

(2025) 11 KL CK 1894

In the High Court Of Kerala

Case No : Writ Petition (C) Nos.13077, 17066 & 40327 Of 2024 and 18044 Of 2025

Rajeev P.J

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 25-11-2025

Acts Referred:

Kerala Sports Act, 2000 — Section 8(4), 31, 31(1), 31A(1), 31A(3), 31(2)(b), 55(1)

Citation : (2025) 11 KL CK 1894

Hon'ble Judges : N. Nagaresh, J

Bench : Single Bench

Advocate : R. Lakshmi Narayan, R.Ranjanie, Meera M., S.Kannan, Latha Anand, S. Vishnu, Thomas Abraham, P.Mohandas, Dinesh R.Shenoy, K.Sudhinkumar, Sabu Pullan, Gokul D. Sudhakaran, R.Bhaskara Krishnan, Bharath Mohan, Dr.K.P.Satheesan, Merciamma Mathew, Aswin.P.John, R.Ananthapadmanaban, Paul Baby, Swathy A.P., Thara Elizabeth Thomas

Final Decision : Disposed Of

Judgement

N. Nagaresh, J.

1. All these writ petitions relate to same set of facts and are hence heard together and disposed of by a common judgment. The parties and exhibits are referred to in this judgment as they are described/marked in W.P.(C) No.13077/2024 unless otherwise specified, for convenience.

2. The petitioner in W.P.(C) No.13077/2024 is a former Player and Captain of the Kerala State Hockey Team. "Kerala Hockey" is a State Level Hockey Sports Association. According to the petitioner, the Kerala Hockey's Governing Body is functioning illegally and arbitrarily and the members thereof are not entitled to occupy their respective posts. Considering the complaints raised from various quarters, the Kerala State Sports Council constituted an Enquiry Committee.

3. The Sports Council accepted the enquiry report drafted by the Committee

without conducting proper hearing. The petitioner urged that constitution of the Governing Body of the Kerala Hockey is not in terms of law. The petitioner therefore prayed that Ext.P5 proceedings dated 14.12.2023 be set aside to the extent it refrains from allowing the representations submitted by the petitioner. The petitioner further sought to direct the Sports Council to pass orders on Exts.P1 and P2 representations within a time frame. The petitioner also sought to direct the Sports Council to conduct a fresh election to the Governing Body of the Kerala Hockey.

4. The 3rd respondent-Hockey India filed counter affidavit. The 3rd respondent stated that "Hockey India" is a national sports federation recognised by the Central Government. The 4th respondent-"Kerala Hockey" is recognised by the 3rd respondent. Process of election of Kerala Hockey was carried out under the direction and concurrence of Hockey India. An Observer from the Kerala State Sports Council attended the election proceedings. The office bearers of the 4th respondent are competent to hold the posts. The petitioner is not entitled to any relief.

5. The 2nd respondent-Kerala State Sports Council also filed counter affidavit. The Sports Council, in its meeting held on 02.07.2024, approved the election held on 15.05.2022, to Kerala Hockey. The petitioner is essentially challenging the proceedings issued by the Kerala State Sports Council. The petitioner is not a member of the 4th respondent Association. Therefore, he has no locus standi to challenge the approval of the election to the 4th respondent Association. The petitioner has not challenged the election.

6. The 2nd respondent stated that there is another sports organisation named "Hockey Kerala" which had affiliation with Hockey India. It had recognition of the Sports Council also. Subsequently, the Hockey India revoked the affiliation of "Hockey Kerala". The Sports Council has also withdrawn its recognition in the year 2014. The 4th respondent-Kerala Hockey is allowed to continue as a recognised sports organisation as per the provisions of the Kerala Sports Act, 2000.

7. W.P.(C) No.17066/2024 has been filed by three petitioners. The 1st petitioner is a 10th Standard student and a Hockey Player. The 2nd petitioner is a Hockey Player and has participated in the University, District and State Championships. The 3rd respondent is also a Hockey Player. The petitioners in W.P.(C) No.17066/2024 sought to command the Sports Council to conduct District and State Level Championships in the sports discipline Hockey in the State of Kerala till disputes between the Sports Council and Kerala Hockey are settled.

