

**OFFICE OF THE OMBUDSMAN AND ETHICS OFFICER
CRICKET ASSOCIATION OF UTTARAKHAND**

PRACTICE DIRECTIONS (CAU 1/2020)

IN RE: REQUIREMENTS FOR FILING OF A COMPLAINT BEFORE THE OMBUDSMAN AND ETHICS OFFICER, CRICKET ASSOCIATION OF UTTARAKHAND (C.A.U)

In order to remove any doubt regarding the filing of Complaint, and to devise a mechanism to ensure that only genuine complaint is received and ultimately entertained and to facilitate smooth functioning of the office of the Ombudsman/Ethics Officer of CAU, it is necessary and expedient to issue the following directions which shall be strictly followed. It is, therefore, directed that any complaint filed before Ombudsman and/or Ethics Officer of the Cricket Association of Uttarakhand, shall not be entertained until and unless, it satisfies the following-

1. Mode of filing:

(a) Every complaint shall be filed in physical form comprising of 2 hard copies (first being the original and the second being the photocopy thereof)

(b) Such complaint shall be sent either by registered post or by hand to-

The Office of the Ombudsman and / or Ethics Officer

C/o Cricket Association of Uttarakhand

2/1 Convent Road, Near SBI Main Branch,

Dehradun

Any complaint sent to any other address shall not be entertained and shall be deemed to have never been received.

(c) On the envelope containing the complaint, above the address the words, "Complaint before the Ombudsman" or "Complaint before the Ethics Officer", as the case may be, shall be written.

(d) In addition to the above, a scanned copy of the complaint could be sent to the office of the Ombudsman and / or Ethics Officer email ID: justicevirendersingh@cauttarakhand.tv

Note:

- No copy to any individual or institution should be marked in the above email sent.
- No copy or communication should be sent to personal email addresses of the Ombudsman and / or Ethics Officer or any person in his office.
- Default of any of the above shall result in deemed disposal of the complaint.

- (e) Complaint filed, only by way of an email or by way of WhatsApp / SMS or such like other electronic modes of communication, without first filling the hard copies thereof in terms of para 1(a), (b) above shall not be entertained.

2. Necessary particulars:

Every complaint shall mandatory contain the following details of Complainant:

- a. Full Name
- b. Father's/Husband's/Mother's Name
- c. Age
- d. Complete postal address with pin code no.
- e. Mobile No.
- f. Email ID
- g. Telephone (Landline) NO.
- h. Identity and the address proof of the Complainant. Self-attached copy of anyone – Aadhar card, Driving License, Passport or Voter ID.

3. The complaint shall also contain the following details of the person complained of (ordinarily termed as respondent):

- (a) Full Name
- (b) Full postal address long with pin code no.
- (c) Mobile No.
- (d) Email ID
- (e) Telephone (Landline) No.

4. Format for Filing

- (a) Every complaint must be set out in clear and exact terms the nature of dispute with respect to pertinent provisions of the Constitution of CAU, violation, allegations, etc. All facts constituting cause of complaint must be stated precisely but concisely. Complaint must be divided, as far as possible into paragraphs, numbered consecutively, each allegation being contained in a separate paragraph.
- (b) The source of information should also be indicated in the complaint.
- (c) It should be clearly set out in the complaint whether it is made under domain of Ombudsman or that of the Ethics Officer. Complaint made of Ombudsman will not be heard under norms of Ethics Officer and vice-versa.
- (d) Complaint must be supported by an affidavit, duly attested by oath commissioner or Notarized by Notary Public.
- (e) Complainant should refer to format of complaint annexed along with this practice direction marked as Schedule 1.

5. Rules of limitation

- (a) The Complaint filed should be under the rule of limitation that is in this case within 3 months from the date of incident or act. The Ombudsman and /or Ethics Officer, however, has the sole discretionary powers to entertain any complaint beyond the limitation period, if he is satisfied with the reasons provided by the complainant for the delay caused in filing the complaint.
- (b) Any Complaint filed should be related to any act, incidence, breach etc. after the date of amendment of Constitution of CAU in force (i.e. 11th October 2019).


6. General Rules

- (a) That, no complaint shall be entertained by the Ombudsman and /or Ethics Officer if the complainant has no *locus standi* or is not a stakeholder of CAU whichever the case may be with regard to the matter as alleged in the complaint.
- (b) The Ombudsman and /or Ethics Officer shall not deal with any complaint for which a legal / statutory recourse is available as per the prevalent statues.
- (c) The Ombudsman and /or Ethics Officer can if he deems fit combine or treat several matters as connected matters if he is of the opinion that the complaint is of similar nature or relates to same incidence / act / action.
- (d) The parties can either be represented by themselves or their authorized representatives or counsels.
- (e) In case the concerned parties do not respond to the notices by the Ombudsman and /or Ethics Officer, the complaint may be adjudicated *ex-parte*.
- (f) The Ombudsman and /or Ethics Officer may pass any order as he deems fit including imposing cost or penalty on any individual including complainant for defying with the orders of the Ombudsman and /or Ethics Officer, its practice directions and for filing frivolous or vexatious complaints.
- (g) The orders of the Ombudsman and /or Ethics Officer shall be final and binding to all parties concerned.

7. The proceedings before the Ombudsman and /or Ethics Officer shall be confidential hence the complainant and the person(s) complained of shall maintain confidentiality in relation to be same. The complaint as well as any communication pursuant thereto shall be sent only to the Ombudsman and /or Ethics Officer and the concerned opposite party at the Co-ordinates stated above and shall not be published, disseminated or disclose to any other party or be published in any media (either electronic or print).

8. Consequence of non-compliance and/or violation of the directions-

Any complaint made without complying with the directions and violation of any of the direction at

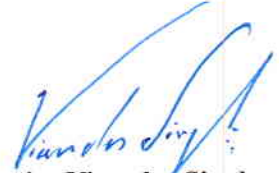


any stage shall render the complaint liable to be rejected on that count alone, without going into its merits.

9. **Applicability of the directions-**

The complaint already made shall also be processed according to these directions but, before dealing with such complaint, complainant shall be given opportunity to take steps of their own, to satisfy above directions. Only after affording such opportunity, such complaint shall be processed and dealt with accordingly.

Date: 26 /08/2020



Justice Virender Singh
Chief Justice (Retd.)

Ombudsman & Ethics Officer
Cricket Association of Uttarakhand

Annex: Schedule 1 - Format of Complaint

SCHEDULE 1

FORMAT OF COMPLAINT

Every Complaint filed with the Ombudsman and /or Ethics Officer of Cricket Association of Uttarakhand shall mandatorily be in the following format with details.

- Necessary particulars of the Complainant and person complained of.
- Nature of Complaint.
 - a. _____
 - b. _____
 - c. _____
- Whether the complaint is within the period of limitation and if there is any delay caused, reasons thereof.
- Details of remedies exhausted, and efforts taken by the complainant to resolve the dispute.
- Facts of the case clearly stated in para points.
- Complaint should be specifically substantiated with relevant documents with exhibit numbers along with index.
- Source of information and/or exact conflict of interest if any alleged, as prescribed in the rules and regulations.
- Prayer
- Duly sworn affidavit attested/notarized by Oath Commissioner/ Notary Public.

Date: 26 /08/2020


Justice Virender Singh
Chief Justice (Retd.)

Ombudsman & Ethics Officer
Cricket Association of Uttarakhand