

ITEM NO.1

COURT NO.3

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).30748-30749/2017

(Arising out of impugned final judgment and order dated 31-10-2017 in CM No. 19815/2012 and CM No. 46919/2016 passed by the High Court of Delhi at New Delhi)

ALL INDIA FOOTBALL FEDERATION

Petitioner(s)

VERSUS

RAHUL MEHRA &amp; ORS.

Respondent(s)

([ONLY I.A. NO. 111940/2022 IN SLP(C) NOS.30748-30749/2017 AND CONTEMPT PETITION (C) DIARY NO. 24767/2022 ARE LISTED UNDER THIS ITEM., IA No. 111940/2022 - MODIFICATION OF COURT ORDER)

WITH

Contempt Petition (Civil) Diary No(s). 24767/2022 in SLP(C) Nos 30748-30749/2017(XIV)

Date : 22-08-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s)

for CoA

Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Samar Bansal, Adv.  
Mr. Siddharth Nath, Adv.  
Mr. Nagarkatti Kartik Uday, AOR  
Mr. Madhav Gupta, Adv.  
Mr. Vedant Kapur, Adv.  
Ms. Jhanvi Dubey, Adv.  
Ms. Prakriti Joshi, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG  
Mr. Sanjay Jain, ASG  
Mr. Balbir Singh, ASG  
Mr. K.M. Nataraj, ASG  
Ms. Swarupama Chaturvedi, Adv.  
Mr. Rajat Nair, Adv.  
Mr. Kanu Agrawal, Adv.  
Mr. Apoorv Kurup, Adv.  
Mr. Arkaj Kumar, Adv.  
Mr. Padmesh Mishra, Adv.  
Mr. Yuvraj Sharma, Adv.  
Ms. Tanya Aggarwal, Adv.

Mr. Nishank Tripathi, Adv.  
Ms. Ashima Gupta, Adv.  
Mr. Amrish Kumar, AOR

Mr. Rahul Mehra, in person  
Mr. Chaitanya Gosain, Adv.  
Mr. Amanpreet Singh, Adv.  
Mr. Anand Thumbayil, Adv.

Mr. Nar Hari Singh, AOR  
Ms. Ruchi Mishra, Adv.  
Mr. Himant Phalpher, Adv.

Mr. Amaresh Kumar, Adv.  
Mr. Shuvodeep Roy, AOR  
Mr. Anshuman Amaresh, Adv.  
Ms. Ritika Sharma, Adv.

Mr. Prashant Bhushan, Adv.  
Mr. Harshavardan Kotla, Adv.  
Mr. Kshitij Maheshwari, Adv.  
Mr. N. Sai Vinod, AOR

Mr. K.V. Vishwanathan, Sr. Adv.  
Mr. Sanjeev Kappor, Adv.  
Mr. Sahil Narang, Adv.  
Mr. Dhritiman Roy, Adv.  
M/s Khaitan & Co., AOR

Dr. Menaka Guruswamy, Sr. Adv.  
Ms. Shristi Borthakur, Adv.  
Mr. Prateek K. Chadha, AOR  
Ms. Radhika Dhanotia, Adv.  
Ms. Shaffi Mathur, Adv.  
Mr. Yash Sinha, Adv.  
Mr. Utkarsh Pratap, Adv.  
Ms. Radhika Dhanotia, Adv.

Mr. Kapil Sibal, Sr. Adv.  
Mr. Abhimanyu Bhandari, Adv.  
Mr. K.R. Sasiprabhu, AOR  
Ms. Manisha Singh, Adv.  
Mr. Vishnu Sharma A.S., Adv.  
Mr. Abhik Chimni, Adv.

Mr. Raghenth Basant, Adv.  
Mr. M.F. Philip, Adv.  
Ms. Roopali Lakhotia, Adv.  
Ms. Purnima Krishna, AOR

UPON hearing the counsel the Court made the following  
O R D E R

**IA No 118844 of 2022 filed by Ministry of Youth Affairs & Sports**

- 1 On 15 August 2022, AIFF received a communication intimating that the Bureau of FIFA Council had on 14 August 2022 taken a decision to suspend AIFF from the membership of FIFA.
- 2 The immediate impact of the decision, as indicated by the Union of India is that:
  - (i) The Under-17 Women's World Cup 2022 which is to take place in October 2022 would be in jeopardy;
  - (ii) Indian teams selected by the AIFF and its affiliated clubs would no longer be entitled to take part in international football matches or competitions so long as the suspension continues;
- 3 In response to the communication from FIFA, the Union Government held discussions on 15 August 2022 following which, an email dated 16 August 2022 was received from FIFA. This was adverted to in the order dated 17 August 2022 passed by this Court. A further meeting took place on 18 August 2022 between the Union Government and FIFA, in pursuance of which FIFA addressed a communication dated 18 August 2022. The Union of India has responded on 18 August 2022, following which FIFA has addressed a communication on 20 August 2022. The exchange of correspondence indicates that the dialogue between the Union of India and FIFA is continuing.
- 6 Mr Tushar Mehta, Solicitor General, has submitted that FIFA has the following concerns:

- (i) The administration and management of AIFF should be conducted by a duly elected body;
  - (ii) The electoral college for the forthcoming elections to AIFF's Executive Council<sup>1</sup> should consist only of representatives of States/Union Territories Member Associations;
  - (iii) An independent Electoral Committee should oversee the elections to the new EC;
  - (iv) The AIFF Constitution should be revised in accordance with the requirements of FIFA and AFC; and
  - (v) The election should take place at the earliest and an elected body should exclusively commence administering the affairs of AIFF.
7. In the application which has been filed by the Union Government, it has been submitted that the EC of AIFF would consist of 23 members of whom 17 members (inclusive of the President, a Treasurer and a Vice-President) will be elected by the electoral college consisting of the representatives of the State Associations/Union Territories. Apart from the 17 members, there would be six eminent players (four male and two female) who would be co-opted to the EC with voting rights. The co-option of six players in the EC is proposed in the following manner:

"17. The nomination/co-option of the players in the executive council [06 in numbers], the same may be co-opted in the following manner:-

"Out of the six (6) eminent players, there will be four men & two women. The eminent players may be nominated (co-opted) in the EC in the following objective manner:

1 "EC"

- “Eminent player” shall mean a past Football player, male or female who has been retired for at least 2(two years, and has represented India at at the senior level in at least 1 (one) competitive match sanctioned by FIFA/AFC (international matches). The date of retirement is to be reckoned from the date of the last game played.
- Two separate list of men & women eminent players will be drawn in the descending order on the basis of number of international matches played.
- For Men, top four (4) eminent players from the above list, subject to maximum one man player from each state will be nominated (co-opted) to the EC.
- For women, top two (2) eminent players from the above list subject to maximum of one woman player for each state will be nominated (co-opted) to the EC.
- These 6 (six) selected eminent players shall be co-opted as members in the EC, and shall have voting rights in the EC. (There will be maximum one man and one woman from any one state).”

8 In pursuance of the order dated 3 August 2022 passed by this Court, the process of election has reached up to the stage of filing nominations. The election is being conducted by one Returning officer and one Assistant Returning Officer. They are neutral Returning Officers against whom no member Association has expressed any objection.

9 The Solicitor General submitted that as a result of the proposed changes in the electoral college for the forthcoming election, the election which is scheduled on 28 August 2022 may be deferred by a week so that fresh nominations may be filed to reflect the change in the voters’ list. This is being necessitated since some of the nominations which may have been proposed or seconded by player members would become invalid as player members stand excluded from the voters’ list.

10 The orders which were passed by this Court, particularly on 3 August 2022, 11 August 2022 and thereafter, have proceeded on a consensus that in the interest

of the nation the Under-17 Women's World Cup should take place in India as originally scheduled, in the month of October 2022. The Union Government is in active engagement with FIFA. By the order of this Court dated 17 August 2022, the Union Government was entrusted with the task of finding a resolution to the impasse.

- 11 Bearing in mind the importance of the Under-17 Women's World Cup 2022 tournament being held in India, the following directions are issued on the IA:
- (i) The election programme, which was fixed in pursuance of the order dated 3 August 2022, is permitted to be modified by extending the date of election by one week;
  - (ii) The voters' list for the ensuing elections shall consist exclusively of representatives of the Member Associations representing the States/Union Territories (35+1 Associations);
  - (iii) The Returning Officers - Mr Umesh Sinha and Mr Tapas Bhattacharya - shall be deemed to be the Returning Officers appointed by this Court for the purpose of conducting the elections, there being no objection to their continuance by any of the contesting parties before this Court, including the member associations representing the States/Union Territories;
  - (iv) The day to day management of AIFF shall be exclusively looked after by the AIFF Administration led by the Acting Secretary General. The mandate of the Committee of Administrators appointed by the order of this Court stands terminated;
  - (v) The Committee of Administrators has already submitted the draft Constitution, together with a tabulated set of suggestions, to this Court on

15 July 2022;

- (vi) Time for the completion of the elections which were scheduled to take place on 28 August 2022 shall stand extended by a period of one week. The Returning Officers shall, within the said period, re-fix the modalities for the filing of nominations from the stage which was reached on 13 August 2022 and ensure that the elections are completed on schedule;
  - (vii) The EC of AIFF shall consist of 23 persons:
    - (i) 17 members (inclusive of the President, a Treasurer and one Vice-President) will be elected by the electoral college consisting of 35 Associations representing States/Union Territories;
    - (ii) 6 members shall be drawn from eminent players in the manner indicated in paragraph 7 above;
- 12 The above directions have been issued in modification of the previous orders of this Court to facilitate the revocation of the suspension which has been imposed on AIFF by FIFA and the holding of the Under-17 Women's World Cup 2022 in India. In the event that the above process is not taken to its logical conclusion, the Court would consider any further order at the subsequent stage.
- 13 The IA is accordingly disposed of.
- 14 We request Mr Gopal Sankaranarayanan, senior counsel, to assist the Court with Mr Samar Bansal as *amicus curiae* as the mandate of CoA is terminated
- 15 While the mandate of the CoA has been terminated, the Court would record its appreciation of the sustained efforts which were put in by the members of the CoA.

**SLP (C) No(s).30748-30749/2017**

Application for Intervention (IA No 118837 of 2022) is allowed.

(SANJAY KUMAR-I)  
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)  
COURT MASTER