

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 regrettably 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