

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

**ETHICS OFFICER
THE BOARD OF CONTROL FOR CRICKET IN INDIA**

**In Re: Complaint dated 24.10.2025 made by Mr. Sanjeev Gupta
against Mr. Amitabh Vijayvargiya before the Ethics Officer,
Board of Control for Cricket in India**

ORDER

1. The complaint has been received by the Ethics Officer, Board of Control for Cricket in India (BCCI) under Rule 39 (2) (b) of the Rules of the Rules and Regulations of the BCCI (the Rules).
2. It is alleged that a conflict of interest is made out under the Rules against the respondent, Mr Amitabh Vijayvargiya inasmuch as he is occupying two posts simultaneously, which is impermissible under the Rules. The two posts as alleged in the complaint are firstly a Member of the BCCI Standing Committee (Tours, Fixtures and Technical Committee) and secondly a Member/Chairman of the Men's Cricket Development Team at the Madhya Pradesh Cricket Association. It is submitted that Mr. Vijayvargiya is a member of the aforesaid BCCI Standing Committee under Rule 25 (2) (B) of the Rules, reliance is placed on a BCCI Media Advisory dated 18th December, 2021.
3. Upon receiving the complaint, as the media advisory is 4 years old as of 2021, it was considered necessary that factual information be



obtained from the BCCI in regard to the said fact as mentioned in the complaint. Appropriate authority at the BCCI was asked to provide factual information as to whether Mr. Ambitabh Vijayvargia is at present a Member of the BCCI Standing Committee (Tours, Fixtures and Technical Committee). Response has been submitted by the BCCI to the Ethics Officer, stating that Mr. Ambitabh Vijayvargia is not a member of the Committee at present. He was a member of the Tours, Fixtures and Technical Committee in the year 2021 and 2022. However, at present he is not holding any post, nor he is part of any committee in the BCCI.

4. The complainant was apprised on 04.12.2025 of the factual information obtained by the Ethics Officer, and he was directed to submit a reply to the same. Three separate replies dated 04.12.2025, 05.12.2025 and 06.12.2025 via email have been submitted by the complainant, he has placed onus on the BCCI to show that the Respondent is not a member. Since BCCI has not uploaded any decision to the contrary, he is deemed to continue as such. In none of reply he is able to state now, actually and factually Mr. Vijayvargiya is a member of the said BCCI Standing Committee at present. He has even declined to file an affidavit in this regard, which he was required to submit.
5. In the email reply filed by the complainant on 04.12.2025, it was asserted that the factual position as supplied by BCCI was incorrect. However, it was not specifically stated whether Mr. Vijayvargiya was a member of the said Committee on the date of filing of the complaint.



6. Taking note of the fact that the complainant's reply did not contain any averment on the facts of the matter, the following directions were again issued to the complainant on December 5, 2025;

“1. Complainant to file a fresh affidavit, specifically and unequivocally stating therein that the respondent (Mr. Ambitabh Vijayvargia) was a member of the Tours, Fixtures, and Technical Committee of the BCCI in 2024-25 and on date of filing of complaint.

2. If so, the documents and the source of information upon which such an assertion is made also be supplied along with the reply.

3. When complainant came to know of the facts stated in the complaint as to the membership of Mr. Vijayvargiya in the said committee.”

7. Pursuant to these directions, two further replies came to be filed by the complainant. In reply dated 05.12.2025, the complainant inter alia claimed that in his affidavit accompanying the complaint dated 24.10.2025, reliance was placed on the BCCI Media Advisory issued on December 18, 2021. It was stated that no such further Media Advisories were available. Despite a specific direction having been issued, the complainant did not file an affidavit and stated that there was no need for him to file an affidavit again. He has also mentioned in the reply;

“Further, Petitioner do not file precise / factual complaints under the Supreme Court of India approved BCCI Rule 39(2)(b) to get insulted / humiliated / threatened. . .”

