

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION (CIVIL) No. 970/2018INCIVIL APPEAL No. 7645/2011

CRICKET ASSOCIATION OF BIHAR, PATNA

Appellant

VERSUS

AMITABH CHOUDHARY & ORS.

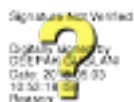
Respondents

O R D E R

Heard Mr. Ajit Kumar Sinha, learned senior counsel appearing for the petitioner and Mr. Gopal Subramaniam, learned Amicus Curiae. Mr. Gopal Subramaniam, assured that the State of Bihar shall be conferred with all the benefits to play matches of the Ranji Trophy Season commencing from the month of September, 2018. The said position is accepted by Mr. Parag P. Tripathi and Mr. C.U. Singh, learned senior counsel appearing for the Committee of Administrators.

In view of the aforesaid, nothing survives in this contempt petition and the same is accordingly disposed of.

Contempt Petition (Civil) No. 46/2017 in Civil Appeal No. 4235/2014



Mr. Chetan Wahi, learned counsel appearing for the petitioner prays for withdrawal of the present contempt petition, as it has become infructuous.

The prayer is allowed. The contempt petition stands disposed of as withdrawn.

Pending interlocutory applications, if any, shall stand disposed of.

.....CJI
[Dipak Misra]

.....J.
[A.M. Khanwilkar]

.....J.
[Dr. D.Y. Chandrachud]

New Delhi;
May 1, 2018.

ITEM NOS.32+13

COURT NO.1

SECTION III

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No. 4235/2014

BOARD OF CONTROL FOR CRICKET & ORS.

Appellants

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondents

WITH

C.A. No. 4236/2014 (III)C.A. No. 1155/2015 (III)W.P.(C) No. 46/2017 (PIL-W)CONMT.PET.(C) No. 47/2017 In C.A. No. 4235/2014CONMT.PET.(C) No. 46/2017 In C.A. No. 4235/2014 (III)W.P.(C) No. 287/2017 (PIL-W)CONMT.PET.(C) No. 959/2017 in C.A. No. 1155/2015 (III)CONMT.PET.(C) No. 1835/2017 in C.A. No. 4235/2014 (III)

(FOR ADMISSION)

CONMT.PET.(C) No. 970/2018 in C.A. No. 7645/2011

(FOR ADMISSION)

Date : 01-05-2018 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellants

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Mr. Parag P. Tripathi, Sr. Adv.

Mr. Chandra Uday Singh, Sr. Adv.

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Mr. Indranil Deshmukh, Adv.

Mr. Adarsh Saxena, Adv.

Mr. Raunak Dhillon, Adv.

Mr. Vikash Kumar Jha, Adv.

Mr. Rishav Kapur, Adv.

Mr. Rishi Gautam, Adv.

for M/s. Cyril Amarchand Mangaldas, AOR

Mr. Ajit Kumar Sinha, Sr. Adv.

Mr. Vikas Mehta, AOR

Mr. B. Mithun Shashank, Adv.

Mr. Chandra Shekar Verma, Adv.

Mr. Chetan Wahi, Adv.

Mr. Pai Amit, Adv.
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 Ms. Rahat Bansal, Adv.
 Ms. Pankhuri Bhardwaj, Adv.

Mr. M.P. Vinod, AOR
 Mr. K.K. Mohan, AOR
 Mr. Pratik R. Bombarde, AOR
 Mr. Senthil Jagadeesan, AOR
 Mr. Nirnimesh Dube, AOR
 Mr. Abhishek Singh, AOR
 Mr. Gagan Gupta, AOR
 Mr. Rauf Rahim, AOR

**For Respondents/
 Applicants**

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 Mr. Kabir Ghosh, Adv.

Mr. R. Chandrachud, AOR

Mr. Nitin Thukral, Adv.
Mr. Karan Sharma, Adv.

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Ms. Garima Jain, Adv.
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Mr. Azim H. Laskar, Adv.
Mr. Sachin Das, Adv.
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Mr. Tarun Gupta, Adv.

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Ms. Smriti Shah, Adv.
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Mr. E.C. Agrawala, AOR
Mr. Raghavendra S. Srivatsa, AOR

Mr. Shree Pal Singh, AOR
Mr. Anish R. Shah, AOR
Mr. Praveen Swarup, AOR
Mr. Anshuman Ashok, AOR
Mr. V.K. Biju, AOR
Mr. K.K. Mohan, AOR
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Mr. Gagan Gupta, AOR
Ms. Sonia Mathur, AOR
Mr. Ritesh Kumar Chowdhary, AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Santosh Mishra, AOR
Mr. Gaurav Sharma, AOR
Ms. Tamali Wad, AOR
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Mr. Ranjit B. Raut, Adv.
Mrs. Bina Gupta, AOR

Mr. Amol Chitale, Adv.
Mr. Nirnimesh Dube, AOR

UPON hearing the counsel the Court made the following
O R D E R

CONMT.PET.(C) No. 970/2018 in C.A. No. 7645/2011

The Contempt Petition is disposed of in terms of the signed order.

Pending interlocutory applications, if any, shall stand disposed of.

Contempt Petition (Civil) No. 46/2017 in Civil Appeal No. 4235/2014

The Contempt Petition is disposed of as withdrawn.

Pending interlocutory applications, if any, shall stand disposed of.

C.A. Nos. 4235/2014, 4236/2014 and 1155/2015, W.P.(C) Nos. 46/2017 and 287/2017 and Contempt Petition (C) Nos. 47/2017, 959/2017 and 1835/2017

A draft Constitution meant for the B.C.C.I. and its Office Bearers has been filed on 27.10.2017. Suggestions to the same by various State Cricket Associations have also been filed and the same have been attached to the draft Constitution. The draft Constitution shall be finalized by this Court.

In the meantime, if any State Cricket Association intends to file any further suggestion, they may submit the same in bullet points to Mr. Gopal Subramaniam, learned Amicus Curiae, who shall compile the suggestions and file it before this Court within three days.

It is hereby made clear that the draft Constitution approved by this Court shall not be debated upon and shall stand finalized, only subject to the determination made in the application(s) for recall

of the primary judgment, pending adjudication before this Court.

Let the matter be listed on 11.5.2018.

(Deepak Guglani)
Court Master

(H.S. Parasher)
Assistant Registrar

(signed order is placed on the file)

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

DRAFT TEXT OF THE NEW BCCI CONSTITUTION
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

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 4235 OF 2014

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Filed by:

The Supreme Court Appointed Committee of Administrators

A

**COVERING NOTE FOR DRAFT TEXT OF NEW BCCI
CONSTITUTION**

Consequent to receipt and consideration by the Supreme Court appointed Committee of Administrators of the suggestions received (including from Mr. C. K. Khanna, Mr. Amitabh Choudhary and Mr. Anirudh Chaudhry), enclosed is the draft Constitution in compliance with the order dated September 21, 2017 passed by this Hon'ble Court.

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MEMORANDUM OF ASSOCIATION

1. The name of the Association is "THE BOARD OF CONTROL FOR CRICKET IN INDIA" and it shall hereafter be referred to as the "BCCI".
2. The objects and purposes of the BCCI are:
 - (a) To control and improve quality and standards of the game of Cricket in India, lay down policies, roadmaps, guidelines and make rules and regulations (and amend or alter them) in all matters relating to the game of Cricket, recognizing that the primary stakeholders are the players and Cricket fans in India, and that accountability, transparency and purity integrity of the Game are the core values;
 - (b) To provide for measures necessary for promotion and development of the game of Cricket, welfare and interest of Cricketers and elimination of unethical and unfair practices in the Game of cricket; and for that purpose, organize coaching schemes, establish coaching academies, hold tournaments, exhibition matches, Test Matches, ODIs, Twenty/20, and any other matches and take all other required steps;

- (c) To strive for sportsmanship and professionalism in the game of Cricket and its governance and administration; inculcate principles of transparency and ethical standards in players, team officials, umpires and administrators; and to ban doping, age fraud, sexual harassment and all other forms of inequity and discrimination;
- (d) To encourage the formation of State, Regional or other Cricket Associations and the organization of Inter-State and other Tournaments; to lay down norms for recognition which achieve uniformity in the structure, functioning and processes of the Member Associations;
- (e) To arrange, control, regulate and if necessary, finance visits of Teams that are Members of the International Cricket Council and teams of other Countries to India;
- (f) To arrange, control, regulate and finance, visits of Indian Cricket Teams to tour countries that are members of the International Cricket Council or elsewhere in conjunction with the bodies governing cricket in the countries to be visited;
- (g) To select teams to represent India in Test Matches, One Day Internationals, Twenty/20 matches and in any other format

in India or abroad as the BCCI may decide from time to time;

- (h) To foster the spirit of sportsmanship and the ideals of cricket amongst school, college and university students and others and to educate them regarding the same;
- (i) To appoint India's representative/s on the International Cricket Council, as also to Conferences and Seminars connected with the game of Cricket;
- (j) To appoint Managers and/or other team officials for the Indian Teams;
- (k) To employ and appoint CEOs, professional managers, auditors, executive secretaries, administrative officers, assistant secretaries, managers, clerks, team support staff, players, and other service personnel and staff; and to remunerate them for their services, by way of salaries, wages, gratuities, pensions, honoraria, ex-gratia payments and/or provident fund; and to remove/terminate or dismiss such employees or personnel;
- (l) To ensure that tickets to cricket matches are widely available well in advance of the matches to members of the

public at reasonable rates, and to prevent distribution of the same as largesse; and also to offer seats *gratis* or at nominal rates to students;

- (m) To lay out cricket grounds and to provide pavilion, canteen and other facilities and amenities for the convenience and benefit of the members, players, and the Cricket fans including the women and the disabled, and to ensure the availability of Cricket gear and amenities to Cricket players;
- (n) To constitute Committees, from time to time, and entrust or delegate its functions and duties to such Committees, for achieving the objects of the BCCI;
- (o) To vest immovable properties and funds of the BCCI in Trustees appointed by it, for carrying out the objects of the BCCI;
- (p) To sell, manage, mortgage, lease, exchange, dispose of or otherwise deal with all or any property of the BCCI;
- (q) To acquire or purchase properties – movable and immovable, and assets – tangible and intangible, and to apply the capital and income therefrom and the proceeds of the sale or transfer thereof, for or towards all or any of the

objects of the BCCI;

- (r) To collect funds, and wherever necessary, borrow with or without security and to purchase, redeem or pay off any such securities;
- (s) To carry out any other activity which may seem to the BCCI capable of being conveniently carried on in connection with the above, or calculated directly or indirectly to enhance the value or render profitable, or generate better income/revenue, from any of the properties, assets and rights of the BCCI;
- (t) To promote, protect and assist the Players who are the primary agents of the game by:
 - (i) Creating a Players' Association to be funded by the BCCI;
 - (ii) Being sensitive to Players' before international calendars are drawn up so that sufficient time is provided for rest and recovery;

- (iii) Taking steps, particularly on longer tours, so the emotional wellbeing and family bonds of the Players' are strengthened;
 - (iv) Compulsorily having qualified Physiotherapists, Mental Conditioning Coaches / Counsellors and Nutritionists among the Team's support staff;
 - (v) Having a single point of contact on the logistics and managerial side so that Players' can fully concentrate on the game;
 - (vi) Registering all duly qualified agents to ensure there is oversight and transparency in player representation;
 - (vii) Offering appropriate remuneration of an international standard when representing the country on the international stage, and always recalling that national representation has priority over club or franchise;
- (u) To grant/donate such sum/s for:
- (i) Such causes as would be deemed fit by the BCCI conducive to the promotion of the game of Cricket;

- (ii) The benefit of Cricketers or their spouses and children by introducing benevolent fund schemes or other benefit schemes, as the BCCI deems fit, subject to its rules and regulations;
- (iii) The benefit of any other persons who have served Cricket or their spouses and children as the BCCI may consider fit;
- (iv) To award sponsorships to sportspersons in games other than Cricket for development of their individual skills; and
- (v) To donate to any charitable cause;
- (v) To start or sponsor and/or to subscribe to funds or stage matches for the benefit of the Cricketers or persons who may have rendered service to the game of Cricket or for their families, or to donate towards the development or promotion of the game and to organize matches in aid of Public Charitable and Relief Funds;
- (w) To impart physical education through the medium of Cricket;

- (x) To co-ordinate the activities of members and institutions in relation to the BCCI and amongst themselves;
 - (y) To create and maintain a central repository and database of all Cricketers along with their game statistics;
 - (z) To introduce a scheme of professionalism and to implement the same;
 - (aa) To provide a fair and transparent grievance redressal mechanism to players, support personnel and other entities associated with Cricket;
 - (bb) Generally to do all such other acts and things as may seem to the BCCI to be convenient and/or conducive to the carrying out of the objects of the BCCI.
3. The income, funds and properties of the BCCI, however acquired, shall be utilized and applied solely for the promotion of the objects of the BCCI as set forth above to aid and assist financially or otherwise and to promote, encourage, advance and develop and generally to assist the game of cricket or any other sport throughout India.

4. The BCCI shall not be dissolved unless the dissolution is decided upon by a resolution passed at a General Meeting of the BCCI convened for the purpose, by a majority of $3/4^{\text{th}}$ of the Members present and entitled to vote. The quorum for such meeting shall be $2/3^{\text{rd}}$ of the Members who have a right to vote. In the case of dissolution of the BCCI, if there shall remain after satisfaction of all debts and liabilities, any property whatsoever, it shall be given or transferred to some other institution or institutions having objects similar to those of the BCCI and not running for profit.

RULES AND REGULATIONS

CHAPTER ONE: SCOPE

1. (A) DEFINITIONS

In these Rules and Regulations, unless the context otherwise requires:-

- (a) "ADMINISTRATOR" shall mean and include present and former Presidents, Vice Presidents, Honorary Secretaries, Honorary Treasurers, Honorary Joint Secretaries of the BCCI, past and present Presidents and Secretaries of Members affiliated to the BCCI, a representative of a Member of the BCCI, and any person connected with the Governance and Management of the affairs of the BCCI or of its Committees.
- (b) "AGENTS' REGISTER" is the register maintained by the BCCI under the Regulations for Registration of Players' Agents.
- (c) "APEX COUNCIL" is the principal body of the BCCI tasked with its governance as set out in Rule 1414.
- (d) "AUDITOR" is the auditor of the BCCI appointed by the Apex Council of the BCCI to discharge the functions set out in Rule 3434.

