



# MAHARASHTRA CRICKET ASSOCIATION

## OFFICE OF ELECTORAL OFFICER

**Mr. ASHOK LAVASA (EO & Former Central Election Commissioner of India) & Mr. K.F. WILFRED (AEO & Former Senior Principal Secretary, Election Commission of India)**

## MCA ELECTIONS 2026-29

(Affiliated to The Board of Control for Cricket in India 10-1-37),  
(Registered Under Societies Reg. Act, 1860) (Maharashtra 565/Pune),  
(Registered Under Bombay Public Trust Act, 1950 Reg. No F-1042/Pune).

**GSTIN 27AAATM2192D1ZS**

Email: [elections@cricketmaharashtra.com](mailto:elections@cricketmaharashtra.com)

### BEFORE THE ELECTORAL OFFICER MAHARASHTRA CRICKET ASSOCIATION (2026-2029)

Order on Objection dated 26<sup>th</sup> December 2025 filed by Mr. Kedar Jadhav

#### Parties and Description

1. The present objection is filed by Mr. Kedar Jadhav, a Full Member of the Maharashtra Cricket Association (MCA) in the category of former international player hailing from the jurisdiction of MCA, as recognised under the Memorandum of Association and Rules and Regulations of MCA (MoA).
2. In the objection, the objector has described himself as a "*Life Member under International Player*". On scrutiny of the records placed before me, it is evident that the Objector has been granted automatic Full Membership as a former international player pursuant to the provisions of the MoA and the decision taken at the Apex Council meeting held on 13<sup>th</sup> December 2025. The inaccurate description in the objection is, however, not determinative of his locus to file an objection and is therefore not treated as fatal.

#### Election Schedule and Limitation to raise Objection

3. Under the election schedule notified by the undersigned, any objections to the Draft Voter list was scheduled to be received on 26<sup>th</sup> December 2025 by 1:00 pm. The present objection of Mr. Kedar Jadhav has been received post 1:00 pm on 26<sup>th</sup> December 2025, i.e. beyond the stipulated time for filing objections.
4. Further, an unauthorised representative, and not Mr. Kedar Jadhav attempted to file the objection physically on 26<sup>th</sup> December 2025 by 2:15 pm, veracity and authenticity of which cannot be determined.
5. Notwithstanding the delay in the filing of the objection by email, and in order to ensure that every genuine concern of a Full Member is given due consideration and that the process remains transparent and fair, I have, in exercise of my discretion as Electoral Officer, taken the objection on record and considered it on merits.



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6. This order, therefore, deals with the objection both on preliminary issue of limitation and on the substantive grounds raised.

### Scope of Objection and Grounds Urged

7. Broadly, the Objector has *inter alia* raised the following grounds:
  - a. That the Draft Voter List reflects an alleged unauthorised addition of members, across categories such as Life Members, Cricket Clubs (Pune) and Colleges, without following due process, constitutional amendments, or approval of the Charity Commissioner, allegedly in violation of the MoA, the Lodha Committee recommendations and the directives of the Hon'ble Supreme Court.
  - b. That the inclusion of such new members is a “*brazen effort to muscle a majority*”, and that all such names should be deleted from the Draft Voter List.
  - c. That MCA has failed to follow the procedure relating to annual membership fees, allegedly refusing fees for several years, thereby rendering long-standing members “*defaulters*”, and belatedly accepting arrears in an arbitrary and selective manner close to the elections.
  - d. That the election schedule, including the short time for nomination of representatives and for objections to the Draft Voter List, is hasty, non-transparent and arbitrary, and that a communication extending certain deadlines was issued by the Chief Executive Officer (CEO) instead of the Electoral Officer.
  - e. That no rules of election procedure have been framed under Rule 32.
  - f. That the Constitution of MCA is not available on the MCA website, thus rendering the process opaque and non-transparent.
8. On the basis of these grounds, the Objector has prayed, *inter alia*, for:
  - a. Deletion of the names of all allegedly newly added members from the Draft Voter List;
  - b. A stay on publication of the Final Voter List and further election programme until disposal of the objection;
  - c. Directions to MCA to furnish minutes of all General Body Meetings, Annual General Meetings, Special General Meetings and Apex Council Meetings; and
  - d. Suspension of the election programme till removal of alleged illegal voters from the list.

### Record and Material Placed Before the Electoral Officer



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9. Pursuant to the objection, response from MCA was sought. MCA has placed before me:

- a. The relevant provisions of the MoA, including the definitions of “Member/ Full Member” and categories recognised under Rule 3(a);
- b. Minutes of meetings of the competent bodies of MCA outlining the procedure followed over the years for induction of new members as Full Members, and precedents of the Association;
- c. Information regarding the automatic full membership granted to former international players hailing from MCA’s jurisdiction in terms of the MoA;
- d. Clarification that, for the current term (2023–2026), no member has been declared a defaulter by the competent governing body in relation to membership fees;
- e. Clarification that the Constitution is and has been available on the official website of MCA, and that the website is periodically updated; and
- f. Clarification that, under the applicable legal regime, no prior permission of the Charity Commissioner is required for induction of individual or institutional members in the categories recognised by the MoA and that change reports are filed in relation to changes in the composition of Councillors/Trustees post elections, as mandated.

