

**DECISION OF THE COMMITTEE OF ADMINISTRATORS REGARDING  
MEMBERSHIP FOR THE STATE OF UTTARAKHAND**

1. Sometime in November 2017, an Interim Application being I.A. No. 124996 of 2017 (“IA”) was filed by Uttarakhand Cricket Association (“UKCA”) before the Hon’ble Supreme Court in Civil Appeal No. 4235 of 2014 (viz. the proceedings relating to the Justice Lodha Committee Cricket Reforms in the Board of Control for Cricket in India (“BCCI”). In the IA, *inter alia*, the following averments were made – (i) four cricket associations in the state of Uttarakhand are claiming to be affiliated as full members with BCCI namely (a) Cricket Association of Uttarakhand (“CAU”); (b) United Cricket Association (“UTCA”); (c) Uttaranchal Cricket Association (“UCA”); and (d) UKCA; (ii) the BCCI had taken certain steps towards deciding grant of recognition/ affiliation to an association from Uttarakhand including commissioning Affiliation Committee(s); and (iii) in July 2016, an Affiliation Committee of the BCCI had visited the various cricket associations in Uttarakhand and representations had been filed by the claimant associations before the Affiliation Committee. However, no action has been taken thereafter. In the above circumstances, *inter alia*, it was prayed that the Hon’ble Court direct the Supreme Court appointed Committee of Administrators of the BCCI to decide the issue of grant of full membership of BCCI for the state of Uttarakhand.
2. The Hon’ble Supreme Court passed an order dated 29<sup>th</sup> November 2017 by which the Committee of Administrators was directed to look into the grievance made in the IA.
3. In furtherance of the above, the Committee of Administrators commenced measures to verify the claims of the various claimant associations from Uttarakhand. In the meanwhile, in the interest of carrying on of cricket in the state of Uttarakhand and to enable cricketers from Uttarakhand to play in the domestic season of 2018-19, a consent order dated 18<sup>th</sup> June 2018 was passed by the Committee of Administrators and affirmed by the representatives of the abovementioned claimant associations. By way of the said consent order, the Uttarakhand Cricket Consensus Committee (“UCCC”) was constituted under the supervision and control of which cricketing activities in the state of Uttarakhand were to be carried out till such time that the claims made by the claimant associations were scrutinized and verified by the BCCI. The UCCC comprises of representatives of BCCI as well as of each of the claimant associations. The tenure of UCCC was agreed to be of 1 (one) year or such time as a decision on affiliation is taken.
4. On 22<sup>nd</sup> February 2019, the Committee of Administrators held a meeting with the representatives of the claimant associations at which time the Committee of Administrators proposed and urged the claimant associations to come together and form one unified federation/association which the BCCI would recognize as the affiliated state association from the state of Uttarakhand. At the said time, the representatives of the claimant associations informed the Committee of Administrators that they would

need to seek the approval of the members of their respective associations on the suggested course of action. Thereafter, by an email dated 6<sup>th</sup> March 2019 addressed by the UCA to the Committee of Administrators, it was informed that the UCA is not agreeable to the course of action suggested by the Committee of Administrators.

5. In the circumstances, at its meeting held on 7<sup>th</sup> March 2019, the Committee of Administrators constituted an affiliation committee comprising of Mr. Anshuman Gaekwad and Mr. Saba Karim ("**Affiliation Committee**") to assess the merits of the claimant associations from Uttarakhand and make a recommendation to the Committee of Administrators on which claimant association is best situated to carry out, develop and promote cricketing activities in the State of Uttarakhand.
6. The Affiliation Committee visited Dehradun, Uttarakhand on 17<sup>th</sup> and 18<sup>th</sup> June 2019 for the said purpose.
7. On 8<sup>th</sup> July 2019, the Affiliation Committee submitted its report to the Committee of Administrators ("**Report**"). At the outset, the Report recorded that by way of a communication dated 17<sup>th</sup> June 2019, Mr. Sanjay Gusain, Secretary of UTCA had informed the Affiliation Committee that UTCA has merged with CAU in September 2017 and the two associations have since been working together. Therefore, the scope of the Report was limited to a scrutiny of three claimant associations namely UCA, CAU and UKCA.
8. The Report was based on responses given by the claimant associations to the questionnaire circulated by the Affiliation Committee prior to its visit to Uttarakhand, the Affiliation Committee's personal visit to Dehradun, Uttarakhand and meetings held with the representatives of the claimant associations, analysis of documents furnished by the claimant associations, etc. The Report disclosed that the Affiliation Committee based its observations and findings on the following criteria – (i) Cricketing Activities; (ii) Cricketing Infrastructure; (iii) Administrative Infrastructure & Management; and (iv) Future Plans for Development of the Game.
9. Based on the above criteria, the Affiliation Committee undertook scrutiny/analysis of the case for affiliation put forth by the three claimant associations. At the outset, reproduced hereinbelow is an extract from the Report *qua* the three claimant associations:

*"1. **Uttarakhand Cricket Association** - This Association was represented at the meeting with the Committee by its President, Mr. Ramsharan Nautiyal and Hon. Secretary Mr. Divya Nautiyal. The Committee was informed that the Association was registered on 04/04/2006 under the Companies Act 1956.*

- (i) **Cricketing Activities:** The Committee was informed that the Association organizes inter club and summer cricket festival. It also organizes coaching camps as and when required.
- (ii) **Cricketing Infrastructure:** It was informed that an affiliate member of the Association has leased a land in Haridwar for development of cricket ground and it shall be ready by 2020. It also has agreements with Survey of India and Amenity School for usage of their respective grounds. However, no documents were provided to substantiate the above information provided to the Committee.
- (iii) **Administrative Infrastructure & Management:** The Committee was informed that there are on-going legal proceedings between the President and Secretary in relation to the administration and management of the Association. The details given by the President and the Secretary with regard to the structure of the management, existing office bearers, existing committees, voting rights, types of membership, membership fees, tenure, election dates, location of office were completely different. During the meeting with the Committee, the President and Secretary continuously objected to and denied the factual correctness of each other's statements. There was a clear lack of system, uniformity and consistency in the running of the Association. It appeared that the Association has no criteria or framework to run the organization.
- (iv) **Future Plans For Development Of The Game:** The plans comprised only of preparation for upcoming season by organizing tournaments and conducting coaching clinics. The Association proposes to raise funds through sponsorships, donations and support from 13 district associations.

**2. Uttarakhand Cricket Association -** This Association was represented at the meeting by the President, Secretary, Vice President and Joint Secretary. The Committee was informed that the Association was registered on 13/08/1999 under the Societies Act.

- (i) **Cricketing Activities:** The Committee was informed that since 2000, the association has been organizing tournaments, inter district matches and coaching camps for various age groups. The details of the tournaments and coaching clinics along with valid documents were also provided to the Committee. After completion of all these tournaments, the association has regularly sent the report to BCCI that is documented and verified. Last season the said association was entrusted by UCCC (BCCI) to conduct the U16 selection process for the state team. It was the only association that conducted inter district matches to facilitate the selections.
- (ii) **Cricketing Infrastructure:** The Uttarakhand CA does not have its own ground. However, there is an agreement with number of schools and academy grounds

in various districts for usage of the said grounds for conducting matches/tournaments at no fee or nominal charges. The consent letter and MOU's were provided to the Committee.

- (iii) **Administrative Infrastructure & Management:** It is the oldest association that has been active since 1999. Subsequent to the advice of the BCCI Affiliation Committee that visited Uttarakhand in 2001 & 2004, 13 district associations were formed, registered and duly affiliated to the said association. Copies of the registration certificates and affiliation letters were provided. The office bearers stated that the Association has a close connect with former domestic and international cricketers from different states who have confirmed their support to assist the association for development of the game. The Association also stated that several such former cricketers have extended support to the Association for the purpose of affiliation. Emails from former cricketers endorsing and supporting the Association were provided to the Committee. The Association's membership comprises of Founder Members, Unit members, Institutional members, Chief Patron and Hony members. The criteria applied for membership is as follows: 1) Unit member – Any registered district cricket association. 2) Institutional member – Any govt, semi govt body having cricket infrastructure and a cricket team comprising of 6 state cricketers. 3) Hony Members – Any 5 distinguished persons/cricketers can be enrolled. The association also proposes to induct international players and umpires as ordinary/voting members as per the approved constitution. The Chief patron, Founder members, Members, Unit members & Institutional members have the voting rights. The details of the membership fee were also provided to the Committee. The Founder members are those who have been enrolled before formation of the state. Out of these 7 Founder members were also Life members of DSA, Dehradun & DSA Nainital, the two erstwhile unit members of UPCA. These members were involved in formation of the said state association. The Association comprises of 7 office bearers each having a three-year term from the date of elections held on 7th Jan'2015. However the Committee was informed that as per new constitution that has been duly registered as per Lodha Committee recommendations the said association should elect only 5 office bearers. Copies of the Minutes of Annual General Meetings from 1999 to 14/09/2018 and audited accounts from 2001 to 2018 were shared with the Committee. Further, copies of the Income Tax Returns from FY12-13 to FY 18-19 were shared with the Committee. The Association carries on several activities through Executive Committee comprising of the office bearers. The EC is also the decision-making authority. The major sources of funding for the Association are sponsorships, donations and membership fees. In past funds have been raised jointly by the central and district bodies.

