Coat of Arms of Government of Nepal ... affixed ...

CONSTITUTION

of

CRICKET PLAYERS ASSOCIATION NEPAL

2071 BS (2015 AD)

--- Official seal stamped ----

Nepalese Cricket team having accomplished the journey to the World Cup have raised the bar of the game never before in the Nepalese history; however, with challenges being added, at the same time. With the International Cricket Council (ICC) having provided Nepal with the status of T20 playing nations, cricket has been yet another identity of the Nepalese people at the international forum. This has attracted a large number of youths, towards the game by each day. To promote this attraction and ensure that the youths associated with cricket have a secure future, there is an utmost essential to develop and conserve the game in a systematic manner. The role of the Government of Nepal in promoting the game has been praiseworthy. Similarly, role of various non-governmental organizations is also of great importance in promoting the game in Nepal. However, the role of the Cricketers in enhancing the quality and standard of the game is undoubtedly of greatest importance. With this view, this non-government organization in direct association and supervision of the cricket players in Nepal has been legally registered. This organization shall work as not-for-profit organization for the welfare and development of the game and the players. This constitution has been framed pursuant to the provisions of Firm Registration Act, 1977 AD. "The Translation Copy is True and Verified"

Signature:

Name: Chandra Prasad Luite

Date:
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Date Of Expiry of Certificate:July. 03, 2020 AD.

Chapter 1

Preliminary

- 1. Name of the Organization: The name of this organization in English shall be called **CRICKET PLAYERS ASSOCIATION NEPAL**. In abbreviation, it shall be called **CPAN**.
 - a. **Registered office of the organization**: Registered office of this organization shall remain at the Gyaneshwor, Kathmandu Metropolitan ward no. 33, Kathmandu district.
 - b. Workplace of the Organization: This organization CPAN shall have its working area within Kathmandu district. It can extend its work place in other district upon obtaining approval from the concerned District Officials.
 - c. Enactment: This constitution shall come in to effect from the date of this organization having been registered.
 - d. Existence of Organization: This organization shall be perpetual, autonomous, not-for-profit making organized institution, non-political and non-governmental social organization. Organization shall not be engaged in profit making activities and counselling with or without taking any fees.
 - 2. **Definition**: Unless, subject and context, does not denote otherwise, in this Constitution:
 - a) "Constitution" refers to the constitution of "Cricket Players Association Nepal, 2070 BS."
 - b) "Organization" refers to "Cricket Players Association Nepal, 2070 BS."

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- c) "Committee" refers to the working committee formed in accordance with clause 13.
- d) "Assembly" refers to general assembly and special assembly conducted pursuant to the provisions of this Constitution.
- e) "Executive Member" refers to the executive members of this Organization, pursuant to its Constitution.
- f) Rules" and "Regulations" refers to the rules and regulations drafted under this constitution.
- g) "Local Authority" refers to the Chief District Officer.
- h) "Prescribed" or "as prescribed" refers to that that have been prescribed or has been prescribed pursuant to the provisions of this Constitution or as per rules and regulations framed by this Constitution.
- i) "Local bodies" refers to Village Development Committee, Municipality, Metropolitan city and District Development Committee.

3. Seal and Logo:-

There will be a separate Seal and Logo of the organization in consistency to the prevailing laws of the land. However, if the name, seal and logo of the organization becomes identical with pre-existing organizations, it shall be immediately changed through the process of amendment.

Chapter -2

Objectives

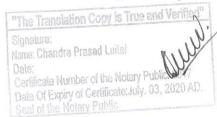
4. Objectives of the organization shall be as follows:

1. This shall be a not-profit-making, social and public welfare centered organization.

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- 2. This organization shall work for the rights and welfare of Nepali Cricket and cricket players.
- 3. To conduct training program and held cricket competition for the development of the Nepali Cricket and Nepali cricket players. Such programs shall be conducted on the approval and coordination of the Cricket Association of Nepal.
- 4. To create a positive environment for the development national and international players.
- 5. To work in co-ordination with bodies working for the development of Cricket.
- 6. To facilitate as mediator in providing sponsor for Nepali cricket and players.
- 7. To provide the Nepali Cricket and Players with various physical infrastructures, play grounds, gym centers and such facilities in coordination and approval of different government and nongovernment bodies.
- 8. To invite representatives and officials from various international associations involved in the field of Cricket in approval of the CAN and provide the Nepalese players with training opportunity, to play and train in a foreign nation with foreign players and initiate to receive help from the international cricketing bodies.
- To conduct and participate in national and international seminars and works in relation to development of cricket in Nepal in association and approval of CAN.
- 10. To conduct various cricketing tournaments in approval and coordination with CAN and Sports Council of Nepal.
- 5. Functions performed for achieving the objectives of the Organization:



The organization shall conduct following activities for the fulfillment of the objectives of the Organization.

