

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4235 OF 2014

In the Matter of:

Board of Control for Cricket in India ... Petitioner

Versus

Cricket Association of Bihar & Ors. ... Respondents

**EIGHTH STATUS REPORT DATED**  
**APRIL 27, 2018 SUBMITTED BY THE**  
**SUPREME COURT APPOINTED**  
**COMMITTEE OF ADMINISTRATORS**

[PAPER BOOK]

FOR INDEX PLEASE SEE INSIDE

**M/S. CYRIL AMARCHAND MANGALDAS (AOR)**  
**ADVOCATES FOR THE PETITIONER**

# RECORD OF PROCEEDINGS

[illegible]

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**INDEX**

<b>SR. NO.</b>	<b>PARTICULARS</b>	<b>PAGE NO.</b>
1.	Eighth Status Report dated April 27, 2018 submitted by the Supreme Court appointed Committee of Administrators (COA)	<b>1 – 17</b>
2.	<b><u>ANNEXURE A-1</u></b>  A copy of the direction dated July 20, 2016 issued by the Hon'ble Justice Lodha Committee	<b>18 – 19</b>

3.	<b><u>ANNEXURE A-2</u></b>  A copy of the first list of timelines issued by the Hon'ble Lodha Committee for implementation dated August 9, 2016	<b>20 – 23</b>
4.	<b><u>ANNEXURE A-3</u></b>  A copy of the second list of timelines for implementation dated August 28, 2016	<b>24</b>
5.	<b><u>ANNEXURE A-4</u></b>  A copy of the email dated June 13, 2017 addressed by the Supreme Court appointed Committee of Administrators (along with enclosure thereto) to all State/member Associations	<b>25 – 33</b>
6.	<b><u>ANNEXURE A-5</u></b>  A copy of the email dated September 17, 2017 addressed by the Committee of Administrators (along with enclosure thereto) to all State/member Associations	<b>34 – 40</b>



7.	<p style="text-align: center;"><b><u>ANNEXURE A-6</u></b></p> <p>A copy of the affidavit dated December 29, 2017 (along with enclosed resolution of the same date) affirmed by the then President of the MCA</p>	<b>41 – 44</b>
8.	<p style="text-align: center;"><b><u>ANNEXURE A-7</u></b></p> <p>A copy of the letter dated January 10, 2018 received by the Committee of Administrators</p>	<b>45 – 61</b>
9.	<p style="text-align: center;"><b><u>ANNEXURE A-8</u></b></p> <p>A copy of email dated January 16, 2018 addressed by the CEO of BCCI to the MCA (along with enclosures thereto)</p>	<b>62 – 97</b>
10.	<p style="text-align: center;"><b><u>ANNEXURE A-9</u></b></p> <p>A copy of the email trail containing the aforesaid emails, both dated April 20, 2018 exchanged between the Committee of</p>	<b>98 – 99</b>

	Administrators and the then President of MCA	
11.	<p style="text-align: center;"><b><u>ANNEXURE A-10</u></b></p> <p>A copy of the email dated April 23, 2018 addressed by the Committee of Administrators to the Secretary of MCA</p>	<b>100 – 103</b>
12.	<p style="text-align: center;"><b><u>ANNEXURE A-11</u></b></p> <p>A copy of the email dated April 24, 2018 addressed by the Secretary of the MCA</p>	<b>104</b>
13.	<p style="text-align: center;"><b><u>ANNEXURE A-12</u></b></p> <p>A copy of the email dated April 24, 2018 addressed by the Committee of Administrators</p>	<b>105 – 109</b>
14.	<p style="text-align: center;"><b><u>ANNEXURE A-13</u></b></p> <p>A copy of the email dated April 24, 2018 addressed by the erstwhile President of the MCA</p>	<b>110 – 114</b>

15.	<p style="text-align: center;"><b><u>ANNEXURE A-14</u></b></p> <p>A copy of the email trail containing the aforesaid emails, both dated April 26, 2018 exchanged between the Committee of Administrators, Secretary of MCA and erstwhile President of MCA</p>	<b>115 – 121</b>
16.	<p style="text-align: center;"><b><u>ANNEXURE A-15</u></b></p> <p>A copy of the email dated April 27, 2018 issued by the Committee of Administrators to the MCA</p>	<b>122 – 129</b>
17.	<p style="text-align: center;"><b><u>ANNEXURE A- 16</u></b></p> <p>A copy of the email dated April 27, 2018 addressed by the erstwhile President of the MCA to the Committee of Administrators.</p>	<b>130 – 131</b>
18.	<p style="text-align: center;"><b><u>ANNEXURE A- 17</u></b></p> <p>A copy of the Amended Constitution (as sent by the Secretary of the MCA)</p>	<b>132 – 172</b>

19.	<p style="text-align: center;"><b><u>ANNEXURE A- 18</u></b></p> <p>A copy of representation from certain aggrieved members of MCA as contained in an email and letter, both dated April 26, 2018</p>	<b>173 – 176</b>
20.	<p style="text-align: center;"><b><u>ANNEXURE A- 19</u></b></p> <p>A copy of the email dated March 19, 2018 addressed by the Committee of Administrators to all the State/Member Associations</p>	<b>177 – 184</b>

**Filed by:**

**The Supreme Court Appointed Committee of Administrators**

1

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**In the Matter of:**

Board of Control for Cricket in India ... Petitioner

Versus

Cricket Association of Bihar & Ors. ... Respondents

**EIGHTH STATUS REPORT DATED APRIL 27, 2018**  
**SUBMITTED BY THE SUPREME COURT APPOINTED**  
**COMMITTEE OF ADMINISTRATORS SEEKING**  
**DIRECTIONS IN RELATION TO THE MAHARASHTRA**  
**CRICKET ASSOCIATION**

1. The Committee of Administrators is filing this status report to seek directions from this Hon'ble Court in relation to the Maharashtra Cricket Association ("MCA") which (i) has falsely claimed to have complied with the recommendations of the Hon'ble Justice Lodha Committee as accepted by this Hon'ble Court with a view to deriving financial benefits from the BCCI; and (ii) is attempting to conduct elections in a manner contrary to the directions issued by the Hon'ble Justice Lodha Committee in exercise of powers conferred by this Hon'ble Court.



A. BACKGROUND

2. The Hon'ble Justice Lodha Committee has made various recommendations in relation to the conduct of elections by State Associations, all of which have been accepted by this Hon'ble Court vide judgment dated July 18, 2016 ("Judgment"). In order to ensure that all elections conducted after the Judgment are in conformity with the same, the Hon'ble Justice Lodha Committee had issued a direction dated July 20, 2016, which inter alia stated as follows:

*"The Committee is in the process of preparing an action plan along with timelines as directed by the Hon'ble Supreme Court to implement the reforms and supervise the transition as swiftly as possible. Until further intimations in this regard, it is directed that the BCCI and the State Associations keep on hold all elections and electoral processes under the Rules existing as on 18.7.2016. The same may be conveyed to all the various Members and State Associations by the BCCI. Needless to say, any steps taken after the Hon'ble Supreme Court's judgment which are inconsistent with its directions will be treated as null and void."*

(underlined emphasis supplied)



A copy of the said direction dated July 20, 2016 issued by the Hon'ble Justice Lodha Committee is annexed hereto and marked as ANNEXURE A-1 (Pages 18 to 19).

3. The Hon'ble Justice Lodha Committee subsequently issued the first list of timelines for implementation dated August 9, 2016 ("First List of Timelines") in terms of which all State and Member Associations were required to:

- (a) amend their respective Constitutions/ Memorandum of Association/ Rules and Regulations/ Bye-Laws to bring them in terms with the report of the Hon'ble Justice Lodha Committee and the Judgment by September 30, 2016; and
- (b) appoint Electoral Officers by October 15, 2016.

A copy of First List of Timelines is annexed hereto and marked as ANNEXURE A-2 (Pages 20 to 23).

4. The Lodha Committee also issued the second list of timelines for implementation dated August 28, 2016 ("Second List of Timelines") in terms of which all State Associations were required to hold elections by November 15, 2016. A copy of the



4

Second List of Timelines is annexed hereto and marked as  
ANNEXURE A-3 (Pages \_\_\_\_\_ to 24).

5. It is relevant to mention here that the aforementioned directions/ timelines were issued by the Hon'ble Justice Lodha Committee in exercise of the powers/ authority given to it by this Hon'ble Supreme Court vide the Judgment and the same are, therefore, binding on BCCI and State Associations alike. The said directions/ timelines make it absolutely clear that the elections of State and Member Associations are to be held only after the respective Constitutions/ Memorandum of Association/ Rules and Regulations/ Bye-Laws have been amended to bring them in terms with the report of the Hon'ble Justice Lodha Committee and the Judgment.
6. Vide orders dated October 7, 2016 and October 21, 2016, this Hon'ble Court directed that (i) BCCI shall forthwith cease and desist from making any disbursement of funds for any purpose whatsoever to any State Association until and unless the State Association concerned adopts a resolution undertaking to implement the report of the Hon'ble Justice Lodha Committee as accepted vide the Judgment; and (ii) after such a resolution is passed and before any disbursement of funds takes place to the State Association concerned, a copy of the resolution shall be filed before the Hon'ble Justice Lodha Committee and before

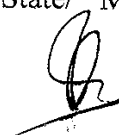




this Hon'ble Court together with an affidavit of the President of the State Association undertaking to abide by the report of the Hon'ble Justice Lodha Committee as accepted vide the Judgment.

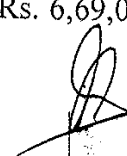
**B. CONDUCT OF THE MAHARASHTRA CRICKET ASSOCIATION**

7. The Committee of Administrators addressed an email dated June 13, 2017 to all State/ Member Associations (including the MCA) enclosing a note setting out guidelines in relation to the compliances that need to be done by State Associations for receiving funds from BCCI in terms of the orders dated October 7, 2016 and October 21, 2016 passed by this Hon'ble Court. The said note also included a checklist of the points which need to be incorporated in the respective Memorandum of Association/ Articles of Association/ Constitutions/ Bye-Laws of State Associations in order to bring them in terms with the report of the Hon'ble Justice Lodha Committee as accepted vide the Judgment. A copy of the said email dated June 13, 2017 addressed by the Supreme Court appointed Committee of Administrators (along with enclosure thereto) is annexed hereto and marked as ANNEXURE A-4 (Pages 25 to 33).
8. The Committee of Administrators subsequently addressed an email dated September 17, 2017 to all State/ Member



Associations (including the MCA) providing a draft of the resolution that should be passed by the General Body (or equivalent forum) of the State/ Member Association to comply with the orders dated October 7, 2016 and October 21, 2016 passed by this Hon'ble Court. A copy of the said email dated September 17, 2017 addressed by the Committee of Administrators (along with enclosure thereto) is annexed hereto and marked as ANNEXURE A-5 (Pages 34 to 40).

9. The Committee of Administrators received an affidavit dated December 29, 2017 affirmed by the then President of the MCA inter alia stating that the MCA has passed a resolution agreeing to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted by this Hon'ble Court vide the Judgment in letter and spirit and also to implement any further orders in relation thereto. A copy of the said affidavit dated December 29, 2017 (along with enclosed resolution of the same date) is annexed hereto and marked as ANNEXURE A-6 (Pages 41 to 44).
10. Since the aforesaid affidavit and resolution were in accordance with the orders dated October 7, 2016 and October 21, 2016 passed by the Hon'ble Supreme Court and the draft resolution provided by the Committee of Administrators, the MCA was treated as compliant and an aggregate sum of Rs. 6,69,04,907/-



(Rupees Six Crores Sixty Nine Lakhs Four Thousand Nine Hundred and Seven only) has been paid by BCCI to the MCA (inclusive of applicable taxes). While a small portion of this amount has been paid towards match hosting fees and reimbursement of expenses incurred towards domestic tournaments, an amount of Rs. 5,71,04,636/- (Rupees Five Crores Seventy One Lakhs Four Thousand Six Hundred and Thirty Six only) has been paid by way of advance towards the MCA's share of amount due to association (which is the nomenclature given to the major disbursements made by BCCI to State Associations) inclusive of applicable taxes.

11. Further, the Committee of Administrators received a letter dated January 10, 2018 requesting for "de-freezing" that various fixed deposits aggregating to Rs. 17,09,34,902/- (Rupees Seventeen Crores Nine Lakhs Thirty Four Thousand Nine Hundred and Two only) which the MCA had been directed to invest in term/ fixed deposits vide order dated October 7, 2016 passed by this Hon'ble Court. A copy of the said letter dated January 10, 2018 is annexed hereto and marked as ANNEXURE A-7 (Pages 45 to 61).
12. On the basis of the aforementioned affidavit and resolution agreeing to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and



8

accepted by this Hon'ble Court vide the Judgment in letter and spirit, the Committee of Administrators instructed the CEO of BCCI to communicate no objection to the amount kept in fixed deposit(s) pursuant to the order dated October 7, 2016 being released/ "de-frozen". A copy of the email dated January 16, 2018 addressed by the CEO of BCCI to the MCA (along with enclosures thereto) is annexed hereto and marked as ANNEXURE A-8 (Pages 62 to 97).

**C. EVENTS LEADING UP TO THIS STATUS REPORT**

13. The Committee of Administrators was informed that the MCA had, during its Special General Meeting ("SGM") held on April 7, 2018, adopted the recommendations of the Hon'ble Justice Lodha Committee as accepted by this Hon'ble Court and was proceeding to hold elections.
14. Accordingly, the Committee of Administrators addressed an email dated April 20, 2018 to the President of the MCA drawing attention to the fact that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations and requesting that a copy of the new constitution of the MCA be provided for scrutiny by the BCCI legal team at the earliest. By the said email, the Committee of Administrators also expressed the view



9

that it would not be advisable to hold elections until the amended constitution of the MCA is scrutinized and confirmed to be compliant. The President of MCA responded soon thereafter inter alia stating that (i) the tenure of the MCA's managing committee has come to an end; (ii) all steps to form the new committee are being initiated by the Secretary of the MCA independently; and (iii) a copy of the email is being forwarded to the Secretary of the MCA with a request for urgent compliance. A copy of the email trail containing the aforesaid emails, both dated April 20, 2018, is annexed hereto and marked as ANNEXURE A-9 (Pages 98 to 99).

15. The Committee of Administrators subsequently addressed an email dated April 23, 2018 to the Secretary of the MCA inter alia stating that (i) a copy of the amended constitution had still not been provided for scrutiny for compliance; and (ii) any election can only be conducted after its amended constitution is found to be compliant. A copy of the said email dated April 23, 2018 addressed by the Committee of Administrators is annexed hereto and marked as ANNEXURE A-10 (Pages 100 to 103).
16. The Secretary of the MCA replied vide his email dated April 24, 2018 indicating that a copy of the amended constitution, as certified by the Charity Commissioner had been sent by courier.



A copy of the said email dated April 24, 2018 addressed by the Secretary of the MCA is annexed hereto and marked as ANNEXURE A-11 (Pages \_\_\_\_\_ to 104).

17. The Committee of Administrators requested the Secretary of the MCA to provide a scanned copy of the amended constitution for scrutiny vide its email of the same date. A copy of the said email dated April 24, 2018 addressed by the Committee of Administrators is annexed hereto and marked as ANNEXURE A-12 (Pages 105 to 109).

18. Interestingly, the Committee of Administrators received an email dated April 24, 2018 addressed by the erstwhile President of the MCA to the Secretary of the MCA wherein the former stated that "I am sure you would send that copy of the constitution which was finally discussed and approved in the SGM held on 7th April 2018 which I presided over". A copy of the said email dated April 24, 2018 addressed by the erstwhile President of the MCA is annexed hereto and marked as ANNEXURE A-13 (Pages 110 to 114).

19. In light of the above email, once the Secretary provided a copy of the amended constitution of the MCA ("Amended Constitution") on April 25, 2018, the Committee of Administrators addressed an email dated April 26, 2018 to the



11

erstwhile President of the MCA requesting him to confirm that the Amended Constitution (as provided to the Committee of Administrators by the Secretary of the MCA) is the same one that was finally discussed and approved in the SGM of the MCA held on April 7, 2018 which the erstwhile President of the MCA had presided over. The Committee of Administrators received a response the same day stating that while it would take some time to go through and revert, there are (according to him) certain differences between the Amended Constitution (as sent by the Secretary of the MCA) and the one that was discussed and approved in the SGM of the MCA held on April 7, 2018. A copy of the email trail containing the aforesaid emails, both dated April 26, 2018, is annexed hereto and marked as ANNEXURE A-14 (Pages 115 to 121).

20. On scrutinizing the Amended Constitution with the assistance of the BCCI legal team, the Committee of Administrators has found that the same substantially deviates from the report of the Hon'ble Justice Lodha Committee as accepted vide the Judgment. Accordingly, the Committee of Administrators addressed a detailed email dated April 27, 2018 to the MCA inter alia:

- (a) communicating the particulars of the major deviations observed;



- (b) observing that the MCA and its officials appear to have inter alia (i) falsely claimed compliance with the Judgment; and (ii) violated the undertaking contained in the affidavit filed before this Hon'ble Court;
- (c) putting all concerned on notice that since the proposed elections of the MCA are in violation of the Judgment and consequent directions issued by the Hon'ble Justice Lodha Committee, the said elections will be treated as null and void;
- (d) putting all concerned on notice that persons who are involved in conducting and participating therein shall be held responsible for having wilfully violated the the Judgment and consequent directions issued by the Hon'ble Justice Lodha Committee; and
- (e) directing that the said email be put up on the respective websites of BCCI and the MCA so that all concerned are made aware of the directions issued by the Committee of Administrators in this regard.

A copy of the said email dated April 27, 2018 is annexed hereto and marked as ANNEXURE A-15 (Pages 122 to 129).





21. The Committee of Administrators received an email of the same date from the erstwhile President of the MCA. A copy of the said email dated April 27, 2018 is annexed hereto and marked as ANNEXURE A-16 (Pages 130 to 131).

**D. NEED FOR URGENT DIRECTIONS**

22. While the Committee of Administrators has already issued appropriate directions in relation to the proposed elections of the MCA, this Hon'ble Court's intervention is requested for (i) initiating appropriate action against the officials of the MCA and such other persons at whose instance the Amended Constitution has been approved during the SGM of the MCA held on April 7, 2018; and (ii) appointing a separate committee of administrators to take charge of the MCA and implement the recommendations of the Hon'ble Justice Lodha Committee as accepted by this Hon'ble Court.
23. It is respectfully submitted that a perusal of the amended constitution of the MCA makes it clear that it had no intention of implementing the recommendations of the Hon'ble Justice Lodha Committee and the affidavit dated December 29, 2017 was filed in this Hon'ble Court only for the purposes of disbursement of accessing funds which would not otherwise have been available to the MCA. The actions of those who attended the SGM of the MCA held on April 7, 2018 and voted



in favour of adopting the Amended Constitution are a flagrant violation of the resolution/ undertaking filed in this Hon'ble Court vide affidavit dated December 29, 2017 and ought to be regarded as contempt. A copy of the Amended Constitution (as sent by the Secretary of the MCA) is annexed hereto and marked as ANNEXURE A-17 (Pages 132 to 172).

24. Various High Courts across the country including the High Courts at Delhi, Hyderabad, Jammu and Kashmir and Bombay have intervened for enforcing the Judgment by appointing administrators to implement the reforms in the relevant State Associations falling in their jurisdiction. This has been done either in public interest litigation or at the instance of an aggrieved member of the relevant State Association. A similar matter in relation to the Madhya Pradesh Cricket Association is pending.

25. In relation to the MCA, the Committee of Administrators has received representations from certain aggrieved members who do not have the wherewithal to approach the Bombay High Court. They have requested the Committee of Administrators to address their grievances inter alia in relation to the non-implementation of the reforms by the MCA. One such representation contained in an email and letter, both dated April



26, 2018 is annexed hereto and marked as ANNEXURE A-18

(Pages 173 to 176).

26. In the meantime, the Committee of Administrators has been informed that 4 life members of the MCA have approached this Hon'ble Court seeking directions permitting the MCA to proceed to hold elections and restrain any persons from causing any hindrance/ obstruction to the same. The said life members of the MCA are aggrieved by the email dated March 19, 2018 addressed by the Committee of Administrators to all State/ Member Associations which merely reiterates what was already stated in the earlier email dated June 13, 2017 and clarifies certain points therein. A copy of the said email dated March 19, 2018 addressed by the Committee of Administrators is annexed hereto and marked as ANNEXURE A-19 (Pages 177 to 184).

27. The proposed elections are scheduled to be held on May 2, 2018 for electing the members of the managing committee of the MCA for the next 3 years. Accordingly, if the said elections are permitted to take place, it will effectively delay implementation of the Judgment in the MCA for the next 3 years. This is the reason why the Committee of Administrators has intervened and issued directions vide email dated April 27, 2018. This Hon'ble Court's intervention is now requested to (i)



initiate appropriate action against the officials of the MCA and such other persons at whose instance the Amended Constitution has been approved during the SGM of the MCA held on April 7, 2018; and (ii) appoint a separate committee of administrators to take charge of the MCA and implement the recommendations of the Hon'ble Justice Lodha Committee as accepted by this Hon'ble Court.

**E. REQUEST FOR DIRECTIONS**

28. For the reasons stated above, the Committee of Administrators requests that this Hon'ble Court may be pleased to issue appropriate directions:

- (a) initiating appropriate action including contempt against the officials of the Maharashtra Cricket Association and such other persons at whose instance the Amended Constitution has been approved during the Special General Meeting of the Maharashtra Cricket Association held on April 7, 2018;
- (b) appointing a separate committee of administrators for taking charge of the Maharashtra Cricket Association and ensuring that its constitution is brought in terms with the report of the Hon'ble Justice Lodha Committee and the



judgment dated July 18, 2016 passed by this Hon'ble Court; and

- (c) passing such other or further orders as this Hon'ble Court deems appropriate in the facts and circumstances.

The Supreme Court Appointed Committee of Administrators

Mr. Vinod Rai, Chairman

Ms. Diana Edulji

} 

For and on behalf of the  
Members of the Supreme  
Court appointed Committee  
of Administrators

**ANNEXURE – A-1**

From: Gopal Sankaranarayanan [gsanks@gmail.com](mailto:gsanks@gmail.com)

Date: Wed, Jul 20, 2016 at 5:09 PM

Subject: Judgment of the Supreme Court dated 18.07.2016 – Directions to BCCI and State Associations

To: [anurag@bccitv.com](mailto:anurag@bccitv.com), [a.shirke@bccitv.com](mailto:a.shirke@bccitv.com), ajay shirke  
[a.shirke@rediffmail.com](mailto:a.shirke@rediffmail.com), Amitabh Choudhary  
<[ammul961@gmail.com](mailto:ammul961@gmail.com)>, [amitabh@bccitv.com](mailto:amitabh@bccitv.com), Anirduh Chaudhary  
[chaudhary@bccitv.com](mailto:chaudhary@bccitv.com)

Dear Sir,

As you are aware, the Hon'ble Supreme Court by way of its judgment in the batch of cases led by BCCI Vs. Cricket Association of Bihar & Ors., C.A. No. 4235 / 2014 delivered on 18.07.2016 has concluded as follows:

*"91. In the result, we accept the report submitted by the Committee and the recommendations made therein with such modifications and clarifications as have been set out by us in the body of this judgment. Having said that we must hasten to add that the implementation of the recommendations is equally important and ought to be achieved within a reasonable period. The transition from the old to the new system recommended by the Committee shall have to be under the watchful supervision of this Court. Constrains of time and the multiple dimensions of the recommendations made however make it difficult for us to take that supervisory role upon ourselves. The supervision of the transition can, in our opinion, be left to be undertaken by the Committee not only because it has a complete understanding of and insight into the nature of the problems sought to be remedied but also the ability to draw timelines for taking of steps necessary*

*for the implementation of the proposed reforms. We are conscious of fact that the process may be time consuming but we hope that the same should be completed within a period of four months or at best six months from today. We, therefore, request the committee headed by Justice Lodha to draw appropriate timelines for implementation of the recommendations and supervise the implementation thereof.*

92. *Needless to say that the BCCI and all concerned shall cooperate and act in aid of the Committee and its directives. Should any impediments arise, the Committee shall be free to seek appropriate directions from this Court by filing a status report in that regard."*

The Committee is in the process of preparing an action plan along with timelines as directed by the Hon'ble Supreme Court to implement the reforms and supervise the transition as swiftly as possible. Until further intimations in this regard, it is directed that the BCCI and the State Associations keep on hold all elections and electoral processes under the Rules existing as on 18.07.2016. The same may be conveyed to all the various Members and State Associations by the BCCI. Needless to say, any steps taken after the Hon'ble Court's judgment which are inconsistent with its directions will be treated as null and void.

