


**BEFORE JUSTICE VINEET SARAN
FORMER JUDGE, SUPREME COURT OF INDIA
OMBUDSMAN, THE BOARD OF CONTROL FOR CRICKET IN INDIA**

Reference No. 02/2022

**[Arising out of Order dated 10.08.2022 Passed by the
Chattisgarh High Court in WPC No. 3122/2021 titled "Taduri
Prakash Chandra Sudhindra vs. The Board of Control for
Cricket in India"]**

In the matter of:

Taduri Prakash Sudhindra


ORDER

1. The present case arises out of a sting operation carried out by a news channel which put up a video footage on 14.05.2012 regarding malpractice by certain players in the game of Cricket in different tournaments, including Indian Premier League (IPL) and certain domestic tournaments. The case of the Applicant is regarding a domestic tournament of Indore District Cricket Association, wherein the Applicant was among the players who were suspended pursuant to the airing of the said video footage. Subsequently, the appointed Inquiry Commissioner in the matter found the Applicant liable to



be awarded penalty for violation of Regulations 3.1(vi), 3.1(vii), 3.1(viii), 3.1(ix), 3.2(1), 3.2(12) and 3.2(14) of BCCI Regulations for Players, Team Officials, Managers, Umpires and Administrators. Pursuant to this, the BCCI Disciplinary Committee, vide Order dated 30.06.2012, debarred the Applicant from playing cricket matches conducted or authorized by ICC or BCCI or Affiliated Associations of BCCI for Life and also debarred him from holding any position in Cricket Association affiliated to BCCI for life.

2. The Applicant had filed a Writ Petition before the Chhattisgarh High Court, being WPC No. 3122/2021 against BCCI seeking direction to BCCI to decide his Representations dated 19.09.2012 and 09.06.2021 vis-à-vis reducing the punishment of life ban imposed on the Applicant. The Chhattisgarh High Court, vide Order dated 10.08.2022, referred the matter to me as the Ombudsman of BCCI for deciding the Representations of the Applicant.
3. By virtue of the present Representations dated 19.09.2012 and 09.06.2021, the Applicant seeks reconsideration of the Order dated 30.06.2012 passed by the BCCI Disciplinary Committee wherein the Applicant was debarred for lifetime from playing cricket matches conducted or authorized by ICC or BCCI or Affiliated



Associations of BCCI and from holding any position in Cricket Associations affiliated to BCCI.

4. I have heard Mr. Urfi Haider, the learned counsel appearing for the Applicant, as well as Mr. Abhinav Mukerji, Ms. Melinda Colaco and Mr. Prakhar Maheshwari, learned counsel appearing for BCCI, at length. Mr. Taduri Prakash Sudhindra, the Applicant in the present matter was also present in the virtual hearing.

5. The submission of the learned counsel for the Applicant is that by means of the present Representations, the Applicant is not challenging the findings and/or sanction imposed by the Disciplinary Committee. Instead, the only prayer made is for the case of the Applicant to be dealt with in parity with the case of Mr. S. Sreesanth and Mr. Ankeet Chavan, wherein the then Ombudsman, vide Orders dated 07.08.2019 and 03.05.2021 respectively, had reduced the quantum of punishment of life ban imposed on Mr. S. Sreesanth and Mr. Ankeet Chavan to a period of seven (7) years from the date of the ban imposed by the Disciplinary Committee of BCCI in their respective cases. Thus, it is prayed by the learned counsel that the case of the Applicant be also decided in a similar manner and his life ban be reduced to the period already undergone by him.