- a. Association shall conduct activities only upon having obtained approval from the concerned authorities/departments.
- b. Association will construct or take on rent or lease building essential for it. Devices like computer, fax, telephone, other official equipments and means of transport shall be bought or taken on lease.
- c. The association shall frame terms of reference for the appointment of the employees essential for CPAN.

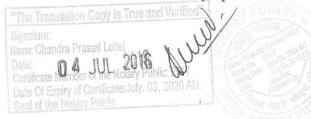
Chapter III

Membership

6. Classification of Membership

This company shall have following four types of membership:

- a) General Member: Any Nepali citizen upon having fulfilled the provision mentioned in clause 7 and upon furnishing an application for membership, can obtain the membership of this association.
- b) Founder Members: Members associated during the establishment of the organization shall be founder or life-long members of this association. They shall be liable to pay the membership fees as per the constitution of the association.
- c) Lifetime Member: A person having had an influential role and contribution in the development of the organization shall be awarded with lifelong membership.
- d) Honorary Member: Nepali citizens having provided special contribution and upon fulfilling the necessary procedure can be



provided with the honorary membership. However, such members shall not have voting rights.

7. Qualifications for being Membership:

For obtaining membership of this organization, candidates should have following qualifications:

- 1) Should be a Nepali citizen.
- 2) Must have attained the age of 18 years.
- 3) Have participated in cricket tournament of national and international standard.
- 4) Should not be in a state of insanity.
- 5) Should not have been involved in misappropriation of public property.
- 6) Should not have been punished in acts of moral turpitude and corruption.

8. Disqualification/Expel from the membership of the organization:

- a. If turns into a non-Nepali citizen.
- b. Not having attained the age of 18 years.
- c. Proven guilty in act of misappropriation of public property.
- d. Punished in acts of criminal activities, moral defame and corruption.
- e. Having personal interest with the business of this association.
- f. Have been punished on the act of theft, fraud, forgery or having misused property of others' claiming as of own or been involved in corruption and embezzlement.
- g. One who have not participated in Cricket tournament of national and international level.

9. Termination of Membership

1. Membership shall be terminated on following conditions:



- a. Failing to abide to the conditions mentioned in clause 8.
- b. If a proposal is sanctioned by the 75 percent majority of the members for the expelling of a member.
- c. If the resignation tendered by the member is approved.
- d. If proved by the Court that an individual has worked with dishonesty and ill intention.
- e. Performed activities that have been restricted by this association.
- f. Failing to submit the membership fees.
- g. If the association is revoked or dissolved.
- h. Upon the death of the member.
- 2. However, prior to claiming that the individual is expelled from the membership, such information and appropriate opportunity shall be provided to him/her to present evidence or an explanation on his/her behalf.

10. Membership fees and Procedure of obtaining Membership

1. General Membership:

- a. An individual applying with due procedure upon the payment of Rs. 500.00 as the entry fees and Rs. 2,500.00 as the annual membership, upon the decision of the executive committee can be the member of this organization.
- b. Each general member shall pay an amount of Rs. 2,500.00 as renewal fees for each year.
- c. Each general member has to renew the membership by the end of month of Shrawan (July/August) of each year. After that upon the membership can be renewed upon the payment of additional charges.

2. Founder Member;



- i. The ad hoc committee formed during the establishment of the association shall be founder member.
- ii. General membership or lifelong membership can be obtained by the founder members upon the payment of fees pursuant the provisions of the constitution.

3. Life-long membership:

Any person upon the payment of Rs. 25,000.00 at a time can be awarded with life-long membership as per the decisions by the executive committee.