8. The petitioners in W.P.(C) No.17066/2024 contended that the Kerala Hockey has no authority to conduct championships in the absence of official Observer appointed by the Sports Council. The certificates issued by the Kerala Hockey shall also bear the signature of official Observer appointed by the Sports Council. The election conducted by the Kerala Hockey on 15.05.2022 is null and void.

9. The petitioner in W.P.(C) No.40327/2024 is the General Secretary of Kerala Hockey. The petitioner seeks to quash Ext.P4 order whereunder the Government has ordered an enquiry in respect of a complaint received by the Government relating to election conducted by the Kerala Hockey. The petitioner seeks to direct the Government to see that the duly approved election pursuant to Ext.P1 judgment shall not be interfered with in any manner.

10. The petitioner in W.P.(C) No.40327/2024 states that the election to the Executive Council of Kerala Hockey for the period 2022-2026 was held on 15.05.2022. Advocate G. Ajithkumar was appointed as the Returning Officer. In spite of request made, the Hockey India did not send an Observer to oversee the election.

11. The petitioner states that the Kerala Sports Act does not require the presence of an Observer from the National Body, to conduct election to the State Unit. The Kerala State Sports Council deputed their Observer. The Kerala Olympics Association also deputed their representative as Observer. Election was held on 15.05.2022 in the presence of these Observers.

12. Respondents 4 to 6 filed a complaint against the election, to the Hon'ble Sports Minister of Kerala. The Minister forwarded the complaint to the Sports Council. In Ext.P1 judgment, this Court directed the 2nd respondent to conduct an enquiry in respect of the election. The team selected by the elected Committee was allowed to participate in the National Championship.

13. The Sports Council had constituted a Sub Committee to conduct enquiry. The Sub Committee submitted Ext.P11(c) report. Parties were heard. The Sports Council, by Ext.P11(A) order, approved the election to the Managing Committee of Kerala Hockey held on 15.05.2022. To the surprise of the petitioner, the Government has now issued Ext.P4 order dated 18.10.2024 (in W.P.(C) No.40327/2024) directing to constitute a Sub Committee to enquire into the allegation regarding the conduct of election to Kerala Hockey held on 15.05.2022. The petitioner states that it is after complying with all the legal requirements that election was held on 15.05.2022. The election was upheld by the Kerala State Sports Council, after due enquiry. The Government cannot thereafter order another enquiry in respect of the same election. The matter once settled cannot be reopened at the whims and fancies of the very same complainant.

14. The Hockey India filed a counter affidavit. The Hockey India submitted that as per their records, a Committee headed by Mr. V. Sunilkumar as President has been elected by the Kerala Hockey in a proper and legal manner. The election was held with the concurrence of Hockey India. A member of the Sports Council was present during the election as an Observer. The Hockey India had pointed out deficiency regarding functioning of Hockey Kerala relating to presenting duly audited accounts. The Hockey Kerala rectified the deficiency. Therefore, there is no legal disability for Mr. V. Sunilkumar to be elected as President of the Kerala

Hockey.

15. The Government of Kerala filed an affidavit in the writ petition. The Government of Kerala submitted that it has accepted the recommendations of the Enquiry Committee constituted as per G.O. dated 18.10.2024. The Sports Council has been directed to initiate necessary action for execution of the recommendations of the Committee.

16. W.P.(C) No.18044/2025 is filed by the Kerala Hockey and another. The petitioners stated that Kerala Hockey is a body registered under the Societies Registration Act, 1860. The Kerala Hockey is registered with the Hockey India and is the sole recognised State Sports Association for Hockey in Kerala. In the election held on 15.05.2022, the 2nd petitioner in W.P.(C) No.18044/2025 was elected as President of Kerala Hockey. The election was conducted in the presence of an Observer appointed by the Kerala State Sports Council. The 2nd petitioner is also the Executive Board Member of the Hockey India. In the judgment dated 16.11.2023 in W.P.(C) No.31063/2022 and connected cases, this Court granted liberty to the Sports Council to conduct an enquiry into the affairs of the Kerala Hockey and pass appropriate orders. The Sub Committee constituted by the Kerala State Sports Council submitted its report dated 14.12.2023. The report stated that the dispute concerning amendment of the bye-laws is now pending before the civil court for adjudication. The report found that being a duly elected President, the 2nd petitioner cannot be prevented from continuing in office. The report recommended that since the election was conducted in accordance with the constitution of the Kerala Hockey, the election held in 2022 should be approved. Ext.P11(c) is the copy of the enquiry report.

