

Mr K. Govindaraj, elected President during the “Bangalore Annual General Council”  
Mr Chander Mukhi Sharma, elected as Secretary General during the “Bangalore Annual General Council”  
Ms Poonam Mahajan, elected as President during the “Pune Annual General Council”  
Ms Roopam Harish Sharma, elected as Secretary General during the “Pune Annual General Council”

23 May 2015

**By email only**

**Reference: Status of the Basketball Federation of India**

Dear Sirs, Madams,

Further to our letter dated 7 April 2015 enquiring about the unacceptable situation which occurred within your basketball family whereby two elections were held during two different General Council meetings, we hereby would like to acknowledge receipt of the various submissions and supporting documents submitted by all parties involved.

Please note that after a thorough review of the BFI Constitution, the Election Guidelines issued by the Government of India (which both sides invoke), the two court orders issued by the High Court of New Delhi as well as the positions submitted by all sides and various observers, FIBA concludes that the Annual General Council Meeting held in Bengaluru on 27 March 2015 was summoned in accordance with the BFI Constitution.

Consequently, the result of the elections held in Bengaluru on 27 March 2015 is recognized by FIBA.

In this regard, we note that on 26 February 2015, a meeting of BFI Senior Officials was held in New Delhi during which the date and location of the Annual General Council Meeting were established to be on 27 March 2015 in Bengaluru. Two days later, the former BFI Secretary General issued a notice under the direction and agreement of the former BFI President to all affiliated units confirming that the General Council Meeting will be held on 27 March 2015 in Bengaluru.

However, on 2 March 2015, the former BFI Secretary General surprisingly issued another notice indicating a change of date and location for the General Council Meeting which would be held in Pune on 28 March 2015. Immediately thereafter, the former Secretary General resigned and subsequently confirmed in writing that his decision to resign was justified on moral grounds because the change of

date and location was communicated by him without the necessary consent of the former BFI President.

On 4 March 2015, the former BFI President rectified the second notice and confirmed that the General Council would be held as previously indicated, i.e on 27 March 2015 in Bengaluru. On the basis thereof, no other BFI official was allowed by Statutes or by law to organize another General Council Meeting. Rule IX of the BFI Constitution indeed underlines the competence of the BFI President to decide on the place and time of the General Council. This was also confirmed by the High Court of New Delhi in its order dated 26 March 2015. In this regard, the fact that, in his letter dated 4 March, the former BFI President quoted Rule X (a) of the BFI Constitution instead of Rule IX (a) cannot be accepted as a valid argument to consider his confirmation notice as null and void.

Further, the argument according to which the majority of affiliated units were in favour of holding the General Council meeting in Pune is legally irrelevant in this instance and may not under any circumstances be considered as having validly conveyed a statutory right to any other BFI Official to consider previous notices issued by the former BFI Secretary General and President as null and void and to proceed with the organization of a parallel General Council on a different date and in a different location than that decided beforehand and communicated to all affiliated units on 28 February and 4 March 2015. In addition, FIBA casts serious doubts on the legitimacy (let alone statutory validity) of a parallel General Council held without the outgoing President, Vice-President, Secretary General and Treasurer in attendance.

FIBA notes that submissions were made by both sides with regards to the appointment of the Returning Officer, the Electoral College list as well as the BFI office which was to be used during the registration process leading up to the General Council Meeting. In this regard, FIBA confirms that no concrete evidence was put forward which would question the validity altogether of the General Council held in Bengaluru.

Finally, FIBA regretfully notes that the files submitted to FIBA contain extremely serious allegations which may be subject to criminal proceedings in India as well as to proceedings under the FIBA Code of Ethics. In this respect, FIBA reserves its right to shed light on the allegations made and to initiate further proceedings should this matter not be settled within the basketball family in India and should the present decision not be accepted by all sides.

Based on the above, FIBA confirms that it recognizes the result of the elections held on 27 March 2015 in Bengaluru and requests that the President and Secretary General elected during that General Council meeting immediately meet with the group elected in Pune to settle this matter in a constructive manner and within the spirit of sport, keeping first and foremost the development of basketball in India and the good of the athletes in mind.