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- (e) "BCCI" or "BOARD" is the Board of Control for Cricket in India initially registered under Act XXI of 1860 at Chennai (Madras) on 28-11-1940 and subsequently registered under the Tamil Nadu Societies Registration Act, 1975.
 - (f) "CEO" is the Chief Executive Officer of the BCCI appointed by the Apex Council as set out in Rule 2323.
 - (g) "CONFLICT OF INTEREST" refers to situations where an individual associated with the BCCI in any capacity acts or omits to act in a manner that brings, or is perceived to bring the interest of the individual in conflict with the interest of the game of cricket and that may give rise to apprehensions of, or actual favouritism, lack of objectivity, bias, benefits (monetary or otherwise) or linkages, as set out in Rule 3838.
 - (h) "COUNCILLORS" are the members of the Apex Council.
 - (i) "CRICKET COMMITTEES" are the Committees as set up in Rule 2626 which consist only of former Players and are charged with selection, coaching and evaluation of team performance.
 - (j) "CRICKET PLAYERS' ASSOCIATION" refers to the association of Players so constituted and governed by the Code for the Cricket Players' Association.

- (k) "ELECTORAL OFFICER" is the person appointed to conduct, supervise and deal with issues concerning elections as set out in Rule 3333.
- (l) "ETHICS OFFICER" is the person appointed to administer the Conflict of Interest principles as set out in Rule 3939.
- (m) "EXISTING MEMBER" is an association or other body corporate that was a Member of the BCCI immediately before the Effective Date.
- (n) "FRANCHISEES" are the various commercial entities who have entered into franchise agreements with the BCCI for participation in the Indian Premier League.
- (o) "GENERAL BODY" is the supreme body of the BCCI which is constituted by its Members.
- (p) "GOVERNING COUNCIL" is the Standing Committee constituted by the BCCI which shall be in charge of and conduct the Indian Premier League.
- (q) "IPL" refers to the Indian Premier League which is the franchise-based Twenty/20 tournament conducted by the BCCI for a

maximum period of 7 weeks.

- (r) "JOINT SECRETARY" is the Honorary Joint Secretary of the BCCI as set out in Rule ~~77(4)~~(4).
- (s) "JUNIOR TOURNAMENT" shall mean any age group tournaments conducted by the BCCI from time to time.
- (t) (i) "MEMBER" is a "Full Member" and an "Associate Member" of the BCCI.
- (ii) "FULL MEMBER" is a State Cricket Association having voting rights and as enumerated in Rule ~~33(a)(a)(ii)(ii)~~ of these Rules;
- (iii) "ASSOCIATE MEMBER" is a Member of the BCCI not having voting rights and as enumerated in Rule ~~33(a)(a)(iii)(iii)~~ of these Rules.
- (u) "MATCH OFFICIAL" includes Umpires, Match Referees, Observers, Statisticians, Ground Staff and Scorers so appointed by the BCCI or a Full Member from time to time.
- (v) "OFFICE BEARER" means the President, Vice-President, Secretary, Joint Secretary, and Treasurer.

- (w) "OMBUDSMAN" is the independent grievance redressal authority set up under Rule 4040.
- (x) "PLAYER" is any Cricketer past or present registered with BCCI or any of its Members as a player and shall include any person selected in any squad to represent India in a Test Match, ODI tour match, Twenty/20 or Junior Tournament Match in India or Abroad.
- (y) "PRESIDENT" is the Honorary President of the BCCI and of the Apex Council as set out in Rule 77(1)(1).
- (z) "REPRESENTATIVE" of a Member means a person duly nominated as such by the respective Full Member or Associate Member as the case may be.
- (aa) "RULE" shall refer to any rule or sub-rule in these Rules and Regulations, and "RULES" refer to these Rules and Regulations.
- (bb) "SECRETARY" is the Honorary Secretary of the BCCI as set out in Rule 77(2)(2).
- (cc) "TEAM OFFICIAL" refers to the support staff appointed by the BCCI including coaches, managers, physiotherapists, nutritionists,

trainers, analysts, counsellors and medics.

(dd) "TOURNAMENT RULES" means the rules governing the conduct of various domestic tournaments organized by the BCCI including the IPL and such other tournaments as may be conducted by the BCCI from time to time.

(ee) "TREASURER" is the Treasurer of the BCCI as set out in Rule 77(5)(5).

(ff) "VICE PRESIDENT" is the Vice President of the BCCI as set out in Rule 77(2)(2).

(gg) "YEAR" means financial year commencing from the 1st day of April and ending on the 31st day of March of the following year.

(hh) "ZONE" means any of the 5 zones namely North Zone, South Zone, East Zone, West Zone and Central Zone, comprising such teams as may be decided by the BCCI from time to time, and subject to the following:

(i) Only Full and Associate Members are entitled to field teams for Zonal tournaments.

(ii) The BCCI may decide on realigning the Zones in

accordance with principles of expediency and competition.

- (iii) The BCCI may, if it is expedient, combine teams for the North East and Union Territories.

(B) INTERPRETATION

- (i) In these Rules, all references to Players, Match Officials and Administrators shall, unless the context otherwise requires, be deemed to include Players, Match Officials and Administrators (and/or equivalent persons) of the IPL and its Franchisees as well.

- (ii) The EFFECTIVE DATE shall be the date on which these Rules come into force.

2. HEADQUARTERS:

The Headquarters of the BCCI shall be located at Mumbai.

3. [MEMBERSHIP AND JURISDICTION OF MEMBERS:]¹

(a) Membership

- (i) *Membership of the BCCI shall be confined to*

- (a) *Full Members; and*

¹ The [italicized portion in square brackets] is subject to such orders as may be passed by this Hon'ble Court.

(b) *Associate Members;*

(ii) *Full Members*

A. *Each State shall be represented by a state cricket association duly recognized by the BCCI and such associations shall be Full Members. No State shall have more than one Full Member at any given point of time.*

B. *The associations who are the controlling bodies for cricket in the following States shall be the Full Members of the BCCI:*

1. *Andhra Pradesh*
2. *Arunachal Pradesh*
3. *Assam*
4. *Bihar*
5. *Chhattisgarh*
6. *Delhi*
7. *Goa*
8. *Gujarat*
9. *Haryana*
10. *Himachal Pradesh*
11. *Jammu & Kashmir*
12. *Jharkhand*
13. *Karnataka*

14. Kerala
15. Madhya Pradesh
16. Maharashtra
17. Manipur
18. Meghalaya
19. Mizoram
20. Nagaland
21. Orissa
22. Punjab
23. Rajasthan
24. Sikkim
25. Tamil Nadu
26. Telangana
27. Tripura
28. Uttar Pradesh
29. Uttarakhand
30. West Bengal

C. *In States with multiple Existing Members, the full membership shall rotate annually among such Existing Members such that only one of them will exercise the rights and privileges of a Full Member at any given point of time. The rotation shall be as per the policy framed by the BCCI shall recognize one of them to*

~~represent the State, while the remaining shall become Associate Members.~~

- D. Where disputes are pending regarding the duly recognized association to represent a particular State, the State shall be represented by the recognized association, subject to any order of the Court or resolution of the BCCI as the case may be.

(iii) Associate Members

- A. Any Existing Member (including an Existing Member who is not exercising the rights and privileges of a Full Member in terms of Rule 3(a)(ii)C above) ~~does not fall within the definition of a Full Member~~ shall be an Associate Member of the BCCI.

- B. The BCCI may induct any other entity as an Associate Member, subject to all the conditions and disqualifications laid down in Rule 33(b)(b) below.

(b) Grounds for sanction & de-recognition of a Full Member

- (1) No Member shall be entitled to any grant from the

BCCI if its Constitution and/or Bye-Laws fails to provide for, or comply with the following ~~within One Year after the Effective Date:~~

- (i) The Association shall not have any provision for any post to be held for more than 9 years.
- (ii) The Governing Body/ Managing Committee of the Association shall include at least one woman, at least two representatives of players (one male and one female) and women, and a nominee of the Accountant General of the State. ∴
- (iii) The Association shall grant automatic membership to former international players hailing from the State.
- (iv) The Association shall not have proxy voting.
- (v) There shall be a provision whereby the office bearers and members of the Governing Body/ Managing Committee of the Association stand disqualified under any of the grounds laid down in Rule 6(5) and Rule 14(3)(3) below respectively. For this purpose, the expressions 'BCCI' and 'Councillor' appearing in Rule 14(3) shall be read as 'Association' and 'Member of Governing Body/ Managing

Committee' respectively.²

(vi) There shall be a provision whereby individuals who are disqualified from being office bearers and/or members of the Governing Body/ Managing Committee as aforesaid shall also be disqualified from being representatives/ nominees, patrons, advisors or members of any committee/ council.³

(vii) There shall be a provision whereby after every three years as an office bearer (whether of the Association or the BCCI), no individual shall be an office bearer or a member of the Governing Body/ Managing Committee of the Association for the next three years.⁴

~~(vi)~~(viii) The Association shall appoint an Electoral Officer, an Ethics Officer and an Ombudsman.

~~(vii)~~(ix) The Association shall abide by the principles of transparency laid down in Chapter 8 of these Rules.

(2) In the event of the grant being denied to any Member

² As per the recommendations of the Hon'ble Justice Lodha Committee read with FAQ No. 2 issued by the Hon'ble Justice Lodha Committee on 6th September 2016.

³ As per the recommendations of the Hon'ble Justice Lodha Committee read with FAQ No. 2 issued by the Hon'ble Justice Lodha Committee on 12th January 2017.

⁴ As per the recommendations of the Hon'ble Justice Lodha Committee read with FAQ No. 13 issued by the Hon'ble Justice Lodha Committee on 6th September 2016.

under Rule 3(b)(1) above, the BCCI shall directly spend the grant in respect of the State concerned in its capacity as *parens patriae*.

- (3) If any Association continues to be disentitled for a grant under Rule 3(b)(1) above for a continuous period of 2 years, the BCCI may derecognize the Association as a Member, and if it is a Full Member, in its place, recognize any other Association from that State which complies with the requirements of Rule 3(b)(1) above.

(c) Annual Updates

All Members shall, on or before 15th November of each year, inform and update the BCCI as to the names of their Office Bearers and the members of their respective Executive-Governing Bodies/ Managing Committees, their respective tenures, the audited statement of accounts and the balance sheets.

(d) Jurisdiction

The territorial jurisdiction of the Full Members classified under Rule 3(a)(ii) shall be of the administrative State so defined under the Constitution. If a State were to be bifurcated, the newly created State would be entitled to an independent Full Membership, and shall be so inducted

within 3 months of such Statehood coming into force.

4. VOTE & ACCOUNTS OF TOURNAMENTS

- (1) Each Full Member shall have one vote, to be exercised through its authorized Representative.
- (2) An Associate Member shall be entitled to participate in the General Body Meetings but shall not be entitled either to vote or have its representative elected to the Apex Council.
- (3) A Member, required to submit the annual or other accounts, balance sheets or statements of expenditure either under these Rules or under the rules of any tournament/ match, or under the resolutions or decisions of the BCCI relating to any grant, fails to submit the accounts or the statements of expenditure relating to such grant, tournament, match or otherwise, within the period stipulated thereunder, shall not be entitled to any further financial grants from the BCCI till the requirement is complied with.

Provided that notwithstanding anything stated above, nothing shall prevent the Apex Council, for good reason, from extending for a maximum period of 6 months, the time for submitting of accounts and statements beyond the period referred to above.

CHAPTER TWO: THE GENERAL BODY AND OFFICE

BEARERS AND THEIR POWERS & FUNCTIONS

5. CONSTITUTION AND FUNCTIONS OF THE BCCI

- (1) The General Body is constituted of all the Members of the BCCI.
- (2) The authorized Representatives of the various Full Members shall cast their votes on behalf of their respective Full Member. The Associate Members shall have no right to vote.
- (3) All powers of governance, management and decision-making shall vest in the General Body. In addition to the powers already given to the Apex Council, the Governing Council and the CEO under these Rules, the General Body may delegate such powers as it deems fit to any of them.
- (4) In addition to, and without prejudice to the generality of powers vested in it, the General Body shall have the power:
 - (a) To collect funds and wherever necessary borrow, with or without security, for purposes of the BCCI and to raise loans with or without security and to purchase, redeem or pay off any such security.
 - (b) To frame the Laws of Cricket in India and to make

alterations, amendments or additions to the Laws of Cricket in India whenever desirable or necessary.

- (c) To direct and control the Governing Council, to lend oversight and assistance to the IPL conducted by the Council and to ensure that the interests of the franchises and the players are protected.
- (d) To review any decision of the Apex Council or the Governing Council.
- (e) Generally to do all such other acts and things as may appear to the General Body to be expedient, convenient and/or conducive to the carrying out of the above functions of the BCCI.

6. ELECTION & TERM OF OFFICE BEARERS

- (1) The following Office Bearers of the BCCI shall be elected by the Full Members of the BCCI from amongst their representatives at an Annual General Meeting:
 - 1. The President
 - 2. The Vice-President
 - 3. The Secretary
 - 4. The Joint Secretary
 - 5. The Treasurer
- (2) The Term of office of an Office Bearer shall be 3 years. Their position shall be Honorary.
- (3) No person shall be an Office Bearer for more than 3 terms

in all.

- (4) No Office Bearer shall be eligible to contest a succeeding election i.e. no Office Bearer shall have a consecutive term as an Office Bearer (whether of the BCCI or any State Association). Further, once an Office Bearer has completed a term of 3 years (whether of the BCCI or any State Association), such Office Bearer shall not be a member of the Governing Council or any Committee for the next 3 years.⁵

- (5) A person shall be disqualified from being an Office Bearer, a member of the Governing Council or any Committee or a representative of the International Cricket Council or any similar organization⁶ 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;
- (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 BCCI for a cumulative period of 9 years; or
- (f)(g) has been charged by a Court of Law for having

⁵ In the respectful understanding of the Committee of Administrators, this change is in accordance with the recommendations of the Hon'ble Justice Lodha Committee.