17. The Sports Council heard the affected parties. The Standing Committee of the Sports Council thereafter approved the election held on 15.05.2022 unanimously as per Ext.P11(c) proceedings dated 06.07.2024. To the surprise and predicament of the petitioners, the Kerala Government issued order dated 18.10.2024 stating that a Sub Committee has been constituted to conduct a further enquiry into the election to Kerala Hockey held on 15.05.2022.

18. One C.T. Soji challenged Government Order dated 18.10.2024 filing W.P.(C) No.40327/2024. This Court, as per an interim order, has directed that no coercive measures based on the enquiry ordered as per Government Order dated 18.10.2024 shall be taken without obtaining prior orders of this Court. The petitioner produced the enquiry report dated 11.12.2024 (Ext.P8 in W.P.(C) No.18044/2025) of the subsequent Enquiry Committee. Based on the said report, the Government issued order dated 02.05.2025 (Ext.R1(b) in W.P.(C) No.40327/2024) stating that the Enquiry Committee has recommended the dissolution of Kerala Hockey and to conduct election process to the Kerala Hockey. The Government as per Order dated 02.05.2025 accepted the enquiry report dated 11.12.2024 and directed the Sports Council to initiate action for execution of the recommendations. The petitioners in W.P.(C) No.18044/2025 challenged the order dated 02.05.2025.

19. The Kerala State Sports Council filed a counter affidavit. The Sports Council submitted that the Kerala Hockey was formed on 09.07.2014 and obtained affiliation with the Hockey India. On 24.08.2014, election was held in the presence of an Observer from Hockey India, to Kerala Hockey. Sports Council granted recognition to Kerala Hockey.

20. Earlier, recognition was granted to one organisation called Hockey Kerala. Later, the Hockey India revoked the affiliation of Hockey Kerala. Therefore, the Sports Council also has withdrawn the recognition granted to Hockey Kerala in the year 2014.

21. On 20.10.2016, the President of Kerala Hockey resigned. The Vice President convened a General Body Meeting, but the meeting was adjourned to 11.06.2017 for electing the President. By that time, a suit was filed challenging the competency of the Vice President to conduct General Body Meeting. The meeting scheduled to 11.06.2017 was therefore adjourned.

22. Respondents 4 and 5 in W.P.(C) No.18044/2025 alleged that when certain members of Kerala Hockey reached the venue of the meeting on 09.07.2017. They came to know that the meeting was held at a different venue and M/s. V. Sunilkumar, R. Ayyappan and C.T. Soji were elected as President, Secretary and Treasurer respectively. They alleged that in a meeting held on 02.10.2016, about 21 illegal amendments were made in the bye-laws without informing the members. It was thereafter that the Annual General Body Meeting of Kerala Hockey was held on 15.05.2022 and elections were conducted.

23. In the report dated 16.07.2022 filed by the Observer, the minutes of the meeting and the list of newly elected office bearers of the Kerala Hockey were not included. The names of the 40 persons who allegedly attended the meeting were not made available to the Observer. The Secretary of Kerala Hockey forwarded the minutes of the Annual General Body Meeting and list of elected Executive Committee members subsequently. The minutes and the list were signed by the very same Observer. Though the Sports Council sought explanation from the Observer, there was no response. The Standing Committee of the Sports Council met on 02.07.2024 and decided to approve the election held on 15.05.2022.

24. Subsequently, on the basis of complaints received from M/s. Jeffrey Rajesh Pinhero and another, the Government constituted an Enquiry Committee as per G.O. dated 18.10.2024. The said Enquiry Committee consisted of the President, the Secretary and a Standing Committee Member of the Sports Council. The Committee submitted a report dated 11.12.2024. The report dated 11.12.2024 stated that V. Sunilkumar is disqualified to act as President of Kerala Hockey. The report recommended to dissolve Kerala Hockey and to conduct election to Kerala Hockey within three months. The report also recommended that till new office bearers take charge of Kerala Hockey, a Technical Committee should be formed, which Committee should be inclusive of veterans in the Hockey.

