFI is eligible to be the member of the committee. The term of this committee will be for two years.

Bids All the bids received for hosting of events under the aegis of EFI will be examined by the committee. The committee, after careful examination, will present the bids with its comments to the Executive Committee for approval and subsequent calendar finalisation.

Membership Applications The committee will screen and examine all membership applications and then put up/ present the list with its comments to the Executive Committee for its approval.

2. **Dispute Resolution, Disciplinary & Ethics Committee (DRDEC):** The Executive Committee will nominate a three member committee, who are not members of Executive Committee, for resolution of all disputes and grievances relating to violation of EFI rules & regulations, disciplinary cases arising in course of events held under the aegis of EFI excluding those which are referable to technical committee constituted for their resolution. The DRDEC will, after calling for all relevant records and facts and after giving reasonable opportunity to the parties, in compliance with principles of natural justice, will render its reasoned decision within a maximum period of sixty days. Separate Rules will be formulated for constitution of the Dispute Resolution, Disciplinary and Ethics Committee which shall be approved by EC as amended from time to time. The same shall be ratified in AGM/EOGM. The decision of the Dispute Resolution, Disciplinary & Ethics Committee will be final and binding. If a party continues to be aggrieved, it shall be open to that party to file an appeal within 30 days on the decision of DRDEC. The appeal will be adjudicated upon by EC, who will dispose of the said appeal within a period of 30 days. The decision of the EC, thereafter, will be final and



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binding on the parties. It will, however, be mandatory for the Executive Committee to take up the appeal in its following meeting on issue related to State/UT Equestrian Association/Institution/ Club in the General Assembly whenever it is due. The term of this committee will be for two years.

3. **CAS CLAUSE:** The Equestrian Federation of India agrees to file an appeal against the orders of the Federation Equestre Internationale (FEI) before the Court of Arbitration for Sports. (CAS).

ARTICLE 015 - SELECTION COMMITTEE ELECTION, TENURE AND PROCEDURES

1. The Selection Committee shall consists of: -
- (a) President of the National Federation as the Chairman.
 - (b) National Coach if appointed.
 - (c) 05 members elected by the General Assembly.

Members who have won medals in National Equestrian Championship/ eminent sports person / Arjuna awardees are only eligible to be elected as Selection Committee members. Their tenure must be co-terminus with the Asian Games and will be for a period of four years. The term will terminate at the AGM succeeding the Asian Games. The Secretary General will attend meetings without voting rights. All proceedings of the Selection Committee related to selection of Individual/Team to represent India for any of the discipline of EFI will be minuted and signed by Selection Committee members and further sent to EC members. for their ratification.

2. If a Selection Committee member does not attend two consecutive meetings without any valid reason for absence, he will cease to be a member and the President can nominate another suitable EFI member to meet immediate requirement. A suitable member will however, be elected in the ensuing General Assembly to fill up the vacancy. The criteria for members seeking re election to the Selection Committee will be the same as stipulated in the statutes for Selection Committee members.
3. The Selection Committee composed as stipulated in these statutes will assemble as and when necessary for following responsibilities: -



- 3.1 Selection of Indian teams and Chef d'equipe/ Coaches/Managers for all disciplines to represent India in International Events held in India and abroad. This will include Asian / Olympics / International / Regional / Friendly Games. Performance and merit will be the only criteria.
- 3.2 Selection Criteria will be prepared and forwarded to Executive Committee for approval. Thereafter it will be promulgated to all members of EFI, upload on its website and will be strictly adhered to. For any reason (s) in case the same is required to be amended, can be done by this Committee based on the suggestion of Executive Committee and such changes will be recorded. The decision taken by Executive Committee is final and binding.
- 3.3 The Selection Committee will also decide the nominations for Arjuna, Dronacharya Rajiv Gandhi Khel Ratna and similar awards and their recommendations will be put up to the Executive Committee for final approval. The final decision will thereafter be conveyed to the Government and to the General Assembly by the Secretary General.
- 3.4 The President may reconvene Selection Committee meeting should in his opinion there is need to do so, based on complaints/ representations received by him. However, the reconvening of the meeting can be done only once.

ARTICLE 016 - CHEF D' EQUIPE / COACHES / MANAGERS

1. All Chef D'equipe/ Managers/ Coaches to accompany Indian teams for all International competitions held in foreign countries/ India including Asian Games, World Equestrian Games and Olympic Games will be done by the Selection Committee and then approved by the Executive Committee. If for any reason, there is an urgency to decide and the Executive Committee cannot meet, then the Secretary General must inform them at the earliest. In any case, the Chef D'equipe will mandatorily submit a report of all foreign trips in the subsequent Executive Committee meetings.



DUTIES**ARTICLE 017 - PRESIDENT**

1. The President is overall responsible for ensuring that the purposes and principles of EFI are observed and for general supervision of all its activities and will guide all members in discharge of their duties.
2. The President should generally chair all sessions of General Assembly, Executive Committee and other committee that may be formed. However, he may delegate responsibility to chair meeting in case of his temporary inability to attend such meetings.
3. The President will ensure that the financial position of EFI is sound.
4. The President, in consultation with Secretary General, has full powers to ensure smooth day to day running of EFI, its Secretariat, and for holding the General Assemblies/EC and its related expenditure. They are also vested with powers to incur expenditure involved in organising or supervising any equestrian competition held under the aegis of EFI.
5. The President is entitled to casting vote in case of a tie. This will be clearly recorded in the minutes.
6. In the event of resignation by the President, the Vice President (Administration) will preside. If the Vice President (Administration) is also not available, the Executive Committee may nominate a suitable member as the President. It is, however, mandatory for such a member to get formally elected in the next AGM/EOGM whichever is earlier.
7. The President can take decision on any matter which in his/her opinion shall benefit in the growth and development of the sport. The matter has to be routed through Secretary General with the proposal duly recommended by Executive Committee/ Technical Committee or any sub committees formed for a specific purpose.



ARTICLE 018 - VICE PRESIDENT (ADMINISTRATION)

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He will be responsible to General Assembly for administration of EFI. His duties will be as under: -

1. Responsible for all duties of administrative nature, involving all activities of EFI.
2. He will assist the President in the duties related to administration.
3. Preside over the Executive Committee Meeting and General Assembly / Extra Ordinary General Assembly in the absence of the President.
4. He will guide and oversee the functioning of the Secretariat on all administrative matters including upkeep and maintenance of office, communication, holding of meetings and smooth functioning.
5. The Secretary General will report to him directly on all matters of administration of EFI. On assumption to the post of President in light of Presidents absence, the Secy Gen and Secretariat will refer all matters marked for the President to Vice President (Administration).

ARTICLE 019 - VICE PRESIDENT (TECHNICAL & SPORTS DEVELOPMENT)

He will be responsible to General Assembly for all Technical activities of EFI and activities related to development of Equestrian sports in India. Briefly, his duties will be as under: -

1. Responsible for all Technical/Sports Development issues (Excluding Veterinary).
2. He will assist the President in all Technical/ Sports Development related issues.
3. Secretary General in consultation with him/her will nominate Officials for all National/International events well in advance.
4. He will be responsible for formulating Technical Guidelines for all events to be conducted under the aegis of EFI.
5. He will present to the Executive Committee a summary of all Technical Delegates report at the end of the equestrian calendar.



6. All competition rules and prospectus once finalised for a competition, will not be altered by any Organising Committee without the approval of Vice President (Technical & Sports Development).
7. He as Chairman of Technical Committee shall be responsible to carry out all amendments to Technical Guidelines, rules and regulations in consultation with members Olympic Disciplines, Non-Olympic Disciplines & Secretary General. However; no such changes shall take effect unless approved by the Executive Committee.
8. He will be responsible for organizing clinics for judges and will update the EFI directory. The draft updated directory prepared by him will, however, need approval of the Executive Committee.
9. Executive committee members responsible for Olympic disciplines and non-Olympic disciplines will report to him and generally work under his guidance.
10. He will be responsible for initiating sports development activities to popularise equestrian sport throughout the country.
11. He will initiate and coordinate development activities with the FEI.
12. He will coordinate and network with the State/UT Equestrian Associations, Institution/ Club members for development of equestrian sports in the States.
13. He will, in consultation with the President and Executive Committee members, draw up developmental plan for Regional Competitions within South Asia and Asian Regions.
14. He will coordinate with the President to initiate training facilities for skilled manpower such as Trainers, Grooms, Farriers, Dressers, etc. for Institution/Club members/ State/UT Equestrian Associations and ensure they are affiliated with EFI.
15. He in consultation with Secretary General will be responsible for growth and development of equestrian sports in India and shall prepare a plan which shall be put to Executive Committee for ratification. He will keep the President and the Executive Committee informed and seek their guidance in implementing developmental issues.



16. He will be responsible for updating the list of coaches for National and Regional levels.
17. He will be responsible for coordinating the development of infrastructure with Institution/Club Members / State/UT Equestrian Association.

ARTICLE 020 - VICE PRESIDENT (FINANCE)

He will be responsible to General Assembly for all financial affairs of EFI. His duties will be as under: -

1. He will assist the President through Secretary General in preparation of Budget Estimates and get them approved by the General Assembly.
2. Will ensure budgetary and monetary provisions, as laid down in the Statutes, are strictly adhered to.
3. Raise funds by way of sponsorships, donations etc. Management of sponsorship will be his/her responsibility. He will be the Chairman of Sponsorship Committee alongwith Secretary General and Treasurer as members.
4. He will be responsible for all expenses, income and investments. Further, he will report to the Executive Committee on the financial status of the Federation.
5. He will be responsible for drafting the corpus fee policy/ guidelines, payable by organizing committees for events to be held under the aegis of EFI. He will keep himself informed on the track record / credit worthiness of organizations dealing with the EFI and shall advice the Executive Committee/ President appropriately.
6. He will monitor and present to the Executive Committee and to the General Assembly the list of members who have defaulted on any financial due to Federation.
7. The Treasurer will report to him and generally work under his guidance.



ARTICLE 021 - VICE PRESIDENT (VETERINARY, HORSE WELFARE AND MEDICATION CONTROL)

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He will be responsible to General Assembly on all veterinary matters including Horse Welfare & Medication Control. His duties will be as under: -

1. Provide/make available necessary veterinary cover during conduct of National/ International events conducted under the aegis of EFI. Make arrangements for Dope Testing and other tests that may be required during an equestrian event.
2. Make arrangements to provide veterinary cover in Coaching Camps and camps established during an equestrian competition approved by the EFI.
3. Nominate veterinary personnel to act as members of Veterinary Commissions in competitions conducted under aegis of EFI.
4. Keep liaison with the Indian Contact Veterinarian on FEI panel of Veterinarians and keep track of all Veterinary activities and work in conjunction with him.
5. Organise and help conduct EFI/FEI Veterinary courses for Veterinarians in India or abroad.
6. Periodically screen Indian Veterinarians on FEI Veterinarian panel and in consultation with Contact Veterinarian, submit his recommendations for alterations, additions and deletions to president EFI.
7. Advisor to President on all veterinary matters. He will keep close liaison with the Animal Husbandry Department of Government of India and keep track of existing/prevaling veterinary diseases common and peculiar to Genus Equus and issue suitable instructions to all animal holders and riders.
8. Make available necessary veterinary lab facilities for sports horses as and when needed and is feasible.
9. He will automatically be the President of Veterinary Commission for shows held in India. In his absence he can nominate a suitable Veterinarian to be the President.
10. He can function as or nominate National Head Veterinarian to interact with FEI.



The Secretary General (SG) is an ex-officio member of the Executive Committee and of all standing Committees in consultative capacity without the right to vote. He is the head of the Secretariat of EFI and responsible for the following: -

1. The management of the Secretariat and financial management within the budget approved by General Assembly. He is also authorised to keep an Imprest Cash as approved by Executive Committee for defraying urgent cash expenditure.
2. Day to day functioning of EFI Secretariat and upkeep as also maintenance of office.
3. Responsible for convening meetings, sessions, recording and drafting of minutes and its distribution and implementation of decisions. He will ensure that the minutes of General Assembly / Extra Ordinary General Assembly and Executive Committee as well as selection committee meeting are prepared promptly and disseminated to all concerned, including a copy in the Federation reference file.
4. The preparation of Annual Report of EFI, and its submission during General Assembly.
5. The correspondence of EFI and the execution of formal documents with the approval of President. He will mandatorily keep the Executive Committee informed of all communications received from Government of India/ State Governments / Sports authority of India/ Indian Olympic Association/ Federation Equestre Internationale. These will be included by him in the agenda of all Executive Committee Meetings.
6. He will consult the respective Vice Presidents and seek their guidance in dealing with subject specific matters relating to Federation Equestre Internationale (FEI), Asian Equestrian Federation (AEF), International Tent Pegging Federation (ITPF), Indian Olympic Association, Government of India, State/UT Equestrian Associations and Institution/Club members.
7. Maintain an updated list of approved Coaches, Course Designers and Judges of all disciplines in consultations with the Vice President (Technical & Sports Development). He, however, cannot unilaterally



make changes in the list without approval of the Executive Committee.

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8. He will ensure that the Federation website is updated with all the information for the benefit of the members. He must, however, ensure that the latest technical guidelines, as applicable, calendar of events, grades of horses, updated points of horses and riders and approved list of officials and results, are correctly available on the website at all times. All changes made must be updated promptly.
9. Keep President and Vice Presidents posted with all developments and seek their guidance in implementing Statutes, Rules and Regulations of EFI. He will function under the directions of Executive Committee, President and Vice Presidents.
10. His absence from office/ leave will be approved by the President / Vice President (Administration). During his absence, his function will be performed by the Joint Secretary.
11. He will ensure that the membership register is updated regularly.
12. The Secretary General will keep the Executive Committee members informed of all invitations received from International Federations/ foreign countries regarding participation of Indian Team. All such communication must be placed before the Executive Committee for its approval. However, should there be an urgency to decide prior to the Executive Committee meeting then the Secretary General will consult the President and seek his approval for participation and inform the Executive Committee subsequently.
13. He will maintain and update the Federation reference file which will include minutes of the Annual General Meeting, Executive Committee meeting, Selection Committee meeting, all invites to the Federation, courses/seminars/clinics etc. This file will be placed in the EFI office and made available to all members.
14. The Secretary General is authorised to sign all legal documents on behalf of the Federation.

ARTICLE 023 - JOINT SECRETARY

1. He will assist the Secretary General in day to day running of EFI Secretariat and will be report to him. He shall be member of Executive Committee without voting rights.



2. In absence of the Secretary General the Joint Secretary will officiate as the Secretary General.

3. **Duties of Joint Secretary.**

- 3.1. Assist the Secretary General in all administrative functions of the Secretariat.
- 3.2 Prepare the agenda points and minutes in consultation with the Secretary General for all meetings including Executive Committee and Annual General Meetings and ensure that those are circulated to all concerned well in time.
- 3.3 Ensure that all trophies, mementoes, office equipment and records are well maintained and available when required.
- 3.4 Ensure that website is updated.
- 3.5 Ensure that all circulars, letters and communications are attended to promptly and efficiently. However, he must take guidance from Secretary General on the same.
- 3.6 He/she will assist the Secretary General in all matters relating to Veterinary issues. He will maintain a meticulous record of all Dope test results and all reports/records relating to competitive status of horses. Organise the documentation and administrative support to Veterinary/farriery clinics organised by the Federation.
- 3.7 He/she will be responsible for ensuring the Grading of Horses register is updated at all times.
- 3.8 Ensure timely receipt of prospectus relating to events to be held under the aegis of EFI and after examining, approve the same in consultation with Secretary General and Vice President (Technical).
- 3.9 Ensure that the list of Officials for events prepared by the Vice President (Technical & Sports Development) in consultation with Secretary General is circulated well in time to all concerned.



- 3.10 To be in regular touch with the OC of all events under the aegis of EFI and ensure that they are provided with the latest Technical Guidelines of the Federation. Also to assess from time to time the overall preparatory work done by the OC and to keep all concerned informed.
- 3.11 To liaise with State association and seek activity reports from all State associations.
- 3.12 To ensure that reports of all coaching camps are properly maintained and to put up the same to President, Vice President (Technical & Sports Development) through Secretary General.
- 3.13 To ensure that all results of all events are systematically recorded and available when required. Also seek from Indian riders based abroad of their performance record.
- 3.14 Ensure that all bids of events are compiled in consultation with Secretary General and put up to Executive Committee through Bid Evaluation and Membership Screening Committee for final approval and inclusion in the calendar.
- 3.15 Compile an overall events report in consultation with Vice President (Technical & Sports Development) through Secretary General at the end of the season for presenting the same to the Executive Committee.
- 3.16 Assist the Vice President (Technical & Sports Development) in preparing performance appraisal presentations for the Executive Committee for Olympic disciplines and non Olympic disciplines.
- 3.17 He will ensure that after conclusion of each event results are obtained from the Organising Committee and properly displayed on EFI website. He shall also obtain Technical Delegate's report and through Secretary General put up same to Vice President (Technical & Sports Development). It is absolutely necessary for him to ensure that the upgrading and downgrading of horses are done prior to the commencement of the next competition/event and updated on the website.



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- 3.18 All matter related to Media and Publicity with respect to EF will be the responsibility of Joint Secretary which will be executed with the approval of Secretary General.

ARTICLE 024 - TREASURER

1. The Treasurer will be member of Executive Committee without voting rights.
2. The Treasurer shall receive all money, including subscriptions of the Federation, and maintain proper account of the same and issue proper receipts.
3. The Treasurer shall be in charge of all money, accounts books, papers, vouchers and records including cheque books pertaining to EF and shall submit an audited statement of accounts annually and/or otherwise, if necessary.
4. The Treasurer shall deposit all money, when received by the Federation, in the approved Bank immediately and maintain receipts for all payments made.
5. The Treasurer will present annual accounts for audit and get the accounts thoroughly audited by the Chartered Accountant empanelled by Comptroller and Auditor General (CAG) of India. Such audit will be carried out within three months of the closing of financial year and the profit and loss account, income and expenditure account reflected properly.
6. The Treasurer will send copies of his correspondence with Chartered Accountant to the Secretary General for coordination and information of the President and Vice President (Finance).
7. The Treasurer will assist Vice President (Finance) and Secretary General in the preparation of the Annual Budget Estimate and also present the annual audit report before the Executive Committee and the General Assembly.
8. No expenditure shall be made by the Treasurer without the sanction of the President/Secretary General. He will ensure that expenditure authorised is within the powers vested in the office bearers concerned and also ensure that budget estimates authorised by the General Assembly are not exceeded.



9. The Treasurer will submit to the President and Vice President (Finance) through Secretary General periodical state of financial affairs and will also keep them posted of any developments.
10. The Treasurer will keep the President and Vice President (Finance) and Secretary General informed of the following:-
 - 10.1 List of members who have defaulted in payment of membership fee.
 - 10.2 List of Creditors and Debtors.
11. Get all accounts audited by the Board of officers as nominated by the President/Vice President (Finance) at the conclusion of any major show directly organised and conducted by the EFI. This will precede audit by the Chartered Accountant.
12. The Treasurer will maintain details of deposits, Investments (and their renewal as and when warranted under proper authority) and keep them under his personal custody. A physical check will be carried out periodically and a certificate rendered to President EFI for his information.
13. The Treasurer will be responsible for raising subscription bills and bills relating to corpus money or any other dues receivable by the Federation.
14. The Treasurer will furnish an updated account of the grants/financial support received from Ministry of sports, Government of India/any other agency and present the same to Executive Committee and GA.
15. The Treasurer will be a member of Sponsorship Committee.

ARTICLE 025 - MEMBERS – EXECUTIVE COMMITTEE – (4)

1. One member will be responsible for each of the Olympic disciplines and one for non Olympic disciplines. Olympic disciplines will consist of Dressage, Jumping & Eventing and non Olympic discipline shall consist of Tent Pegging & Endurance.
2. The member discipline will be responsible to the Executive Committee and to the General Assembly for all issues relating to their discipline.



3. The member discipline will chalk out plans and programmes for the improvement of the discipline and present the same to the Executive Committee for approval.
4. The member discipline will ensure that all statistics and data relating to their discipline is updated and readily available.
5. The member discipline will make specific plans for improvements in the competitive standard of the discipline concerned.
6. The member discipline will coordinate and guide the Organising Committee of events relating to their discipline.
7. He/she will assist the Vice President (Technical & Sports Development) in updation and amendments to Technical guidelines and be part of Technical Committee alongwith Secretary General.
8. The member disciplines will to the extent possible personally attend all events relating to their discipline but mandatorily attend the NEC and International events related to their discipline.
9. Promote and co-ordinate equestrian activities in the country related to their discipline.
10. Identify local talent especially form amongst school and college going children and from local Riding School/Club.
11. Arrange/organise and help in raising Equestrian Clubs in as many cities, colleges and schools as possible.
12. Liaise and co-ordinate with Govt mounted units to get maximum help in organising Equestrian events related to their discipline.
13. Liaise with University sports bodies and obtain infrastructure for equestrian events related to their discipline which could form a part and parcel of their sports events.
14. In consultation with Vice President (Technical & Sports Development), Secretary General, org clinics for officials, support staff related to Equestrian sports, coaching camps etc. related to their discipline.