Please be informed that this correspondence is herewith copied to the Indian Olympic Association which had indicated by letter dated 17 April 2015 its support to the result of the elections held on 28

March in Pune. In this regard, the Indian Olympic Association is respectfully requested – in line with Rule 28 of the IOC Olympic Charter – to abide by FIBA’s present decision.

This decision is also copied to the esteemed Minister of Youth Affairs & Sports of the Government of India who is respectfully invited to provide all the necessary support to the BFI in order to ensure a smooth transition process and a healthy development of basketball in India.

Please note that our services remain at your entire disposal for any information needed in this matter. We confirm that a FIBA delegation will visit India soon to provide support to the BFI.

In the meantime, we would like to count on everyone’s cooperation to ensure that Indian Basketball remains out of political and legal conflicts and focuses on its future successes on the court.

Yours Sincerely,



Patrick Baumann  
Secretary General

Cc: Ministry of Youth Affairs & Sports of the Government of India  
Indian Olympic Association  
Mr Horacio Muratore, FIBA President  
Sheikh Saud Bin Ali Al-Thani, FIBA Asia President  
Mr Hagop Khajirian, Regional Director for Asia  
Mr Zoran Radovic, FIBA NF & Sports Director

**F.No.16-14/2009-SP-I (Vol.II)**  
**Government of India**  
**Ministry of Youth Affairs & Sports**

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Shastri Bhawan, New Delhi.  
Dated the 26<sup>th</sup> July, 2017.

**ORDER**

**Sub: Compliance of the order dated 21.06.2017 of the Hon'ble High Court of Karnataka in the matter of Basketball Federation of India – reg.**

Elections of Basketball Federation of India (BFI) were held at two different places by two separate factions. While the faction led by Shri K. Govindaraj held elections on 27<sup>th</sup> March, 2015 at Bangalore, the faction led by Ms. Poonam Mahajan held elections on 28<sup>th</sup> March, 2015 at Pune. This Ministry sent observers to the elections of both the factions of BFI. The international body for Basketball i.e. FIBA also deputed its observer for both the elections. However, Indian Olympic Association (IOA) deputed its observer only for elections held on 28.03.2015 at Pune. The results of the elections are as under:-

**Elections held in Bangalore on 27.03.2015:-**

President : Shri K. Govindaraj  
Secretary General : Shri Chander Mukhi Sharma  
Treasurer : Shri V. Raghothaman

**Elections held in Pune on 28.03.2015:-**

President : Ms. Poonam Mahajan  
Secretary General : Ms. Roopam Harish Sharma  
Treasurer : Shri. Mukut Medhi

2. IOA vide its letter dated 17<sup>th</sup> April, 2015 had recognized the elections held on 28.03.2015 at Pune. Ministry received a letter dated 26.05.2015 from the faction of BFI headed by K. Govindaraj whereby it was informed that the International Federation of Basketball (FIBA) has recognized the result of the elections held in Bengaluru on 27<sup>th</sup> March, 2015. An email dated 23.05.2015 from FIBA was also received whereby it was, inter-alia, informed that FIBA has concluded that AGM held in Bengaluru on 27.03.2015 was summoned in accordance with the BFI Constitution and consequently the result of the elections held in Bengaluru on 27<sup>th</sup> March, 2015 has been recognized by FIBA.

3. The Ministry wrote a letter dated 29.06.2015 to IOA asking them to take suitable steps to resolve the issues for the betterment of basketball sport. IOA was also advised to consult all the stake holders such as both the factions of BFI, FIBA, athletes, etc. As per the directions of the Ministry IOA issued a meeting notice to both the factions of BFI for meeting on 15<sup>th</sup> July, 2015. As informed by IOA, this meeting was attended by only Ms. Poonam Mahajan faction. Therefore, second meeting notice was issued by it to both the factions for a meeting on 7<sup>th</sup> August, 2015. IOA informed that none of the meetings were attended by Shri K. Govindaraj faction. Vide their letter dated 27.07.2015 to IOA, Shri Govindaraj faction informed that FIBA has already given clear mandate to the elections held at Bengaluru and that they have been sending teams to events sanctioned by FIBA.