- 4. Honorary membership: Person with distinctive social service background and prestigious citizens of the nation can be awarded with honorary membership of this organization. Foreign nationals also can be given with honorary membership. Honorary members shall not have voting right.
- 5. If any person is decided of not being awarded with membership, such information with reasons shall be furnished to the member.
- 6. All members have to abide by terms and conditions as prescribed by the constitution and Act of this organization.
- 7. There shall be a separate record of the membership obtained pursuant to clause 1, 2, 3 & 4.

Chapter IV

Provisions relating to General Assembly, Executive Committee & Meeting

11. Formation of General Assembly

1. The general assembly shall be formed pursuant to the clause 7 of the organization. All members, except the honorary members shall compose the general assembly of the organization which shall be the supreme body of the organization. The honorary members shall be invited to the assembly.

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- 2. The general assembly of this organization shall be as follows:
- a. Annual general meeting: shall be conducted once a year.
- b. Special general assembly: If ¼th of the members of the organization with reasons shall demand a special general assembly, the executive committee shall have to conduct it within seven (7) days. However, within six months of having conducted the general assembly or special general assembly, a special general meeting cannot be called.
- c. The first general assembly of the organization shall be conducted within six months of the organization having been established. Hence after, other general meeting shall be conducted within six months of having completed the fiscal year.
- d. For conducting of the general assembly and special general assembly, a notice of at least 15 days and 7 days, respectively before the date of meeting along with venue, agendas and time has to be provided.
- e. If the quorum of the meeting called pursuant to clause 4 fails to maintain pursuant to clause 18, a next meeting shall have to be called by providing 7 days of time.
- f. There shall be a separate record book for general and special general meeting.

10. Functions, duties and rights of General Assembly:

General Assembly will discuss and decide on the following working area under the organization:

- 1) To sanction programs and annual report presented by the working committee.
- 2) The general assembly shall sanction reports obtained from the auditor, discuss on the account arrears, give instructions to the auditor and sanction of the yearly budget, and others.



- 3) To appoint the auditor for the next fiscal year.
- 4) To provide essential direction for the annual work report and evaluate other works of the organization.
- 5) To conduct election of the executive members of the organization, as per the provision in the Constitution of the Organization.
- 6) To sanction Acts and amend the laws, rules and regulations.
- 7) To provide honorary membership.
- 8) To sanction work as per the value for the welfare of the organization.
- 9) To provide approval to the appointment of the employees to be appointed on the internal source of the organization.

13. Formation of Executive Committee:

1. A seven member working committee shall be formed from amongst the elected executive members.

Chairperson	1
Vice-chairperson	2
General Secretary	1
Secretary	1
Treasurer	1
Members	5

- 2. Tenure of the executive committee shall be for a period of three (3) years.
- 3. If the post of executive member becomes vacant prior to the annual general assembly, the vacant post shall be fulfilled for the remaining tenure pursuant to the same provision as of the appointment of the first executive members. The appointment of the executive member whose post lay vacant prior to the completion of his/her tenure shall be appointed only for the remaining tenure.

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- 4. The meeting of the executive committee shall be called by the chairperson, as per the necessity. However, if the 51 percent of the members of the executive committee shall furnish written application for the call of the meeting, it has to be called immediately.
- 5. The executive meeting cannot be held without the presence of 51 percent of the members of the executive committee.
- 6. The meeting of the executive committee shall be chaired by the chairperson. In his/her absence, the vice-chairperson, and even at his/her absence, the senior most official selected for the job shall call the meeting.
- 7. Decision of the executive committee shall be based on the majority voting. In case of tie, the chairperson shall cast the decisive vote.
- 8. Decision done by the executive committee shall be maintained at a separate book, and all the members have to sign in it. However, those who have note of dissent can mention it in remarks.
- 9. All decision of the organization shall be done by the decision of the executive committee.
- 10. Whatsoever mentioned elsewhere in regards to functions conducted by the executive members, it could be done without a meeting of the executive committee if such act is done unanimously and such decision is written in the decision book.
- 14. Functions, Rights and Duties of Executive Committee: rights, functions and duties of the executive committee shall be as follows:
- a. To present the estimated budget and program of the coming fiscal year to the general assembly.
- b. To maintain system as per the constitution and to materialize the decision of the general meeting.

c. To conduct programs are for the welfare of the organization.