⁶ In the respectful understanding of the Committee of Administrators, this change is in accordance with the recommendations of the Hon'ble Justice Lodha Committee.

committed any criminal offence.

7. POWERS AND DUTIES OF OFFICE-BEARERS:

(1) THE PRESIDENT

(a) The President shall preside at all meetings of the General Body and the Apex Council.

(a)(b) The President shall be one of the three persons who sign the audited annual accounts and other financial statements of the BCCI.

(b)(c) The President shall also exercise such functions and duties as he may be empowered with by the General Body or the Apex Council.

(c)(d) The President shall, in the event of a vacancy or indisposition of an Office Bearer, delegate the functions to another Office Bearer until the vacancy is duly filled up; or the indisposition ceases.

(2) THE VICE PRESIDENT

(a) The Vice President shall officiate in the President's absence when the President is unavailable.

(b) The Vice President shall also exercise such functions and duties as he may be empowered with by the General Body or the Apex Council.

(3) THE SECRETARY

The Secretary shall:

- (a) Keep and maintain the minutes of Annual General Meetings and Special General Meetings of the General Body, the meetings of the Apex Council and of the Committees appointed by the General Body in appropriate books and shall cause them to be properly and correctly recorded and confirmed.
- (b) ~~Sign all contracts for and on behalf of the BCCI and carry on all correspondence in the name of the BCCI save as otherwise directed by the Apex Council~~⁷ Be one of the three persons who sign the audited annual accounts and other financial statements of the BCCI.
- (c) Be in charge of the records of the General Body, the Apex Council, the Governing Council and all Committees, and such properties as may be entrusted to his care by the BCCI, the Apex Council or the Governing Council as the case may be.
- (d) Convene the Annual General Meetings, the Special General Meetings and the meetings of the Apex Council and Governing Council with the concurrence of the President.
- (e) Circulate to all Members of the BCCI the statement

⁷ To obviate undue burden on the Hon. Secretary, the Committee of Administrators is of the considered view that all ministerial functions including the signing of contracts for and on behalf of the BCCI and carrying on of correspondence in the name of the BCCI must be construed as day to day functioning of the BCCI and should be handled by the CEO, who is based at the BCCI Headquarters in Mumbai.

of accounts prepared by the Treasurer.

- (f) Have the power to delegate any work to the Honorary Joint Secretary.

(4) THE JOINT SECRETARY

The Joint Secretary shall:

- (a) Convene and keep minutes of the Committees that may be placed in his charge at the Annual General Meeting or by the Secretary.
- (b) Assist the Secretary in all matters pertaining to the affairs of the BCCI.

(5) THE TREASURER

The Treasurer shall:

- (i) Receive all subscriptions and donations and the monies payable and / or receivable by the BCCI;
- (ii) ~~Make payments and incur expenditure out of the funds of the BCCI in accordance with the decisions of the BCCI, the Apex Council or any Committee appointed by the BCCI, provided that all transfers or payments must be with the signatures of two elected Office Bearers, of which the Treasurer shall be one⁸~~
Be one of the three persons who sign the audited annual accounts and other financial statements of the

⁸ The reasons for this change are as set out in Footnote No. 10 below.

BCCI.

- (iii) Keep accounts of all monies received and expended by the BCCI, in respect of assets, credits and liabilities of the BCCI.
- (iv) Prepare statement of accounts.
- (v) Place before the Apex Council:
 - (i) Annual Balance Sheet;
 - (ii) Statement of Accounts of the BCCI; and
 - (iii) Annual Budget;
- (vi) Place before the Annual General Meeting duly audited:
 - (i) Annual Balance Sheet; and
 - (ii) Statement of Accounts of the BCCI;
- (vii) Invest and/or disburse the funds of the BCCI, to withdraw any or all of the existing fixed deposits before the date of maturity in accordance with any general or special directions of the General Body or the Apex Council.
- (viii) Prepare budgets to be presented at the Annual General Meeting, Special General Meetings and Meetings of the Apex Council.
- (ix) ~~Liaise-Coordinate~~ with the Auditor ~~and the Finance Committee as well as the CEO~~ to obtain oversight on how insight into the utilization of funds by the Full Members/ Associate Members are utilizing funds

allotted to them by the BCCI.

CHAPTER THREE: MEETINGS OF THE GENERAL BODY

8. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the General Body shall be held every year, not later than 30th September at such place and time as the President may fix.
- (2) Elections and Nominations to the Apex Council shall take place every 3 years at the Annual General Meeting.
- (3) The following business shall be transacted at every Annual General Meeting of the General Body:
 - (a) Confirmation of the minutes of the previous General Meetings.
 - (b) Adoption of the Report of the Secretary for the year under review.
 - (c) Adoption of the Treasurer's Report and the audited accounts for the year under review.
 - (d) Adoption of the Annual Budget.
 - (e) Appointment of Auditor or Auditors for the year and fix their remuneration.
 - (f) Appointment of the Ombudsman and Ethics Officer.
 - (g) Appointment of the Cricket Committees and Standing Committees as mentioned in Rules 2626 and 2525 respectively.

(h) Consideration of:

- (1) the Report and recommendations of the Apex Council, the CEO and the Committees and to propose policy directions to the Apex Council.
 - (2) the Report and recommendations of the Governing Council and to propose policy directions to the Apex Council.
 - (3) any amendments to the Rules and Regulations of the BCCI, provided no amendment to the Rules and Regulations of the BCCI proposed by a Full Member shall be considered unless the proposals for amendments are received by the Secretary before 31st July.
 - (4) the Reports of the Ombudsman and Ethics Officer and any recommendations made therein.
- (i) Consideration of any motion, notice whereof is given by a Full Member to the Secretary twenty-one days before the meeting. (Such a motion shall be circulated in advance to all members).
- (j) To appoint the BCCI's Representative or Representatives on the International Cricket Conference—Council and/or similar Conferences organizations.
- (k) (i)—Consideration of any other business which the

President may consider necessary to be included in the agenda.

- (1) (ii)—Transaction of any other business of an informal character as may be permitted by the Chairperson.
- (4) The record of the proceedings of the Annual General Meetings and Special General Meetings shall, after the approval of the Chairperson of the Meeting be circulated within two months of the Meeting to the Members of the BCCI and then entered in the Minutes Book. The minutes shall be duly confirmed after correction, if any, and signed by the Chairperson at the subsequent Annual General Meeting.
- (5) The Secretary shall, at least twenty one (21) days prior to the date fixed for the Annual General Meeting, forward to each member a notice setting out the agenda of business to be transacted at the Annual General Meeting along with:
 - (a) Copies of the minutes of the previous meeting or meetings to be confirmed at the Annual General meeting;
 - (b) Copies of audited Statement of Accounts to be adopted and to be passed at the Annual General Meeting;
 - (c) Copies of the audited Statement of Accounts of any

tour or tours;

- (d) Treasurer's Reports and the Annual Budget;
- (e) Report of the Ombudsman; and
- (f) Copies of all documents and papers having a reference to any item on the Agenda of the General Meeting;

- (6) Any Member desiring to raise any point relating to the Agenda or Accounts at the Annual General Meeting shall give seven days' notice thereof to the Secretary. The Secretary shall circulate such notice to all Members before the date fixed for the meeting.

9. SPECIAL GENERAL MEETING

- (1) A Special General Meeting of the General Body may be convened by the Secretary:
 - (a) on a directive of the President;
 - (b) on a resolution of the Apex Council, or
 - (c) on a requisition signed by not less than 10 Full Members specially stating the business to be transacted at such Meeting.

No business other than the one for which the Special General Meeting is called will be transacted at such meeting.

- (2) In the event of the Secretary failing to convene a Special

General Meeting within thirty days of the receipt of a requisition, the requisitionists may themselves convene a Meeting for the purpose specified in the requisition at such place and time as may be decided by the requisitionists.

- (3) The President may at his discretion direct the Secretary to convene a Special General Meeting at shorter notice in which case a notice of at least 10 days shall be given.
- (4) For any Special General Meeting the Secretary shall give Twenty One days' notice specifying the business to be transacted at that meeting.
- (5) In the event of the Secretary failing to convene a Special General Meeting at the direction of the President or on a resolution of the Apex Council within Ten days, the President may convene a meeting under his own signature.

10. QUORUM AT ANNUAL GENERAL MEETING & SPECIAL GENERAL MEETING

- (1) Ten Full Members present and entitled to vote shall be a quorum for an Annual General Meeting. No business shall be transacted at the Annual General Meeting unless the quorum requisite is present at the commencement of the

business of the meeting. If within an hour from the time appointed for the Annual General Meeting a quorum is not present, the meeting shall stand adjourned to the same date of the following month and at the same place and time. If at the adjourned meeting the quorum is not present within an hour from the time of the meeting, the Full Members present shall form the quorum.

- (2) For a Special General Meeting ten Full Members, present and entitled to vote shall be quorum. If no quorum is present at the appointed time of the meeting, the meeting shall stand adjourned for an hour. If at the adjourned meeting the quorum is not present, the Full Members present shall form the quorum.

11. CHAIRPERSON AT MEETINGS

The President shall preside as Chairperson at the Annual General Meeting or the Special General Meeting of the General Body and in his absence the Vice-President shall preside. In the event of the Vice President also being absent, the Meeting shall elect one amongst them as the Chairperson of the Meeting.

12. VOTING AT ANNUAL GENERAL MEETINGS / SPECIAL GENERAL MEETINGS

- (1) At the Annual General Meeting / Special General Meeting, each Full Member shall have one vote. The Associate Members shall have no vote.
- (2) At an Annual General Meeting / Special General Meeting, a resolution placed before the meeting duly moved and seconded shall be put to vote and shall be decided either on a show of hands or by a secret ballot as the Chairperson may decide.

13. CASTING VOTE OR DRAWING LOTS

Save as provided otherwise by these Rules, questions arising at any meeting shall be decided by a majority of votes and in the event of a tie, the Chairperson shall have a casting vote. If the Chairperson of the Meeting declines to exercise his casting vote, the issue shall be decided by drawing lots.

CHAPTER FOUR: GOVERNANCE

14. THE APEX COUNCIL

- (1) There shall be an Apex Council for the BCCI which shall be primarily responsible for the governance of the affairs of the BCCI.
- (2) The Apex Council shall comprise of 9 Councillors of whom 5 shall be the elected Office Bearers as per Rule 6 and the remaining 4 shall be:
 - (a) One to be elected by the Full Members of the BCCI from among their representatives;
 - (b) Two to be nominated by the Players' Association from amongst themselves, one male and one female;
 - (c) One to be nominated by the Comptroller and Auditor General of India from among the serving senior functionaries of the C&AG's office, co-terminus with the nominee's tenure;
- (3) A person shall be disqualified from being a Councillor 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 a Government Servant [except for the

nominee under Rule ~~1414(2)(2)(c)(e)~~];

- (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 BCCI for a cumulative period of 9 years; or
- (g) has been charged by a Court of law for having committed any criminal offence.

(4) Each of the elected Councillors shall have a term of 3 years in office, subject to a maximum of 3 Terms on the Apex Council. No elected Councillor shall hold two consecutive Terms on the Apex Council.

(5) No individual, including one filling up a vacancy under Sub-Rule (9) below shall be a Councillor for more than 9 years. In the event of a Councillor completing 9 years before the expiry of his term, he shall cease to hold office on completion of 9 years.

(6) No nominated Councillor shall have more than one term of 3 years.

(7) Notwithstanding anything contained elsewhere in these Rules, a former President of the BCCI shall not be entitled to be elected or nominated to the Apex Council in any

capacity except for a second and final term as President, subject to sub-Rules (4) and (5) above.

(8) No Councillor, once elected, shall hold any office in a Full Member Association. The Full Member shall take steps to fill up the vacancy so created immediately.

(9) Any vacancy in the Apex Council due to death, resignation, insolvency, unsoundness of mind, nomination to the ICC or other disqualification shall be filled up for the remaining period:

(a) In the case of an elected Councillor, by elections at a Special General Body meeting of the BCCI convened by the Secretary for that purpose within 45 days;

(b) In the case of a nominated Councillor, in the same manner as prescribed for the respective nominee in Rule 14(2) above;

(10) For the purposes of the Tamil Nadu Societies Registration Act, 1975, the governing body of the BCCI shall be the Apex Council.

15. POWERS AND FUNCTIONS OF THE APEX COUNCIL

(1) The affairs of the BCCI shall be governed by the Apex Council and its framework of governance shall:

- (i) Enable strategic guidance of the entity;
 - (ii) Ensure efficient monitoring of management;
 - (iii) Clarify the respective roles, responsibilities and powers of the CEO, Managers, Cricket Committees and Standing Committees, except the Governing Council; and
 - (iv) Ensure a distribution and balance of authority so that no single individual has unfettered powers.
- (2) The Apex Council shall have all the powers of the General Body and authority and discretion to do all acts and things except such acts as by these rules are expressly directed or required to be done by the General Body. Exercise of such powers, authorities and discretion shall be subject to the control and regulation of the General Body. No regulation shall retrospectively invalidate any act of the Apex Council which was otherwise valid.
- (3) The Apex Council shall exercise superintendence over the CEO, the Cricket Committees and the Standing Committees in the discharge of their duties generally, and in particular, in accordance with any general or special direction of the General Body, except for the Governing Council of the IPL which is directly accountable to the General Body.