- (iv) **Future Plans For Development Of The Game:** The future plans are to conduct tournaments and coaching camps across 13 districts (i.e. all districts of Uttarakhand) across age groups and gender. The plans also included commencing workshops, training programs and education pathways for all match officials.

3. **Cricket Association of Uttarakhand (CAU)** - This Association was represented at the meeting by its President, Secretary & Mr. Sanjay Gusain representative of United Cricket Association. The Committee was informed that the Association was registered on 18/02/2002.

- (i) **Cricketing Activities:** The Committee was informed that CAU has been conducting BCCI matches from 2014-15 for UPCA. It also organizes inter district matches and All India Gold Cup in which different state teams participate. Since the formation of Uttarakhand, CAU has been in charge of holding selection camps of various age groups for UPCA as Uttarakhand was treated as Zone 12th of Uttar Pradesh. Last season the said association was entrusted by UCCC (BCCI) to conduct the Ranji Trophy and U23 selection process for the state team.
- (ii) **Cricketing Infrastructure:** CAU does not have its own ground. However, there is an agreement with number of schools and academy grounds in various districts for usage of the said grounds for conducting matches/tournaments at no fee or nominal charges. The consent letter & MOU's were provided to the Committee.
- (iii) **Administrative Infrastructure & Management:** The Association has been offered office space in HQ of a pvt organization. It claims to have affiliation with 13 district associations, however no details or proof was provided. The Association's membership comprises of Founder Members, Life members, Ordinary members and one representative member from each affiliated district unit. The criteria applied for membership is for the applicants to write to the Secretary who refers it to the Working committee for decision on this. The Founder members, Life Members and all 13 affiliated district units have the voting rights. CAU charges a nominal membership fee of 500/- The Association comprises of 5 office bearers each having a three-year term, the next election is due in 2020. Copies of the Minutes of Annual General Meetings of last two years and audited accounts from 14-15 to 16-17 were shared with the Committee. Further, copies of the Income Tax Returns from FY13-14 to FY 17-18 were shared with the Committee. The Working Committee and Dispute Committee handle the Association activities. The major source of funding for the Association is pvt/public sector funds, Govt grants, donations and membership fees. In past funds have been raised as mentioned above.

- (iv) **Future Plans For Development of The Game:** *The Association plans to conduct inter district tournaments and coaching clinics.”*

10. On the basis of the above scrutiny, the Report contained the following findings/conclusions with regard to the claimant associations:

**Uttaranchal Cricket Association**

- (i) UCA is the oldest organization, and has been conducting a wider range of cricketing activities since 2000 as compared to CAU and UKCA. District associations which constitute the UCA are the oldest and original district associations of each district, and have since been regularly organizing inter-district matches and coaching clinics.
- (ii) UCA developed the first ever turf in Uttarakhand at the Indian Institute of Petroleum Cricket Ground, Dehradun in 2002, upon recommendation by the BCCI's affiliation committee that visited Dehradun in 2001 to develop at least 2 turf wickets.
- (iii) UCA has good connection with schools and private cricket academies all over the state, and has well defined criteria for *inter alia* membership, voting rights, decision making.
- (iv) The executive committee of UCA follows specified scope and parameters in conducting activities of the association, which is an indication of professional management. A high degree of dynamism and optimism was observed in relation to sourcing of funds and future plans for cricket development.
- (v) UCA is well supported by former international cricketers of repute, who are willing to offer their expertise to take the Association forward, and also appears to have more intensive future plans and proposes significant engagement with all district associations as compared to the other claimant associations.