(emphasis added)



8. On the same day i.e. 05.12.2025, the complainant sent another email, a copy of which was also endorsed to the Ombudsman/Ethics Officer. Factual and legal aspects of the case were communicated via this email addressed/marked to more than 300 people, none of whom are parties to this case or are in any way connected to this case. Besides the Ethics Officer, this email mailing list includes the names of several officer bearers within the BCCI and other State Cricket Associations. It also includes the official email addresses of high constitutional functionaries, including serving and former Judges of the Supreme Court.

9. A second reply was also sent in response to the directions dated 05.12.2025. This reply dated 06.12.2025, reiterated the complainant's reliance on the BCCI's Media Advisory of 2021. Complainant yet again stated that no fresh affidavit was required. Prayer was made to pass an appropriate order in the matter.

10. The complainant has sent the email to 300 persons in this pending matter on 05.12.2025. This action is impermissible. Complainant has been warned in the past by previous Ombudsman/Ethics Officer about putting out information to unconnected third parties of the case and as to documents of the complainants that he files before the Ethics Officer. In this regard, the Ethics Officer's Hon'ble Justice Vineet Saran in order dated 06.01.2023, passed in Complaint No. 04/2022, titled Sanjeev Gupta Vs. Roger Binny, has quoted the orders of the previous Ombudsman/Ethics Officer, Hon'ble Justice D.K. Jain, relevant portion is extracted hereunder:

“15. Before parting with the matter, I may deal with the preliminary objection which was raised by Mr. Mukerji with regard to the complainant forwarding the complaint and other



documents to hundreds of unconnected persons, which included media persons and others.

16. It is not denied by Mr. Gupta that he has been forwarding complaints and other documents to such unconnected persons, which he says is only to protect himself, as once the complaint is in public domain he would not be threatened, which if he not done, he could be threatened and coerced to withdraw the complaint.

17. Directions have already been given by my predecessor in complaint case 4/2020 on 15.08.2022 and 16.01.2021 directing the complainant herein not to put the complaint and other information in public domain and if the same was done, it would be viewed seriously and dealt with severely, including not entertaining the complaint itself.

In order dated 15.08.2020, the earlier Ethics Officer had issued the following directions:

“the Complainant and other similarly placed persons are put to notice that if it is brought to the knowledge of the Ethics Officer (or the Ombudsman) that they have voluntarily put in public domain, any information relating to a pending Complaint/Application filed by them, such conduct on their part shall be viewed seriously and dealt with appropriately including not entertaining the complaint itself.”

Subsequently, vide order dated 16.01.2021 in Complaint No. 04/2020, it was again observed that:

“4. Despite the afore extracted clear directions, the Complainant has failed to make amends. Evidently, apart from casting aspersions against the office of the Ethics Officer, possibly with a view to gain publicity, the complainant has again put the proceedings in this pending matter in the public domain by forwarding his email, containing the particulars of the complaint, to some persons, who were not parties to that complaint.

5. I feel that such leaking out of information in a pending matter, apart from other serious other



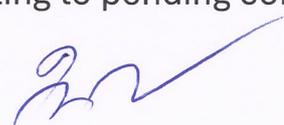
consequences, cause prejudice to the person complained against. Such leaks can cause irreparable loss to the reputation of the person complained against, as he may ultimately get exonerated in the Complaint. Precisely for this reason, a strict warning was issued to the Complainant to desist from putting information relating to pending matters in public domain. Having failed to comply with the said directions, the Complaint warrants outright rejection in terms of the directions dated 15th August 2020.

18. The complainant does not dispute that such warnings have been given to him, but contends that the same were in a different case. He has further accused the respondent of mud-slinging and questioned as to how he has got copy of such order in a case where the respondent was not even a party.

19. Be that as it may, the directions issued earlier to the complainant Mr. Sanjeev Gupta regarding not putting information in public domain is not disputed by him. In view of the facts and circumstances of the present case, I reiterate the views of my predecessor in the case of Sanjeev Gupta vs. Virat Kohli (supra) and strongly deprecate the practice of the complainant putting such documents in public domain, which should not be repeated by him in future. A stern warning is given to the complainant not to voluntarily place complaints and other documents in public domain and that he should send copies of the same only to the parties concerned.

