

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

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

In Re: Complaint dated 11.01.2026 received from:

Mr. Sanjeev Gupta
Son of Late Shri ML Gupta
26, Kailash Park, Geeta Bhawan,
Indore (MP) – 452001. ... Complainant

And

Abhishek Nayar
Head Coach/Team Official of BCCI
IPL Franchisee KKR ... Respondent

ORDER

1. The present complaint has been filed under Rule 39(2)(b) of the BCCI Rules alleging breach of Rule 38(1)(i) and Rule 38(2) of the Rules. The complainant seeks a declaration of existence of conflict of interest under Rule 39(3)(b) and consequential disciplinary action against the Respondent.
2. The complainant alleges that the Respondent is the Head Coach of the IPL franchise Kolkata Knight Riders (KKR), and that this constitutes a direct interest in a BCCI IPL franchise. It is further alleged that the Respondent is also the Head Coach of the Women's Premier League (WPL) franchise UP Warriorz. On this basis, the complainant contends that the Respondent holds two posts giving rise to a conflict of interest under the BCCI Rules.
3. The complainant also seeks to invoke Rule 38(2) of the Rules, contending that conflict of interest arises when an individual holds two separate or distinct posts or positions under the BCCI, a member of the IPL, or a franchisee, the functions of which would require one to be beholden to the other or be in opposition thereto.
4. I have perused the complaint, the averments made therein, the annexures filed along with the complaint, and considered the relevant provisions of the BCCI Rules.

5. At the outset, it must be noted that it is for the complainant, in the first instance, to clearly set out as to how holding any given two or more posts simultaneously, on facts, gives rise to a conflict of interest. This burden squarely lies upon the complainant.

6. The complaint proceeds on a bare assertion that the Respondent holds the post of Head Coach of an IPL franchise and also the post of Head Coach of a WPL franchise. Beyond this assertion, the complaint does not disclose how the functions attached to these posts are such that one would require the Respondent to act in a manner beholden to the other, or in opposition thereto, so as to attract Rule 38(2) of the Rules.

7. This office has consistently held, including in Mr. Sanjeev Gupta v. Mr. Rahul Dravid (Complaint No. 6/2019) and Mr. Sanjeev Gupta v. Mr. Mayank Parikh (Complaint No. 5/2019), that Sub-rule (4) of Rule 38 cannot be divorced from Sub-rule (1) of Rule 38 and must be harmoniously construed with the definition of “conflict of interest” under Rule 1(A)(g).

8. Rule 1(A)(g) contemplates conflict of interest as a situation where an individual associated with the BCCI acts, or omits to act, in a manner that brings or is perceived to bring the interest of the individual in conflict with the interest of the game of cricket, giving rise to reasonable apprehensions of, or actual, favouritism, lack of objectivity, bias, benefits (monetary or otherwise), or linkages. Mere enumeration of positions held by an individual associated with the BCCI does not, by itself, establish a conflict of interest.

9. Further, Rule 38(1)(ii) of the BCCI Rules also contemplates instances of “role compromised”, which arises when an individual holds two separate or distinct posts or positions under the BCCI, a member of the IPL, or a franchisee, the functions of which would require one to be beholden to the other or be in opposition thereof. Even tested on this anvil, the complainant has failed to demonstrate how the Respondent, by holding the posts referred to in the complaint, is placed in a position where the discharge of functions in one role compromises, influences, or is in opposition to the discharge of functions in the other. No factual material has been placed on record to show any such role compromise.

10. A plain reading of the Rules indicates that the BCCI framework, unless specified in them, does not prohibit an individual from holding two separate or distinct posts per se; what is proscribed is a situation where such holding results in role compromise or conflict as contemplated under Rule 38. In the absence of any pleaded or established facts demonstrating such compromise, the allegation cannot be sustained.



11. In the present case, the complainant has failed to plead or demonstrate any factual basis to show:

- (i) any apprehension of favouritism or bias;
- (ii) any lack of objectivity in discharge of duties;
- (iii) any benefit, monetary or otherwise, accruing to the Respondent; or
- (iv) any linkage between the two posts which is prejudicial to the interest of the game of cricket.

12. The complaint does not set out how the Respondent being Head Coach of KKR and Head Coach of UP Warriorz gives rise to any actual or potential conflict, either under Rule 38(1) or Rule 38(2) of the Rules.

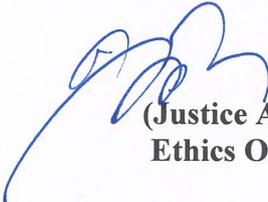
13. In the absence of such factual foundation, the allegation of conflict of interest rests merely on the existence of two appointments, which by itself is insufficient under the BCCI Rules.

14. In view of the above, the complainant has failed to discharge the initial burden of making out a case of conflict of interest on facts and even otherwise under the BCCI Rules.

15. The complaint is accordingly dismissed.

16. This order shall be communicated to the complainant, the Respondent, the BCCI, and all concerned.

Dated: 20.01.2026


(Justice Arun Mishra)
Ethics Officer, BCCI