10. MCA has also stated that no written communication or representation from the Objector seeking particulars of the membership induction process, criteria or authority has been addressed to it subsequent to his induction as a Full Member on 13<sup>th</sup> December 2025. No such communication has been produced before me.

### Findings and Reasons

#### **11. On Alleged Unauthorised Addition of Members and Need for Constitutional Amendment.**

- a. The Objector’s core grievance is that the number of members has allegedly risen to over 570, and that such increase could not have been effected without:
  - i. A prior constitutional amendment altering the definition and categories of members;
  - ii. A Special/ Annual General Meeting; and
  - iii. Approval by the Charity Commissioner and/or sanction of the Hon’ble Supreme Court.
- b. On the plain reading of Rule 1(A)(p) and Rule 3(a) of the MoA, the categories of Member/Full member are expressly recognised and exhaustively enumerated. These include, *inter alia*, district associations, individual life members, patrons, benefactors,



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institutional members (colleges), founder gymkhana, special gymkhana and affiliated club members, and former international cricketers hailing from the jurisdiction of the MCA who are granted automatic full membership.

- c. The material placed before me indicates that the additions complained of have been made within the existing categories already recognised under the MoA. There is no material to show that any new category of membership, not contemplated by the MoA, has been created. In such a scenario, the mere numerical increase in members within existing categories does not, by itself, amount to a constitutional amendment.
- d. The MCA has referred to the powers of the Apex Council under Clause 15 of MoA. I have perused the minutes and documents placed before me by MCA evidencing that such inductions have been carried out in line with past practice; and with due process, including but not limited to having appointed an independent Scrutiny Officer, who verified the applications, proper resolution to that effect in the Apex Body, and as confirmed by MCA, with the additional passage of the same in the AGM.
- e. The objection does not specify any individual member, category, or resolution that is ultra vires the MoA. The grievance is couched in broad and general terms, without substantive particulars or any documentary evidence.
- f. In the absence of material to show that:
  - i. Any new category of membership has been created contrary to the MoA; or
  - ii. Any person/ entity has been inducted in a category in which they are ineligible under the MoA;

I am unable to accept the sweeping prayer to delete all allegedly illegal newly added members from the Draft Voter List. To accede to such a prayer, without specific evidence or particulars, would be to interfere with the membership structure of MCA without jurisdiction, factual foundation or any valid legal basis. In fact, the Objector himself was granted membership only on 13.12.2025.

### **12. On Requirement of Charity Commissioner Approval for Induction of Members.**

- a. MCA has referred to the practice that the change reports are required in respect of changes in the composition of the governing body, as the members of the Apex Council are also the Trustees of the Maharashtra Cricket Association registered as a Trust under the Maharashtra



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Public Trust Act, 1950 and that induction of members in the categories of Full Members recognised by the MoA does not, by itself, necessitate or even allow for any filing or prior approval of the Charity Commissioner.

- b. The Objector has not cited any specific statutory provision or order of the Charity Commission and/or any competent court of law to the contrary. The objection proceeds on a general assertion that any change in the member list requires Charity Commissioner's sanctions.
- c. In the absence of any concrete material demonstrating that the statute or any binding order mandates prior approval for induction of each member in the categories recognised under Rule 3(a), I am unable to hold that the voter list is vitiated for non-obtaining of such approval, on account of lack of any substantiated objection in this regard.
- d. The issue of whether and at what stage change reports in respect of office-bearers and councillors are to be filed lies within the domain of compliance under the Bombay Public Trusts Act and is not for the Electoral Officer to adjudicate upon in an objection to the Draft Voter List, save to the extent that it directly impacts eligibility to vote. No such direct impact has been demonstrated in the present case.

#### **13. On Membership Fees, Alleged Defaulters and Acceptance of Arrears.**

- a. The Objector contends that MCA, for years, refused to accept membership fees from long-standing members, thereby engineering defaulters.
- b. MCA, on the other hand, has placed before me a categorical statement that for the current term of 2023-2026, the competent Apex body has not declared any member as a defaulter.
- c. Under the relevant provisions of Rule 4, the consequences of non-payment of fees and the competence of the Apex Council/appropriate authority to extend timelines and/or regularise payments are matters primarily of internal administration under the MoA.
- d. The Objector has not placed before me;
  - i. Any list of members actually declared defaulters;
  - ii. Any resolution declaring specific members ineligible to vote on account of non-payment;  
or
  - iii. Any specific example of a genuine member who has been wrongly excluded from the Draft Voter List purely on account of prior non-payment.