25. I have heard the learned counsel for the petitioners in the writ petitions and respective Standing Counsel representing the Kerala State Sports Council, the Hockey India and the Kerala Hockey. I have also heard the learned Government Pleader representing the State of Kerala and the learned counsel appearing for the contesting respondents.

26. Sequence of events necessary to decide the issues involved in these writ petitions, in brief, are as follows:

The State Level Hockey Sports Association named 'Hockey Kerala' was derecognised by the National Federation 'Hockey India' on 04.07.2014. A new organisation named 'Kerala Hockey' was formed on 09.07.2014 with one Francis K. Paul as President and Aftar Ahmed as Secretary. The new organisation was affiliated to Hockey India.

27. Election was conducted to the Managing Committee of Kerala Hockey on 24.08.2014. The Kerala State Sports Council gave affiliation to Kerala Hockey on 06.09.2014. It is stated that General Body meeting of Kerala Hockey was held on 02.10.2016 which brought about 21 amendments to the bye-laws of Kerala Hockey. These amendments are matters of dispute pending before competent civil courts.

28. On 20.10.2016, the President of Kerala Hockey resigned from the post and one Mariamma Koshi, Vice President, took charge. A General Body meeting of Kerala Hockey scheduled to be held on 11.06.2017 was adjourned to 09.07.2017, citing pending civil case. One faction of the organisation says that the General Body meeting did not take place on 09.07.2017 and another faction says that the meeting was held and V. Sunilkumar was elected as President and R. Ayyappan Pillai was elected as Secretary. The former faction would assert that V. Sunilkumar was disqualified to be elected as President in view of Section 31(A) (3) of the Kerala Sports Act, 2000 since he was the President of a derecognised sports association.

29. After five years, the next General Body meeting of Kerala Hockey was held on 15.05.2022. The Kerala State Sports Council deputed an Observer to the General Body meeting. The Observer first filed a report to the effect that relevant documents relating to the election were not shown to him and that no Observer deputed by Hockey India attended the meeting. The Sports Council Observer, however, later sent a list of newly elected Committee members with the signature of the Observer.

30. The Kerala State Sports Council gave notice to the Observer seeking explanation. No reply was received. Therefore, the Sports Council did not immediately approve the Committee. On 25.07.2023, the Sports Council constituted an Enquiry Committee to enquire into the issue. The Enquiry Committee gave a report dated 20.12.2023.

31. The Enquiry Committee, by majority opinion, held that:

(1) As the disputes regarding bye-law amendments are subject matter of civil litigation, the Committee cannot give an opinion over those disputes.

(2) The tenure of the Managing Committee of Kerala Hockey headed by V. Sunilkumar is not over and on the ground of expiry of tenure, the office bearers of the Committee cannot be removed.

(3) The recognition granted to the Hockey Kerala was taken away under Section 55(1), and not under Section 31(A)(3). Therefore, the continuance of the President of Kerala Hockey, cannot be termed as illegal.

(4) The Hockey India has stated that they do not depute Observers for conduct of elections to State bodies and therefore, the election to Kerala Hockey held on 15.05.2022 can be approved.

(5) The Observer deputed by the Kerala State Sports Council to the election has given conflicting reports. However, considering other relevant records, the election can be held to be valid.

(6) Taking action in the year 2023 in respect of an incident happened in 2017, cannot be justified as per rules.

(7) The request of the petitioners to constitute an adhoc Committee of Sports Council to administer Kerala Hockey, cannot be acceded to in view of the provisions of the Kerala Sports Act, 2000 and the Rules made thereunder.

(8) A Standing Order should be framed by the Sports Council and circulated explaining which are the documents to be inspected by Observers and which are the reports to be given by the Observer to the Sports Council. The Observers should be trained by the Sports Council.

(9) When action is taken under Section 31(A) or 31(A)(3) against an office bearer or a sports organisation, decision should be taken in a time bound manner.

32. Based on the report of the Enquiry Committee, the Standing Committee of Sports Council decided on 02.07.2024 to approve the election to the Managing Committee of Kerala Hockey held on 15.05.2022. The Kerala State Sports Council accepted the decision and approved the election held on 15.05.2022.

