

**MINUTES OF THE 3rd APEX COUNCIL MEETING (EMERGENT MEETING)
OF BOARD OF CONTROL FOR CRICKET IN INDIA (BCCI) HELD ON
WEDNESDAY, 6th MAY 2020 AT 6:30 P.M. VIA VIDEO CONFERENCING**

Present:

1. Mr. Sourav Ganguly – Honorary President, Chairperson
2. Mr. Jay Shah – Honorary Secretary
3. Mr. Arun Singh Dhumal – Honorary Treasurer
4. Mr. Jayesh George – Honorary Joint Secretary
5. Mr. Prabhtej Singh Bhatia – Councillor
6. Ms. Alka Rehani Bhardwaj – CAG Nominee
7. Ms. Shantha Rangaswamy – ICA Representative (Female)
8. Mr. Aunshuman Gaekwad – ICA Representative (Male)

BCCI staff members were invited to speak on specific Agenda items, as and when required.

1. CHAIRPERSON

Mr. Sourav Ganguly, the Honorary President, BCCI (the “**Chairperson**”) presided over the meeting. He greeted all the members present in the Apex Council and welcomed them to the 3rd Apex Council Meeting of the BCCI. He explained that owing to the prevailing Covid-19 situation, an emergent meeting was required to be called via video conferencing as some key decisions were required to be taken urgently.

2. QUORUM

After ascertaining that the requisite quorum for the meeting was present, the meeting was called to order.

Thereafter, Mr. Jay Shah, the Honorary Secretary, BCCI, also welcomed all the members.

With the permission of all the members present, the notice convening the meeting, having already been circulated, was taken on record.

SG

3. DISCUSSION ON ICC MEN'S WORLD CUP 2021- TAX SOLUTION MATTER

The Chairperson apprised the Apex Council about the situation in relation to India hosting the Men's Cricket T20 World Cup in 2021 and explained what has transpired with ICC vis-a- vis obtaining a "tax solution" as provided in the Host Agreement which was signed in 2014. He also explained the situation regarding the 2016 World T20.

The Chairperson apprised the Apex Council about the exchange of letters between ICC and BCCI. Honorary Treasurer and Honorary Secretary explained that efforts are on with the Government of India to get a tax exemption.

Ms. Bhardwaj pointed out that Apex Council should be kept informed timely of such critical matters, precedents in previous contracts could be referred and cited contractual clauses, which needed to be interpreted and implemented in this matter, adding that BCCI should explore all avenues to obtain the tax solution including looking at tax solutions under Clause 10.20 (c) of the Host Agreement.

The Apex Council agreed that BCCI should host the World Cup T20 in 2021 and explore all avenues to ensure that the tournament is hosted in India and a tax solution is achieved.

After some deliberation, the Apex Council decided that BCCI will work with ICC to get a mutually agreeable tax solution for the World Cup in 2021 & 2023. Further, it was also agreed that all efforts will be made to get a tax exemption, to the extent possible, from the Government of India.

It was also decided that Apex Council will be kept informed of any major decision in this regard.

4. DISCUSSION ON SALARY STRUCTURES FOR FUTURE CONSIDERING THE ONGOING COVID-19 SITUATION

The Chairperson apprised the Apex Council members about the ongoing Covid-19 situation and the effects it is having on the revenue streams of BCCI. The Chairperson explained that considering the ongoing situation there might be a requirement to cut salary/ fees of employees and professionals contracted with BCCI.

Ms. Bhardwaj wanted to understand the salary structure of the players and whether it comprised of a fixed and variable component linked to match performance, incentives etc.

After some deliberation, the Apex Council members agreed that a view on salary/ fee cuts would be taken after assessing the financial (including tax) implications based on

the budget of F.Y. 2020-21. Mr. Nikhil Khanna (AGM-Finance and Accounts) agreed to share the details with all the members of the Apex Council for them to make an informed decision.

5. DISCUSSION ON THE RFP FOR THE BCCI ARCHIVES SERVICE

The Chairperson apprised that the long term contract for six years with an agency for Digital Archiving and Cataloguing services was expiring on 30 June 2020 and it could be either extended for 6 months or for a year, as the new tender process would take time. Mr. Dev Shriyan, Director- Production and Broadcast shared in view of Covid-19 pandemic, there were concerns about getting the most competitive bids and it will be an issue to set up the hardware with the new vendor in the current situation.

After some deliberation, the Apex Council members agreed to extend the contract for a period of 1 year till June 30, 2021. It was agreed that before the expiry of contract on 30 June 2021, new contractor should be identified based on tender process.

6. APPOINTMENT OF OMBUDSMAN AND ETHICS OFFICER FOR BCCI.

It was apprised to the Apex Council by the Chairperson that Justice D. K. Jain, former judge of Supreme Court of India has agreed to continue as Ombudsman and Ethics Officer of BCCI.

In response to Ms. Bhardwaj's query regarding mode of appointment, Hon. Secretary stated that the General Body had empowered the Office Bearers to appoint the Ombudsman and, in the AGM of 2020, this would be reviewed.

After some deliberation, the Apex Council took note of the appointment of Justice (Retired) D.K. Jain as an Ombudsman and Ethics Officer of BCCI for a period of 12 months, with effect from the date he assumes charge.

7. DISCUSSION ON THE DDCA MATTER

The Chairperson informed the Apex Council members that the Office Bearers have received several complaints against Delhi & District Cricket Association (DDCA) including non-payment of dues to various coaches and staff. The Apex Council members were also apprised that DDCA is mired in legal controversy amidst in-fighting between factions because of which the game of cricket is suffering.