15. Liaise with Govt authorities indulging in Equestrian activities/ having Equestrian related infrastructure to hold events for promotion purposes related to their discipline.
16. Arrange suitable instructors/coaches for local riders with the help of EFI.

ARTICLE 026 - FINANCIAL POWERS

1. To ensure that financial position of the Federation remains sound, strict economy and fiscal control will be exercised. No unauthorised expenditure will be incurred and the monetary ceilings as prescribed below are strictly adhered to.
2. No expenditure will be incurred without prior approval of the Annual Budget by the General Assembly. The annual expenditure will be confined to the amount so approved, under each budgetary head. Any excess due to unforeseen circumstances will first be got approved by the Vice President (Finance), who will seek due approval of the same in the subsequent Executive Committee Meeting. Vice President (Finance) through Secretary General will also keep the President informed of such unforeseen expenditure.
3. The financial powers of the following office bearers will be prescribed by Executive Committee from time to time.
 - 3.1 President on the approval of AGM
 - 3.2 President in consultation with Executive Committee
 - 3.3 President
 - 3.4 Vice President (Finance)
 - 3.5 Secretary General



STATE/UT EQUESTRIAN ASSOCIATIONS**ARTICLE 027 - STATE/UT EQUESTRIAN ASSOCIATION**

1. All State/UT Equestrian Associations must mandatorily hold their General Body Meetings once every year and a copy of the minutes must be forwarded to EFI within thirty days of such meeting. Whereas the State/UT Equestrian Association will have full autonomy in conducting their affairs and elections, they will however ensure that members suspended/terminated by the EFI are not representative office bearers in dealing with the EFI. The State/ UT Association must inform the EFI prior to holding of their General Body Meeting in order for the EFI to be able to send an Observer for the said meeting.
2. Calendar of Events relating to National / Regional Championship should be sent 60 days advance for approval/further dissemination to all members of the EFI.
3. A brief report on the promotional activities and events held should be forwarded to EFI at least once a year.
4. The Executive Committee may recommend to the General Assembly regarding the derecognition of State Association which are not engaged in conducting events and promoting the sport within the State.
5. State/UT Equestrian Associations must hold regular activities such as coaching camps, National/Regional/Local level equestrian championships. A report of those events must be forwarded to EFI from time to time.
6. The State/UT Equestrian Association have to follow the parameters of recognition as mentioned in these Statutes and the guidelines for recognition that shall be notified by the EFI.



EVENT ALLOTMENT AND CALENDAR**ARTICLE 028 - EVENT ALLOTMENT AND CALENDAR**

1. All bids alongwith corpus money received by the EFI Secretariat must be forwarded to the Bid Evaluation and Membership Screening Committee.
2. The Corpus money will be reimbursed to the OC on completion of event subject to no due balance towards EFI or in case the bid is not accepted.
3. State/UT Equestrian Association/ Institutions/Clubs willing to host National/International events must have earlier record of hosting at least one Regional Championship under the aegis of EFI successfully.
4. The Calendar, once approved by the Executive Committee, cannot be changed unless the change is examined and approved by the Executive Committee.
5. The proposed calendar/ First Draft will be approved by the Executive Committee and circulated to all members by 31st May each year. This will then be posted on the website. Suggestion/ comments of members, if any must be sent to the Secretary General by 30th June of the relevant year. The final calendar of events will be published by Secretary General by 31st July of the same year. Irrespective of bids received for a National Championship/FEI Events, Executive Committee should consider allotting the event to different Regions in different calendar years in order to promote the sport in all the regions and to maintain the National character of sport and Federation.
6. The calendar of events relating to participation of Indian Team in foreign countries should be prepared by the Secretary General and put up for approval of the President.
7. During a competition for the event/selection trials, preceeding an international event, any horse during the event selected for Indian/Foreign team will be provided by the rider/Club without any preconditions, failing which rider/Club can be debarred from participation for up to three years.



GENERAL**ARTICLE 029 - CORRESPONDENCE**

1. All correspondence to the EFI should be addressed to the Secretary General. Members should invariably quote their membership number while corresponding with the EFI.

ARTICLE 030 - MISCELLANEOUS

1. **Affiliation:** The EFI will be affiliated to the Ministry of Youth Affairs and Sports, Sports Authority of India, the Indian Olympics Association, the International Tent Pegging Federation, Asian Equestrian Federation and Federation Equestre Internationale. The President and Secretary General will mandatorily represent EFI in their meetings/forums. The EFI can also become a member of other equestrian organization and other allied organization as and when authorized by the Executive committee. The General Assembly will be kept informed.
2. **Reciprocation:** The Executive Committee may extend reciprocal facilities to the members of the affiliated Association/Organisations/ Clubs/ Institutions and Defence/Para military Forces/Police Organisations/ Establishment and Units.
3. **Winding up:** The winding up of the EFI can only be decided by the votes of two-third of the members, delivered in person, at an Ordinary General Assembly Meeting, specially convened for this purpose.
4. **Disposal of Assets:** On dissolution of the society, the net assets and properties of the society shall be transferred to an association of persons or trust or society having similar purpose and objects of this society with prior approval of General Assembly.
5. **Registration of Horses:** All horses participating in competitions held under aegis of EFI must be registered with EFI as laid down by the Secretariat which will be valid for four years and can be renewed thereafter.



6. **Registration of Riders.** All riders participating in competitions held under aegis of EFI must be registered with EFI. The rider registration/identity number have to be renewed before 01 January every year without which Competition Entries during the following calendar year will not be accepted.
7. **Measures against Age fraud In Sports.** All measures to prevent such incidents shall be in place and followed strictly.
8. **Guidelines for Dope Testing Procedure.** Anti-Doping testing procedures are applicable to Riders of EFI. Govt rules & regulations will be strictly followed on the subject matter.
9. Indian Citizens are only permitted to participate in National events including RELs. No Indian citizen is permitted to participate for any other country without EFI's approval.
10. **Irrevocability:** The society is irrevocable.
11. The amended statutes will come into force with effect from 28th March 2022.



*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Order reserved on : 17.03.2023
Order pronounced on : 11.04.2023

+ **CONT.CAS(C) 73/2022**

RAJASTHAN EQUESTRIAN ASSOCIATION Petitioner
versus

SHRI SPS TOMAR Respondent

+ **W.P.(C) 10342/2019 & CM APPL. 42732/2019, CM APPL.16483/2020, CM APPL. 32960/2020, CM APPL. 43562/2021, CM APPL. 31560/2022, CM APPL. 33330/2022, CM APPL. 36336/2022, CM APPL. 42691/2022, CM APPL. 54682/2022, CM APPL. 284/2023**

RAJASTHAN EQUESTRIAN ASSOCIATION Petitioner
versus

EQUESTRIAN FEDERATION OF INDIA
AND ORS Respondents

+ **W.P.(C) 10783/2022 & CM APPL. 31338/2022**

COL. RAJESH PATTU, SJRP, VSM, (RETD) Petitioner
versus

EQUESTRIAN FEDERATION OF INDIA
& ORS Respondents

+ **W.P.(C) 2036/2022**

RAJASTHAN EQUESTRIAN ASSOCIATION
& ANR Petitioners
versus

UNION OF INDIA & ORS

..... Respondents

+ **W.P.(C) 5989/2022, CM APPL. 17986/2022, CM APPL. 54683/2022 & CM APPL. 279/2023**

RAJASTHAN EQUESTRIAN ASSOCIATION Petitioner
versus

UNION OF INDIA & ORS

..... Respondents

Advocates who appeared in these cases:

For the Petitioners : Mr. Rajiv Dutta, Senior Advocate with Mr. Ashish Kothari, Mr. Devang Gautam and Ms. Pratha Pant, Advocates.

For the Respondents : Mr. R. Bala Subramaniam, Sr. Adv. with Mr. Ajay Digpaul, CGSC with Mr. Kamal Digpaul and Ms. Swati Kwatra, Advocates for R-1/ UOI.

Mr. Jayant Mehta, Senior Advocate with Mr. Kirtiman Singh and Mr. Prateek Dhanda, Mr. Waize Ali Noor, Mr. Manmeet Kaur Sareen, Ms. Vidhi Jain and Mr. Madhav Jain, Advocates for EFI.

Mr. Nilanjan Bhattacharjee and Mr. Aakarsh Kamra, Adv.

Mr. Vineet Dhanda, CGSC with Mr. Shubham Prasad, Advocate for UOI.

Mr. Vinayak Bhandari and Mr. BhavNinder Singh, Advocates for Intervenor.

Mr. R. A. Iyer, Adv for Ld. Court Observer.

Mr. Harish Vaidyanathan Shankar, CGSC with Mr. Srish Kumar Mishra, Mr. Sagar Mehlawat, and Mr. Alexander Mathai Paikaday, Advocates.

Mr. Pallav Shishodia, Sr. Adv. with Mr. Vinayak Bhandari, Adv. for Intervenor

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

1. With the consent of the parties, this court is confining itself to the adjudication of the disputes only to the extent of relief as sought in the prayers of the applications, filed before this court, for the purposes of elections to the various posts of the office bearers of the EFI.

2. For the sake of brevity considering the different roles and nomenclature assumed by the contesting parties and the same may be read in its entirety for reference, the following table is generated for convenience :-

<u>TERMS</u>	<u>ABBERRIATIONS</u>
RAJASTHAN EQUESTRIAN FEDERATION	REF
EQUESTRIAN FEDERATION OF INDIA	EFI
UNION OF INDIA THROUGH MINISTRY OF YOUTH AND SPORTS AFFAIRS	Ministry
INDIAN OLYMPIC ASSOCIATION	IOA
SPORTS AUTHORITY OF INDIA	SAI
NATIONAL SPORTS DEVELOPMENT CODE OF INDIA, 2011	NSDCI/ "SPORTS CODE"
STATUTES OF EQUESTRIAN FEDERATION OF INDIA	EFI STATUTES
NATIONAL SPORTS FEDEARTION	NSF

3. This court is also conscious of the fact that such immediate and specific consideration to the dispute is necessary in the present

circumstances, in that, the selection of probables to represent India in the Olympic Discipline in the upcoming 19th Asian Games to be held between 23.09.2023 to 08.10.2023 in Hangzhou, China, is at the doorstep. A functioning Executive Committee of EFI, being an NSF, is necessary to formulate a Selection Committee for the same, which can only be formulated after the successful emergence of the governing body of EFI, duly elected by electoral college, endorsed in accordance with the Sports Code.

4. Thus, through the present set of applications, the EFI, is seeking:-

“Prayer in CM. APPL. - 33330-2022 in W.P.(C) - 10342-2019
(i) Pass appropriate Order/direction permitting the Applicant/Respondent No. 1 to hold its elections for the Executive and Selection Committees;

Prayer in CM. APPL. - 54682-2022 in W.P.(C) - 10342-2019
Pass appropriate Orders for disposal of CM No. 33330 of 2022 in terms of the prayer made therein and direct the conduct of elections to the Executive and Selection Committee of the Applicant/Respondent No. 1 without prejudice to the rights and contentions of the parties;

Prayer in CM. APPL. - 54683-2022 in W.P.(C) - 5989-2022
(i) Direct the conduct of elections to the Executive and Selection Committee of the Applicant/Respondent No. 2 without prejudice to the rights and contentions of the parties;”

5. By the order dated 10.11.2022, this Court has already formulated brief factual background for the present entire batch of petitions filed before this court, which is extracted hereunder:-

2. From the record, it transpires that post the formulation of the National Sports Development Code of India [“Sports

Code”], the Union Government has been continually calling upon EFI to transition and ensure compliance with the provisions made in the Sports Code. The constitution of EFI has admittedly and till date not been brought in line with the various provisions of the Sports Code.

3. W.P.(C) 10342/2019 had been preferred seeking directions for EFI undertaking that transitional process. The records of the aforesaid writ petition further bears out that by an order of 26 September 2019, the Court had permitted the holding of elections for constituting the governing body of EFI subject to the results thereof not being declared without the approval of the Court. EFI is stated to have consequently held elections on 29 September 2019. On 15 November 2019, a further order was passed permitting the declaration of the results of the elections. It was however provided that the declaration of results would not create any rights or interests in favour of any person elected in that process and that their continuance as members of the governing body would be subject to the result of the writ petition. By the said order, the Court had also appointed Dr. S. Y. Quraishi as an Observer to oversee the functioning of EFI with a further rider being placed that it would be open to the Observer to call upon EFI to seek the prior approval of this Court on any decision that he may disapprove of.

4. During the pendency of the present writ petition, the President and Vice-President (Admin) who were elected on 29 September 2019 are stated to have tendered their resignations. Subsequently, two individuals came to be appointed as temporary President and Vice-President (Admin) without holding any fresh elections. According to the petitioner, the aforesaid individuals were enrolled as members of EFI and shown as elected to the aforesaid offices merely by virtue of their rank and position in the Armed Forces. Taking cognisance of the aforesaid challenge, the Court by its order of 20 July 2020 had restrained the Interim-President and Vice-President (Admin) from acting as such. It is admitted before the Court that elections for constituting the governing body is imperative since the last elections were held almost 4 years ago and which is the maximum term of that body under the constitution.

8. When this batch of writ petitions was taken up subsequently, directions were passed for the Observer to submit a

further report with respect to the current state of affairs of the EFI. That report dated 17 August 2022 filed by the Observer records that despite sufficient time having elapsed, EFI has failed to amend its constitution and bring it in line with the Sports Code. The Observer has further opined that till such time as issues pertaining to the constitution of the general body are resolved, it would be inexpedient to hold elections.

6. Vide the same order dated 10.11.2022, this court had also flagged certain concerns regarding EFI, which are extracted hereunder:-

5. It would be pertinent to note that clause 1.3 read with clause 3.9 of Annexure-II of the Sports Code stipulates that the membership of a National Sports Federation would be generally confined to the corresponding States / Union Territories and other special units affiliated to it. The purport of the aforesaid clauses appears to be that membership of a National States Sports Federation would be restricted to associations that may have been formed and duly recognised at the State / Union Territory level. Clauses 3.9 and 3.10 of Annexure-II of the Sports Code further prescribe that even if membership of a National Sports Federation is granted to individuals and clubs, the right to cast votes shall be reserved exclusively in favour of State and Union Territory associations who may be members of such a federation. The aforesaid position, according to the petitioner also stands duly reflected and reiterated in clauses 3, 4 and 10 of the Model Election Guidelines.

6. Contrary to the aforesaid prescriptions contained in the Sports Code, the petitioners urge that the EFI constitution confers voting rights on all member including individual members, clubs and other units. The petitioners would contend that contrary to the provisions made in the Sports Code, EFI has continued to induct various individuals, clubs and other units as members and thus effectively marginalizing State Associations.

7. The other grievance which is raised and voiced in these proceedings is with respect to the decision of the Union Government which had granted exemptions to EFI from various provisions of the Sports Code in exercise of powers conferred by

clause 16 thereof. The exemption which the Union Government has granted relates to clauses 3.4 and 3.9 comprised in Annexure-II and Paragraphs 4(1), 4(2) and 4(4) of Annexure-XXXVII of the Sports Code. The aforesaid exemptions which have been granted form subject matter of challenge in W.P.(C) 5989/2022. It is contended that the aforesaid exemptions cannot possibly be viewed as being in the interest of the development of equestrian sports. On hearing submissions at the time of admission on that writ petition, the Court had noted that, prima facie, it would appear that the exemptions granted would not be referable to promotion of sports, sports persons or to remove difficulties in giving effect to the provisions of the Sports Code.

9. Having noticed the submissions which were addressed on this batch today, the Court is of the considered opinion that the principal issues which arise for consideration are the amendments liable to be adopted to bring the constitution of the EFI in sync with the Sports Code, to rule on the rights of individual members and units and to review the general working of the EFI bearing in mind the various issues which have been flagged by the Observer in its report. However, the aforesaid issues would have to be answered only after the Court has had on occasion to rule on the validity of the exemptions which have been granted by the Union Government. This since if the Court were to come to the conclusion that the exemptions would not sustain, that decision would have a material bearing on the composition of the general body and an identification of those constituents who would be eligible and entitled to participate in the election process. It would also have a direct bearing on the amendments that are liable to be made to the constitution of the EFI.”

With this background this Court now proceeds to adjudicate the present applications filed for an immediate relief as contended.

CONTENTIONS OF EFI

7. At the outset, Mr. Jayant Mehta, learned Senior Counsel appearing for EFI refers to the W.P.(C) 5989/2022 particularly to page

70 of the paper book which is a letter dated 09.11.2021 issued by the Ministry granting exemption to the EFI from certain provisions of the Sports Code, to submit that by virtue of such exemption, the EFI proposes to hold elections to its Executive Committee.

8. Mr. Mehta, learned Senior Counsel submitted that the Equestrian Sports are of a unique nature and briefly described the nature as under :-

- (i) It is a club based sport.
- (ii) It is a peculiar sport, in that, it consists of two athletes, one is the human athlete and the other is the horse, which can be considered to be the second athlete.
- (iii) It is an expensive sport, in that, the horse itself costs a minimum sum of Rs. 20 Lakh for Indian breed and in case foreign breed is imported the cost may reach upto Rs. 40 Lakhs. The expenses also involve Transportation, Boarding, Lodging, Veterinary Expenses, and Maintenance of horses i.e. its feed and daily maintenance of Equines coupled with the fact that Training facilities are again very expensive since they have to be of a reasonable size and in addition there is a requirement for discipline specific infrastructure such as Show Jumping, Dressage, Endurance and Tent Pegging. Furthermore, currently Equestrian Centers exist at Meerut, Delhi, Jaipur and Bangalore with only one Center having Integral Equine Disease Free Zone (EDFZ) facility to enable Indian Horses to travel abroad as per International Rules on the subject.

(iv) Keeping in view the aforesaid expenses, not all districts and states have the wherewithal to maintain equestrian sport, as also do not have the capability or capacity to fall in line with the provisions of the Sports Code.

9. Mr. Mehta, referred to the brief submissions filed on behalf of Ministry especially to the annexures appended thereon, to submit that the exemptions so granted to EFI vide the letter 09.11.2021 by the Ministry is neither peculiar or arbitrary to EFI, but letters of such nature granting similar exemptions, keeping in view the requirement of various sports and the difficulties that they have been facing to implement the sports code, were infact issued by the Ministry. As an example, Mr Mehta refers to letters granting exemptions to the Indian Golf Union, the Indian Polo Association, the Rowing Federation of India, the Yachting Association of India and similar other sports to reiterate that the peculiar situation arising in the equestrian sports was considered before issuing such exemption.

10. Learned Senior Counsel also drew attention to page 71 of the paperbook which is the letter dated 9/11/2021, particularly to para 5 to submit that the exemption which has been granted is conditional and only till such time, the requisite number of State/ UT Associations in the 2/3rd of States and UTs with 50% District Units come into existence as per the terms of the Sports Code. On that basis, learned Senior Counsel submits that the exemptions are temporary in nature and only to bridge the gaps as also to ensure that the EFI is successfully able to achieve integration of its Constitution with the Sports Code.

11. Learned Senior counsel vehemently stressed upon the letter dated 09.11.2021, particularly to para 4 to submit that upon a holistic consideration of the difficulties being faced by EFI in conforming to the Sports Code, exemptions were granted in the nature relaxation of application of para 3.4 and 3.9 of Annexure II of the Sports Code from applying strictly to the EFI. Similar exemption in respect of para 4 (1), 4 (2), 4 (4) of Annexure XXXVII of the Sports Code was extended to EFI. On that basis, learned senior counsel submits that the rigours of the aforesaid paras of the Sports Code are not applicable to the EFI till such time EFI is able to fulfil the requisites as stipulated in para 5 of the exemption letter.

12. In view of the above submissions, learned Senior Counsel further submits that the prayers in the writ petition are not tenable for the reason that the exemptions have been granted in the peculiar nature of the equestrian sports and comparing the same with other sports having different parameters, different needs and varying requirements would not fall within the mischief of Article 14 of the Constitution of India. Moreover, learned Senior Counsel submits that the petitioners possibly cannot question the exemptions so granted by the Ministry in respect of EFI. Learned Senior Counsel also submits that in case the contentions of the petitioners are applied, then only five eligible State Associations would be able to cast their votes, making a mockery of the entire electoral process, besides leaving the fate of the EFI in the hands of a collective few, which would be contrary to the democratic principles.

