

Kerala Sports Act, 2000

2 of 2001

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Kerala Sports Act, 2000

2 of 2001

AN ACT to provide for the promotion of sports and games and to augment the athletic efficiency in the State of Kerala and for the constitution of Sports Councils at the State level, District level and Local level and for matters ancillary or incidental thereto. WHEREAS it is necessary and expedient to make provisions for the promotion of sports and games and to augment the athletic efficiency in the State and to extend and promote the concept of 'Sports for all'; AND WHEREAS it is expedient to constitute sports councils at State level, District level and Local level for securing greater measure of participation of the people in sports and games and to confer on such sports councils, special powers for carrying out the objects aforesaid: BE it enacted in the fifty first year of the Republic of India as follows:-

CHAPTER 1 PRELIMINARY

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the Kerala Sports Act, 2000.
- (2) It extends to the whole State of Kerala.
- (3) It shall come into force on such date as the Government may by notification, appoint, and different dates may be appointed for different areas and for different provisions of this Act and any reference to the commencement of this Act in relation to any areas, shall be construed as a reference to the commencement of that provisions in that area.

2. Definitions :-

In this Act, unless the context otherwise require,--

- (i) "Appellate Tribunal" means the Appellate Tribunal constituted under section 41;
- (ii) "Block Sports Council" means a Block Sports Council constituted under section 15 for a Block Panchayat area;
- (iii) "Corporation Sports Council" means a Corporation Sports Council constituted under section 15 for a Municipal corporation area;
- (iv) "District" means a Revenue District;
- (v) "District Sports Council" means the District Sports Council

constituted under section 9 for a district;

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

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

(viii) "Member" means a member of State Sports Council or District Sports Council or Corporation Sports Council or Municipal Sports Council or Town Sports Council or Block Sports Council or Village Sports Council whichever is relevant to the context.

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

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

(xi) "Prescribed" means prescribed under this Act.

(xii) "Recognised Sports Organization" means a sports organization registered with the State Sports Council, in accordance with the provisions of this Act.

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

(xiv) "Sports" shall include such activities organized as out-door games, athletics, games conducted in open place or country sports, indoor games and aquatic sports and popular games such as equestrian, show jumping, cycling, motor racing, mountaineering, boat racing, rifle shooting, kalaripayattu, fencing, yoga and such other outdoor and indoor sports and games, chess, gymnastics, wrestling, weightlifting, cycle polo and other olympic disciplines and include other physical activities which the State Government may by notification in the gazette specify as sports or games on the recommendation of the State Sports Council;

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

(xvi) "Sports Club" means, a sports organization registered with the Corporation Council, Municipal Sports Council, Town Sports Council, Block Sports Council or Village Sports Council as the case may be, and affiliated to any sports organizations registered with the State Sports Council;

(xvii) "Sports man" means person who has participated in any of the recognized sports item at District-State-National-International level;

(xviii) "Standing Committee" means the standing committee of the

State Sports Council;

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

(xx)"Chairman of the State Sports Council" means the Chairman of the State Sports Council;

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

(xxii)"Town Sports Council" means a Town Sports Council constituted under section 15 for a town panchayat area;

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

(xxiv) "Year" means financial year.

CHAPTER 2

ESTABLISHMENT OF STATE SPORTS COUNCIL AND ITS FUNCTIONS

3. Constitution And Composition Of The Kerala State Sports Council :-

(1) As soon as may be after the commencement of this Act, the Government may by notification, constitute with effect from such date, as may be specified in the notification, a State Sports Council to be called "the Kerala State Sports Council".

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

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

Ex-officio Members

(a) The Minister in charge of sports, who shall be the chairman of the State Sports Council;

(b) The Secretary to the Government dealing with Sports Department;

(c) The Finance Secretary (Expenditure);

(d) The Director General of Police;

(e) The Director, Sports and Youth Affairs;

(f) The Director of Public Instruction;

(g) The Director of Collegiate Education;

(h) The Director of Technical Education;

- (i) The Director of Higher Secondary Education;
- (j) The Director of Vocational Higher Secondary Education;
- (k) The Director of Health Services;
- (l) The Secretary of the State Sports Council;
- (m) The Director of Public Relations.

