

**BEFORE JUSTICE ARUN KUMAR MISHRA
FORMER JUDGE, SUPREME COURT OF INDIA**

**OMBUDSMAN,
THE BOARD OF CONTROL FOR CRICKET IN INDIA**

Reference No.1/2025

**(Arising out of Inquiry Report dated 06/01/2021 filed by Ravindra K.
Doiphode, Sr. Investigation Officer, forwarded to Ombudsman, BCCI, by
Head Anti-Corruption Unit, BCCI)**

In the matter of :

C.S. Naik

.... Respondent

CEO of Mumbai Cricket Association

Email: mcacrik@mumbaicricket.com

ORDER

1. Upon completing its investigation, the Anti Corruption Unit (hereinafter, the ACU) of the Board of Control for Cricket in India (hereinafter, the BCCI) submitted its report to the Ombudsman, recommending that appropriate action be taken against the respondent. The inquiry had been conducted under the BCCI's concerning the corrupt approach made to a player (Bhavin Thakkar) during the second edition/season of the Mumbai T20 League (hereinafter, the MT20 league) organized by the Mumbai Cricket Association (hereinafter, the MCA) in 2019.
2. The match at issue was the Semi-final of the 2019 MT20 league. Corrupt approach was made on behalf of one Gurmeet Singh Bhamrah, who was a team owner, and was communicated to the player via Bhamrah's close aide



Sonu Vasan. Vide seperate orders dated 19.03.2025 and 18.04.2025, Gurmeet Singh Bhamrah has been placed under life band/suspension. A common Inquiry Report came to be filed in relation to all the aforesaid persons, including the respondent.

3. At the relevant time, respondent was the CEO of MCA. Para 14 of the Inquiry Report is extracted hereunder:

"14. On 6th June, 2019 at 10.00 am, Mr. Ravindra Doiphode, Sr. Investigation Officer and Mr. Dheeraj Malhotra, Manager, ACU, visited MCA office and met with Mr. C.S. Naik, CEO, MCA and in reference to the news articles sought details if he had any about the approach.

14.1 Mr. C.S. Naik, CEO informed that he had read the news article.

14.2 Mr. Naik further informed us that he had received verbal information but nothing has been reported to him in writing.

Mr. Naik did not share any detail with the ACU officials.

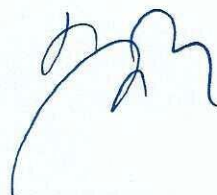
14.3 Mr. Naik also informed that he had spoken with Mr. Devendra Pandey of Indian Express (author of the new article) and according to Mr. Naik, Devendra Pandey had not disclosed the source of the article to him.

14.4. Mr. Naik informed us that he had called an urgent MCA meeting at 5.00 p.m. (on 6th June) of all other members to discuss if any of them were aware of the approach. He assured to provide us with the details of the approach after the meeting."

4. Qua the respondent, summarized findings in the Inquiry Report are thus:

"134. Even after Bhavin Thakkar meeting him twice, Mr. C.S. Naik, CEO, MCA claimed he had not received any written information and he could not just rely on verbal complaint so he did not report it to ACU and puts the onus on Bhavin Thakkar to first provide him with a written complaint.

135. Mr. Naik has failed to inform ACU about Dhawal Kulkarni being aware of this approach and that he also had reported to him that he was witness to the call.



137. Further, Mr. C.S. Naik spoke to the Prof. Shetty regarding this incident and even after being advised to bring this matter to immediate attention of Head, ACU did not do the needful.

138. Even after ACU officials meeting with him, he did not provide any details of the corrupt approach.

139. Had the media not printed this articles, Mr. C.S. Naik would not have disclosed the approach made to the player.

140. It is clear that, for intentions best known to him, Mr. Naik tried to brush the matter under the carpet.”

5. Following recommendations have been made against the respondent in Para No. 167.2 of the Inquiry Report:

“Hon. Ombudsman may recommend appropriate action against Mr. C.S. Naik, CEO, MCA so that in future, actions on reports on violation of Anti-Corruption Code are undertaken promptly.

6. Notice of Charge was issued to the respondent on 18.02.2025. A copy of Inquiry Report was sent along with the same, and respondent was asked to Show Cause as to why action should not be taken against him under Article 2.4.5 of the Code.
7. Since Code is applicable to all BCCI officials, therefore, as a corollary, the code is also applicable to MCA officials.
8. In his reply, the respondent submitted that in his meeting with Bhavin Thakkar, he was orally informed by the player concerned about the corrupt approach; but no complaint was made to him in writing, stating the details of the person who approached or the details of the conversation. In the absence of such a written complaint, he could not pursue the complaint made to him any further. No written complaint was received by the MCA either. Further, the reply states that respondent informed the then in-charge Ad-hoc Committee of the MCA, which passed a resolution to cooperate with the



BCCI. Respondent has also contended that Article 2.4.5 does not apply to him as the Anti-Corruption Code itself does not apply to him.


9. Article 2 of the Code provides for offences under the Code. Under Article 2.4.5 makes punishable a failure to disclose to the ACU BCCI (without unnecessary delay) full details of any incident, fact, or matter that comes to the attention of a participant that may evidence corrupt conduct under the Code by another participant, including (without limitation), approaches or invitations that have been received by another participant to engage in corrupt conduct under the Code.
10. The respondent was informed orally by Bhavin Thakkar of the corrupt approach. The respondent informed to MCA about same but not to ACU in the absence of a complaint in writing. The finding that details were not informed to ACU official is not correct as Mr. Naik was not informed of details. As such he could not have stated details to ACU officials.
11. In the instant case, the respondent did not try to cover up issue. He had informed MCA, on which a resolution was passed by MCA, but not to ACU of BCCI. He had informed to Prof. Shetty also. It is stand of respondent he was not informed of details of approach and he asked for written complaint from Mr. Bhavin Thakkar in order to ascertain details. It is case of not acting on oral information to report to ACU of BCCI. As he informed MCA, action of respondent cannot be said to be mala fide or of trying to cover up the matter. Though it would have been proper for him to inform BCCI/ACU of even oral complaint made promptly. However, in the facts and circumstances of the case, it can be said to be his error of judgment in insisting on written complaint, not a case of deliberate suppression of the matter.
12. In the facts and circumstances of the case, it is not considered appropriate to impose punishment under Article 2.4.5 of the Anti Corruption Code.



However, in future in such cases, even on receipt of oral information, matter should be reported to ACU of BCCI so that no time is lost in making enquiry.

13. The respondent is cautioned to be careful in future to take action with promptness in reporting matter to ACU of BCCI even on receipt of oral information. Case is closed.

Dated: 07.06.2025



(Justice Arun Mishra)
Ombudsman, BCCI