13. In short, learned Senior Counsel submits “*One Size Fits All*” policy cannot be applied to all the prevailing sports in the country in view of the fact that each sport has its own peculiarities and ground realities. Thus, the exemption so granted, is in line with such principle.

14. Learned Senior Counsel also submits that there can be no qualms about the fact that under Clause 5 of the Sports Code, the Ministry has the power of relaxing any of the provisions of the sports code in respect of any sport for reasons to be given in writing. Learned Senior Counsel also reiterates that such power is inherent in the Executive power exercised by the Central Government, particularly in case where the Ministry itself has, as a matter of policy, formulated the Sports Code.

15. Mr. Mehta, learned Senior Counsel submits that no challenge has been laid to the inherent and ultimate power of the Ministry to exempt any National Sport Federation in respect of any provision of the Sports Code.

16. Learned Senior Counsel further refers to orders dated 16.09.2019 and 26.09.2019, 15.11.2019, 20.07.2020, 24.09.2020 and 03.03.2021 to submit that holding of elections is imperative in the EFI.

17. Learned Senior Counsel submits that it was in line with the aforesaid orders, as also the difficulties faced by the EFI that the Ministry, on a written representation dated 15.07.2019 & 31.10.2022 of the EFI, granted the aforesaid exemption.

18. Learned Senior Counsel next referred to the brief written submissions handed over the Bench to submit that out of almost 20 states affiliated with the EFI, 8 have lost membership.

19. Another relevant submission of Mr. Mehta, learned Senior Counsel is, that historically the contribution to the initiation and growth of equestrian sport largely rests with the Indian Army and Army Clubs and its other Units which have been responsible for ensuring that India is represented in Equestrian Sport, internationally. He submits that the Indian Army is one of the largest animal forces in the world and has been providing infrastructure facilities to promote various disciplines of the Equestrian Sport in the country. Furthermore, the only active Cavalry Regiment in the world as on date is the 61st Cavalry Regiment of the Indian Army. Thus, he submits that the allegation that the EFI is controlled and monopolized by the armed forces is clearly misconceived and erroneous.

20. Learned Senior Counsel referred to annexure R-4 to the counter affidavit of EFI which is the Amended EFI Statute w.e.f., 28.03.2022, to submit that sub-Article 2 of Article-005 of Chapter 2 of the aforesaid annexure determines the manner in which the EFI would grant membership and also provides as to which of the associations and when they would become eligible to cast their votes.

21. On that basis, learned Senior Counsel submit that all those State Associations which are not affiliated yet, may apply for membership, however, would be subject to Article 005 Sub-Article 2 in respect of voting which would be conferred only after being given the status of a permanent member.

22. Learned Senior Counsel submits that the electoral college of the EFI annexed as Annexure-D to the Observer's Report dated

17.08.2022, is the correct and true electoral college of EFI as on date, and this Court may direct holding of elections on that basis by appointing an Election Officer/Returning Officer, who may conduct elections at the earliest.

23. Learned Senior Counsel vehemently emphasised that a bare reading of the Observer's Report dated 09.02.2021 and 17.08.2022 itself brings to fore the anxiety of the Observer to also conduct free and fair democratic elections of the EFI at the earliest so as to ensure that a duly elected body takes control and is able to administer the day to day affairs of the EFI.

24. Learned Senior Counsel also submits that the elections ought to be held at the earliest also keeping in view the fact that an International Equestrian Sport event in China in the months of September-October 2023 is slated and the selection process for the teams/ athletes is to commence as soon as possible in view of the fact that it takes considerable time in the selection process as also the subsequent training.

CONTENTIONS ON BEHALF OF MINISTRY

25. Col. Subramaniam, learned Senior Counsel appeared for the Ministry and referred to the affidavit filed on its behalf. Learned Senior Counsel submitted that there is no dispute that the National Sports Development Code of India, 2011 was formulated by the Union of India as a policy decision to ensure that various sports in the country, both regulated and un-regulated, fall under the common code of

conduct, governance, adopt model guidelines for conduct of elections and other administrative affairs to ensure that such sports are able to come up to the international standards.

26. Learned Senior Counsel submits that whenever a policy is formulated by the Central Government, the power to rectify, review or change any of the provisions of the Sports Code would inherently lie with the said Ministry which cannot be questioned by the petitioner/REF.

27. Learned Senior Counsel submits that in any case, the petitioner have not questioned the power of the Central Government as an Eminent Domain to exercise such powers in the matters of policy.

28. Learned Senior Counsel submits that there has been no allegation of mala fide exercise of powers by the petitioner against the Ministry or its officials and, therefore, in the absence of such allegations, there cannot arise any question of interference in such exercise of power too.

29. Learned Senior Counsel submits that the petitioner should not step into the issue of interpretation of any policy, which is the exclusive domain of the Union of India, least of all in matters which are subject of a policy decision, as enshrined in the Article 77 (3) of the Constitution of India read with Government of India (Allocation of Business) Rules, 1961, as amended upto 31.01.2017. Based thereon, learned Senior Counsel thus submits that the policy decisions being based on such power, entitles the Central Government to manage the entire arena

pertaining to the matter relating to sports activities in the country and are not within the jurisdiction of the courts.

30. Learned Senior Counsel draws attention to the Status Report dated 17.08.2022 of the Observer, particularly to para 4.4 and 4.5, 4.10, 5.3 and 5.4 to submit that the Ministry after taking into consideration the issues flagged by the Observer, as also the peculiar and unique difficulties faced by the EFI, also agrees that the ideal way to resolve all the pending issues of the EFI would be, to conduct democratic elections to ensure that a duly elected body takes control of and administers the EFI.

31. Col. Subramaniam, learned Senior Counsel submitted the following bullet points for the consideration of this Court to direct holding of elections at the earliest :-

- (a) International Sport bodies do not recognise federations which are not represented by an Elected body.
- (b) Unless the mala fides are found in the contentions of the petitioner, of which none are there, the election process may be allowed to go on.
- (c) Objections, in any case, can be taken care of by the Election Officer/Returning Officer.
- (d) Exemptions granted are not peculiar only to EFI and other similar NSFs have also been given such exemptions.
- (e) These exemptions are temporary in nature and only a stop gap arrangement.

CONTENTIONS OF THE PETITIONER/REF

32. Mr. Rajiv Dutta, learned Senior Counsel appears for the petitioner and refers to the W.P.(C) 10342/2019 particularly to the written submissions filed on behalf of the petitioners and takes the Court through the various submissions made therein.

33. According to Mr. Dutta, learned Senior Counsel his first contention is in relation to the deliberate defiance of the Sports Code by the EFI resulting in anarchy and submits that the Indian Olympic Association (hereinafter referred to as “IOA”) was compelled to take strict action against the EFI and reduced it to a non-voting member of the IOA. Learned Senior Counsel submits that it is after considering the various instances of malfeasances and mal-administration, the IOA was constrained to reduce the status of EFI to that of a non-voting member, which was communicated vide the letter dated 16.09.2019.

34. Learned Senior Counsel further submits that the special treatment given to the EFI by the Ministry is intriguing for the reason that despite innumerable instances of mal-administration and malfeasances, instead of ensuring strict adherence to the Sports Code, granted unwarranted extensions to the EFI to comply with the provisions of the Sports Code.

35. Learned Senior Counsel submits that despite the EFI being directed to present a Road Map to the Ministry explaining as to the manner and the time within which the EFI would fall within the parameters required under the sports code and the EFI miserably failing

to adhered to such timelines, the Ministry granted exemptions of the nature contained in letter dated 09.11.2021.

36. Learned Senior Counsel laid a great stress upon the letter issued by the Ministry to the EFI in the year 2017 whereby the Ministry had specifically directed the EFI to formulate a road map to implement and follow the sports code in letter and spirit within a particular period of time. He submits that in terms of such direction, number of letters/ road maps formulated, were sent by the EFI right uptill the year 2020. However, none of the steps as promised and assured to implement such road map have been taken by the EFI till date. A number of extensions, in the form of renewal of recognition of EFI had been granted by the Ministry for such purpose time and again. Despite such indulgence and “Special Treatment”, EFI has not implemented its own road map till date.

37. Learned Senior Counsel relies on the Road Map for Transition of EFI which is at page 421 of the W.P.(C) 5989/2022 to submit that the contents of the road map were in tune with the sport code, though, were never implemented in letter and spirit by EFI despite passage of more than five years. On that basis, learned Senior Counsel submits that it is apparent that there was never an intention of the EFI to implement its own road map and fall in line with the Sports Code which was held by various judicial pronouncements of this Court to be, non-negotiable. To the same extent, learned Senior Counsel brings attention of this Court to para 6 of the said road map, which referred to the Strengthening of the State Associations. Learned Senior Counsel submits that no steps in

regard to development of the State Associations in the country were ever undertaken by the EFI till date. In other words, learned Senior Counsel submits that having not implemented the road map to align itself with the Sports Code during the past five years, disentitles the EFI from any right, authority or jurisdiction to now seek exemptions from the relevant and crucial provisions of the Sports Code. Equally, the Ministry itself, being the policy maker of the Sports Code, does not have any right of authority to dilute the provisions of the said Code, to drastically affect the sport or the sport persons.

38. Learned Senior Counsel then refers to the Notification dated 01.02.2021, whereby the Ministry had inserted, by way of an amendment, a clause in the Sports Code containing the power to relax any provision of the said Sports Code, in respect of any National Sports Federation. The said Notification dated 01.02.2021 is extracted hereunder :-

*“No. 12-2/2021-SP-INI
Government of India
Ministry of Youth Affairs & Sports
Department of Sports
Shastri Bhawan, New Delhi
1st February, 2021*

***Sub: National Sports Development Code of India, 2011
- inclusion of relaxation provision- regarding***

The National Sports Development Code of India, 2011 (Sports Code) has been in force since 31.01.2011. The Government has also, from time to time, issued certain other guidelines and instructions with regard to

governance and management of Indian Olympic Association (IOA) and National Sports Federations (NSFs). It has been decided to add the following relaxation clause provision at No. 16 under the Heading of Relaxation Clause of the Sports Code 2011 at page 32:

Relaxation clause:

"Government shall have the power to relax any of the provisions of the National Sports Development Code of India, 2011 and other instructions issued with regard to recognition of National Sports Federations (NSFs), renewal of recognition of NSFs on annual basis and governance and management of Indian Olympic Association (IOA) and NSFs, as a special exemption where considered necessary and expedient for the promotion of sports, sportspersons or to remove difficulties in giving true effect to that particular provision of the Sports Code, always being guided by and not inconsistent with the overarching spirit of good governance and ethical conduct enshrined in the Sports Code 2011. The reasons for such relaxation shall be recorded in writing. Power to relax the provisions will vest with Minister In-charge of the Ministry of Youth Affairs & Sports."

2. This issues with the approval of Minister of State (Independent Charge) for Youth Affairs & Sports."

On the basis of the above clause, Learned Senior Counsel submits that the power to relax even if considered as an inherent power, though not admitting so, would also have to be construed strictly keeping in view the development of the sport as also the sports person. He further submits that the true purport of such relaxation has to be in the nature which is expedient for promotion of sports, sportsperson or

to remove difficulties in giving true effect of that particular provision of the sports code, always being guided by the spirit of good governance and ethical conduct enshrined in the said Sports Code. However, Learned Senior Counsel submits that in the present case, the exemption so granted is not in the interest of either the sport or the sportspersons.

39. Learned Senior Counsel submits that the description of the horse as given by the Ministry as also the EFI is absolutely contrary and violative of the description as contained in the Sports Code. According to the learned Senior Counsel, horse has been described as an “equipment” as per 10.4.4. in the Sports Code which states that *Para 10.4 For participation in international competition and training abroad - 10.4.4 For hiring of equipment locally, actual amount required wherever necessary may be advanced. Horses along with their diet for equestrian events and boats/yachts etc. shall be treated as equipment for reimbursement of hiring/transportation.* Learned Senior Counsel submits that when there is a clear description/definition attributed to the horse, to now re-define the horse also as an athlete would be violative of the Sports Code. In any case, learned Senior Counsel submits that, the EFI does not own a single horse nor does it have any sports ground to call its own.

40. Learned Senior Counsel drew attention of this Court to a letter dated 15.07.2019 of the EFI, written to the Secretary of the Ministry, which is self-explanatory and contrary to the road map submitted by the EFI to the Ministry in the year 2017. According to Mr. Dutta, Learned Senior Counsel, this letter is one of the series of such letters which

slowly but surely establish the wilful violations and deliberate attempts to overcome the rigours of the road map as also the Sports Code. As per Learned Senior Counsel, the letter itself demonstrates the deliberate attempts of the EFI to violate its own road map.

41. Learned Senior Counsel refutes the submissions made by Mr. Mehta, learned Senior Counsel appearing for the EFI that the Ministry has exempted other National Sports Federations like Rowing Federation, Yachting Federation, Squash Federation or the Golf Federation from the rigours of the sport code, and submits that the exemptions given by the Ministry in respect of such other sports federations, was in different context and for purpose other than those, which are granted to the EFI and, therefore, the submission that there has been no discrimination by the Ministry, is untenable. According to Mr. Dutta, learned Senior Counsel, the exemption granted to the EFI by the Ministry in respect of para 3.4 and 3.9 of Annexure II as also para 4(1), 4 (2), 4 (4) of Annexure XXXVII of the Sports Code drastically effects the administration of the equestrian sports and immeasurably effects the sports persons belonging to the equestrian sports. He thus, submits that the exemptions so granted ought to be set aside and elections be held strictly in terms of the model guidelines for elections as contained in the Sports Code.

42. Learned Senior Counsel submits that the entire EFI is being currently controlled by the Indian Army particularly the Army Service Corps (hereinafter referred to as “ASC”) which is also observed in the report dated 17.08.2022 of the Observer whereby the Observer has

particularly mentioned that, “*currently, the electoral college of EFI has 155 private club members (most of which are affiliated to the ASC) and 12 institutional members as against only 5 State Associations.*”

On that basis, learned Senior Counsel submits that the vote of the State Association in the elections would become in-consequential, thereby establishing the complete control of the ASC over the EFI. Further, learned Senior Counsel submits that there is an unsaid rule in the EFI for reserving key posts of EFI for the Army officers on the basis of their ranks or postings in the Indian Army. Learned Senior Counsel pertinently points out that the aforesaid malice had been noted by this Court in its order dated 20.07.2020 in the present writ petition whereby Ld. Gen. S.S. Mishra and Lt. Gen. M.K.S. Yadav were restrained from occupying the post of President and Vice President respectively. Learned Senior Counsel very vehemently submits that the aforesaid control is visible from the fact that EFI has reduced the number of State Associations from 12 in the year 2020 to just 5 in the year 2022 and simultaneously, the increase in the number of memberships granted to clubs and units of the army have substantially increased over the past few years. Therefore, Learned Senior Counsel submits that the democratic functioning of the EFI, in the above circumstances, is not possible. Learned Senior Counsel also informs this Court that not only the entire control of the EFI is in the grasp of the ASC, even the Headquarters of EFI are based in the Delhi Cantt. Area, which falls within the complete administrative control of the Army.

43. Learned Senior Counsel referred to the letter/ complaint dated 28.03.2019 written by an eminent sports person, namely, Lt. Col. Sandeep Dewan (Retd.) addressed to the Central Government exposing the deep rooted corruption in the EFI, as also the stark and deliberate violation of the Sports Code by the ASC and the Army in general. On that basis, learned Senior Counsel submits that it is clear that the condition of EFI is precarious and not at all conducive to the sport or the sportspersons.

44. Lastly, Mr. Dutta, learned Senior Counsel refers to judgment of this Court in ***Rahul Mehra vs. Union of India and others 2022 SCC OnLine Del 2438*** as well as ***Aslam Sher Khan vs. Union of India and Others 2022 SCC OnLine Del 1569*** to submit that the provisions of the Sports Code have to be complied with, in full rigour and wherever the NSF's fail, the Court ought to interfere. On that basis, Mr Dutta urges that this Court may exercise its jurisdiction under Article 226 of the Constitution of India to ensure that the EFI aligns its Constitution with that of the Sports Code.

45. Learned Senior Counsel also submits and is in agreement with the contention that elections ought to be held at the earliest, keeping in view the fact that the Asian Games are to be held in China in the months of September-October 2023.

46. In rebuttal, Mr. Kirtiman Singh, learned counsel for EFI reiterates the original arguments and further submits that the submission made by the learned senior counsel for the petitioner may be considered for deciding the writ petition finally, however, are not

relevant for the purpose of deciding issue pertaining to holding of elections.

47. Learned counsel referred to the letter issued by the Ministry exempting certain National Sports Federation (NSF) to submit that the Ministry had applied its mind to the peculiarity arising in those sports to give sanction according to the necessity and keeping in view the different situations as obtaining on the ground level. He further submits that similarly, in the case of EFI, the exemptions contained in the letter dated 09.11.2021 of the Ministry, have been granted keeping in mind the peculiar and unique facts and difficulties faced by EFI and thus the said exemption cannot be said to be arbitrary.

48. Learned counsel refers to the written submissions handed over the Bench in respect of various State Associations to submit that membership of certain State Associations were not renewed for want of payment of subscription fees and other reasons. Mr. Singh submits that such State Associations cannot be permitted to participate in the elections.

49. Mr. Singh learned counsel further submits that at this stage, when this court is taking a prima facie view of the issues raised in the writ petition, the exemption so granted cannot be curtailed or struck down. Learned counsel further reiterates that the power to relax always vested with the Ministry and such exercise of power cannot be questioned by the petitioner.

50. Mr. Singh learned counsel also refers to their electoral college to submit that there are 9 State Associations which did not apply for

membership and cannot be permitted to vote within one year as they would be Associate Members who do not have the entitlement to cast vote.

51. Mr. Singh learned counsel finally submits that elections must be held without any further delay to ensure that an elected body is put in place for managing the affairs of EFI.

CONTENTIONS OF THE INTERVENOR

52. The present intervenor was permitted to participate in the present proceedings vide the order dated 28.08.2022 in CM APPL. 36303/2022.

53. Mr. Shishodia, learned senior counsel appears for the intervenor Col. S. S. Ahlawat and drew attention to the various malpractices, malfeasances and the mal-administration of the EFI in general. Learned senior counsel submitted that only three members including Col. Ahlawat form the part of the body of EFI as of now. Learned senior counsel submits that the Secretary General namely Col. Jaiveer Singh has been conducting the whole business of the EFI and has made categorical assertions that the said Secretary General has been running the EFI as his personal fiefdom. Learned senior counsel referred to the judgment of Coordinate Bench of this Court in **Review Petition No. 54/2023 in W.P.(C) 16490/2022** titled as *“Chirag Khandal Vs Equestrian Federation of India & Ors.”*, Neutral Citation Number(NCUSN): 2023:DHC:2254 to submit that this Court has castigated the EFI and its functioning and has come down heavily on

the manner in which the Secretary General was conducting the daily affairs of EFI.

54. Learned senior counsel submits that keeping in view the observations made by this Court in *Chirag Khandal(supra)*, an Administrator be appointed by this Court to administer the affairs of EFI.

55. Mr. Kirtiman Singh learned counsel appearing for the EFI submits that in respect of the aforesaid issues raised by the intervenor, cross suits have already been filed and the same are pending adjudication before the Coordinate bench of this Court and therefore this Court may not pass any observations in regard thereto.

ANALYSIS AND CONCLUSION:-

56. At the outset it is clear from the submissions made across by all the parties that they are ad idem to conducting elections to the EFI. The dispute primarily relates to the Electoral College, on which the elections are to be conducted.

57. This court has considered the lengthy arguments, submissions, pleadings and documents on record while passing the present order. In fact, the arguments addressed by the respective parties have been all encompassing and cover the entire dispute in the lis. However, since this court is to render its decision on the elections alone, the present order is restricted to that aspect of the matter.

58. To understand the dispute it would be germane to first understand the manner in which the Sports Code has framed the

guidelines under the Model Guidelines for Conduct of Elections of any National Sports Federation, which are extracted hereunder:-

“ MODEL ELECTION GUIDELINES TO BE FOLLOWED BY ALL NATIONAL SPORTS FEDERATION

4. Electoral College:

(1) Each Permanent Member State/Union Territory duly affiliated by _____ (abbreviation of Federation) as its Permanent Member shall have two votes at the elections of the Office Bearers and Managing Committee Members.

(2) For the purposes of sub-clause (1), each Permanent Member State/Union Territory shall be represented by two members authorised by the President or Secretary General/Secretary of the affiliated Permanent Member State/Union Territory; however, in case President/Secretary General / Secretary nominates different person(s), the person(s) authorised by the President shall be deemed to be the duly authorised person(s). Irrespective of the date.

(3) Each Board or Institution duly affiliated by as its Permanent member under shall be represented by only one representative.