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- d. To be responsible towards the general assembly.
- e. To utilize the resources of the organization for its welfare to the optimum level.
- f. To gather sources, execute plans and monitor and supervise them for the functioning of the works of the organization.
- g. To operate a bank a/c and thereby maintain the finance of the organization in a safer manner.
- h. To distribute work as per the necessity to the appropriate person, committees, sub-committees and to the advisory committees.
- i. To develop and implement regulations as necessary to the employees of the organization.
- To provide exemplary leadership to the organization.

15. Resignation from the Post:

The chairperson through the executive committee shall tender his resignation to the vice-chairperson, and the vice-chairperson and other executive members should submit their' resignation to the chairperson.

16. Other Committees:

- a. The executive committee can form committees and sub-committees as per necessity for the fulfillment of the objectives of the organization; however, such has to be approved from the general meeting of the organization.
- b. Functions of the sub-committees shall be as has been allotted by the executive committee.





Chapter 5

Functions, Duties and Responsibilities of Executive Members

17. Functions, Duties and Responsibilities of Executive Members: Shall be as follows:

a. Function, Duties and Responsibilities of Chairperson:

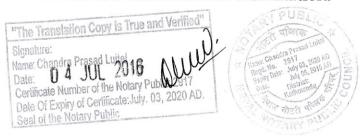
- i. To preside over the meeting of the committee and assembly.
- ii. To cast decisive vote.
- iii. To implement decision made by the executive committee and the general assembly meeting.
- iv. To represent the organization or appoint a representative to represent the organization.
- v. To conduct works as directed by the assembly, execute the plans of the assembly and conduct emergency works.
- vi. To transfer authority to the senior vice-chairman to act in his/her absence.
- vii. To give directives and monitor the functioning of the subordinate committees, committees and units

2. Functions, Rights and Responsibilities of the Vice-Chairperson

- a. To facilitate the work of the president.
- b. To conduct the activities of the chairperson, in his absence.
- c. To conduct activities as decided by the executive committee being within the jurisdiction fixed to him/her.

3. Functions, Rights and Responsibilities of the General-Secretary

- a. To call meeting and general assembly as per the directives of the chairperson.
- b. To maintain the resolution and communicate information.



c. To work as the spokesman of the association, in case, the chairperson has

not appointed anyone to work in his/her place.

- d. To execute decision of the meeting and the general assembly.
- e. To update the entire information of the general members and conduct the day to day activity of the association.
- f. To call

4. Functions, Rights and Responsibilities of the Secretary

- a. To facilitate in the daily works of the general secretary.
- b. To conduct the entire works of the general secretary in his/her absence.
- c. To conduct other works, as shall be instructed.

5. Functions, Rights and Responsibilities of the Treasurer

- a. To maintain and safeguard the fund of the association.
- b. To maintain the account of the association in an updated form.
- c. To operate a bank account of the association.
- d. To present the annual income expenditure report at the meeting or general assembly.
- e. To audit the annual account on a regular basis.

6. Functions, Rights and Responsibilities of Members

- a. To actively participate at all the meetings of the association.
- b. To abide to the decision of the meeting.
- c. To be active to the welfare of the association, at all times.
- d. to play a positive and creative role for the welfare of the association.
- e. To conduct the function of the association and do other works as has been instructed.

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18. Quorum

a. Functions of the general assembly shall not pursue unless the sixty percent (60 %) of the total members of the organization are present. b. However, a meeting called pursuant to provision in sub-clause 5 of clause 11, there shall not be any restriction in the functioning of the organization even if 51 % of members of the founder members are present.

Chapter VI

Finance System

19. Fund of the Organization:

- a. The organization shall have a separate fund, and the money as mentioned follow shall be collected in the fund.
- i. Cash collected in the form of entrance and membership fees.
- ii. Cash collected in the form of donation, self funding by any party.
- iii. Cash obtained from the sale of the tangible and intangible property of the organization.
- iv. Cash obtained from the national, international associations or person.
- v. Donation or aid obtained from the local bodies.
- b. Donation or economic support to be obtained from foreign bodies shall be done upon the approval of Social Welfare Council, Government of Nepal.
- c. A bank account at the local level shall be operated for the deposit and management of the fund.
- 20. Account management: The bank account shall be managed jointly in the names of the chairperson and the treasurer (treasurer is a must.) There shall be provision to manage the account in prevailing practices.
- 21. Procedure to expense the Fund's Cash: Following practices should be followed for the management of the cash at bank account.
- a. Cash cannot be expensed without the annual budget being approved.