Yours sincerely,  
Gopal Sankaranarayanan  
Secretary,  
Justice Lodha Committee

**// True Typed Copy //**

**ANNEXURE – A-2****THE SUPREME COURT COMMITTEE**

R.M. LODHA, Former Chief Justice of India

ASHOK BHAN, Former Judge, Supreme Court of India

R.V. RAVEENDRAN, Former Judge, Supreme Court of India

Dated: 9<sup>th</sup> August 2016**FIRST LIST OF TIMELINES FOR IMPLEMENTATION BY BCCI**

SL. NO.	STEP TO BE TAKEN	REFERENCE	DEADLINE
1.	MoA and Rules and Regulations of BCCI to be formally adopted	Annexure-A to this Committee's Report dated 18.12.2015	30 <sup>th</sup> September 2016
2.	State and Member Associations to amend Constitutions / MoA / Rules & Regulations / Bye-Laws to bring them in terms with the Report and the Judgment	Pages 73-75 of the Report & Pages 138-139 of the Judgment dated 18.07.2016	30 <sup>th</sup> September 2016
3.	Amendments to be made to the following IPL Rules:	Pages 41 & 61 of the Report	30 <sup>th</sup> September 2016



	<ul style="list-style-type: none"> <li>• <u>Code of Conduct for players &amp; Team Officials</u></li> <li>• <u>Anti-Corruption Code for Participants</u></li> <li>• <u>Anti-Racism Code for Players &amp; Team officials</u></li> <li>• <u>Operational Rules</u></li> </ul>		
4.	<p>Policies to be framed:</p> <ul style="list-style-type: none"> <li>• To decide order of rotation among Members of Gujarat and Maharashtra</li> <li>• Fund disbursements among Members</li> <li>• 15 day gap between National Calendar and IPL</li> <li>• Engagement of services and contractors and Transparency of tenders with clear eligibility and qualification criteria</li> </ul>	<p>Pages 106 &amp; 107 of the Judgement</p> <p>Page 20 of the Report</p> <p>Page 42 of the Report</p> <p>Page 57 of the Report</p>	<p>30<sup>th</sup> September 2016</p>

5.	Agent Registration norms to be amended	Annexure-C to the Report dated 18.12.2015	30 <sup>th</sup> September 2016
6.	Steering Committee to be notified by BCCI and to commence creation of the Cricket Players' Association with financial support of the BCCI	Page 44 of the Report and Pages 126-127 of the Judgement	30 <sup>th</sup> September 2016
7.	Puducherry to be added as an Associate Member	Page 22 of the Report	30 <sup>th</sup> September 2016
8.	Handbooks for Disabled Cricket and Young Cricketers to be made	Pages 37 & 63 of the Report	15 <sup>th</sup> October 2016
9.	Websites to be created / updated: <ul style="list-style-type: none"> <li>• Link for disabled cricket</li> <li>• Translation of all Rules, Norms, Reports, Minutes and Circulars to Hindi and uploading both versions</li> </ul>	Page 37 of the Report Pages 55 & 57 of the Report	15 <sup>th</sup> October 2016

	<ul style="list-style-type: none"> <li>• Links to stadia, facilities, ticketing and seat details</li> <li>• Transparency of Member Associations</li> </ul>	Page 57 of the Report Pages 76 & 77 of the Report	
10.	Reorganizing of the Zones	Pages 22 & 23 of the Report and Rule 1A(hh) at Page 96	15 <sup>th</sup> October 2016
11.	Appointment of Electoral Officers for the BCCI and the States	Pages 53-54 & 74-75 of the Report and Rule 33 at Page 136	15 <sup>th</sup> October 2016

**// True Typed Copy //**

**ANNEXURE – A-3****THE SUPREME COURT COMMITTEE**

R.M. LODHA, Former Chief Justice of India

ASHOK BHAN, Former Judge, Supreme Court of India

R.V. RAVEENDRAN, Former Judge, Supreme Court of India

Dated: 28<sup>th</sup> August 2016**SECOND LIST OF TIMELINES FOR IMPLEMENTATION**

<b>SL. NO.</b>	<b>STEP TO BE TAKEN</b>	<b>REFERENCE</b>	<b>DEADLINE</b>
1.	Elections for State Associations	Page 74 of the Report	15 <sup>th</sup> November 2016
2.	Elections to the Executive Committee of the Players' Cricket Association	Annexure-B to the Report dated 18.12.2015	15 <sup>th</sup> November 2016
3.	Elections to the Apex Council of BCCI, BCCI AGM and Appointment of Ethics Officer and Ombudsman	Pages 50-53 and Rules 39 & 40 and Pages 144 and 146 of the Report	15 <sup>th</sup> December 2016
4.	Creation of BCCI Committees, IPL Governing Council and Appointment of the Management under the new Rules	Pages 35-39 & 119 of the Report	30 <sup>th</sup> December 2016

// True Typed Copy //

**ANNEXURE – A-4**

From: **Committee of Administrators** <coa@bcci.tv>

Date: Tue, Jun 13, 2017 at 10:08 PM

Subject: Guidelines on Compliances to be done by State Associations in order to receive funds from BCCI

To: Andhra Cricket <andhracricicket@gmail.com>, Andhracricicket <andhracricicket@yahoo.com>, "Arunachal CA - Jt. Secretary Joram Anand" <24joramanand@gmail.com>, Arunachal CA - Secretary <tadokholi@yahoo.com>, Assam CA <assamca@rediffmail.com>, Assam CA - secretary <bgpradip@yahoo.co.in>, Baroda CA <brdca1@cricketbaroda.com>, Bengal CA <cab@bengalcricket.com>, Bengal CA-Sourav Ganguly <cabpresidentscg@gmail.com>, Bihar Cricket Association <biharcricketassociation@gmail.com>, Chhattisgarh State CA <sec.cscs@yahoo.com>, DDCA - Justice Sen <justicesen.ddca@gmail.com>, "DDCA@ddca" <ddca@ddca.co>, Goa CA <goacricicketassociation@rediffmail.com>, Gujarat Cricket Association <gcaahd@yahoo.co.in>, Haryana CA <hca@haryanacricicket.com>, HPCA Dharamsala <hpcadharamsala@yahoo.com>, HPCA Secretary <secyhpc@gmail.com>, Hyderabad CA <hyccricket@rediffmail.com>, Indian universities Association <sgoffice@aiu.ac.in>, Jammu & Kashmir CA <jkcags\_srinagar@yahoo.com>, Jharkhand State Cricket Association <jscackr@gmail.com>, Karnataka State CA <office@ksca.co.in>, Kerala CA <keralacricicketone@gmail.com>, Maharashtra Cricket Association <cricketmaharashtra@yahoo.com>, Manipur CA <mca\_khuman@yahoo.com>, Meghalaya CA <meghalayacricicket11@gmail.com>, MPCA <secretary@mpcaonline.com>, MPCA Cricket Operations <cricket.operations@mpcaonline.com>, Mumbai Cricket Association

<mcaacrik@mumbaicricket.com>, "Nagaland CA-Abu  
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 <orissacricket@yahoo.co.in>, Punjab CA <pcastadium@yahoo.com>,  
 Punjab CA - Deepak Sharma <gmpca92@gmail.com>, Railway Sports  
 PB-Secretary <rekha71yadav@gmail.com>, Saurashtra CA Rajkot  
 <saucricket@gmail.com>, Saurashtra CA Rajkot -Madhukar Worah  
 <mkworah@gmail.com>, Services Sports Control Board  
 <sscbindia@navy.gov.in>, Services Sports Control Board  
 <sscbindia@nic.in>, Sikkim CA  
 <sikkimcricketassociation2016@gmail.com>, Tamil Nadu CA  
 <office@tnca.in>, The Cricket Club of India  
 <secretary.cciclub@gmail.com>, The Cricket club of India - Kapil M-  
 VP <kapillm@gmail.com>, "The National Cricket Club (Bengal) -  
 MickeyDalmiya" <mickey\_dalmiya@yahoo.com>, TNCA secretary  
 <secretary@tnca.in>, Tripura CA <tcaagt@yahoo.com>, UPCA  
 <upcaknp@gmail.com>, Vidarbha CA <admin@vca.co.in>  
 Cc: CK Khanna <ckkhanna@bccitv>, Amitabh Choudhary  
 <amitabh@bccitv>, Anirudh Chaudhry <Chaudhry@bccitv>, Rahul  
 Johri <rahul.johri@bccitv>

Dear Members,

The Committee of Administrators has been informed that the BCCI has  
 received several requests for release of funds to State Associations.  
 However, the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016  
 passed by the Hon'ble Supreme Court restrain the BCCI from releasing  
 any payments whatsoever to any State Association unless the relevant  
 State Association has complied with the said orders. The subsequent  
 order dated 24<sup>th</sup> March 2017 passed by the Hon'ble Supreme Court

allows the BCCI to release payments towards hosting of Test Matches, ODIs and IPL matches only.

With a view to assisting State Associations to become compliant for the purposes of receiving funds from the BCCI, the BCCI legal team has prepared the attached note setting out guidelines in relation to the compliances that need to be done by State Associations for receiving funds from the BCCI. The Committee of Administrators trusts that State Associations will find the same useful and submit requests for release of funds in accordance therewith.

Needless to mention that these guidelines set out in the attached note are in addition to any other additional requirements that State Associations would normally have to comply with (like submission of audited accounts, etc.) even in the absence of the aforementioned orders passed by the Hon'ble Supreme Court.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

**COMPLIANCES TO BE DONE BY STATE ASSOCIATIONS IN  
ORDER TO RECEIVE FUNDS FROM BCCI**

**A. BACKGROUND**

1. The BCCI has received several requests for release of funds to State/ Member Associations. However, the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 passed by the Hon'ble Supreme Court restrain the BCCI from releasing any payments whatsoever to any State Association unless the relevant State Association has complied with the said orders. The subsequent order dated 24<sup>th</sup> March 2017 passed by the Hon'ble Supreme Court allows the BCCI to release payments towards hosting of Test Matches, ODIs and IPL matches only.
2. In the above circumstances, State Associations that are in need of funds may adopt one of the following courses of action:
  - (a) Amend their respective MoA/ AoA/ Constitution/ Bye-Laws to comply with the recommendations of the Hon'ble Justice Lodha Committee; or
  - (b) Comply with the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 passed by the Hon'ble Supreme Court.
3. With a view to assisting State Associations in relation to the above, set out below are guidelines in relation to the above courses of action.



**B. AMENDMENT OF MOA/ AOA/ CONSTITUTION/ BYE-LAWS TO COMPLY WITH THE LODHA COMMITTEE RECOMMENDATIONS**

4. The Vidarbha Cricket Association ("VCA") is one of the State Associations to have submitted a copy of its amended Constitution along with the minutes of the meeting of its General Body in which the same was amended. While scrutinizing the documents submitted by VCA, the BCCI has formulated a checklist in order to assess compliance. It is on the basis of this checklist that the VCA was subsequently declared compliant and funds have been released to them. The same checklist will be applied to any other State Association which submits its amended MoA/ AoA/ Constitution/ Bye-Laws along with amendment resolution. The said checklist is set out below:

<b>SR. NO.</b>	<b>RULE FOR IMPLEMENTATION</b>
1.	No post in the Association to be held for more than 9 years
2.	Governing body to include representatives of players
3.	Governing body of Association to include representatives of women
4.	Governing body to include nominee of the Accountant General of the State

SR. NO.	RULE FOR IMPLEMENTATION
5.	Association shall grant automatic membership to former international players hailing from the State
6.	Association shall not have proxy voting
7.	<p>A person shall be disqualified from being a office bearer if he or she:</p> <p>(a) Is not a citizen of India;</p> <p>(b) Has attained the age of 70 years;</p> <p>(c) Is declared to be insolvent, or of unsound mind;</p> <p>(d) Is a Minister or a government servant [except for the nominee of the Accountant General of the State];</p> <p>(e) Holds any office or post in a sports or athletic association or federation apart from cricket;</p> <p>(f) Has been an Office Bearer of the Association for a cumulative period of 9 years</p>
8.	No office Bearer of the Association to hold office for two consecutive terms
9.	Association shall appoint an Electoral Officer
10.	Association shall appoint an Ombudsman- cum- Ethics Officer
11.	Association to form an independent selection committee (free from Governing Body)

SR. NO.	RULE FOR IMPLEMENTATION
12.	Association to form cricket committee (manned by only by former players)
13.	Association to adopt policy for Conflict of Interest
14.	Association to apply Agents Registration norms
15.	Association to set up a website
16.	<p>Association website to carry:</p> <ul style="list-style-type: none"> <li>a. The Constitution, Memorandum of Association and Rules &amp; Regulations, Bye-Laws and Office Orders and directions that govern the functioning of the Association, its Committees, the Ombudsman and the Ethics Officer.</li> <li>b. The list of Members of the Association as well as those who are defaulters.</li> <li>c. The annual accounts &amp; audited balance sheets and head-wise income and expenditure details.</li> <li>d. Details of male, female and differently abled players representing the State at all age groups with their names, ages and detailed playing statistics.</li> <li>e. Advertisements and invitations for tenders when the Association is seeking supply of any goods or</li> </ul>

SR. NO.	RULE FOR IMPLEMENTATION
	<p>services (exceeding a minimum prescribed value), or notices regarding recruitment, as also the detailed process for awarding such contracts or making such recruitments.</p> <p>f. Details of all goals and milestones for developing cricket in the State along with timelines and the measures undertaken to achieve each of them.</p> <p>g. Details of all office bearers and other managerial staff (including CEO, COO, CFO, etc.)</p> <p>h. Details of directives from the BCCI and their compliances.</p>

17. Once the concerned State Association submits the documents referred to above, it will take BCCI some time to verify compliance as per the above checklist.

**C. OPTION 2: COMPLIANCE WITH ORDERS DATED 7<sup>TH</sup> OCTOBER 2016 AND 21<sup>ST</sup> OCTOBER 2016 PASSED BY THE HON'BLE SUPREME COURT**

18. As per the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 passed by the Hon'ble Supreme Court, State Associations are required to:

- (a) Pass a proper resolution to the effect that it is agreeable to undertake, implement and support the reforms as proposed and accepted by the Hon'ble Supreme Court (i.e. the recommendations of the Hon'ble Justice Lodha Committee as accepted by the Hon'ble Supreme Court in its judgment dated 18<sup>th</sup> July 2016) in letter and spirit.
  - (b) File a copy of the above resolution with the Hon'ble Justice Lodha Committee with an affidavit of the President unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.
  - (c) File a similar affidavit with a copy of the resolution before the Hon'ble Supreme Court.
19. State Associations should pass required resolutions and their respective Presidents should file the required affidavits. The same can thereafter be forwarded to the BCCI to verify compliance.
20. Once the concerned State Association submits the documents referred to above, it will take BCCI some time to verify compliance.

**// True Typed Copy //**

**ANNEXURE – A-5**

From: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Date: Sun, Sep 17, 2017 at 11:42 PM

Subject: Requests received from various State Associations for Release of Funds by BCCI

To: Andhra Cricket <[andhracriccket@gmail.com](mailto:andhracriccket@gmail.com)>, Andhracriccket <[andhracriccket@yahoo.com](mailto:andhracriccket@yahoo.com)>, "Arunachal CA - Jt. Secretary Joram Anand" <[24joramanand@gmail.com](mailto:24joramanand@gmail.com)>, Arunachal CA - Secretary <[tkholi2017@gmail.com](mailto:tkholi2017@gmail.com)>, Assam CA <[assamca@rediffmail.com](mailto:assamca@rediffmail.com)>, Assam CA - secretary <[bgpradip@yahoo.co.in](mailto:bgpradip@yahoo.co.in)>, Baroda CA <[brdcal@cricketbaroda.com](mailto:brdcal@cricketbaroda.com)>, Bengal CA <[cab@bengalcricket.com](mailto:cab@bengalcricket.com)>, Bengal CA-Sourav Ganguly <[cabpresidentscg@gmail.com](mailto:cabpresidentscg@gmail.com)>, Bihar Cricket Association <[biharcriccketassociation@gmail.com](mailto:biharcriccketassociation@gmail.com)>, Chhattisgarh State CA <[sec.cscs@yahoo.com](mailto:sec.cscs@yahoo.com)>, DDCA - Justice Sen <[justicesen.ddca@gmail.com](mailto:justicesen.ddca@gmail.com)>, "DDCA@ddca" <[ddca@ddca.co](mailto:ddca@ddca.co)>, Goa CA <[goacriccketassociation@rediffmail.com](mailto:goacriccketassociation@rediffmail.com)>, Gujarat Cricket Association <[gcaahd@yahoo.co.in](mailto:gcaahd@yahoo.co.in)>, Haryana CA <[hca@haryanacriccket.com](mailto:hca@haryanacriccket.com)>, HPCA Dharamsala <[hpcadharamsala@yahoo.com](mailto:hpcadharamsala@yahoo.com)>, HPCA Secretary <[secyhPCA@gmail.com](mailto:secyhPCA@gmail.com)>, Hyderabad CA <[hycriccket@rediffmail.com](mailto:hycriccket@rediffmail.com)>, Hyderabad COA <[hcacoa@gmail.com](mailto:hcacoa@gmail.com)>, Indian universities Association <[sgoffice@aiu.ac.in](mailto:sgoffice@aiu.ac.in)>, Jammu & Kashmir CA <[jkcags\\_srinagar@yahoo.com](mailto:jkcags_srinagar@yahoo.com)>, Jharkhand State Cricket Association <[jscackt@gmail.com](mailto:jscackt@gmail.com)>, Karnataka State CA <[office@ksca.co.in](mailto:office@ksca.co.in)>, Kerala CA <[keralacriccketone@gmail.com](mailto:keralacriccketone@gmail.com)>, Maharashtra Cricket Association <[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>, Manipur CA <[mca\\_khuman@yahoo.com](mailto:mca_khuman@yahoo.com)>, Meghalaya CA <[meghalayacriccket11@gmail.com](mailto:meghalayacriccket11@gmail.com)>, MPCA <[secretary@mpcaonline.com](mailto:secretary@mpcaonline.com)>, MPCA Cricket Operations <[cricket.operations@mpcaonline.com](mailto:cricket.operations@mpcaonline.com)>, Mumbai Cricket Association

<mcacrik@mumbaicricket.com>, "Nagaland CA-Abu  
 Mehta, Secretary" <abumetha@gmail.com>, Odisha CA  
 <orissacricket@yahoo.co.in>, Punjab CA <pcastadium@yahoo.com>,  
 Punjab CA - Deepak Sharma <gmpca92@gmail.com>, Railway Sports  
 PB-Secretary <rekha71yadav@gmail.com>, Saurashtra CA Rajkot  
 <saucricket@gmail.com>, Saurashtra CA Rajkot -Madhukar Worah  
 <mkworah@gmail.com>, Services Sports Control Board  
 <sscbindia@navy.gov.in>, Services Sports Control Board  
 <sscbindia@nic.in>, Sikkim CA  
 <sikkimcricketassociation2016@gmail.com>, Tamil Nadu CA  
 <office@tnca.in>, The Cricket Club of India  
 <secretary.cciclub@gmail.com>, The Cricket club of India - Kapil M-  
 VP <kapillm@gmail.com>, "The National Cricket Club (Bengal) -  
 MickeyDalmiya" <mickey\_dalmiya@yahoo.com>, TNCA secretary  
 <secretary@tnca.in>, Tripura CA <tcaagt@yahoo.com>, UPCA  
 <upcaknp@gmail.com>, Vidarbha CA <admin@vca.co.in>  
 Cc: CK Khanna <ckkhanna@bccitv>, Amitabh Choudhary  
 <amitabh@bccitv>, Anirudh Chaudhry <Chaudhry@bccitv>, Rahul  
 Johri <rahul.johri@bccitv>, Ratnakar Shetty  
 <ratnakar.shetty@bccitv>, MV Sridhar <sridhar@bccitv>, Santosh  
 Rangnekar <santosh.rangnekar@bccitv>

Dear Members,

This has reference to various requests for release of funds that have  
 been received by the Committee of Administrators as well as the CEO  
 for meeting the requirements of the coming cricket season.

1. You are aware that the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 restrain the BCCI from releasing any funds to non-compliant State Associations. In order to enable the BCCI to release funds, the relevant State Association is required to:

- (a). Pass a proper resolution to the effect that it is agreeable to undertake, implement and support the reforms as proposed and accepted by the Hon'ble Supreme Court (i.e. the recommendations of the Hon'ble Justice Lodha Committee as accepted by the Hon'ble Supreme Court in its judgment dated 18<sup>th</sup> July 2016) in letter and spirit.
  - (b). File a copy of the above resolution with the Hon'ble Justice Lodha Committee with an affidavit of the President unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.
  - (c). File a similar affidavit with a copy of the resolution before the Hon'ble Supreme Court.
2. The above requirements have already been communicated to all State Associations via email on 13<sup>th</sup> June 2017. In spite of the aforesaid, most State Associations have not complied with the aforesaid requirements. Nevertheless, payments have been made (and will continue to be made) to State Associations for conduct of Test Matches and ODIs in compliance with the order dated 24<sup>th</sup> March 2017 passed by the Hon'ble Supreme Court.
3. In the hope that the defaulting State Associations would come around and comply with the orders passed by the Hon'ble Supreme Court, a draft of the resolution that should be passed by



the General Body (or equivalent forum) of the State Association is enclosed. By adopting this resolution, the State Associations will enable BCCI to release additional funds to them in a manner compliant with the orders passed by the Hon'ble Supreme Court.

4. It is regrettable that there is continued defiance by the defaulting State Associations in complying with the aforesaid orders. This has the potential of prejudicially affecting cricketing activity. In order to avoid this situation, during the meeting of the Committee of Administrators held on 12<sup>th</sup> April 2017, the following decision was taken at Item 6(B) and the minutes of the same are publicly available on the BCCI website:

*"B. Payments for Cricket Operations*

1. *The COA was informed that there were various payments that were required to be made to third party vendors from time to time relating to cricket operations wherein the said vendors would supply goods/ services for the benefit of State Associations but would raise invoices/ bills on the BCCI. The COA was also informed that there were various instances of specific payments where after taking the approval of the COA, BCCI had made payment of the same and debited the corresponding amounts to the relevant suspense accounts of the respective State Associations.*

2. *After discussion, the COA decided that the regular approval process as specified in the directions dated 6<sup>th</sup> April 2017 may be followed for payments which met the following parameters:*
  - (a) *The fact that the payments were relating to cricket operations is verified and certified by Dr. M. V. Sridhar and Prof. Ratnakar Shetty.*
  - (b) *The invoices/ bills are raised on the BCCI.*
  - (c) *After the payment is made by the BCCI, the relevant suspense account of the respective State Associations should be debited."*
5. Accordingly, adequate mechanisms have been put in place by the Committee of Administrators to enable payments for cricket operations directly to third parties on behalf of the State Associations. The said interim mechanism can be followed for making payments due to players and any urgent statutory or other payments, which can be made by the BCCI directly on behalf of the State Associations.
6. However, do note that the aforesaid interim arrangement does not in any way absolve the defaulting State Associations from their obligation of complying with the orders passed by the Hon'ble Supreme Court. Accordingly, the defaulting State

Associations are once again called upon to adopt the enclosed  
draft resolution (as mentioned in paragraph 3 above).

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

Encl.: *Draft Resolution*

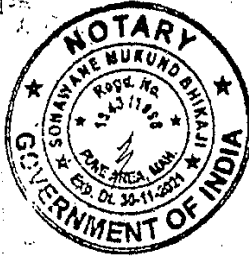
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**DRAFT RESOLUTION TO BE PASSED BY STATE**  
**ASSOCIATIONS**

RESOLVED THAT the [*Name of the Association*] is agreeable to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court vide judgment dated 18<sup>th</sup> July 2016 in letter and spirit.

RESOLVED FURTHER THAT in the event the Hon'ble Supreme Court passes any further orders in relation to the recommendations of the Hon'ble Justice Lodha Committee and/or the judgment dated 18<sup>th</sup> July 2016, such orders shall also be accepted and implemented within one month thereof.

**// True Typed Copy //**



BEFORE THE HON'BLE SUPREME COURT APPOINTED COMMITTEE  
OF ADMINISTRATORS

IN REFERENCE OF THE MATTER:

Civil Appeal No. 4235/ 2014

BOARD OF CONTROL FOR CRICKET IN INDIA ... APPELLANT

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS. ... RESPONDENTS

AFFIDAVIT ON BEHALF OF THE MAHARASHTRA CRICKET  
ASSOCIATION

I, Mr. Abhay Vasant Apte, Aged 59 years, S/o. Mr. Vasant Gopal Apte,  
Dhavalshree Apartment 1244 Apte Road, Deccan Gymkhana, Pune 411  
004, do hereby solemnly affirm and state as under:

1. I am the President of the Maharashtra Cricket Association and  
the deponent herein. I state that am competent to depose to the  
contents of the present affidavit on behalf of the Maharashtra  
Cricket Association and I have been authorised by the  
Association to file the same.

2. The Hon'ble Supreme Court of India by way of a judgment dated  
21.10.2016 had *inter alia* passed the following direction at Para  
20 (i):

*[Signature]*

*[Signature]*



"BCCI shall forthwith cease and desist from making any disbursement of funds for any purpose whatsoever to any State Association until and unless the State Association concerned adopts a resolution undertaking to implement the recommendations of the Committee as accepted by this Court in its judgment dated 18-7-2016 [BCCI v. Cricket Assn. of Bihar, (2016) 8 SCC 535]. After such a resolution is passed and before any disbursement of funds takes place to the State Association concerned, a copy of the resolution shall be filed before the Committee and before this Court, together with an affidavit of the President of the State Association undertaking to abide by the reforms contained in the report of the Committee, as modified by this Court. Any transfer of funds shall take place to the State Associations which have accepted these terms only after compliance as above is effected. This direction is in addition to the previous direction of 7-10-2016 in regard to the disbursement to and appropriation by the State Associations;"

3. In compliance with the said direction passed by the Hon'ble Supreme Court of India, the Maharashtra Cricket Association convened a special general body meeting at Pune, Maharashtra and passed a resolution thereby agreeing to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court vide judgment dated 18<sup>th</sup> July, 2016 in letter and spirit and also to implement any further orders in relation to the Hon'ble Justice Lodha Committee and/or the judgement dated 18<sup>th</sup> July,

*[Signature]*

*[Signature]*

2016. True copy of the said resolution dated 29.12.2017 is annexed herewith and marked as Annexure A [Pages 1 to 7]

4. It is respectfully submitted that the Maharashtra Cricket Association has also executed affidavits to be submitted before the Hon'ble Supreme Court as well as the Hon'ble Justice (Retd.) R.M. Lodha Committee as stipulated in Para 20(i) extracted above in compliance with the direction issued by the Hon'ble Supreme Court of India at Para 20(i) of the judgment dated 21.10.2016 and the same shall be filed before the respective authorities.

PUNE

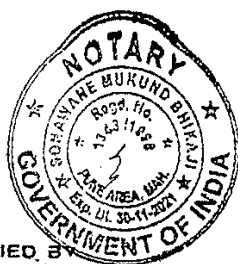
DATED: 29 DEC 2017

DEPONENT

#### VERIFICATION

I, the above named deponent do hereby solemnly affirm and swear that the facts stated in the above affidavit are true and correct and are based on the records of this case.

Verified at Pune on this 29<sup>th</sup> the day of December, 2017.