Honorary Treasurer mentioned that BCCI should look at appointment of Ad hoc body to oversee cricketing activities in Delhi so that interest of cricket does not suffer due to

infighting in DDCA. Ms. Bhardwaj enquired if BCCI has an authority to appoint an ad-hoc committee and that if appointed, it should have independent experts. Ms. Bhardwaj also pointed out the need to ensure payment of salary of cricketers and cricket staff. Honorary Secretary informed that a legal opinion is being taken on whether an ad-hoc body can be appointed and if BCCI can intervene in the proceedings before the Delhi High Court and inform that it had appointed an ad-hoc body in relation to cricketing affairs of DDCA.

After some deliberation, the Apex Council members agreed to form an ad-hoc committee subject to the opinion obtained from legal experts.

8. DISCUSSION ON NIKE MATTERS

The Chairperson informed the Apex Council that the Kit Sponsor contract with Nike is expiring in September 2020 and a decision needs to be taken on the way forward considering the prevailing market situation.

The Chairperson requested Mr. Prabhakaran Thanraj, Marketing Manager and Mr. Gaurav Saxena, AGM- Operations to brief the members regarding the Nike Contract.

Mr. Thanraj and Mr. Saxena explained the nuances of the contract and informed that Nike has expressed its inability to renew the contract at the same terms and can only consider a renewal at a discounted value from the current contract value.

CEO, BCCI suggested that BCCI can go for a tender process to find a new kit sponsor and the tenders can be split into parts for making it more profitable for BCCI.

After some deliberation, it was decided that BCCI will go for a tender process and Nike will be informed about BCCI's decision.

9. ANY OTHER BUSINESS WHICH THE CHAIRPERSON MAY CONSIDER NECESSARY INCLUDED IN THE AGENDA

a) Pending tax related issues:

The Honorary Treasurer informed that BCCI is actively considering and evaluating Government of India's Vivad se Vishwas Scheme, 2020 to reduce pending litigation relating to income tax. He mentioned that once the study is done, he will inform all concerned about the need of availing the scheme. The same was noted.

b) Increase in gratis given to ex cricket players:

Mr. Gaekwad requested the Apex Council to consider ICA's recommendations and possibly consider increasing the gratis given to ex cricket players. The Chairperson said that they will review the gratis policy of BCCI.

c) Resignation of Vice President, BCCI:

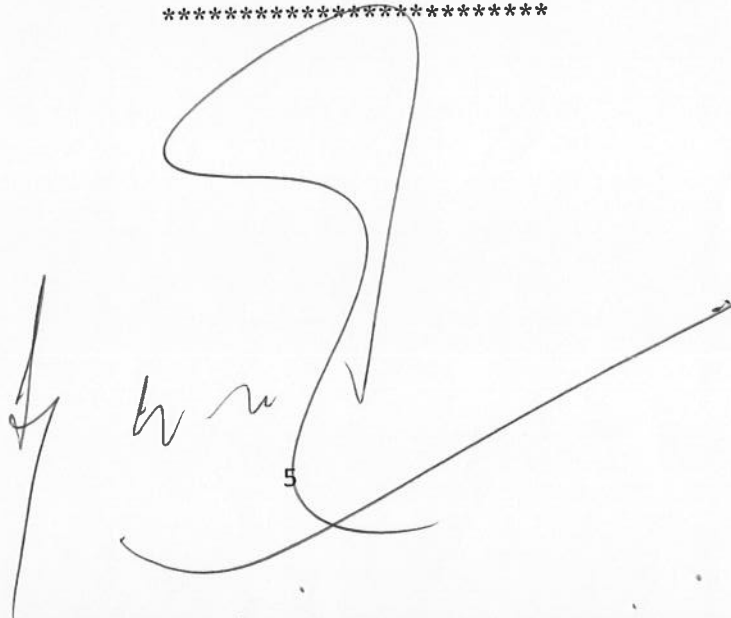
Ms. Bhardwaj desired to know whether any action had been taken by BCCI, on initiating election process for the vacant post of Vice President of BCCI. Honorary Secretary stated that the issue of amendment of the BCCI Constitution is pending before the Supreme Court of India and the election process will commence after the Supreme Court decides on the matter. On further query of Ms. Bhardwaj whether the President BCCI had delegated the functions of Vice-President to any other Office-Bearer, in accordance with Rule 7(1) (d) of the BCCI Constitution, the Chairperson stated that this will be done in due course.

d) Adherence to Constitutional timelines for meetings:

In view of the 3rd Apex Council meeting being held as an Emergent Meeting, CAG nominee reiterated the need for BCCI office bearers to adhere to the constitutional requirement of holding the Apex Council meetings henceforth, with clear 14 days' notice, along with all papers, so that meaningful contribution could be made by all Apex Council members. Information/papers/clarifications sought by members were also to be readily provided, to enable the members to discharge their responsibilities well. This was agreed to by the Chairperson, BCCI.

10. VOTE OF THANKS

The Chairperson and the Honorary Secretary thanked the Apex Council members and there being no other business, the meeting was terminated.



The image shows a large, stylized handwritten signature in black ink. To the left of the main signature, there are several smaller, less distinct scribbles. The signature is written over a horizontal line that extends across the page. The overall appearance is that of a formal signature on a document.