33. It appears that in the meanwhile, certain complaints regarding the election to and functioning of the Kerala Hockey were received by the Minister for Sports, Government of Kerala. The Government of Kerala thereupon ordered an enquiry on 18.10.2024. A committee consisting of President, Secretary and a Standing Committee Member of the Kerala State Sports Council was constituted. The Committee gave its report on 11.12.2024.

34. Conclusions of the said Enquiry Committee were as follows:

(1) Immediate steps should be taken to dissolve the present Committee of Kerala Hockey headed by Sri. V. Sunilkumar.

(2) Directions should be given to conduct election in Kerala Hockey as per the bye-laws approved by the Sports Council.

(3) To supervise the election, a 5-member adhoc Committee consisting of one representative of Hockey India should be constituted and directions should be given to conduct elections at District Level and State Level, as per the Bye-laws approved by the Sports Council.

(4) After terminating the existing Committee, till a new Committee is formed, in order to protect the rights and interests of Hockey players in Kerala, a Technical Committee should be formed consisting of renowned personalities in the field of Hockey.

(5) As cases in this regard are pending in the High Court now, approval/permission should be obtained from the Hon'ble High Court.

The Government Order dated 18.10.2024 ordering enquiry is under challenge.

35. To decide the legality of the decisions taken by the Kerala State Sports Council and the Government of Kerala, it is necessary to examine the provisions of the Kerala Sports Act, 2000 which provides for constitution of 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 of the Act.

36. Section 31 Chapter V of the Act, 2000 provides for registration of sports organisations. Section 31(1) provides that any sports organisation carrying activities at the State Level or at the District Level, may be registered with the State Sports Council as a recognised organisation under this Act, and any application for such registration shall be submitted to the District Sports Council of the District in which its Head Quarters is situated, in such form and subject to such terms and conditions as may be prescribed. Section 32 provides for registration of sports persons.

37. The Act, 2000 was amended as per the Kerala Sports (Amendment) Act, 2015 (Act No.1 of 2016). By the said amendment, a new 'Section 31A' has been inserted. Section 31A deals with withdrawal or suspension of recognition of sports organisations. The inserted Section 31A reads as follows:

31A. Withdrawal or suspension of recognition of Sports Organisations--

(1) The State Sports Council may, if any of the following irregularities are found out in the activities of a recognised Sports Organisation, until a complete and comprehensive enquiry is made, suspend the recognition of that Sports Organisation, as an interim measure, namely:--

(a) if the Registrar of Societies or any other authority has initiated legal proceedings on the basis of accusation of misappropriation of fund;

(b) if it fails in conducting election as prescribed in the bye-law of the

organisation or if serious lapses occur in the election process;

(c) if it fails in submitting the audited annual accounts as prescribed;

(d) if the funds are misappropriated or unauthorisedly expropriated;

(e) if it fails in furnishing correct Informations as and when demanded;

(f) if continuous lapses occur in complying with the provisions stipulated in accepting the general funds including Governmental assistance;

(g) if report of a statutory authority, alleging grave irregularities on the internal affairs of the organisation is received;

(h) in a situation in which any other grave irregularities are found out, in public interest;

(i) if the affiliation of a State Organisation is suspended by the National Association or Federation concerned.

(2) The State Sports Council may, after giving the Sports Organisation an opportunity of being heard, withdraw its recognition on any of the following grounds, namely:--

(a) violation of the terms and conditions for recognition or of its bye-law;

(b) if an irregularity under Clauses (a), (b), (d), (f) and (g) specified in subsection (1) regarding the functioning of the organisation is confirmed on enquiry;

(c) if the concerned National Association or Federation concerned has perpetually cancelled the recognition or nullified the affiliation of the State Organisation.

(3) The office bearer of an organisation, the recognition of which has been cancelled as per this section, shall not be eligible for becoming the office bearer of any other Sports Organisation.

(4) If the recognition of any organisation is cancelled under this section, the State Sports Council may organise District level and State level competitions of athletic items concerned, in consultation with the Central Federation of such organisation in the manner as may be prescribed.