(4) In addition to and without prejudice to the generality of powers conferred directly or by necessary implication under these Rules and regulations and the Memorandum of Association, the Apex Council shall exercise the powers and perform the duties hereafter mentioned:

- (a) To control, permit and regulate all aspects regarding the visits of foreign cricket teams to India and visits of Indian teams to foreign countries and to settle the terms on which such visits shall be conducted.
- (b) To lay down conditions on which Players shall take part in a tour to any foreign country and by which such Players shall be governed, including terms of payments to such Players.
- (c) To control, expand and regulate the finances of the BCCI.
- (d) To institute or defend any action or proceedings for or against the BCCI or against any Office-Bearer or employee of the BCCI.
- (e) To mediate in regard to issues between Members, failing resolution of which a reference may be made to the Ombudsman.
- (f) To interact and consult with the Cricket Players' Association regarding representations made on their behalf.
- (g) To purchase, sell and/or mortgage, exchange and/or

otherwise dispose of immovable property wherever situated, in order to promote the objects of the BCCI.

- (h) To collect funds and whenever necessary borrow not exceeding 25% of the General Fund with or without security for purposes of the BCCI and to raise loans with or without security and to purchase, redeem or pay off any such security.
- (i) To fill up, till the following Annual General Meeting, any vacancy occurring of a member of a committee by reason of death or being adjudged insolvent or being of unsound mind or being convicted of a criminal offence involving moral turpitude or by resignation or any other disqualification.
- (j) To frame rules and lay down conditions including those of travel, accommodation and allowances under which Indian Players shall take part in cricket tournaments/matches or Exhibition, Festival and Charity matches organized by the BCCI or by a Member under the authority of the BCCI in the course of a visit or tour of a foreign cricket team to India.
- (k) To frame rules for the National Championship of India for the Ranji Trophy matches or for University, Schools or other tournaments or for any Exhibition matches between members and / or between the

Universities in India.

- (l) To frame rules regarding the appointment, service conditions and disciplinary action concerning employees and officers of the BCCI.
- (m) To make the Tournament Rules for various domestic tournaments and exhibition matches involving Members, Universities and other entities.
- (n) To frame, in consultation with the CEO, rules for the appointment of Managers, Secretaries, Administrative Officers, Peons and other service personnel and staff and for payment to them and other persons in return for their services rendered to the BCCI, salaries, wages, gratuities, pensions, honorariums, compensations, any ex-gratia payment and/or provident fund and to regulate discipline by suspending, fining, removing or dismissing such employees.
- (o) To make rules generally for the management of the affairs of the BCCI.
- (p) To start or sponsor and/or to subscribe to funds or stage a match for the benefit of cricketers or persons who may have rendered service to the game of cricket or for their families or to donate for the development or promotion of the game to be regulated by rules framed in this regard from time to time.

~~(q) To appoint BCCI's representative or representatives on the International Cricket Council, Asian Cricket Council or similar conference.~~

~~(r)~~(q) To either on its own, or through its delegate, entertain, hear and decide administrative appeals by employees or other directly affected parties against the orders of the CEO or the Cricket Committees as the case may be.

~~(s)~~(r) Generally to do all such other acts and things which are delegated to it by the BCCI and all other functions to be expedient, convenient and/or conducive to the carrying out of the above functions of the Apex Council.

Provided that the exercise of powers under Clauses (j),(k), (l), (m), (n) and (o) shall be subject to ratification by the BCCI at its next meeting, failing which the rules shall lapse.

(5) The Apex Council shall meet at least once every 3 months at such time and place and shall conduct proceedings in such manner as it may from time to time decide.

(6) A Special Meeting of the Apex Council may be convened at any time by the President and shall be convened on a requisition to that effect being made in writing by not less than three Councillors. Any such requisition shall express

the object of the meeting proposed to be called and shall be sent to the Secretary.

- (7) Fourteen days' clear notice of the Meeting of the Apex Council together with the Agenda shall be given to the Councillors. For a Special Meeting of the Apex Council convened for the purposes stated in Sub-Rule(5) above, Seven days' clear notice shall be given. An Emergent meeting of the Apex Council may be convened with Two days' notice.
- (8) Five members of the Apex Council shall form a quorum for its meetings. The President or in his absence a member elected by those present at the meeting shall be the Chairperson. In the event of a tie, the Chairperson shall have a casting vote.
- (9) A resolution by circulation by all members of the Apex Council shall be as valid and effective as if it had been passed at a meeting of the Apex Council. Such a resolution shall be ratified at the next meeting of the Apex Council.
- (10) The Secretary shall keep the minutes of every Meeting in a book which shall be signed by the Chairperson when approved.

16. BCCI JURISDICTION OVER PLAYERS, MATCH OFFICIALS & TEAM OFFICIALS OF MEMBERS

The BCCI shall have concurrent jurisdiction and control over Players, Match Officials and Team Officials within the jurisdiction of a Member. Such individuals participating in cricket under the aegis of a Member shall be deemed ipso facto to submit to the jurisdiction of the BCCI.

17. CONDUCT OF PLAYERS

The Apex Council shall have the power to enquire into the conduct of any Player within its jurisdiction and may take such disciplinary action against the Player as the Apex Council may deem fit, which decision shall be final.

18. ENQUIRY INTO CONDUCT OF PLAYERS, MATCH OFFICIALS, ADMINISTRATORS, ETC.

In the event of the BCCI enquiring into the conduct of a Player, Match Official, Administrator, etc., the BCCI shall proceed in the manner prescribed in Rule 41.

CHAPTER FIVE: MANAGEMENT

19. ADMINISTRATION OF THE BCCI

- (1) Mumbai shall be the administrative headquarters where the office of the BCCI shall be permanently situated. It shall be the Central Secretariat of the BCCI.
- (2) The day-to-day management of the BCCI shall be conducted by professionals in both cricketing and non-cricketing matters.
- (3) The Governing Council of the IPL shall be accountable directly to the General Body and not to the CEO or the Apex Council.

20. NON-CRICKETING MATTERS

- (1) The day to day management of non-cricketing matters including operations, technical, human resources, finance and media shall be conducted by the CEO under the supervision of the Apex Council aided by the advice of the Standing Committees as set out in Rule 24.
- (2) The CEO shall be assisted by Managers as may be appointed under Rule 23.

21. CRICKETING MATTERS

- (1) The management of cricketing matters such as selections, coaching and evaluation of team performance shall be exclusively handled by the Cricket Committees comprising only of Players as set out in Rule 26.
- (2) The management, evaluation and selection of umpires shall be done by the Umpires Committee comprising only of Umpires as set out in Rule 27.
- (3) The reports of the Cricket and Umpires Committees shall be sent to the CEO for being forwarded to the Apex Council, but the CEO shall not in any way be involved in the preparation, approval or amendment of the same.

22. EFFICIENCY IN FUNCTIONING

- (1) The bankers, lawyers and others offering professional services to the BCCI shall be appointed in a fair and transparent manner, and may be changed from time to time, as the BCCI may deem expedient.
- (2) The bank account of the BCCI shall be operated by 2 authorized signatories from out of a list of authorized signatories designated by the Apex Council from amongst the professional management who are based out of the

BCCI Headquarters at Mumbai ~~the Treasurer along with the Joint Secretary and in the absence of the Joint Secretary, by the Secretary.⁹~~

- (3) The CEO and the Cricket & Umpires Committees shall function independently in their respective domains without any interference or approval from each other.

23. THE CEO

- (1) The day-to-day management of the affairs of the BCCI shall vest in a full time CEO to be appointed by the Apex Council, who shall be a management professional with management experience of at least 5 years as the CEO/MD of a company with a turnover of at least Rs. 100 crores.
- (2) The CEO shall be assisted by not more than 6 full-time professionals (Managers) who shall be appointed by the Apex Council in consultation with the CEO essentially to govern the streams of finance, technical, infrastructure, law, media and human resources. The CEO may however realign or reallocate these streams as he deems fit.

⁹ The reasons for this change are as set out in Footnote No. 10 below.

(3) The eligibility criteria for the CEO and Managers shall be laid down by the Apex Council keeping in mind the following guidelines:

- (a) Knowledge and familiarity with cricket or other sports;
- (b) Understanding of financial position and fiscal direction of the BCCI;
- (c) Knowledge of operations of cricket administration and overall policy;
- (d) Clarity on role, division of responsibilities and hierarchy; and
- (e) Familiarity with regulatory and legal responsibilities as well as attendant risks.

(4) There shall be an appropriate induction process laid down by the Apex Council for the CEO and the Managers, which shall include a fair and transparent process of appointment.

24. THE FUNCTIONS OF THE CEO¹⁰

¹⁰ The Committee of Administrators is of the considered view that in order to ensure transparency in the making of payments and incurring of expenditure out of the funds of the BCCI, it is necessary that the same must be vested in the hands of a professional management. The concept of professional management is expressed adverted to in the recommendations of the Hon'ble Justice Lodha Committee and is a part of this Hon'ble Court's judgment dated 18th July 2016. The professional management is expected to be headed by a Chief Executive Officer, who must necessarily be in charge of ensuring all timely payments and efficient administration. Transparency in payments, in a duly audited manner, must satisfy all canons of accountability. This will ensure that no player or service provider or contractor has to seek any favours from any official of the BCCI and there would be total transparency

The CEO shall have the following functions on behalf of the BCCI:

- (1) To implement all the Rules and Regulations made by the Governing Body and the Apex Council in regard to non-cricketing matters.
- (2) To issue guidelines in respect of travel, accommodation, allowances, etc., to be paid to players, support staff and officials participating in matches, other than international matches.
- (3) To lease and manage immovable property of the BCCI wherever situated, in order to promote the objects of the BCCI.
- (4) To lay down parameters for the laying of grounds for playing the game and to provide pavilion, canteen and other conveniences and amenities in connection therewith.
- (5) To appoint Team Officials for the Indian teams which shall compulsorily include qualified coaches, managers, physiotherapists, nutritionists, trainers, analysts, counsellors and medics.
- (6) To secure Players' welfare to ensure that the logistics manager will arrange for accommodation and travel, to ensure that tickets given to Players for matches will be on par with those given to the Members, and to also ensure that no expenditures towards the game (baggage handling, injury in the matter of such payments. This would also ensure dignity of the players, officials and all concerned.

related, etc.) will be undertaken by the Player, failing which such expenses will be reimbursed to the Player within 30 working days of the requisition being made. Also, to process requests made by Players to make arrangements for the accommodation and travel of their respective wives / partners / family members, wherever permitted.

- (7) To ensure that all measures are adopted to eliminate any form of racial, communal, casteist or other hatred from the game, with stringent action taken against the offenders including the initiation of criminal proceedings.
- (8) To start and maintain a library of books, periodicals, DVDs and other databases on Sports in general and Cricket in particular, and to publish journals, books and other material as well as the official website of the BCCI.
- (9) To produce by itself the Cricket content for telecast of cricket matches and/or ceremonies by hiring or owning equipment and hiring necessary crew, technicians, etc.
- (10) To publicize the stadium capacity of all stadia across the country with compulsory seat numbers, to provide transparent online and offline ticket booking services with reasonably priced tickets and maximize the access of the public to the games.
- (11) To provide at stadiums, wholesome and hygienic food and beverages at affordable rates, clean and hygienic restrooms for all genders and for the differently-abled, adequate fire

and emergency entries and corridors, sufficient access avenues and wheelchairs for the differently-abled, proper signage, parking and transport facilities as well as efficient security systems.

- (12) To arrange and organize the National Championship of India for the Ranji Trophy matches or for University, Schools or other tournaments or for any Exhibition matches between members and / or between the Universities in India including regulations and bye-laws in respect of travel, accommodation, allowances to be paid to players and officials participating in such matches.
- (13) To frame guidelines generally for the convenience and ease of day-to-day management of affairs of the BCCI.
- (14) To prescribe guidelines to lay out or convert any ground into high quality turf wickets at all levels in all areas of the country and to provide Pavilions, Canteens, Public Conveniences and other amenities with disabled access and suitable signage, especially to involve more Indians in the game of cricket and to encourage participation of all sections of society.
- (15) To assist the Cricket Committees and facilitate the implementation of their tasks and recommendations.
- (16) To collate monthly reports concerning the functioning of the various Committees, to create action plans in advance and upload the same on the website of the BCCI.

- (17) To create a database of all cricketers at all levels, maintain records and statistics, track performances and certify age and identity of participants.
- (18) To take steps to create world class infrastructure at all levels in all areas across the country. To coordinate with State associations, to conduct tournaments, to provide better access to the public, with particular reference to women and the disabled.
- (19) To put in place mechanisms to encourage Indian cricketers to play internationally and hone their skills so that a wider talent pool is available to represent the country.
- (20) To sign and enter transparently into contracts for and on behalf of the BCCI including with third parties and vendors for the purposes of the various Committees of the BCCI, and to ensure that in all contracts for television and media rights, the interests of the public remain uncompromised, and full, unhindered broadcasts of all deliveries and their replays are shown ~~with the screen offering a full and complete view without advertisement banners or margins, and to restrict commercial time only to the refreshment and other team breaks during and between innings.~~
- (21) To report to the Apex Council every quarter or as often as required by the Apex Council on the functioning of the management and the progress made in developing cricket in India.

- (22) To consider the reports of the Auditor, to verify whether Full Members are meeting their objectives and to assess whether cricket is being suitably developed and promoted across the country.
- (23) To consider all applications for financial aid or any other benevolence to cricketers, Umpires and administrators as per the rules framed by the General Body in this behalf from time to time and recommend the same to the Apex Council for their approval.
- (24) To examine all the expenditure exceeding the Budget and to control such outlays as are required for the proper administration of the BCCI.
- (25) To advise the BCCI regarding investments.
- (26) To process requests made for increase in all types of allowances, subventions/subsidies to be paid to the Associations, tariff for Coaching Camps, Coaching Subsidies to the Associations, allowance to the players for matches of different Trophies and when playing against foreign sides, both at home and away and to recommend the same to the Apex Council.
- (27) To do all acts and things which are delegated by the BCCI and Apex Council to him, and all other functions as are necessary and expedient to carry out the objects of the BCCI as aforesaid including carry on correspondence in the name of the BCCI.

25. THE STANDING COMMITTEES

(1) The Standing Committees are the Committees that provide guidance and advice on behalf of the Members to the CEO.