(4) Each Permanent Member State/Union Territory and each Permanent Member Board/Institution shall intimate the name(s) of their representative(s) mentioned in sub-clauses (2) and (3), latest by _____ (Day - 1 - e.g. 13th December,); and such intimation shall be addressed to the President / Secretary General of _____ on their letter head duly signed by President / Secretary General / Secretary of that member unit, so as to reach him on or before the aforesaid date; any change in the name of any authorized representative after _____ (Day - 1 e.g. 13th December, 2010) or any intimation received thereafter shall be permitted only with the approval of the President of _____.

(5) The President / Secretary General of _____ shall prepare the list of the authorised representatives of the Member States/Union Territories /Boards/

Institutions in Form 1, and circulate a copy of the list so prepared by him to all Member States/Union Territories/Boards/Institutions, latest by _____ (Day - 2-e.g. 14th December, 2010), by display, on the website of _____.

(6) The President / Secretary General shall also furnish a duly authenticated copy of the list mentioned in sub-clause (5) to the Returning Officer as soon as may be after his appointment by the President of _____ under clause (5) below.”

59. To appreciate the cause which has given rise to the dispute it would also be relevant to also consider whether the EFI has been able to comply with the Sports Code of India or not. For the said purpose it would be apposite to extract the relevant portions of the letter of the year 2017 whereby the EFI had formulated a Roadmap at the asking and direction of the Ministry to fall in line with the Sports Code which is as under:

“1. Equestrian sports is a specialized sports and pursued by a very few in the country as the sport is money intensive in nature. Post independence, the Army took a leading role in nurturing this sport by forming a national federation called Equestrian Federation of India in 1967 as this was a pre requisite by Federation Equestre Internationale (FEI) for participation of our riders in International events. Since then, Indian riders have participated in many international events and brought laurels for the country. Over a period of time, some civilian riders have taken up this sport and their participation in various national/international events is rising steadily. Accordingly, civilians have started occupying a fair number of posts in executive committee of EFI and as on date there are six civilian members in the Executive Committee of 21 members. However, it will take some time for the sports to be popularized

throughout the country and for EFI to be fully compliant to the NSDCI.

2. At present maximum equine population for sporting purposes is held by Army /Paramilitary Organizations. Slowly and steadily, civilian have started investing in this sports by buying thorough bred and warm blood horses. Besides this, India has a fair number of indigenous breed of horses in the selected areas of country such as Punjab, Rajasthan, UP, Gujarat, Maharashtra, Manipur and J& K to name a few which are being given exposure.

3. At present there is no govt. infrastructure for equestrian sports available in the country. Most of the infrastructure is held either by the Army or some paramilitary/CPOs. Very few civilian centres have been developed by private players and those are limited to Show Jumping and Dressage discipline of equestrian sports only. As far as Eventing discipline s concerned the infrastructure is held with only the Army/Paramilitary /CPOs. Eventing is the only discipline in which India has been winning medals continuously at international level. Thus, keeping Army/Paramilitary/CPOs out of the sports will be detrimental for the future of this sport in the country. However, there is a need to develop more participation by civilians and create more number of civilian venues over a period of time to make it popular among the broad spectrum of civilian population.”

xxxxxx

*“6 **Strengthening of State Associations:** Although there are 16 State Associations who are members of EFI, none of them has district associations affiliated to them as they are non existent. The EFI intends to*

support the state associations in the following manner:-

(a) The state associations will be advised to affiliate the clubs of their state to their association. They will be further advised to encourage private players/schools & colleges to open equestrian clubs with the help of govt/NGOs. Since there is no district level base available in the Country, a code will have to be evolved whereby clubs will come under the umbrella of the state association's and the state associations will then come under the aegis of the EFI. This will need approval from MYAS for which a specific case will be taken up. The statutes will be formally amended and then the procedure will be put into place. The states will be further strengthened by giving them funds ex MYAS so that requisite infrastructure can be created at all places so that the sports persons get the best facilities pan India.

(b) Through these State Associations, various private schools/colleges/universities will be encouraged to open riding clubs and if required, the cast horses of Army will be provided to such interested clubs after obtaining due sanction from the govt. These clubs/organizations will remain affiliated to the State Associations and will be eligible to elect various members of Executive Committee of State Association.

(c) Once the State Associations are active in a time period of four to five years they will be given the responsibility to choose Regional Members (at present there are six Regional Members) to represent their region in EFI executive committee which will automatically

lead to better civilian participation in the governing of EFI. ”

60. It would be clear from a bare perusal of the aforesaid Roadmap that there were many aspects which needed to be complied with by the EFI in order to gain recognition of the Ministry as a National Sports Federation. On that count, it not only framed a roadmap but also undertook to comply with the provisions of the Sports Code within a particular period of time. Unfortunately, no steps in that regard have been urged to have been undertaken or completed till date.

61. It is also apparent from the records of the case that time and again extensions of recognition as an NSF have been granted repeatedly to EFI on the undertaking that it would comply with the provisions of the Sports Code in terms of tuning its Constitution with that of the provisions of the Code. Nonetheless, no compliance has been effected till date.

62. Despite having failed to fall in line with the Sports Code, the EFI instead of fulfilling its obligations under the Roadmap of the year 2017, changed its narrative from the year 2019 onwards and sought to dilute the rigours of the Code by portraying itself as an expensive, exclusive and club based sport which needs a separate identification and different treatment as an NSF. To appreciate the issue, it would be relevant to extract the letter dated 15.07.2019 of the EFI to the Ministry, as also the ensuing correspondence, hereunder:

LETTER DATED 15.07.2019

“035/MYAS/EFI/2019

15 Jul 2019

Shri Radhey Shyam Julaniya, IAS
Secretary of Sports (MYAS)
Room No 2 C-Wing, Shastri Bhawan,
New Delhi – 110001

**RECOGNITION OF EQUESTRAIN FEDERATION
OF INDIA BY MINISTRY OF YOUTH AFFAIRS &
SPORTS (MYAS)**

My dear Shri Radhey Shyam Julaniya Ji

1. On behalf of Equestrian Federation of India (EFI). I would like to convey my gratitude to the Ministry of Youth Affairs & Sports for granting the Federation time to comply with the NSDCI-2011. Within the time frame granted, EFI has exerted all possible efforts to raise State Equestrian Associations which ideally would be a governing body and a true representative of the sport in the respective states. However despite all efforts till date, only 15 State Associations are affiliated with the NSF out of which only a few are active and the rest are existing on paper only.

2. I would like to highlight the peculiar nature of Equestrian Sport which act as a major hindrance for the compliance of the Sports Code.

(a) The Sport is unique consisting of 02 athletes - a human athlete and an equine athlete and the sport cannot be practiced in absence of one of them.

(b) Certain districts within a state do not have equine population. Therefore the concept of State Association based on the pyramidal structure of having 50% district associations at grassroot level is not feasible.

(c) The sport being a club based sport requires huge infrastructure, land holding and nuances of maintaining equines round the year which make the sport unique and expensive and is largely organised by

clubs and individuals. Since clubs and individuals are the largest stake holders in the sport, due Importance of voting rights of clubs and individuals cannot be overlooked which will lead to degradation of the sport which as it is limited to a few pockets in the country.

(d) State Associations do not have the where with all to organise various equestrian activities which are generally organised by the clubs located in the respective regions. Therefore State championships are also not held for this particular sport.

3. It is further reiterated that equestrian sport worldwide is a club and individual based sport and they are the main stake holders in governance of National Federations.

4. In consideration of the above it is felt that compliance to NSDCI-2011 in totality right from the grassroot level to the NSF level is not feasible without compromising and diluting the directions on the subject. I would therefore request you to reconsider the issue of compliance of NSDCI-2011 by EFI and accord annual recognition of the NSF which has been granted upto 03 Aug 2019 vide Ministry of Youth Affairs & Sports letter No F.No.9-12/2017-SP-I dated 01 Feb 2019.

With Best Wishes & regards

Yours Sincerely

(Sd-)"

LETTER DATED 03.12.2019

*"F.No: 27-4/20 13-SP.In
Government of India
Ministry of Youth Affairs & Sports
(Department of Sports)*

Shastri Bhavan, New Delhi

Dated: 3th December, 2019

The Secretary General

*Equestrian Federation of India
C/o 'B' Sqn., 61 Cavalry
Cariappa Marg
Delhi Cantt: 110010 .*

***Sub: Implementation of NSDCI, 2011 in respect of
Equestrian Federation of India-reg***

Sir,

I am directed to refer to Equestrian Federation of India's letter No. 035/MYAS dated 24.06.2019 and 15.07.2019 regarding exemption from compliance of the' National Sports Development Code of India-(NSDCI), 2011 and say upon considering the peculiar nature of Equestrian sport, it has been decided that EFI is to furnish a roadmap for its transition to be compliant with the NSDCI, 2011 by 31.03.2020. After which further course of action will be decided, till such time the recognition of EFI is continued.

2. *This issues with the approval of competent authority.*

*Yours faithfully,
(S.P.S Tomar)
Deputy Secretary (Sports) ”*

LETTER DATED 31.10.2020

“035/MYAS/EFI/2020

31 Oct 2020

*Sh Ravi Mital, IAS
Secretary of Sports
Ministry of Youth Affairs & Sports
Govt of India, Shastri Bhavan New Delhi – 110011*

**EXEMPTION TO EQUESTRIAN
FEDERATION OF INDIA(EFI) FOR**

COMPLIANCE OF NSDCI-2011 IN
RELATION TO FORMATION OF STATE AND
DISTRICT ASSOCIATION

Dear Sir,

1. *I take this opportunity to submit the following in furtherance to meeting held on 29 Jan 2020 at Sports Authority of India (SAI) under the Chairmanship Shri Kiren Rijiju, Hon'ble Minister of State (I/C) for Youth Affairs & Sports.*
2. *The Equestrian Federation of India (EFI) was established in 1967 under the aegis of Indian Army and has been governing equestrian sports in India. The Federation has 883 individual members, 179 Club/Unit members and thus is a small org with proven track record under existing governance norms and has promise to deliver in future.*
3. *The sport has been categorised as 'Priority by Ministry of Youth Affairs & Sports (MYAS) and as on date we have one Athlete probable for Tokyo Olympics 2020, another Athlete having bestowed with the coveted Arjuna Award 2020 and preparation of team's participation in Asian Games 2022 are underway to better the two Silver Medals our athletes had won in last Asian Games.*
4. *Equestrian Sport is a Club based sport world over. It is of peculiar nature wherein two athletes, one human and the other an equine, participate as one combination in all gender neutral competitions. The sport is incomplete in absence of either. It is also an expensive sport keeping in view the nuances of maintaining and transportation of equines.*
5. *The sport despite exorbitant costs involved, has flourished due to contribution by individuals,*

Clubs / Institutions like the Indian Army, Para Military Forces etc, who own horses/ have horses in their organisation. Hence, due importance of voting rights of clubs and individuals cannot be overlooked. Any deviation may lead to decline of the sport which as it is limited to a few pockets in the country.

6. *The NSDCI-2011 has regulated functioning of NSFs but its “one size fits all policy” pertaining to State Associations with 50% District Associations cannot work for EFI as most districts within a state do not have equine presence. Aiso, the participation of States in growth and development is negligible as is evident from non inclusion of equestrian sports in National Games. Till date, Indian Army has Equestrian Centres at Meerut, Delhi, Jaipur and Bangalore which have facilitated India winning laurels at the international levels. Equine Disease Free Zone (EDFZ) facility which is a mandatory pre-requisite for export of sporting horses for International competitions has been established by the Remount Veterinary. Corps of the indian Army in the past whenever required. Therefore, the structure of having 2/3 State/Union Territory Associations with 50% District Associations in each state as required under NSDCI-2011 is not feasible with regards to equestrian sports for reasons stated above.*
7. *In view of aforesaid facts, the EFI humbly seeks exemption with reference to NSDCI-2011 as per its Para 5.1, Annexure II, Page 37 in the interest of Equestrian Sports.*
8. *We look forward to a favourable consideration please.*

With Warm Regards”

LETTER DATED 26.11.2020

*“F. No. 27-2/2020-SP-III
Government of India
Ministry of Youth Affairs & Sports
Department of Sports
Shastri Bhawan, New Delhi
Date: 26 November, 2020*

*To
The President / Secretary General
Equestrian Federation of India,
C/o 'B' Sqn. 61 Cavalry
Cariappa Marg
Delhi Cantt: 110010
Email: eflindianf@yahoo.co.in*

Subject: Renewal of recognition of Equestrian Federation of India (EFI) - reg.

Sir,

I am directed to refer to letter dated 24.02.2020 and 31.10.2020 regarding exemption/relaxation from National Sports Development Code of India, 2011 (Sports Code). The matter has been examined and upon consideration of the matter, it has been decided to renew the recognition of Equestrian Federation of India for a period of one year from date of issue of this letter, during which EFI is required to bring its constitution and governance structure in line with the Sports Code. Accordingly, the Federation is required to make categorical affirmation of the provisions of the Sports Code in its constitution so as to bring the same fully in line with the Sports Code.

2. The Federation is also required to take necessary steps for uploading of the information in compliance to

the instructions as contained in this Ministry's letter no. 9-7/2014-SP.I dated 26.02.2015 on suo-moto disclosure within 3 months' time (copy enclosed).

This is issued with the approval of competent authority.

*Yours faithfully,
(SPS Tomar)
Deputy Secretary to the Government of India”*

63. While appreciating the aforesaid letter, this Court is not making any observations on the genuineness of the difficulties that the sport may have in the facts as mentioned above, but is considering the overall impact of the narrative as expressed in the said letter. The entire letter is conspicuous by the absence of even one instance of having complied with the Roadmap formulated by the EFI despite passage of many years. It is not as if the EFI implemented the Roadmap and brought itself around to align with the provisions of the Sports Code and then having failed, addressed such concerns to the Ministry. No such attempt even appears to have been made and none is discernible from the reading of the aforesaid letter. Moreover, the contents of the said letters appear to have no impact upon the Ministry at all. Thus, this Court is unable to appreciate as to why the EFI did not implement its own Roadmap and align itself with the Sports Code.

64. It is also pertinent to note that the Ministry did not appreciate such stand of the EFI and still expected the EFI to “*fall in line*” so to say.

65. It is relevant to note that the Ministry, by the letter dated 01.02.2021 inserted the Power to Relax any of the norms mentioned in the Sports Code for reasons to be written in writing. The relevant extract of the said letter dated 01.02.2021 is brought out hereunder:

*“No. 12-2/2021-SP-INI
Government of India
Ministry of Youth Affairs & Sports
Department of Sports*

*Shastri Bhawan, New Delhi
1st February, 2021*

***Sub: National Sports Development Code of India, 2011
- inclusion of relaxation provision- regarding***

The National Sports Development Code of India, 2011 (Sports Code) has been in force since 31.01.2011. The Government has also, from time to time, issued certain other guidelines and instructions with regard to governance and management of Indian Olympic Association (IOA) and National Sports Federations (NSFs). It has been decided to add the following relaxation clause provision at No. 16 under the Heading of Relaxation Clause of the Sports Code 2011 at page 32:

Relaxation clause:

"Government shall have the power to relax any of the provisions of the National Sports Development Code of India, 2011 and other instructions issued with regard to recognition of National Sports Federations (NSFs), renewal of recognition of NSFs on annual basis and governance and management of Indian Olympic Association (IOA) and NSFs, as a special exemption where considered necessary and expedient for the

promotion of sports, sportspersons or to remove difficulties in giving true effect to that particular provision of the Sports Code, always being guided by and not inconsistent with the overarching spirit of good governance and ethical conduct enshrined in the Sports Code 2011. The reasons for such relaxation shall be recorded in writing. Power to relax the provisions will vest with Minister In-charge of the Ministry of Youth Affairs & Sports."

66. The Power to Relax any of the norms of the Sports Code is circumscribed in the aforesaid letter itself to very narrow area and that too for good reasons to be reduced into writing. This, of course, is to the extent whereby there is no dilution of the provisions of the Sports Code nor does such action interfere with the growth of that particular Sport. With this in the background, this Court now proceeds to examine the exemption/relaxation granted to EFI by the Ministry and the causal relation between the cause and its effect.

67. In order to appreciate the exemption granted to the EFI it would be apposite to peruse the letter dated 9/11/2021 which is extracted hereunder:

*"No. 27-4/201 3- SP- III (Vol- II)
Government of India
Ministry of Youth Affairs & Sports
Department of Sports*

*Shastri Bhawan, New Delhi
9th November 2021*

*To,
Secretary General,
Equestrian Federation of India.*

*T 1 Station Road, Cariappa Marg,
Delhi Cantt, New Delhi- 110010*

Subject: Grant of exemption to Equestrian Federation of India (EFI) from certain clauses of National Sports Development Code 2011- regarding

Sir,

I am directed to refer to EFI's letter No. 035/MYAS/EFII2021 dated 13 October 2021 and other letters mentioned in its letter dated 13 October 2021 requesting for exemption from certain clauses of the National Sports Development Code, 2011 (The Code) and to say that the request has been examined in terms of the provisions of the Code as well as the Ministry's letter No. 12-2/2021-SP-III dated 1.2.2021 regarding relaxation provision.

2. EFI has brought out in its above-mentioned letters to the Ministry that equestrian sport is a club-based sport the world over and it is of peculiar nature wherein two athletes, one human and the other an equine, participate as one combination in all gender-neutral competitions. It has also been brought by EFI that equines are integral part of the sport and maintenance of horses requires special expertise and its quite expensive in terms of their feed, veterinary expenses, grooms for looking after horses on daily basis, lodging of horses, logistics involved in transportation, boarding and lodging of horses, requirements of holding discipline specific competitions like Show Jumping, Eventing, Tent Pegging, Dressage, Endurance with large size grounds, requirement of Equine Disease Free Zone facility to enable horses to be –quarantined and examined beforehand to travel abroad as per international rules etc.

3. The Ministry has taken note of the special requirements for the sport of Equestrian and that the requisite expertise,

sport infrastructure and horses for training and competitions are not available in all States and Districts of the country.

4. Accordingly, it has been decided to grant exemption to EFI from the requirement under the Code, as a special dispensation to EFI and by taking into consideration the peculiar nature of the sport and the requirement of availability of the requisite sports infrastructure and horses, by relaxing the following provisions of the Code:

(i.) Para 3.4 of Annexure-II of the Code requiring the Federation! Association to have affiliated units in at least 2/3rd of total States/UT's of India.

(ii.) Para 3.9 of Annexure-II of the Code requiring the Federation to confine the membership to corresponding State/UT and other special units affiliated like (Sports Control Boards etc.) and where Federation grant membership to individual clubs or individual persons, such membership does not confer on such members the right to vote in any of the Federation's meetings.

(iii) Para 4 (I) of the annexure XXXVII of the Code requiring that each permanent Member State/ Union Territory duly affiliated by the Federation as its Permanent member shall have two votes at the elections of the officer bearers and Managing Committee bearers.

(IV) Para (2) of the Annexure XXXVII of the Code requiring that for the purposes of sub-clause (I) each Permanent member State /Union Territory shall be represented by two members authorized by the president of Secretary General/Secretary of the affiliated permanent member state/ Union territory: however, in case.president/ Secretary General/Secretary nominates different person (s) the persons (s) authorized by the president shall be deemed to be the authorized person (s) irrespective of the

date:

(V) Para 4 (4) of the Annexure XXXVII of the code requiring that each permanent member state/. Union Territory and each permanent member Board/ Institution shall intimate the name (s) of their representative (s) mentioned in sub clauses (2) and (3) latest by ... : and such intimation shall be addressed to the president/ Secretary General/ Secretary of ./ ... on their letter head duly signed by president / Secretary General/ Secretary of that member unit, so as to reach him on or before the aforesaid date: any change in the name of any authorized representative after .. or any other intimation received thereafter shall be permitted with the approval of the president of

5. The exemption will be available to EFI only till such time requisite number of State/ UT Association in 2/3rd of States and UTs with 50% District units come into existence, as required under para 3.4 of annexure II and para 3.10 of Annexures II of code. EFI is impressed upon to take steps for development of requisite sports infrastructure so that State/UT Associations come into existence in at least 2/3rd of State/ UTs with 50% District units.

6. Above exemption are granted with the approval of Minister of Youth Affairs & Sports by invoking the relaxation clause as a special dispensation to EFI and by taking into consideration the special requirements of horses and related sports infrastructure for the sport of equestrian.

