

**BEFORE THE FORMER ACTING CHIEF JUSTICE V. ESWARAI AH
ETHICS OFFICER AND OMBUDSMAN ADDL. CHARGE
THE HYDERABAD CRICKET ASSOCIATION AT RGICS, UPPAL,
HYDERABAD**

CASE NO. 5 OF 2024

BETWEEN:

“Hyderabad Bottling Cricket Club”,

Plot No.180, Road No 15,
Jubilee Hills, Hyderabad- 500033.
Rep. by its Secretary G.M. Reddy

... Petitioner

AND

1. The Hyderabad Cricket Association

RGICS, Uppal, Hyderabad
Rep. by its Secretary Mr. R.Devraj.

2. Mr. M.V.V.K.Prasad

Plot No.1091, Ayyappa Society,
Madhapur, Hyderabad – 500081.

... Respondents

Proceedings dated 09.07.2024

1. Pursuant to the representations dated 31.05.2024, 05.06.2024 and 07.06.2024 to issue orders for inclusion of the name of Mr. G.M. Reddy as Secretary of “Hyderabad Bottling Cricket Club” in the place of Mr. M.V.V.K. Prasad in the Electoral/Voters list of Hyderabad Cricket Association to caste vote on behalf of “Hyderabad Bottling Cricket Club” in the Elections of Hyderabad Cricket Association and to pass orders



declaring that Sri M.V.V.K. Prasad, the 2nd Respondent has no right to vote on behalf of the “Hyderabad Bottling Cricket Club” as he is not an authorised representative of the Club.

- 2.** On the representation dated 05.06.2024 notice dated 07.06.2024 was issued to the Respondents for their appearance on 13.06.2024. On that the 2nd Respondent did not appear citing health reasons and therefore a notice dated 13.06.2024 was issued for the appearance of the parties on 04.07.2024. On 04.07.2024 the Petitioner and the Respondent appeared and advanced their arguments and filed certain documents. On behalf of the HCA, the CEO has put up a note but no records are available.

- 3.** The undisputed facts are that “Hyderabad Bottling Cricket Club” was an unregistered Club but affiliated to the Hyderabad Cricket Association. As per the records the 2nd Respondent Mr. M.V.V.K. Prasad was authorised representative and Hon. Secretary of “Hyderabad Bottling Cricket Club”. It is not in dispute that the 2nd Respondent has been representing the Club as its Secretary in respect of its affairs and also attending Special General Meetings and Annual General Body Meetings and issued Identity Cards from 2015 till 2023. The Account of the Club was opened in the Corporation Bank, Branch 1055, Hyderabad Madhapur, Branch Door No.198/11/2, Plot No.59, Anuradha Colony, Hyderabad, Telangana – 500



081, A/c.No.520101058292833 and Account Holder is **M/s. “Hyderabad Bottling Cricket Club”** address at Plot No.1091, Ayyappa Society, Madhapur, Hyderabad – 500 081. It is also not in dispute that the entire correspondence on behalf of “Hyderabad Bottling Cricket Club” with HCA/1st Respondent was made by the 2nd Respondent only in respect of Club affairs.

Thus, it is the case of the 2nd Respondent that the “Hyderabad Bottling Cricket Club” is affiliated Club of Hyderabad Cricket Association and he has been maintaining the state of affairs of “Hyderabad Bottling Cricket Club” as its Secretary from last 25 years and attending all AGMs conducted by the HCA, sponsoring team players, providing cricket dresses, shoes, caps, kits, hats etc., from out of his own funds and he is Cricket Player and under his leadership the “Hyderabad Bottling Cricket Club” has achieved many merits. He has been paying the Annual Subscription Fee to HCA through the Club Account and he is entitled to be continued and recognised as a Secretary of “Hyderabad Bottling Cricket Club”.

4. It is a case of the Petitioner that there was a change in the Committee Members of the “Hyderabad Bottling Cricket Club” and the said new Committee Members joining in the place of Old Committee Members was



in fact intimated by the 2nd Respondent M.V.V.K. Prasad vide letter dated 24.01.2022 to the 1st Respondent HCA, according to which J. Sarada Govardhini was a Secretary and the 2nd Respondent M.V.V.K. Prasad was shown as Joint Secretary. The 2nd Respondent M.V.V.K. Prasad having duly signed the letter along with other outgoing old Committee Members was received by HCA on 24.01.2024 itself. The President of the HCA acted upon the said letter and intimated to J. Sarada Govardhini, Secretary of “Hyderabad Bottling Cricket Club” by letter dated 24.02.2022 stating that the change in the office bearers of the Club has been updated in the HCA records.