(2) The Standing Committees are:

A. The Senior Tournament Committee

- (i) The Senior Tournament Committee shall consist of FIVE persons appointed by the BCCI at the Annual General Meeting, one from each Zone.
- (ii) The Committee shall advise the CEO on the conduct of the following Tournaments in accordance with their respective rules as framed by the BCCI:
 - (a) National Championship of India for the Ranji Trophy;
 - (b) Match between the National Champions and the Rest of India for the Irani Trophy;
 - (c) National Zonal Championship for the Duleep Trophy;
 - (d) Limited Overs Zonal Tournament for Prof. D. B. Deodhar Trophy;
 - (e) Limited Overs One Day Inter State Tournament for Vijay Hazare Trophy; and
 - (f) The Vizzy Trophy for Universities.

B. The Tours, Fixtures & Technical Committee

- (i) The Tours, Fixtures & Technical Committee shall consist of FIVE persons appointed by the BCCI at the Annual General Meeting, one from each Zone. At least three of these five persons ought to have played a minimum of 25 First Class games.
- (ii) The Committee shall, subject to any directions of the BCCI, advise the CEO on the making of draws and fixing of dates and venues in respect of the following:
 - (a) tours of Indian Team visiting abroad;
 - (b) tours of foreign teams visiting India, provided that all Test Centres shall be awarded Tests on a rotational basis without any repetition until the entire cycle is complete, and all One Day Internationals and Twenty/20 matches shall be similarly rotated among all International Centres in such a manner that no State shall host more than one match (regardless of format) on a single tour; and
 - (c) all matches and Tournaments conducted/organized by the BCCI.
- (iii) The Committee shall, subject to any directions of the General Body or the Apex Council, advise the CEO on the following:
 - (a) Appointment of Observers for Tests and other

matches during the tours of foreign teams in India.

- (b) Considering the laws of the game and amendments thereto, experimental laws, technical matters that may be referred to it by the General Body and matters regarding the Laws of the game to be discussed at the International Cricket Council.
- (c) Framing and finalizing the playing conditions for all tours to and from India.

26. THE CRICKET COMMITTEES

- (1) The Cricket Committees are the Committees comprised exclusively of former Players who are tasked with the Selection, Coaching and Evaluation of Team Performances.
- (2) The Cricket Committees are:
 - A. The Men's Selection Committee
 - (i) The Men's Selection Committee shall select the Senior National Team for representation in Tests, One Day Internationals, Twenty/20 and any other format. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing

evaluation reports of the respective team performances to the Apex Council on a quarterly basis.

(ii) The Men's Selection Committee shall consist of [THREE]¹¹ persons to be appointed by the BCCI at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have represented the Senior National Team in Test Matches shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most Test cap among the members of the Committee shall be appointed as the Chairperson.

(iii) The Men's Selection Committee shall appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

(iv) On an overseas tour, the Cricket Manager/Coach,

¹¹ The *[italicized portion in square brackets]* is subject to such orders as may be passed by this Hon'ble Court.

Captain and Vice-Captain shall constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

B. The Junior Cricket Committee

- (i) The Junior Cricket Committee shall consist of THREE persons to be appointed by the BCCI at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have played a minimum of 25 First Class games shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most amongst the members of the Committee shall be appointed as the Chairperson.
- (ii) The Junior Cricket Committee shall:
 - (i) Select all age group teams up to Under-22 years for the purpose of coaching camps or for playing against local or foreign teams within India or abroad in any format of the game.
 - (ii) Appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an

equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

On an overseas tour, the Cricket Manager/Coach, Captain and Vice-Captain shall constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

- (iii) Vet and select Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a quarterly basis.
- (iv) Organize and conduct junior tournaments of the BCCI;
- (v) Organize junior tours of foreign countries;
- (vi) Decide any dispute in regard to junior tournaments;
- (vii) Inculcate proper ethics in the youth, particularly through interactions with senior and former Players on issues such as drugs, betting, match-fixing, etc.,

C. The Women's Selection Committee

- (i) The Women's Selection Committee shall select the Women's National Team across all age groups for representation in Tests, One Day Internationals, Twenty/20 and any other format. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the respective teams, as well as providing evaluation reports of the respective team performances to the Apex Council on a monthly basis.
- (ii) The Women's Selection Committee shall consist of THREE persons to be appointed by the BCCI at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have represented the Women's National Team shall be eligible to be appointed to this Committee, provided that they have retired from the game at least 5 years previously. The senior most international amongst the members of the Committee shall be appointed as the Chairperson.
- (iii) The Women's Selection Committee shall appoint a Captain for the team in each format, who shall be an

ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

- (iv) On an overseas tour, the Cricket Manager/Coach, Captain and Vice-Captain shall constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

D. The Women's Cricket Committee

- (i) The Women's Cricket Committee shall consist of ~~THREE~~ FIVE former women Players who have played at least First Class cricket. One Player shall be nominated from each Zone at the Annual General Meeting of the BCCI, the senior most of whom shall be the Chairperson.
- (ii) The Committee shall:
 - (a) Draw up programmes of coaching at zonal and national levels.
 - (b) Plan and conduct Women's Junior and Senior domestic tournaments.

- (c) Organize tours to foreign countries or tours of others countries to India.
- (d) Decide any dispute in regard to Women's Tournaments.
- (e) Generally have control over Women's Cricket activities, outside of those covered by the Women's Selection Committee.

E. The Zonal Selection Committees

- (i) The Zonal Selection Committee for each Zone shall select the ~~respective~~-Zonal Team from that Zone for inter-zonal competitions and trophies. This Committee shall also be responsible for vetting and selecting Coaches and Support Staff (physiotherapists, trainers, therapists, analysts and medics) for the ~~respective~~-Zonal Team from that Zones.
- (ii) The Zonal Selection Committee for each Zone shall consist of ONE Selector from each Full Member from that Zone as laid down in Rule 1(A)(hh)(ii), who shall be nominated by the respective Associations at the Annual General Meeting of the BCCI. Only former Players who have played at least 10 First Class games are eligible to be appointed to this Committee, provided that they have retired from the game at least

5 years previously. The senior most amongst the members of each Zonal Selection Committee shall be appointed as the Chairperson for the respective Zonal Selection Committee.

- (iii) The Zonal Selection Committee shall appoint a Captain for the team, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail.

F. The Differently-Abled Cricket Committee

- (i) The Differently-Abled Cricket Committee shall consist of THREE persons to be appointed by the BCCI at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Differently-Abled Players who have represented the country in any format of the game shall be eligible to be appointed to this Committee. It is preferable that different categories of impairment (visual, physical, etc.) be represented among the members of the Committee.

The senior most among the Players shall be the Chairperson.

- (ii) The Differently-Abled Cricket Committee shall, in ~~selection~~ consultation with the Cricket Talent Committee, select the Differently-Abled National Team across all age groups for representation in Tests, One Day Internationals, Twenty/20 and any other format. In addition, this Committee shall also propose to the CEO the best practices to be inculcated including coaching, counselling and special equipment. This Committee shall also endeavour to bring the various existing cricket associations for various types of impairment under the common umbrella of the BCCI and evolve training programmes and raise awareness.
- (iii) This Committee shall appoint a Captain for the team in each format, who shall be an ex-Officio member of the Committee. The Captain, however, shall not be entitled to vote. In the event of there being an equality of votes for the appointment of a Captain, the Chairperson shall have a casting vote. In the event of there being no majority agreement over the selection of the players, the Captain's wishes in that regard shall prevail. On an overseas tour, the Cricket Manager/Coach, Captain and Vice-Captain shall

constitute the Selection Committee. The Administrative Manager shall convene the meeting and keep a record of the proceedings.

G. The Cricket Talent Committee

- (i) The Cricket Talent Committee shall consist of THREE persons to be appointed by the BCCI at the Annual General Meeting, on such terms and conditions as may be decided by the Apex Council from time to time. Only former Players who have played at least 20 First Class games and have the highest level of coaching certification shall be eligible to appointed to this Committee. The senior most among the Players shall be the Chairperson.
- (ii) This Committee shall:
 - (i) Be responsible for scouting for talent in men, junior, women and disabled cricket.
 - (ii) Organize the framework within which the National Cricket Academy and the various State/District/Zonal Cricket Academies will be established and perform.
 - (iii) Create the programmes and coaching centres for coaching at regional and national levels;
 - (iv) Improve infrastructure in all areas of the country;

- (v) Make provisions for making the game of cricket accessible to the general public by creating turf wickets, pay-and-play facilities and converting existing fields and grounds into high quality pitches;
 - (vi) Encourage the youth to take up cricket by setting up promotional camps and other avenues of engagement with the game; and
 - (vii) Provide evaluation reports of the targets set and achieved and the details of its programmes to the Apex Council on a quarterly basis.
- (3) No person who has been a member of any Cricket Committee for a total of 5 years shall be eligible to be a member of any Cricket Committee.
- (4) No person who has been a member of any Cricket Committee shall write, comment or publicize any discussions or decisions of the selections made except where so authorized by the BCCI or the Apex Council. Any violation of this confidentiality provision will invite removal and substitution by the Apex Council.
- (5) The Chairpersons of the respective Cricket Committees shall submit a quarterly report to the CEO which shall then

be forwarded by him to the Apex Council for assessment and action, if any.

- (6) The Apex Council is empowered to add any further Cricket Committees as may be required, particularly to cater to weaker sections of society.

27. THE UMPIRES COMMITTEE

- (1) The Umpires Committee shall consist of THREE persons appointed by the BCCI at the Annual General Meeting, each of whom shall have been a former International umpire from India. In the event of such a person not being available, any umpire who has officiated in at least 25 First Class matches shall be eligible to be appointed. No person may be a member of this Committee for more than 5 years. The senior most umpire shall be the Chairperson of the Committee.
- (2) The function of the Umpires Committee shall be to standardize umpiring throughout India and to draw up and maintain a panel of Umpires to officiate matches in India and classify them into Elite Panel, All India Panel and Ranji Trophy Panel of Umpires, according to the merits of the Umpires (subject to reclassification), as per criteria worked out by the Committee. The Committee shall hold examinations from time to time for this purpose.

- (3) The Committee shall appoint umpires for all National and International matches and shall assist Members in the formation of the panels of Umpires in their respective areas. The Committee shall endeavour to promote umpiring by conducting camps and programmes.
- (4) The Committee shall draw a format to obtain confidential reports from captains on umpires, match referees or any other designated persons to assess the merits / de-merits of the Umpires.
- (5) The Committee may hold, organize and arrange seminars and conventions of umpires to discuss the laws of the game, experimental rules and suggestions of International Cricket Council in regard to amendments, alterations and additions to the laws of the game.

28. THE GOVERNING COUNCIL

- (1) The Governing Council of the IPL shall consist of ~~NINE~~ SEVEN members who shall be inducted at every Annual General Body Meeting of the Board BCCI. The term of the members of the Governing Council (other than the Secretary, Treasurer, C&AG nominee and CEO) shall be one year.
- (2) The composition of the Governing Council shall be as follows:
 - (i) four representatives of the General Body, of which

two shall be the Secretary and Treasurer, and two others to be elected by the General Body;

~~(ii)~~ Two representatives of the IPL Franchisees;

~~(iii)~~(ii) One representative of the Cricket Players' Association (other than the representatives on the Apex Council);

~~(iv)~~(iii) The Councillor who is the nominee of the Comptroller & Auditor General on the Apex Council;

~~(v)~~(iv) The CEO of the BCCI;

(3) One of the two elected Member representatives shall be the Chairperson of the Governing Council.

~~(4)~~ The nominees of the IPL Franchisees shall be rotated annually so that no Franchisee is represented again until all Franchisees have been represented at least once.

~~(5)~~(4) All decisions relating to the IPL would be taken by the Governing Council by majority and in case of equality of votes the Chairperson shall have a casting vote.

~~(6)~~(5) The Governing Council shall maintain a separate Bank Account which shall be operated by the Treasurer and the CEO two authorized signatories from out of a list of authorized signatories designated by the Governing Council from amongst the professional management who are based out of the BCCI Headquarters at Mumbai¹².

(7)(6) The Governing Council shall, at the following Meeting of

¹² The reasons for this change are as set out in Footnote No. 10 above.

the General Body, submit a report along with all decisions taken by it.

29. ACCIDENTAL OMISSION TO GIVE NOTICE OF MEETING

Accidental omission to give notice of an Annual General or Special General Meeting or Meetings of the Apex Council or of any of the Committees to any member entitled thereto or the non-receipt thereof by such individual shall not invalidate the proceedings of such meetings.

30. PERMISSION TO CONDUCT TOURNAMENTS

- (1) No Club affiliated to a member shall conduct or organize any tournament or any matches in which players/teams from the region within the jurisdiction of a member are participating or are likely to participate without the previous permission of the member affiliated to the BCCI.
- (2) No member or a Club affiliated to a member shall conduct or organize any tournament or any match/matches in which players/teams from regions outside their jurisdiction are participating or are likely to participate without the previous permission of the BCCI.
- (3) Permission for conducting or organizing any tournament or

match/matches will be accorded only to the members of the BCCI and will be in accordance with the rules framed by the BCCI in this regard from time to time.

- (4) No member or a Club affiliated to a member shall conduct or organize any international Tournament or International match/matches in which foreign players/teams are participating or are likely to participate without the previous permission of the BCCI. Permission for conducting or organizing any International Tournaments or International match/matches will only be accorded to the Members of the BCCI on special occasions.
- (5) Members or their affiliates desirous of undertaking tours abroad or inviting foreign teams shall obtain the previous permission of the BCCI, which may be granted in accordance with the Rules framed by the BCCI.

31. BAN ON PARTICIPATION IN UNAPPROVED TOURNAMENTS

- (1) No Member shall participate or extend help of any kind to an unapproved Tournament.
- (2) No Player, Umpire, Scorer, Official or other person associated with the BCCI shall participate in any unapproved tournament.

- (3) The Apex Council shall take appropriate action including suspension and stoppage of financial benefits and any other action against individuals / Members contravening the above.

CHAPTER SIX: ELECTIONS

32. PROCEDURE FOR ELECTIONS

The General Body shall from time to time frame rules of procedure for the elections. Any amendments to the procedure adopted shall be made at least 3 months prior to the elections.

