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NOTIFICATION

No.H.12018/107/2002-LJD/15, the 23rd November, 2005. The Mizoram State Sports Council Rules, 2005 is hereby published for general information.

Sd/-
CHAWNGTINTHANGA,
Deputy Secretary to the Govt, of Mizoram.

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**GOVERNMENT OF MIZORAM
DEPARTMENT OF SPORTS & YOUTH SERVICES**

In exercise of power conferred under section 30 of the Mizoram State Sports Council Act 2002, (12 of 2002) and to give effect to the various provisions of the said Act, the Government of Mizoram hereby make the following rules namely :-

THE MIZORAM STATE SPORTS COUNCIL RULES, 2005

CHAPTER - I

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT :

- (1) These rules may be called The Mizoram State Sports Council Rules, 2005.
- (2) It shall come into force from the date of publication in the Mizoram Gazette.

2. DEFINITIONS :

Unless the context otherwise requires, the expression namely

- (a) "Act" means the Mizoram State Sports Council Act, 2002 (12 of 2002);
- (b) "Assistance" means grant in cash or kind;
- (c) "Council" means the Mizoram State Sports Council;
- (d) "Central Government" means Government of India;
- (e) "District" means an administrative district in Mizoram;
- (f) "Executive Committee" means the Executive Committee of the Mizoram State Sports Council;
- (g) "Government" means the State Government of Mizoram;
- (h) "Member" means a Member of the Mizoram State Sports Council;
- (i) "North Eastern Council" means the North Eastern Council as constituted under the North Eastern Council Act, 1971 (84 of 1971)
- (j) "President" means President of the Mizoram State Sports Council;
- (k) "Secretary" means Secretary of the Mizoram State Sports Council;
- (l) "State" means the State of Mizoram;
- (m) "State Level Association" means a duly constituted State Level Sports Association, recognised by the Mizoram State Sports Council;

CHAPTER - II

3. QUALIFICATION FOR MEMBERSHIP OF THE COUNCIL :

- 1) Subject to provisions contained in section 6 of the Act, any State Level Association seeking membership to the Council must fulfil the following terms and conditions; namely, such Association must -
 - (a) have a written constitution approved by the Council;
 - (b) be duly registered under Societies Registration Act, 1860 (21 of 1860);
 - (c) be duly affiliated to Indian Olympic Association and recognised by the Government of India or active Association/ Club that stresses promotion of indigenous item of sports idolised and played popularly in the State of Mizoram;
 - (d) regularly conduct/organise sports meet or tournament at State or National level;
 - (e) have at least three district level units and ten village level units/clubs affiliated to it, whereas the norms of granting affiliation to such units referred to above shall strictly be in conformity with the guidelines prescribed by Regulations of the Council and
 - (f) abide by all rules, regulations, guidelines or instructions of the Council and shall maintain records that are considered necessary for such Association/Club, which shall be open to inspection by the Council.

4. DISQUALIFICATION FROM MEMBERSHIP OF THE COUNCIL:

- 1) The Council may, if it is satisfied on the following reasons, disqualify any of its members from membership of the Council, if -
 - (a) a member or an Association indulges in activities against the set fundamental principles of sportsmanship and fairplay envisaged from time to time by the International Olympics Committee;
 - (b) a member or an Association acts against the rules, regulations, guidelines, instruction etc. issued and enforced by the Council;
 - (c) a member or an Association indulges in corrupt practices, criminal activities and conduct etc. which is unbecoming of a responsible sports persons;
 - (d) an application for continuation of membership of an individual is found unsatisfactory and undesirable on the ground of his/her activities, manner, behaviour etc. which may tend to lower the image and prestige of the Council and also detrimental to sports development and progress in the state; or
 - (e) a member could not function effectively due to mental ill-health or physical disability to such extent as may make such member unable to discharge his duties as such.
- 2) The Executive Committee in a meeting of admissible quorum has the right to take decision (for or against) on the issue of disqualification of membership of an individual or an Association, by two-third majority members present and voting. In such decision making, the member involved in the case concerned shall have no right to cast vote.