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- b. Cash can be used pursuant to limitation of budget sanctioned for the yearly program and within the limitation of the treasury fund.
- c. Expenses from the treasury should be sanctioned from the annual general assembly.
- d. Expenses of the fund of the treasury should be done within the prescribed criteria.

22. Accounting and Auditing of the Organization:

- a. Income and expenses of the association should be done as per the prevailing laws in a transparent manner.
- b. auditing of the association should be done by a registered audit.
- c. Government of Nepal, at all times, can appoint a local authority to check in the accounting of the association.
- d. Audit shall be appointed by the general assembly meeting. However, until the first general assembly has been held, the executive committee can appoint the auditor.
- €. A copy of audit report and annual report should be presented to the Local Authority, District Development Committee, Social Welfare Council and concerned departments.

Chapter -7

Provisions relating to Election, Vote of no confidence and amendment of the Constitution

23. Election Procedures

- a. A three member committee shall be formed through the approval of the executive committee for the purpose of election.
- b. The election committee should conduct election being within the limitations of the prevailing laws.



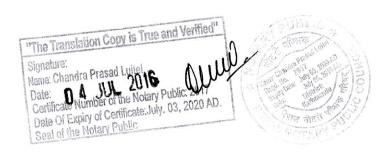
- c. Any dispute arising in concern to election, decision by the election committee shall be final.
- d. The election committee shall be automatically terminated on the next day of the election having concluded.
- **24**. **Qualification of the Candidate:** To be a member of the executive committee, candidates should posses following qualifications:
- a. Should have attained the age of 18 years.
- b. Should be a Nepali citizen.
- c. Should have participated in cricket tournament of national and international level.
- d. Any person engaged in social and public crimes and accused of criminal case cannot stand for candidacy of this association.

25. No-confidence Motion

No-confidence proposal should be presented in writing and clearly shown with reasons against which executive member it has been brought and should be registered as per follows:

- a. Should be politely addressed in Nepali language
- b. Subject of the proposal should be clear and rational
- At least ¼ name, address of the general members should be attached with signature
- 2. On the No-confidence Motion as of clause 1 shall be informed of the date, venue and agendas to all the members and executive members of this association pursuant to clause 11 of the constitution of this association.

3. Procedure on the Discussion on Impeachment Proposal



- a. As per the provision of sub-clause 1, president of the meeting shall give permission for the concerned party to present the impeachment proposal, and one of the proposers shall introduce the issue of the impeachment proposal.
- b. After the opinion being presented by one of the members on the vote of noconfidence, the president of the meeting pursuant to 3 (a) can give chance to three other members to put their opinion on no-confidence vote.
- c. The president of the meeting has to provide opportunity to present his/her opinion to the one against whom no-confidence vote has been introduced.

4. Decision on No-confidence

- a. Decision on the no-confidence shall be done by the president of the meeting on the basis of majority or minority after the members have finished voicing their opinion, through one of the ways:
- i. by separating each group of members voting for or against the proposal in separate groups.
- ii. through secret voting on the agenda.
- b. the no-confidence proposal shall be said to be passed, if 2/3 of the members vote against it. Upon the proposal being passed, such member shall be released of the post.
- c. No-confidence vote cannot be re-introduced to the same person unless six months has been completed of the previous No-confidence proposal.
- 26. Amendment of the Constitution: Upon any proposal being sanctioned with 2/3 of the majority of the members, the process of amendment or revocation of the bill starts and it has to be send to the local officer. The constitution shall be said be amended only after it has been approved by the local authority.

27. Authority to Frame Rules

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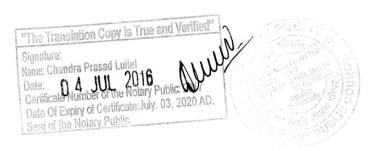
- a. Organization can frame rules as necessary for the functioning and such rules should be sanctioned by the general assembly, and the same has to be informed to the local authority.
- b. The organization can frame Acts and by-laws essential for the functioning and obtaining its objectives including management of employees and financial administration being within the limitation of this constitution and regulations framed within it. Such regulations should be sanctioned from the general assembly.