NOTED AND REGISTERED AT  
SERIAL NUMBER 624/2017

BEFORE ME

M. B. SONAWANE  
NOTARY, GOVT. OF INDIA

29 DEC 2017

IDENTIFIED BY  
ADVOCATE



(Affiliated to the board of Control for Cricket in India 10-1-37)

"Amar Avinash Corporate City", 5th Floor, 10, Bund Garden Road, Pune - 411 001.  
Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
Email : cricketmaharashtra@yahoo.com

President JY ABHAY APTE	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGSAN	Hon. Treasurer PRIYANKA THORVE
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Date: 29/12/2017

Анча

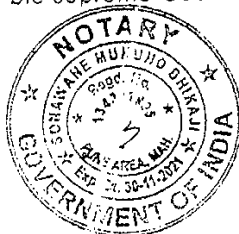
Extract of the resolution passed by the special General Body Meeting of the Maharashtra Cricket Association held on 29/12/17 at Pune, is as under :-

## RESOLUTION

RESOLVED THAT the Maharashtra Cricket Association is agreeable to undertake, implement and support the reforms as proposed by the Honorable Justice Lodha Committee and accepted by the Honorable Supreme court vide judgment dated 18<sup>th</sup> July 2016 in letter and spirit.

RESOLVED FURTHER THAT in the event the Honorable Supreme Court passes any further orders in relation to the recommendation of the Honorable Justice Lodha committee and / or the judgment dated 18<sup>th</sup> July 2016, such orders shall also be accepted and implemented within one month thereof.

RESOLVED FURTHER THAT the Hon. President of the Maharashtra Cricket Association is authorized to file an affidavit unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.



Abha

Abha Vasant Apte  
President

**Maharashtra Cricket Association**







# MAHARASHTRA CRICKET ASSOCIATION

(Affiliated to the board of Control for Cricket in India 10-1-37)

"Amar Avinash Corporate City", 5th Floor, 10, Bund Garden Road, Pune - 411 001.  
Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
Email : cricketmaharashtra@yahoo.com

ANNEXURE - A-7

45

President ADV. ABHAY APTE	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGBAN	Hon. Treasurer PRIYANKA THORVE
------------------------------	--	--------------------------------	-----------------------------------

Ref. No.:

Date :

Date - 10<sup>th</sup> Jan 2017

To,

The Committee of Administrators

Appointed by Hon'ble Supreme Court

Through,

Mr. Rahul Johri

CEO

BCCI

INV. NO.	DATE
131	11/1/18

Subject - Release (de-freeze) of the amount kept in fix deposit

Respected Sir,

As informed earlier the Maharashtra Cricket Association has already passed the resolution in its Special General Body meeting dated 29<sup>th</sup> December, 2017, held at Pune, thereby agreeing to implement and support the Hon'ble Justice Lodha Committee recommendations as accepted by the Hon'ble Supreme Court in its judgment dated 18<sup>th</sup> July, 2016 and any further orders which may be passed on the subject. The Hon. President of our association has also filed an affidavit, confirming the same as required by the order of the Hon'ble Supreme Court in October, 2016. The copy of the affidavit has been filed in the registry of the Hon'ble Supreme Court and the Hon'ble Justice Lodha Committee. An independent affidavit has also been filed with the Committee of Administrators appointed by Hon'ble Supreme Court.



# MAHARASHTRA CRICKET ASSOCIATION

(Affiliated to the board of Control for Cricket in India 10-1-37)

"Amar Avinash Corporate City", 5th Floor, 10, Bund Garden Road, Pune - 411 001.  
Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
Email : cricketmaharashtra@yahoo.com

46

President ADV. ABHAY APTE	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGBAN	Hon. Treasurer PRIYANKA THORVE
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Ref. No.:

Date :

We respectfully submit that, the fix deposit in Union Bank of India was freezed subsequent to the orders passed by the Hon'ble Supreme Court on 7<sup>th</sup> and 21<sup>st</sup> October, 2016 and the said order categorically states that, the amounts to the state associations are to be released on compliance with the procedure mentioned in the order i.e. passing a specific resolution and the same to be confirmed by way of an affidavit to be executed by the president of the association. We submit that, our association has unanimously passed the resolution and an affidavit of the Hon. President has also been filed with the authorities as directed by the Hon'ble Supreme Court.

We therefore earnestly request you to de-freeze the fix deposit, the details of which are as under -

**Name of the Bank and Branch** - Union Bank of India, Industrial Finance Branch, Pune

Receipt No.	Date	Principal Amount	Amount in words
000037192	11/01/2017	01,51,77,188/-	Rs. One Crore Fifty-One Lakhs Seventy Seven Thousand One Hundred and Eighty Eight Only
000037300	03/04/2017	05,12,37,774/-	Rs. Five Crores Twelve Lakhs Thirty Seven Thousand Seven Hundred Seventy Four Only
000037210	03/07/2017	05,18,80,095/-	Rs. Five Crores Eighteen Lakhs Eighty Thousand Ninety Five Only
000037211	03/10/2017	05,26,39,845/-	Rs. Five Crores Twenty Six Lakhs Thirty Nine Thousand Eight Hundred Forty Five Only



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47

President ADV. ABHAY APTE	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGBAN	Hon. Treasurer PRIYANKA THORVE
------------------------------	--	--------------------------------	-----------------------------------

Ref. No.:

Date :

The necessary documents are annexed to this letter.

Yours faithfully,

For Maharashtra Cricket Association

  
Hon Secretary,



Enclosed -

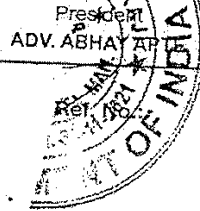
1. Copy of the Resolution passed by the Special General body
2. Copy of the Affidavits executed by the Hon. President
3. Receipt issued by the Registry of the Hon'ble Supreme Court
4. Receipts of Fix Deposits kept in Union Bank of India, Industrial Finance Branch, Pune(No.4)



# MAHARASHTRA CRICKET ASSOCIATION

(Affiliated to the Board of Control for Cricket in India 10-1-37)

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Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
Email : cricketmaharashtra@yahoo.com



President  
ADV. ABHAY APTÉ

Vice - Presidents  
CHANDRAKANT MATE VIJAYKUMAR TAMHANE

Hon. Secretary  
RIYAZ BAGBAN

Hon. Treasurer  
PRIYANKA THOR

AnnA

Date : 29/12/2017

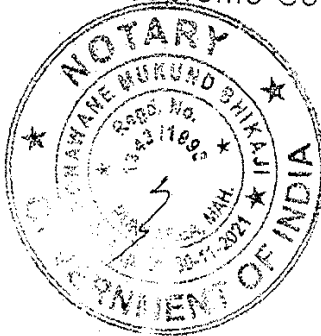
Extract of the resolution passed by the special General Body Meeting of the Maharashtra Cricket Association held on 29/12/17 at Pune, is as under :-


## RESOLUTION

RESOLVED THAT the Maharashtra Cricket Association is agreeable to undertake, implement and support the reforms as proposed by the Honorable Justice Lodha Committee and accepted by the Honorable Supreme court vide judgment dated 18<sup>th</sup> July 2016 in letter and spirit.

RESOLVED FURTHER THAT in the event the Honorable Supreme Court passes any further orders in relation to the recommendation of the Honorable Justice Lodha committee and / or the judgment dated 18<sup>th</sup> July 2016, such orders shall also be accepted and implemented within one month thereof.

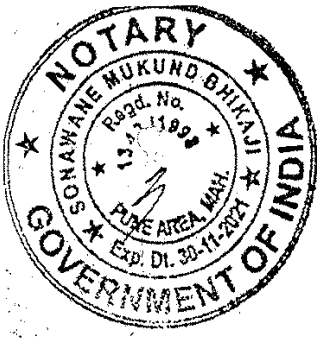
RESOLVED FURTHER THAT the Hon. President of the Maharashtra Cricket Association is authorized to file an affidavit unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.



  
Abhay Vasant Apte  
President

Maharashtra Cricket Association





49

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4235 OF 2014

IN THE MATTER OF:

BOARD OF CONTROL FOR CRICKET IN INDIA

... Appellant

Versus

CRICKET ASSOCIATION OF BIHAR & OR

... Respondents

AFFIDAVIT ON BEHALF OF THE MAHARASHTRA CRICKET  
ASSOCIATION

I, Mr. Abhay Vasant Apte, Aged 59 years, S/o. Mr. Vasant Gopal Apte, Dhavalshree Apartment 1244 Apte Road, Deccan Gymkhana, Pune 411 004, do hereby solemnly affirm and state as under:

1. I am the President of the Maharashtra Cricket Association and the deponent herein. I state that am competent to depose to the contents of the present affidavit on behalf of the Maharashtra

*[Signature]*

1

*[Signature]*

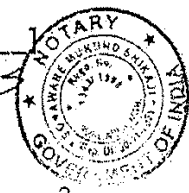
Cricket Association and I have been authorised by the Association to file the same.

2. The Hon'ble Supreme Court of India by way of a judgment dated 21.10.2016 had *inter alia* passed the following direction at Para 20 (i):

*"BCCI shall forthwith cease and desist from making any disbursement of funds for any purpose whatsoever to any State Association until and unless the State Association concerned adopts a resolution undertaking to implement the recommendations of the Committee as accepted by this Court in its judgment dated 18-7-2016 [BCCI v. Cricket Assn. of Bihar, (2016) 8 SCC 535] . After such a resolution is passed and before any disbursement of funds takes place to the State Association concerned, a copy of the resolution shall be filed before the Committee and before this Court, together with an affidavit of the President of the State Association undertaking to abide by the reforms contained in the report of the Committee, as modified by this Court. Any transfer of funds shall take place to the State Associations which have accepted these terms only after compliance as above is effected. This direction is in addition to the previous direction of 7-10-2016 in regard to the disbursement to and appropriation by the State Associations;"*

3. In compliance with the said direction passed by the Hon'ble Supreme Court of India, the Maharashtra Cricket Association convened a special general body meeting at Pune, Maharashtra and passed a resolution thereby agreeing to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court vide judgment dated 18<sup>th</sup> July, 2016 in letter and spirit and also to implement any further orders in relation to the Hon'ble Justice Lodha Committee and/or the judgement dated 18<sup>th</sup> July, 2016. True copy of the said resolution dated 29.12.2017 is annexed herewith and marked as Annexure A [Pages 1 to 2]

*M. S.*





51

4. It is respectfully submitted that the Maharashtra Cricket Association is also filed an affidavit as stipulated in Para 20(i) extracted above before the Hon'ble Justice Lodha Committee. This affidavit is being filed in compliance with the direction issued by this Hon'ble Court at Para 20(i) of the judgment dated 21.10.2016.

PUNE

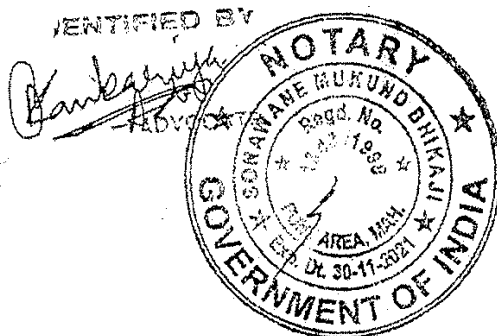
DATED: 29 DEC 2017


  
DEPONENT

VERIFICATION

I, the above named deponent do hereby solemnly affirm and swear that the facts stated in the above affidavit are true and correct and are based on the records of this case.

Verified at Pune on this 29<sup>th</sup> the day of December, 2017.



  
DEPONENT

**BEFORE ME**

  
M. B. SONAWANE  
NOTARY, GOVT. OF INDIA

NOTED AND REGISTERED AT  
SERIAL NUMBER 1695/2017

29 DEC 2017





# MAHARASHTRA CRICKET ASSOCIATION

(Affiliated to the board of Control for Cricket in India 10-1-37)

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Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
Email : cricketmaharashtra@yahoo.com

52

President ABHAY Apte	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGBAN	Hon. Treasurer PRIYANKA THORVE
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Ann A

Date : 29/12/2017

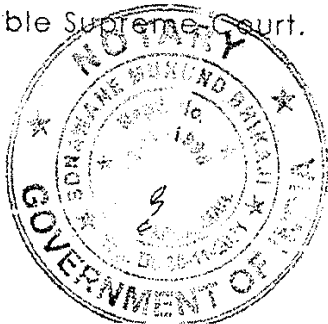
Extract of the resolution passed by the special General Body Meeting of the Maharashtra Cricket Association held on 29/12/17 at Pune, is as under :-


## RESOLUTION

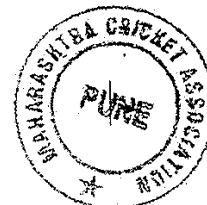
RESOLVED THAT the Maharashtra Cricket Association is agreeable to undertake, implement and support the reforms as proposed by the Honorable Justice Lodha Committee and, accepted by the Honorable Supreme court vide judgment dated 18<sup>th</sup> July 2016 in letter and spirit.

RESOLVED FURTHER THAT in the event the Honorable Supreme Court passes any further orders in relation to the recommendation of the Honorable Justice Lodha committee and / or the judgment dated 18<sup>th</sup> July 2016, such orders shall also be accepted and implemented within one month thereof.

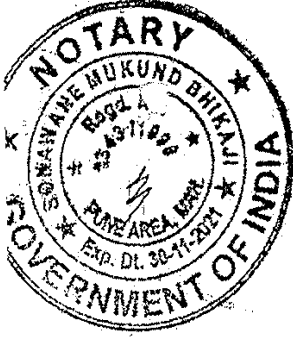
RESOLVED FURTHER THAT the Hon. President of the Maharashtra Cricket Association is authorized to file an affidavit unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.



  
Abhay Vasant Apte  
President  
Maharashtra Cricket Association







53

BEFORE THE HON'BLE JUSTICE (RETD.) R.M.LODHA  
COMMITTEE

APPOINTED BY THE HON'BLE SUPREME COURT

IN REFERENCE OF THE MATTER:

Civil Appeal No. 4235/ 2014

BOARD OF CONTROL FOR CRICKET IN INDIA ... APPELLANT

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS. ...RESPONDENTS

AFFIDAVIT ON BEHALF OF THE MAHARASHTRA CRICKET  
ASSOCIATION

I, Mr. Abhay Vasant Apte, Aged 59 years, S/o. Mr. Vasant Gopal Apte, Dhavalshree Apartment 1244 Apte Road, Deccan Gymkhana, Pune 411 004, do hereby solemnly affirm and state as under:

1. I am the President of the Maharashtra Cricket Association and the deponent herein. I state that am competent to depose to the contents of the present affidavit on behalf of the Maharashtra Cricket Association and I have been authorised by the Association to file the same.
2. The Hon'ble Supreme Court of India by way of a judgment dated 21.10.2016 had *inter alia* passed the following direction at Para 20 (i):

*Handwritten signature*

*Handwritten signature*



"BCCI shall forthwith cease and desist from making any disbursement of funds for any purpose whatsoever to any State Association until and unless the State Association concerned adopts a resolution undertaking to implement the recommendations of the Committee as accepted by this Court in its judgment dated 18-7-2016 [BCCI v. Cricket Assn. of Bihar, (2016) 8 SCC 535]. After such a resolution is passed and before any disbursement of funds takes place to the State Association concerned, a copy of the resolution shall be filed before the Committee and before this Court, together with an affidavit of the President of the State Association undertaking to abide by the reforms contained in the report of the Committee, as modified by this Court. Any transfer of funds shall take place to the State Associations which have accepted these terms only after compliance as above is effected. This direction is in addition to the previous direction of 7-10-2016 in regard to the disbursement to and appropriation by the State Associations;"

3. In compliance with the said direction passed by the Hon'ble Supreme Court of India, the Maharashtra Cricket Association convened a special general body meeting at Pune, Maharashtra and passed a resolution thereby agreeing to undertake, implement and support the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court vide judgment dated 18<sup>th</sup> July, 2016 in letter and spirit and also to implement any further orders in relation to the Hon'ble Justice Lodha Committee and/or the judgement dated 18<sup>th</sup> July, 2016. True copy of the said resolution dated 29.12.2017 is annexed herewith and marked as Annexure A [Pages 1 to 1]



4. It is respectfully submitted that the Maharashtra Cricket Association is filing this affidavit as stipulated in Para 20(i) extracted above. An Affidavit before the Hon'ble Supreme Court is also being filed. This affidavit is being filed in

*[Signature]*

*[Signature]*

compliance with the direction issued by this Hon'ble Court at  
Para 20(i) of the judgment dated 21.10.2016.

PUNE

DATED: 29 DEC 2017

DEPONENT

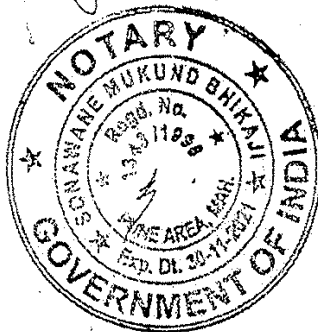
VERIFICATION

I, the above named deponent do hereby solemnly affirm and  
swear that the facts stated in the above affidavit are true and  
correct and are based on the records of this case.

Verified at Pune on this 29<sup>th</sup> the day of December, 2017.

IDENTIFIED BY  
*Kantkar*  
ADVOCATE

DEPONENT

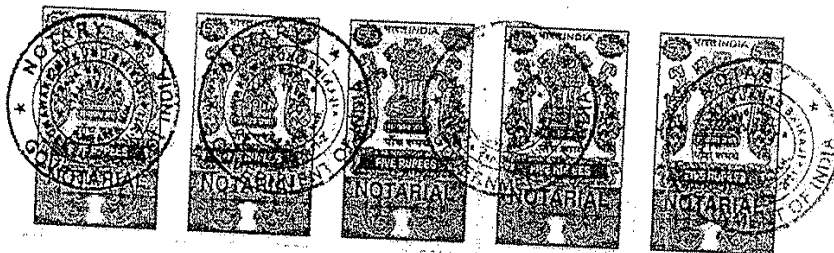


BEFORE ME

M. B. SONAWANE  
NOTARY, GOVT. OF INDIA

NOTED AND REGISTERED AT  
SERIAL NUMBER 1693/2017

29 DEC 2017





# MAHARASHTRA CRICKET ASSOCIATION

(Affiliated to the Board of Control for Cricket in India 10-1-37)

"Amar, Avinash Corporate City", 5th Floor, 10, Bund Garden Road, Pune - 411 001.  
Phone : 020 - 2605 3391 / 2605 3591 Fax : 020 - 2605 3390  
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President ADV. ABHAY APTÉ	Vice - Presidents CHANDRAKANT MATE VIJAYKUMAR TAMHANE	Hon. Secretary RIYAZ BAGBAN	Hon. Treasurer PRIYANKA THOR
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Ann A

Date : 29/12/2017

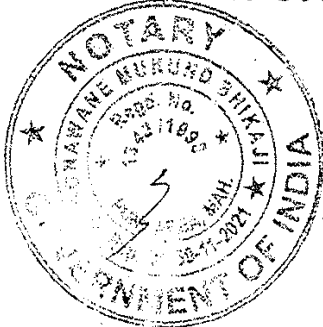
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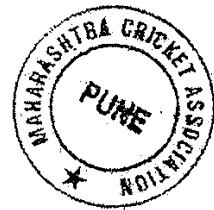
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RESOLVED FURTHER THAT the Hon. President of the Maharashtra Cricket Association is authorized to file an affidavit unequivocally undertaking to abide by the reforms as proposed by the Hon'ble Justice Lodha Committee and accepted and modified by the Hon'ble Supreme Court.



  
Abhay Vasant Apte  
President

Maharashtra Cricket Association



SECTION-III-A  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION  
CIVIL/CRIMINAL/ORIGINATION/APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL/CRL) NO.  
WRIT/TRANSFER PETITION (CIVIL/CRL) NO.  
CIVIL/CRIMINAL APPEAL NO.

4235

OF 2017

OF 2017

OF 2017

Board of Control for Cricket in India Petitioner(S)

VERSUS

Cricket Association of Bihar Respondent(S)

SRL NO.	PARTICULARS	COPIES	COURT FEES
1	Affidavit on behalf	43	20/-
2	of the Maharashtra		
3	Cricket Association		
4			
5			
6	copy to - Mr. Praveen Kumar for Punjab		
	Mr. Gopal Subramanian		
	Mr. Justice Chandrachud		
	Mr. Justice Khehar		
	Mr. Justice Nariman		
	Mr. Justice Singhvi		
	Mr. Justice Tandon		
	Mr. Justice Varma		
	Mr. Justice Vohra		
	Mr. Justice Yashwantrao Chavan		
	Mr. Justice Yashwantrao Chavan		

copy to - Mr. Praveen Kumar for Punjab  
Mr. Gopal Subramanian  
Mr. Justice Chandrachud  
Mr. Justice Khehar  
Mr. Justice Nariman  
Mr. Justice Singhvi  
Mr. Justice Tandon  
Mr. Justice Varma  
Mr. Justice Vohra  
Mr. Justice Yashwantrao Chavan

Mandate: AUTHORIZED SIGNATORY

ईएम / टीडीआर / ई / क्र. EM / TDR / E / No. 000037192

तिथि / Date:

11-01-2017

Received from M/S MAHARASHTRA CRICKET ASSOCIATION

प्रभावी तिथि Effective Date:

₹ One Crore Fifty One Lakh Seventy Seven Thousand One Hundred Eighty Eight only.

Under DRIS-DEP.REINVEST.CERT.  
1 Yrs 0 Mths 0 Dys  
के अंतर्गत उक्त योजना पर लागू निबंधनों एवं शर्तों के अध्वधीन प्राप्त.  
Subject to the terms and conditions applicable to the scheme.

*Amrinder Singh*



प्राधिकृत हस्ताक्षरी Authorised Signatory प्राधिकृत हस्ताक्षरी Authorised Signatory

PA29262

खाता क्रमांक Account No.	505703030000664
ग्राहक आईडी Customer ID	255369558
जमा राशि Deposit Amt.	1,51,77,188.00
अवधि Period	1 Y 0 M 0 D
ब्याज दर % प्र.व. Interest % p.a.	4.25
देय तिथि Due Date	11-01-2018
परिपक्वता मूल्य Maturity Value*	1,58,32,572.00
प्रतिफल % प्र.व. Yield % p.a.	

\*विशेष परमाणुद्वि-वर्ष योजना के लिए  
(In case of compounding interest schemes only)

ईएम / टीडीआर / ई / क्र. EM/TDR/E/No. 000037300

तिथि / Date: 18-04-2017

Received from

क्र.

प्रभावी तिथि Effective Date:

खाता क्रमांक

Account No.

ग्राहक आईडी

Customer ID

जमा राशि

Deposit Amt.

अवधि

Period

व्याज दर % प्र.व.

Interest % p.a.

दय तिथि

Due Date

परिपक्वता मूल्य\*

Maturity Value\*

प्रतिफल % प्र.व.

Yield % p.a.

(विनास चक्रवृत्ति, अग्रज योजना में लागू)

(In case of compounding interest schemes only)

₹

Five Crore Twelve Lakh Thirty Seven Thousand Seven Hundred Seventy Four only.

Under

के अंतर्गत उक्त योजना पर लागू निबंधनों एवं शर्तों के अधीन प्राप्त.

Subject to the terms and conditions applicable to the scheme.

प्राधिकृत हस्ताक्षरी Authorised Signatory

प्राधिकृत हस्ताक्षरी Authorised Signatory

शाखा / Branch IFB PUNE  
SOL-50570

ईएम / टीडीआर / ई / क्र. EM/TDR/E/No. 000037210

तिथि / Date: 04/07/2017

Received from

Maharashtra Cricket Association

₹ Five crore eighteen lakh, eighty thousand and ninety five only -

Under DRIC -

के अंतर्गत उक्त योजना पर लागू निबंधनों एवं शर्तों के अधीन प्राप्त.

Subject to the terms and conditions applicable to the scheme.

प्रभावी तिथि Effective Date: 03/07/2017

खाता क्रमांक Account No. 5057030300006

ग्राहक आईडी Customer ID 255368558

जमा राशि Deposit Amt. 51880095.

अवधि Period 12 months

व्याज दर % प्र.व. Interest % p.a. 5.50%

देय तिथि Due Date 03/07/2018

परिपक्वता मूल्य Maturity Value 54792893-

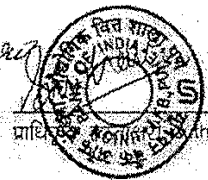
प्रतिफल % प्र.व. Yield % p.a.

(केवल संयोजित व्याज योजनाओं के लिए)  
(In case of compounding interest schemes only)

*Nikhil Jadhav*

प्राधिकृत हस्ताक्षरी Authorised Signatory

NIKHIL JADHAV  
P. A. No. 29262



प्राधिकृत हस्ताक्षरी Authorised Signatory

(क.स. 1/P



ईएम / टीडीआर / ई / क. EM / TDR / E / No. 000037211

तिथि / Date: 03/10/2017

Received from क.  
Maharashtra Cricket Association

प्रभावी तिथि Effective Date: 03/10/2017

₹ Five crore, twenty six lakh, thirty  
nine thousand, eight hundred and  
forty five only.

खाता क्रमांक  
Account No. 505703030000693

ग्राहक आईडी  
Customer ID 255368558

जमा राशि  
Deposit Amt. 5,26,39,845/-

अवधि  
Period 12 months.

ब्याज दर % प्र.व.  
Interest % p.a. 5.50%

देय तिथि  
Due Date 03-10-2018

परिपक्वता मूल्य\*  
Maturity Value\* 5,55,95,299

प्रतिफल % प्र.व.  
Yield % p.a.

\*(केवल योज्य ब्याज योजना में लागू)  
(In case of compounding interest schemes only)

Under DRIC  
के अंतर्गत उक्त योजना पर लागू निर्धारित एवं शर्तों के अधीन प्राप्त.  
Subject to the terms and conditions applicable to the scheme.

प्राधिकृत हस्ताक्षरी Authorised Signatory

प्राधिकृत हस्ताक्षरी Authorised Signatory

**ANNEXURE – A-8**

From: **Rahul Johri** <rahul.johri@bcci.tv>

Date: Tue, Jan 16, 2018 at 12:10 PM

Subject: Your letter dated 10th January 2018

To: Maharashtra Cricket Association  
<cricketmaharashtra@yahoo.com>

Cc: abhay apte <abhayvapte@gmail.com>, Committee of  
Administrators <coa@bcci.tv>, Santosh Rangnekar  
<santosh.rangnekar@bcci.tv>

Dear Sirs,

This has reference to your letter dated 10th January 2018 regarding release/ de-freeze of the amount kept in fixed deposit(s) pursuant to the order dated 7th October 2016 passed by the Hon'ble Supreme Court in Civil Appeal No. 4235 of 2014 and connected matters.