5. **1) RECOGNITION OF ASSOCIATIONS OR CLUBS :**

- a) The Council may give recognition to any Sports Association or Club striving or stressing for promotion of a particular sports discipline widely idolised and commonly popularly in Mizoram as well as in International event or widely played and popular amongst the people of Mizoram or with any International community. Even if such sports-discipline is not so popular at the present stage, the Council may still recognise such Association if such sports discipline has a prospect of gaining popularity or cultural significance or local importance.
- b) The Council may also give recognition to any sports discipline on fulfilment of the terms and conditions specially prescribed by Regulations of the Council, even though such a discipline may not be admissible or permissible item of sports disciplines in Olympic arena or such games are not yet admitted for the Olympic disciplines.
- c) Association granted adhoc recognition by the Council shall not be entitled to enjoy right and status of a fulfilled member of the Council, but may attend, without any voting right, meetings of the Council, provided it is invited by the Council.
- d) All State Level Associations are expected to have affiliation to their respective National Sports Federations. However, such Associations, eventhough affiliated to National Sports Federations, shall in no way be entitled to get recognition by the Council unless it fulfills the terms and conditions prescribed by the council in this regard.

2) DERECOGNITION :

The Executive Committee may de-recognise any Association -

- a) If such Association or Club indulges in activities contrary to the fundamental principles of sportsmanship and fairplay as conceived or chartered by the International Olympic Committee;
- b) If such Association or Club acts against or in violation of the rules, regulations, guidelines or instructions issued and enforced by the Council; or
- c) If such Association or Club indulges in Corrupt practices, criminal activities and actions that can adversely effect the general interest of sports.

Provided that no such derecognition shall be effected unless a resolution to this effect has been adopted by a two- third majority vote in the Executive Committee Meeting.

6. STATUS & PRIVILEGE OF RECOGNISED STATE LEVEL SPORTS ASSOCIATIONS:

- a) All Nationally affiliated Sports Associations in Mizoram shall have to get recognition from the Council and should strictly function under the directives and follow the norms and guidelines as may be prescribed by the Regulations of the Council from time to time.
- b) No other organisation/body/club/unit, etc. than any State Level Sports Association shall henceforth, organise or conduct sports tournament without obtaining No objection from the recognised State Level Sports Association concerned, and without obtaining official permission of the Council.

- c) The Council shall in no way entertain any form of application received from such organisation/body/club/unit for the above purpose unless the same is routed through the recognised State Level Sports Association concerned.

CHAPTER - III

7. ELECTION OF OFFICE BEARERS OF THE COUNCIL :

The Secretary to the Council shall convene a General Meeting within two months of its formation to conduct election to the offices of Vice President and Joint Secretary in the following manner, namely -

- 1) The President of the Council shall appoint one Returning Officer and two Polling Officers to conduct election in conformity with the objects and purposes of the Act.
- 2) The notification with regard to election of the Council shall, under normal circumstances, be issued and circulated to all eligible or qualified members within thirty days prior to the date of the election, furnishing in details, all about the venue, date, timings etc. and by publishing an electoral roll for the purpose.
- 3) All members as mentioned in section 6(A) and section 6(B) of the Act, except the President and if not disqualified, shall have the right to contest and vote in the election.
- 4) The election shall be conducted by means of secret ballot.
- 5) A candidate willing to contest in the election shall submit in writing his willingness to contest in the election at least fifteen days before the date of the election, which after scrutiny within three days of the receipt, shall be notified and circulated to all the members of the Council, by the Secretary. Formal procedure of nominating candidate verbally shall not be practised.
- 6) Two-thirds of the total membership of the Council present shall form the admissible quorum for such election.
- 7) A candidate who secures the highest number of votes shall be declared as elected, provided he/she secures minimum one-third of the total votes cast in the election.
- 8) In the event of failing to secure the prescribed number of votes by the candidates, re-election shall be conducted among those two candidates only who have secured the highest and the next highest votes, by means of secret ballot.
- 9) In case of equal members of votes secured by the two candidates again, the Returning Officer shall resolve the tie by drawing a lot by way of tossing a one rupee coin.