Elected Members

- (a) One member each from each of the recognized State Sports Organisation elected by the members of such organization from among themselves;
- (b) One member each from each of the District Sports Council elected by the members of such District sports Councils from among themselves;
- (c) One member each from each of the University in the State elected by the members of the General Council of such university unions, from among the captains of the university teams;
- (d) Three members elected by the members of the State Legislative Assembly from among themselves through the method of proportional representation by single transferable vote;
- (e) One member elected by the Mayors of the Municipal Corporations of the State from among themselves;
- (f) One member elected by the Presidents of the District Panchayats of the State from among themselves;
- (g) One member elected by the Chairpersons of the Municipal Councils of the State from themselves;
- (h) One member elected by the Chairpersons of the Town Panchayats of the State from among themselves;
- (i) One member elected by the Presidents of the Block Panchayats of the State from among themselves;
- (j) One member elected by the Presidents of the Grama Panchayats of the State from among themselves;

Nominated Members

- (i) Four Physical Education Directors from the Universities in Kerala;
 - (ii) Two sports experts having international standard of whom one shall be a woman; and
 - (iii) A Sports correspondent nominated by Government.
- (4) There shall be a President for the State Sports Council nominated by the Government from among its members and a Vice-President elected by the members of the State Sports Council from among the members specified in items (a) and (b) under the heading "elected members" in sub-section (3) in such manner as may be prescribed.
- (5) The President and the Vice-President of the State Sports

Council shall exercise such powers as may be prescribed.

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

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

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

Provided further that, the term of office of a member referred to in item (c) under the heading "elected members" shall be one year from the date of his election.

Explanation.-For removal of doubts, it is hereby clarified that a member referred to in the preceding proviso shall not cease to be such member solely on the ground that he has ceased to be the captain of university team within the period of one year specified in the said proviso.

(8) No person shall be elected as member consecutively for more than two terms.

4. Secretary Of The State Sports Council :-

4. Secretary of the State Sports Council.-

(1) The Government shall, in consultation with the President of the State Sports Council, appoint an officer, not below the rank of a Joint Secretary to Government as the Secretary of the State Sports Council.

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

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

(i) implement the resolutions of State Sports Council and its Standing Committee;

(ii) incur the expenditure authorised by the President and the Standing Committee;

(iii) make payments by cheques or cash for all the expenses

authorized by the State Sports Council;

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

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

(vi) keep the records of the meetings and the proceedings of the State Sports Council and Standing Committee; and

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

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

5. Duties, Powers And Functions Of The State Sports Council :-

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

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

(a) to organize, co-ordinate, regulate and promote all types of sports in the State;

(b) to establish sports information centres, stadia, pavilions, playgrounds, parks, childrens parks, sports training centres, circus training centres, kalaries and to construct buildings, swimming pools, and pools for water polo and boat race and gymnasias;

(c) to acquire or formally request properties for carrying out all or any of its activities for which the State Sports Council is responsible;

(d) to conduct or organize by the council itself or through District Sports Council, Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council or Village Sports Council or to ensure their participation, in tournaments, competitions, training courses, seminars, coaching centres, exhibitions, tours and other items which help in the promotion of sports and games in the State;

(e) to confer titles, issue certificates or award prizes and scholarships or other benefits, in recognition or for encouragement of sports among students, workers, public servants and others;