20. Accordingly, the complaint is devoid of merit and stands dismissed.”

11. As discussed above, the complainant has committed a serious violation of the previous orders passed by the previous Ombudsman/Ethics Officer, Hon’ble Justice D.K. Jain, in order dated 15.08.2020, warned him not to put in the public domain any information relating to pending complaints.



Such conduct shall be viewed seriously and dealt with appropriately, including not entertaining the complaint itself. In the order dated 16.01.2021 extracted above in Complaint No. 04/2020, it was observed that the complainant has again put information in the pending matter in the public domain by forwarding an email to some persons who were not parties to that complaint. It was further observed that leaking out the information in the pending matters was improper, and a strict warning was issued to the complainant not to disclose the information in the pending matters in the public domain. Hon'ble Justice Vineet Saran, Former Ombudsman/Ethics Officer has also deprecated the practice of the complainant putting the documents in the public domain and directed him not to repeat same in the future. Warning was given to the complainant in this regard. Complainant has not followed the aforesaid orders binding upon him and is scandalizing the proceedings.

12. Complainant is also habitual of sending the emails addressed to the other persons to the office of the Ombudsman/Ethics Officer. The complainant is also habitual of repeating emails, burdening the office of the Ombudsman/Ethics Officer with having to go through such emails which are not a complaint filed before the office of the Ombudsman/Ethics Officer. The office of the Ombudsman/Ethics Officer is only to entertain complaints and to decide them. The other emails which are not complaints should not be sent by the complainant to the office of the Ombudsman/Ethics Officer. He is directed not to resort to in such practices in future.

13. It is clear that there is non-compliance by the complainant of the specific directions dated 05.12.2025 to file an affidavit. There is a bald



refusal to file the affidavit about the factual position as to the membership of Mr. Amitabh Vijayvargia in the year 2024-25 and on the date of filing of the complaint. The complainant has submitted that he is not required to file a further affidavit on and over what he has filed along with the complaint dated 24.10.2025. As an affidavit was asked on the factual position quoted above in the direction dated 05.12.2025, it was incumbent upon the complainant to file a specific affidavit, which he has not complied with.

14. There is nothing to disbelieve the information submitted by the BCCI that at present, the respondent Mr. Amitabh Vijayvargia is not a Member of Tours, Fixtures and Technical Committee. The complainant is harping upon deeming fiction that Mr. Amitabh Vijayvargia is continuing as a member of Committee as there is no decision uploaded of its winding up on the website by BCCI. When BCCI stand on facts is clear deeming fiction cannot come into play.

15. Coming to the aspect, the complainant has used the expression that he cannot be “insulted/humiliated/threatened”. The use of the aforesaid expression is strongly deprecated, the affidavit was sought not for insulting the complainant or for humiliating him or threatening him in any way. He is warned to be cautious not to use such language in the reply when information is asked for.

16. In view of the facts and circumstances of the case, the complaint is liable to be dismissed due to the complainant not having complied with the order dated 05.12.2025 and further there is nothing to disbelieve the factual



information furnished by BCCI that at present, Mr. Amitabh Vijayvargia is not a Member of the Committee or the Member of BCCI in any capacity.

17. In future, if the complainant resorts to the method of sending the papers to unconnected persons of the pending complaint in the method and manner, he is doing in view of the binding orders of the Ombudsman/Ethics Officer passed earlier. Complainant should not have violated them by repeating such act, he should not have resorted to the practice time and again. He is bound by the orders and must comply with them. In case he is found involved again in such an act again, the complaint shall liable to be dismissed only on the ground of putting information or sending the document in a pending matter to unconnected person and putting them in the public domain as observed by the previous Ombudsman/Ethics Officer. Further, the complainant may be debarred from filing complaint in future due to violation of orders of Ombudsman/Ethics Officer. It is expected that the orders passed earlier, including the present one, are scrupulously observed by the complainant.

18. The complaint is hereby dismissed.

Dated: 26.12.2025


(Justice Arun Mishra)
Ethics Officer, BCCI