- 10) An election complaint made admissible within the purview of these rules shall be disposed of by the Returning Officer in consultation with the Polling Officers then and there. An election complaint submitted after the announcement of results shall, in no way, be entertained whatsoever.
- 11) Used ballot papers shall be preserved for seven days from the date of election or until the election-dispute, if any, is finally settled.
- 12) The Returning Officer's decision on the issue of validity or invalidity of ballot paper(s) in case any ballot-paper is found defaced or unmarked or misspelling or bearing any other doubtful mark or print, shall be final.
- 13) The Executive Committee shall conduct election within one month from the date of any elective office falling vacant in terms of Section 25 (f) - read with Section 23(6) of the Act or otherwise recommend for recorded reasons, any person for appointment by the President against any such vacant membership provided that the deferred election because of such appointment shall be held within a month of such appointment.
- 14) Any issue concerning election to the Council which may not be specifically provided in these rules shall have to be decided by the Executive Committee and the decision thereof shall be final and binding.

8. MEETINGS OF THE COUNCIL :

- 1) After the Constitution of the Council, a General Body Meeting of the Council shall be convened as soon as possible.
- 2) A meeting notice along with agenda papers shall be served on all the members at least seven days in advance, which shall clearly indicate the time, place or venue of the meeting.
- 3) The President shall preside over the meeting. In absence of the President, the Vice President shall preside over the meeting. In absence of both the President and the Vice President, the Secretary or the Joint Secretary as the case may be shall preside over the meeting.
- 4) The Secretary shall present and initiate discussions on agenda item-wise, highlighting its purpose, objectives, background, etc. to the members before detailed deliberations ensue.
- 5) All decisions in the meeting shall be taken by a simple majority except in cases where two-third majority decision is required under these Rules or the Act.

- 6) A decision may be taken by a voice vote or show of hands raised in support. However, at times when it is not convenient to do so, secret ballot system may be followed to decide the issue.
- 7) The presence of half of the total membership of the Council plus one shall form a quorum for a General Body Meeting and for all other Committee Meetings, save and except in cases of election meetings as provided in these rules.
- 8) A meeting should be adjourned if the required quorum is not met and the date of the adjourned meeting should be fixed by the President and notices should be issued afresh.
- 9) The Council shall, under normal circumstances shall meet at least once in three months.
- 10) An emergency meeting may be held at any time if half of the Council members plus one make a request to the President in writing under joint signature, and in case the President declines to convene the meeting, the matter shall be referred by the Secretary to the Government for an appropriate direction in this regard.
- 11) A sitting allowance shall be given to all the members on all the meetings including Executive Committee or Sub-Committee meetings. The rate of sitting allowance shall be prescribed by Regulation of the Council. Out-Station members shall be entitled to draw Travelling allowance and Daily allowance during the journey-time to and fro as may be prescribed by Regulations of the Council.
- 12) The Council in a meeting shall observe, as a traditional practice, to read out the minutes of the last meeting for confirmation before such meeting ensues or takes up new items of agenda for discussion and deliberation

9. FORMATION OF COMMITTEES AND SUB-COMMITTEES :

The Executive Committee shall form other Committees or Sub-Committees for executing any particular works or specified assignments, as the case may be; provided that -

- 1) While forming any Committee or Sub-Committee, the Executive Committee should clearly indicate the terms of reference for such Committee or Sub-Committee in the order or resolution, as the case may be;
- 2) The composition of such committee or sub-committee shall be as may be prescribed by the Regulations of the Council;
- 3) The term of any such committee or sub-committee shall not be stretched beyond the present term of the Council;
- 4) In case of necessity, the Executive Committee, in consultation with the Government, may nominate technical expert or specialist outside the membership of the Council as co-opted member or members to any such Committee or sub-Committee.