Section 31A would show that the State Sports Council can withdraw the recognition granted to sports organisations for specific reasons enumerated in the Section.

38. Section 31A provides for suspension of recognition as an interim measure. If the Registrar of Societies initiated legal proceedings on the basis of allegation of misappropriation of funds, or if the organisation fails to conduct election as prescribed by its bye-laws or serious lapses occur in the election process, or if the organisation fails to submit audited annual accounts, or if the funds are misappropriated / re-appropriated, or if the organisation fails in furnishing

correct information, or if continuous lapses occur in complying with the provision stipulated for accepting general funds, or if a statutory authority reports irregularities in the internal affairs, or if grave irregularities are found out, or if the affiliation of a State organisation is suspected by the National Association or Federation concerned, then the State Sports Council can suspend the recognition of a sports organisation as an interim measure, until a complete and comprehensive enquiry is made.

39. Recognition granted to a sports organisation can be permanently withdrawn in case of violation of the terms and conditions for recognition or of its bye-laws, if an irregularity under Clauses (a), (b), (d), (f) and (g) specified in Section 31A(1) regarding the functioning of the organisation is confirmed on enquiry or if the National Association or Federation concerned has perpetually cancelled the recognition or nullified the affiliation of the State Organisation. Neither the Act, 2000 nor the Rules framed thereunder empowers the Sports Councils to intervene in the internal organisational matters of a sports organisation including conduct of elections.

40. The organisation Kerala Hockey was formed on 09.07.2014. Elections were held to the Managing Committee of Kerala Hockey on 24.08.2014. The Kerala State Sports Council gave its affiliation to Kerala Hockey on 06.09.2014. The Kerala Hockey General Body meeting is stated to have effected 21 amendments to its bye-laws on 02.10.2016. Those amendments are subject matter of civil disputes. It is an internal dispute within the organisation. As far as the Kerala State Sports Council is concerned, the Council has to go by the bye-laws of the organisation as approved by the Sports Council.

41. It is stated that a General Body meeting of Kerala State Sports Council was held on 09.07.2017 and a Managing Committee was elected with V. Sunilkumar as President and R. Ayyappan as Secretary. The President V. Sunilkumar was earlier an office bearer of the organisation Hockey Kerala. The said organisation was derecognised by the National Federation as well as by the Kerala State Sports Council. Sub-section (3) of Section 31A provides that the office bearer of an organisation, the recognition of which has been cancelled as per Section 31A, shall not be eligible for becoming the office bearer of any other sports organisation. The petitioner in W.P.(C) No.13077/2024 would contend that the said V. Sunilkumar is not qualified to be elected as President of Kerala Hockey in view of Section 31A(3).

42. Earlier, the Enquiry Committee constituted by the Kerala State Sports Council found that the affiliation of Hockey Kerala was not cancelled invoking Section 31(2)(b) of the Kerala Sports Act and therefore there is nothing wrong in V. Sunilkumar continuing as President of Kerala Hockey. The report dated 11.12.2024 of the Enquiry Committee appointed pursuant to the directions of the Government of Kerala, however, found that as per Section 31A(3) of the Kerala Sports Act, 2000, Sri. V. Sunilkumar is ineligible to hold the position of President of the Kerala Hockey.

43. The Kerala Sports (Amendments) Act, 2015 by which Section 31A was inserted in the Act, 2000 was published as per Notification No.20410/Leg.D2/2015/Law dated 01.01.2016 of the Government of Kerala, Law (Legislation-D) Department. The election of V. Sunilkumar as President is stated to be on 09.07.2017, which is after the notification of the Amendment Act. Therefore, the conclusion of the Government appointed Committee that Sri. V. Sunilkumar is ineligible to hold the position of the President of Kerala Hockey, is justified. The approval granted on 02.07.2024 by the Standing Committee of the Kerala State Sports Council to the election to the Managing Committee of Kerala Hockey on 15.05.2022 is therefore unjustified.