1. *Vide the aforementioned order dated 7<sup>th</sup> October 2016 passed by the Hon'ble Supreme Court, it was inter alia directed that:*  
*"As regards the 13 State Associations to whom the payment has already been disbursed, we direct that the State Associations concerned shall not appropriate the said amount except after they have passed a resolution and filed an affidavit as mentioned*

*above before the Justice Lodha Committee and before this Court.*

*In case the affidavits are not filed, the amount disbursed to the State Associations shall be invested by the Associations in a term deposit subject to further directions of this Court."*

A copy of the said order dated 7th October 2016 is enclosed herewith for ready reference.

2. The affidavit dated 29th December 2017 along with the accompanying resolution dated 29th December 2017 passed by the General Body of the Maharashtra Cricket Association ("MCA") were placed before the Committee of Administrators appointed by the Hon'ble Supreme Court ("COA") during its meeting held on 3rd January 2018 and were found to be in compliance with the aforesaid order dated 7th October 2016 as well as the subsequent order dated 21st October 2016 passed by the Hon'ble Supreme Court. A copy of the said order dated 21st October 2016 is enclosed herewith for ready reference.
3. Pursuant to my earlier email dated 7th December 2017 and based on your representation that the aforementioned affidavit along with resolution have been filed before the Hon'ble Supreme Court and the Hon'ble Justice Lodha Committee, the COA has instructed me to communicate no objection to the amount kept in fixed deposit(s) pursuant to the order dated 7th October 2016 being released/ de-frozen.

Regards,

Rahul Johri

Chief Executive Officer

Encl.: Orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016  
passed by the Hon'ble Supreme Court in Civil Appeal No. 4235  
of 2014 and connected matters.

**// True Typed Copy //**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO . 4235 OF 2014

BOARD OF CONTROL FOR CRICKET APPELLANT(S)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS. RESPONDENT(S)

WITH

CIVIL APPEAL NO. 4236 OF 2014

AND

CIVIL APPEAL NO. 1155 OF 2015

ORDER

1. Heard in part.
2. Post on 17.10.2016 at 2.00 p.m. for continuation.
3. By our Order dated 18.07.2016, we had while accepting the report submitted by Justice Lodha Committee and the recommendations made therein requested the Committee to supervise the transition from the old to the new system in the wake of the reforms proposed by the Committee. We had hoped that this transition will be completed within a period of four months or at best six months from the date of the order and requested the Committee headed by Justice Lodha to draw appropriate timelines for the implementation of the recommendations and supervise the process. We

had, at the same time, directed the BCCI and all concerned to co-operate with the Committee and to act in aid of its directives. Anticipating possible impediments in the process of implementation we had reserved liberty to the Committee to seek appropriate directions from this Court by filing a status report in that regard. Justice Lodha Committee has now submitted a status report in which it has set out the developments that have taken place after 18<sup>th</sup> July, 2016 till the date of the submission of the report. The BCCI has responded to the status report and filed a reply.

4. We have today heard Mr. Gopal Subramaniam, learned Amicus, Mr. Vikas Mehta and M/s. Kapil Sibal and Arvind Datar at considerable length. The sequence of events that have taken place since 18<sup>th</sup> July, 2016 and referred to in the status report prima facie give an impression that BCCI has far from lending its fullest cooperation to the Committee adopted an obstructionist and at times a defiant attitude which the Committee has taken note of and described as an impediment undermining not only the Committee but even the dignity of this Court with several statements and actions which according to the Committee are grossly out of order and may even constitute contempt. The Committee, it appears, had by an e-mail dated 21.08.2016 directed that the AGM of the BCCI proposed to be held on

21.09.2016 may transact routine business concerning the year 2015-2016 but any business or matter relating to the next year namely 2016-2017 may be dealt with only after the adoption of MOA and the Rules as per the recommendations of the Committee. This direction according to the Committee was issued to ensure that the recommendations are implemented in letter and spirit and that the Committee is not presented with a fait accompli. An AGM was, accordingly, held on 21.09.2016, but decisions at serial No. 2, 3, 5, 6, 8 and 9 set out in the Status report were taken in violation of the directives issued by the Committee acting as impediment in the implementation of the judgment of this Court. In addition, the Committee has in para 5 enumerated the following impediments in the implementation of the judgment of this Court:

*"5. Apart from the above, the events narrated would reveal the following impediments:*

*a). It was stated in the BCCI report dated 25.8.2016 that an EGM would be called "not later than 28<sup>th</sup> September" for the "formal adoption" of the new memorandum. The BCCI did not honour this assurance, and on the other hand, at the AGM of 21.9.2016 took decisions contrary to the said assurance by deciding that the EGM would be on 30<sup>th</sup> September "to consider" the amendments to the Rules and Regulations.*

*b). The BCCI has not issue directives to the member associations despite the express directions from the SC Committee on at least 4 separate occasions.*

c). *The Selectors of Men, Women and Junior cricket are announced contrary to the norms approved by this Hon'ble Court.*

d). *The BCCI has prescribed an undertaking for nomination to the post of BCCI Secretary which is not in accordance with the norms approved by this Hon'ble Court.*

e). *No second status report has been furnished although it was undertaken to do so within a fortnight after 25.8.2016.*

f). *Despite continually claiming that all steps taken would be subject to the Review Petition filed, it transpires that the same is in defects with Diary NO.27369/2016 even as of date, and there has been no effort to rectify the same and have it numbered and listed."*

5. The Committee has also noted that several e-mails sent to the President of the BCCI as well as a direction issued to him to appear on 09.08.2016 has not evoked even a single response from him. The Committee has, in the above backdrop, recommended following action against the BCCI:

*"(a) Supersede the present Office Bearers of the BCCI with immediate effect; and appoint in their place a Panel of Administrators of the BCCI to ensure the smooth transition from the old to the new system recommended by the Committee; and*

*(b) Direct that all decisions of the BCCI taken after 18.7.2016 which are contrary to the judgment dated 18.7.2016 of this Hon'ble Court and/or the directives of the SC Committee for implementing the same are non est and ineffective; and*

*(c) Any other direction as may be deemed fit for the implementation*



*of the judgement dated 18.7.2016."*

6. Mr. Subramaniam has raised several issues for our consideration but we do not, for the present, propose to deal with the same. All that we need mention is that in the implementation of the recommendations of the Committee, the BCCI appears to be non-cooperative in its attitude. It has, despite directions issued by the Committee, released in favour of the State Cricket Associations substantial amounts running into crores of rupees without the permission of Justice Lodha Committee and in defiance of the direction issued by it. Mr. Kapil Sibal was at pains to argue that release of the amount in favour of State Associations was a routine matter which was not forbidden by the orders of the Committee. He submitted that BCCI had received nearly Rs.2500 crores towards compensation on account of termination of Champion League T 20 out of which BCCI had disbursed an amount of Rs.1500 crores towards taxes and other liability leaving a net amount of Rs.1036.78 crores with it. He submitted that in terms of a decision taken in the AGM held on 09.11.2015, 70% of balance amount of Rs.718.24 crores was to be disbursed to 25 Associations in the country @ Rs.28.73 crores per Association. A sum of Rs.12 crores out of the said amount was released to each one of the Associations pursuant to the said resolution leaving the balance amount of Rs.16.73 crores unpaid. It was

urged that the release of the balance amount was an ordinary and routine matter and that Justice Lodha Committee was not justified in finding fault with the same.

7. Mr. Subramaniam, however, contended that the disbursement of such large amount was not a routine matter and that the said disbursement was, it appears, intended to present the Committee with a fait accompli. It was also argued that the disbursement was made without formulating any Disbursement Policy whatsoever and on ad-hoc basis only with a view to appease the State Associations and possibly induce them to oppose the reforms suggested by Justice Lodha Committee.

8. We do not at this stage propose to express any final view on the true intention behind the disbursement of the amount in favour of the State Associations and whether, and if so what, action is called for against BCCI and its office holders. All that we wish to say is that the BCCI could and indeed ought to have avoided the disbursement of such a huge amount while Justice Lodha Committee was still examining the need for formulating a Disbursement Policy. What is more important is that one of the reasons given by Mr. Sibal for the non-adoption of the Memorandum of Association (MOA) proposed by Justice Lodha Committee is the reluctance of the State

Associations in subscribing to the same. If that be the position, there is no reason why the State Associations that are opposed to the reforms suggested by Justice Lodha Committee and accepted by this Court should either expect or draw any benefit from the release of grants by the BCCI.

9. Mr. Arvind Datar argued that as against 25 Associations only 13 Associations have so far received the balance amount of Rs.16.73 crores each. The remaining 12 Associations have not so far received the said amount, argued Mr. Datar. In that view, we issue the following interim directions:

- i) No further amount in terms of the Resolution passed in AGM on 09.11.2015 or any subsequent resolution by the BCCI or its Working Committee shall be disbursed to any State Association except where the State Association concerned passes a proper resolution to the effect that it is agreeable to undertake and to support the reforms as proposed and accepted by this Court in letter and spirit. Upon such a Resolution being passed, a copy of the same shall be filed before Justice Lodha Committee with an affidavit of the President of the State Association concerned unequivocally undertaking to abide by the reforms as proposed by the Committee and accepted and modified by this Court. A similar affidavit with

a copy of the Resolution shall be filed before this Court also. It is only after such affidavits are filed, that BCCI may transfer the balance amount of Rs.16.73 crores each payable to the State Associations.

As regards the 13 State Associations to whom the payment has already been disbursed, we direct that the State Associations concerned shall not appropriate the said amount except after they have passed a resolution and filed an affidavit as mentioned above before Justice Lodha Committee and before this Court. In case the affidavits are not filed, the amount disbursed to the State Associations shall be invested by the Associations in a term deposit subject to further directions of this Court.

ii) Mr. Ratnakar Shivaram Shetty, General Manager, Admin and Game development shall, in the meantime, place on record a copy of the authorisation/resolution passed by the BCCI on the basis of which he has filed the affidavit supporting the response of the BCCI to the status report.

iii) Mr. Anurag Thakur, President of the BCCI shall file a personal affidavit whether he had asked the CEO of the ICC to state that the appointment of Justice Lodha Committee was tantamount to Government interference in the working of the BCCI.

iv) Mr. Arvind Datar, learned Senior Counsel to produce the original record

on the basis of which the affidavit by Mr. Ratnakar Shivaram Shetty on behalf of BCCI has been filed.

Needful shall be done within 10 days.

.....CJI.  
[T.S. THAKUR]

.....J.  
[A.M. KHANWILKAR]

.....J.  
[D.Y. CHANDRACHUD]

NEW DELHI;  
OCTOBER 07, 2016

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ITEM NO.1

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).4235 of 2014

BOARD OF CONTROL FOR CRICKET

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondent(s)

WITH

C.A. No. 4236 of 2014

C.A. No. 1155 of 2015

Date : 07/10/2016 These appeals were called on for pronouncement  
of orders today.

Mr. Gopal Subramaniam, Sr. Adv. (A.C.)

C.A. No.10425 of 2014

Ms. Radha Rangaswamy, Adv.

Ms. Ranjeeta Rohatgi, Adv.

Mr. Abhinav Mukerji, Adv.

(CA No.4236/2014)

Mr. Gagan Gupta, Adv.

(CA No.1155/2015)

Mr. Vikas Mehta, Adv.

For Respondent(s)

Mr. Vikas Mehta, Adv.

Ms. Radha Rangaswamy, Adv.

Ms. Ranjeeta Rohatgi, Adv.

Mr. Abhinav Mukerji, Adv.

Ms. Neela Gokhale, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

Mr. Mukesh Kumar Maroria, Adv.

Mr. Shreekant N. Terdal, Adv.

(I.A. NO.10/2016)

Mr. Anshuman Ashok, Adv.

Mr. Amit A. Pai, Adv.

Mr. Venkita Subramoniam T. R., Adv.

Mr. V. K. Biju, Adv.  
Ms. Liz Mathew, Adv.  
Mr. Amol Chitale, Adv.  
Mr. Nirnimesh Dube, Adv.  
Mr. M. Yogesh Kanna, Adv.  
Mr. S. Nithya Srinivasan, Adv.  
Ms. Manju Sharma, Adv.  
Mr. Vikas Singh Jangra, Adv.  
Ms. Pooja Dhar, Adv.  
Mr. Praveen Swarup, Adv.  
Mr. Anish R. Shah, Adv.  
Mr. Shree Pal Singh, Adv.  
Mrs Lalita Kaushik, Adv.  
Mr. Raghavendra S. Srivatsa, Adv.  
Mr. E. C. Agrawala, Adv.  
Mr. A. S. Bhasme, Adv.  
Ms. Sonia Mathur, Adv.  
Mr. Gaurav Sharma, Adv.  
Mr. Gagan Gupta, Adv.  
Ms. Rashmi Singh, Adv.  
Mr. Chirag M. Shroff, Adv.  
Mr. Hari Shankar, Adv.  
Mr. Vipin Nair, Adv.  
Mr. Rahul Pratap, Adv.  
Mr. Mishra Saurab, Adv.  
Mr. Deeptakirti Verma, Adv.  
Ms. Pragya Baghel, Adv.  
Ms. Tamali Wad, Adv.  
Mr. Gaurav Sharma, Adv.

Hon'ble the Chief Justice pronouncement the order of the  
Bench comprising Hon'ble the Chief Justice, Hon'ble Mr. Justice  
A.M.Khanwilkar and Hon'ble Dr. Justice D.Y.Chandrachud.

After issuing certain directions in terms of the signed order, the Court directed to list these appeals on 17.10.2016 at 2 P.M.

(SHASHI SAREEN)  
AR-cum-PS

(VEENA KHERA)  
COURT MASTER

(Signed order is placed on the file)



REPORTABLE

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4235 OF 2014

BOARD OF CONTROL FOR CRICKET IN INDIA .....APPELLANT

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS. ....RESPONDENTS

WITH

CIVIL APPEAL No. 4236 OF 2014

WITH

CIVIL APPEAL No. 1155 OF 2015

ORDER

Dr D Y CHANDRACHUD, J

1 On 7 October 2016, directions were issued by this Court pursuant to a status report dated 26 September 2016, submitted by the Committee consisting of Justice R M Lodha, Justice Ashok Bhan and Justice RV

Raveendran. The status report filed by the Committee set out the sequence of events that had taken place after the final judgment and order of this Court dated 18 July 2016, which accepted the report submitted by the Committee on 18 December 2015 with certain modifications. A gist of the status report has been set out in the earlier order dated 7 October 2016. After advertng to the sequence of events, the Committee has concluded that BCCI has violated its directions:

“...Directions of this Hon’ble Court have been ignored, actions have been taken to present a *fait accompli* to the Committee, the directives of the Committee have been breached, and member associations have not been duly intimated about the directions of the Committee and the timelines fixed by it.”

The Committee has observed that **“BCCI has repeatedly taken steps to undermine the Committee and this Court”**, with several statements and actions which “are grossly out of order and would even constitute contempt”. The Committee noted that despite several e-mails, as well as a direction to appear before it on 9 August 2016, the President of BCCI did not furnish even a single response to the Committee. The Committee also observed that the President of BCCI had even gone to the extent of requesting ICC to issue a letter that **“this Committee amounts to governmental interference”** besides making several objectionable statements in the press which undermined both the Court and the Committee.

2 The Committee submitted the above status report in pursuance of the directions contained in the judgment of this Court dated 18 July 2016. This Court had by its judgment, while accepting the recommendations made in the earlier report of the Committee, assigned to the Committee a supervisory role for ensuring the transition from the old to the new system recommended by the Committee. While this Court in its judgment expressed a hope that the process of implementing the directions contained in the judgment would be completed within a period of four months or at best six months, the Committee was requested to draw appropriate timelines for the implementation of the recommendations and to supervise the implementation process. The Committee, while moving the status report observed that though the office bearers of BCCI had furnished assurances to it on 9 August 2016, 25 August 2016 and 20 September 2016, that they would cooperate with the Committee in fulfilling the directions of this Court (subject to any modification or review) these assurances had not been fulfilled.

3 In the previous Order of this Court dated 7 October 2016, the following *prima facie*, findings were recorded:-

“... The sequence of events that have been taken place since 18<sup>th</sup> July, 2016 and referred to in the status report *prima facie* give an impression that BCCI has far from lending its fullest cooperation to the Committee adopted an obstructionist and at times a defiant attitude

which the Committee has taken note of and described as an impediment undermining not only the Committee but even the dignity of this Court with several statements and actions which according to the Committee are grossly out of order and may even constitute contempt”.

This Court has noted that in spite of a direction issued by the Committee on 21 August 2016 that the AGM of BCCI which was to be held on 21 September 2016, may transact only routine business for 2015-16 and that any business or matter relating to 2016-17 may be dealt with only after the adoption of the Memorandum of Association and rules in pursuance of the recommendations of the Committee, substantial amounts running into crores of rupees have been disbursed in favour of state associations. This Court expressed the view that BCCI could and indeed ought to have avoided the disbursement of such a huge amount while the Committee was still examining the need for formulating a disbursement policy.

4 During the course of the hearing which resulted in the earlier order dated 7 October 2016, BCCI stated that one of the reasons for its failure to adopt the proposed MOA was the reluctance of the state associations to subscribe to it. In this background, this Court observed that if that be the position, there is no reason why the state associations that are opposed to the reforms suggested by the Committee and

accepted by this Court should either expect or draw any benefit from the release of grants by BCCI. The following directions have been issued by this Court on 7 October 2016:-

"i) No further amount in terms of the Resolution passed in AGM on 09.11.2015 or any subsequent resolution by the BCCI or its Working Committee shall be disbursed to any State Association except where the State Association concerned passes a proper resolution to the effect that it is agreeable to undertake and to support the reforms as proposed and accepted by this Court in letter and spirit. Upon such a Resolution being passed, a copy of the same shall be filed before Justice Lodha Committee with an affidavit of the President of the State Association concerned unequivocally undertaking to abide by the reforms as proposed by the Committee and accepted and modified by this Court. A similar affidavit with a copy of the Resolution shall be filed before this Court also. It is only after such affidavits are filed, that BCCI may transfer the balance amount of Rs.16.73 crores each payable to the State Association.

As regards the 13 State Associations to whom the payment has already been disbursed, we direct that the State Association concerned shall not appropriate the said amount except after they have passed a resolution and filed an affidavit as mentioned above before Justice Lodha Committee and before this Court. In case the affidavits are not filed, the amount disbursed to the State Associations shall be invested by the Associations in a term deposit subject to further directions of this Court.

ii) Mr. Ratnakar Shivaram Shetty, General Manager, Admin and Game development shall, in the meantime, place on record a copy of the authorization/resolution passed by the BCCI on

the basis of which he has filed the affidavit supporting the response of the BCCI to the status report.

iii) Mr. Anurag Thakur, President of the BCCI shall file a personal affidavit whether he had asked the CEO of the ICC to state that the appointment of Justice Lodha Committee was tantamount to Government interference in the working of the BCCI.

iv) Mr. Arvind Datar, learned Senior Counsel to produce the original record on the basis of which the affidavit by Mr. Ratnakar Shivaram Shetty on behalf of BCCI has been filed".

5 In pursuance of these directions, Mr Anurag Thakur, President of BCCI has filed an affidavit specifically with reference to direction (iii) above. Before we consider the affidavit that has been filed by the President of BCCI, it is necessary to advert to the response to the status report of the Committee filed by Mr Ratnakar Shivaram Shetty, General Manager, Admn. & Game Development, BCCI. In the sequence of events set out in his response to the status report, Mr Shetty has dealt with the statement made in an interview given to the electronic media by Mr David Richardson, CEO of ICC. Mr Richardson stated that the President of BCCI sought a letter from ICC that the appointment of a nominee of CAG (which has been directed by this Court on 18 July 2016 in terms of the Committee's recommendations) would amount to

'governmental interference' thereby inviting the suspension of BCCI from the membership of ICC. Mr Shetty's response was as follows:

"It appears that an interview was given by Mr David Richardson the ICC CEO falsely stating that the BCCI President had requested the ICC to issue a letter stating that the intervention by this Hon'ble Court amounted to Governmental interference. It is submitted that no such letter or oral request was ever made to the said gentleman either by the BCCI President or any office bearer of the BCCI. It is apparent that Mr. Richardson has confused himself in relation to the issue. This issue is required to be considered in the light of the fact that Mr. Shashank Manohar Senior Advocate had clearly opined as the BCCI President that appointment of the CAG in the BCCI shall result in suspension of the BCCI as it would constitute governmental interference. In fact the same had been submitted on affidavit before this Hon'ble Court. However, as Chairman of the ICC, Mr. Manohar had taken a contrary stand and stated that it would not amount to governmental interference. It was in this context that a discussion took place between Mr. Shashank Manohar and Mr. Anurag Thakur during a meeting in Dubai wherein a clarification as sought by Mr. Anurag Thakur during an informal discussion on what the exact status would be if the CAG was inducted by the BCCI as part of its management and whether it would amount to governmental interference as had been advised and affirmed by Mr. Manohar during his stint as BCCI President."

Paragraph 7(d) of the response contains a statement that:

"It is being incorrectly alleged that the President BCCI made a request to the ICC to issue a letter stating that this Committee amounts to Governmental interference. This suggestion is denied".

6 In the affidavit which has been filed by the President of BCCI on 15 October 2016, there is a denial that any such request was made by

him to the CEO of ICC. Paragraph 3 of the affidavit contains the version of the President of what transpired at Dubai on 6/7 August 2016 during the course of a meeting convened by ICC:

"In this context it is respectfully submitted that there was an ICC governance review committee meeting scheduled to be held in Dubai on 6<sup>th</sup> & 7<sup>th</sup> August 2016. There were certain issues relating to financial model for which my inputs were required and as such I was invited by ICC for the said meeting. During the meeting with regard to the review of the constitutional provisions of ICC, I pointed out to the Chairman of the ICC, Mr. Shashank Manohar that when he was the President of BCCI he had taken a view that the recommendations of the Justice Lodha committee appointing the nominee of the CAG on the Apex Council would amount to governmental interference and might invoke an action of suspension from ICC. I therefore requested him that he being the ICC Chairman can a letter be issued clarifying the position which he had taken as BCCI President. Mr. Manohar explained to me at the meeting that when the stand was taken by him, the matter was pending before this Hon'ble Court and had not been decided. However, on 18.07.2016 this Hon'ble Court delivered its judgment in the matter. In the said judgment, this Hon'ble Court has rejected the submission that the appointment of the nominee of CAG on Apex council would amount to Governmental interference and had also held that the ICC would appreciate the appointment as it would bring transparency in the finances of the Board."

7 Mr Kapil Sibal, learned senior counsel appearing on behalf of the BCCI has tendered during the course of hearing draft minutes of a Working Committee meeting of BCCI held on 22 August 2016. The draft minutes purportedly contain a record of what is stated to have



transpired between Mr Shashank Manohar, the Chairperson of ICC and the President of BCCI at the meeting on 6 and 7 August 2016. The relevant part is extracted below:-

“Mr. Anurag Thakur was in the Chair and called the meeting to order and welcomed the members. He briefed the members about his meeting with the ICC Chairman at Dubai during the ICC governance review committee meeting on 6<sup>th</sup> & 7<sup>th</sup> August 2016. Certain financial mode inputs were required during the said meeting which he gave. During the meeting with regard to the review of the constitutional provisions of ICC it was informed by Mr. Thakur that he asked Chairman ICC Mr. Shashank Manohar that when he was the President of BCCI he had taken a view that the recommendations of Justice Lodha committee appointing the nominee of the CAG on the Apex Council would amount to governmental interference and might invoke an action of suspension from ICC. It was therefore requested from him that he being the ICC Chairman could a letter be issued clarifying the position which he had taken as BCCI President. Mr. Manohar thereafter explained that when the stand was taken by him the matter was pending before the Supreme Court and was not decided. However on 18<sup>th</sup> of July 2016 the Hon. Supreme Court of India delivered its judgment and the Court has rejected the submission that the appointment of the nominee of CAG on Apex council will amount to Governmental interference and had also held that the ICC would appreciate the appointment as it would bring transparency in the finances of the Board. The discussion stopped in view of his explanation on this issue”.

8 *Prima facie*, it appears from the response that was filed by BCCI to the status report, that a clarification was sought by Mr Anurag Thakur from Mr Shashank Manohar on what the exact status would be if a nominee of CAG was inducted by BCCI as part of its management and

whether it would amount to governmental interference. The statement made by BCCI in its response to the status report contains a denial that its President made a request to ICC to issue a letter stating that the Committee amounted to governmental interference. However, in the affidavit which has since been filed by the President of BCCI in pursuance of the Court's directions of 7 October 2016, it has been accepted that he had made a request to the Chairman of ICC for issuing a letter "clarifying the position which he had taken as BCCI President" (to the effect that the recommendations of the Committee for appointing a nominee of CAG would amount to governmental interference and might invoke an action for suspension from ICC). Significantly, Mr Shetty did not in the response filed earlier by BCCI to the status report disclose that there was a request for a letter by its President to the Chairman, ICC.

9 The draft minutes of the Working Committee purportedly dated 22 August 2016, a copy of which has been placed on the record, are in tandem with the statement made by Mr Thakur on affidavit. *Prima facie*, it appears that the draft minutes were not before Mr Shetty when he made a statement on behalf of BCCI in his response to the status report. If the draft minutes were before him, it would be natural to assume that the disclosure which has now emerged in pursuance of the

order of this Court dated 7 October 2016 would have been contained in the response submitted by Mr Shetty to the status report. Mr Shetty has stated that the response filed by BCCI to the status report was based on information derived from the records. If that be so, the purported draft minutes of the Working Committee could not have missed his attention or knowledge.

10 Be that as it may, it is a matter of serious concern that the President of BCCI, even after the declaration of the final judgment and order of this Court dated 18 July 2016, requested the Chairperson of ICC for a letter "clarifying" (as he states) the position which he had taken as BCCI President to the effect that the induction of a CAG nominee would amount to governmental interference and may result in BCCI being suspended from ICC. There was no occasion for the President of BCCI to do so once the recommendation of the Committee for the induction of a CAG nominee was accepted in the final judgment of this Court. In the judgment of this Court dated 18 May 2016, this Court observed as follows:-

"77. There is, in our view, no basis for the argument that any measure taken by the BCCI on its own or under the direction of a competent court specially when aimed at streamlining its working and ensuring financial discipline, transparency and accountability expected of an organization discharging public functions such as BCCI may be seen as governmental interference calling for suspension/derecognition of the BCCI. Far from

finding fault with presence of a nominee of the Accountant General of the State and C&AG, the ICC would in our opinion appreciate any such step for the same would prevent misgivings about the working of the BCCI especially in relation to management of its funds and bring transparency and objectivity necessary to inspire public confidence in the fairness and the effective management of the affairs of the BCCI and the State Associations. The nominees recommended by the Committee would act as conscience keepers of the State Association and BCCI in financial matters and matters related or incidental thereto which will in no way adversely impact the performance or working of the BCCI for the promotion and development of the game of cricket. The criticism levelled against the recommendations of the Committee is, therefore, unfounded and accordingly rejected".