- (f) to introduce insurance and accident insurance coverage for sportsmen, coaches and referees in the manner as may be prescribed;
 - (g) to grant assistance by way of loans or otherwise to any person, educational institutions, sports organisations, clubs or associations with a view to promote sports in general or to promote any particular venture or item of sports;
 - (h) to raise fund generally for carrying on its activities;
 - (i) to arrange or otherwise make provisions for conducting competitions in sports in the State at national, international, inter-state or local level and to arrange sports tours;
 - (j) to give grants or funds to educational institutions and recognized sports organizations;
 - (k) to make arrangements for establishing playgrounds and for providing equipments and facilities for them;
 - (l) to establish, administer and regulate research centre or centres for development of any sports including adventurous and martial sports;
 - (m) to establish sports information centres, or centres to collect the statistics and to store the basic data connected with sports and to run libraries and museums connected with sports;
 - (n) to formulate and implement schemes for the welfare of sportsmen;
 - (o) to formulate and implement schemes for the welfare of the disabled sportsmen;
 - (p) to fix criteria for the approval and working of sports associations including the State unit of national sports federation having Central Government recognition;
 - (q) to do any other act that may be conducive to the furtherance of the objects of this Act;
 - (r) to exercise the powers and to discharge the functions conferred under this Act or the rules made thereunder.
- (3) The State Sports Council may subject to any restrictions and conditions as may be specified by it, delegate its powers and duties under this Act and rules made thereunder to the Standing Committee of the council or its President or Secretary.

6. Standing Committee Of The State Sports Council :-

- (1) There shall be a Standing Committee for the State Sports Council consisting of the following members, namely:--
- (a) President of State Sports Council;

- (b) Vice-President;
 - (c) Government Secretary in-charge of Sports Department;
 - (d) Finance Secretary (Expenditure);
 - (e) Director of Public Instruction;
 - (f) Director, Sports and Youth Welfare;
 - (g) Secretary, State Sports Council;
 - (h) Five Members elected by the members of the State Sports Council from among the elected members of whom one shall be a member representing the elected members of the District Sports Council and one shall be a sports expert having international standard.
- (2) The Standing Committee shall meet in the manner and at such time and at such place, as the President of the State Sports Council may decide and shall exercise the powers and discharge the functions, as may be entrusted to it by the State Sports Council.

7. Meeting Of The State Sports Council :-

- (1) The State Sports Council shall meet at least twice in an year and one of such meetings shall be the annual meeting.
- (2) The President of the State Sports Council may, whenever he thinks fit, convene a special meeting of the State Sports Council for the transaction of urgent business.
- (3) Subject to such conditions as may be prescribed the President shall convene a special meeting of the State Sports Council to discuss urgent matters of importance upon a written requisition by not less than one-third of the total members of the State Sports Council.
- (4) The quorum for a meeting of the State Sports Council shall be one-third of its total membership.

8. Procedure Of The State Sports Council :-

- (1) The State Sports Council shall transact its business through resolutions passed in such manner and in accordance with such procedure, as may be prescribed.
- (2) a copy of recovery resolution shall be forwarded to the Government within fifteen days of the passing of that resolution.
- (3) The Government may call for any records or information regarding any resolution from the State Sports Council and the State Sports Council shall be bound to furnish such record or information.
- (4) The Government may, after giving reasonable notice to the

State Sports Council and after hearing its objections, if any, suspend or cancel or modify any resolution passed by the State Sports Council.

CHAPTER 3

DISTRICT SPORTS COUNCILS

9. District Sports Council :-

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

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

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

Ex-officio Members

- (a) the President of the District Panchayat;
- (b) the District Collector;
- (c) The District Superintendent of Police;
- (d) The Executive Engineer (Buildings and Roads) of the Public Works Department;
- (e) The Deputy Director of Collegiate Education having jurisdiction in the District;
- (f) Deputy Director of General Education having jurisdiction in the District;
- (g) Corporation Mayor or Municipal Chairperson of District Headquarters or President of the Village Panchayat;
- (h) Secretary of the District Sports Council;
- (i) District Officer of the Public Relations Department.