**Cricket Association of Uttarakhand**

- (i) CAU is controlled and managed by two-three individuals and the entire decision making process is close-knit and lies in the hands of a few individuals.
- (ii) The documents provided by CAU failed to convince the Affiliation Committee that it is being run in a professional manner. Eligibility criterion for membership is not clearly defined.

- (iii) CAU started organizing inter district matches and coaching clinics only from 2010 onwards and the organization of cricketing activities conducted by CAU have primarily been on behalf of and under the aegis of Uttar Pradesh Cricket Association (“UPCA”) from 2014-15. Thus, there is not sufficient material to show that CAU can run cricketing activities without the involvement of UPCA.

#### **Uttarakhand Cricket Association**

- (i) The information and documents provided by UKCA to the Affiliation Committee were grossly inadequate for the Affiliation Committee to make a fair assessment of the association’s ability to run cricket in the state of Uttarakhand. Further, the infighting in UKCA indicates that the promotion of the game of cricket is secondary objective.
11. On 8<sup>th</sup> July 2019, the Committee of Administrators addressed an email communication to the three claimant associations sharing a copy of the Report with them and inviting their objections and submissions on the Report within a period of seven days therefrom. By way of the said email communication, the Committee of Administrators also informed the three claimant associations that the Committee of Administrators has fixed a meeting on 15<sup>th</sup> July 2019 in New Delhi to hear the concerned parties in relation to affiliation of association from the state of Uttarakhand. The claimant associations were requested to attend the said meeting if they so desired. It was also informed that each association should be represented by not more than two representatives who should carry with them a valid authorization and copies of the written objections/submissions on the Report.
  12. By way of an email dated 11<sup>th</sup> July 2019, the Committee of Administrators communicated to the three claimant association the time and venue details for the meeting scheduled on 15<sup>th</sup> July 2019.
  13. The Committee of Administrators received objections/submissions/responses on the Report from all the three claimant associations. CAU, UKCA and UCA submitted their respective responses/objections to the Report by way of a letters dated 10<sup>th</sup> July 2019, 12<sup>th</sup> July 2019 and 13<sup>th</sup> July 2019 respectively. The key submissions made by the respective claimant associations are set out below:

#### **Cricket Association of Uttarakhand**

- (i) Some of CAU’s principal submissions relating to the various adverse findings pertaining to it as contained in the Report are as under:
  - a) *Incomplete documentation for organization of tournaments and affiliation of district association:* CAU submitted that the said documents were never

sought as part of the questionnaire. However, the same were annexed as part of their response dated 10<sup>th</sup> July 2019.

- b) *CAU has started organising activities only from 2010 onwards:* CAU before the formation of Uttarakhand was operating as Dehra Dun District Sports Association and held various leagues including Uttarakhand Gold Cup, district cricket league for seniors and tournaments for other age groups. CAU, through erstwhile Dehra Dun District Sports Association, has also hosted significant matches and tournaments since 1964.
  - c) *Not sufficient material to show CAU's ability to conduct activities without involvement of UPCA:* CAU submitted that such entrustment by UPCA on CAU for organisation of major tournaments and camps is evidence of CAU's capability. Additionally, in 2018 the CAU was entrusted by UCCC for holding of trials for Ranji Trophy, Under -23 trial and under-14 (boys) trial, which were successfully concluded in a fair manner.
  - d) *Management by 2-3 people and no criteria of membership:* CAU annexed a list of their members with a brief profile of their few key members.
- (ii) CAU individually refuted the various considerations/factors relied upon by the Affiliation Committee, as set out below, in statement of its findings in the Report pertaining to affiliation of UCA:
- a) *UCA is the oldest organisation:* CAU stated that it had been operating as Dehra Dun District Sports Association before the formation of Uttarakhand and held various leagues including Uttarakhand Gold Cup. Therefore, terming UCA as the oldest organization is factually incorrect.
  - b) *UCA is conducting wide range of cricketing activities since 2000:* CAU submitted copies of the financial statements of CAU and UCA from 2006 to 2018 which was stated to be part of its submissions to the Affiliation Committee as well. A comparative analysis of the financial statements of the two associations was also submitted (in the form of the tabular statement hereinbelow) which disclosed that the annual revenues of CAU from financial year 2005-06 to 2017-18 has been exponentially higher than the annual revenues of UCA. Based on a percentage-wise calculation of the contribution to the combined consolidated revenues of UCA and CAU from 2005-06 to 2017-18, it was submitted that UCA's contribution amounted to 4% whereas CAU's contribution amounted to 96%. With such an enormous disparity between the revenues of CAU and UCA, it is impossible that UCA would be conducting a wider range of activities than CAU.