*Your faithfully
(S.P.S Tomer)*

*Deputy Secretary of the Government of India
Tel No. 24361819”*

68. It is clear from the recitals that the Ministry has permitted exemption to the EFI from the rigours of the provisions of para 3.4 and 3.9 of Annexure II and para 4(1), 4(2) and 4(4) of Annexure XXXVII of the Sports Code. Extracts of para 3.4 and 3.9 of Annexure II and para 4(1), 4(2) and 4(4) of Annexure XXXVII of the Sports Code 2011 are as under:

ANNEXURE – II
GUIDELINES FOR RECOGNITION OF NATIONAL
SPORTS FEDERATIONS

3.4 At the time of applying for recognition, the Federation/Association should have affiliated Units in atleast 2/3rd of total States/UTs of India.

3.9 The membership of the Federation should be confined to the corresponding State/UT and other special units affiliated (like Sports Control Boards etc.) and where Federation grant membership to individual clubs or individual persons, such membership does not confer on such members the right to vote in any of the Federation's meetings.

ANNEXURE - XXXVII
MODEL ELECTION GUIDELIENS TO BEFOLLOWED BY
ALL NATIONAL SPORTS FEDERATIONS

4. Electoral College:

(1) Each Permanent Member State/Union Territory duly affiliated by (abbreviation of Federation) as its Permanent Member shall have two votes at the elections of the Office Bearers and Managing Committee Members.

(2) For the purposes of sub-clause (1), each Permanent Member State/Union Territory shall be represented by two members authorised by the President or Secretary General/Secretary of the affiliated Permanent Member State/Union Territory; however, in case President/Secretary General / Secretary nominates different person(s), the person(s) authorised by the President shall be deemed to be the duly authorised person(s). Irrespective of the date.

(4) Each Permanent Member State/Union Territory and each Permanent Member Board/Institution shall intimate the names) of their representative(S) mentioned in sub-clauses (2) and (3), latest by _____ (Day - 1 - e.g. 13th December, 204); and such intimation shall be addressed to the President / Secretary General of _____ on their letter head duly signed by President / Secretary General / Secretary of that member unit, so as to reach him on or before the aforesaid, date; any change in the name of any authorized representative after _____ (Day - 1 e.g. 13t December, 2010) or any intimation received thereafter shall be permitted only with the approval of the President of _____

69. This court is of the opinion that so far as para 3.4 and 3.9 of Annexure II to the Sports Code are concerned, the relaxation is only with respect to the requirement of minimum 2/3rd States having membership of 50% District Associations in a State to be available for the purposes of constituting the State Associations only. This definitely cannot be read to mean that an open invitation was handed over to the EFI to invite the Clubs/ Units and other Institutions/Individuals from not only becoming the members directly of the EFI (NSF) but also

confer upon them the voting rights contrary to the clear mandate of the Sports Code.

70. That apart, from the manner in which such relaxation/exemption has been implemented, it is clear that the State Associations have now been equated with the Clubs/Units/Institutions, with the power to cast votes, rendering the provisions of the Sports Code otiose. There cannot be any quarrel with the fact that the pyramidal structure from District Association onwards to the State Associations to finally the National Federation was created and maintained as such under the Sports Code for rational purposes. By virtue of the present manner of interpretation, in one stroke, EFI has equated all the components into one single unit taking away the need to have any District Association or even State Association altogether. This definitely cannot be the interpretation of the exemptions granted to the EFI.

71. During the hearing, this court had put a two very pertinent queries to the counsel for EFI & Ministry, which are as under:-

- (A) How are the clubs qualified and entitled to participate and cast vote in the elections, if the states associations are themselves disentitled or unqualified to vote on the basis of exemption as provided by the Ministry ?***
- (B) What is the composition /constitution of the District Level Association ? and what are the parameters of an institution or a club to become eligible as a member of the District Level Association ?***

72. To the above queries, Mr. Singh learned counsel for EFI did not provide any clear and categorical answer and vaguely submitted that

the EFI as a National Sports Federation is not concerned with composition /constitution of the District Level Association. Mr. Singh further submits that the same would be considered by the by laws of the State Associations and have no nexus with the NSF's.

73. Considering the aforesaid submissions of Mr. Singh, this court is, *prima facie*, of the general opinion that ordinarily the club or other unit may enrol themselves as members of the District Association or States Associations, as the case may be, in line with the sports code as also keeping in view the sanctity of the pyramidal structure formulated under the Sports Code.

74. Now coming to the exemptions granted to the EFI from the rigours of para 4(1), 4(2) and 4(4) of Annexure XXXVII of the Sports Code 2011, similar situation prevails. By virtue of such exemption, neither the Ministry nor the EFI can dilute or tinker with the provisions of the Sports Code. Till such time the EFI is unable to implement its Roadmap, certain relaxations may be necessitated, however, taking the exemptions to such absurd levels which would directly affect the mandate of the Sports Code would be impermissible. In any case, the conferring of right to vote cannot be granted as largesse by EFI upon components which are not otherwise qualified to cast vote. This view of the Court is also strengthened by the judgement of Division Bench of this court in ***Rahul Mehra v. Union of India***, reported as **2022 SCC OnLine Del 2438**; wherein it is held:-

“89. Various judgments have held that conformity to the Sports Code is a sine-qua non for grant of recognition to a NSF and the corollary access to benefits which flow from such status. The court is informed

that Government expense, in this regard, extends to hundreds of crores of rupees annually. Without government support, the NSFs and IOA would not be able to discharge their duties. Forty-seven years have gone by, but non-conformity with the Sports Code and court directions continues unabated. In fact, non-conformity has almost attained permanence. This should end now.

102. As has been discussed hereinabove, the legal regime apropos sports administration in India has to be implemented fully and effectively. Compliance with the Sports Code is non-negotiable. If a sports federation does not comply with the law of the land, it will receive no recognition from the Government. All benefits and facilities to it will stop promptly. It is better that a legitimate body represents the cause of sportspersons than one simply masquerading as the real champion of Indian sports. Fairness and legitimacy needs to imbue all public affairs. Recalcitrant entities which defy adherence to rules of the game, while continuing to unjustly enjoy government's largesse and patronage, must be called-out."

75. Casting of votes is a very valuable right conferred upon the stakeholders of any Sport. It was not without reasons that the Ministry after observing the situation of the Sports in the Country and the manner in which the sports persons were being mistreated and ignored by the loose Federations that it formulated the Sports Code 2011. It was purely with the reason to ensure that the Sport as well as the Sports persons are encouraged and get optimum exposure, both, within and outside the Country that it deemed it necessary to codify the Sports events and the sports persons. It was with that benevolent view that the Sports Code was formulated.

76. The formation of District Associations, who would then, amongst themselves, choose their representatives to the State Associations and further from the State Associations representatives would be nominated to the National Sports Federation was brought into

place under the Sports Code for the purposes of streamlining and creating a firm and ascertainable structure. However, by way of the interpretation sought to be given by EFI to the exemptions by the Ministry, the entire effort of the Ministry as also the mandate of Sports Code would be diluted to an unrecognizable extent. It would lead to absurd results, in that, in certain Sports Federations at the National level, the genuine pyramidal structure would be retained with every component working well within its sphere and in some others, the need to have District Associations or State Associations would be completely done away with. That can neither be fathomed nor permitted.

77. That so far as the submissions regarding other NSF's getting similar exemption is concerned, this Court has closely scrutinized the letters of the Ministry issued to the other Sports and concludes that the exemptions granted to EFI are different and more detailed than the other sports and therefore, the question of equality with the other Federations does not arise. Moreover, in other cases, there is no dilution of the various components/bodies formulated and prescribed under the Sports Code and thus, not comparable and would not accrue to the benefit of the EFI.

78. In view of the above analysis and discussions, this Court is of the considered opinion that, the Elections to EFI have to be held so as to ensure that a democratically elected body is in place. However, having said that, this Court also considers that the elections cannot be held unless the Electoral College is determined. After perusing the Electoral

College provided by parties and the record as available, this Court has culled out the list of probables which is as under:-

STATE WISE LIST OF CLUBS/STATE ASSOCIATION

<u>CLUBS</u>						<u>UNIT</u>			
S.NO	STATE STATE ASSOCIATION	No. OF DISTRICTS	ARMY	CAPF	CIVIL	ARMY	CAPF	CIVIL	TOTAL
1.	ANDHRA PRADESH (ANDHRA PRADESH EQUESTRIAN ASSOCIATION- AM-03)	13	2		1				3
2.	ARUNACHAL PRADESH (EQUESTRIAN ASSOCIATION OF AP)-N/A	25	1			4			5
3.	ASSAM EQUESTRIAN FEDERATION OF ASSAM -AM-14	34	5	1	1	17			24
4.	BIHAR EQUESTRIAN ASSOCIATION OF BIHAR STATE - N/A	38				1			1
5.	CHHATISGARH EQUESTRIAN ASSOCIATION OF CHHATISGARH-AM -24	28		1	1				2
6	GOA EQUESTRIAN & POLO ASSOCIATION OF GOA- AM-26	2							0
7.	GUJARAT GUJARAT EQUESTRIAN ASSOCIATION AM-28	33			4		1		5
8.	HARYANA EQUESTRIAN ASSOCIATION OF HARYANA -N/A	22	4		13	1	1		19
9.	HIMACHAL	12				4			4

	PRADESH HP EQUESTRIAN & POLO ASSOCIATION-N/ A								
10.	JAMMU & KASHMIR N/A	20	11		1	31			43
11.	<i>JHARKHAND JHARKHAND EQUESTRIAN ASSOCIATION AM-25</i>	24	1		1	2			4
12.	<i>KARNATAKA KARNATAKA RIDING ASSOCIATION, AM-29</i>	31	2		4	3			9
13.	KERALA N/A	14	1		1				2
14.	<i>MADHYA PRADESH MADHYA PRADESH EQUSTERIAN ASSOCIATION AM-17</i>	51	2		2	2	2		8
15.	<i>MAHARASHTRA MAHARASHTRA EQUESTRIAN ASSOCIATION AM-18</i>	36	3		10	2			15
16.	<i>MANIPUR MANIPUR EQUESTRIAN ASSOCIATION AM-22</i>	16	1			2			3
17.	MEGHALAYA N/A	11				1			1
18.	MIZORAM N/A	11							0
19.	NAGALAND N/A	12	1						1
20.	ODISHA N/A	30	1			1			2
21.	<i>PUNJAB PUNJAB EQUESTRIAN ASSOCIATION AM-15</i>	22	4		11	9	1		25
22.	<i>RAJASTHAN RAJASTHAN EQUESTRIAN</i>	33	2	1	6	9			18

	<i>ASSOCIATION AM-02</i>								
23.	SIKKIM N/A	4				1			1
24.	TAMIL NADU N/A	38	1		9	4			14
25.	<i>TELANGANA TELANGANA STATE EQUESTRIAN ASSOCIATION AM-30</i>	33			1	2			3
26.	TRIPURA N/A	8							0
27.	<i>UTTAR PRADESH EQUESTRIAN ASSOCIATION OF UP AM-09</i>	75	7		10	14	1		32
28.	<i>UTTARAKHAND EQUESTRIAN ASSOCIATION OF UTTARAKHAND AM-27</i>	13	2		1	4			7
29.	<i>WEST BENGAL WEST BENGAL EQUESTRIAN ASSOCIATION AM-16</i>	23	5	2	1	16			24

UNION TERRITORIES OF INDIA

30.	<i>ANDAMAN & NICOBAR ISLAND N/A</i>	3							0
31.	<i>CHANDIGARH CHANDIGARH EQUESTRIAN ASSOCIATION AM-08</i>	1				3			3
32.	DADAR & NAGAR HAVELI	1							0
33.	DAMAN & DIU	2							0
34.	<i>DELHI DELHI EQUESTRIAN AND POLO ASSOCIATION AM-19</i>	11	1	1	9	14	1		26
35.	LAKSHWADEEP N/A	1							0
36.	<i>PONDICHERRY N/A</i>	4			1				1

TOTAL	734	57	6	88	147	7	0	305
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79. As a one-time measure, keeping in view the emergent and dire situation of elected body of EFI, and considering the impending 19th Asian Games to be held between 23.09.2023 to 08.10.2023 in Hangzhou, China, this Court deems it fit, to direct as under:-

- a. The EFI would permit all the State /Union Territories Associations to cast their votes (two) after fulfilling all the requisite criteria and in any case not unduly prevent them from casting votes, subject to their eligibility to be decided by the Election Officer/Returning Officer;
- b. The parties are at liberty to submit their own list of electoral college to the Election Officer/Returning Officer who may consider such list in accordance with the present directions as also the table as brought out in para 78 above.
- c. The EFI to permit 25% of the vote share of the electoral college to the Eminent Sports Persons to cast their votes in accordance with the Sports Code;
- d. No Institutions/Individuals would have any right to cast votes;
- e. So far as the Clubs/Units are concerned, to following methodology would be worked out:

(I) Wherever and in whichever State/UT the State Association or UT Association is available, no Club/Unit would be permitted to cast votes;

(II) Wherever and in whichever State/UT, the State or UT Association is not available, all eligible Clubs/Units will cast one vote each which would be proportionately divided in Two Votes in all, by granting proportionate share to each Club/Unit and the greater percentage amongst those who vote, would be the deciding factor for the respective candidates. This measure is undertaken to ensure equal participation of the concerned stakeholders belonging to a State/UT, where, the State Associations are not available or are found to be ineligible by the Election/Returning Officer.

f. That the EFI is directed to produce and handover all and any records sought for by the Election Officer/Returning Officer, without any undue delay.

80. To carry out the aforesaid exercise and determine the Electoral College as directed above, this Court deems fit to request Hon'ble Mr. Justice Ajit Bharihoke (Retd.) to:

a. Assume the responsibilities of Election Officer/ Returning Officer, at the earliest, so as to ensure election process could be initiated without any further loss of time;

- b. Take over the charge as an Election Officer and receive all the necessary assistance from EFI as also the Ministry;
- c. Determine the Electoral College in terms of para 78 and 79 above;
- d. Draw up a suitable Election Notice and Schedule, for Elections of EFI as soon as the Electoral College is determined;
- e. Conduct the elections for Executive Committee and Selection Committee of EFI;
- f. Take assistance of any person, including Mr. S Y Quaraishi, the learned Observer, who is requested to render all or any assistance sought;
- g. Determine his fee as also of the persons assisting in the aforesaid exercise, which would be payable by the EFI immediately;
- h. Declare the results of such Elections, which would be binding upon the parties.

81. Having regard to the above directions, the aforesaid applications are disposed of. It is made clear that the aforesaid analysis and conclusions are only *prima facie* and restricted to the decision of the aforesaid applications and shall not tantamount to any expression on the merits of the contentions of the parties in regard to the writ petitions.

82. So far as the contentions raised by the Learned Senior Counsel for the intervenor is concerned, in view of the fact of cross suits

pending before the Coordinate Bench of this Court, this court refrains from making any observations thereon.

83. Copy of this order be sent to Hon'ble Mr. Justice Ajit Bharihoke (Retd.), and also to Mr. S.Y. Quaraishi, Learned Observer, for further action.

CONT.CAS(C) 73/2022

W.P.(C) 10342/2019

W.P.(C) 10783/2022

W.P.(C) 2036/2022; &

W.P.(C) 5989/2022

84. List the aforesaid Petitions alongwith the other pending applications on 10.05.2023 for further hearing.

TUSHAR RAO GEDELA, J

APRIL 11, 2023/nd/ms



\$~S-31 & 36

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 449/2024 & CM APPLs.33095-33097/2024**

CHANDIGARH HORSE RIDERS SOCIETY CHANDIGARH

..... Appellant

Through: Mr.Rajiv Nayar, Sr.Advocate with
Mr.Harish Pandey, Advocate.

versus

**EQUESTRIAN FEDERATION OF INDIA THROUGH
SECRETARY GENERAL & ORS.**

..... Respondents

Through: Mr.Rajeev Mehra, Sr.Advocate with
Mr.Kirtiman Singh, Ms.Manmeet
Kaur Sareen, Mr.Waize Ali Noor,
Ms.Vidhi Jain and Mr.Varun Pratap,
Advocates for R-1.

Mr.Rajiv Dutta, Sr.Advocate with
Mr.Ashish Kothari, Mr.Devang
Gautam, Mr.Balasubramanian
Ramesh Iyer, Ms.Shivangi Singh and
Ms.Neha Singh, Advocates for R-2.

Mr.Chetan Sharma, ASG with
Mr.Apoorv Kurup, CGSC, Mr.Amit
Gupta, Mr.Vinay Yadav,
Mr.Vikramaditya Singh, Ms.Nidhi
Mittal, Ms.Ishita Pathali,
Ms.Akanksha Kumari and Mrs.Gauri
Goburdhun, Advocates for UOI.

Mr.Sagar Chaurasia, Advocate with
Mr.Vikash Singh, Advocate for IOA.

+ **LPA 453/2024 & CM APPLs.33179/2024, 33181-33182/2024**

EQUESTRIAN FEDERATION OF INDIA

..... Appellant

Through: Mr.Jayant Mehta, Sr.Advocate with
Mr.Kirtiman Singh, Ms.Manmeet
Kaur Sareen, Mr.Waize Ali Noor,
Ms.Vidhi Jain, Mr.Varun Pratap and
Mr.Raghav Dutt, Advocates.

versus



RAJASTHAN EQUESTRIAN ASSOCIATION & ORS.

.....Respondents

Through: Mr.Rajiv Dutta, Sr.Advocate with Mr.Ashish Kothari, Mr.Devang Gautam, Mr.Balasubramanian Ramesh Iyer, Ms.Shivangi Singh and Ms.Neha Singh, Advocates for R-1. Mr.Sagar Chaurasia, Advocate with Mr.Vikash Singh, Advocate for IOA. Mr.Chetan Sharma, ASG with Mr.Apoorv Kurup, CGSC, Mr.Amit Gupta, Mr.Vinay Yadav, Mr.Vikramaditya Singh, Ms.Nidhi Mittal, Ms.Ishita Pathali, Ms.Akanksha Kumari and Mrs.Gauri Goburdhun, Advocates for UOI.

%

Date of Decision: 29th May, 2024

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

JUDGMENT

MANMOHAN, ACJ: (ORAL)

CM APPL.33098/2024 (Exemption) in LPA 449/2024

CM APPL.33180/2024 (Exemption) in LPA 453/2024

1. Allowed, subject to all just exceptions.
2. Accordingly, the applications stand disposed of.

LPA 449/2024 & CM APPLs.33095-33097/2024

LPA 453/2024 & CM APPLs.33179/2024, 33181-33182/2024

3. Keeping in view the fact that Paris Olympics is round the corner, learned counsel for the parties after extensive arguments and without prejudice to their rights and contentions agree that till the learned Single Judge disposes of the writ petitions being W.P.(C) 10342/2019 and W.P.(C)



5989/2022, the Executive Committee constituted pursuant to EFI elections held in November, 2019 be reinstated. The list of members of the Executive Committee of EFI as on 18th December, 2019 is reproduced herein below:-

“

i.	<i>Lt. Gen Gopal R, UYSM, AVSM, SM, President EFI & QMG</i>	-	<i>Chairman</i>
ii.	<i>Lt. Gen PR Venkatesh, SM, DGRVS</i>	-	<i>Vice President (Vet)</i>
iii.	<i>Mr. Harish Khokhar</i>	-	<i>Vice President (Fin)</i>
iv.	<i>Col Jagat Singh</i>	-	<i>Vice President (Tech)</i>
v.	<i>Brig Deep Ahlawat, VSM</i>	-	<i>Member Eventing</i>
vi.	<i>Col Jaiveer Singh</i>	-	<i>Secretary General</i>
vii.	<i>Lt Col MM Rahman</i>	-	<i>Joint Secretary</i>
viii.	<i>Col Rakesh Sharma</i>	-	<i>Treasurer</i>
ix.	<i>Col Vikas Thakur</i>	-	<i>Member Medication Control</i>
x.	<i>Col Mangal Singh</i>	-	<i>Member Jumping</i>
xi.	<i>Col SS Ahlawat, VSM (Retd)</i>	-	<i>Member Dressage</i>
xii.	<i>Dr Sanjay Gupta</i>	-	<i>Member Central Region</i>
xiii.	<i>Mr Kishore Futnani</i>	-	<i>Member South Region</i>
xiv.	<i>Col PP Singh (Retd)</i>	-	<i>Member Eastern Region</i>
xv.	<i>Dr Siddhartha Sharma</i>	-	<i>Member North East Region</i>
xvi.	<i>Ms. Vanita Malhotra</i>		<i>Chairperson, Athletes Commission</i>
xvii.	<i>Lt. Col. Raj Sangram Singh</i>		<i>Vice Chairperson, Athletes Commission</i>
xviii.	<i>Lt Gen MH Thakur, AVSM, VSM</i>	-	<i>Vice President (Adm)</i>
xix.	<i>Brig SS Kashyap</i>	-	<i>Vice President (Sports Devp)</i>
xx.	<i>Col Tarsem Singh Warraich</i>	-	<i>Member Tent Pegging</i>
xxi.	<i>Lt Col DP Nanda</i>	-	<i>Member Northern Region</i>
xxii.	<i>Col CS Sohail (Retd)</i>	-	<i>Member Endurance”</i>

4. Learned senior counsel for the appellant states that Ms. Vanita Malhotra and Lt. Col. Raj Sangram Singh were then co-opted in the Executive Committee of the EFI, as ex-officio members without any right to vote due to the positions then held, by them, in the Athletes Commission. He states however, they have since demitted offices and currently Lt. Col. Ashish Malik is the Chairperson and Maj. Ritika Dahiya is the Vice Chairperson, of the Athletes Commission. He states that it may therefore be directed that Lt. Col. Ashish Malik and Maj. Ritika Dahiya will be part of



the Executive Committee in place of Ms. Vanita Malhotra and Lt. Col. Raj Sangram Singh.