4. Ministry received another letter dated 6<sup>th</sup> October, 2015 from FIBA whereby it has reiterated its stand on the decision taken by them on 23<sup>rd</sup> May, 2015. FIBA has also expressed its displeasure on the institutional situation in BFI which is still fragile and subject to unacceptable pressures that hinder the proper development



of basketball in the country. FIBA has also, inter-alia, informed vide its above letter that it will on its end continue discussing with BFI officials to ensure that basketball family stays united.

5. In the meantime, the faction led by Shri K. Govindaraj has filed CWP No. 25560 of 2017 in the Hon'ble High Court of Karnataka at Bangalore praying for early decision by the Ministry in the matter of recognition to the faction of BFI led by him. Hon'ble High Court of Karnataka vide its order dated 21.06.2017, received on 30.06.2017 has directed MYAS to consider various requests of the petitioner seeking recognition from the Ministry made from time to time in accordance with the law and as expeditiously as possible and within three weeks from the date of order.

6. Secretary General, Indian Olympic Association vide his letter dated 13.7.2017 has informed that IOA has granted recognition to the faction of BFI recognized by FIBA (International Body governing the basketball sport) in accordance with the directives of the International Federation of Basketball (FIBA) and honoring rule 29 of the Olympic Charter.

7. Since, both FIBA and the IOA have granted recognition to the persons elected on 27.03.2015 at Bangalore, the conditions laid down in the National Sports Development Code of India, 2011 for grant of recognition as NSF is also fulfilled by the faction led by Shri K. Govindaraj.

8. Therefore, in compliance to orders of the Hon'ble High Court of Karnataka at Bangalore dated 21.06.2017 in CWP No. 25560 of 2017 and taking into account the provisions of the National Sports Development Code of India, 2011, various principles of Olympic Charter under which Olympic Sports are governed and the recognition by IOA vide letter dated 13.07.2017, it has been decided to grant recognition, provisionally for one year, to Basketball Federation of India with Shri K. Govindaraj, Shri Chander Mukhi Sharma and Shri V. Raghothaman as President, Secretary General and Treasurer respectively. In the meanwhile this department in consultation with IOA will also try to facilitate merger of the two factions.

This issues with the approval of Hon'ble Minister of State (Independent Charge), Youth Affairs & Sports.

  
(A.K.Patro)

Under Secretary to the Government of India  
Tele/Fax: 2338 2560.

To:-

1. Shri K. Govindaraj,  
President,  
Basketball Federation of India (BFI),  
No. 2-B, Sagar Apartments,  
6, Tilak Marg,  
New Delhi – 110 001
2. Shri Chander Mukhi Sharma,  
Secretary General,  
Basketball Federation of India (BFI),  
No. 2-B, Sagar Apartments,  
6, Tilak Marg,  
New Delhi – 110 001.

Copy to:-

1. Secretary General, Indian Olympic Association, Olympic Bhawan, B-29, Qutub Institutional Area, New Delhi – 110 016.
2. International Federation of Basketball (FIBA)
3. Executive Director (Teams), Sports Authority of India, New Delhi – 110 003.
4. Director, Commercial, Railway Traffic, Ministry of Railways,
5. Department of Personnel & Training, North Block, New Delhi.
6. Department of Revenue, Ministry of Finance, North Block, New Delhi.

  
(A.K.Patro)

Under Secretary to the Government of India  
Tele/Fax: 2338 2560.





IOA/BFI/04/2017/1830

July 13, 2017

To

Mr. Chander Mukhi Sharma  
Secretary General  
Basketball Federation of India

Sub: National Federation for Basketball in India

Dear Mr. Chander Mukhi Sharma,

In accordance with the directives of the International Basketball Federation (FIBA) and honouring rule 29 of the Olympic Charter, the Indian Olympic Association (IOA) grant affiliation to the Basketball Federation of India (BFI), with Mr. K. Govindaraj as President and Mr. Chander Mukhi Sharma as Secretary General, subject to ratification by the Executive Council/ General Body of the IOA.

Thanking you,

Yours sincerely,

  
(Rajeev Mehta)  
Secretary General

Copy to:

- President & Secretary General, International Basketball Federation
- President & Secretary General, FIBA Asia
- President, Indian Olympic Association
- Secretary, Government of India, Ministry of Youth Affairs & Sports