11 This finding which is contained in the final judgment and order of this Court binds BCCI. *Prima facie*, an effort has been made by the President of BCCI to create a record in order to question the legitimacy of the recommendation of the Committee for the appointment of a CAG nominee after the recommendation was accepted by this Court on 18 July 2016. We presently defer further consideration of the action to be taken with reference to his conduct. Mr Shetty in his response to the status report claims that the CEO of ICC had "falsely" stated in his interview that the President of BCCI had requested ICC to issue a letter stating that the intervention of this Court amounted to governmental interference. The version of Mr Shetty is at variance to what is alleged to have been stated by the CEO of ICC. It may also become necessary

for this Court to assess the veracity of the version of Mr Shetty and that of Mr Richardson. Mr Shashank Manohar, the then President of BCCI is presently the Chairman of ICC. A copy of this order shall be forwarded to him by the Secretary to the Committee in order to enable him to consider filing a response setting out his version, to set the record straight and assist this Court. Mr Manohar is at liberty to obtain a report from Mr Richardson before filing his response.

12 During the course of hearing, a grievance has been made on behalf of BCCI that though in the judgment of this Court dated 18 July 2016, it had been hoped that the process of implementing the reforms suggested by the Committee "should be completed within a period of four months or at best six months from today", the Committee has hastened the process by indicating timelines for completion even within the said period. We find that the criticism of the Committee is not justified for more than one reason. Though this Court expressed the hope that the process of transition and implementation be completed within four months or at best within six months, this Court left it open to the Committee to draw "appropriate timelines for implementation of the recommendations" and to supervise the implementation thereof. The Committee which was entrusted with the task of supervising the implementation process was permitted to lay down suitable timelines.

The process of implementation requires a continuous process of monitoring and supervision and it would be only reasonable to assume, as did the Committee, that the process could not be completed in one instalment. Hence, the Committee laid down timelines for implementation.

13 Hence, the broad framework of time prescribed by this Court does not preclude the Committee from specifying timelines. On the contrary, the Committee was specifically allowed to do so to implement the judgment. The status report contains a record of proceedings before the Committee dated 9 August 2016 which indicates that when the first set of timelines was handed over to BCCI's Secretary on 9 August 2016, he stated before the Committee that a report of compliance would be furnished by 25 August 2016. Despite this, in the report dated 25 August 2016, submitted by the Secretary, BCCI to the Committee there appears the following statement furnished by BCCI by way of a clarification at the Working Committee meeting held on 22 August 2016:

"2 The Members queried as regards to the status of the review petition filed by the BCCI. It was clarified to the members that if the review petition as well as curative petition was dismissed, the recommendations of the Lodha Committee, save those as amended by the court would become binding".

14 The statement made on behalf of BCCI to the Working Committee that it was only if the Review Petition, as well as Curative Petition were to be dismissed that the recommendations of the Committee would be binding is patently misconceived. The recommendations of the Committee were endorsed in a final judgment and order of this Court dated 18 July 2016, subject to certain modifications. The judgment of this Court has to be implemented as it stands. A party to a litigation cannot be heard to say that it would treat a judgment of this Court as not having binding effect unless the Review or Curative Petitions that it has filed are dismissed.

15 For the reasons which have weighed with us in the earlier order of this Court dated 7 October 2016 and for those which we have adduced above, we are inclined to take a serious view of the conduct of BCCI in the present case. Despite the *prima facie* findings which were arrived at in the previous order, the further hearing was deferred. There has been no change in the position of BCCI. The intransigence continues. If BCCI had any difficulties about adhering to the timelines laid down by the Committee, the appropriate course would have been to move the Committee. Even the grievance which was urged during this proceeding by BCCI, that some of the directions of the Committee have travelled

beyond the parameters set by this Court can and ought to be urged before the Committee in the first instance.

16 During the course of the hearing, Shri Kapil Sibal, learned senior counsel appearing on behalf of BCCI has agreed to a course of action whereby in the first instance, BCCI would establish its *bona fides* before the Committee by demonstrating the compliance made by it of those recommendations which are stated to have been fulfilled. The Committee as the body appointed by this Court to monitor and supervise implementation of the judgment will verify whether there has been full compliance with the directions which are stated by BCCI to have been fulfilled.

17 The President and Secretary of BCCI shall (within two weeks) file before the Committee on affidavit their statements of the compliance effected by BCCI thus far of those recommendations which have been fulfilled. The statement shall contain an elaboration of the manner in which compliance has been made and the steps proposed to be taken to fulfil the remaining directions of this Court. The Committee is at liberty to verify the compliance statements filed on behalf of BCCI by its President and Secretary. Both the President and the Secretary shall appear before the Committee in person, and explain the steps taken for compliance and the course of action to be adopted hereafter.



18 Learned senior counsel appearing on behalf of BCCI has stated that in respect of some of the recommendations, where state associations have not agreed to implement the recommendations of the Committee, as accepted by this Court, BCCI will make a genuine endeavour to persuade the state associations to effectuate compliance. Though BCCI is in default and breach of the directions of this Court, in order to enable it to have an additional opportunity to establish its *bona fides* and to secure compliance with the judgment of this Court dated 18 July 2016, we grant time until 3 December 2016 for the purpose. Besides complying with the direction set out above of filing statements and appearing before the Committee, BCCI shall report compliance before this Court on 5 December 2016.

19 For the reasons which have been contained in the present order of the Court, we are of the view that the issuance of certain additional directions has become inevitable, over and above those that are contained in the previous order dated 7 October 2016. We have presently come to the conclusion that, *prima facie*, there is substance in the status report submitted by the Committee. Implementation of the final judgment of this Court dated 18 July 2016 has *prima facie* been impeded by the intransigence of BCCI and its office bearers. However, having due regard to the submission made on behalf of BCCI that it would

make every genuine effort to persuade the state associations to secure compliance with the judgment of this Court, and having regard to the larger interests of the game of cricket, we are desisting from issuing a direction at this stage in terms of the request made by the Committee for appointment of administrators so as to enable BCCI to demonstrate its good faith and the steps taken for compliance both before the Committee in the first instance and before this Court by the next date of hearing. However, certain additional directions are warranted in the interest of maintaining transparency in the functioning of BCCI, having regard to the sequence of events after 18 July 2016.

20 We accordingly issue the following additional directions:-

- (i) BCCI shall forthwith cease and desist from making any disbursement of funds for any purpose whatsoever to any state association until and unless the state association concerned adopts a resolution undertaking to implement the recommendations of the Committee as accepted by this Court in its judgment dated 18 July 2016. After such a resolution is passed and before any disbursement of funds takes place to the state association concerned, a copy of the resolution shall be filed before the Committee and before this Court, together with an affidavit of the President of the state association undertaking to abide by the

reforms contained in the report of the Committee, as modified by this Court. Any transfer of funds shall take place to the state associations which have accepted these terms only after compliance as above is effected. This direction is in addition to the previous direction of 7 October 2016 in regard to the disbursement to and appropriation by the state associations;

(ii) (a) The Committee appointed by this Court is requested to appoint an independent auditor to scrutinise and audit the income received and expenditure incurred by BCCI; (b) The auditor shall also oversee the tendering process that will hereinafter be undertaken by BCCI, as well as the award of contracts above a threshold value to be fixed by the Committee; (c) The award of contracts by BCCI above the threshold fixed by the Committee shall be subject to the prior approval of the Committee; (d) The Committee shall be at liberty to obtain the advice of the auditors on the fairness of the tendering process which has been adopted by BCCI and in regard to all relevant facts and circumstances; (e) The Committee will determine whether a proposed contract above the threshold value should or should not be approved; and (f) The Committee will be at liberty to formulate the terms of engagement and reference to the auditors having regard to the above

directions. BCCI shall defray the costs, charges and expenses of the auditors.

(iii) The President and Secretary of BCCI shall within two weeks from today file a statement on affidavit indicating compliance made by BCCI of those of the recommendations of the Committee which have been complied with, the manner of compliance and the steps adopted for securing compliance with the remaining recommendations. They shall appear before the Committee to explain the manner of compliance. The President and Secretary, BCCI shall also keep the Committee apprised about the steps taken pursuant to the statement recorded in paragraph 18 above.

(iv) An affidavit of compliance shall be filed before this Court on or before 3 December 2016 by the President and Secretary to BCCI in terms of paragraphs 17 and 18 above; and

(v) The Secretary to the Committee appointed by this Court shall forward a copy of this order to Mr Shashank Manohar, Chairman ICC to facilitate the observations contained in paragraph 11 of this order.

BCCI shall cooperate with the Committee and with the auditors by granting, in particular, full access to records, accounts and other information as required to facilitate implementation of these directions.

21 The hearing of the proceedings shall stand over to 5 December 2016.

.....CJI  
[T.S. THAKUR]

.....J  
[A.M. KHANWILKAR]

.....J  
[Dr D Y CHANDRACHUD]

New Delhi  
October 21, 2016

JUDGMENT

**ANNEXURE – A-9**

From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>

Date: Fri, Apr 20, 2018 at 9:52 AM

Subject: Re: Your email and letter dated 12th April 2018

To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Sure sir. The tenure of our managing committee has come to an end. As per our constitution the hon secretary only holds the office once the tenure of the first committee comes to an end. He has also communicated the same through his email dtd April 12 th 2018. All the steps to form the new committee are being initiated by him independently.

I am forwarding a copy of this communication to him with a request for urgent compliance.

Regards,

Adv. Abhay Apte

On 20-Apr-2018, at 8:34 AM, Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

From: **Committee of Administrators** <[coa@bccci.tv](mailto:coa@bccci.tv)>

Date: Fri, Apr 20, 2018 at 8:34 AM

Subject: Your email and letter dated 12th April 2018

To: [abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)

Cc: "Maharashtra Cricket Association,"

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>, Rahul Johri <[rahul.johri@bcci.tv](mailto:rahul.johri@bcci.tv)>

Dear Mr. Apte,

Thank you for your email and letter dated 12<sup>th</sup> April 2018 addressed to the Committee of Administrators through the CEO. The Committee of Administrators has full faith in the ability of the Maharashtra Cricket Association ("MCA") to successfully hold the remaining matches of Chennai Super Kings in the IPL 2018.

Regarding the developments in relation to implementation by the MCA of the reforms recommended by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court, you are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations. In view thereof, please provide a copy of the new constitution of the MCA for scrutiny by the BCCI Legal Team at the earliest. In the meantime, it would not be advisable to hold elections until the amended constitution of the MCA is scrutinised and confirmed to be compliant.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

// True Typed Copy //

**ANNEXURE – A-10**

From: **Committee of Administrators** <[coa@bcci.tv](mailto:coa@bcci.tv)>

Date: Mon, Apr 23, 2018 at 5:26 PM

Subject: Elections of Maharashtra Cricket Association

To: [riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)

Cc: "Maharashtra Cricket Association ,"

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>, [abhayvapte@gmail.com](mailto:abhayvapte@gmail.com), Rahul

Johri <[rahul.johri@bcci.tv](mailto:rahul.johri@bcci.tv)>

Dear Mr. Bagban,

This has reference to the trailing email dated 20<sup>th</sup> April 2018 addressed by the Committee of Administrators to Mr. Abhay Apte. From his response, the Committee of Administrators understands that a copy of the said email has already been forwarded to you on the same day and that all steps to form the new committee (including the elections) of the Maharashtra Cricket Association ("MCA") are being initiated by you independently.

The Committee of Administrators is surprised that a copy of the new/ amended constitution of the MCA has still not been provided as sought vide the trailing email dated 20<sup>th</sup> April 2018. Without scrutinizing a copy of the new/ amended constitution of the MCA, it is not possible to confirm if the same is compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide judgment dated 18<sup>th</sup> July 2016 passed by the Hon'ble Supreme Court ("**Judgment**") and enforced vide subsequent orders.



You are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, any elections have to be conducted only after the MCA's constitution has been suitably amended as aforesaid. In the event it subsequently comes to light that the new/ amended constitution of the MCA is not compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide the Judgment and enforced vide subsequent orders, any elections that may be conducted in the meantime will stand vitiated.

For the above reasons, the Committee of Administrators has, in its trailing email, made it absolutely clear that it is not advisable to hold elections until the amended constitution of the MCA is scrutinized and confirmed to be compliant. You are requested to provide a copy of the new/ amended constitution of the MCA to the Committee of Administrators at the earliest.

The Committee of Administrators also urge you to fully consider all the implications and potential consequences of proceeding with elections despite this communication being addressed by you by the Committee of Administrators since you are concerned person who is initiating all steps in relation to the elections will be held responsible for the same.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

----- Forwarded message -----

From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>

Date: Fri, Apr 20, 2018 at 9:52 AM

Subject: Re: Your email and letter dated 12th April 2018

To: Committee of Administrators <[coa@bcci.tv](mailto:coa@bcci.tv)>

Sure sir . The tenure of our managing committee has come to an end .

As per our constitution the hon secretary only holds the office once the tenure of the first committee comes to an end. He has also communicated the same through his email dtd April 12 th 2018. All the steps to form the new committee are being initiated by him independently.

I am forwarding a copy of this communication to him with a request for urgent compliance.

Regards,

Adv. Abhay Apte

On 20-Apr-2018, at 8:34 AM, Committee of Administrators <[coa@bcci.tv](mailto:coa@bcci.tv)> wrote:

Dear Mr. Apte,

Thank you for your email and letter dated 12<sup>th</sup> April 2018 addressed to the Committee of Administrators through the CEO. The Committee of Administrators has full faith in the ability of the Maharashtra Cricket

Association ("MCA") to successfully hold the remaining matches of Chennai Super Kings in the IPL 2018.

Regarding the developments in relation to implementation by the MCA of the reforms recommended by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court, you are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations. In view thereof, please provide a copy of the new constitution of the MCA for scrutiny by the BCCI Legal Team at the earliest. In the meantime, it would not be advisable to hold elections until the amended constitution of the MCA is scrutinised and confirmed to be compliant.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

**// True Typed Copy //**

104

**ANNEXURE – A-11**

From: **Maharashtra Cricket Association**

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>

Date: Tue, Apr 24, 2018 at 12:29 PM

Subject: Re: Elections of Maharashtra Cricket Association

To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Cc: "[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)" <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>, Rahul Johri

<[rahul.johri@bccci.tv](mailto:rahul.johri@bccci.tv)>, Riyaz Bagwan <[riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)>

Dear Sir/Madam,

This has reference to your e-mail dated 23 Apr 2018.

I have sent the a copy of the amended Scheme of the Association  
certified by the Charity Commissioner today by Urgent Blue Dart  
Courier Service.

Kindly let us know if any changes to be made at an earliest.

regards,

Yours sincerely,

(Riyaz Bagban)

Hon Secretary

Maharashtra Cricket Association

Nehru Stadium (North Side),

Tilak Road,

Pune – 411002

Tel : 020 – 24440691

Email : [cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)

// True Typed Copy //

**ANNEXURE – A-12**

From: **Committee of Administrators** <coa@bccci.tv>

Date: Tue, Apr 24, 2018 at 4:25 PM

Subject: Re: Elections of Maharashtra Cricket Association

To: Maharashtra Cricket Association  
<cricketmaharashtra@yahoo.com>

Cc: Riyaz Bagwan <riyazbaggy@gmail.com>, "abhayvapte@gmail.com" <abhayvapte@gmail.com>, Rahul Johri <rahul.johri@bccci.tv>

Dear Mr. Bagban,

This has reference to your trailing email.

While the courier sent by you today is awaited, please send a scanned copy of the amended constitution of the Maharashtra Cricket Association by e-mail to expedite scrutiny.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

On Tue, Apr 24, 2018 at 12:29 PM, Maharashtra Cricket Association

<cricketmaharashtra@yahoo.com> wrote:

Dear Sir/Madam,

This has reference to your e-mail dated 23 Apr 2018.

I have sent the a copy of the amended Scheme of the Association certified by the Charity Commissioner today by Urgent Blue Dart Courier Service.

Kindly let us know if any changes to be made at an earliest.

regards,

Yours sincerely,

(Riyaz Bagban)

Hon Secretary

Maharashtra Cricket Association

Nehru Stadium (North Side), Tilak Road,

Pune – 411002

Tel : 020 – 24440691

Email : [cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)

**From:** Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

**To:** [riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)

**Cc:** "Maharashtra Cricket Association",  
<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>; [abhayvapte@gmail.com](mailto:abhayvapte@gmail.com); Rahul  
Johri <[rahul.johri@bccci.tv](mailto:rahul.johri@bccci.tv)>

**Sent:** Monday, 23 April 2018 5:26 PM

**Subject:** Elections of Maharashtra Cricket Association

Dear Mr. Bagban,

This has reference to the trailing email dated 20<sup>th</sup> April 2018 addressed by the Committee of Administrators to Mr. Abhay Apte. From his response, the Committee of Administrators understands that a copy of the said email has already been forwarded to you on the same day and

that all steps to form the new committee (including the elections) of the Maharashtra Cricket Association ("MCA") are being initiated by you independently.

The Committee of Administrators is surprised that a copy of the new/ amended constitution of the MCA has still not been provided as sought vide the trailing email dated 20<sup>th</sup> April 2018. Without scrutinizing a copy of the new/ amended constitution of the MCA, it is not possible to confirm if the same is compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide judgment dated 18<sup>th</sup> July 2016 passed by the Hon'ble Supreme Court ("**Judgment**") and enforced vide subsequent orders.

You are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, any elections have to be conducted only after the MCA's constitution has been suitably amended as aforesaid. In the event it subsequently comes to light that the new/ amended constitution of the MCA is not compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide the Judgment and enforced vide subsequent orders, any elections that may be conducted in the meantime will stand vitiated.

For the above reasons, the Committee of Administrators has, in its trailing email, made it absolutely clear that it is not advisable to hold elections until the amended constitution of the MCA is scrutinized and confirmed to be compliant. You are requested to provide a copy of the

new/ amended constitution of the MCA to the Committee of Administrators at the earliest.

The Committee of Administrators also urge you to fully consider all the implications and potential consequences of proceeding with elections despite this communication being addressed by you by the Committee of Administrators since you are concerned person who is initiating all steps in relation to the elections will be held responsible for the same.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

----- Forwarded message -----  
 From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>  
 Date: Fri, Apr 20, 2018 at 9:52 AM  
 Subject: Re: Your email and letter dated 12th April 2018  
 To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Sure sir. The tenure of our managing committee has come to an end .

As per our constitution the hon secretary only holds the office once the tenure of the first committee comes to an end. He has also communicated the same through his email dtd April 12 th 2018. All the steps to form the new committee are being initiated by him independently.

I am forwarding a copy of this communication to him with a request for urgent compliance.

Regards,



Adv. Abhay Apte

On 20-Apr-2018, at 8:34 AM, Committee of Administrators  
<[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Apte,

Thank you for your email and letter dated 12<sup>th</sup> April 2018 addressed to the Committee of Administrators through the CEO. The Committee of Administrators has full faith in the ability of the Maharashtra Cricket Association ("MCA") to successfully hold the remaining matches of Chennai Super Kings in the IPL 2018.

Regarding the developments in relation to implementation by the MCA of the reforms recommended by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court, you are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations. In view thereof, please provide a copy of the new constitution of the MCA for scrutiny by the BCCI Legal Team at the earliest. In the meantime, it would not be advisable to hold elections until the amended constitution of the MCA is scrutinised and confirmed to be compliant.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

**// True Typed Copy //**

**ANNEXURE – A-13**

From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>

Date: Tue, Apr 24, 2018 at 5:00 PM

Subject: Re: Elections of Maharashtra Cricket Association

To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Cc: Maharashtra Cricket Association

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>, Riyaz Bagwan

<[riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)>, Rahul Johri <[rahul.johri@bccci.tv](mailto:rahul.johri@bccci.tv)>

Dear Mr Bagwan

I am sure you would send that copy of the constitution which was finally discussed and approved in the SGM held on 7 th April 2018 which I presided over.

Regards,

Adv. Abhay Apte

On 24-Apr-2018, at 4:25 PM, Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Bagban,

This has reference to your trailing email.\*

While the courier sent by you today is awaited, please send a scanned copy of the amended constitution of the Maharashtra Cricket Association by e-mail to expedite scrutiny.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

On Tue, Apr 24, 2018 at 12:29 PM, Maharashtra Cricket Association

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)> wrote: .

Dear Sir/Madam,

This has reference to your e-mail dated 23 Apr 2018.

I have sent the a copy of the amended Scheme of the Association certified by the Charity Commissioner today by Urgent Blue Dart Courier Service.

Kindly let us know if any changes to be made at an earliest.

regards,

Yours sincerely,

(Riyaz Bagban)

Hon Secretary  
Maharashtra Cricket Association  
Nehru Stadium (North Side),  
Tilak Road, Pune – 411002  
Tel : 020 – 24440691  
Email : [cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)

---

**From:** Committee of Administrators <[coa@bcci.tv](mailto:coa@bcci.tv)>

**To:** [riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)

**Cc:** "Maharashtra Cricket Association ,"

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>; [abhayvapte@gmail.com](mailto:abhayvapte@gmail.com); Rahul Johri <[rahul.johri@bcci.tv](mailto:rahul.johri@bcci.tv)>

**Sent:** Monday, 23 April 2018 5:26 PM

**Subject:** Elections of Maharashtra Cricket Association

Dear Mr. Bagban,

This has reference to the trailing email dated 20<sup>th</sup> April 2018 addressed by the Committee of Administrators to Mr. Abhay Apte. From his

response, the Committee of Administrators understands that a copy of the said email has already been forwarded to you on the same day and that all steps to form the new committee (including the elections) of the Maharashtra Cricket Association ("MCA") are being initiated by you independently.

The Committee of Administrators is surprised that a copy of the new/ amended constitution of the MCA has still not been provided as sought vide the trailing email dated 20<sup>th</sup> April 2018. Without scrutinizing a copy of the new/ amended constitution of the MCA, it is not possible to confirm if the same is compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide judgment dated 18<sup>th</sup> July 2016 passed by the Hon'ble Supreme Court ("**Judgment**") and enforced vide subsequent orders.

You are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, any elections have to be conducted only after the MCA's constitution has been suitably amended as aforesaid. In the event it subsequently comes to light that the new/ amended constitution of the MCA is not compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide the Judgment and enforced vide subsequent orders, any elections that may be conducted in the meantime will stand vitiated.

For the above reasons, the Committee of Administrators has, in its trailing email, made it absolutely clear that it is not advisable to hold

elections until the amended constitution of the MCA is scrutinized and confirmed to be compliant. You are requested to provide a copy of the new/ amended constitution of the MCA to the Committee of Administrators at the earliest.

The Committee of Administrators also urge you to fully consider all the implications and potential consequences of proceeding with elections despite this communication being addressed by you by the Committee of Administrators since you are concerned person who is initiating all steps in relation to the elections will be held responsible for the same.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

----- Forwarded message -----  
 From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>  
 Date: Fri, Apr 20, 2018 at 9:52 AM  
 Subject: Re: Your email and letter dated 12th April 2018  
 To: Committee of Administrators <[coa@bccitv](mailto:coa@bccitv)>

Sure sir. The tenure of our managing committee has come to an end. As per our constitution the hon secretary only holds the office once the tenure of the first committee comes to an end. He has also communicated the same through his email dtd April 12 th 2018. All the steps to form the new committee are being initiated by him independently.

I am forwarding a copy of this communication to him with a request for urgent compliance.

Regards,

114

Adv. Abhay Apte

On 20-Apr-2018, at 8:34 AM, Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Apte,

Thank you for your email and letter dated 12<sup>th</sup> April 2018 addressed to the Committee of Administrators through the CEO. The Committee of Administrators has full faith in the ability of the Maharashtra Cricket Association ("MCA") to successfully hold the remaining matches of Chennai Super Kings in the IPL 2018.

Regarding the developments in relation to implementation by the MCA of the reforms recommended by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court, you are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations. In view thereof, please provide a copy of the new constitution of the MCA for scrutiny by the BCCI Legal Team at the earliest. In the meantime, it would not be advisable to hold elections until the amended constitution of the MCA is scrutinised and confirmed to be compliant.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

// True Typed Copy //

**ANNEXURE – A-14**

From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>

Date: Thu, Apr 26, 2018 at 8:25 PM

Subject: Re: Amended Constitution of the Maharashtra Cricket Association

To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Respected sirs

We are comparing the copy that you have received with the one discussed and finalised in the meeting. At this stage the following differences are found out –

1. The definitions under point 9 are missing. The definitions of players, international payers and social clubs were newly constructed. We need to check if a page is missing..
2. In point 21 management below point C it was mentioned that “ it has been specifically clarified that no social club will be involved in the management and control of the Association “ This is missing.

You will appreciate that it will take some time for me to go through the entire constitution as sent to you and revert . Shall do at the earliest.

Regards,

Adv. Abhay Apte

On 26-Apr-2018, at 3:19 PM, Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Apte,

A copy of the amended constitution as sent to the Committee of Administrators by the Secretary of the Maharashtra Cricket Association ("MCA") is enclosed herewith.

In light of your trailing email, please confirm that the attached amended constitution is the same one which was finally discussed and approved at the Special General Meeting of the MCA held on 7<sup>th</sup> April 2018 which you presided over.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

*Encl.: Copy of Amended Constitution of the MCA as sent by Secretary of the MCA*

On Tue, Apr 24, 2018 at 5:00 PM, abhay apte

<[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)> wrote:

Dear Mr Bagwan

I am sure you would send that copy of the constitution which was finally discussed and approved in the SGM held on 7<sup>th</sup> April 2018 which I presided over

Regards,

Adv. Abhay Apte



On 24-Apr-2018, at 4:25 PM, Committee of Administrators

<[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Bagban,

This has reference to your trailing email.