5. Accordingly, the Executive Committee constituted pursuant to EFI elections held in November, 2019, and as it existed on 18th December, 2019, is reinstated with the modification that Lt. Col. Ashish Malik and Maj. Ritika Dahiya are co-opted in place of Ms. Vanita Malhotra and Lt. Col. Raj Sangram Singh respectively. And, the impugned order dated 21st May, 2024 is suspended till the learned Single Judge disposes of the writ petitions being W.P.(C) 10342/2019 and W.P.(C) 5989/2022. This Court once again clarifies that the aforesaid interim arrangement has been made in view of the impending Paris Olympics, 2024.

6. Since the matter has been pending before the learned Single Judge for some time and the matter requires expeditious disposal, the Registry is directed to list the aforesaid two writ petitions¹ alongwith W.P.(C) 10783/2022 and W.P.(C) 2036/2022 before Hon'ble Mr. Justice Sanjeev Narula. For this purpose, list the matter before Hon'ble Mr. Justice Sanjeev Narula on 2nd July, 2024. This Court clarifies that the rights and contentions of all the parties are left open. With the aforesaid directions, the present appeals and applications are disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 29, 2024

TS

¹ W.P.(C) 10342/2019 and W.P.(C) 5989/2022

ANNEXURE A-6



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Reserved on: 20th November, 2024
Pronounced on: 07th January, 2025

+ W.P.(C) 5989/2022

RAJASTHAN EQUESTRIAN ASSOCIATION

.....Petitioner

Through: Mr. Rajiv Dutta, Senior Advocate
with Mr. Ashish Kothari, Mr. Devang
Gautam, Mr. Balasubramanian R. and
Ms. Neha Singh, Advocates.
Mr. Vijaya Bhaskar and Mr. Majjari
Umesh, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Varun Pratap, Advocates for EFI.
Ms. Arti Bansal and Mr. Kamal R.
Digpaul, Advocate for UOI.
Mr. Jayant Mehta, Senior Advocate
with Mr. Kirtiman Singh, Ms.
Manmeet Kaur, Ms. Diva Saigal, Mr.
Waize Ali Noor, Mr. Ranjeev
Khatana, Mr. Maulik Khurana,
Advocates for EFI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J.:

1. The present writ petition is part of a series of litigation initiated by State Associations regarding the functioning of Respondent No. 2 – Equestrian Federation of India (“*EFF*”), the National Sports Federation (“*NSF*”) for the discipline of Equestrian sports in the country. Through the present writ petition, the State Equestrian Association of Rajasthan (the

Petitioner), lays challenge to the notification dated 01st February, 2021¹ issued by Respondent No. 1 - Ministry of Youth Affairs and Sports, Government of India (“**MYAS**”), whereby a ‘Relaxation Clause’ has been added as Clause No. 16 of the National Sports Development Code, 2011 (“**Sports Code**”); as well as the order dated 09th November, 2021² issued by them in exercise of powers under the said Relaxation Clause, granting Respondent No. 2 - EFI certain exemptions/relaxation of applicability of specific provisions of the Sports Code, 2011.

The Controversy

2. Broadly, the Petitioner contends that such amendment to the Sports Code, 2011, introduced by MYAS through the impugned notification, confers unbridled discretionary powers upon the Minister-in-Charge of the MYAS to exempt any NSF from compliance with any provision of the Sports Code. They argue that vesting of such unchecked authority, without any guiding principles to govern its exercise, effectively undermines the integrity and enforceability of the Sports Code, reducing it to a document lacking any binding value. The Petitioner further argues that the exemptions granted to EFI subverts the very objective of the Sports Code, which is to ensure uniformity and effective regulation in the governance of sports across India; since allowing exemptions to NSFs on such an *ad hoc* basis, on the basis of a newly added ‘Relaxation Clause’, would lead to varying standards and conditions being applied to different NSFs, thereby eroding the fundamental principles of uniformity and equal treatment enshrined in the Sports Code.

¹ “Impugned notification”

² “Impugned order”

3. The Respondents defend the impugned order, asserting that the exemptions granted to EFI are well-reasoned and grounded on the realities and unique characteristics of Equestrian sports. They highlight two key considerations: first, the peculiar nature of Equestrian sports, which require substantial funding, specialized training, and major infrastructural resources; and second, the historical and global context wherein Equestrian sports have traditionally operated as club-based activities. These factors, according to the Respondents, justify the exemptions granted to EFI under the impugned order.

4. In these circumstances, the Court must determine whether the Relaxation Clause introduced *via* the impugned notification withstands legal scrutiny. Further, the Court must assess whether the exemptions granted to EFI aligns with the principles and objectives of the Sports Code or, whether it undermines the Code's uniform application across National Sports Federations.

THE FACTS:

5. In order to contextualize the present dispute, it is important to first chart out the broad facts as well as the legal provisions involved in the present dispute, which are as follows:

5.1 The Petitioner is the recognized State Equestrian Association for the State of Rajasthan and is a member of EFI. They assert to have made several endeavors to promote Equestrian sports in Rajasthan and are deeply concerned about the governance and conduct of Respondent No. 2 - EFI. Respondent No. 1 – MYAS administers the Department of Youth and Sports in India, and is entrusted with the role and responsibility of developing various sports in India, including but not limited to issuing Guidelines for

grant of recognition to national level federations for representing the country in international events, establishing the necessary infrastructure, promoting capacity building for sports and to take measures for the protection and promotion of athletes and sportspersons in the country.

5.2 Under Entry 33 of List II of the Seventh Schedule of the Constitution, the subject of ‘Sports’ fall within the scope of the State Governments, however, over the years it has been recognized that, for the true promotion of sports for achieving excellence at the international scale and for representing India as a nation, Sports Federations must be recognized by the Government of India at the National level. Thus, the scope of legislative competence of the Central Government to lay down the procedures and guidelines for the National Sports Federations is derived from Entry 10 and 13 of List I of the Constitution, relating to foreign affairs and participation in international conferences, associations and other bodies³.

5.3 In pursuance of such powers, the National Sports Development Code was introduced by Government of India in the year 2011. This Code is a comprehensive set of guidelines issued by the Central Government to regulate and promote the development of sports, athletes and sports associations in India such as the National Sports Federations who have been granted the exclusive right and authority to regulate their respective sport in the country. It seeks to ensure the adoption of good governance practices by NFSs as well as the Indian Olympic Association (“*IOA*”). The Sports Code embodies the national policy aimed at promoting the overall growth of sports in India, including facilitating participation and recognition in international events. For instance, the Badminton Association of India has

been designated as the NSF for the sport of Badminton, Volleyball Federation of India has been designated as the NSF for Volleyball. Similarly, EFI has been designated as the NSF for Equestrian Sports.

5.4 The Sports Code provides elaborate guidelines regarding, *inter-alia*, the constitution of NSFs, conditions of eligibility of NSFs for financial assistance, sponsorship etc., grants given by the Respondent No. 1 to NSFs, selection of athletes for various national and international level tournaments, the appointment of the selection panel and coaches, procedure for suspension or withdrawal of recognition of NSFs and elections of office bearers of the NSFs. All NSFs are bound to strictly follow and implement the Guidelines and provisions of the Sports Code otherwise their recognition can be suspended or withdrawn by the Respondent No. 1.

5.5 Respondent No. 2 – EFI was constituted in 1967 and is duly registered under the Societies Registration Act, 1860. It was established with the aim to develop Equestrian sports in India by promoting and spreading the influence of the discipline throughout the country by, *inter-alia*, hosting national and international competitions in Dressage, Show-Jumping, Tent Pegging and Endurance under its aegis. EFI has been declared as the NSF for Equestrian sport in India by Respondent No. 1 and its recognition has been renewed over the years. As the NSF, EFI is entrusted with the critical function of governing all aspects related to the development of Equestrian sports in India, including the training and selection of athletes to represent India in major international tournaments, like the Olympics, Common Wealth Games, Asian Games etc. For this purpose, EFI regularly receives grants from Respondent No. 1, facilitated by Sports Authority of India

³ *Narinder Batra v. Union of India*, 2009 SCC Online Del 480; Para 85 and 86.

(“*SAI*”) for its day-to-day functions and conducting various tournaments.

Essential provisions of the Sports Code, 2011:

6. In light of the above, it is pertinent to chart out and highlight some of the essential provisions of the Sports Code, 2011:

Role and responsibilities of NSFs:

6.1 Clause 6.1 (b) of the Sports Code stipulates that an NSF, such as EFI shall be fully responsible and accountable for the overall management, direction, control, regulation, promotion, development and sponsorship of the discipline for which they are recognized. NSFs are required to discharge these responsibilities while being in compliance with, *inter-alia*, all applicable Government guidelines such as the Sports Code, etc.

Recognition of NSFs

6.2 Clause 8 of the Sports Code, *inter-alia*, states that the purpose of granting recognition to NSFs is to ensure that they maintain certain basic standards, norms and procedures with regard to their internal functioning. For this, the NSFs must not only conform to the principles and objectives of the Olympic charter as practiced and laid down by the concerned International Federations but also the constitution of the Indian Olympic Association; all while being compliant with the Central Government Guidelines applicable to NSFs. For the grant and renewal of such recognition, the NSF is required to submit documentation such as annual reports, audited accounts, details of national championships, certificates with respect to Government grants etc.

6.3 Clause 8.3 of the Code provides the parameters that have to be considered by Respondent No. 1 – MYAS at the time of granting recognition or renewal of recognition for NSFs, which are as follows: -

- a) The current legal status of the Organization;
- b) Recognition by the International Federation and the Asian Federation;
- c) Recognition by the IOA in respect of Olympic Sports;
- d) Undisputed status as the Apex Body in India;
- e) All India presence;
- f) The role and contribution of the organization in promoting and developing sports in India;
- g) Conduct of National championships across age groups and gender;
- h) Financial and managerial accountability;
- i) Fair, transparent and democratic elections;
- j) Compliance with age and tenure limit guidelines;
- k) Protection and promotion of Players' interests and welfare;

Conditions of eligibility of NSFs:

6.4 *Inter alia*, the following conditions of eligibility for have been laid down under Clause 9 of the Sports Code: -

- a) The NSF must maintain their recognized status with Respondent No. 1 and should obtain the annual recognition on year-to-year basis;
- b) The NSF must follow proper, democratic and healthy management practices which provide for greater accountability and transparency at all levels;
- c) The NSF must maintain the recognition of the International Federation, the Asian Federation and IOA wherever applicable;
- d) The NSF must adhere to limits on notified duration and tenure of office bearers;
- e) The NSF must adopt proper accounting procedures at all levels and

produce annual financial statements;

- f) Adopt impartial and transparent selection procedures;
- g) The NSF must hold the elections as per Model Election guidelines provided in Annexure-XXXVII of the Sports Code.

Binding nature of the Sports Code and Consequences of non-compliance:

6.5 Clause 1.5 of the Sports Code refers to the National Sports Policy issued by Respondent No. 1 in August 2001, and states that the said policy is binding on all NSFs. Clause 2.3 of the Sports Code further states that the said Guidelines of 2001 stand subsumed in the Sports Code. All NSFs, including EFI, are, therefore, bound by the Sports Code and have to strictly comply with all the guidelines issued pursuant to the same.

6.6 Clause 3.6 of the Sports Code lays down the consequences for non-compliance with the guidelines issued by Respondent No. 1 or under Sports Code from time to time. These includes *inter-alia*, the following consequences: -

- a) The NSF shall not be able to select the national teams and represent India in any international event or forum;
- b) The NSF shall not be allowed to use the word “India” in its name as per the Emblems and Names (Prevention of Improper Use) Act, 1950, as it may be construed to suggest patronage of the Government of India;
- c) The NSF shall lose its All-India character and may not be able to regulate and control the concerned sport discipline in the country;
- d) The NSF shall not be able to avail itself of either Custom Duty Exemptions for import of sports goods and equipment etc., or Income Tax exemptions under the relevant provisions of the Act;

e) Participation in national or international events organized by the unrecognized NSFs will not make the sportspersons eligible for appointment in government jobs or scholarships under sports quota.

6.7 Further, under Clause 8.5, Respondent No. 1 has the exclusive right to suspend or withdraw the recognition of any NSF in the event of serious irregularities being detected in its internal functioning.

Pyramidal Structure of the recognized sports federations:

6.8 The Sports Code recognizes that generally NSFs have affiliations to corresponding State level bodies, which in turn have affiliations to District level bodies. This requirement has been codified in Clause 3.10 of Annexure II of the Sports Code, which makes it clear that at the National level, only one federation can be recognized for each discipline of sport and only those duly recognized NSFs would be entitled to financial grants from the government. Further, under Clause 3.4 of Annexure II of the Sports Code, the NSF is required to have affiliated units in at least 2/3rd of the total State/UTs in India and there can only be one State/UTs association per State/UT admitted as a member of the NSF, provided they have a minimum of 50% of District level associations affiliated to it.

6.9 Further, under Clause 3.8 of Annexure II it is mandated that the NSF should have held annual National Championships for specified age groups, at the Senior, Junior and Sub-Junior levels for 3 consecutive years preceding the year for which recognition is sought. It is clarified that these competitions should be organized through the Inter-District Competitions in each State/UT. Thus, there is an established pyramidal structure envisaged by the Sports Code, whereby athletes can compete in District and State level competitions organized by associations affiliated with the National

Federation and rise through the merit-based competitions to reach the National Level.

BRIEF FACTS AND CONTENTIONS RAISED BY THE PETITIONER:

7. Keeping the above facts and legal provisions into consideration, Mr. Rajiv Dutta, Senior Counsel for Petitioner, presents the following arguments for challenging the vires of the impugned notification and impugned order:

7.1 One of the primary objectives of the Sports Code is to promote autonomy, democracy and transparency in the functioning of NSFs. EFI is currently being controlled by the Indian Army, contrary to the ethos and objectives of the Sports Code. Even the office of EFI is being operated from the Army cantonment area which is not permissible.

7.2 Over the years, direct memberships have been granted to several individuals, clubs and units of Indian Army like dog units, supply depots, mechanized transport battalions etc., who have nothing to do or contribute to the Equestrian sports. This has been done with the intent to maintain majority votes and control of Indian Army over EFI. Currently, a majority of the members of EFI are officers or clubs of the Indian Army. Pertinently, EFI does not even have its own independent office and is currently functioning from A-1 Defence land in the New Delhi Cantonment Area, which raises serious national security concerns.

7.3 The prevalent practice of reserving posts of Office bearers and Members of Executive Committee of EFI, for serving or retired officers of Indian Army was duly noted by this Court through order dated 20th July, 2020 passed in W.P.(C) 10342/2019. EFI has been reduced to a private club of Indian Army which has established exclusive control over the functioning of the NSF. For this reason, they have no intent to comply with the Sports

Code, which is detrimental to their interest and would give the severally out-numbered State Equestrian Associations, a say in the management of EFI, thereby loosening the Army's control over EFI. Consequently, EFI has been suffering from serious management problems and lack of transparency for several years.

7.4 While Respondent No. 1 has been strict over other NSFs, in matters relating to compliance of the Sports Code, it has shown unprecedented favors to EFI by over-looking repeated violations of the Sports Code and by granting it extensions after extensions for complying with the Code for the last many years. In 2017, after repeated extensions, Respondent No. 1 directed EFI to positively comply with the provisions of the Sports Code within a maximum period of two years, failing which action would be taken against them as per the relevant guidelines. In response, EFI raised the same arguments raised herein, to request Respondent No. 1 to deliberate on the peculiar nature of the sport and lack of grassroots engagement, in order to reconsider the requirement of strict adherence to the Sports Code. Accordingly, Respondent No. 1 directed EFI to submit a roadmap for transition to be compliant with the Sports Code and held that their recognition as an NSF would continue in the meantime. Thus, after the timeframe for compliance of two years expired, there was no reason for Respondent No. 1 to consider another request by EFI for exemption of applicability of Sports Code on the same grounds on which detailed deliberations were done by the Ministry earlier.

7.5 However, through the letter dated 26th November, 2020, another extension was given by Respondent No. 1 to EFI by renewing their recognition for another 1 year with a direction that EFI must bring its

constitution and governance in conformity with Sports Code, within the said period.

7.6 Pertinently, in the meantime, several writ petitions were initiated by sportspersons and State level organizations against NSFs of various sports in the country who do not comply with the provisions of the Sports Code. Several orders have been passed by the Courts in various writ petitions over the years, whereby Respondent No. 1 was directed to ensure strict compliance the Sports Code by NSFs, however with an intent to avoid compliance with such directions, Respondent No. 1 has amended the Sports Code by introducing the impugned Relaxation Clause *vide* the impugned notification dated 1st February, 2021.

7.7 Subsequently, a few days before the expiry of the additional 1-year period granted to EFI, Respondent No. 1 took a complete U-turn from its earlier decisions and exercised its newly added powers under the Relaxation Clause to arbitrarily and illegally pass the impugned order dated 9th November, 2021, granting an exemption to EFI for compliance with the same provisions of Sports Code whose compliance were being insisted by Respondent No. 1 since last several years. This demonstrates that Respondent No. 1 has given special treatment to EFI by over-looking blatant violations of the Sports Code.

7.8 The Division Bench of this Court in its judgment dated 16th August, 2022 in W.P.(C) 195/2010 titled as ***Rahul Mehra v. Union of India***⁴ has held that Sports Code must be followed by all NSFs without any exception. The said judgement was challenged in the Supreme Court by the Respondents and there is an order directing *status quo* relating to charge of

the IOA being handed over to Committee of Administrators, however, there is presently no stay in the operation of the said judgment.

7.9 The impugned decision dated 9th November, 2021 is clearly not in furtherance of Equestrian sports and has been issued only to benefit the Army Service Corps (“*ASC*”), which exerts complete control over EFI.

7.10 The Observer appointed by the Court in a connected writ petition W.P.(C) 10342 of 2019 has also confirmed that EFI is under the control of ASC and has made recommendations for conducting democratic elections for the effective management of the EFI.

7.11 The grounds for exemption to EFI as stated in the impugned order dated 9th November, 2021, are not only absurd but completely false. The reasoning provided by Respondent No. 1 demonstrates that the impugned decision has been issued without application of mind and without examining the correctness of averments made by EFI. This is established by the fact that while EFI emphasizes the need for exemptions citing the unique nature of the Equestrian sport, to be such that the horse and athlete are co-athletes, the Sports Code itself treats horses trained in equine sports as ‘equipment’.

7.12 Further, EFI’s argument regarding lack of State level infrastructure and prevalence of the sport at the grassroots level, to claim exemption from the pyramidal structure contemplated in the Sports Code, also fails since even EFI itself has no infrastructure of its own for conducting Equestrian sporting events. The Petitioner understands that EFI does not own any ground or horses of their own and rather most of the Equestrian championships organized by them are being done either on privately owned venues/clubs or on Army grounds.

⁴ 2022 SCC OnLine Del 2438

7.13 The peculiarity of the sport has been held to be the main ground for granting exemptions to EFI, whereas in other infrastructure intensive sports like yachting, sailing, rowing, golf etc., no such exemption has been granted to those NSFs by Respondent No. 1.

BRIEF FACTS AND CONTENTIONS RAISED BY THE RESPONDENTS:

8. Mr. Jayant Mehta, Senior Counsel for the Respondents, on the other hand, argues as follows:

8.1 The Sports Code is part of the government's policy for the governance of sports in the country and thus, is a matter of executive decision making. In light of the prevailing needs of the hour and entailing circumstances of specific sports and sportspersons, the Central Government issued the impugned notification dated 1st February, 2021, adding the impugned Relaxation Clause in Sports Code. Through the said amendment, Respondent No. 1 - MYAS has been bestowed with *inter alia*, the power to relax the operation of the provisions of the Sports Code wherever it is considered necessary and expedient to do so in order to *inter alia* promote any sports or a sport person or to remove difficulties in giving true effect to the spirit of Sports Code.