CHAPTER - IV

10. QUALIFICATION AND APPOINTMENT OF SECRETARY :

- 1) The Government, in consultation with President of the Council, shall appoint a Secretary to the Council.
- 2) The term of the Secretary shall ordinarily be three years unless otherwise terminated or extended by the Government as the case may be.
- 3) No person shall be appointed as a Secretary to the council for more than two consecutive terms.
- 4) A Secretary who may hold the office as such on part-time basis shall not be entitled to receive Monthly Salary but shall be entitled to an honorarium as may be prescribed by the Regulations of the Council.
- 5) A Secretary who may hold the office as such on full-time basis either on deputation or on contract basis shall be entitled to receive a monthly salary as may be prescribed by the Regulations of the Council or as may be determined by the Government in consultation with the President at the time of such appointment.
- 6) The Secretary to the Council, whether he is a Government servant or not, shall be accountable to the Government in all matters of compliance of directions of the Government, besides his accountability to the Council.
- 7) No person shall be appointed as the Secretary to the Council unless he/she
 - a) is a graduate having administrative experience in Government or Semi-Government office for at least five years; or
 - b) is a graduate having experiences in organising sports events at National or International level at least on two important occasions.

11. APPOINTMENT OF FINANCIAL SECRETARY :

The Government, in consultation with the Council, may appoint a Financial Secretary to the council from amongst persons who are graduates having administrative experience or experience in financial matters for at least five years as a Group 'A' Officer in the Government or Semi-Government Offices or corporations or undertakings.

CHAPTER - V

12. MANAGEMENT OF COUNCIL FUNDS :

Management of the Council fund shall be made by observing the following principles strictly, namely -

- 1) The Council shall prepare Annual Programmes and budget every year, incorporating estimated income from all sources and estimated expenditure under various heads of account.
- 2) The funds so received by the Council from the State Government or any other sources by way of grant, loan or assistance in any form, together with income earned or generated by the Council from any source, shall form “the Fund of the Council”. These funds shall be administered by the Council by observing such financial rules and norms as practises by the Government.
- 3) The Funds of the Council shall be broadly classified under the following heads, namely -
 - (i) Administrative funds
 - (ii) Projects funds
 - (iii) Reserved funds
 - (iv) Miscellaneous funds.

There shall be separate Bank accounts for all these classified heads of accounts.

- 4) The Bank accounts shall be operated by the designated official or officials under joint signature or single signature as may be decided by the Executive Committee.
- 5) All cash and cheques shall be handled by the Account Officer and the Cashier who shall be accountable to the Council, under strict supervision and control of the Financial Secretary and the Secretary. The Account Officer and the Cashier shall execute separate Bond of indemnity before or on assuming the charge.
- 6) The Council shall maintain cash books, bill registers, contingent registers and other registers such as asset register, stock register etc., as may be prescribed by the Council by Regulations and as may be directed by the Government.
- 7) All accounts of the Council shall be liable to audit by registered Chartered Accountant or in case of non-availability of any Chartered Accountant, by Government approved auditors, and the Council may engage a Chartered Accountant firm for drawing up annual statement of accounts every year.
- 8) The Council may enter into any deal in contract-works so as to generate income, but all such contractual agreements shall be approved by the Executive Committee. The Council may, with the prior permission of the Government, mortgage any of its properties for executing any contractual agreement.

- 9) The Council may utilise the funds under its discretion for any purpose which are considered essential by the Executive Committee for the promotion of Sports and games, or for the improvement of sports administration.
- 10) Apart from cash books, bill registers etc. as required under sub-rule (6), the Council shall, in particular, maintain receipt and payment register to be maintained by Financial Secretary. The receipt and payment register shall reflect all incomes and expenditures as per classified heads of accounts under sub-rule (3) of this rule.
- 11) Any fund received from the Central or State Government or any other organisations for a specific purpose shall be utilised for the purpose only for which the fund was received or sanctioned. However, in case of exigencies when the funds are required to be diverted for other purpose, the Executive Committee may pass a resolution diverting the funds giving full justifications, subject to approval of the Funding Agencies.
- 12) Any aspect of financial management and transactions including budget and accounts matters which are not specifically provided in these rules or not prescribed under the Regulations of the Council shall be decided, formulated and regulated by the Executive Committee.

