BEFORE JUSTICE ARUN KUMAR MISHRA
FORMER JUDGE, SUPREME COURT OF INDIA
ETHICS OFFICER, THE BOARD OF CONTROL FOR CRICKET IN INDIA

Complaint No. 2/2025

In re Complaint dated 19/02/2025 received from:

Mr. Sanjeev Gupta
Son of Late ML Gupta,
Resident of 26, Kailash Park, Geeta Bhawan, Indore
Email ID: sanjeevmlgupta@yahoo.com

... Complainant

In the matter of:

Mr. R. Devaraj, Secretary, Hyderabad Cricket Association

... Respondent

ORDER

The present complaint has been filed under BCCI Rule 39 (2) (b) against Mr. R. Devaraj seeking a declaration and consequential action under BCCI Rule 39 (3) (b). Complainant argues that respondent has an intractable Conflict of Interest.

2. Complainant submits that the respondent is currently on the post of Secretary, Hyderabad Cricket Association (hereinafter, HCA). Further, that respondent has also been appointed as Manager of Indian Team for ICC Champions Trophy Tournament. It is contended that this is impermissible and gives rise to a Conflict of Interest as defined under the BCCI rules (hereinafter, the Rules).

3. To establish his contention, complainant relies upon Rule 38 (1) and 38 (4) of the Rules. It is contended that Rule 38 (4) (f) applies to the post of Secretary, HCA and Rule 38 (4) (c) applies to the post of Manager, Indian Team, to which respondent has been subsequently appointed. It is thus argued that a case of conflict of interest is made out.

4. I have perused the complaint and considered the relevant Rules.

5. It is for the complainant to clearly set out as to how holding any given two posts simultaneously on facts, may give rise to conflict of interest. This burden must, in the first

instance, be clearly discharged by the complainant. The present complaint, however, suffers from ambiguity. In Para 5.5 of the complaint, it is stated and admitted that persons on certain posts, including that of BCCI Secretary, Treasurer, CEO are allowed to hold two posts simultaneously. On the other hand, Para 4.3 of the complaint equates the post of Secretary, HCA with that of BCCI President and others. The complaint neither properly characterizes the two posts complained of in this complaint, nor does it establish as to how occupying two posts would give rise to a Conflict of Interest.

6. Even if the logic of complainant's own assertion is assumed to be correct, and equality of posts is seen from this point of view, the post of Secretary, HCA would be equated with that of Secretary, BCCI, and not that of the President, BCCI. Further, if Secretary BCCI can hold two posts, it does not stand to reason as to how Secretary, HCA could not hold two posts.

7. The complaint also does not disclose on facts as to how there is a conflict of interest in the discharge of the functions and duties between the post of Secretary, HCA and that of Manager, Indian Team for the ICC Champions Trophy.

8. Thus, the complaint fails to make out a case for Conflict of Interest on facts and even otherwise under the Rules. Resultantly, the complaint deserves to be dismissed in limini. It is, accordingly, so dismissed.

9. This order be communicated to Mr. Sanjeev Gupta, the BCCI, and all concerned.

5/3/2025

(JUSTICE ARUN KUMAR MISHRA)
ETHICS OFFICER, BCCI