33. THE ELECTORAL OFFICER

- (1) At least two weeks prior to the Annual General Meeting at which an election is to be held, the Apex Council shall appoint an Electoral Officer, who shall be a former member of the Election Commission of India.
- (2) The Electoral Officer shall oversee and supervise the entire election process for Councillors and the Players' Cricket Association, 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 Apex Council, the Players' Cricket Association or any of the Committees, the Electoral Officer shall decide the same and such decision shall be final and conclusive.

CHAPTER SEVEN: AUDIT & ACCOUNTS

34. AUDITOR(S):

- (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 BCCI 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 BCCI 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 BCCI 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 BCCI 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.

35. ACCOUNTS

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

36. 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 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.

**CHAPTER EIGHT: TRANSPARENCY & CONFLICT OF
INTEREST**

37. TRANSPARENCY

- (1) The Memorandum of Association, Rules and Regulations and all other resolutions, orders and memoranda of the BCCI (including the Apex Council 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 BCCI.
- (2) The composition of the various Committees (including the Governing Council), their reports of work done, financial outlay and expenditure shall be uploaded on the Website of the BCCI 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 BCCI 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 BCCI annually.
- (5) The audited accounts, balance sheets, profit & loss accounts and annual reports shall be uploaded on the Website of the BCCI annually.

- (6) The Financial and Compliance Reports of the Auditor shall be placed on the uploaded on the Website of the BCCI annually.
- (7) All notices on or behalf of the BCCI including tenders for goods and services, for contractual arrangements and the like shall be promptly uploaded on the Website of the BCCI.
- (8) The website of the BCCI shall have dedicated links to all the stadia in the country which 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.

38. CONFLICT OF INTEREST

- (1) A Conflict Of Interest may take any of the following forms as far as any individual associated with the BCCI is concerned:
 - (i) *Direct or Indirect Interest:* When the BCCI, a Member, the IPL or a Franchisee enter into contractual arrangements with entities in which the individual concerned or his/her relative, partner or close associate has an interest. This is to include cases where family members, partners or close associates

are in positions that may, or may be seen to compromise an individual's participation, performance and discharge of roles.

Illustration 1: A is an Office Bearer of the BCCI when it enters into a broadcast contract with a company where A's son B is employed. A is hit by Direct Conflict of Interest.

Illustration 2: C is a Member of the IPL Governing Council. The IPL enters into a contract with a new franchisee, the Managing Director of which is C's partner in an independent commercial venture. C is hit by Indirect Conflict of Interest.

Illustration 3: D is the Office Bearer of a State Association. D's wife E has shares in an IPL Franchisee which enters into a stadium contract with the State Association. D is hit by Indirect Conflict of Interest.

Illustration 4: F is President of the BCCI. His son-in-law is a Team Official of a Franchisee. F is hit by Conflict of Interest.

Illustration 5: G is an employee of the BCCI. His wife runs a catering agency that is engaged by the BCCI. G is hit by Conflict of Interest.

- (ii) *Roles compromised*: When the individual holds two separate or distinct posts or positions under the BCCI, a Member, the IPL or the Franchisee, the functions of which would require the one to be beholden to the other, or in opposition thereof.

Illustration 1: A is the Coach of a team. He is also Coach of an IPL Franchisee. A is hit by Conflict of Interest.

Illustration 2: B is Secretary of the BCCI. He is also President of a State Association. B is hit by Conflict of Interest.

Illustration 3: C is the Vice President of the BCCI. He is also President of a State Association and member of a Standing Committee. C is hit by Conflict of Interest.

Illustration 4: D is a Selector. He is also coach of an IPL franchisee. D is hit by Conflict of Interest.

- (iii) *Commercial conflicts*: When the individual enters into endorsement contracts or other professional engagements with third parties, the discharge of which would compromise the individual's primary obligation to the game or allow for a perception that the purity of the game stands compromised.

Illustration 1: A runs a cricket academy. He is appointed as a selector. A is hit by Conflict of Interest.

Illustration 2: B is a BCCI commentator. He also runs a sports management company which contracts members of the team. B is hit by Conflict of Interest.

Illustration 3: C is a selector. He is contracted to write a column on a tour that the national team is on. C is hit by Conflict of Interest.

Illustration 4: D is a team captain. He is also co-owner of a sports management agency which is contracted to manage other team members. D is hit by Conflict of Interest.

Illustration 5: E is a member of the IPL Governing Council. He is engaged by a cricket broadcaster to act as an IPL commentator. E is hit by Conflict of Interest.

- (iv) *Prior relationship:* When the individual has a direct or indirect independent commercial engagement with a vendor or service provider in the past, which is now to be engaged by or on behalf of the BCCI, its Member, the IPL or the Franchisee.

Illustration 1: A is President of the BCCI. Prior to his taking office, he has been engaged professionally for

his services by a firm B. After A becomes President, B is appointed as the official consultants of the BCCI. A is hit by Conflict of Interest.

Illustration 2: B is the Secretary of a State Association. Prior to his election, he ran a firm C, specializing in electronic boundary hoardings. Upon becoming Secretary, the contract for the Association's stadium hoardings is granted to C. B is hit by Conflict of Interest.

Illustration 3: D is the Commissioner of the IPL. Before he came into this office, he used to engage E as his auditor for his business. After becoming Commissioner, E is appointed as auditor to the IPL. D is hit by Conflict of Interest.

Illustration 4: F is the Captain of an IPL team, and G is the team's manager. When F is made Captain of the national team, G is appointed as the national team's manager. F is hit by Conflict of Interest.

- (v) *Position of influence:* When the individual occupies a post that calls for decisions of governance, management or selection to be made, and where a friend, relative or close affiliate is in the zone of consideration or subject to such decision-making, control or management. Also, when the individual

holds any stake, voting rights or power to influence the decisions of a franchisee / club / team that participates in the commercial league(s) under BCCI;

Illustration 1: A is a selector. His son is in the zone of consideration for selection. A is hit by Conflict of Interest.

Illustration 2: B is the Secretary of a State Association. He also runs a cricket academy in the State. B is hit by Conflict of Interest.

Illustration 3: C is an umpire. His daughter D is a member of a team which is playing a match in which C officiates. C is hit by Conflict of Interest.

Illustration 4: E is the President of a State Association and his company F owns 12 cricket clubs in the State from which probables are selected for the State team. E is hit by Conflict of Interest.

EXPLANATION: The Illustrations which refer to a President / Secretary / Vice-President may be read as illustrations referring to any other Office Bearer, and also to the members of the Apex Council, the Governing Council and the Committees.

- (2) Within a period of 15 days of taking any office under the BCCI, every individual shall disclose in writing to the Apex

Council any existing or potential event that may be deemed to cause a Conflict of Interest, and the same shall be uploaded on the website of the BCCI. The failure to issue a complete disclosure, or any partial or total suppression thereof would render the individual open to disciplinary action which may include termination and removal without benefits. It is clarified that a declaration does not lead to a presumption that in fact a questionable situation exists, but is merely for information and transparency.

- (3) A Conflict of Interest may be either Tractable or Intractable:
 - (a) Tractable conflicts are those that are resolvable or permissible or excusable through recusal of the individual concerned and/or with full disclosure of the interest involved.
 - (b) Intractable conflicts are those that cannot be resolved through disclosure and recusal, and would necessitate the removal of the individual from a post or position occupied so that the conflict can cease to exist.

Explanation: In Illustration (iii)3 of to Rule 38(1)(i), if the wife held 51% shares, the conflict will be treated as intractable. If the wife holds 3% shares, whether the conflict is tractable or intractable will have to be decided by the Ethics Officer on the facts of the case. If the wife holds only 100 shares out of 1

crore shares, a disclosure of the same may be sufficient.

(4) 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

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

39. THE ETHICS OFFICER

- (1) The BCCI 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 BCCI after obtaining his/her consent and on terms as determined by the BCCI 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 Apex Council;
- (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 Sub-Rule 38(3)(a)(3); 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.

CHAPTER NINE: THE OMBUDSMAN

40. THE OMBUDSMAN

- (1) The BCCI 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 Supreme Court or a retired Chief Justice of a High Court so appointed by the BCCI after obtaining his/her consent and on terms as determined by the BCCI 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 BCCI shall, in consultation with the CEO frame Regulations regarding the discipline and conduct of the Players, Match Officials, Team Officials, Administrators, Committee Members and others associated with the BCCI.

41. GRIEVANCE REDRESSAL

- (1) The types of disputes/ differences that form the Ombudsman's ambit and the procedures for redressal are:
 - (a) Member, Association & Franchisee Disputes
Any disputes between or among the BCCI, its Members, IPL Franchisees, Zones and the Cricket Players' Association shall be automatically referred to the Ombudsman.

Procedure: Both parties would submit their arguments and a hearing would be conducted 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 BCCI commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the BCCI or the game of cricket or endanger the harmony or affect the reputation or interest of the BCCI or refuses or neglects to comply with any of the provisions of the Memorandum and/or the Rules and Regulations of the BCCI and/or the Rules of conduct framed by the BCCI, the Apex Council, 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.

Procedure: The Ombudsman shall, after providing opportunity of hearing to the parties concerned, pass an appropriate order.

(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 BCCI, the Apex Council shall refer the same within 48 hours to the CEO 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 Apex Council not later than 15 days from the date of reference being made by the Apex Council. On receipt of the report, the Apex Council 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 BCCI

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.

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 BCCI.
- (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 BCCI on being found guilty and expelled by the BCCI 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 BCCI.
- (5) A Member or Franchise once expelled, may, on application made after expiry of three years since expulsion, be readmitted by the BCCI, 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 BCCI (along with their respective privileges and benefits) may be suspended by the Apex Council until final adjudication. However, the said adjudication ought to be completed within six months, failing which the suspension shall cease.

CHAPTER TEN: MISCELLANEOUS

42. NOTICE

- (1) Any notice required to be served on any Member of the BCCI or any Administrator or other entity shall be addressed to their registered addresses.
- (2) All notices shall be served by way of electronic mail to the official e-mail addresses as are furnished to the BCCI.
- (3) Any notice sent via post or e-mail shall be deemed to have been served at the time when the same was sent, and it shall be sufficient to prove either that the letter containing the notice was properly addressed and posted or that the email was sent to the correct e-mail address.

43. INDEMNITY

Every Office-bearer, Councillor, CEO, Manager or a Member of a Committee of the BCCI shall be indemnified out of the BCCI's funds against all losses and expenses incurred in the discharge of his or her duties, except those which have occurred through wilful act or default and if so, each one shall be chargeable only for so much moneys or properties as they shall actually receive for or in the discharge of the business of the BCCI and shall be answerable only for their own act, neglect or default and not for those of any other person.

44. SUITS BY OR AGAINST THE BCCI

The BCCI shall sue or be sued in the name of the Secretary.

45. AMENDMENT AND REPEAL

These Rules and Regulations of the BCCI shall not be repealed, added to, amended or altered except when passed and adopted by a 3/4th majority of the members present and entitled to vote at a Special General Meeting of the General Body convened for the purpose or at the Annual General Meeting.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 4235 OF 2014

BOARD OF CONTROL FOR CRICKET IN INDIA
VERSUS
CRICKET ASSOCIATION OF BIHAR & ORS.

... PETITIONER
... RESPONDENTS

GIST OF SUGGESTIONS RECEIVED TO THE DRAFT TEXT OF NEW BCCI CONSTITUTION

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
1.	<p><u>ISSUES RELATING TO MEMBERSHIP AND CONCEPT OF ASSOCIATE MEMBERSHIP:</u> (Rule 3(a) of the draft Constitution @ Pgs. 16-19)</p> <p>(a) All existing Full Members of the BCCI should remain Full Members while additional Full Members from un-represented States may be inducted.¹</p>	<p>(i) The recommendation pertaining to the existing Full Members who do not represent any territory (i.e. Railways, Services, Universities, CCI and NCC) viz. that the said existing Full Members be relegated to Associate Membership without voting rights is one of the issues identified by this Hon'ble Court for consideration. In doing so, it would be relevant to take into account the fact that Railways and Services field teams in tournaments conducted by the BCCI and Universities conducts</p>

¹ Suggested by National Cricket Club, Kolkata.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(b) While the recommendation so far as inclusion of at least one Full Member from each State is welcome, the recommendation to relegate certain existing Full Members (in those States where there are already more than one Full Member) to Associate Members should be re-visited.²</p> <p>(c) The definition of Full Member as provided under Chapter 1, Clause 3 should not be confined to so-called "State Cricket Associations" but existing members that are controlling bodies of cricket in various regions also must be considered under the definition of Full Member.³</p> <p>(d) BCCI membership cannot be restricted to States. By bringing in such a criterion, the contributions of non-state Associations like Services, Railways, Saurashtra, Baroda, Mumbai, etc. to the</p>	<p>all-India tournaments at the university level. This is one of the reasons why the cases of NCC and CCI should be considered separately from that of Railways, Services and Universities.</p> <p>(ii) The recommendation pertaining to the existing Full Members from Maharashtra and Gujarat (as modified by the judgment dated 18th July 2016) viz. annual rotation of Full Membership between the 3 associations from each of the said States is one of the issues identified by this Hon'ble Court for consideration.</p> <p>(iii) At least one Full Member from every State should be inducted, including from States that are currently un-represented like Uttarakhand and Mizoram as well as from States that currently only have Associate or Affiliate Membership like Bihar, Meghalaya, Nagaland, Manipur, Arunachal Pradesh and Sikkim. This will make BCCI a more inclusive</p>

² Suggested by Hon. Acting Secretary Mr. Amitabh Choudhary and Mr. Sharad Pawar.