5. The Committee of “Hyderabad Bottling Cricket Club” in its meeting conducted on 01.04.2022 resolved to accept the resignation B. Chetan Anand, Member and approved Shanthi Shetty as a new Member. Committee also resolved deciding to change the address of the Club to Plot No.180, Road No.15, Jubilees Hyderabad – 500 033 and contact details to Cell: 9505089888 and email Id: sgjasti@gmail.com which was received by the HCA on 22.04.2022. The Petitioner represented by the then Secretary J. Sarada Govardhini by letter dated 01.10.2022 submitted to the HCA informing the change of address of the “Hyderabad Bottling Cricket Club” and present names of the Office Bearers with the Cell numbers which was also received by the HCA on 02.10.2022. The



“Hyderabad Bottling Cricket Club” also resolved by its Minutes of Meeting dated 08.10.2022 to relieve Sri M.V.V.K. Prasad of his services as a Member and Joint Secretary and the said letter also received by the HCA on 22.10.2022. The “Hyderabad Bottling Cricket Club” by letter dated 21.10.2022 informed the supervisory Committee that M.V.V.K. Prasad was relieved of his services as a Member and Joint Secretary.

6. As the “Hyderabad Bottling Cricket Club” was not a registered Association it was registered vide Registration Certificate No.405 of 2022 and as per the said certificate it was certified that “Hyderabad Bottling Cricket Club”, Plot No.180, Road No.15/Jubilees Hills, Shaikpet, Hyderabad registered under the Telangana Societies Registration Act, 2001 on 15.12.2022. The Petitioner Club informed the HCA to make all communications with the present Secretary and affect the change of the address in the HCA Records. The Petitioner also made representation before the Single Member Committee brining all the facts to his notice for affecting the changes as per the resolutions of the “Hyderabad Bottling Cricket Club”.

The “Hyderabad Bottling Cricket Club” vide its Committee meeting dated 14.06.2023 resolved to accept the resignation of J. Sarada Govardhini from the post of Secretary and accepted to approve the Membership of G.M. Reddy and appointed Mr. G.M. Reddy as new



Secretary of the **“Hyderabad Bottling Cricket Club”** and the same has been informed to the HCA vide letter dated 14.06.2024 which was received on 15.06.2023 by HCA. The President of “Hyderabad Bottling Cricket Club” by letter dated 02.10.2023 informed the returning officer of HCA Elections to authorise G.M. Reddy, Secretary of “Hyderabad Bottling Cricket Club” to participate on behalf of the Petitioner Club. The President of “Hyderabad Bottling Cricket Club” by letter dated 08.10.2023 also informed the Election Officer, HCA Elections stating that Sri M.V.V.K. Prasad is only a Joint Secretary and not an authorised representative.

7. The Petitioner namely “Hyderabad Bottling Cricket Club” represented by its Secretary G.M. Reddy addressed a detailed letter dated 11.10.2023 to the Election Officer, HCA stating that the Petitioner Club was originally represented by its Secretary M.V.V.K. Prasad thereafter he himself intimated to the HCA that the Secretary was J. Sarada Govardhini and after that Mr. G.M. Reddy is its Secretary as per the aforesaid records but to his shock and surprise Mr. M.V.V.K. Prasad name was shown in the Hyderabad Cricket Association list of voters for HCA Election 2023 scheduled to be held on 20.10.2023 though he is not the Secretary nor the authorised person by “Hyderabad Bottling Cricket Club” and accordingly requested to permit him to cast his vote in the ensuing Elections on 20.10.2023.



8. The Petitioner submits that the Single Member Committee appointed by the Hon'ble Supreme Court displayed the list of eligible full members of HCA to participate in the Elections on the HCA Notice Board and Website on 30.09.2023 without verifying the records and change of the office bearers. The 2nd Respondent without any right or authority or any entitlement he filed nominations for the post of Vice President and Joint Secretary on 13.10.2023 and withdrew his nominations for the post of Joint Secretary and Vice President vide letters dated 16.10.2023. The 2nd Respondent also got Certificate of Registration No.33 of 2024 dated 11.01.2024 in the name of "Hyderabad Bottling Cricket Club", Plot No.1091/Sri Swamy Ayyappa Society/Madhapur/Serilingampally/ Ranga Reddy registered under the Telangana Societies Registration Act, 2001 showing himself as its General Secretary, J.V. Chowdary as President, Srinivas Rao as Vice President, M. Chatan Chowdary as Joint Secretary, Mr. Suresh as Treasurer and two other Members different from that of the Petitioner Club.

9. The 2nd Respondent also filed W.P.No. 10137 OF 2024 on the file the Hon'ble High Court for the State of Telangana to declare the action of the 1st Respondent HCA and the State of Telangana in not allowing him to maintain the state of affairs of "Hyderabad Bottling Cricket Club" as its



Secretary and not allowing him to attend AGMs etc., as illegal and arbitrary and allow him to continue to maintain the affairs of the “Hyderabad Bottling Cricket Club” as its Secretary to attend AGMs and issue ID Cards etc., and the said Writ Petition disposed of by order dated 10.06.2024 as follows:

“.....3. With the consent of both the parties, this writ petition is disposed of permitting the Petitioner to file a fresh representation before the Hyderabad Cricket Association; and the Respondents shall consider the same and pass appropriate orders in accordance with law within a period of two weeks from the date of receipt of a copy of this order. No costs. Miscellaneous petition, if any pending, shall stand closed.”