44. The petitioner in W.P.(C) No.40327/2024 would urge that the Government of Kerala has no power to order fresh enquiry as the Kerala State Sports Council has already conducted an enquiry and has come to conclusion. In the Seventh Schedule to the Constitution of India, "Sports" is in Entry No.33 of the State List. The State Legislature has enacted the Kerala Sports Act, 2000. Section 8(4) specifically provides that the Government may after giving a reasonable opportunity to the Sports Council, suspend or cancel or modify any resolution passed by the State Sports Council. The Government thus indeed has superseding powers over the decision of the State Council. Therefore, the action of the Government in ordering fresh enquiry and giving consequential directions is perfectly legal. Apart from contending that Government has legally erred in ordering fresh enquiry, the Kerala Hockey has not established any illegality in the enquiry ordered or conclusions made.

45. The Enquiry Committee appointed by the Government of Kerala has recommended to dissolve the Hockey Association headed by V. Sunilkumar as President and recommended to conduct and complete the election to Kerala Hockey within three months. A five member adhoc Committee including a member from Hockey India is directed to be constituted to monitor the election process and a Technical Committee to be formed in order to protect the rights and necessities and sports related interests of the Hockey players of Kerala till newly elected office bearers take charge.

46. The operative portion of G.O.(Rt) No.114/2025/S&YA dated 02.05.2025 of the Government of Kerala, Sports and Youth Affairs (A) Department (produced as Ext.R1(b) in W.P.(C) No.40327/2024) reads as follows:

Then the following recommendations were put forth by the inquiry committee:

- i. Action should be taken to dissolve the hockey association headed by Sri.V.Sunilkumar as President.
- ii. Direction should be issued to conduct and complete the election process to the association as per the by-law of "Kerala Hockey" as recognized by the Sports Council, within 3 months.
- iii. A five membered Ad-hoc committee including a member from "Hockey India"

to monitor the election process should be formed for district and state level elections as per the bye-law of the association.

iv. A technical committee should be formed as soon as the dissolution of "Kerala Hockey", including the prominent persons in the field of hockey, in order to protect the rights and necessities and sports related interests of the hockey players of Kerala, till newly elected office-bearers take charge."

Government examined the matter in detail and is of the opinion that the above recommendations of the enquiry committee are to be implemented.

The Secretary, Kerala State Sports Council shall initiate further necessary action for execution of the recommendations with immediate effect.

47. The Government of Kerala directed the Kerala State Sports Council to initiate further necessary action for execution of the recommendations with immediate effect. As held by me earlier, the Kerala State Sports Council does not possess power to dissolve the organisation Kerala Hockey, under the provisions of the Kerala Sports Act. The Kerala State Sports Council also does not have power to conduct election process to Kerala Hockey, which is an internal matter of the said organisation, which is registered under the Societies Registration Act. For the same reason, adhoc Committee cannot be constituted by the Kerala State Sports Council or by the Government of Kerala to monitor the election process of Kerala Hockey.

48. The power of the Kerala State Sports Council in regulating the sports organisations is confined to registration of sports organisations, registration of sports persons and withdrawal or suspension of recognition of sports organisations as provided under the Act, 2000. The Kerala State Sports Council therefore will have to act and exercise its powers strictly within the framework of Sections 31, 32 and 31A of the Kerala Sports Act, 2000. Any action by the Kerala Sports Council to intervene in the election process of any sports organisation recognised by it, would be ultravires its powers.

49. However, at the same time, the Kerala State Sports Council will be free to appoint a Technical Committee in order to protect the rights and necessities and sports related interests of the Hockey players in Kerala as ordered by the Government of Kerala till the Kerala Hockey or any other State Level Hockey Sports Association is again recognised by it.

50. Ext.P11(A) order/proceedings dated 06.07.2024 of the Kerala State Sports Council upholding the election to the Managing Committee of Kerala Hockey held on 15.05.2022 is set aside. The directions given in Ext.R1(b) G.O.(Rt) No.114/2025/S&YA dated 02.05.2025 (in W.P.(C) No.40327/2024) of the Government of Kerala, Sports and Youth Affairs (A) Department are set aside to the extent it is found illegal in this judgment. It is made clear that the Kerala State Sports Council will be free to appoint a Technical Committee in order to protect the rights and necessities and sports related interests of the Hockey

players in Kerala till the Kerala Hockey or any other State Level Hockey Sports Association is recognised by it, under the Kerala Sports Act, 2000.

The writ petitions are disposed of as above.