

From: ethics.officer@bcci.tv
Sent: 07 February 2020 17:35
To: 'sanjeev Gupta'; kapildev58@yahoo.co.in; Rahul Johri
Subject: Complaint No. 8/2019 dated 6th August 2019 - Mr. Sanjeev Gupta vs Mr. Kapil Dev

**BEFORE JUSTICE D. K. JAIN, FORMER JUDGE, SUPREME COURT OF INDIA
ETHICS OFFICER, THE BOARD OF CONTROL FOR CRICKET IN INDIA**

COMPLAINT 8/2019

In re:

Complaint dated 6th August 2019 received from:

Mr. Sanjeev Gupta

...Complainant

In the matter of:

Mr. Kapil Dev, Former Test Captain, Member (CAC)

Appearances:


Mr. Sanjeev Gupta	- Complainant in person
Mr. Kapil Dev	- N. P.
Mr. Rahul Johri	- CEO of BCCI
Mr. Biswa Patnaik	- Senior Legal Advisor, BCCI
Ms. Melinda Colaco	- Legal Advisor, BCCI

**ORDER
06.02.2020**

1. Pursuant to the notice dated 10th December 2019, affording personal hearing to the Parties, the proceedings were held on 27th December 2019 at 11.00 a.m. at Hotel Trident, Mumbai.
2. A message was received from Mr. Kapil Dev that due to some personal difficulty he will not be able to appear before the Ethics Officer for personal hearing. Accordingly, Mr. Sanjeev Gupta, the Complainant and the Representatives of the BCCI were heard at some length.
3. After the Complainant had made oral submissions before the Ethics Officer for some time, it was pointed out by Mr. Rahul Johri, CEO of the Board of Control for Cricket in India (for short "the BCCI") that on that date, Mr. Kapil Dev was neither Member of the Cricket Advisory Committee (CAC) nor the Director of Indian Cricketers' Association (ICA). It was stated that Mr. Kapil Dev had submitted his resignation as Member of CAC on 2nd October 2019 and upon

holding of the elections of the Indian Cricketer's Association on 13th October 2019, five new Directors had been elected and as a result thereof, Mr. Kapil Dev ceased to be Director of the said Association. It was thus, pleaded that the 'conflict of interest', as alleged in the Complaint did not survive.

4. In view of the said statement on behalf of the BCCI, the Complainant prayed for and was granted time till 30th December 2019 to make his stand clear, in writing, as to whether the present Complaint was rendered infructuous.
5. In furtherance thereof, the Complainant filed his submissions dated 30th December 2019. In the penultimate paragraph (9) of the submissions, it is stated that the Ethics Officer may decide the Complaint in view of the factual statement made on behalf of the BCCI.
6. In view of the above, the Ethics Officer is of the view that due to the afore stated subsequent developments, as of date, the present Complaint is rendered infructuous and thus, nothing survives for the consideration of the Ethics Officer. The Complaint is disposed of accordingly.
7. This order may be communicated to all concerned by email.
8. The file may be consigned to the record.


(JUSTICE D. K. JAIN)
ETHICS OFFICER, BCCI

Justice D. K. Jain
Former Judge, Supreme Court of India

Ethics Officer
The Board of Control for Cricket in India
Cricket Centre, Wankhede Stadium,
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