10. I have considered the rival contentions, perused the records and documents. The 2nd Respondent himself submitted a letter dated 24.01.2022 before the 1st Respondent/ HCA duly signed by him stating that there is a change in the Committee Members and J. Sarada Govardhini is the Secretary and he is a Joint Secretary which letter was received and acknowledged by the HCA on 24.01.2022 at 3.40p.m. and the said change was affected in the HCA records as per the letter of the HCA dated 24.02.2022 which was communicated to the then Secretary of the Petitioner Club. The Petitioner Club letter dated 01.10.2022 furnished the name and address of the Petitioner Club and the name of the Office Bearers



along with their Cell Numbers which was received by HCA on 01.02.2022. The Petitioner Club vide its Meeting of the Committee dated 08.10.2022 resolved to relieve the 2nd respondent's services as Member and Joint Secretary which was also received by the HCA on 22.10.2022. The "Hyderabad Bottling Cricket Club" in the Meeting of its Committee on 14.06.2023 accepted the resignation given by J. Sarada Govardhini as a Secretary of the Club and approved the Membership of Mr. G.M. Reddy and Committee also appointed him as a new Secretary to the Society of the Petitioner Club. The President of the Petitioner Club informed the Returning Officer of the HCA Elections by letter dated 02.10.2023 that the Secretary of the Petitioner is Mr. G.M. Reddy and he is the authorised representative to participate in the election and another letter dated 08.10.2023 also informed that the 2nd respondent is not authorised representative of the Club.

Thus after the 2nd Respondent as the Secretary of the Petitioner Club J. Sarada Govardhini and the said J. Sarada Govardhini was changed by the "Hyderabad Bottling Cricket Club" and appointed Mr. G.M. Reddy as its Secretary vide its Minutes of the Meeting dated 14.06.2023. The President of the "Hyderabad Bottling Cricket Club" also informed the change in the post of the Secretary appointing Mr.G.M. Reddy as Secretary of "Hyderabad Bottling Cricket Club" but



unfortunately either the HCA or Single Member Committee or the Electoral Officer of the HCA taken note of the change of some of the Officer Bearers of the Petitioner Club and the change of the Secretary as per the Resolution of the Petitioner club and the said resolutions and communications have not been given affect to updating the records of the HCA. Unfortunately, the HCA is not maintaining the records of the Clubs and there is no accountability, responsibility on the part of the Office of the HCA Employees and the Staff of the HCA. Records are not maintained. Duties and responsibilities have not been fixed in respect of employees in charge with records or accounts. It is not known what action has been initiated for missing the files and not maintaining the proper records. Giving and taking the charge by their respective employees has to be recorded and appropriate bond or security has to be taken at the time of appointment from the concerned employees who are in charge of the respective records pertaining appropriate legal action.

The Hyderabad Cricket Association is directed to scrupulously implement the Memorandum of Association and Rules and Regulations of Hyderabad Cricket Association, 2018, more particularly Rule 3(b), the same is extracted hereunder for ready reference. The said Rule was scrupulously implemented by the Hyderabad Cricket Association the



disputes like the present dispute could have altogether been avoided and records would have been up to date.

“Rule 3(b)

Annual updates

All Members shall, on or before 15th November of each year, inform and update the HCA as to the names of their Office Bearers and the Members of their respective governing bodies/Managing Committees /Apex Councils, their respective tenures, the audited statement of accounts and the balance sheets.”

11. For the foregoing reasons and based on the records and resolutions passed by the “Hyderabad Bottling Cricket Club” presently registered prior to the registration by the 2nd respondent and various resolutions passed by the “Hyderabad Bottling Cricket Club” particularly communicated by the 2nd respondent himself regarding the change of the Secretary by letter dated 24.01.2022 which change was affected in the HCA Records as per letter dated 24.02.2022 of HCA and the 2nd respondent did not dispute or questioned his own letter dated 24.01.2022 I am on the opinion that the petitioner Club is entitled to be recognised as affiliated club of the HCA.
12. In the result, the Hyderabad Cricket Association is directed to make the changes in the records of the HCA recognising J. Sarada Govardhini as Secretary of the “Hyderabad Bottling Cricket Club” as per the letter of the 2nd respondent dated 24.01.2022 till she was changed by the Minutes of



the Committee of "Hyderabad Bottling Cricket Club" conducted on 14.06.2023 appointing Mr. G.M. Reddy as Secretary of the "Hyderabad Bottling Cricket Club" and include the name of Mr. G.M. Reddy as Secretary of the "Hyderabad Bottling Cricket Club" in the place M.V.V.K. Prasad and further declared that Mr. M.V.V.K. Prasad is seized to be the Secretary of the "Hyderabad Bottling Cricket Club" and he has no right to carry on the affairs of the Petitioner Club.



Justice V. Eswaraiah
Ethics Officer and Ombudsman Addl. Charge
The Hyderabad Cricket Association