13. GRANT-IN-AID TO THE COUNCIL :

- 1) The Council shall be responsible to ensure regular and efficient flow of Government grants to the Council whether from the State Government, or the Central Government or its agencies including North Eastern Council.
- 2) The Grant-in-Aid may be broadly classified under the following heads :
 - a) Grant for Establishment charges
 - b) Grant for Promotional Programmes
 - c) Grant for Infrastructural Development Programme.
- 3) The Government shall provide funds for establishment charges of the Council either from the Non-Plan or Plan-Budget every year. The extent of grant shall be determined on the basis of staff strength of the Council and on actual requirement basis. Establishment grant shall be given on quarterly basis in four equal instalment. The Council shall keep the extent of requirement of grant under this head to the bare minimum.
- 4) (a) The Government shall provide funds to the Council every year for implementing promotional programmes. Such Annual Programmes shall be submitted by the Council to the State Government for approval. The Government is not bound to make grant to meet the full requirement, and shall reserve the right to cut or restrict the grant within the limit of budget provision available.

b) The Promotional Programmes shall ordinarily mean and include grants for the recognised State level Associations for conducting coaching and tournaments, grants to the District Level Associations and Committees set up by the Council, grants for seminar, publicity, workshop etc., grants for player incentives and facilities and any other special programmes which are essential for the promotion of sports and games in Mizoram.

(c) The Promotional programmes being of continual nature occurring every month throughout the year, the grants for promotional programmes shall be sanctioned on quarterly basis in lump-sum. Such grants shall be utilised by the Council as per the calendar of works/programmes approved by the Council.

5) (c) The State Sports Council being an instrumentality of the State Government which has a responsibility for the development of sports infrastructure in the State, the Government shall provide infrastructural development funds by way of grant-in-aid for the implementation of the following projects/works, namely -

(i) Works under the Centrally Sponsored Scheme for which the State's matching share is required, or projects under North Eastern Council schemes or any other funding agencies.

(ii) Construction of Outdoor stadia and Indoor stadia, Open courts, Swimming Pools and all, other kinds of sports infrastructure including training centres and Guest houses, under the State programmes.

(iii) Maintenance, repair, improvement and renovation of existing infrastructures.

(iv) Construction of any type of sports infrastructure under joint programmes with any other agency.

b) The Council shall submit its Annual Programme every year by 31st May, to the State Government for approval. The programme shall clearly indicate name of every project, location and estimated amount of the project.

c) The Government may sanction project funds on quarterly basis on submission of approved Detailed Project Report or Profile to enable the Sports Council to effectively implement the sports projects.

6) As soon as sanctions are accorded by the State Government, the full amount of grant-in-aid shall be drawn by the Director of Sports & Youth Services who shall immediately transfer the amount to the Council by means of cheque or draft or by account transfer.

7) (a) The Council shall submit Utilisation Certificate in the prescribed form to the government through the Directorate of Sports and Youth services, within one month of receipt of the grant.

(b) In absence of the Utilisation Certificate, the Government may not entertain any subsequent proposal for sanction of funds or release of grants.

14. AUDIT:

- 1) Subject to the provisions contained in sub-rule (7) of rule 12, the Government also get the accounts of the Council audited through its approved auditors, if the circumstances so demand.
- 2) The auditors shall prepare Audit Notes and Receipt & Payment Accounts of the Council, reflecting on all cash transactions exhibiting both receipt and payment and closing balance, and submit them to the Council for necessary action, with a copy to the Director of Sports and Youth Services of the Government.
- 3) While conducting audit of the accounts of the Council, all records relevant must be made available to the auditors by the Secretary and /or the Financial Secretary, as the case may be, of the Council.

15. ANNUAL REPORT :

The Council shall submit its Annual Report every year to the Government through the Director of the Sports & Youth Services, by 15th of April of the following year. The Annual Report shall invariably contain detail statements of Accounts, Programmes and Projects implemented and administration of the Council.