8.2 In exercise of powers conferred by the Relaxation Clause, the impugned order was issued exempting EFI from abiding by certain provisions of Sports Code, owing to *inter alia* the peculiar nature of the Equestrian sports and the requirement of availability of the requisite sports infrastructure, horses, training etc. Specifically, EFI has been granted exemption from adhering to Para 3.4 and 3.9 of Annexure-II to the Sports Code and Paras 4(1), 4(2) and 4(4) of Annexure XXXVII to the Sports Code.

8.3 The present model of administration of the EFI is compliant with the Sports Code, after factoring in the exemptions. It is the most viable and feasible model for the development of Equestrian sports in the country since the Equestrian discipline has unique characteristics which cannot be equated with other sports. The ‘one size fits all’ approach suggested by the Petitioner is not a practical solution, given the nature of the sport. Equestrianism is a sport which fundamentally requires two athletes to come together in a combination i.e., horse-rider combination. This is the basic requirement for conducting any Equestrian sport either in the District, State or National level. Thus, inherently, the sport requires substantial investment in training grounds, horses and their upkeep, stables etc. This is why historically the sport has been majorly a club-based sport with infrastructure established by such clubs and therefore, Equestrian sports has limited percolation to the District and State levels.

8.4 The current system of EFI allows for a human athlete to choose any horse from any club in the country. However, if the relaxation granted to EFI *vide* the impugned order is not upheld, there will be rigidity in the availability of resources and a human athlete will be allowed to compete only with the horses available within his/her own district. This will not only lead to a possible increase in expenditure in transportation of horses, but also reduce flexibility to effectively choose the best horse for a championship, which, in turn, will be detrimental to the sport.

8.5 Thus, in other words, operation of the Relaxation Clause and the current model of administering and conducting Equestrian sports in the country is the most conducive for the development of the sports as it adds certain flexibility, which may get lost if the relaxation is not upheld.

8.6 Recognizing the unique nature of the sport, Respondent No. 1 issued the impugned order dated 9th November, 2021, removing the difficulties faced by EFI in implementing the true spirit of the Sports Code. The exemptions granted to EFI is in furtherance of Article 14 of the Constitution since it has been upheld that dissimilarly situated sports should not be treated in a similar way.

ANALYSIS AND FINDINGS

The Impugned Relaxation Clause and Exemptions:

9. The impugned notification dated 1st February, 2021, issued by MYAS, Government of India, incorporates a Relaxation Clause into the National Sports Code which vests authority with the Minister-in-Charge of the MYAS to relax the applicability of provisions of the Sports Code by giving exemptions to NSFs. The said impugned Clause reads as follows:

“Relaxation Clause:

Government shall have the power to relax any of the provisions of the National Sports Development Code of India, 2011 and other instructions issued with regard to recognition of National Sports Federations (NSFs), renewal of recognition of NSF’s on annual basis and governance and management of Indian Olympic Association (IOA) and NSFs, as a special exemption where considered necessary and expedient for the promotion of sports, sportspersons or to remove difficulties in giving true effect to that particular provisions of the Sports Code, always being guided by and not inconsistent with the overarching spirit of good governance and ethical conduct enshrined in the Sports Code 2011. The reasons for such relaxation shall be recorded in writing. Power to relax the provisions will vest with Minister In-charge of the Ministry of Youth Affairs & Sports”

[Emphasis added]

10. The Petitioner has argued that the introduction of the Relaxation Clause is arbitrary and unreasonable. However, the Court finds no infirmity in the executive authority to introduce such a provision. It is well-established that the executive, in the absence of legislative prohibition, has

the power to frame policies and guidelines to achieve the objectives of national development. The Courts refrain from interfering with policy decisions unless they are arbitrary, manifestly unreasonable, or violate statutory or constitutional mandates⁵. The Supreme Court in various judgments has held that policy decisions are within the domain of the executive and are not ordinarily subject to judicial review unless they are shown to be in violation of constitutional or legal provisions⁶.

11. The Clause, is a policy decision aimed at addressing practical difficulties in the implementation of the Sports Code. It provides a framework for granting exemptions in exceptional circumstances where it is deemed “necessary and expedient” for the promotion of sports, sportspersons, or for resolving specific challenges faced by NSFs. This exercise must be guided by the spirit of good governance enshrined in the Sports Code. The Relaxation Clause serves as a mechanism to address unforeseen difficulties, contingencies or operational challenges that may arise in the implementation of the Sports Code. It enables MYAS to exercise discretion only in limited, exceptional and justified cases. Pertinently, the clause itself incorporates safeguards by requiring that such exemptions be consistent with the overarching principles of the Sports Code, thereby preventing misuse.

12. Indeed, the Relaxation Clause vests the power to grant exemptions in the Minister-in-Charge of the MYAS, as highlighted and stressed by the Petitioner. However, this does not imply unfettered discretion with the Minister. The Clause itself stipulates that the reasons for granting relaxation,

⁵ *Transport & Dock Workers Union v. Mumbai Port Trust*, (2011) 2 SCC 575 and *Bajaj Hindustan Limited v. Sir Shadi Lal Enterprises Ltd. & Anr.* (2011) 1 SCC 640

by exercise of powers under the said Clause, has to be recorded in writing, thereby making it mandatory that it must be a reasoned decision. Furthermore, even though the power to relax provisions is vested only with the Minister-in-Charge, it must be noted that the Minister is only the highest Office-bearer of the MYAS who is to be guided by the aid and advice of the ministry and its officers, thus ensuring that such a power to relax is exercised judiciously and not arbitrarily. In ***Shiv Sagar Tiwari v. Union of India***⁷, the Supreme Court in the opening lines observed that “*the administrative law has of late seen vast increase in discretionary powers. But then, the discretion conferred has to be exercised to advance the purpose to subserve which the power exists. Even the minister, if he/she be the repository of discretionary power, cannot claim that either there is no discretion in the matter or unfettered discretion*”. Therefore, while the power is conferred on the Minister-in-Charge, its exercise is not unregulated but rather, is bound by the principles of accountability, transparency, and adherence to the objectives of the Sports Code.

13. In light of the above, Relaxation Clause itself is neither arbitrary nor unreasonable. Accordingly, the challenge to the validity of the said Relaxation Clause is found to be unsustainable and is rejected. However, the question of whether the exemptions granted to EFI under this Clause meets the criteria of being “necessary and expedient” and is supported by cogent reasons remains open to scrutiny.

14. The impugned order dated 9th November, 2021, issued by Respondent No. 1 granting exemption to EFI, reads as follows:

⁶ *State of Maharashtra & Ors. v. Prakash Prahlad Patil & Ors.* (2009) 12 SCC 159

⁷ (1997) 1 SCC 444

“Subject: Grant of exemption to Equestrian Federation of India (EFI) from certain clauses of National Sports Development Code, 2011 – regarding

Sir,

I am directed to refer to EFT’s letter No. 035/MYAS/EFI/2021 dated 13 October 2021 and other letters mentioned in its letter dated 13 October 2021 requesting for exemption from certain clauses of the National Sports Development Code, 2011 (‘The Code’) and to say that the request has been examined in terms of the provisions of the Code as well as the Ministry’s letter No. 12-2/2021-SP-III dated 1.2.2021 regarding relaxation provision.

2. EFT has brought out in its above-mentioned letters to the Ministry that equestrian sport is a club-based sport the world over and it is of peculiar nature wherein two athletes, one human and the other an equine, participate as one combination in all gender-neutral competitions. It has also been brought by EFI that equines are integral part of the sport and maintenance of horses requires special expertise and its quite expensive in terms of their feed, veterinary expenses, grooms for looking after horses on daily basis, lodging of horses, logistics involved in transportation, boarding and lodging of horses, requirements of holding discipline specific competitions like Show Jumping, Eventing, Tent Pegging, Dressage, Endurance with large size grounds, requirement of Equine Disease Free Zone facility to enable horses to be quarantined and examined beforehand to travel abroad as per international rules etc.

3. The Ministry has taken note of the special requirements for the sport of Equestrian and that the requisite expertise, sport infrastructure and horses for training and competitions are not available in all States and Districts of the country.

4. Accordingly, it has been decided to grant exemption to EFI from the requirement under the Code, as a special dispensation to EFI and by taking into consideration the peculiar nature of the sport and the requirement of availability of the requisite sports infrastructure and horses, by relaxing the following provisions of the Code:

(i) Para 3.4 of Annexure-II of the Code requiring the Federation/Association to have affiliated units in at least 2/3rd of total States/UT’s of India.

(ii) Para 3.9 of Annexure-II of the Code requiring the Federation to confine the membership to corresponding State/ UT and other special units affiliated like (Sports Control Boards etc.) and where Federation grant membership to individual clubs or individual persons, such membership does not confer on such members the right to vote in any of the Federation’s meetings.

(iii) Para 4 (I) of the Annexure XXXVII of the Code requiring that each Permanent Member State/ Union Territory duly affiliated by the

Federation as its Permanent member shall have two votes at the elections of the officer bearers and Managing Committee bearers.

(iv) Para (2) of the Annexure XXXVII of the Code requiring that for the purposes of sub-clause (I) each Permanent member State /Union Territory shall be represented by two members authorized by the president of Secretary General/Secretary of the affiliated permanent member state/ Union territory: however, in case, president/ Secretary General / Secretary nominates different person (s) the persons (s) authorized by the president shall be deemed to be the authorized person (s) irrespective of the date.

(v) Para 4 (4) of the Annexure XXXVII of the code requiring that 'each permanent member state/. Union Territory and each permanent member Board/ Institution shall intimate the name (s) of their representative (s) mentioned in sub clauses (2) and (3) latest by ...; and such intimation shall be addressed to the president/ Secretary General/ Secretary of on their letter head duly signed by president / Secretary General/ Secretary of that member unit, so as to reach him on or before the aforesaid date: any change in the name of any authorized representative after.. or any other intimation received thereafter shall be permitted with the approval of the president of... '.

5. The exemption will be available to EFI only till such time requisite number of State/ UT Association in 2/3rd of States and UTs with 50% District units come into existence, as required under para 3.4 of annexure II and para 3.10 of Annexures II of code. EFI is impressed upon to take steps for development of requisite sports infrastructure so that State/UT Associations come into existence in at least 2/3rd of State/ UTs with 50% District units.

6. Above exemption are granted with the approval of Minister of Youth Affairs & Sports by invoking the relaxation clause as a special dispensation to EFI and by taking into consideration the special requirements of horses and related sports infrastructure for the sport of equestrian.”

[Emphasis added]

15. The aforementioned impugned order gives special dispensation to EFI and exempts them from with the following provisions of the Sports Code:

15.1 **Para 3.4 of Annexure II:** This provision requires federations or associations to have affiliated units in at least two-thirds of the total States/Union Territories of India, which provision is as follows:

“3.4 At the time of applying for recognition, the Federation/Association should have affiliated Units in atleast 2/3rd of total States/UTs of India.”

15.2 Para 3.9 of Annexure II: This provision mandates federations to restrict membership to corresponding State/Union Territory units or other special units, such as Sports Control Boards, which provision is as follows:

“3.9 The membership of the Federation should be confined to the corresponding State/UT and other special units affiliated (like Sports Control Boards etc.) and where Federation grant membership to individual clubs or individual persons, such membership does not confer on such members the right to vote in any of the Federation’s meetings.”

15.3 Exemptions related to Model Election guidelines enumerated in Annexure XXXVII of the Sports Code: these relate to exemptions regarding the formulation of the Electoral College for elections to the various office bearing posts within the EFI as an NSF.

16. The exemptions granted to EFI are ostensibly based on the purported peculiarity and unique characteristics of the sport, as stated in the impugned order. Therefore, to assess the validity of the exemption, it is essential to critically examine the ground of peculiarity raised by the Respondents.

Whether the Exemptions Granted to EFI are Justified Owing to the Peculiarities of Equestrian Sports

17. EFI as well as Respondent No. 1 justify the exemptions, contending that Equestrian sports possess unique characteristics that distinguish it from other organized sports in India and internationally. They argue that this sports uniquely involves a combination of two “athletes”—a human and an equine—competing in a gender-neutral environment. They point out that the sport encompasses three Olympic disciplines—Dressage, Jumping, and Eventing—and two non-Olympic disciplines, namely Tent Pegging and Endurance. For this purpose, the maintenance and training horses requires

specialized expertise and is prohibitively expensive, involving costs for feed, veterinary care, grooms, transportation, boarding, and large grounds for hosting events like Show Jumping, Dressage, and Tent Pegging. EFI further submits that the necessary infrastructure for Equestrian sports, including equine disease-free zones and quarantine facilities, is not available in most States or Districts, making it impossible to establish compliant State or District associations in line with the pyramidal structure of the Sports Code.

18. EFI also emphasises the cost-intensive nature of the sport, attributing it primarily to the high expenses associated with maintaining and managing horses. They assert that novice horses with reasonable bloodlines cost no less than ₹20 lakhs in India, while foreign horses, due to additional expenses such as import duties, may range from ₹40–50 lakhs. Beyond acquisition costs, the maintenance of horses, including feed, veterinary care, and daily upkeep, requires recurring expenditure throughout the year. The logistical demands of transporting horses for competitions, coupled with their boarding and lodging, add to the financial burden. EFI contends that these unique challenges and financial implications inherent to Equestrian sports justify the differential treatment and exemptions granted to it under the Sports Code.

19. EFI also strongly emphasizes on the role of the Clubs. They argue that Equestrian sport, much like Yachting and Polo, is primarily an individual and club-based sport which is a feature observed globally. Elaborating on their contentions, EFI points to the limited percolation and participation in sport which currently comprising of only 4,260 equine athletes and 4,837 human athletes registered with EFI. They argue that the pyramidal

structure of the Sports Code are impossible to be complied with, in the context of EFI, given that no State in India has more than 50% of its districts equipped with Equestrian facilities or District associations. This lack of infrastructure, they claim, renders State associations non-representative of the sport in their respective States. In India, with the exception of Madhya Pradesh, no State government has invested in Equestrian infrastructure. Instead, the necessary facilities have been developed by private clubs and institutions, which, according to EFI, are the true representatives of the sport.

20. Respondent No. 1, the MYAS, also acknowledges the position of the EFI and justifies the exemptions granted to EFI by citing the sport's unique challenges and infrastructure requirements. It acknowledges that Equestrian sports have historically been club-based, both globally and in India, and the absence of adequate State associations reflects the sport's limited reach. Thus, MYAS argues that the exemptions are necessary to ensure the development of the sports, given its resource-intensive nature and limited athlete base.

21. The Court has carefully considered the afore-noted contentions but remains unconvinced by the arguments advanced by the Respondents. While it is acknowledged that Equestrian sports are capital-intensive and require specialized infrastructure and medical facilities for equines, these considerations have no direct bearing on the specific exemptions granted. As noted earlier, the effect of the exemptions majorly pertains to the formulation of the Electoral College for elections, which is a governance issue unrelated to the peculiarities of the sport per se. Consequently, the rationale advanced—that the unique nature of Equestrian sports justifies the

exemptions—is misconceived and extraneous to the question of compliance with the Sports Code.

22. The argument that Equestrian sports are unique because both horses and riders are considered athletes, is directly contradicted by the provisions of the Sports Code. The Sports Code explicitly classifies horses as “equipment” for equine sports, a classification further reinforced by the imposition of customs duties on horse imports and GST on their sale and purchase. Therefore, to equate horses with athletes is neither practical nor consistent with the regulatory framework governing sports in India.

23. Regarding infrastructure requirements, the Petitioner has highlighted that EFI itself lacks the basic facilities necessary to conduct equestrian events, as it currently owns neither grounds nor horses. Furthermore, most Equestrian championships in India are hosted at privately-owned venues without any support from EFI. Athletes receive no financial or logistical assistance from EFI and must independently bear all expenses related to the purchase, maintenance, boarding, lodging, and transportation of their horses.

24. At this juncture, it must also be noted that as per the Sports Code, the Sports Authority of India (“**SAI**”) is entrusted with the task of providing the necessary support to NSFs for provisions of infrastructure, equipment and other assistance as per the agreed terms of the Long-Term Development Plans made by the NSF. Therefore, being the NSF for Equestrian sports the EFI is required to formulate Long-Term Development Plans and seek SAI’s assistance to address the issues of infrastructure and equipment.

25. The justification sought to be advanced by the Respondents fails to address the core issue: whether the exemptions align with the principles and objects of transparency, accountability, and representation mandated by the

Sports Code. Even though the impugned order mentions that the exemptions have been granted only till such time the requirement of having State affiliation of 2/3rd States with 50% of District units is fulfilled, the effect of the exemptions itself circumvents the pyramidal structure envisaged under the Code, further entrenching inequities in its administrative structure, instead of resolving the governance challenges faced by EFI.

26. Every sport has its unique characteristics, including distinct rules, parameters, and infrastructure challenges; however these differences do not warrant a departure from the principles of good governance enshrined in the Code. The need for compliance with the Sports Code remains paramount to ensure uniformity, accountability, and inclusivity in sports governance. Diluting these principles based on subjective notions of peculiarity would undermine the integrity and purpose of the Sports Code, which has been formulated to promote the interests of all sports and sportspersons in the country.

27. In sum, the justification for the exemptions, based on the purported peculiarities of Equestrian sports, is unconvincing and lacks substantive merit.

Factoring in the Historical Conspectus of Bona Fide Contributors to the Sport

28. Building on the peculiarities of Equestrian sports, EFI contends that the sport is not practiced in every district or even every State across the country, which makes it impractical to rely solely on State Associations as stakeholders as they are not the true representatives of the sport. EFI argues that even in States where Equestrian activities are present, there are often no

district associations, and the sport is primarily promoted by privately owned clubs. It further highlights that several States have only one or two clubs, while others have a single club with minimal or no Equestrian activity, rendering claims for equal voting rights untenable. In its submissions, EFI asserts that although 12 State Associations are registered and affiliated with them, the contribution of such State Associations in promoting the sport has been negligible since these associations, lack the requisite infrastructure and equine athletes—both fundamental to the sport. On the basis of this claim, EFI emphasizes that historically, clubs have been the forerunners of the Equestrian discipline and have thus, always been members of EFI. In fact, EFI points out that its erstwhile statutes explicitly provide for club memberships directly to the National Federation and even grants club memberships voting rights at General Assembly and Extraordinary General Assembly Meetings of EFI. If representative State Associations are given the sole right to vote, that would mean that the sport is being administered not by those who are interested in the sport, but by outsiders. Therefore, they argue that the exemptions granted to EFI recognizes the need for these clubs to have a say in the sports administration by having a right to vote.

29. The Court has carefully considered the submissions advanced by EFI. In contemporary times, many sports, including Equestrian, operate within a club-based model. Disciplines such as swimming and shooting similarly rely on specialized facilities provided by clubs across the country. Equestrian sports, therefore, are not fundamentally different in this regard. Pertinently, the exemptions must be scrutinized against the backdrop of the unequivocal judicial dicta emphasizing strict adherence to the Sports Code. This Court in ***Rahul Mehra v. Union of India & Ors.*** has reiterated the non-negotiable

nature of compliance with the Sports Code by National Sports Federations (NSFs) without exceptions. A similar view was endorsed in *Aslam Sher Khan v. Union of India*⁸, wherein it was held that non-compliance with the Sports Code undermines its fundamental objectives.

30. The essence of the Sports Code lies in promoting good governance, ensuring transparency, and safeguarding the democratic functioning of NSFs. Adherence to the Code reinforces uniformity across sports bodies, ensuring a level playing field while holding NSFs accountable for the public resources they utilize. In *Rahul Mehra*, the Court stressed that NSFs availing themselves of government benefits and recognition are bound to comply with the Sports Code as a *quid pro quo* for the privileges accorded to them.

31. The principles enshrined in the Sports Code are not merely administrative, but are founded in public trust, ensuring that the resources and opportunities facilitated by the Government are utilized in the larger interest of sports and sportspersons. As emphasized in *Rahul Mehra*, allowing selective exemptions undermines the foundational objectives of the Sports Code and compromises the legitimacy of the sports governance framework. The Code serves as a comprehensive regulatory framework to curb arbitrariness, promote professionalism in sports administration and emphasizes transparency in the election process, representation of athletes, and compliance with international norms to align India's sports ecosystem with global standards. Therefore, compliance to the Sports Code is essential for ensuring accountability of sports bodies to the public at large and for promoting confidence in the administrative mechanisms governing sports in

⁸ 2022 SCC OnLine Del 1569

India.

32. The impugned exemptions which have the effect of allowing direct club memberships and voting rights on the National level which undermines the representative pyramidal structure mandated by the Sports Code. The Code, as discussed above, explicitly stipulates that membership and voting rights in NSFs must be restricted to State or Union Territory associations, who in turn are required to have minimum 50% affiliation of district level associations. This ensures that the governance of sports remains inclusive, equitable, and representative of the broader sporting community. Deviating from this structure to accommodate the purported ‘peculiarities’ of a sport dilutes the democratic ethos the Sports Code seeks to uphold.