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- e. In these circumstances, I don't see any merit in the generalised contentions in this regard, particularly when the competent internal body has not declared any defaulters.
- f. Further, there has not been a single objection by any person citing their non-inclusion or exclusion from the draft voter list, evidencing the lack of substance behind such an allegation.
- g. However, it is clarified that any member who is included in the Draft Voter List, and who has complied with the fee requirements as interpreted and implemented by the competent MCA authorities under the MoA, shall remain entitled to vote, and any challenge to the accounting or administrative treatment of fees over prior years is beyond the limited remit of the Electoral Officer in an election-related objection.

### **14. On Election Scheduling, Short Timelines and the CEO's Communication.**

- a. The MoA does not prescribe a rigid minimum period for objections to the Draft Voter List or for nomination of representatives. The question is therefore whether the period prescribed is so unreasonable as to render the election process arbitrary or oppressive.
- b. Material placed before me shows that, upon certain representations by members regarding the practical difficulty of convening their internal meetings and processes, a communication extending the time to submit names of representatives upto 30<sup>th</sup> December 2025 was issued. This communication by the CEO of MCA does not deal with the election schedule or the conducting of elections and hence, I cannot accept the contention that any such communication by the CEO is an overreach of the Electoral Officer's authority as alleged by the Objector.
- c. Further, the alleged disparity between the timelines for the 2022 elections and the present elections does not by itself constitute illegality, so long as the present schedule falls within the four corners of the MoA and affords a fair and reasonable opportunity to participate. Thus, I am unable to hold that the schedule is so arbitrary that it violates the MoA's intent for transparent elections as alleged by the Objector.

### **15. On Election Rules under Rule 32 and AGM under Rule 33.**

- a. It has been brought to my notice that although Rule 32 empowers the General Body to frame rules of procedure for elections, no such detailed rules have ever been framed in any



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prior term, and elections, have been conducted on the directions of the then Electoral Officers, in consonance with the MoA.

b. As regards Rule 33 (*AGM and conduct of elections*), the question of convening AGMs and their business agenda lies primarily within the domain of the MCA's internal governance. The present election schedule has been drawn up consistent with the MoA and its provisions mandating that the elections be conducted under the supervision of an independent Electoral Officer. No specific provision has been demonstrated to have been violated merely because the schedule has been issued in the present manner.

### **16. On Availability of the MoA on MCA Website and Demand for Minutes.**

a. The Objector asserts that the MoA of MCA is not available on the MCA website. MCA has produced material to show that the MoA is indeed hosted on, and accessible through, the official website. On the basis of the records placed before me, I am satisfied that the MoA is available online.

b. In any event, all decisions taken by the Electoral Officer, including the election programme and this order, are rooted in the MoA as placed before me. The non-availability of the document on a website, even if assumed for argument's sake, would not by itself render the election programme void, so long as the election is conducted in conformity with the MoA and the governing legal framework.

c. As regards the Objector's prayer seeking a direction to furnish all minutes of all General Body Meetings, AGMs, Special General Body Meetings and Apex Council meetings, the same travels beyond the limited scope of an objection to the Draft Voter List. The Electoral Officer's jurisdiction is confined to ensuring that:

- i. The electoral college is drawn in accordance with the MoA; and
- ii. The election process is conducted in a free, fair and transparent manner.

d. The broader issues of disclosure of minutes, inspection of records and compliance with statutory obligations regarding maintenance and inspection of books fall within the remit of the Association and the appropriate statutory authorities, and are not amenable to adjudication in this election related objection.

### **17. For the reasons recorded hereinabove, I am of the considered view that:**



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- a. The objection, though filed beyond the prescribed time, has been taken on record and examined on merits in exercise of discretion.
- b. The Objector, being a Full Member in the category of former international player, has locus to raise concerns; however, no cogent material has been placed before me to establish that the additions to the voter list are ultra vires the MoA, contrary to any binding order of the Hon'ble Supreme Court, or invalid for want of Charity Commissioner's approval.
- c. There is no specific, substantiated instance of any ineligible person having been included, or any eligible member having been excluded, solely on account of alleged fee irregularities for the current term.
- d. The extension for submission of representative (extended upto 30<sup>th</sup> December 2025) by the CEO is a purely internal administrative exercise, not affecting the Schedule of the Elections, and does not disclose any arbitrariness or unreasonableness.
- e. The absence of separately codified election rules under Rule 32, a feature common to prior elections as well, does not vitiate the present election, so long as the MoA and applicable directions are adhered to.
- f. The Constitution is available on the MCA website, and the further prayers seeking wholesale disclosure of minutes of all meetings fall outside the narrow compass of the Electoral Officer's mandate.

18. Accordingly, the objections raised by Mr. Kedar Jadhav stand rejected herewith.

Signed under my hand and authority, on this 29<sup>th</sup> day of December 2025.

Ashok Lavasa

Electoral Officer

Maharashtra Cricket Association.