Elected Members

- (a) One member each elected from each recognized District Sports Organisation affiliated as a unit of any recognized State Sports Organisation;
- (b) One person elected by the Chairpersons of Municipal Council within the District from among themselves;

- (c) One person elected by the Chairpersons of Town Panchayats within the District from among themselves;
- (d) One person elected by the Presidents of Block Panchayats within the District from among themselves;
- (e) The Village Panchayat Presidents within the District shall elect from among themselves three persons if the number of such village Panchayat Presidents are less than fifty, and five persons if it is more than fifty of whom one shall be a woman and one shall be from the scheduled caste or scheduled tribe.

Nominated Members

- (a) One third of Members nominated by Government, from among the members of Legislative Assembly representing the Assembly constituencies in the District;
 - (b) The District Collector shall nominate,--
 - (i) One Physical Education Instructor from the College within the district;
 - (ii) One male student and one female student from within the district having district level achievements in sports;
 - (iii) One registered Medical Practitioner having sufficient expertise in sports medicine;
 - (iv) Two experts having international level achievements in sports of whom one shall be a woman.
 - (4) There shall be a President and Vice President for every District Sports Council elected from among the members of that council as may be prescribed;
 - (5) The District Sports Council shall be reconstituted once in every five years;
 - (6) Every member of the District Sports Council other than ex-officio member shall, subject to the provisions of this Act and the rules made thereunder, hold office until the next reconstitution of the District sports Council;
- Provided that the term of office of the nominated male student and female student shall be one year from the date of nomination.
- (7) No person shall be elected as member for more than two terms consecutively.

10. Powers And Functions Of District Sports Council :-

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

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

(a) co-ordinate the activities of the Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block sports Council, Village Sports Council and other registered sports organizations in the district;

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

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

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

11. Executive Committee Of The District Sports Council :-

(1) There shall be an Executive Committee of the District Sports Council consisting of its President, Vice-President, Secretary and six members elected by the District Sports Council from among its members, of whom one shall be a woman.

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

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

12. Meeting Of The District Sports Councils :-

(1) Every District Sports Council shall meet at least twice in a year on the dates as may be fixed by the President and one of such meeting shall be the annual meeting.

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

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

its President within fifteen days of such demand.

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

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

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

13. Powers And Duties Of President And Vice-President Of The District Sports Council :-

(1) The President of the District Sports Council shall preside over its meeting and shall exercise such powers and perform such duties, as may be prescribed.

(2) The Vice-President may, in the absence of President, preside over the meetings of the District Sports Council and shall exercise such powers and perform such duties of the President as the President may, from time to time, delegate to him.

14. Secretary Of The District Sports Council :-

(1) The President of the District Sports Council shall, with the approval of the Standing Committee of the State Sports Council, appoint an officer not below the rank of a Deputy Collector in Government service, as the Secretary of the District Sports Council.

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

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

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

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

(iv) examine and cause to be audited the statements and accounts of the Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports council; and

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

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

CHAPTER 4

CORPORATION SPORTS COUNCIL, MUNICIPAL SPORTS COUNCIL, TOWN SPORTS COUNCIL, BLOCK SPORTS COUNCIL, AND VILLAGE SPORTS COUNCIL

15. Constitution Of Corporation Sports Council, Municipal Sports Council Etc :-

For the purpose of co-ordinating and implementing various activities connected with sports and games, in rural and urban areas, the State Sports Council may, in consultation with District Sports Council and the local authorities concerned, by notification, constitute with effect from such date as may be specified in the notification,--

- (a) a Corporation Sports Council for each Municipal Corporation area;
- (b) a Municipal Sports Council for each Municipal Council area;
- (c) a Town Sports Council for each Town Panchayat area;
- (d) a Block Sports Council for each Block Panchayat area;
- (e) a Village Sports Council for each Village Panchayat area.