33. By bypassing State and District associations, the exemptions have the effect of consolidating governance within a narrow group of stakeholders, the club representatives. This creates a system where resources and opportunities are concentrated in a few hands, leaving aspiring athletes and under-served regions without access to facilities and support. Such a structure is antithetical to the long-term development of the sport, which requires broader participation and inclusivity. In light of the above, the impugned exemptions granted to EFI contradict the very objectives of the Sports Code.

34. While it may be true that clubs have traditionally played a role in promoting Equestrian sports, their role is ancillary to that of the State and District associations. Therefore, history may provide context, but it cannot be the basis for perpetuating non-compliance and override the principles of inclusivity enshrined in the Sports Code.

35. Furthermore, the Court notes the Petitioner’s contention that the

exemptions granted to EFI under the impugned order has been misused rather than serving the development of Equestrian sports. This submission warrants serious consideration. The Petitioner argues that the Sports Code explicitly prohibits NSFs from granting direct memberships with voting rights to individuals or clubs, however, EFI has granted memberships with voting rights to Army-affiliated entities, such as Mule Units and Mechanized Transport Battalions, which have no connection to Equestrian sports, thus creating a concentrated “vote bank” that enables the Army Service Corps to maintain control over EFI’s governance. Further, they submit that key posts such as President, Vice-President, and Secretary are invariably occupied by senior Army officers, further entrenching this control.

36. A serious concern raised by the Petitioner is the assertion that EFI has actively reduced the number of State Associations from 12 in 2020 to just 5 in 2022. According to the Petitioner, there are, in reality, 29 State Equestrian Associations across the country. EFI has allegedly revoked the memberships of several State Associations to consolidate control within the Army. It is claimed that EFI has replaced these associations by granting memberships to clubs situated in Army areas, which are effectively under the Army’s influence. This deliberate restructuring, the Petitioner argues, undermines the representative governance structure envisioned by the Sports Code and further entrenches inequities in the administration of Equestrian sports. In this regard, reliance is placed on the report of the Observer submitted in W.P.(C) 10342 of 2019.

37. Although the aforementioned contentions are vehemently denied by the EFI, there is clear evidence of a reduction in State association membership and increase in direct memberships of clubs. This reduction contradicts the

Sports Code's objective of strengthening State-level representation and promoting the sport at the grassroots level. By prioritizing direct club memberships over State Associations, EFI appears to have sidelined entities that are representative of regional interests and athletes. Thus, the Court finds merit in the Petitioner's submission.

38. At this juncture, it must be mentioned that the Respondents also critiqued the Petitioner for failing to provide evidence of its activities or contributions to the sport. This may reflect on the Petitioner's standing as a State association, however, this argument does not absolve EFI of its responsibility to adhere to the Sports Code as a National Sports Federation. The focus of the Court must remain on whether EFI has demonstrated sufficient efforts to develop the sport at all levels. The exemptions do not provide any measurable mechanism to improve the sport's reach or address infrastructural gaps, rather, this essential task is left to the EFI to undertake. Granting voting rights to private clubs and institutions without adequate checks undermines the representative structure envisaged by the Sports Code. Therefore, without any accountability mechanisms tied to the exemptions by MYAS, the exemptions are unlikely to serve the purported purpose of expanding Equestrian sports across the country. This is manifest from the facts noted above.

39. The Respondents' argument that State Associations are ineffective due to inadequate district-level representation misses the point. Instead of bypassing State Associations, efforts should focus on strengthening their capacity to represent the sport effectively. This requires a concerted effort by EFI, State governments, and other stakeholders to address infrastructural gaps and promote grassroots participation.

Need for integration of clubs in the paramedical structure envisaged under the Sports Code.

40. Mr. Rahul Mehra, Senior Counsel appearing for the Observer appointed in the connected W.P.(C) 10342 of 2019, strongly emphasizes the importance of EFI's adherence to the Sports Code. Mr. Mehra points out that despite EFI's 57-year history, it has failed to meet the requirement of having 50% district associations—a mandate that has been in place since at least 2001. Mr. Mehra also highlights that both EFI and its affiliated State associations have neglected their responsibility to promote and develop Equestrian sports at the grassroots level in India. Instead of fulfilling this obligation, they have sought exemptions to excuse their own failures. He further contends that the lack of facilities cannot justify doing away with the requirement for widespread and equal representation. Such a deviation, he suggests, should not even be considered without a thorough and independent study to assess the reality of the situation. To this end, Mr. Mehra proposes the undertaking a fact-finding exercise to determine the availability and distribution of Equestrian facilities across the country, for providing a clearer picture of the ground realities.

41. On the other hand, Mr. Mehta, Senior Counsel for the Respondents, counters the observations of the Observer, emphasizing that the claim of a lack of empirical evidence is unsupported by the record. He points to detailed maps, updated as of 2022 and annexed to the pleadings, which illustrate that Equestrian sports have a presence in only 101 out of 751 districts nationwide. He further reiterates that the unique characteristics of Equestrian sports, coupled with the significant contributions of the Army to its development, demonstrate that the sport is inherently limited in its reach

and may not permeate to the grassroots level in the same manner as sports like football.

42. Mr. Mehta also argues that the exemptions are based on peculiarities and the admitted fact that Equestrian sports are absent in most districts across the country. He highlights that the exemptions are temporary and remain operational only until 2/3rd of the States or Union Territories, with 50% district-level associations, become affiliated with EFI. Referring to Entry 33 of List II of the Constitution, Mr. Mehta emphasizes that the promotion of sports falls within the domain of the States, and EFI's role is complementary, not substitutive, to the States' responsibility to promote sports within their jurisdictions. He asserts that until grassroots-level promotion of Equestrian sports is achieved, the exemptions ensure that all stakeholders—Clubs, Institutions, and State Associations—can participate in EFI's decision-making. Accordingly, he argues that the claim that the exemptions diminish the voices of athletes or exclude them from governance is unfounded.

43. Addressing the contention that EFI has failed to promote Equestrian sports, Mr. Mehta dismisses it as misplaced and factually unsupported. He cites the numerous medals won by Equestrian athletes in various competitions as evidence of the sport's growth and success under EFI's aegis. Additionally, he highlights EFI's achievements since its inception in 1967, arguing that these milestones reflect its dedication to the development of Equestrian sports.

44. Without prejudice to these submissions, Mr. Mehta points out that the Observer, in several instances, has tacitly acknowledged the necessity of the exemptions. Lastly, he submits that Respondent No. 1 granted the

exemptions only after a thorough evaluation of the relevant facts and circumstances, as reflected in the impugned communication dated 9th November, 2021.

45. The Court has carefully considered the contentions advanced by the parties. The Sports Code, particularly Para 6, clearly delineates the roles and responsibilities of Respondent No. 1 – MYAS and NSFs. It is not disputed that NSFs bear responsibility for the overall management, promotion, and development of their respective disciplines, as recognized by the relevant International Federations. For this purpose, to avail government assistance, NSFs are required to formulate Long-Term Development Plans (“*LTDPs*”) based on a four (4) year cycle. These plans are required to cover all aspects of the development of the sport, including facilities and equipment, coaching, development of sportspersons and clubs, Domestic tournament schedules, etc. Thus, the Sports Code is designed for overall development of the sport which includes the development of State and District level associations for ensuring merit-based opportunities to sportspersons. This is the essence of the pyramidal structure envisaged by the Sports Code. The importance of such State and District level associations is further highlighted by Para 3.8 of Annexure II of the Sports Code, which mandates that annual national championships be held at Senior, Junior, and Sub-Junior levels through inter-district competitions. This requirement, which remains unexempted, serves as a critical driver for grassroots-level participation and growth. By organizing inter-district competitions, NSFs can ensure that more sportspersons from diverse districts engage in the sport, promoting inclusivity and expansion. The responsibility for implementing this mandate falls squarely on the NSF, not on the States or Districts, who merely

facilitate the requirement, drawing funds and support from the NSF where necessary. Thus, the intent behind the 50% district affiliation requirement, as enumerated in the Sports Code, is twofold: a) Widespread Representation: Ensuring the voices of sportspersons across districts are heard and their aspirations addressed; b) Prevention of Power Concentration: Avoiding governance being dominated by a select few, thereby ensuring fairness and democratic decision-making.

46. If, as EFI suggests, clubs are made direct members of the National Federation, it risks creating a centralized structure, ignoring the diverse needs and interests of sportspersons from various States and the merit-based pyramidal structure envisaged by the Sports Code. Similarly, if clubs alone are members of State associations, representation at the State level would be skewed, rendering district-level aspirations of sportspersons meaningless. The Court thus concurs with the Observer's submission that proper representation can be achieved if clubs are integrated into district associations, which can then contribute to the larger representative framework. This approach would ensure that district-level associations are promoted and developed, creating an equitable system for sportspersons across all States and districts.

Conclusion

47. The MYAS has failed to record any substantive rationale for granting the exemptions in the impugned order. Its justification that the peculiarities of Equestrian sports necessitate the exemptions is based on generalized observations rather than empirical evidence. In the impugned order, Respondent No. 1 has merely noted the lack of infrastructure, expertise, and

horses but has not explained why these factors render compliance with the Sports Code impractical or riddled with practical difficulty for its implementation. Furthermore, there is no evidence placed on record to suggest that Respondent No. 1 undertook any fact-finding exercise to verify the averments of EFI before they granted the impugned exemptions. As is clear from the documents placed on record and the report of the Observer in W.P.(C) 10342 of 2019, there are glaring discrepancies in the membership of State associations over club associations in the EFI, which is an aspect which ought to have been carefully studied before the exemptions were granted under the impugned order.

48. The exemptions have been granted with undue emphasis on the perceived peculiarity of the sport, particularly the argument that “horses are athletes” rather than equipment. This argument contradicts the Code itself, which under Clause 10.4.4. categorizes ‘horses’ along with their diet for Equestrian events as ‘equipment’ for reimbursement of hiring/transportation by the Government. Moreover, under the Sports Code, it is the mandate of the SAI to not only facilitate the release of government grants and finds, but also help in acquiring of the necessary equipment for Sports. The argument regarding the financial and logistical burdens associated with maintaining horses, while significant, does not justify an exemption that compromises the principles of governance and representation enshrined in the Sports Code. The Court notes that even under the current exemptions, the broader objectives of the Sports Code, i.e., representation, inclusivity, and grassroots development—remain unmet. The exemptions have merely institutionalized an unequal system where clubs dominate governance, sidelining State and District associations. Thus, in absence of a detailed fact-finding exercise

before the exemptions were granted, the decision appears to have been a mere endorsement of EFI's request, without independently verifying the actual state of facilities or participation. In light of the foregoing discussion, the Court holds that the exemptions granted to EFI under the impugned order are arbitrary and lack substantive factual foundation.

Directions: Constitution of Fact-Finding Committee

49. The issue of elections to the Executive Committee of EFI is inextricably linked to the exemptions granted under the Sports Code. The composition of the electoral college, as per the orders of the Division Bench orders dated 30th May, 2023, in LPA 36/2023, hinges on the decision regarding the validity of the exemptions. Elections to the Executive Committee, which became due in September 2023, have not yet been conducted, leaving the EFI governed by an *ad hoc* Executive Committee reinstated by this Court's order dated 29th May, 2024. The absence of a duly elected body till now has caused significant challenges in the administration of Equestrian sports in the country and could potentially expose EFI to repercussions at the international level.

50. At the same time, the Court recognizes the limited percolation and participation in Equestrian sports. However, the data furnished by EFI lacks sufficient depth and does not demonstrate any concrete or sustained efforts to promote the sport or expand its reach. Furthermore, the submissions of the Petitioner and the report of the Observer in W.P.(C) 10342 of 2019 indicate a significant reduction in the membership of State Associations, alongside an increase in the membership of individual clubs within EFI. The exemptions have allowed EFI to remain in non-compliance with the requirement of having membership from 2/3rd of the States and to permit

clubs as voting members of the national federation, while also granting relaxations from compliance with the Model Election Guidelines of the Code. The exemptions, rather than addressing governance challenges, have perpetuated a structure that does not align with the principles of transparency, accountability, and representation mandated by the Sports Code.

51. The continuation of the exemptions cannot be permitted indefinitely without addressing the systemic deficiencies identified in this judgment. However, the Court recognizes that an abrupt cessation of the exemptions, without a clear roadmap for reform, risks creating a governance vacuum, detrimental to the sport and its athletes. To balance these concerns, the Court directs that the exemptions remain operational as a strictly interim measure, pending the completion of the fact-finding exercise and the implementation of concrete steps to bring EFI into compliance with the principles of the Sports Code. Any further decision regarding the extension, modification, or withdrawal of the exemptions shall be based on the findings of the Committee.

52. To address the issues identified, the Court constitutes a five-member Fact-Finding Committee under the chairmanship of a retired judge of the Delhi High Court. The Committee shall be chaired by Mr. Justice Najmi Waziri, Retired Judge of the Delhi High Court, and shall include the following members:

- (a) A representative from the Ministry of Youth Affairs and Sports (MYAS) to be nominated by Minister in-Charge of MYAS.
- (b) A representative of the Sports Authority of India (SAI) to be nominated by head of SAI.

(c) A nominee from the Indian Olympic Association (IOA) with expertise in sports governance to be nominated by President of IOA.

(d) Two prominent sportspersons from Equestrian sports, namely Ms. Divyakriti Singh and Ms. Shruti Vora, who have represented India at national and international championships.

53. The Committee shall conduct a detailed investigation into the ground level realities of Equestrian sports in India, focusing on the following objectives:

a) **Assessment of Infrastructure:** Identify and evaluate the facilities available for Equestrian sports, including their geographic distribution and accessibility. Specifically, the Committee shall determine:

- i. The availability of Equestrian infrastructure in each district and State.
- ii. Ownership, maintenance, and accessibility of facilities provided by government bodies, SAI, EFI, State associations, or private clubs.
- iii. The feasibility of athletes from districts lacking infrastructure, utilizing the facilities available in adjoining districts or regions.

b) **Participation and Representation:** Examine the level of athlete participation and representation, including:

- i. The number and distribution of registered equestrian athletes across Districts and States.
- ii. The role of clubs, State associations, and District associations in promoting grassroots participation.
- iii. The extent to which State and District associations fulfil their mandate under the Sports Code.

c) **Functionality of State Associations:** Assess the effectiveness and

contributions of State Associations in the development of Equestrian sports and their compliance with the Sports Code.

d) **Role of Clubs:** Evaluate the contributions of clubs to the governance, infrastructure, and development of Equestrian sports and their compatibility with the representative framework of the Sports Code.

54. The Committee shall submit its findings in a comprehensive report to Respondent No. 1 - MYAS within a period of three months of its constitution. This report must specifically ascertain the number of districts with functioning clubs and analyse their potential integration into the pyramid structure envisaged by the Sports Code. The Committee should examine the feasibility of organizing clubs under District Associations, which will then form part of State Associations, ultimately culminating in their membership in EFI. The findings must include recommendations on steps required to align EFI's governance structure with the principles of the Sports Code, ensuring inclusivity, grassroots development, and equitable representation.

55. Respondent No. 1 - MYAS shall evaluate the Fact-Finding Committee's report and take a reasoned decision on continuation, modification or withdrawal of the exemptions thereon within a period of four weeks of receiving the report. The Petitioner shall be at liberty to challenge the said decision, in case need so arises.

56. The Chairman of the Committee shall intimate the fees of the Committee members as well as his own fees to EFI, which payment shall be made by EFI in advance. EFI will also organise and bear all expenses for travel, boarding and lodging of the Committee, as and when required by them. It is made clear that EFI and the respective State Associations will

fully cooperate with the Fact-Finding Committee, including giving access to all necessary information, documents and materials, as available with them, to the Committee.

57. Pending the conclusion of the fact-finding exercise and review by MYAS, the exemptions granted to EFI shall remain operational. It is made clear that the continuation of exemptions is purely an interim measure and shall not prejudice the findings or recommendations of the Fact-Finding Committee. Any decision regarding its extension, modification, or withdrawal shall depend entirely on the Committee's findings and recommendations. It is clarified that allowing the continuation of the exemptions temporarily does not validate or legitimize the exemptions as they currently stand. Instead, it reflects the practical necessity of avoiding disruption to the administration of the sport.

58. Disposed of in above terms.

SANJEEV NARULA, J

JANUARY 07, 2025/as

To

Colonel Jaiveer Singh (Retd)
Secretary General
Equestrian Federation of India (EFI)

ANNEXURE A-7²²⁷

Subject: Suspension Pending Inquiry : Non-Submission of Reply to Show Cause Notice dated 20 March 2025

Dear Colonel Jaiveer Singh (Retd)

1. This is in reference to the Show Cause Notice issued to you by the Equestrian Federation of India (EFI) dated 20 March 2025, and the subsequent extension granted vide our communication dated 27 March 2025, in adherence to the principles of natural justice. In that communication, it was clearly stated in paragraph 3 that no further extension beyond 10 April 2025 would be permissible.
2. However, despite being afforded sufficient opportunity and time, you have failed to submit any response or clarification to the allegations raised. This non-compliance indicates a willful disregard of EFI Statutes and your obligations as Secretary General.
3. The allegations outlined in the original Show Cause Notice including, but not limited to, financial misappropriation are of a serious and sensitive nature, warranting urgent and impartial inquiry. Your continued holding of the office during the pendency of such inquiry may prejudice the integrity of the process.
4. Accordingly, the Executive Committee of the EFI, has resolved to suspend you from the office of Secretary General with immediate effect, for a period of 89 days or until the conclusion of the investigation, whichever is earlier, as an interim measure pending inquiry.
5. Your suspension is effective from the 11th day of April 2025.
6. You are hereby directed to:

- (a) Immediately hand over charge of the office and all responsibilities to Colonel MM Rahman, Joint Secretary, EFI.

[Handwritten signature]
Passing of charge
Harish Kumar
(Suggested to take reply by 14th April)

[Handwritten signature]
Col. Tansen Singh

[Handwritten signature]
1 SS KASHYA

[Handwritten signature]
11/4

[Handwritten signature]
(Dr. Say)


Revised
11/4

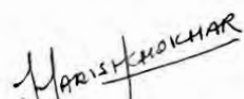



- (b) Transfer custody of all official documents, electronic records, passwords (including email, website, and IT systems), and any property of the EFI currently in your possession, without delay.
- (c) Cease using any official designation or represent the Federation in any capacity during the period of suspension.
7. Please note, this order does not prejudice your right to submit a belated response, which may be taken into consideration if received promptly. EFI remains committed to upholding the highest standards of transparency, governance, and accountability in the administration of equestrian sports.

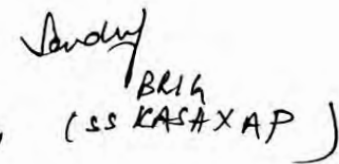
Dated- 11/4/2025

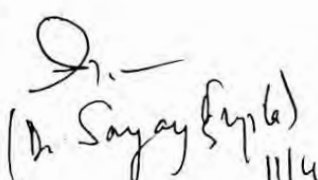
By order of the Executive Committee
for Equestrian Federation of India

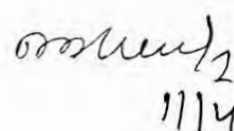

(Col SS Arora)



Harish Khokhar


Col Tansen Singh


Brig KASAXAP


Dr. Sayaj Singh
11/4


11/4


Receipt
For
11/4/25

Col Jagat Singh
Mr Krishore Futreani
Mr S. Sharma
Prof Mangal Singh
Col CS Sahay

All were present via
hybrid mode (Virtual) &
unanimously approved
suspension of Sec Gen -
Col J. Singh.



draft requisition to call EOGM

ANNEXURE A-8

From: BONNIE DUNDLOD (dundlod@dil.in)

To: syquraishi@gmail.com

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Date: Saturday 2 August, 2025 at 09:50 am IST

Dear Dr. Quraishi,

I have learnt from credible sources that all so called bogus clubs operating from Army controlled areas as well as some other clubs under the influence of ASC have been directed to move a requisition for holding a Special General Body Meeting of the EFI.

In my view, the purpose is to disrupt the functioning of the EC that was reinstated by the Hon'ble Delhi High Court. This, is extremely serious and shows ASC(Army) interference in the functioning of a National Sports Federation (EFI) through bogus and fake riding clubs.

I am attaching the draft requisition which has been circulated to all these clubs who have been incorporated to merely do lip-service to ASC.

I trust you will take the above conduct seriously and not allow such perversity and inform the Hon'ble Court about the same.

With warm regards,

Raghuvendra Singh Dunlod
President
Rajasthan Equestrian Association

Copy to –

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IOA
SAI
COAS
Chairman, Fact Finding Committee
EFI



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