While the courier sent by you today is awaited, please send a scanned copy of the amended constitution of the Maharashtra Cricket Association by e-mail to expedite scrutiny.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

On Tue, Apr 24, 2018 at 12:29 PM, Maharashtra Cricket Association

<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)> wrote:

Dear Sir/Madam,

This has reference to your e-mail dated 23 Apr 2018.

I have sent the a copy of the amended Scheme of the Association certified by the Charity Commissioner today by Urgent Blue Dart Courier Service.

Kindly let us know if any changes to be made at an earliest.

regards,

Yours sincerely,

(Riyaz Bagban)

Hon Secretary

Maharashtra Cricket Association

Nehru Stadium (North Side),

Tilak Road, Pune – 411002

Tel : 020 – 24440691

Email : [cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)

**From:** Committee of Administrators <[coa@bcci.tv](mailto:coa@bcci.tv)>  
**To:** [riyazbaggy@gmail.com](mailto:riyazbaggy@gmail.com)  
**Cc:** "Maharashtra Cricket Association,"  
<[cricketmaharashtra@yahoo.com](mailto:cricketmaharashtra@yahoo.com)>; [abhayvapte@gmail.com](mailto:abhayvapte@gmail.com); Rahul  
Johri <[rahul.johri@bcci.tv](mailto:rahul.johri@bcci.tv)>  
**Sent:** Monday, 23 April 2018 5:26 PM  
**Subject:** Elections of Maharashtra Cricket Association

Dear Mr. Bagban,

This has reference to the trailing email dated 20<sup>th</sup> April 2018 addressed by the Committee of Administrators to Mr. Abhay Apte. From his response, the Committee of Administrators understands that a copy of the said email has already been forwarded to you on the same day and that all steps to form the new committee (including the elections) of the Maharashtra Cricket Association ("MCA") are being initiated by you independently.

The Committee of Administrators is surprised that a copy of the new/ amended constitution of the MCA has still not been provided as sought vide the trailing email dated 20<sup>th</sup> April 2018. Without scrutinizing a copy of the new/ amended constitution of the MCA, it is not possible to confirm if the same is compliant with the recommendations of the

Hon'ble Justice Lodha Committee as accepted vide judgment dated 18<sup>th</sup> July 2016 passed by the Hon'ble Supreme Court ("**Judgment**") and enforced vide subsequent orders.

You are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, any elections have to be conducted only after the MCA's constitution has been suitably amended as aforesaid. In the event it subsequently comes to light that the new/ amended constitution of the MCA is not compliant with the recommendations of the Hon'ble Justice Lodha Committee as accepted vide the Judgment and enforced vide subsequent orders, any elections that may be conducted in the meantime will stand vitiated.

For the above reasons, the Committee of Administrators has, in its trailing email, made it absolutely clear that it is not advisable to hold elections until the amended constitution of the MCA is scrutinized and confirmed to be compliant. You are requested to provide a copy of the new/ amended constitution of the MCA to the Committee of Administrators at the earliest.

The Committee of Administrators also urge you to fully consider all the implications and potential consequences of proceeding with elections despite this communication being addressed by you by the Committee of Administrators since you are concerned person who is initiating all steps in relation to the elections will be held responsible for the same.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

----- Forwarded message -----  
From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>  
Date: Fri, Apr 20, 2018 at 9:52 AM  
Subject: Re: Your email and letter dated 12th April 2018  
To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>

Sure sir . The tenure of our managing committee has come to an end .

As per our constitution the hon secretary only holds the office once the tenure of the first committee comes to an end. He has also communicated the same through his email dtd April 12 th 2018. All the steps to form the new committee are being initiated by him independently .

I am forwarding a copy of this communication to him with a request for urgent compliance.

Regards,

Adv. Abhay Apte

On 20-Apr-2018, at 8:34 AM, Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)> wrote:

Dear Mr. Apte,

Thank you for your email and letter dated 12<sup>th</sup> April 2018 addressed to the Committee of Administrators through the CEO. The Committee of

Administrators has full faith in the ability of the Maharashtra Cricket Association ("MCA") to successfully hold the remaining matches of Chennai Super Kings in the IPL 2018.

Regarding the developments in relation to implementation by the MCA of the reforms recommended by the Hon'ble Justice Lodha Committee and accepted by the Hon'ble Supreme Court, you are aware that as per the timelines for implementation and/or directions issued by the Hon'ble Justice Lodha Committee, elections are to be held only as per the amended constitutions of State Associations. In view thereof, please provide a copy of the new constitution of the MCA for scrutiny by the BCCI Legal Team at the earliest. In the meantime, it would not be advisable to hold elections until the amended constitution of the MCA is scrutinised and confirmed to be compliant.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

<Amended Constitution of the MCA.pdf>

**// True Typed Copy //**

**ANNEXURE – A-15**

From: **Committee of Administrators** <coa@bcci.tv>

Date: Fri, Apr 27, 2018 at 12:49 AM

Subject: Amended Constitution and Elections of Maharashtra Cricket Association

To: "Maharashtra Cricket Association ,"

<cricketmaharashtra@yahoo.com>, Riyaz Bagwan

<riyazbaggy@gmail.com>, abhay apte <abhayvapte@gmail.com>

Cc: Rahul Johri <rahul.johri@bcci.tv>

Dear Sirs,

This has reference to the amended constitution of the Maharashtra Cricket Association ("MCA") which has been sent by the Secretary of the MCA vide his email dated 24<sup>th</sup> April 2018.

1. The Committee of Administrators has, with the assistance of the BCCI legal team, scrutinized the said amended constitution of the MCA sent by its Secretary ("**Amended Constitution**") on the basis of the checklist circulated to all State Associations on 13<sup>th</sup> June 2017 and again on 19<sup>th</sup> March 2018. It has been observed that page 6 of the Amended Constitution is missing. Further, the Committee of Administrators has received an email dated 26<sup>th</sup> April 2018 from the former President of the MCA *inter alia* stating that there are certain differences between the

Amended Constitution (as sent by the Secretary of the MCA) and the one that was finally discussed and approved at the Special General Meeting of the MCA held on 7<sup>th</sup> April 2018 which he presided over. This fact alone casts serious doubts as to the sanctity of the Amended Constitution.

2. Nevertheless, after scrutiny, the Committee of Administrators is of the view that the Amended Constitution substantially deviates from the recommendations of the Hon'ble Justice Lodha Committee as accepted by the Hon'ble Supreme Court vide its judgment dated 18<sup>th</sup> July 2016 ("**Judgment**") and is not compliant with the same. Particulars of the major deviations that have been observed are provided below:

- (a) Although Clause 50C of the Amended Constitution at page 30 provides for appointment of an Electoral Officer, the powers of the Electoral Officer are confined to elections to the Managing Committee only. Clause 25 of the Amended Constitution at page 14 provides that the office bearers shall be elected only by the Managing Committee and not by the General Body. This is a fundamental deviation from the recommendations of the Hon'ble Justice Lodha Committee because the office bearers need to be elected by the General Body and not by the Managing Committee from amongst themselves.

- (b) To further compound the aforesaid fundamental deviation, various powers in relation to election of office bearers which ought to have been conferred on the Electoral Officer have been kept with the Managing Committee itself. These include the power to decide all questions of eligibility of persons nominated or elected as members of the Managing Committee (See Clause 34(m) of the Amended Constitution at page 20), the power to prepare list of voters eligible to vote and to receive and decide complaints in respect thereof (See Clause 34(o) of the Amended Constitution at page 20) and the power to appoint scrutineers to scrutinize nomination papers (See Clause 34(r) of the Amended Constitution at page 21) to name a few.
- (c) In addition to the above, the composition of the Managing Committee as provided in Rule 21 of the Amended Constitution at pages 10-11 appears to have been formulated with a view to perpetuating vested interests that have been entrenched in the MCA and sidelining former international players hailing from the State. For instance, although Clause 22(2) of the Amended Constitution at page 11 says that all office bearers including President shall be members from one of the categories of members (including "International Cricketer



member”), Clause 21 of the Amended Constitution at pages 10-11 does not provide for any member of the Managing Committee to be elected from amongst the “International Cricketer members” (referred to in Clause 13 of the Amended Constitution at page 7). This, read with the qualifications stipulated in Clauses 22(4) and 22(5) of the Amended Constitution at pages 13 effectively ensures that no “International Cricketer member” can ever become an office bearer, thereby rendering their membership nominal.

(d) In fact, the status of the “International Cricketer members” is itself unclear given that:

(1) “International Cricketer members” do not find mention in Clause 11 of the Amended Constitution at page 7.

(2) Under Clause 15 of the Amended Constitution at page 8, any application for membership may be rejected without assigning any reasons.

(e) Clause 22(3)(f) of the Amended Constitution at page 12 only deals with office bearers although various other posts (including members of Managing Committee) are provided for under the Amended Constitution. Accordingly, Point No. 1 of the checklist, which requires

that no post in the Association should be held for more than 9 years, has not been complied with because Clause 31 of the Amended Constitution at page 18 does not incorporate it.

- (f) Clause 50C(b)(1) of the Amended Constitution at page 30 provides that the Electoral Officer shall be a former member of the Election Commission of Maharashtra or a retired High Court judge. However, as per the report of the Hon'ble Justice Lodha Committee, the electoral officer of a State Association has to be a retired Central or respective State Election Commissioner and, in the event no such person is available, any other former State Election Commissioner (preferably from a neighbouring State) may be appoint. The appointment of a retired High Court judge as electoral officer is not contemplated.
- (g) Clause 34(g) of the Amended Constitution at pages 19-20 empowers the Managing Committee to elect selection committees. Although the said clause states that the selection committee should be an independent body free from Governing body members, this does not meet the requirement of the selection committee being independent/ free from the Governing Body/ Managing Committee. Selection committee should be appointed by the General Body and not the Managing Committee.

- (h) There is no provision which disallows proxy voting.
  - (i) Although Clause 23 of the Amended Constitution at page 13 states that all office bearers and members of the Managing Committee shall hold office for 3 years, Clause 22(6)(ii) of the Amended Constitution at page 13 indicates that a "full term" under the Amended Constitution is 5 years.
3. Your attention is drawn to the fact that vide resolution passed by the Special General Body meeting of the MCA held on 29<sup>th</sup> December 2017, the MCA undertook to implement and support the reforms as accepted by the Judgment in letter and spirit. The said resolution was sent to the Committee of Administrators under affidavit dated 29<sup>th</sup> December 2017 affirmed by the then President of the MCA. It is learnt that the said affidavit has also been filed in the Hon'ble Supreme Court. On this basis, substantial amounts running into crores of rupees have been sought by the MCA and disbursed by BCCI. The Committee of Administrators understands that fixed deposits amounting to around Rs. 15 crores which had been frozen vide orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 were also released on the basis of the aforementioned affidavit.
4. From the major deviations set out above, it appears that the MCA and its officials have falsely claimed compliance with the

Judgment, violated the undertaking contained in the affidavit filed before the Hon'ble Supreme Court and left no stone unturned to subvert and nullify the letter and spirit of the recommendations of the Hon'ble Justice Lodha Committee.

5. In light of the aforesaid, all concerned are put on notice that:

- (a) The elections proposed to be held on 2<sup>nd</sup> May 2018 are contrary to the directives issued by the Hon'ble Justice Lodha Committee in exercise of the powers conferred on it vide the Judgment since the Amended Constitution is not compliant with the Judgment;
- (b) The Committee of Administrators and the BCCI will treat the MCA as a defaulting State Association and shall not recognize the results of such elections and treat the same as null and void;
- (c) Any person(s) involved in the conduct of or participating in the elections shall be held responsible for having wilfully acted in violation of the Judgment and consequent directions issued by the Hon'ble Justice Lodha Committee and the Committee of Administrators shall take such steps/ action as it considers appropriate in this regard including by bringing the same to the attention of the Hon'ble Supreme Court; and

- (d) For the purpose of ensuring compliance by all concerned, the Committee of Administrators is directing the CEO of BCCI and the Secretary of the MCA to put up a copy of this communication on the websites of BCCI and MCA respectively.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

**// True Typed Copy //**

**ANNEXURE – A-16**

From: **abhay apte** <[abhayvapte@gmail.com](mailto:abhayvapte@gmail.com)>

Date: Fri, Apr 27, 2018 at 6:38 AM

Subject: Re: Amended Constitution and Elections of Maharashtra Cricket Association

To: Committee of Administrators <[coa@bccci.tv](mailto:coa@bccci.tv)>, [rahul.johri@bccci.tv](mailto:rahul.johri@bccci.tv)

Respected members ,

Noted and shall abide by it completely . As informed earlier my term in the office as the President is over and as informed by the Hon secretary vide his email dated 12 th April 2018, he is the sole official holding the office .

The entire process of election is being handled by the Hon secretary and I am not connected or involved with it in any way . At the same time, from my side I have always maintained that we must follow the advice of the COA and should not hold elections until the constitution is scrutinised and found in accordance with the recommendations .

It is true that the SGM of the MCA has passed a resolution to follow the recommendations of Hon Jt Lodha committee as accepted by the Hon Supreme Court in letter and spirit . The same SGM also passed a resolution authorising me as the Preside to file an affidavit before the authorities , which was accordingly filed. Subsequently the meeting for amending the constitution was held and the same was amended. Any

further changes, required in terms of the Hon Supreme courts order must be undertaken expeditiously .

Let me assure you that from my side , as a member , I will still try to impress upon the MCA members to follow the advice / notice and also to ensure that the Association runs smoothly .

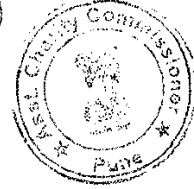
Regards,

Adv. Abhay Apte

**// True Typed Copy //**

**ANNEXURE A-17**

5778/18  
मनोज वडकर  
18/4/18  
218/4/18

**ANNEXURE A****Proposed modifications to the Scheme****Maharashtra Cricket Association****CONSTITUTION**

P.T.R.No. F-4042 Pune

**1] Name**

The name of the Association shall be "Maharashtra Cricket Association" (hereinafter referred to as the "MCA")

**2] Head Quarters**

The Head Quarters and the Registered Head Office shall be in the City of Pune.

**3] Registered office of the Association**

The Registered Office of the Association shall be at Pune, north side, Nehru Stadium, Tilak Road, Pune - 411 030.

**4] Territory controlled by the Association & Jurisdiction**

The Association will have the jurisdiction and control over the 21 districts of Maharashtra mentioned below:

- 01] Pune
- 02] Satara
- 03] Sangli
- 04] Kolhapur
- 05] Ratnagiri
- 06] Sindhudurg



- 
- 07] Raigad
  - 08] Ahmednagar
  - 09] Aurangabad
  - 10] Solapur
  - 11] Latur
  - 12] Nanded
  - 13] Beed
  - 14] Nasik
  - 15] Jalgaon
  - 16] Jalna
  - 17] Osmanabad
  - 18] Hingoli
  - 19] Parbhani
  - 20] Dhule
  - 21] Nandurbar



#### **5] Properties of the Association**

The properties of the Association shall consist of movable and immovable as mentioned in the Schedule-1 Register and such other properties which belong to the Association which may through error, oversight or in inadvertence have remained to be mentioned in the Schedule. All these properties and new accretions thereto and acquisitions, donations etc. received thereafter shall be called the properties of the Association.

#### **6] Vesting of Properties of Association**

The property of the Association shall vest in the Board of trustees for the time being under this scheme and shall be administered and managed by them subject to and in conformity with the provisions of this Scheme and Bombay Public Trust Act, 1950.

## 7] Objects

The objects of the Association shall be as under:

- a] To encourage physical education, foster and maintain friendly and cordial relationship through sport tournaments and competitions in connection therewith and to create a healthy spirit in the country through the medium of sports in general and cricket in particular.
- b] With a view to accomplish the objects aforesaid, to help, encourage, promote, develop and control the game of cricket and generally to improve the standard of the game.
- c] To select teams to represent the Association in any tournament, championship or fixture, local or otherwise. ,
- d] To arrange, supervise and regulate visits of cricket teams of members, clubs, national and international teams or any other cricket teams.
- e] To establish, build, construct, operate and maintain an ultra-modern, state of art stadium for cricket and other infrastructure facilities for playing and promotion of cricket and other games in Maharashtra:
- f] To found, promote and establish by subscribing to the Memorandum and Articles of Association of a company limited by guarantee to be incorporated under the provisions of section 25 of the Companies Act, 1956 as a "company limited by guarantee without share capital" in the name of "Maharashtra Cricket" or "Maharashtra Cricket & Sports" or "Maharashtra Cricket & Leisure" or such other name as may be approved by the Registrar of Companies, Maharashtra established to promote, develop and encourage the sport of cricket and other sports by providing world class playing facilities, stadiums and playing environment, providing coaching facilities and club house in Maharashtra; and to issue guarantee or guarantees from time to time to such company in connection with its formation or



12



establishment:

g] To purchase, obtain or procure appropriate lands for construction, of an ultra-modern, state of art stadium for cricket and other games in Maharashtra; and to offer such lands on lease or other arrangement to the section 25 company to be founded and promoted by the Association to build, construct, operate and maintain the said stadium and other facilities.

h] With a view to accomplish the above objects -

1. To arrange, conduct, control, regulate, manage all cricket tournaments, matches, league matches, selection matches etc.
2. To maintain a library of books, periodicals, literature on sports and cricket in particular.
3. To engage coaches and other professionals to run and manage the various departments of the association.
4. To engage persons or cricketers for specific jobs and to pay remuneration or honorarium to them
5. To start or sponsor and or to subscribe to funds for the benefit of cricket, cricketers or their families.
6. To set up and establish sub-committees or committees for improvement of the game of cricket in general and to decide upon the powers and tasks of such committees.



#### 8] Powers

- a. To collect funds for the purposes of the association and to utilize such funds in a manner as the managing committee of the association may consider desirable for the fulfillment of the objects of the association.
- b. To invest funds and monies of the association in such a manner as may be decided upon by the Managing Committee from time to time but within the ambit of the laws as applicable to the association.
- c. To purchase, take on lease, hire or otherwise acquire moveable and or immovable properties. rights or

privileges, necessary or convenient for the purpose of carrying out the objects of the association on such terms and conditions as the Managing Committee may decide and authorize.

- d. To sell, mortgage, exchange, dispose off or otherwise deal with all or any part of the property or funds of the association as the Managing Committee of the association may authorize
- e. To hold and maintain the laws of cricket and the rules and regulations of the Board of Control for Cricket in India.
- f. To utilize the income, funds and property of the association solely and entirely for the promotion of the objects of the association as set forth above PROVIDED ALWAYS that no portion of the income, funds or property of the association shall be paid or transferred directly or indirectly by way of dividend, bonus, profit or otherwise in any manner whatsoever to any member of the association or the Managing Committee of the association.
- g. To sign and affirm to the Memorandum of Association of a company to be incorporated under the provisions of section 25 of the Companies Act as a "company limited by guarantee without share capital" established to promote, develop and encourage the sport of cricket and other sports by providing world class playing facilities, stadiums and playing environment, providing coaching facilities and club house in Maharashtra, through the members of the Board or of the Managing Committee as may be determined by the Board and to issue guarantees as the founder member and subscriber to the Memorandum and Articles of Association of that company.



#### 9] Rules of the Maharashtra Cricket Association

##### 1. Interpretation

Every reference in these rules to the masculine shall include the feminine and the singular shall include the plural.

- 2. Unless there is something in the subject or context inconsistent therewith -

137

15

**10] Force of Rules**

Every member shall be bound to conform and comply to the rules and regulations and bye-laws in force from time to time.

**11] Membership**

The association shall consist of patrons, life members and benefactors, institution members, founder gymkhanas, special gymkhanas and club members and district cricket associations. Any club or institution interested in and promoting and playing the game of cricket shall be eligible for membership of the association subject to the approval of such membership by the Managing Committee and within the overall limit set for every category of members and on such terms and conditions as may be applicable from time to time. The admission fee shall be Rs.5,000/- and shall be a non-refundable fee payable in advance along with the application and there will be a yearly subscription of Rs. 1,000/- payable by the 30<sup>th</sup> of April for each year.

**12] Life membership**

Any individual paying Rs.5,000/- proposed and seconded by two members and duly approved by the Managing Committee shall be entitled to the life membership of the association subject to the terms and conditions as applicable and within the overall limit set for this category of members from time to time.

**13] International Cricketer Membership**

An international cricketer will be granted membership provided he shows his interest to become a member in writing to the association and has not opted for the membership for any other association. He will have to pay one time fees of Rs. 5000/-.

**14] Subscription**

- a. The affiliation fee for the 4 founder gymkhanas namely Deccan Gymkhana, PYC Hindu Gymkhana, Pune Club Limited, Parsee Gymkhana and the Club of Maharashtra shall be Rs.5,000/- per annum each and payable not later than 30<sup>th</sup> of April for each year failing which the membership may be terminated.

- b. The affiliation fee for the district cricket associations shall be Rs.1,000/- per annum each and payable not later than 30<sup>th</sup> April each year failing which the membership may be terminated.
- c. The affiliation fee for all other categories of members shall be Rs.1,000/- per annum.

#### 15] Election

Any club or person or institution desirous of joining the association afresh shall submit an application duly proposed by a member and seconded by another member of the association along with a non-refundable demand draft of Rs.5, 000/- payable in favour of the association at Pune along with such persons or institutions background particularly with regard to his interest, participation and promotion of the game of cricket. The committee may accept or reject such an application without assigning any reasons thereof and the membership fee of Rs.5,000/- paid along with the application shall be non-refundable in the event of rejection of such an application. No applicant whose application has been rejected shall be eligible for re-application until the expiry period of one year from the date of rejection.



#### 16] Representatives

Each of the institutional members and clubs shall nominate an individual to represent it at the general and or committee meeting and to act for and on behalf of the club pertaining to the association. Such an individual shall not at one time represent more than one club or institution. The name and address of such a representative and any subsequent change thereof shall be communicated to the honorary secretary of the association. All communication to and from the association to any category of members shall only be by Registered Post AD. and shall be communicated to the last registered address of such a representative as available on the records of the association and communication from the members to the association shall be only at the address of the association as appearing on the letterhead of the association.

139



12

#### 17] Arrears

If the annual subscription of any category of members remains unpaid beyond the 30<sup>th</sup> of April for each financial year, the committee may remove the membership and affiliation of such a member by declaring him a defaulter.

No defaulting member shall have access to any rights and privileges including his right to vote and attend any type of meetings of the association.

#### 18] Re-admission

Any member removed from the list as a defaulter in arrears may be re-admitted subject to the approval of the Managing Committee provided he pays three times the amount due from him within a period as specified by the Managing Committee.

#### 19] Resignation

A member desiring to resign from the association shall submit his resignation to the Honorary Secretary. The committee after due consideration of such a resignation of its meeting accept the same subject to clearance of all dues, if any, and his complying with all the statutory requirements as applicable.



#### 20] Suspension and removal

Any category of member who willfully and knowingly refuses to comply with any provisions of the rules can be suspended from the membership of the association after an inquiry to be conducted into the same by a sub committee appointed by the Managing Committee. Any category of member who has prima facie acted against the interests of the association in a manner that is likely to affect the harmony, character and stability and interest of the association may be inquired against by the enquiry committee. Upon receipt of the report of the enquiry committee, the Managing Committee may consider the report and if three fourth of the members of the Managing Committee present at that meeting or a minimum number of 18 members agree to such a removal, the said member may be removed provided always that such a member has been given due opportunity of explanation of his case either orally or in

140



18

writing.

A person removed under such rules shall forthwith forfeit all rights and claims upon the association.

A person suspended under such rules, pending final decision shall be excluded from all activities of the association for a period not exceeding four weeks from the date of such suspension.

A member removed under this rule may re-apply for membership after a period of 3 years from the date of such removal subject to the approval of the Managing Committee by a majority exceeding three fourth of the members present at that meeting but not less than 18 members.

## 21] Management

There shall be a Managing Committee meeting which shall govern, administer and control the affairs and finances of the association. Such a meeting shall be normally held once every month. The Managing Committee shall consist of -

- a. Three representatives to be elected by and among themselves by the 4 founder gymkhanas namely the PYC Hindu Gymkhana, Deccan Gymkhana, Pune Club Limited and Parsee Gymkhana ..... 3 representatives.
- b. One representative to be nominated by the Club of Maharashtra, Pune ..... 1 representative.
- c. One representative for every 15 clubs to be elected by and among themselves from the clubs totaling 45 in number ..... 3 representatives.
- d. One representative to be elected by and amongst themselves from the colleges provided that such a representative shall be connected with the promotion, development and activities of cricket of that particular college and as such shall be a coach or a sports in-charge, Representatives from such category shall always be by rotation and as such no single person shall be eligible for election for more than one term ..... 1 representative.





e. Two representatives of players out of which one should be a woman.

f. Representative of Accountant General of the state of Maharashtra.

g. Three members to be elected by and among themselves from the category of patrons, life members and benefactors..... 3 representatives.

h. Tree representatives to be elected/ nominated from each of the five zones namely the West Zone, the East Zone, the South Zone, the North Zone and the Central Zone of the district cricket associations and such elections/nomination shall be conducted by the concerned district associations of the particular zone ..... 15 representatives.

For the above and for all other purposes, the Zonal arrangement of the District Cricket Associations shall be as under:

- |              |   |  |
|--------------|---|--|
| West Zone    | - | Raigad, Ratnagiri, Sindhudurg,<br>Kolhapur, Pune |
| East Zone    | - | Latur, Parbhani, Nanded, Hingoli                 |
| South Zone   | - | Sangli, Satara, Solapur, Osmanabad               |
| North Zone   | - | Nasik, Dhule, Jalgaon, Nandurbar                 |
| Central Zone | - | Ahmednagar, Beed, Aurangabad, Jalna              |

For the above category, the elected/nominated person shall not exclude a member of a particular district cricket association from that zone for more than one term so as to enable each of the district cricket association to have a representation by rotation.

**TOTAL NUMBER OF MEMBERS OF MANAGING COMMITTEE..... 29**

## **22] Qualification of the office bearers and members of the Managing Committee**

1. Any person who has attained the age of majority and is of sound mind may be elected as an Office Bearer to any post of the Association.