³ Suggested by Saurashtra Cricket Association and Himachal Pradesh Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>development of cricket in India is being slighted and it is wholly unfair to relegate them to the status of Associate Members.⁴</p> <p>(e) Granting “full membership” right away to certain States where cricket is still at nascent stages would give rise to a situation where relatively inexperienced members would be saddled with the responsibility of taking critical decisions that may have wide reaching ramifications while experienced members from non-state associations would be relegated into the background. Further, there is also possibility that members of those State associations where cricket is not a prominent sport may fall victims to politics of vote bank.⁵</p> <p>(f) Rule 3(a)(ii)D lacks clarity.⁶</p>	<p>body.</p> <p>(iv) Rule 3(a)(ii)D of the draft Constitution deals with situations where there are pending disputes between different associations from the same State seeking to be affiliated to the BCCI as the Full Member from that State. It provides that BCCI shall recognize one of such competing associations subject to any order of the Court or resolution of the BCCI as the case may be. No specific suggestion has been made regarding how to make it clearer or what specific aspect/ portion of the Rule lacks clarity.</p>

⁴ Suggested by Saurashtra Cricket Association.

⁵ Suggested by Saurashtra Cricket Association.

⁶ Stated by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
2.	<p data-bbox="367 357 1169 443"><u>NUMBER OF MEMBERS IN THE SELECTION COMMITTEE AND RELATED MATTERS:</u></p> <p data-bbox="367 539 1016 571">(Rule 26(2)A(ii) of the draft Constitution @ Pg. 61)</p> <p data-bbox="367 667 1169 753">Since this Hon'ble Court is already seized of this issue, no suggestions are being made on this issue.⁷</p>	<p data-bbox="1189 357 2056 804">(i) The recommendation to reduce the number of members in the Selection Committee from 5 to 3 is one of the issues identified by this Hon'ble Court for consideration. For consistency, the decision taken by this Hon'ble Court on this issue may be applied to all 3 Cricket Committees which select teams viz. Men's Selection Committee for the Senior National Team, Junior Cricket Committee for the age group teams up to Under-22 years (Rule 26(2)B of the draft Constitution @ Pgs. 62-63) and Women's Selection Committee for the Women's Team (Rule 26(2)C of the draft Constitution @ Pgs. 64-65).</p> <p data-bbox="1189 884 2056 1171">(ii) As per the existing BCCI Constitution, the Selection Committees are appointed by the General Body of the BCCI at every AGM and the tenure of the Selection Committees is accordingly only one year. Although the draft Constitution that was annexed to the report of the Hon'ble Justice Lodha Committee did not make any change in this procedure for appointment of the Selection Committees, the COA</p>

⁷ Stated by Acting President Mr. C. K. Khanna and Hon. Treasurer Mr. Anirudh Chaudhry.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
		<p>requests this Hon'ble Court to consider a procedure whereby the General Body does not directly appoint the Selection Committees but instead appoints a professional committee comprising of reputed former cricketers (like the erstwhile Cricket Advisory Committee which had comprised of Sachin Tendulkar, Sourav Ganguly and VVS Laxman). Such professional committee can then appoint the Selection Committees for a term of 2 years. This suggestion is being made with a view to ensure that the appointment of the Selection Committees is not politicized and the Selection Committees can have a longer tenure of 2 years. The COA believes that this suggestion is in line with the spirit of the recommendations of the Hon'ble Justice Lodha Committee because it further secures the independence of the Selection Committees.</p> <p>(iii) The existing BCCI Constitution does not prescribe any procedure for appointment of coaches. Although the draft Constitution that was annexed to the report of the Hon'ble Justice Lodha Committee provides (in Rule 26) that the Selection Committees shall be responsible for</p>

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
		vetting and selecting coaches and support staff, the COA requests this Hon'ble Court to consider a procedure whereby the aforementioned professional committee which has been suggested for the purpose of appointing the Selection Committees also vets and selects coaches and support staff. The COA believes that this suggestion is in line with the spirit of the recommendations of the Hon'ble Justice Lodha Committee because it will secure the independence of the coach.
3.	<p><u>COOLING OFF PERIOD:</u></p> <p>(Rules 3(b)(1)(vii) @ Pg. 21, 6(4) @ Pg. 26 and 14(4) @ Pg. 40 of the draft Constitution)</p> <p>(a) There should be not be any provision for cooling off period and it should be open for a person to remain an office bearer after a term of 3 years is over, subject to re-election.⁸</p>	<p>(i) Having a provision for a cooling off period of 3 years after every term of 3 years as an office bearer is part of the fundamental core of the recommendations of the Hon'ble Justice Lodha Committee and should be retained.</p> <p>(ii) The spirit of the Hon'ble Justice Lodha Committee recommendations would require that during the cooling off period of 3 years, the concerned individual should not even be a member of any</p>

⁸ Suggested by National Cricket Club, Kolkata, Hon. Acting Secretary Mr. Amitabh Choudhary and Himachal Pradesh Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(b) Further, there should not be any provision whereby a person who has completed 3 years as an office bearer cannot even be a member of any Committee for the next 3 years as this was not provided for either in the recommendations of the Hon'ble Justice Lodha Committee or in the judgment dated 18th July 2016.⁹</p> <p>(c) Stipulations provided under Rule 6(4) are wholly undemocratic and impinges on the right to select the most suitable candidate. Such stipulations will critically hamper the quality of decision making and meritocracy.¹⁰</p> <p>(d) COA has introduced the concept of cooling off period in the State Associations which was not recommended by the Hon'ble Justice Lodha Committee.¹¹</p>	<p>Committee.</p> <p>(iii) The concern regarding lack of continuity and vacuum in leadership (which forms the basis for the suggestion to do away with the provision for cooling of period) is suitability addressed by having properly empowered full-time professional management in place.</p> <p>(iv) The spirit of the Hon'ble Justice Lodha Committee recommendations would require that the concept of cooling off period be applicable in the State Associations for the same reasons as they are applicable in the BCCI. Otherwise it will lead to an anomaly, as stated in the Fourth Status Report filed by the COA.</p> <p>(v) The spirit of the Hon'ble Justice Lodha Committee</p>

⁹ Suggested by Hon. Acting Secretary Mr. Amitabh Choudhary.

¹⁰ Suggested by Saurashtra Cricket Association.

¹¹ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(e) COA has introduced a provision saying that a person who has been an office bearer of BCCI for 3 years cannot even be an office bearer of a State Association for the next 3 years, which provision is contrary to the clarification issued by this Hon'ble Court vide order dated 24th March 2017.¹²</p> <p>(f) COA has introduced a provision saying that once an individual has been an office bearer of BCCI for 3 years, such office bearer cannot be a member of the Governing Council or any Committee for the next 3 years, which provision is beyond the recommendations of the Hon'ble Justice Lodha Committee.¹³</p>	<p>recommendations would require that the concept cooling off period apply across BCCI and State Associations. In fact, even a person who has been an office bearer of a State Association for 3 years cannot be an office bearer of the BCCI for the next 3 years. The clarification issued by this Hon'ble Court vide order dated 24th March 2017 relates only to the 9 year disqualification and not to the concept of cooling off period.</p> <p>(vi) The spirit of the Hon'ble Justice Lodha Committee recommendations would require that once an individual has been an office bearer for 3 years, such office bearer should not be a member of the Governing Council or any Committee during the cooling off period.</p>

¹² Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

¹³ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
4.	<p><u>AUTOMATIC MEMBERSHIP OF STATE ASSOCIATIONS TO INTERNATIONAL PLAYERS:</u></p> <p>(Rule 3(b)(1)(iii) of the draft Constitution @ Pg. 20)</p> <p>State Associations should not be required to grant automatic membership to former international players hailing from the State because the judgment dated 18th July 2016 states that the recommendations of the Hon'ble Justice Lodha Committee do not impose any obligation upon members of State Associations to associate with others with whom they do not wish to associate. Accordingly, Rule 3(b)(1)(iii) of the draft Constitution should be modified/ altered/ deleted.¹⁴</p>	<p>(i) The recommendation that State Associations should grant automatic membership to former international players hailing from the State recognizes former international players as stakeholders in the game and aims to involve them as members of the relevant State Association.</p> <p>(ii) In any event, the recommendation does not technically make it mandatory for State Associations to grant automatic membership to former international players from the respective States. It only requires them to do so if they want to continue receiving grants from the BCCI and/or continue being affiliated to the BCCI. The effect of this recommendation is to impose a condition for affiliation to the BCCI. The concerned association may continue to exist sans affiliation to the BCCI if it insists on refusing automatic membership to former international players from that State.</p>

¹⁴ Suggested by Acting President Mr. C. K. Khanna and Hon. Treasurer Mr. Anirudh Chaudhry.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
5.	<p><u>INCORPORATION OF FAQs ISSUED BY THE HON'BLE JUSTICE LODHA COMMITTEE:</u></p> <p>(Rules 3(b)(1)(v), 3(b)(1)(vi) and 3(b)(1)(vii) of the draft Constitution @ Pgs. 20-21)</p> <p>(a) All the changes made by the COA to the draft Constitution which was annexed to the report of the Hon'ble Justice Lodha Committee on the basis of the FAQs issued by the Hon'ble Justice Lodha Committee itself (albeit after the judgment dated 18th July 2016) should be removed because they do not form part of the recommendations accepted by this Hon'ble Court and go beyond the scope and ambit thereof.¹⁵</p>	<p>(i) The COA is of the view that those FAQs issued by the Hon'ble Justice Lodha Committee which provide clarity on the provisions of the Constitution form part of the reforms that the COA is required to implement as the same were issued with a view to ensuring implementation of this Hon'ble Court's judgment dated 18th July 2016 in letter and spirit.</p> <p>(ii) If those FAQs issued by the Hon'ble Justice Lodha Committee which provide clarity on the provisions of the Constitution are not incorporated in the proposed new BCCI Constitution, it will leave open certain loopholes which persons having a vested interest in stalling proper implementation of the reforms will be able to exploit in order to frustrate the entire purpose of the reforms.</p> <p>(iii) The issue regarding whether the FAQs issued by the Hon'ble</p>

¹⁵ Suggested by Acting President Mr. C. K. Khanna, Hon. Treasurer Mr. Anirudh Chaudhry, Saurashtra Cricket Association, Mr. Sharad Pawar and Karnataka State Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(b) The incorporation of FAQs issued by the Hon'ble Justice Lodha Committee in the draft Constitution should be subject to the orders that may be passed by this Hon'ble Court on the issue of whether the FAQs issued by the Hon'ble Justice Committee form part of the reforms that the COA is required to implement.¹⁶</p> <p>(c) The provision in Rule 3(b)(1)(vi) that individuals who are disqualified from being office bearers and/or members of the Governing Body/ Managing Committee shall also be disqualified from being representatives/ nominees should be removed because that issue has specifically been kept open vide order dated 24th July 2017.¹⁷</p>	<p>Justice Lodha Committee form part of the reforms that the COA is required to implement forms part of the Third Status Report filed by the COA, which is pending before this Hon'ble Court.</p>

¹⁶ Suggested by Hon. Acting Secretary Mr. Amitabh Choudhary.

¹⁷ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
6.	<p data-bbox="365 351 1164 486"><u>DIVISION OF POWERS/ DUTIES BETWEEN ELECTED OFFICE BEARERS AND PROFESSIONAL MANAGEMENT (CEO):</u></p> <p data-bbox="365 566 1164 702">(Rules 7(3)(b) @ Pg. 28, 7(5)(ii) @ Pgs. 29-30, 22(2) @ Pgs. 50-51, 24(20) @ Pg. 56, 24(27) @ Pg. 57 and 28(5) @ Pg. 73 of the draft Constitution)</p> <p data-bbox="365 782 1164 1021">(a) While the recommendation to introduce professional management is a welcome step that has already been implemented, the BCCI should be allowed to function through its various committees and the honorary nature of the functions of the office bearers should not be diluted.¹⁸</p> <p data-bbox="365 1101 1164 1189">(b) The changes made by the COA to the draft Constitution which was annexed to the report of the Hon'ble Justice Lodha</p>	<p data-bbox="1187 351 2058 598">(i) The introduction of a professional management headed by the CEO which is accountable directly to the Apex Council forms part of the fundamental core of the recommendations of the Hon'ble Justice Lodha Committee. This recommendation will be frustrated if the CEO and professional management are not suitably empowered.</p> <p data-bbox="1187 670 2058 1125">(ii) The report of the Hon'ble Justice Lodha Committee has observed that apart from the 13 'Standing Committees' that find mention in the existing BCCI Constitution, there are several dozen other committees that are created from time to time, usually based on the ad-hoc decision of the President of the time. The report also states that the recommended management structure does away with the need for several committees that eventually serve no purpose other than to expend BCCI's resources. Only those committees which the Hon'ble Justice Lodha Committee considered necessary have been retained.</p>

¹⁸ Suggested by Himachal Pradesh Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>Committee of their own volition (viz. eradication of the Hon. Secretary's authority to execute contracts for and on behalf of the BCCI and eradication of the authority of the Hon. Treasurer and other office bearers to sign cheques for and on behalf of the BCCI) should be removed.¹⁹</p> <p>(c) Balance of powers and functions is heavily tilted towards professional appointees in as much as elected office bearers who are directly responsible to the members of BCCI have hardly been left with any supervision or control over professional management. Though there may not be any difficulty in the bank accounts being operated through authorized signatories, some system of prior check/ approval from office bearers needs to be put in place to ensure accountability.²⁰</p>	<p>(iii) Although the draft Constitution that was annexed to the report of the Hon'ble Justice Lodha Committee provided [in Rule 7(3)(b)] that the Hon. Secretary shall "sign all contracts for and on behalf of the BCCI and carry on all correspondence in the name of the BCCI save as otherwise directed by the Apex Council", the COA requests this Hon'ble Court to consider that all ministerial functions including the signing of contracts for an on behalf of the BCCI and carrying on of correspondence in the name of the BCCI must be construed as day to day functioning of the BCCI and should be handled by the CEO, who is based at the BCCI Headquarters in Mumbai.</p> <p>(iv) Similarly, although the draft Constitution that was annexed to the report of the Hon'ble Justice Lodha Committee provided [in Rules 7(5)(ii) & 22(2)] that "the bank account of the BCCI shall be operated by the Treasurer along with the Joint Secretary and in the absence of the</p>

¹⁹ Suggested by Acting President Mr. C. K. Khanna, Hon. Treasurer Mr. Anirudh Chaudhry, Tamil Nadu Cricket Association and Karnataka State Cricket Association.

