

**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

Sourav Ganguly

CAB President/BCCI

... 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, including termination or removal without benefits.
2. The complainant submits that the Respondent is the President, Cricket Association of Bengal and, in view of Rule 1(A)(a) of the BCCI Rules, is equated with a BCCI Administrator. It is contended that this position constitutes a direct interest in BCCI affairs. The complainant further alleges that the Respondent:
 - “(i) has been appointed as Director – Cricket, JSW Sports, an entity owning IPL and WPL franchises; and
 - (ii) has also been appointed as Head Coach of the Pretoria Capitals for the South Africa T20 League (Season 2025–26), which team is also owned by JSW Sports.”
3. On the basis of the above, the complainant contends that the Respondent is placed in a position of conflict of interest and seeks action under Rule 39(3)(b) of the Rules.
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, however, suffers from ambiguity and lack of factual foundation. Beyond stating the posts allegedly held by the Respondent, the complaint does not disclose:
- i. how the discharge of functions in one role influences or compromises the other;
 - ii. how the interest of the game of cricket is prejudiced; or
 - iii. how the Respondent derives any undue advantage by reason of holding such posts.
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) defines 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, and which may give 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. Therefore, mere holding of post(s) by an individual associated with the BCCI, as identified in Sub-rule (4) of Rule 38, may not per se be sufficient to arrive at a conclusion of existence of conflict of interest. Whether such holding gives rise to conflict must necessarily be tested on the anvil of the elements set out in Rule 1(A)(g).
10. 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.

11. 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 facts demonstrating such compromise, the allegation cannot be sustained.

12. In the present case, the complainant has failed to demonstrate:

- i. any actual or potential apprehension of favouritism;
- ii. any lack of objectivity or bias;
- iii. any receipt of benefits, monetary or otherwise; or
- iv. any linkage between the posts referred to in the complaint.
- v. any actual compromise in the roles

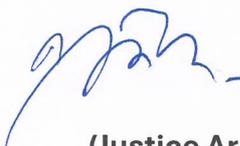
13. There is no factual matrix placed on record to show how the Respondent being the President of the Cricket Association of Bengal, the Director – Cricket of JSW Sports, and the Head Coach of a South Africa T20 League team are in conflict with each other or prejudicial to the interest of the game of cricket. They are independent offices, nothing to do with each other.

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 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:  10.01.2026

 20/1/2026
(Justice Arun Mishra)
Ethics Officer, BCCI