142



20

2. All office bearers including the President shall be members from one of the categories such as Club Members, Life Members, Patron members, benefactor members from Representatives of the Founder and Special Gymkhanas, College Representatives or Representatives of the District Cricket Association **or an International Cricketer member.**
3. Provided that any person seeking election to any post of office bearer shall be disqualified if he or she
  - (a) Is not a citizen of India;
  - (b) Has attained the age of 70 years;
  - (c) Is declared to be insolvent, or of unsound mind;
  - (d) Is a Minister or Government Servant; (except for the nominee of the Accountant General.)
  - (e) Holds any office or post in a sports or athletic association or federation apart from cricket;
  - (f) Has been an Office Bearer of the association for a cumulative period of 9 years;
  - (g) Has been charged by a Court of Law for having committed any criminal offence.
  - (h) is convicted for an offence punishable under the provisions of Bombay Public Trusts Act.
  - (i) is residing outside India for a continuous period of 6 (six) months.



**3A. No office bearer of the association shall hold office two consecutive terms**

4. The persons wishing to contest the election and being eligible to do so, for the following posts of office bearers
  - a) Vice-president, b) the Secretary, c) **Joint secretary** and d) the Treasurer.
    - i) Shall have completed a full term as a member of the Managing Committee, either under the old constitution or under the new constitution, or should have been an office-

143



bearer of the Association, either under the old constitution or under the new constitution for a full term.

- ii) For this qualification, a Zonal Secretary's post will be held as an Office-Bearer's post.

AND

- iii) Must have attended at least 2 (two) General Body meetings of the Association, either under the old constitution or under the new constitution.

- 5. Any person wishing to contest on election for the post of President and being eligible to do so,

- i) Shall have completed 2 (two) full terms as a member of the Managing Committee, either under the old constitution or under the new constitution; or he should have been President, Vice-president, Secretary or Treasurer of the Association for a full term either under the old constitution or under the new constitution.

- ii) Must have attended at least 2 (two) General Body meetings of the association either under the old constitution or under the new constitution.

- 6. For all the above, meaning of the phrase "full term" would be as follows,

- i) Under the old constitution a full term of 2 (two) years;
- ii) Under the new constitution a full term of 5 (five) years;
- iii) Under the old constitution member could be elected or co-opted.

- 7. The above Rules come into effect from and would be applicable to all future elections.

### **23] Tenure of office**

All members and office bearers of the committee shall hold office for a period of **3 years** from the date of election.

144

22



#### 24] Honorary Secretary


The Honorary Secretary shall continue to be in office after the expiry of the term of the managing committee until the commencement of the first meeting of the managing committee after the end of the previous tenure.

#### 25] Elections at the Office bearers

The managing committee shall elect its President, one Vice Presidents, Treasurer, and Secretary and joint secretary Such office bearers shall be office bearers of the association and of the managing committee as well.

#### 26] Powers of the office bearers

##### President

- 
- a. The President shall have the power of presiding overall meetings of the association such as meetings of the managing committee, annual meetings, special meetings, Annual general meeting, special annual general meeting and any other meetings of the association. The President shall exercise superintendence over the office bearers in the discharge of their duties generally and particularly in accordance with any general or special directions of the managing committee. The President shall also exercise such functions and duties as may be enjoyed on him personally by the managing committee.
  - b. In the event of a vacancy occurring of an office bearer, Vice President, chairman or member of any committee or sub-committee by the reason of his death or conviction in any offence, the President shall fill up such vacancy and the person so appointed shall hold office till the following Annual General Meeting. The President shall have powers to fill up any casual vacancies in any post.
  - c. The President shall have powers to take action in case of any misconduct on the part of players, members, district cricket association and institutions who are members of the association.
  - d. The President shall have the power to announce the composition of the team selected by the various selections committees.

145



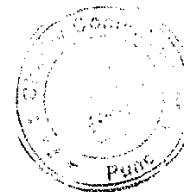
### Vice Presidents

- a. The Vice Presidents shall have the powers as available to the President in his absence.

### Secretary

- a. The Secretary shall keep and maintain the minutes of Annual General Meetings, special general meetings, managing committee meetings and all other committees and sub-committees appointed by the managing committee. Such minutes shall be appropriately and properly maintained in books as required and he shall cause them to be properly and correctly recorded and confirmed.
- b. Carry out all correspondence in the name of the association, save as otherwise directed by the President.
- c. Be in charge of all correspondence and records of the association including that of all committees, sub-committees and all properties as may be entrusted to his care by the association.
- d. Convene all the managing committee meetings, annual general meetings, special general meetings and any other meetings of the committees and subcommittees.
- e. Circulate to all members of the managing committee statements of accounts as prepared by the Treasurer.
- f. Be an ex-officio member of all committees and sub-committees except the selection committees.
- g. Convene and attend the meetings of selection committees but shall not be entitled to take part in the deliberations of the selection committee nor shall he be entitled to vote. However, he shall be entitled to convey to the selections the view of the Board.
- h. Have the power to delegate any work and responsibility as approved by the managing committee to the Zonal Secretaries.
- i. Exercise general control over matters pertaining to all the employees of the association subject to the general and special directions of the managing committee.





- j. Have the power to sign the letters of appointment, dismissal, termination of employees either permanent or temporary, contractual or otherwise subject to the directions of the managing committee.
- k. Have the power to delegate work to any employee of the association.
- l. Convene special general meeting of the association within 15 days to elect a President in the event of their being a vacancy in the office of the President for any reason whatsoever.

#### **Honorary Treasurer**

- a. Honorary Treasurer shall receive all subscriptions, donations and monies payable and or receivable by the association.
- b. Make payments and incur expenditure out of the funds of the association in accordance with the decisions of the managing committee.
- c. Keep accounts of all monies received and expended by the association in respect of Assets, credits and liabilities of the association.
- d. Prepare statement of accounts.
- e. Place before managing committee tentative annual balance sheet, Performa, Statement of accounts, Annual budget.
- f. Place before the annual general meeting the annual report and balance sheet and statements of accounts of the association duly audited.
- g. Invest and or disburse the funds of the association.
- h. Withdraw any or all of the existing Fixed Deposits of the association before the date of maturity in accordance with the directions and approval of the managing committee and prepare all budgets as required.

#### **Joint Secretary**

**The Joint Secretary shall have the powers of the secretary in his absence. Besides this he shall carry out all the works and responsibilities given or**



147

25



delegated to him by the Hon. Secretary.

**27]**

- a. Pune shall be the administrative Head Quarters of the association where the office of the association shall be permanently situated and it shall be the central secretariat of the association.
- b. The affairs of the association shall be conducted by the association in the name of the association.
- c. The day-to-day management shall be conducted by the office bearers subject to all directions of the managing committee.
- d. The bankers to the association shall be appointed by the managing committee and may be changed from time to time as may deem expedient.
- e. The bank account/accounts of the association shall be operated by the Honorary Treasurer and Secretary or President.



**28] Quorum**

The quorum necessary for the transaction of the business of the managing committee shall be a minimum of 9 members.

**29] Voting**

Every question at a managing committee meeting shall be determined by a majority of votes of the members present and voting, each member having one vote. In the case of equality of votes, the President shall have a casting vote but such a casting vote will be restricted to issues before the managing committee only. Further, in the event of the President deciding not to exercise his casting vote, the issue shall be decided by drawing of lots, the manner in which such lots are to be drawn to be decided by the President.

**30] Vacancy other than specified elsewhere**

Any vacancy arising amongst the elected members other than those vacancies specified elsewhere shall be filled in by the managing committee at its discretion. However, any vacancy arising among the nominees from



the founder and special gymkhanas and the district nominees shall be filled in by the respective institutions or district cricket associations. However, vacancies arising in the life members and club member categories shall be carried for to the next election provided that the number of members on the managing committee does not drop below 18.

**31] Disqualification of the member of the managing committee**

Any member of the committee shall cease to be a member thereof—

- a. If he absents himself from 3 consecutive meetings without obtaining leave of absence from the committee.
- b. If he is adjudged insolvent.
- c. If he is convicted of a criminal offence or any other offence applicable to under various statutes applicable to the association including the provisions of the Bombay Public Trusts Act.
- d. If he is continuously absent from the State of Maharashtra for a period exceeding 6 months, without the prior permission of the managing committee.
- e. If he is suspended and or removed from the association as per the rules.



**32] Meetings of the managing committee**

The managing committee shall meet once every month to conduct the business of the association. The Secretary on instructions of the President or on a representation signed by six members of the committee convenes a meeting of the managing committee.

**33] Notice**

The notice of the managing committee shall be given to all its members by Courier and or Fax or e-mail wherever available at least four clear days prior to the date of the meeting at the last registered address of the managing committee member. The same may also be sent through a Peon. Such notice must have the Agenda for such a



149



meeting. The President or in his absence the Vice President/Vice President may call for an urgent meeting of the managing committee in which case a minimum notice of one clear day of 24 hours shall be necessary. In the event of calling an urgent meeting, all efforts shall be made by the Secretary to contact all members of the managing committee by all means including telephonic contact and or SMS messages where possible.

### 34] Powers of the committee.

The managing committee shall have the following powers.

- a. To carry out the objects of the association.
- b. To make, repeal, amend, maintain and publish all regulations and or bye-laws as per these rules. Such bye-laws and regulations shall remain in force until any or all of the may be altered or repealed at the general meeting.
- c. To prohibit any act or practice by any member or cricketer or by any individual or professional serving the association which in the opinion of the committee is detrimental to the interest of the association and game and to deal with such person or member in a manner as it may think proper.
- d. To arbitrate and to decide all disputes or questions referred to it by members or by any person or association.
- e. To inflict penalties on any member or any person for the infringement of the laws of cricket or the rules of the association.
- f. To appoint from time to time such sub-committees as it may deem necessary or expedient and delegate to such sub-committees powers and duties as may be determined by the committee. Such sub-committees shall report the proceedings to the committee in every subsequent meeting of the managing committee and conduct their business in accordance with the directions given to them by the committee.
- g. To elect selection committees for a tenure not exceeding one year. The composition and structure at such selection committees shall be decided by the



150

28



managing committee from time to time. **However selection committee should be an independent body free from Governing body members.**

**h. To appoint cricket committee manned only by former players.**

i. To appoint Managers to manage and conduct tours undertaken by the teams of the association and to accompany such teams to places outside of Pune. To invite co-operation of persons other than its members for any special purpose.

j. To contribute to a charity if the committee at its discretion thinks it fit.

k. To authorize the President or in his absence the Secretary or any other member of the managing committee to represent the association in all meetings of the Board of Control for Cricket in India (BCCI). Such a representative should submit a written report to the managing committee immediately upon his return from such a meeting and not later than the next meeting of the managing committee. However, for all meetings of the BCCI where issues of voting are to be considered, such a representative has to act in accordance with the mandate granted to him by the managing committee and which is to be kept secret at all times.

l. To consider and deal with all questions as to the right of representation at all meetings subject to provisions of rules and laws as applicable.

m. To decide all questions of eligibility of persons nominated or elected as members of the committee subject to the rules and laws as applicable.

n. To authorize specific office bearers to execute, sign, seal and deliver or cause to execute, sign, seal and deliver all such agreements, deeds, documents and assurances as may be necessary to carry out the objects of the association.

o. To prepare a list of voters eligible to vote and place the same for inspection by the members for one week from the 7<sup>th</sup> of March and to receive and decide complaints made thereof within this period. Such



151



eligible institutions and members should be intimated by Registered Post with Ack. Due well in advance so as to receive such nominations well before the 7<sup>th</sup> of March.

- p. To send the voting papers to members outside of Pune by Registered Post with Ack. Due at their last registered address so as to reach the Secretary after being duly completed before the 18<sup>th</sup> of April.
- q. To arrange and fix a day not later than 15<sup>th</sup> April to enable the voters from Pune to register their votes for their respective groups on the fixed day and as such fixed time as may be decided by the managing committee in the office of the association and to notify this fixed day in at least one local paper one week in advance.
- r. To appoint two scrutineers none of whom shall be a candidate for elections who shall Scrutinize the nomination papers with 24 hours of the close of nominations and forthwith inform the proposer and the seconder in case any nomination paper is rejected by them.
- s. To report to the general body at the annual general meeting the results of the election for the next year.
- t. To prepare the report for the year and to fix a day for the annual general meeting.
- u. To do all other deeds, acts and things necessary or expedient for the general welfare and conduct of the association.



### 35] Work done by Circular

A resolution in writing circulated by the Secretary and agreed to by at least three fourth of the members of the committee shall be valid and effectual as if it has been passed at a meeting of the committee. The same shall be recorded and taken note of by the committee at its next meeting.

### 36] Interpretation of Rules

The committee shall be the sole authority for interpretation of these rules and bye-laws and regulations and any question of interpretation upon any

152




matter affecting the association and not provided for by these rules shall be as per the decision of the managing committee and shall be binding on all the members.

### **37] General Meetings**

The annual general meeting will ordinarily be held not later than the 31<sup>st</sup> of May in each year and at such time and place as the managing committee may fix. If on account of some unforeseen and unavoidable reasons, such a meeting cannot be held on or before the 31<sup>st</sup> of May, it shall be held no later than 31<sup>st</sup> of July of that year.

### **38] Ordinary business of an Annual General Meeting**

The ordinary business of an Annual General Meeting shall be —

- 
- a. To confirm the minutes of the last annual general meeting and any special general meeting held during the year.
  - b. To receive and adopt the annual report and the audited statements of accounts.
  - c. To take note of the elections for the next year as reported by the committee.
  - d. To appoint auditor/auditors and to fix their remunerations.
  - e. To consider any recommendations of the committee.
  - f. To transact any other business with the consent of the President.

### **39] Special General Meeting**

A Special General Meeting may be convened by the President whenever he thinks necessary or by the Secretary upon receiving a resolution from the managing committee or on the request of at least 50 members of the association. Such a requisition shall state the objects of the proposed meeting and such requisitions must be signed and deposited at the office of the association at least 15 days prior to the suggested date.

153



**40] Special General Meeting In pursuance of requisition**

On receipt of the requisitions as mentioned in 38 above from 50 members the committee shall convene a special general meeting.

**41] Matter at a special general meeting**

At any such special general meeting or at any meeting arising from an adjournment of such a meeting no member shall be at liberty to discuss any subject other than which was stated in, the requisition.

**42] Notice of General Meeting**

Notice of all general meeting shall be sent by Registered Post with Ack. Due or by Courier or through a peon to all the concerned members at the last registered addresses and as per their last registered names as appearing in the record of the association at least 3 weeks prior to the date fixed for such a meeting.

The notice shall specify the place, date and time of such a meeting and the nature of business to be transacted. In case of an annual general meeting, the notice shall be accompanied by a copy of the annual general report and the audited statement of accounts for the past year.

**43] Omission to give notice**

Accidental omission to give any notice to any member entitled thereto or non-receipt thereof by him shall not invalidate the proceedings of any general meeting.

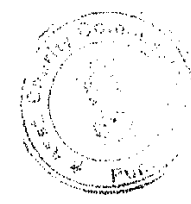
**44] Attendance at general meeting.**

Attendance of general meeting shall be open to all the members of the association including the life members, patron and benefactors, the registered member of every club, as also the members of every other category such as founder gymkhanas, special gymkhanas, Colleges and member representatives of the district cricket associations. However, no member whose subscription is in arrears or who has any other dues to the association will be allowed to attend any meeting.



154

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#### 45] Quorum at general meeting

- a. The quorum for all general meetings shall be a minimum of 75 members.
- b. If at an annual general meeting there is no quorum, the meeting shall stand adjourned to the' someday, place and time in the following week when no quorum shall be necessary but the meeting shall not transact any business other than that for which the meeting was called.
- c. Every general meeting shall have the power to adjourn to any other day and time as is fixed by the members present at the meeting. Notice of such adjourned meetings shall be published in one local newspaper.
- d. If no quorum is present at a special general meeting as the meeting is called to order, the meeting shall be dissolved.



#### 46] Voting

All members attending the general meetings shall have a single vote but no member whose subscription is in arrears or who is in arrears of association in any way shall be allowed to vote.

#### 47] Mode of voting

The mode of voting shall normally be by a show of hands at all general meetings. However, if the President feels it necessary to have a ballot or a secret ballot, he may order the same. All decisions of any general meetings shall be by their majority. At any general meeting unless the President deems it necessary or at least 10 persons call for a ballot, the declaration by the President that a resolution has been carried unanimously or by a particular majority with an entry to that effect in the books of the proceedings of the association shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour or against the resolution.

If a ballot is demanded and granted by the President, it shall be conducted in a manner as decided by the President. The results of the ballot shall be deemed to be the result of the resolution of the meeting to which the

155



ballot was demanded.

A demand for a ballot may be withdrawn.

In any case of dispute with regard to the validity or invalidity of any vote, the President shall determine the same after careful consideration of the facts and the Presidents verdict In this regard shall be final and binding.

The demand for a ballot shall not affect the continuance of the meeting for the transaction of any business other than the question on which the ballot has been demanded.

No ballot shall be demanded for the election of the President of the meeting, and the ballot demanded on a question of adjournment shall be taken at the meeting without such adjournment.



**48] Issues decided at general meetings not to be re-opened.**

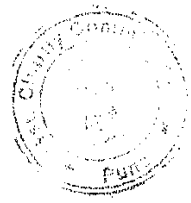
Any issues and questions decided at a general meeting shall not be re-opened at any subsequent meeting until the expiration of six months.

**49] Chairman to general meetings**

The President or in his absence the Vice President/Vice Presidents or in the absence of any of the 3 office bearers above, any member present and elected by the majority shall preside at any general meeting. If the candidates proposed to chair such a general meeting, draw an equal number of votes, the tie shall be broken by drawing lots and the candidate in whose favour the lot is drawn shall be deemed to have been elected to chair that particular meeting.

In any question of equality of votes on any issue before the general meeting, the President may break the tie either by lots or by a casting vote. The method used to break the tie should be again decided by a ballot of the members present and in the event of a tie on that issue as well, the same may be decided by a toss of a coin.

156



#### 50A] Ombudsman

- (1) The Maharashtra Cricket Association shall appoint an Ombudsman at the Annual General Meeting for the purpose of providing an independent dispute resolution mechanism. The Ombudsman shall be a retired Judge of the High Court or a retired Principal District Judge so appointed by the Association after obtaining his/her consent and on terms as determined by the Association in keeping with the dignity and stature of the office. The term of the Ombudsman shall be one year, subject to a maximum of 3 terms in office.
- (2) The Maharashtra Cricket Association shall, in consultation with the Managing Committee frame Regulations regarding the discipline and conduct of the Players, Match Officials, Team Officials, Administrators, Committee Members and others associated with the Association.

#### Grievance Redressal by Ombudsman

- (1) The types of disputes/ differences that form the Ombudsman's ambit and the procedures for redressal are:
  - (a) Member, Association Disputes

Any disputes between or among the MCA, its Members, Zones shall be automatically referred to the Ombudsman.

The Procedure To be laid down following the principles of natural justice and exercising all powers of enquiry and hearing as the Ombudsman deems fit before appropriate orders are passed.

- (b) Detriment caused by Member or Administrator


If any Member or any Administrator of the MCA commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the MCA or the game of cricket or endanger the harmony or affect the reputation or interest of the MCA or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the MCA and/or the Rules of conduct framed by the



157


25

MCA, the Managing Committee on receipt of any complaint shall issue a Show Cause Notice calling for explanation and on receipt of the same and/or in case of no cause or insufficient cause being shown, refer the same to the Ombudsman for enquiry and decision.



(c) Misconduct or Breach by Others

In the event of any complaint being received from any quarter or based on any report published or circulated or on its own motion, of any act of indiscipline or misconduct or violation of any of the Rules and Regulations by any Player, Umpire, Team Official, Selector or any person associated with the MCA, the Managing Committee shall refer the same within 48 hours to the President/Secretary to make a preliminary enquiry.



Procedure: The CEO shall forthwith make a preliminary inquiry and call for explanations from the concerned person(s) and submit his report to the Managing Committee not later than 15 days from the date of reference being made by the Managing Committee. On receipt of the report, the Managing Committee shall forward the same to the Ombudsman, who shall call for all particulars and unless it decides that there is no prima facie case and accordingly drops the charge, hearing shall commence on the case and the same shall be completed as expeditiously as possible by providing a reasonable opportunity to the parties of being heard. If, despite due notice, any party fails to submit any cause or submits insufficient cause, the Ombudsman shall after providing reasonable opportunity of hearing to the parties concerned, pass appropriate order. In the event any party refuses and or fails to appear despite notice, the Ombudsman shall be at liberty to proceed ex-parte on the basis of the available records and evidence.

(d) By the Public against the MCA

Where a member of the public is aggrieved concerning ticketing and access and facilities at stadia, the same may be brought in the form of a complaint to the Ombudsman.

158

36



**Procedure:** The Ombudsman would adopt the same procedure as laid down in (c) above after referring the complaint to the CEO to solicit a report on the complaint.

- (2) The place of hearing shall be decided by the Ombudsman from time to time. The Ombudsman shall have the power to impose penalties as provided in the Regulations for Players, Team Officials, Administrators, Managers and Match Officials of the MCA.
- (3) The decision of the Ombudsman shall be final and binding and shall come into force forthwith on being pronounced and delivered.
- (4) Any Administrator, Player, Match Official, Team Official, Selector or other individual associated with the MCA on being found guilty and expelled by the MCA shall forfeit all their rights and privileges. He or she shall not in future be entitled to hold any position or office or be admitted in any committee or any role on the MCA.
- (5) A Member once expelled, may, on application made after expiry of three years since expulsion, be readmitted by the MCA, provided the same is accepted at a General Body meeting by 3/4th members present and voting.
- (6) Pending inquiry and proceeding into complaints or charges of misconduct or any act of indiscipline or violation of any Rules and Regulations, the concerned Member, Administrator, Player, Match Official, Team Official, or other individual associated with the MCA (along with their respective privileges and benefits) may be suspended by the Managing Committee until final adjudication. However, the said adjudication ought to be completed within six months, failing which the suspension shall cease.

**50B] The Ethics Officer**

- (1) The MCA shall appoint an Ethics Officer at the Annual General Meeting for the purpose of guidance and resolution in instances of conflict of interest. The Ethics Officer shall be a retired Judge of a High Court so appointed by the MCA after obtaining

159



his/her consent and on terms as determined by the MCA in keeping with the dignity and stature of the office. The term of an Ethics Officer shall be one year, subject to a maximum of 3 terms in office.

- (2) Any instance of Conflict of Interest may be taken cognizance of by the Ethics Officer:

(a) Suo Motu;

(b) By way of a complaint in writing to the official postal or email address; or

(c) On a reference by the Managing Committee;

- (3) After considering the relevant factors and following the principles of natural justice, the Ethics Officer may do any of the following:

(a) Declare the conflict as Tractable and direct that:

(i) The person declare the Conflict of Interest as per Rule or

(ii) The interest that causes the conflict be relinquished; or

(iii) The person recuse from discharging the obligation or duty so vested in him, or her.

(b) Declare the conflict as Intractable and direct that:

(i) The person be suspended or removed from his or her post; and

(ii) Any suitable monetary or other penalty be imposed; and

(iii) The person be barred for a specified period or for life from involvement with the game of cricket. The Ethics Officer is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstances.

Provided that, a single person can also be appointed as an Ombudsman-cum-ethics officer



160

38



### 50C] Electoral Officer

MCA shall appoint an "ELECTORAL OFFICER" to conduct, supervise and deal with issues concerning elections.

#### a. Procedure for Elections

The procedure for election shall be as mentioned in the byelaws. The General Body can from time to time frame additional rules of procedure for the elections. Any amendments to the procedure adopted shall be made at least 3 months prior to the elections.

#### b. Election & Term of Office Bearers

- (1) At least two weeks prior to holding of the elections, the Managing Committee shall appoint an Electoral Officer, who shall be a former member of the Election Commission of Maharashtra/ a retired High Court judge.
- (2) The Electoral Officer shall oversee and supervise the entire election process for Councillors, which shall include all nominations and candidatures being subject to his scrutiny in accordance with the Rules.
- (3) In case of any dispute or objection as to candidacy, disqualification, eligibility to vote, or the admission or rejection of a vote in the elections to the Managing Committee, or any of the Committees, the Electoral Officer shall decide the same and such decision shall be final and conclusive.

#### c. Conflict of Interest

- (1) The Maharashtra Cricket Association is bound to follow all rules pertaining to conflict of interest as laid down by its parent body the BCCI, from time to time.

It is clarified that the conflict of interest rule are in compliance with the directions as laid down by the Hon'ble Supreme Court in its order dated 18<sup>th</sup> July, 2016, and any further order that may be passed by the Hon'ble Supreme Court in this regards.



161

34



(2) It is clarified that no individual may occupy more than one of the following posts at a single point of time except where prescribed under these Rules:

- (a) Player (Current)
- (b) Selector / Member of Cricket Committee
- (c) Team Official
- (d) Commentator
- (e) Match Official
- (f) Administrator / Office-Bearer
- (g) Electoral Officer
- (h) Ombudsman & Ethics Officer
- (i) Auditor
- (j) Any person who is in governance, management or employment of a Franchisee
- (k) Member of a Standing Committee
- (l) CEO & Managers
- (m) Office Bearer of a Member
- (n) Service Provider (Legal, Financial, etc.)
- (o) Contractual entity (Broadcast, Security, Contractor, etc.)
- (p) Owner of a Cricket Academy

(3) As far as incumbents are concerned, every disclosure mandated under Sub-Rule (3) may be made within 90 days of the Effective Date.

50D] The MCA shall apply Agents registration norms as adopted by BCCI from time to time.