²⁰ Suggested by the Acting Secretary Mr. Amitabh Choudhary.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	(d) There is no need for the post of a CEO in BCCI. ²¹	<p>Joint Secretary, by the Secretary", the COA requests this Hon'ble Court to consider that the bank accounts of the BCCI should be operated by 2 authorized signatories from out of a list of authorized signatories designated by the Apex Council (and, in case of the separate bank account for IPL as mentioned in Rule 28, designated by the Governing Council) from amongst the professional management who are based out of the BCCI Headquarters in Mumbai in order to ensure timely payments and efficient administration in a transparent manner whilst obviating the need for any player/ service provider/ contractor to seek any favours from any elected official of the BCCI.</p> <p>(v) The above changes are a necessary consequence of having a suitably empowered professional management to run the day to day functioning of the BCCI.</p>

²¹ Suggested by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
7.	<p><u>CONSTITUTION OF THE APEX COUNCIL:</u></p> <p>(Rule 14(2) of the draft Constitution @ Pg. 39)</p> <p>(a) The Apex Council should consist of at least one elected representative from each of the 5 zones (in addition to the 5 office bearers) instead of just one representative.²²</p> <p>(b) The nominee of the Comptroller and Auditor General of India (“CAG”) should not be forced to be a member of the Apex Council. At best, the CAG should be permitted to audit the accounts, if at all necessary. He should not be in a position where he can object to policy decisions and managerial decisions of BCCI. That is not the role envisaged by the Constitution for this august office.²³</p>	<p>(i) The recommendation of the Hon’ble Justice Lodha Committee (which has been accepted by this Hon’ble Court vide judgment dated 18th July 2016) is that the “Apex Council should have a fair mix of elected representatives and independent members.” The report of the Hon’ble Justice Lodha Committee specifically states that the composition of the Apex Council “continues to ensure a strong say for the Full Members, as it provides that two-thirds’ strength on the Council is made up of their representatives” (i.e. 5 office bearers and one additional elected representative. Changing this ratio from 6:3 (i.e. 6 elected representatives to 3 independent members) to 10:3 as suggested upsets the balance between elected representatives and independent members and should not be done.</p> <p>(ii) The Hon’ble Justice Lodha Committee has recommended the inclusion of the nominee of the CAG on the Apex Council to bring</p>

²² Suggested by the Acting Secretary Mr. Amitabh Choudhary.

²³ Suggested by Himachal Pradesh Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	(c) There should not be compulsory inclusion of and/or reservation for player association representatives on the Apex Council. ²⁴	financial and audit experience and much required oversight into monitoring the finances of the BCCI. (iii) The Hon'ble Justice Lodha Committee has recommended the inclusion of players representatives because the players form the very core of the game and their involvement through these representatives is most deserving and long awaited.
8.	<u>NO INTERFERENCE AT ALL:</u> On account of the fact that BCCI is not a State but a private association, the interference in the functioning of the BCCI would be violative of Article 19(1)(c). ²⁵	The suggestion effectively seeks to nullify the reforms in the BCCI. This suggestion is clearly contrary to the judgments dated 22 nd January 2015 and 18 th July 2016 passed by this Hon'ble Court and should not be countenanced.

²⁴ Suggested by Himachal Pradesh Cricket Association.

²⁵ Suggested by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
9.	<p><u>NO CHANGE IN OBJECTS AND PURPOSES:</u></p> <p>(Clause 2 of the draft Memorandum of Association @ Pgs. 1-8)</p> <p>The objects of BCCI as provided under the existing Memorandum of Association of BCCI need not be modified in any manner whatsoever.²⁶</p>	<p>The draft Constitution that is annexed to the report of the Hon'ble Justice Lodha Committee contains a more exhaustive set of objects that clearly identifies the stakeholders in the game of cricket in India and contemplates the administration of cricket in a transparent, accountable and ethically sound manner.</p>
10.	<p><u>BCCI NOT TO ASSIST OTHER SPORTS:</u></p> <p>(Clause 3 of the draft Memorandum of Association @ Pg. 8)</p> <p>The income, funds and properties of BCCI should be utilized only to assist in the game of cricket and not for any other sport as provided in Clause 3 of the draft Memorandum of Association.²⁷</p>	<p>This Clause, which provides that the income, funds and properties of the BCCI, shall be utilized to assist the game of cricket or any other sport, is identical to Clause 3 of the existing Memorandum of Association of the BCCI. This Clause was retained in the draft Memorandum of Association recommended by the Hon'ble Justice Lodha Committee.</p>

²⁶ Suggested by Saurashtra Cricket Association.

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11.	<p><u>CONDITIONS IMPOSED ON STATE ASSOCIATIONS:</u></p> <p>(Rule 3(b)(1) of the draft Constitution @ Pgs. 19-21)</p> <p>(a) Any fetters on the working of State Associations, conditions of eligibility of members, etc. is violative of Article 19(1)(c) as recognized in the judgment dated 18th July 2016.²⁸</p> <p>(b) Grant from BCCI cannot be made conditional. This will impede the organizational freedom constitutionally granted to an association.²⁹</p> <p>(c) The stipulation necessitating amendment of member Associations' Constitution as provided under Rule 3(b)(1) is not in</p>	<p>(i) Since BCCI grants affiliation to State Associations and disburses large sums to them, it is completely justified in requiring State Associations to adhere to certain basic conditions. Even the existing BCCI Constitution makes grants conditional on submission of audited accounts by the State Associations for the previous year.</p> <p>(ii) Since the existing conditions were found inadequate, additional conditions have been recommended by the Hon'ble Justice Lodha Committee to ensure good governance. If the BCCI does not impose these conditions, it would be a dereliction of its public duty to ensure proper utilization of funds meant for cricket.</p> <p>(iii) The period of 1 year (from the date on which BCCI adopts the new Constitution) that was initially stipulated for State Associations to</p>

²⁷ Suggested by Saurashtra Cricket Association.

²⁸ Suggested by Saurashtra Cricket Association, Mr. Sharad Pawar, Tamil Nadu Cricket Association and Himachal Pradesh Cricket Association.

²⁹ Suggested by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>tune with the judgment dated 18th July 2016.³⁰</p> <p>(d) The period of 1 year stipulated in Rule 3(b)(1) for State Associations to amend their respective Constitutions/ Bye-Laws has been done away with by the COA.³¹</p> <p>(e) Rule 3(b)(1)(i) wherein there is a stipulation that no constituent Association shall be permitted to have a post which can be held for more than 9 years is highly undemocratic and impinges on the rights of the Associations to choose a member of their choice. The Association should reserve the right to select the best candidate for the task and accordingly this stipulation cannot be countenanced.³²</p>	<p>amend their respective Constitutions is no longer relevant. As stated in the Fourth Status Report file by the COA, it is the State Associations who are responsible for the BCCI not having adopted the new BCCI Constitution by 30th September 2016 (as directed by the Hon'ble Justice Lodha Committee) and over a year has already elapsed since then.</p> <p>(iv) The judgment dated 18th July 2016 only states that the recommendations of the Hon'ble Justice Lodha Committee do not affect the composition of State Association and do not impose any obligation upon members of State Associations to associate with others with whom they do not wish to associate. The said judgment does not prohibit BCCI from imposing conditions on State Associations for continued affiliation with the BCCI. These conditions, which form part of the recommendations, require amendment of the Constitutions of the State Associations to incorporate provisions aimed at securing transparency</p>

³⁰ Suggested by Saurashtra Cricket Association.

³¹ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

³² Suggested by Saurashtra Cricket Association vide communication dated 16 October 2017 (Para 8).

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(f) Rule 3(b)(1)(ii) also impinges on the right of the Association to choose a candidate of their own choice. While the intention is laudatory, a compulsory requirement to have women, retired players, etc. is not in tune with the democratic principles and can hamper the decision making qualities of the Associations.³³</p> <p>(g) The role of the nominee of the Accountant General of the State should, if at all, be limited to oversight. He should not be in a position where he can object to policy decisions and managerial decisions of the State Association. That is not the role envisaged by the Constitution for this august office.³⁴</p> <p>(h) Rule 3(b)(1)(ii) initially provided that the Governing Body of the State Association shall include representatives of players and women and a nominee of the Accountant General of the State.</p>	<p>and good governance.</p>

³³ Suggested by Saurashtra Cricket Association vide communication dated 16 October 2017 (Para 10).

³⁴ Suggested by Himachal Pradesh Cricket Association.

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	<p>This has been modified by the COA to now provide that the Governing Body of the State Association shall include at least one woman and at least two representatives of players (one male and one female) and a nominee of the Account General of the State.³⁵</p> <p>(i) Regarding Rules 3(b)(vi) and (vii) and consequently Rule 14(3), requirements of cooling off, age limit, duration of tenure etc. should neither apply to BCCI nor member Associations. These requirements are undemocratic, unconstitutional and will not cater to the best interests of the game of cricket. The judgment dated 18th July 2016 had clarified that the recommendations will not affect the constitution of the State Associations.³⁶</p>	

³⁵ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

³⁶ Suggested by Saurashtra Cricket Association vide communication dated 16 October 2017 (Para 11).

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
12.	<p><u>ANNUAL UPDATES FROM MEMBERS:</u></p> <p>(Rule 3(c) of the draft Constitution @ Pg. 22)</p> <p>Regarding Rule 3(c), it is submitted that the Committee membership of the Associations is already available with the respective Registrar of Societies.³⁷</p>	<p>(i) If the membership of the Executive Committee/ Governing Body of the State Association is in any case required to be filed with the respective Registrar of Societies, there should be no difficulty in having a requirement for the State Association to provide the same to the BCCI as well in the interests of transparency.</p> <p>(ii) Although the draft Constitution that was annexed to the report of the Hon'ble Justice Lodha Committee does not specifically mention this, the COA requests this Hon'ble Court to consider requiring the State Associations to also provide the BCCI with a list of their respective constituent members on an annual basis.</p>
13.	<p><u>DISQUALIFICATIONS:</u></p> <p>(Rules 6(5) @ Pgs. 26-27 and 14(3) @ Pgs. 39-40 of the draft Constitution)</p>	<p>(i) The recommendations of the Hon'ble Justice Lodha Committee stipulate having various disqualifications including the age cap of 70 years and the tenure cap of 9 years in the interests of good governance and transparency.</p>

³⁷ Suggested by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>(a) The stipulations under Rule 6(5) insofar as it restricts candidates over the age of 70, officer bearers who have completed 9 years in office and disqualifies certain sections, are wholly unfair and discriminatory. It violates core democratic principles and meritocracy. There is no basis in excluding experienced candidates who have contacts and practical knowledge of the working of BCCI.³⁸</p> <p>(b) The same objection is also reiterated against Rule 14(3). There is no rationale for the Apex Council to exclude officers who have exceeded 70 years of age, who may be civil servants and who may have completed a cumulative of 9 years as office bearer.³⁹</p> <p>(c) The disqualification of persons above 70 years of age,</p>	<p>(ii) These recommendations have been accepted vide this Hon'ble Court's judgment dated 18th July 2016 and already enforced vide order dated 2nd January 2017 passed by this Hon'ble Court.</p> <p>(iii) The suggestion to do away with these disqualifications is nothing but an attempt by persons who are individually affected by the same to perpetuate their own respective lengthy tenures under the guise of protecting "democratic principles and meritocracy".</p> <p>(iv) The spirit of the Hon'ble Justice Lodha Committee recommendations require that disqualifications be applicable not only to office bearers but also to members of the Governing Council or any Committee or a representative to the International Cricket Council or any similar organization.</p>

³⁸ Suggested by Saurashtra Cricket Association.

³⁹ Suggested by Saurashtra Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>ministers/ government servants, persons holding any office or post in a sports or athletic Association or federation, persons who have been office bearers of BCCI for a cumulative period of 9 years and persons who have been charged by a court of law for having committed any criminal offence appear to be unreasonable, discriminatory, unconstitutional and having no nexus with the objective sought to be achieved.⁴⁰</p> <p>(d) 9 years tenure is too short for a functionary at any organization and it should be left to the discretion of the electorate on whom to elect.⁴¹</p> <p>(e) COA has extended the disqualifications that were prescribed only for office bearers to members of the Governing Council or</p>	<p>(v) The additional disqualification relates to a person who has been charged by a Court of law for having committed a criminal offence. The same is derived from the Hon'ble Justice Lodha Committee's Supplementary Report dated 28th August 2016.</p> <p>(vi) One of the disqualifications is being a Minister or Government Servant but 'Government Servant' is not defined. The judgment dated 18th July 2016 uses the expressions 'Government Servant' and 'Public Servant' interchangeably. However, 'Public Servant' is wider than 'Government Servant' such that the former would include a Member of Parliament as well as an employee of a public sector undertaking whereas the latter may not.</p>

⁴⁰ Suggested by Himachal Pradesh Cricket Association.

⁴¹ Suggested by Himachal Pradesh Cricket Association.

SR. NO.	SUGGESTION(S)	COMMENTS OF THE COMMITTEE OF ADMINISTRATORS
	<p>any Committee or a representative of the International Cricket Council or any similar organization.⁴²</p> <p>(f) COA has added one more disqualification for being a Councillor in Rule 14(3).⁴³</p>	
14.	<p><u>CONFLICT OF INTEREST:</u></p> <p>(Illustration 2 to Rule 38(1)(ii) @ Pg. 83 of the draft Constitution)</p> <p>Simultaneously holding office in State Association and the BCCI should be permitted as it does not hamper or harm the office or management of either the BCCI or the State Association.⁴⁴</p>	<p>The report of the Hon'ble Justice Lodha Committee has recommended a bar on simultaneously holding office in State Association and the BCCI because office bearers of State Associations are to discharge functions with the primary interest of the State in mind. But as BCCI office bearers, these interests would have to be subordinated to that of national interest.</p>

⁴² Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

⁴³ Suggested by Tamil Nadu Cricket Association and Karnataka State Cricket Association.

⁴⁴ Suggested by Himachal Pradesh Cricket Association.