16. Composition Of Corporation Sports Council :-

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

Ex-officio Members

- (a) the Mayor of the Municipal Corporation, who shall be the President of the Corporation Sports Council;
- (b) the Commissioner of Police, having jurisdiction over the Municipal Corporation area;
- (c) the Executive Engineer (Buildings and Roads), having jurisdiction over the Municipal Corporation area;
- (d) the Regional Joint Director of the Municipalities having jurisdiction over the Municipal Corporation area;
- (e) the Secretary of the Municipal Corporation, who shall be the Secretary of the Corporation Sports Council;
- (f) Deputy Director of Collegiate Education, having jurisdiction over the Municipal corporation area;
- (g) District Educational Officer;
- (h) Tahsildar, having jurisdiction over the Municipal Corporation, area.

Nominated Members

- (a) two persons having achievements to their credit in sports, nominated by the Municipal Corporation Council of whom one shall

be a woman;

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

(c) two Physical Education Teachers within the Municipal Corporation area, nominated by the Municipal Corporation Council of whom one shall be from college and the other shall be from school.

Elected Members

(a) three members elected by the Councillors of Municipal Corporation from among themselves of whom one shall be a woman and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;

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

(2) Members of the Corporation Sports Council shall elect a Vice-President from among themselves and the Vice-President shall, discharge the duties entrusted to him by the President and shall preside over the meeting of the Corporation Sports Council in the absence of the President.

17. Executive Committee Of The Corporation Sports Council

:-

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

18. Composition Of Municipal Sports Council :-

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

Ex-officio Members

(a) the Chairperson of the Municipal Council; who shall be the President of the Municipal Sports Council;

(b) the Deputy Superintendent or Assistant Commissioner of Police having jurisdiction over the Municipal Council Area;

- (c) the Assistant Executive Engineer (Buildings and Roads) having jurisdiction over the Municipal Council area;
- (d) the Regional Joint Director of Municipalities, having jurisdiction over the Municipal Council area;
- (e) the District Educational Officer, having jurisdiction over the Municipal Council area;
- (f) the Secretary of the Municipal Council, who shall be the Secretary of Municipal Sports Council;
- (g) the Tahsildar having jurisdiction over the Municipal Council area;
- (h) Member of Legislative Assembly representing the Municipal Council area;

Nominated Members

- (a) two persons having achievements to their credit in sport nominated by the Municipal Council, of whom one shall be a woman;
- (b) one male student and one female student having achievements to their credit in sports, nominated by the Municipal Council;
- (c) one Physical Education Director and a Physical Education Teacher nominated by the Municipal Council.

Elected Members

- (a) three members elected by the Municipal Councillors from among themselves, of whom one shall be a woman and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;
 - (b) two persons elected by the office bearers of sports organizations registered with the Municipal Sports Council from among themselves.
- (2) The members of the Municipal Sports Council shall elect a Vice-President from among themselves and the Vice-President shall discharge the duties entrusted to him by the President and shall preside over the meetings of the Municipal Sports Council in the absence of the President.

19. Executive Committee Of The Municipal Sports Council :-

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

20. Composition Of The Town Sports Council :-

(1) Every Town Sports Council shall consist of the following members, namely:-

Ex-officio Members

- (a) the President of the Town Panchayat, who shall be its President;
- (b) the Deputy Superintendent of Police, having jurisdiction over the Town Panchayat area;
- (c) the Assistant Executive Engineer (Buildings and Roads) having jurisdiction over the Town Panchayat area;
- (d) the Regional Joint Director of District Municipalities having jurisdiction over the Town Panchayat area;
- (e) the District Educational Director having jurisdiction over the Town Panchayat area;
- (f) the Secretary of the Town Panchayat, who shall be the Secretary of the Town Panchayat Sports Council;
- (g) the Tahsildar having jurisdiction over the Town Panchayat area;
- (h) the Member of the Legislative Assembly representing the Town Panchayat area.

Nominated Members

- (a) two persons having achievements to their credit in sports nominated by the Council of the Town Panchayat of whom one shall be a woman;
- (b) one male student and one female student having achievements to their credit in sports nominated by the Council of the Town Panchayat;
- (c) two physical Education Teachers nominated by the Council of the Town Panchayat of whom one shall be from college and the other shall be from school.

