

**JUSTICE RAJESH TANDON**

Former Judge  
Uttarakhand High Court (Nainital)

Former Chairman State Law Commission Uttarakhand  
Former Member State Human Rights Commission Uttarakhand  
Former Chairperson Cyber Appellate Tribunal, New Delhi  
Former Chairman Higher Technical Education  
(FEE AND ADMISSION UTTARAKHAND)

From,

Justice Rajesh Tandon

Returning Office

To,

KHO KHO Federation of India

Sir,

Find herewith the order with regard to disposal of the objections sent by the Complainant Mr. Santosh Parab, which was forwarded by the Kho Kho Federation of India to the Returning Officer.

Communicate the same to Mr. Ashutosh Verma, Website Coordinator, Kho Kho Federation of India for website publication and information to the complainant.

  
Justice Rajesh Tandon  
(Returning Officer)

Dated: - 23.06.2021

Copy to

1. Mr. Ashutosh Verma, Website Coordinator

**Justice Rajesh Tandon**  
**Returning Officer**  
**KHO KHO Federation of India**

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### ORDER

The complaint dated 15.06.2021, made by Shri Santosh Parab, addressed to KKFI, has been forwarded by the outgoing General Secretary, Shri M.S. Tyagi, for its disposal, to the Returning Officer.

The complaint in substance, states that Dr. Chandrajit B. Jadhav, being a government servant, is not eligible for election and that his nomination being illegal, he is an illegal representative as per Circular F.No. 8-33/2020-sp-II/2, dated 30.12.2020 issued by Ministry of Youth Affairs & Sports.

The Returning Officer has perused the following documents submitted by the complainant and Dr. Chandrajit B. Jadhav:

1. One of the documents submitted by the complainant, is a copy of information dated 23.05.2019, provided by the Information Officer, in reply to an application made by one Mr. Sachin Madhukar Kamble, under the Right to Information Act, 2005, wherein, in substance, Mr. Jadhav is stated to be the Director of Physical Education in Terna Mahavidyalaya, Osmanabad.
2. The other document submitted by the complainant Mr. Parab, is also a copy of information dated 05.03.2019, provided in reply to an application made by one Mr. Sachin Madhukar Kamble, under the Right to Information Act, 2005, wherein, in substance, Mr. Jadhav is stated to be working in Terna Mahavidyalaya, Osmanabad.
3. On the other hand the candidate Mr. Chandrajit B. Jadhav has submitted certificate dated 21.06.2021, issued by Terna Mahavidyalaya, Osmanabad. In the said certificate, it is stated that Mr. Jadhav is working as Asst. Professor and H.O.D. of Physical Education and Sports Department at Terna Mahavidyalaya, Osmanabad, since 06.10.1999, till the date of issuance of the certificate, i.e., 21.06.2021. The certificate further states that Terna Mahavidyalaya, Osmanabad, is running under the aegis of Terna Charitable Trust, and that it is not a government college.

The Returning Officer has also perused the circular F.No. 8-33/2020-sp-II/2, dated 30.12.2020, issued by Ministry of Youth Affairs & Sports.

Paragraph 2 of the circular reads as under: -

"I also directed to refer to Department of Personal & Training's Office Memorandum No. 11013/1/2016-Estt.A-III dated 05.08.2019 and 27.02.2020

Justice Rajesh Tandon

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KHO-KHO Federation of India

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regarding Sanction of holding an elective office under rule 15(1) (c) of CCs (Conduct) Rules, 1964 (Copies enclosed), wherein the wherein the relevant provision reads as under: -

*"a Government servant may be allowed to hold elective office in any body, whether incorporated or not, for period of two terms or for a period of 5 years, whichever is earlier, for which prior sanction would be required when a Government servant contests an election in such body, as per existing rules."*

As will appear from the Certificate dated 21.06.2021, issued by Terna Mahavidyalaya, the Terna Mahavidyalaya, Osmanabad, is not a Government College. As such, the circular F.No. 8-33/2020-sp-II/2, dated 30.12.2020, issued by Ministry of Youth Affairs & Sports, is not applicable to the case at hand as Mr. Jadhav is not a government servant.

As will appear from paragraph 2 of the circular reproduced above, the provisions of the circular pertaining to prior sanction and tenure restrictions are only applicable to government servants. In the light of the said fact, the above said restrictions do not apply to Mr. Jadhav.

In view of the above, I find no infirmity regarding the nomination of Mr. Chandrajit B. Jadhav and the objections are hereby dismissed, in absence of cogent evidence.

  
JUSTICE RAJESH TANDON (RETD.)

FORMER JUDGE, HIGH COURT OF UTTARAKHAND

**Justice Rajesh Tandon**  
DATED: 22.06.2021 **Returning Officer**  
**KHO KHO Federation of India**