Year	Revenue as per financials			% share in total revenue	
	UCA	CAU	Total	UCA	CAU
2005-06	1,10,474	10,39,822	11,50,296	9.60%	90.40%
2006-07	9,118	15,05,582	15,14,700	0.60%	99.40%
2007-08	-	13,53,424	13,53,424	0.00%	100.00%
2008-09	77,971	13,51,985	14,29,956	5.45%	94.55%
2009-10	2,79,812	14,68,502	17,48,314	16.00%	84.00%
2010-11	4,752	9,37,000	9,41,752	0.50%	99.50%
2011-12	3,62,577	15,26,639	18,89,216	19.19%	80.81%
2012-13	76,853	21,69,200	22,46,053	3.42%	96.58%
2013-14	13,723	27,43,801	27,57,524	0.50%	99.50%
2014-15	13,731	33,77,637	33,91,368	0.40%	99.60%
2015-16	524	36,48,556	36,49,080	0.01%	99.99%
2016-17	42,144	23,28,020	23,70,164	1.78%	98.22%
2017-18	82,349	25,30,288	26,22,637	3.52%	96.48%
<b>Total</b>	<b>10,84,028</b>	<b>2,59,80,456</b>	<b>2,70,64,484</b>		

- c) *UCA developed turf at the Indian Institute of petroleum Cricket Ground, Dehradun:* CAU highlights that audited financial statements of UCA for the financial years 2000 to 2005 do not show any incurrence of expenditure for a cricket turf, as claimed. The turf was instead sponsored by one Mr. Easwaran and kept in the possession of Indian Institute of Petroleum.
- d) *UCA has good connect with schools and academies all over the state:* CAU submitted that this finding in the Report has no basis for connect of UCA with any school other than Selaqui International School.
- e) *UCA has professional management:* CAU submitted that UCA is predominantly managed by Mr. Pradeep Singh and Mr. Chandrakant Arya, with some help from Mr. Rajendra Chauhan, and the claimed professionalism of UCA does not reflect in their acts, indicated by *inter alia* lack of paper trail, failure to record tournament related costs in financial statements, criticism from the convenor of UCCC, filing of writ petition alleging discrimination in selection and adverse media coverage.

- f) *UCA has dynamic future plans for cricket in the state*: CAU submitted that the claims made by UCA appears disjoint from the financial position as indicated in the financial statements.
- g) *BCCI affiliation committee appreciated UCA in 2004 and 2009*: CAU submitted that there is no evidence to prove the said claim.
- (iii) Separately, CAU also submitted various additional claims for affiliations, supported by documents annexed therein, submitting that the affiliation committee failed to appreciate numerous relevant factors in the process of making an assessment for affiliation.

#### **Uttarakhand Cricket Association**

- (i) UKCA in its response sought clarification on why the Committee of Administrators did not take any further action on its suggestion of all claimants coming together to form a unified federation/association. UKCA's stated preference is for a merger of all claimant associations for which it has also provided its consent.
- (ii) UKCA pointed out that the report dated 21<sup>st</sup> July 2016 of the previous affiliation committee comprising of Mr. Prakash Dixit and Mr. Anshuman Gaikwad had recommended grant of affiliation to UKCA.
- (iii) In response to the observation in the Report that UKCA has no criteria or framework to run the organization due to on-going legal proceedings between the President and Secretary, UKCA claimed that the ongoing proceedings between the president and the secretary are merely a financial and administrative issue which has no impact on their contribution to cricket.

#### **Uttaranchal Cricket Association**

- (i) UCA annexed documents evidencing that it had been sending letters to BCCI seeking affiliation as the cricket association for state of Uttarakhand, since the year 2000 and claimed that it is upon the said applications to BCCI that affiliation committees were sent by the BCCI to Uttarakhand in the year 2001 and 2004.
- (ii) UCA supplemented its claims to be the first existing cricket association in Uttarakhand by stating that the affiliation committee of 2004 inspected only UCA and no other association.