6. Per contra, Mr. Mukerji, learned counsel for the BCCI has submitted the present case has no similarity to the case of Mr. S. Sreesanth and Mr. Ankeet Chavan since those cases arose out of different incident/proceedings. Mr. Mukerji also submitted that the Inquiry Commissioner had rendered clear findings of guilt against the Applicant and that his age and aspirations to play cricket cannot be a mitigating factor to reduce the punishment imposed on him.
7. Heard the parties and have perused the record.
8. The misconduct in the case of the Applicant pertained to him agreeing to bowl a 'No ball' at the Indore District Cricket Association Tournament in a match played between 'Rewa' and 'Sagar' at Indore. The Applicant bowled the 'No ball' in the said match on the second ball of his first over. However, it is an admitted position that the Applicant is not disputing the findings regarding his guilt in the order dt. 30.06.2012 passed by the BCCI Disciplinary Committee. The present representations are only for the limited purpose of reduction in the period of the ban to the period already undergone, in light of the Orders passed in the matters of Mr. S. Sreesanth and Mr. Ankeet Chavan. Thus, the reliance of the learned counsel of BCCI on the Inquiry report in the matter is misplaced, since it is not the case of the Applicant that



the Disciplinary Committee erred in holding him guilty of the offence.

9. Notably, the scope and ambit of the relevant Article 6 of the Anti-Corruption Code, 2012 has been extensively explained by my predecessor in the orders dated 07.08.2019 and 03.05.2021, passed in the matters of Mr. S. Sreesanth and Mr. Ankeet Chavan respectively. Thus, there appears to be no need to burden the present order with a similar discussion, especially in light of the fact that the main prayer of the Applicant is seeking parity with the abovementioned specific orders passed in the matters of Mr. Sreesanth and Mr. Ankeet Chavan.
10. The learned counsel of the Applicant has submitted that that the Applicant is at a better footing than Mr. Sreesanth and Mr. Ankeet Chavan since his offence was in context of a local domestic tournament and not the IPL. Thus, it was submitted that the punishment of life ban imposed on the Applicant is disproportionate vis-à-vis the offence committed by him.
11. It is also important to note that the Applicant was not provided Anti-Corruption training since the Anti-Corruption Unit of BCCI, made for the purpose of providing Anti-Corruption education to players participating in domestic games was announced just days before the video footage incident in the present matter. This fact also finds mention in the Report of the

Inquiry Commissioner. Thus, the submission of the learned counsel of the Applicant that prior to 2012, the Applicant had no exposure in terms of education from Anti-Corruption Unit of BCCI as the Applicant had played only domestic cricket, also has substance.

12. Having bestowed my anxious consideration on the facts of the present case in specific light of the orders dated 07.08.2019 and 03.05.2021, passed in the matters of Mr. Sreesanth and Mr. Ankeet Chavan respectively, I am of the view that the Applicant herein has been able to establish the mitigating circumstances as enumerated in Article 6.1.2.1, Article 6.1.2.2, Article 6.1.2.4, Article 6.1.2.5 and Article 6.1.2.6 of the Anti- Corruption Code, 2012, making the Applicant eligible for the similar relief as has been granted to Mr. Sreesanth and Mr. Ankeet Chavan.
13. Moreover, BCCI has failed to point out sufficient aggravating circumstances that make out a case for life ban on the Applicant. The submission of the learned counsel of BCCI that the present case does not have any similarity to the case of Mr. S. Sreesanth and Mr. Ankeet Chavan as those cases arose out of different incident/proceedings, does not have merit and is rejected.
14. In view of the above, there is no reason why the present Applicant should not be eligible for the same relief as has

been granted to Mr. Sreesanth and Mr. Ankeet Chavan. However, since more than 10 years have passed from the date when the ban was imposed on the Applicant, by virtue of this Order, the ban is restricted to the period already undergone by the Applicant till date.

15. Accordingly, the Representations of the Applicant dated 19.09.2012 and 09.06.2021 are accepted and his prayer for reducing the duration of the ban imposed to the period already undergone by him is allowed. The life ban imposed on him by Order of BCCI Disciplinary Committee dated 30.06.2012 is thus reduced to the period already undergone by him i.e. till 10.02.2023.
16. The Representation is allowed to the extent indicated above.



[JUSTICE VINEET SARAN]
OMBUDSMAN, BCCI

Date: 10.02.2023