Elected Members

- (a) three members elected by the Councillors of Town Panchayat from among themselves, of whom one shall be a woman and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;
 - (b) two persons elected from among the office bearers of the sports organizations and clubs registered with the Town Panchayat.
- (2) The members of Town Sports Council shall elect a Vice-President from among themselves and the Vice-President shall discharge the duties entrusted to him by the President and shall preside over the meetings of the Town Sports Council in the absence of the President.

21. Executive Committee Of The Town Sports Council :-

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

22. Composition Of Block Sports Council :-

(1) Every Block Sports Council shall consist of the following members, namely:-

Ex-officio Members

- (a) the President of the Block Panchayat, who shall be the Chairperson of the Block Sports Council;
- (b) the Secretary of the Block Panchayat, who shall be the Secretary of the Block Sports Council;
- (c) the Circle Inspector of the Police having jurisdiction over the headquarters of the Block Sports Council;
- (d) the Assistant Executive Engineer (Buildings and Roads) of the Public Works Department having jurisdiction over the headquarters of the Block Sports Council;
- (e) the Senior Medical Officer of the Community Health Centre having jurisdiction over the headquarters of the Block Sports Council;
- (f) the Assistant Educational Officer having jurisdiction over the headquarters of the Block Sports Council;

Nominated Members

- (a) two Physical Education Teachers nominated by the Block Panchayat;
- (b) one person nominated by the Block Panchayat from among the office bearers of the Parent-Teacher Associations of the Schools situated in the Block Panchayat area;
- (c) two persons having achievements of their credit in sports nominated by the Block Panchayat of whom one shall be a woman.

Elected Members

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

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

23. Executive Committee Of The Block Sports Council :-

There shall be an Executive Committee for every Block Sports Council consisting of its President, Vice-President, Secretary and six members, of whom one shall be a woman, elected by its members from among themselves for managing its day-to-day affairs.

24. Composition Of Village Sports Council :-

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

Ex-officio Members

- (a) the President of the Village Panchayat, who shall be the President of the Village Sports Council;
- (b) the Secretary of the Village Panchayat, who shall be the Secretary of the Village Sports Council;
- (c) the Circle Inspector of Police, having jurisdiction over the Village Panchayat area;
- (d) the Assistant Executive Engineer (Buildings and Roads) of the Public Works Department, having jurisdiction over the Village Panchayat area;
- (e) the Medical Officer, having jurisdiction over the Village Panchayat area;
- (f) Village Officer, having jurisdiction over the Village Panchayat area.

Nominated Members

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

Elected Members

- (a) three persons elected by the members of the Village Panchayat from among themselves of whom one shall be a woman and one shall be a person belonging to Scheduled Caste or Scheduled Tribe;

(b) two persons elected by the Presidents of Sports Organizations and Clubs registered with the Village Panchayat from among themselves;

(2) The members of the Village Sports Council shall elect a Vice-President from among themselves.

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

25. Executive Committee Of The Village Sports Council :-

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

26. The Duties And Functions Of The Secretary To The Village Sports Council :-

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

27. Functions Of The Corporation Sports Council, Municipal Sports Council, Town Sports Council, Etc :-

The Corporation Sports Council, the Municipal sports Council, the Town Sports Council, the Block Sports Council and the Village Sports Council may, perform all or any of the following functions, namely:--

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

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

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

28. Term Of Office Of Members Of Corporation Sports Council, Municipal Sports Council, Etc :-

(1) Every member of the Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council, other than the ex-officio members shall hold office for a period of five years from the date of his nomination.

Provided that the term of office of the student representatives nominated to the Corporation Sports council, the Municipal Sports Council and the Town Sports Council shall be one year from the date of their nomination.

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

29. Meeting Of The Corporation Sports Council, The Municipal Sports Council Etc :-

(1) Every Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council shall meet at least twice in a year.

(2) One third of the total number of its members shall be the quorum for a meeting.