50E] Audit and Accounts

a. Auditor(S):



162

40



- (1) The General Body shall at every Annual General Meeting appoint one or more auditors to hold office for a 1 year period and shall fix their remuneration. The Auditor shall be eligible for reappointment by the General Body.
- (2) The Auditor(s) of the MCA shall have the right of access at all times to the Books of Accounts, Vouchers and any other documents relating to the accounts of the MCA and shall be entitled to obtain from the Office-Bearers and Committees such information and explanation as may be necessary in the discharge of his/their duties.
- (3) The Auditor(s) shall provide an opinion on the financial statements of the MCA and recommendations on the financial controls within the system, which shall be contained in a Financial Report.
- (4) The Auditor(s) shall also ascertain how the funds of the MCA are being utilized by the respective Members. It will be the responsibility of the Auditor(s) to verify the statements made by the Member associations in this regard and to give findings, which shall be contained in a Compliance Report.
- (5) Both the Financial Report and the Compliance Report of the Auditor(s) shall be considered at the Annual General Meeting.



b. Accounts

True accounts shall be kept by the Treasurer of all moneys received and expended by the MCA and the matters in respect of which such receipts and expenditure take place and of all assets, credits and liabilities of the MCA. This shall include the separate account maintained for the IPL as well.

c. Settlement of Accounts & Balance Sheet

The accounts shall, unless the General Body fixes any other date there for, be settled by the Treasurer on the 31st of March in each year, and a balance sheet of the assets and liabilities of the

163



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BCCI on that day shall be made out by him. The Balance Sheet duly audited with the Auditor's remarks shall be laid before the General Body at the Annual General Meeting.

#### 50F] TRANSPARENCY

The MCA shall setup a website which will carry-

- (1) The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the MCA (including the Managing Committee and the General Body) shall be freely available to the general public at a reasonable price. The same shall also be available on the Website of the MCA.
- (2) The composition of the various Committees, their reports of work done, financial outlay and expenditure shall be uploaded on the Website of the MCA on a quarterly basis at distinct links dedicated to each Committee. It shall be the responsibility of the CEO to ensure that this is done.
- (3) All payments and expenditures made by the MCA which is in excess of Rs. 25 lakh shall be enumerated and uploaded on the website.
- (4) All proceedings and conclusions of the Ombudsman and the Electoral Officer shall be uploaded on the Website of the MCA annually.
- (5) The audited accounts, balance sheets, profit & loss accounts and annual reports shall be uploaded on the Website of the MCA annually.
- (6) The Financial and Compliance Reports of the Auditor shall be placed on the uploaded on the Website of the MCA annually.
- (7) All notices on or behalf of the MCA including tenders for goods and services, for contractual arrangements and the like shall be promptly uploaded on the Website of the MCA.
- (8) The website of the MCA shall have dedicated links



164

42



to host international matches, along with their complete seating capacity, pricing and transparent booking procedures for all tournaments whether international, domestic or IPL. All sponsor and other free allotments shall also be disclosed, in no event being more than 10% of the entire seating capacity in any particular category.

(9) The details of all office bearers and other managerial staff.

(10) Details of directives from BCCI and their compliances.

**51] Right to interpret rules**

At any general meeting the President has the sole right to interpret the rules and decide on all points of order or procedure raised by the members and his decision thereon shall be final and binding.



**52] Funds, income and property**

The funds, income and property of the association shall be solely applied towards the promotion of the objects of the association. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever to any member of the association. The committee shall invest such part of the funds of the association as it may deem fit in a manner and complying with all the statutes applicable to the same and particularly complying with all rules and regulations of the Bombay Public Trust Act and also any other rules, regulations and laws that may be applicable from time to time.

**53] Banking account**

An account shall be opened and maintained in a nationalized bank as may be approved by the committee and shall be operated by such office bearers of the association as specified earlier. In case an account has to be opened in a non-nationalized bank, the committee should seek legal opinion for the same from the legal advisors as well as the necessary permissions from the banking regulatory authorities as advised by the legal advisors and also from the Charity Commissioner, if necessary.



165

473



#### 54] Auditors

The association shall at an annual general meeting appoint a chartered accountant or a firm of auditors as auditors to hold office until the next annual general meeting keeping in view the provisions mentioned below:

- a] No person who is a member of the committee or office bearer of the association or a partner of such a member or office bearer or is indebted to the association shall be eligible for appointment as auditor.
- b] The remuneration of the auditors shall be fixed at the annual general meeting.

#### 55] Suspension of rules

At any general meetings any rules except Rule 1 and Rule 4 pertaining to the name of the association and the objects of the association may be temporarily suspended if four fifths of the members present and voting are in favour of the suspension of such a rule or rules providing that suspension of such rules does not cause any contravention of the provisions of the Bombay Public Trust Act.



#### 56] Alteration of rules

Alteration or amendments or addition to these rules shall not be made except at a general meeting by a resolution carried by a majority of four fifths of the votes of the members present and voting at such a meeting. Any alterations or amendment so proposed shall not be in contravention to the provisions of the Bombay Public Trust Act.

#### 57] Proposal for change in rules

Proposal for any change in rules must reach the Secretary on or before the 31<sup>st</sup> day of March preceding the annual general meeting at which the said proposals are to be considered. All such proposals that are received shall have to be first scrutinized by the legal advisors so as to ensure that such change of rules is not contrary to the provisions of the Bombay Public Trust Act. Only such proposals for change of rules which are not inconsistent with the provisions of the Bombay Public Trust Act may be put up along with the agenda for

166

44

consideration at the annual general meeting and such proposals shall be circulated to all members along with the agenda of such meeting.



**58] Reference to the Asst. / Deputy Charity Commissioner**

In all cases in which it is deemed necessary to seek advice or direction or if any amendment is desired to be made in any of the provisions of this scheme. The Trustees shall be entitled to apply to the Assistant/Deputy Charity Commissioner, Pune, whose decision shall be final and conclusive subject, however, to the decision of the court of Competent Jurisdiction.



**59] Dissolution**

If upon winding up or dissolution of the association, there shall remain after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of the association but shall be given or transferred to some institution or institutions having similar objects as of this association. However, the transfer of such surplus will have to be determined by the members of the association by a majority of four fifths of the total number of members of the association at or before the time of dissolution.

**BYE-LAWS**

**Election**

1. Candidates for the office of the President and Vice Presidents shall be proposed and seconded at the first meeting of the Managing Committee of the elected and nominated representatives. For any post where there are more than one contestants, an election shall take place by ballot.
2. A general list of all members entitled to vote shall be placed in the office for inspection as approved by the Managing Committee for one week on and from the 7<sup>th</sup> of March. Any complaint thereof shall be lodged with the Secretary within this period of one week and the Secretary shall put up the complaint before the

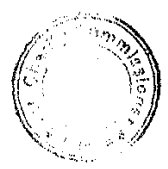
167

45



committee for decision by the 15<sup>th</sup> of March and the committee's decision shall be final.

3. Every candidate for election on the Managing Committee from the life member, Patron and benefactor and clubs category shall be duly proposed and seconded by another member of the concerned group and the candidate shall sign the nomination paper in token of his willingness to serve, if elected. He shall also hand over the completed nomination paper to the Secretary on or before the 20<sup>th</sup> of March. Any candidate can get a nomination paper from the Secretary on demand.
4. Candidates wishing to withdraw his name shall inform the Secretary in writing of his intention to withdraw by the 25<sup>th</sup> of March.
5. Nomination papers shall be scrutinized by two scrutinizers none of whom shall be candidates for election and appointed by the committee. These scrutinizers shall complete the scrutiny within 24 hours of the close of the nominations. If any nomination is rejected, information thereof shall forthwith be given by the scrutinizers to the proposer and the seconded who can appeal to the Managing Committee against such rejection within two days and the decision of the Managing Committee shall be final.
6. If the number of candidates proposed for election is equal to the number to be elected in that category, the candidate shall be declared elected unopposed and if the number of candidates in any groups is in excess of the number to be elected in that group, an election shall be held in the concerned group. However, nothing in this rule shall apply to categories who elect/nominate representatives from themselves such as the Founder Gymkhanas, Special Gymkhanas and District Cricket Associations.
7. For the purposes of election voting papers, with the names of candidates nominated shall be printed and shall be sent by the Secretary to the members of the respective groups from which the election is to take place who are from outside Pune and entitled to vote.
8. Each voting paper shall be initiated by the Secretary. These voting papers shall be sent by the Secretary not later than the 10<sup>th</sup> of April and shall be returned or sent




168

46



by the voters after duly completing them to the Secretary so as to reach the Secretary at the address of the Association not later than the 18<sup>th</sup> of April. All such papers sent shall be sent by Registered Post A.D. only and the Secretary shall maintain proper postal records with the scrutineers in this connection.

- 
9. For the registration of votes from Pune, the Managing Committee shall fix up a day not later than the 15<sup>th</sup> of April and shall fix up a time during which such votes are to be registered in the office of the association and such date and timing shall be notified in one of the local newspapers at least one week before by the Managing Committee.
  10. A vote shall be cast by placing 0 cross opposite the name of the candidate.
  11. A voting member shall not cast more than one vote in favour of any candidate.
  12. The voting papers shall be scrutinized and votes counted by the Sub-committee appointed by the Managing Committee and the Sub-committee shall complete the scrutiny by the 20<sup>th</sup> of April and shall forthwith report the results of the elections to the Managing Committee.
  13. The results of the elections shall then be announced at the Managing Committee meeting held prior to the annual general meeting and shall be reported to the annual general meeting.
  14. If two or more candidates receive an equal number of votes, the tie shall be broken by drawing of lots.
  15. The voting papers shall be sealed and kept by the Honorary Secretary in safe custody till such time as the elected Managing Committee may decide but in any case not less than four weeks from the date of the annual general meeting. The papers may then be retained or destroyed based on the decision of the Managing Committee.

#### UMPIRE SUB-COMMITTEE AND COLOURS

1. The Managing Committee is empowered to form an Umpires Sub-Committee or any other such Sub-Committee as it may deem fit and may also decide such

169



Sub-Committee's powers and responsibilities from time to time.

2. The Managing Committee is also empowered to decide all matters of policy and otherwise pertaining to the use and issue of the colors of the association including blazers, badges or any other colors and accessories.

This will include fixing of prices of such colors and accessories and also determining the use and issue of the same.



Assistant/Deputy Charity Commissioner  
Pune

#### Certificate

This is to certify that the above is the scheme of Maharashtra Cricket Association, Pune bearing P.T.No.F-1 042 Pune with effect from \_\_\_\_\_.

Pune

Date:

Amended on --

Assistant/ Deputy Charity Commissioner  
Pune Region, Pune

170

68



## Election

1. Candidates for the office of the President and Vice Presidents shall be proposed and seconded at the first meeting of the Managing Committee of the elected and nominated representatives. For any post where there are more than one contestants, on election shall take place by ballot.
2. A general list of all members entitled to vote shall be placed in the office for inspection as approved by the Managing Committee for one week on and from the 7<sup>th</sup> of March. Any complaint thereof shall be lodged with the Secretary within this period of one week and the Secretary shall put up the complaint before the committee for decision by the 15<sup>th</sup> of March and the committee's decision shall be final.
3. Every candidate for election on the Managing Committee from the life member, Patron and benefactor and clubs category shall be duly proposed and seconded by another member of the concerned group and the candidate shall sign the nomination paper in token of his willingness to serve, if elected. He shall also hand over the completed nomination paper to the Secretary on or before the 20<sup>th</sup> of March. Any candidate can get a nomination paper from the Secretary on demand.
4. Candidates wishing to withdraw his name shall inform the Secretary in writing of his intention to withdraw by the 25<sup>th</sup> of March.
5. Nomination papers shall be scrutinized by two scrutinizers none of whom shall be candidates for election and appointed by the committee. These scrutinizers shall complete the scrutiny within 24 hours of the close of the nominations. If any nomination is rejected, information thereof shall forthwith be given by the scrutinizers to the proposer and the seconded who can appeal to the Managing Committee against such rejection within two days and the decision of the Managing Committee shall be final.
6. If the number of candidates proposed for election is equal to the number to be elected in that category. The candidate shall be declared elected unopposed and if the number of candidates in any groups is in excess of the number to be elected in that group, an election shall



171



be held in the concerned group. However, nothing in this rule shall apply to categories who elect/nominate representatives from themselves such as the Founder Gymkhanas, Special Gymkhanas and District Cricket Associations.

7. For the purposes of election voting papers with the names of candidates nominated shall be printed and shall be sent by the Secretary to the members of the respective groups from which the election is to take place who are from outside Pune and entitled to vote.
8. Each voting paper shall be initialed by the Secretary. These voting papers shall be sent by the Secretary not later than the 10<sup>th</sup> of April and shall be returned or sent by the voters after duly completing them to the Secretary so as to reach the Secretary at the address of the Association not later than the 18<sup>th</sup> of April. All such papers sent shall be sent by Registered Post A.D. only and the Secretary shall maintain proper postal records with the scrutineers in this connection.
9. For the registration of votes from Pune, the Managing Committee shall fix up a day not later than the 15<sup>th</sup> of April and shall fix up a time during which such votes are to be registered in the office of the association and such date and timing shall be notified in one of the local newspapers at least one week before by the Managing Committee.
10. A vote shall be cast by placing 0 cross opposite the name of the candidate.
11. A voting member shall not cast more than one vote in favour of any candidate.
12. The voting papers shall be scrutinized and votes counted by the Sub-committee appointed by the Managing Committee and the Sub-committee shall complete the scrutiny by the 20<sup>th</sup> of April and shall forthwith report the results of the elections to the Managing Committee.
13. The results of the elections shall then be announced at the Managing Committee meeting held prior to the annual general meeting and shall be reported to the annual general meeting.



172



14. If two or more candidates receive an equal number of votes, the tie shall be broken by drawing of lots.
15. The voting papers shall be sealed and kept by the Honorary Secretary in safe custody till such time as the elected Managing Committee may decide but in any case not less than four weeks from the date of the annual general meeting. The papers may then be retained or destroyed based on the decision of the Managing Committee.

#### UMPIRE SUB-COMMITTEE AND COLOURS

1. The Managing Committee is empowered to form an Umpires Sub-Committee or any other such Sub-Committee as it may deem fit and may also decide such Sub-Committee's powers and responsibilities from time to time.
2. The Managing Committee is also empowered to decide all matters of policy and otherwise pertaining to the use and issue of the colors of the association including blazers, badges or any other colors and accessories.

This will include fixing of prices of such colors and accessories and also determining the use and issue of the same.



16.6.18

Assistant/Deputy Charity Commissioner  
Pune

#### CERTIFICATE

This is to certify that the above is the scheme of Maharashtra Cricket Association, Pune bearing P.T.No.F-1 042 Pune with effect from \_\_\_\_\_.

Pune

Date:  
Amended on --



Assistant/ Deputy Charity Commissioner  
Pune Region, Pune

सही शिक्षाधी खरी नकल

मी वापरली  
मी वापरली  
मी वापरली

42

सही शिक्षाधी खरी नकल  
सही शिक्षाधी खरी नकल



**ANNEXURE - A-18**

From: Madhav Ranade <[mrnade1950@gmail.com](mailto:mrnade1950@gmail.com)>  
Date: Thu, 26 Apr 2018, 12:36 pm  
Subject: maharashtra cricket elections  
To: <[raivinod@hotmail.com](mailto:raivinod@hotmail.com)>, DIANA EDULJI  
<[eduljid@gmail.com](mailto:eduljid@gmail.com)>, Rahul Johri <[rahul.johri@bccitv.com](mailto:rahul.johri@bccitv.com)>

Dear Sir,

I am attaching herewith my letter which mirrors the anguish and disappointment of all the cricket lovers of this state as there seems to be wall which is insurmountable for ordinary mortals.

Thanking You,

Yours Sincerely,

Madhav Ranade

174

Mr Vinod Rai  
SC appointed CoA  
BCCI  
Mumbai.  
26<sup>th</sup> April 2018

Dear Mr Rai

Newspaper reports indicate that the CoA has communicated its opinion on the Maharashtra Cricket Association (MCA) election (illegal) matters.

From what I understand, the MCA Secretary, who is actually disqualified, is personally supervising the election procedure. This in spite of your two advisories to him requesting to stop the election process.

It's quite obvious that he and others in the dissolved committee, excluding me, are functioning as if things are normal.

All are disqualified but they have given themselves all privileges in connection with IPL matches. But for the very reason — disqualified by the Lodha Reforms and Supreme Court order — a large group of the Mumbai Cricket Association Managing Committee have been made ineligible to enjoy benefits. What a pity that this charade is happening under your nose.

Even now the MCA has not announced the name of the election officer who is supposed to be from the State election commission.

I am also perplexed by the MCA's ability to get the amended constitution certified by the charity commissioner, especially because the amended constitution has not been written by the immediate past president Abhay Apte. It would be interesting and pertinent to know who has written the minutes.

I and my sympathisers, including a large number of international cricketers are helpless.

We do not have the means, lakhs of rupees to engage a lawyer in order to file a writ petition in the Bombay High Court. It will cost at least Rs. 15 lakh.

I request you to help the MCA by going to the court. A CABAL is in operation here, keeping the members and stake holders in the dark.

I do not know if the Bombay High Court can take the case Suo Moto.

The MCA constitution is a bogus document that enables a group of people to manipulate and take control of the association. Please stop this chicanery.

A person thrown out by a judicial order of the Supreme Court is running a proxy war with the BCCI/CoA.

The BCCI's disgruntled elements are watching with interest MCA's defiance. The MCA is a lab test. It looks like the old dispensation is hell bent on defiance and causing embarrassment to the CoA and the Hon Supreme Court.

Ajay Shirke is manipulating things including getting form of candidates withdrawn and replaced by members of his choice. This after the same district representative gave a notice to the association about the unfair practises being used whereby in a group of 4 districts from a zone, 3 of them get collude to propose and second one another and exclude the fourth district as he cannot find any one to propose and second his candidature. From the Special Gymkhana the representative of Club of Maharashtra has a direct entry in the managing committee without any election and the founder gymkhanas like the districts can conspire to keep the fourth founder without any proposer or seconder.

In effect the entire election can easily be rigged by the people in power.  
I hope that the CoA can help in the matter as we are losing all hope.

Thanking You,

Yours Sincerely,

Madhav Ranade

// True Typed Copy //

**ANNEXURE – A-19**

From: **Committee of Administrators** <coa@bccci.tv>

Date: Mon, Mar 19, 2018 at 5:40 PM

Subject: Points for Implementation of the Reforms mandated by the Hon'ble Supreme Court's Judgment dated 18th July 2016

To: Andhra Cricket <andhracricicket@gmail.com>, Andhracricicket <andhracricicket@yahoo.com>, "Arunachal CA - Jt. Secretary Joram Anand" <24joramanand@gmail.com>, Arunachal CA - Secretary <tadokholi@yahoo.com>, Assam CA <assamca@rediffmail.com>, Assam CA - secretary <bgpradip@yahoo.co.in>, Baroda CA <brdcal@cricketbaroda.com>, Bengal CA <cab@bengalcricket.com>, Bengal CA-Sourav Ganguly <cabpresidentscg@gmail.com>, Bihar Cricket Association <biharcricicketassociation@gmail.com>, Chhattisgarh State CA <sec.cscs@yahoo.com>, DDCA - Justice Sen <justicesen.ddca@gmail.com>, "DDCA@ddca" <ddca@ddca.co>, Goa CA <goacricicketassociation@rediffmail.com>, Gujarat Cricket Association <gcaahd@yahoo.co.in>, Haryana CA <hca@haryanacricicket.com>, HPCA Dharamsala <hpcadharamsala@yahoo.com>, HPCA Secretary <secyhpc@gmail.com>, Hyderabad CA <hyccricket@rediffmail.com>, Hyderabad COA <hcacoa@gmail.com>, Jammu & Kashmir CA <jkcags\_srinagar@yahoo.com>, Jharkhand State Cricket Association <jscackat@gmail.com>, Karnataka State CA <office@ksca.co.in>, Kerala CA <keralacricicketone@gmail.com>, Maharashtra Cricket Association <cricketmaharashtra@yahoo.com>, Manipur CA <mca\_khuman@yahoo.com>, Meghalaya CA <meghalayacricicket11@gmail.com>, MPCA <secretary@mpcaonline.com>, MPCA Cricket Operations <cricket.operations@mpcaonline.com>, Mumbai Cricket Association <mcacrik@mumbaicricket.com>, "Nagaland CA-Abu

Mehta, Secretary" <abumetha@gmail.com>, Odisha CA  
 <orissacricicket@yahoo.co.in>, Punjab CA <pcastadium@yahoo.com>,  
 Punjab CA - Deepak Sharma <gmpca92@gmail.com>, Saurashtra CA  
 Rajkot <saucricicket@gmail.com>, Saurashtra CA Rajkot -Madhukar  
 Worah <mkworah@gmail.com>, Sikkim CA  
 <sikkimcricketassociation2016@gmail.com>, Tamil Nadu CA  
 <office@tnca.in>, TNCA secretary <secretary@tnca.in>, Tripura CA  
 <tcaagt@yahoo.com>, UPCA <upcaknp@gmail.com>, Vidarbha CA  
 <admin@vca.co.in>  
 Cc: CK Khanna <ckkhanna@bccci.tv>, Amitabh Choudhary  
 <amitabh@bccci.tv>, Anirudh Chaudhry <Chaudhry@bccci.tv>, Rahul  
 Johri <rahul.johri@bccci.tv>

Dear Member State Associations,

1. Vide email dated 13<sup>th</sup> June 2017, the Committee of Administrators had provided guidelines in relation to the compliances that need to be done by State Associations for receiving funds from the BCCI, which included a checklist of the points which need to be incorporated in the respective Memorandum of Association/ Articles of Association/ Constitution/ Bye-Laws of State Associations in order to comply with the recommendations of the Hon'ble Justice Lodha Committee as accepted and mandated by the Hon'ble Supreme Court's judgment dated 18<sup>th</sup> July 2016 ("Judgment").
2. Some State Associations like Vidarbha Cricket Association, Tripura Cricket Association, Bihar Cricket Association, Goa Cricket Association, Punjab Cricket Association and Hyderabad

Cricket Association have already carried out amendments to their respective Memorandum of Association/ Articles of Association/ Constitution/ Bye-Laws. The Committee of Administrators has also provided its observations thereon, where applicable.

3. Some other State Associations like Maharashtra Cricket Association, Kerala Cricket Association and Uttar Pradesh Cricket Association have opted to pass a resolution in terms of the draft provided vide email dated 17<sup>th</sup> September 2017 and file an affidavit before the Hon'ble Supreme Court in terms of the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016. The Committee of Administrators is aware that the Odisha Cricket Association and the Andhra Cricket Association have also passed such a resolution and are in the process of filing an affidavit as aforesaid.
4. For convenience, the checklist of the points which need to be incorporated in the respective Memorandum of Association/ Articles of Association/ Constitution/ Bye-Laws of State Associations in order to comply with the Judgment are set out once again below:

SR. NO.	RULE FOR IMPLEMENTATION
1.	No post in the Association to be held for more than 9 years

SR. NO.	RULE FOR IMPLEMENTATION
2.	Governing body to include representatives of players
3.	Governing body of Association to include representatives of women
4.	Governing body to include nominee of the Accountant General of the State
5.	Association shall grant automatic membership to former international players hailing from the State
6.	Association shall not have proxy voting
7.	<p>A person shall be disqualified from being a office bearer if he or she:</p> <ul style="list-style-type: none"> <li>(a) Is not a citizen of India;</li> <li>(b) Has attained the age of 70 years;</li> <li>(c) Is declared to be insolvent, or of unsound mind;</li> <li>(d) Is a Minister or a government servant [except for the nominee of the Accountant General of the State];</li> <li>(e) Holds any office or post in a sports or athletic association or federation apart from cricket;</li> <li>(f) Has been an Office Bearer of the Association for a cumulative period of 9 years</li> </ul>
8.	No office Bearer of the Association to hold office for two consecutive terms



SR.	RULE FOR IMPLEMENTATION
NO.	
9.	Association shall appoint an Electoral Officer
10.	Association shall appoint an Ombudsman- cum- Ethics Officer
11.	Association to form an independent selection committee (free from Governing Body)
12.	Association to form cricket committee (manned by only by former players)
13.	Association to adopt policy for Conflict of Interest
14.	Association to apply Agents Registration norms
15.	Association to set up a website
16.	<p>Association website to carry:</p> <ol style="list-style-type: none"> <li>The Constitution, Memorandum of Association and Rules &amp; Regulations, Bye-Laws and Office Orders and directions that govern the functioning of the Association, its Committees, the Ombudsman and the Ethics Officer.</li> <li>The list of Members of the Association as well as those who are defaulters.</li> <li>The annual accounts &amp; audited balance sheets and head-wise income and expenditure details.</li> </ol>

SR. NO.	RULE FOR IMPLEMENTATION
	<p>d. Details of male, female and differently abled players representing the State at all age groups with their names, ages and detailed playing statistics.</p> <p>e. Advertisements and invitations for tenders when the Association is seeking supply of any goods or services (exceeding a minimum prescribed value), or notices regarding recruitment, as also the detailed process for awarding such contracts or making such recruitments.</p> <p>f. Details of all goals and milestones for developing cricket in the State along with timelines and the measures undertaken to achieve each of them.</p> <p>g. Details of all office bearers and other managerial staff (including CEO, COO, CFO, etc.)</p> <p>h. Details of directives from the BCCI and their compliances.</p>

5. In relation to Point No. 5 of the above checklist, the Committee of Administrators has observed that different State Associations have understood the same in different ways regarding whether (i) whether former international players have to be granted membership with voting rights or whether granting membership

without voting rights was also sufficient to comply with this requirement; and (ii) whether 'hailing from the State' meant that the former international player should be a resident of the State or whether it meant that the former international player ought to have represented that State Association in first class cricket. The Committee of Administrators' view on Point No. 5 of the above checklist is as follows:

- (a) if a State Association has only representatives of district associations or clubs as voting members in the General Body, it should be acceptable for such a State Association to grant membership without voting rights to former international players. However, if the State Association has any individual members with voting rights in the General Body, then such State Association must necessarily treat former international players at par with such individual members by giving them voting rights as well;
- (b) in cases where a former international player has represented one or more State Association in first class cricket and/or is residing in the jurisdiction of another State Association, it should be up to such former international player to choose which State Association he/she wants to take membership in and the concerned State Association should grant membership accordingly; and

(c) in cases where a former international player has not represented any State Association in first class cricket (possibly because he/ she has only played for railways/ services/ universities), the State Association within whose jurisdiction such former international player resides should grant membership.

6. The Committee of Administrators wishes to emphasize that the Judgment is binding on all State Associations and its implementation has not been stayed. As per the timelines issued by the Hon'ble Justice Lodha Committee, the State Associations were required to amend their respective Memorandum of Association/ Articles of Association/ Constitution/ Bye-Laws by 30<sup>th</sup> September 2016. Those State Associations that have still not done so continue to be in breach of the said directions.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

**// True Typed Copy //**