28. Management of the Employees

- a. For the management of the daily works and other activities wages, allowance and perks and facilities of the employees shall be as has been allotted by the executive committee.
- b. Upon the prior approval of the concerned departments, information of the foreign donation and foreign volunteers who have been working in Nepal should be dispatched to the District Development Committee and Social Welfare Council along with information of duration of employment, salary and qualification of such employee/s.

29. Dissolution of the Company:

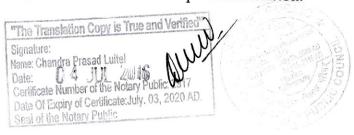
- 1. Upon finding it essential, the general assembly can dissolve the organization.
- 2. During the dissolution of the company dissolved pursuant to clause
- 1, there can be one or more than one liquidator and auditor appointment for the job.
- 3. Remuneration of the liquidator and auditor appointed pursuant to clause 2 shall be as has been fixed by the general assembly meeting.



- 4. Thus, dissolved organization after having cleared its liability and the remaining property shall be under the authority of the Government of Nepal.
- 30. Definition: the executive committee shall have the right to manage the rules frames under this constitution and rules framed within it.
- 31. Not to Disclose Secrecy: No member of this organization shall conduct activities so as to damage and breach goodwill and secrecy of this organization. Any general member or executive member during any of the meetings should not use foul language.
- 32. Shall be pursuant to Act: conditions and provisions not prescribed in this constitution shall be as per the provisions of the prevailing laws of Nepal and any laws inconsistency to the Constitution of Nepal shall be nullified to the extent of its inconsistency.
- 33. Adherence to Directives: It shall be the duty of the association to follow the directives issued on various time by the Government of Nepal and local authorities.

34. Ad hoc Committee:

- a. The ad hoc committee formed for the establishment of this organization shall conduct election of the executive committee within the six months of the establishment of the association. Information of such formed executive committee shall be provided to the local authorities.
- b. Functions conducted by the ad hoc committee, unless the first elected executive committee is formed, shall be presumed to be done as per this constitution.
- 35. We the promoters of **Cricket Players Association Nepal** hereby in presence of following witnesses declare to abide by to the terms and conditions of this constitution and have put our signature and thumb impression affixed.



Name, surname & address of Promoter & signature of witness

Name, surname, address

1. Name, surname: Gyanendra Malla Address: Kathmandu district KMC Ward No. 20,

Bhimsensthan, Currently K.M.C

Ward No. 01, Naxal

Signature: Sd.....

Thumb impression --- affixed. Right Left

2. Name, surname: Binod Kumar Das

Address: Bara district Kalaiya sub-metropolitan Ward No. 06, Currently K.M.C Ward No. 01, Naxal

Signature: Sd.....

Thumb impression --- affixed. Right Left

Name, surname: Paresha Prasad Lohani

Address: Kathmandu district K.M.C Ward No. 32

Signature: Sd.....

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Name, surname: Subash Khakurel

Address: District Kavre, Shyamparty Simalchaur VDC Ward No. 03

Signature: Sd..

Signature: Name: Chandra Prasad Lu

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3. Name, surname: Paras Khadka

Address: Kathmandu district KMC Ward No. 10, Baneshwor, Name, surname: Raman Shiwakoti

Address: Dolakha, Sunkhani VDC Ward No. 09 Currently Kathmandu district,

Currently K.M.C Ward No. 01,	K.M.C Ward No. 01, Naxal
Naxal	<u>a.</u>
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Government of Nepal Ministry of Home Affairs District Administrative Office

..... Office Seal stamped

Date of Decision: 2015 January 28 AD

Regd. Date: 2015 January 28 AD

Registration No: 637

Mr. Chairperson, Cricket Player Association, Nepal Kathmandu Metropolitan City - 33, Kathmandu

Certificate

This certificate has been issued to Cricket Player Association Nepal for having been registered on 2015 January 28 AD pursuant to Article 4 of Associations Registration Act, 1977 AD.

Signature of Local Registrar: Sd
Full Name:
Designation: Administrative Officer

Note: This certificate has to be renewed by the end of each fiscal year.



Coat of Arms of Government of Nepal ... affixed ...

Schedule 1

Seal of the Association

At the right side of the seal of this association, there shall be a cricket ball with map of Nepal within it, at the bottom there shall be inscribed CPAN and at the left side, a cricket player with raised bat shall be displayed. Similarly, Cricket Players Association of Nepal shall be engraved in oval shape around the cricket.

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