30. Settlement Of Disputes Between Councils, Sportsmen And Sports Organisations :-

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

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

CHAPTER 5

REGISTRATION OF SPORTS ORGANISATION AND SPORTSMEN

31. Registration Of Sports Organisation :-

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

such form and subject to such terms and conditions as may be prescribed.

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

(3) If the application is not sent to the State Sports Council within the time limit specified in sub-section (2) with such recommendation or the application is rejected, the District Sports Council shall inform the applicant in writing within seventy five days from the date of receipt of the application.

(4) On receipt of an intimation under sub-section (3) the applicant may within thirty days submit such application direct to the State Sports Council;

(5) The State Sports Council shall consider an application received under sub-section (2) or sub-section (4) and if it is satisfied that registration shall be given, such Sports Organization shall be registered as a recognized State Sports Organisation or a recognized District Sports Organisation, as the case may be.

(6) Any person aggrieved by any decision of the District Sports Council or the State Sports Council, as the case may be, with regard to the registration of a sports organization may file appeal in the Appellate Tribunal along with the prescribed fees within such time and in such manner as may be prescribed and the decision of the Appellate Tribunal thereon shall be final.

(7) The sports clubs functioning only in the area of any Municipal Corporation or Municipal Council or Town Panchayat or Block Panchayat or Village Panchayat may register as a sports club with the concerned Corporation Sports Council or Municipal Sports Council or Town Sports Council or Block Sports Council or Village Sports Council, as the case may be.

(8) Any application for registration under sub-section (7) shall be submitted to the concerned sports council in such form and in such manner and subject to such terms and conditions as may be prescribed along with the fees prescribed.

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

(10) Any person aggrieved by a decision taken under sub-section

(9), may appeal to the concerned District Sports Council, within such time and in such manner, as may be prescribed.

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

32. Registration Of Sports Persons :-

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

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

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

CHAPTER 6

DISSOLUTION OF THE EXISTING SPORTS COUNCIL

33. Dissolution Of The Existing Sports Council And Transfer Of Its Assets And Liabilities :-

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

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

(3) Upon the constitution of the State Sports Council under this

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

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

CHAPTER 7

FINANCE, ACCOUNTS AND AUDIT

34. Grants By The State Government :-

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

35. State Sports Council Fund :-

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

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

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

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

36. District Sports Council Fund :-

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

- (a) all sums of money paid or any grants made by the State Sports Council to the District Sports Council, for the purposes of this Act;
- (b) any grants or donations made to the District Sports Council by any person or local self government institutions or other organizations for the purposes of this Act;
- (c) any other amount received by the District Sports Council, from any other source.

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

- (a) the expenses in connection with the functioning of the District Sports Council;
- (b) the expenses in connection with the functioning of the Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council;
- (c) any other expenses, which are required to be borne by the District Sports Council;

37. Constitution Of Funds For Corporation Sports Council, Municipal Sports Council, Town Sports Council, Etc :-

(1) Each Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council, Village Sports Council, as the case may be, shall constitute a Fund in its name, and shall be credited to such fund the amount received for any special purpose in addition to the amount received from the District Sports Council.

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

38. Budget :-

(1) Every Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council shall, in every year, prepare in such form and within such time, as may be prescribed, a budget for the next financial year showing the estimated receipt and expenditure during that financial year and forward copy of the same to the concerned District Sports Council.

(2) After considering the Budget estimates under sub-section (1),

the District Sports Council shall prepare in such form and within such time, as may be prescribed, a budget for the next financial year showing the estimated receipts and expenditure during the financial year and forward a copy of the same to the State Sports Council.

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

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

(5) The State Sports Council shall, in accordance with the suggestions, if any, given by the Government under sub-section (4), before 31st March of every year incorporate in its budget and in the budget of the District Sports Councils alteration, corrections and modifications, and the budget so altered, corrected or modified, shall be passed by the State Sports Council.

39. Accounts And Audit :-

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

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

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

40. Power To Borrow :-

The State Sports Council may, with the previous sanction of the Government, as regards the purpose and amount of loan and subject to such conditions, as may be specified by the government, as to security and rate of interest borrow any sum of money from

any Scheduled Bank or Co-operative Bank or any other corporate body.

CHAPTER 8

APPELLATE TRIBUNAL

41. Constitution Of Appellate Tribunal :-

(1) The Government may, by notification, constitute an Appellate Tribunal for settling any dispute, question or any other matter and for taking decision on appeals to be settled under this Act between,--

- (a) State Sports Council and District Sports Council;
- (b) State Sports Council and Sports person;
- (c) State Sports Council and Sports Organisation; and
- (d) District Sports Councils.

(2) The Tribunal shall consist of,--

- (a) the Law Secretary, ex-officio, who shall be the Chairman of the Tribunal;
- (b) a person qualified to be appointed as a District Judge nominated by the Government;
- (c) an expert in sports nominated by the Government.

(3) The term of office and other conditions of service of the members of the Appellate Tribunal other than the ex-officio member shall be such as may be prescribed.

(4) The Appellate Tribunal shall be deemed to be a Civil Court and shall have the same powers as may be exercised by a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) while trying a suit or executing a decree or order.

(5) Notwithstanding anything contained in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), the Appellate Tribunal shall follow such procedure as may be prescribed.

(6) The decision of the Appellate Tribunal shall be final and binding on the parties to the appeal and it shall have the force of a decree made by a Civil Court.

(7) The execution of any decision of the Appellate Tribunal by the Civil Court to which such decision is sent for execution shall be made in accordance with the provisions of the Code of Civil Procedure 1908 (Central Act 5 of 1908).

42. Bar Of Jurisdiction Of Civil Court :-

No suit or other legal proceedings shall lie in any Civil Court, in respect of any dispute, question or other matter which is required,

by or under this Act, to be determined by the Appellate Tribunal.

43. Bar To The Enforcement Of Right On Behalf Of Unregistered Sports Organisation And Sports Persons :-

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

CHAPTER 9

OFFICERS AND STAFF

44. Appointment Of Officers And Staff :-

(1) Subject to the provisions of sub-section (2) the Secretary of the State Sports Council may in consultation with Public Service Commission, and in the manner which is helpful for exercising the powers, duties and functions of all courts under this Act, appoint such officers and staff for the councils with the prior approval of Government, as may be required against posts duly sanctioned by it:

Provided that in all appointments to be made directly, such percentage of posts as may be prescribed shall be reserved for sportsmen.

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

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

CHAPTER 10

MISCELLANEOUS

45. Power To Make Rules :-

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

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

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

(b) the resignation of members in the State Sports Council, District Sports Council, Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council, Village Sports Council etc. and filling up of consequent vacancies and other casual vacancies;

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

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

(e) the manner in which the meeting of State Sports Council, District Sports Council, Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council, Village Sports Council etc. shall be summoned and procedure of such meeting and other related matters;

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

(g) powers, duties and functions of the Secretary and Standing Committee of the State Sports Council and the District Sports Council;

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

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

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

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the

expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

46. Power Of State Sports Council To Make Regulations :-

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

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

- (a) the conditions and procedure for the affiliation of Sports Clubs;
- (b) prescribe the standards, qualifications and conditions for conducting or organising any sports or game or tournament;
- (c) the establishment of sports organization and maintenance of play grounds;
- (d) the functions and powers of the District Sports Council, Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council;
- (e) acceptance of donations and endowments and its management;
- (f) any other matter which under this Act are to be, or may be provided for by regulations.

47. Nomination Of First State Sports Council And First District Sports Council :-

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

48. Members Of The Council, Staff Etc. Are To Be Public Servants :-

Every member of the State Sports Council, District Sports Council,

Corporation Sports Council, Municipal Sports Council, Town Sports Council, Block Sports Council and Village Sports Council and the Officers and staff appointed under this Act is to be considered as a public servant within the meaning of Section 21 of the Indian Penal Code (Central Act 45 of 1860).

49. Removal Of Difficulties :-

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

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