(iii) Set out below are few prominent claims levelled by UCA against CAU including *inter alia* of misrepresentation, fraud, non-registration and non-compliance of law:

- a) Use of letter-heads by office bearers of CAU mentioning that CAU is “affiliated to BCCI.”
- b) Non-renewal of the registration certificate from Society Registrar’s office and instead getting a new certificate issued upon its change of name.
- c) CAU continued to remain an unregistered society till the year 2009.
- d) Failure to conduct election of the executive committee till 2017, upon which a notice dated 10<sup>th</sup> February 2017 was sent to CAU by the Societies’ Registration Office, seeking list of executive committee members for the year 2013 to 2017 as well as the audited accounts of CAU.

14. In July 2019, the Committee of Administrators received several communications/documents from the Office of the Regional Director, Ministry of Corporate Affairs, Government of India in relation to UKCA. By way of the said communications, *inter alia*, the Committee of Administrators was informed that – (i) pursuant to an inspection conducted, the appointment of 64 directors of UKCA was found to be *void ab initio* and the Registrar of Companies (“**ROC**”) has been instructed to remove them from directorship; (ii) ROC has been instructed by the Ministry of Corporate Affairs to file proceedings of fraud under Section 448 of the Companies Act 2013 against two of UKCA’s directors, namely Divya Nautiyal and Neera Nautiyal; (iii) in the background of on-going oppression and mismanagement proceedings in relation to UKCA before the National Company Law Tribunal, UKCA is marked as a company under management dispute; (iv) ROC has been directed by the Ministry of Corporate Affairs to initiate prosecution against UKCA and its directors under various provisions of the Companies Act, 2013, as applicable.
15. On 15<sup>th</sup> July 2019, the Committee of Administrators held a meeting with representatives of the claimant associations in New Delhi as scheduled. At the said Meeting, UKCA was represented by Mr. Ram Sharan Nautiyal and Mr. Divya Nautiyal. CAU was represented by Mr. P.C Varma, Mr. Hira Singh Bist and Mr. Sanjay Gosain (from the recently merged UTCA). None represented UCA. At the meeting, considering that the CAU had informed that they have been in consistent receipt of grants from the Government, the Committee of Administrators directed CAU to forward the following documents – (i) copies of communications / letters received by CAU from the Government in relation to grants received by the CAU from the Government over the years; and (ii) a match / tournament wise break-up of the funds received by the CAU from the Government. The Committee of Administrators further directed that once the said documents are shared by the CAU, the other associations namely UCA and UKCA would be directed to furnish to the Committee of Administrators similar documents, if available with them.

16. By way of email dated 17<sup>th</sup> July 2019, the CAU forwarded to the Committee of Administrators a scanned copy of a letter dated 17<sup>th</sup> July 2019 addressed by the Department of Sports, Government of Uttarakhand to the CAU setting out the break-up of funds paid by the Government to the CAU on an annual basis over previous years i.e. from 2005-06 to 2016-17.
17. Consequently, vide email dated 22<sup>nd</sup> July 2019, UKCA and UCA were also called upon to forward to the Committee of Administrators copies of the documents similar to the documents submitted by CAU, if available, within a period of 4 (four) days.
18. Vide email dated 22<sup>nd</sup> July 2019, UCA replied to the Committee of Administrators stating that UCA has neither requested nor received any grant for the Government of Uttarakhand in any of the previous years. Similarly, UKCA also submitted its reply vide email dated 22<sup>nd</sup> July 2019 stating that it has not received any funds from the Government.
19. Separately, the Committee of Administrators also received (a) letter dated 19<sup>th</sup> July 2019 from CAU stating that, in addition to UTCA which has already merged into CAU, UKCA has also given their support to CAU; and (b) letter dated 24<sup>th</sup> July 2019 from the office of the Chief Minister of Uttarakhand recommending the affiliation of CAU as the state association from the state of Uttarakhand.

### ***DECISION ON AFFILIATION***

20. As regards UKCA, the Affiliation Committee, apart from finding the documents and information submitted by them to be inadequate, also found that the infighting in the association indicated a secondary approach to promotion of the game of cricket. This finding is well supported by documentary material shared with the Committee of Administrators as well. It is apparent that there are serious disputes and on-going infighting between the individuals concerned with managing the affairs of UKCA. These disputes have caused resultant legal proceedings which are pending in court. There are serious adverse governmental actions (including emanating from accusations of fraud) which have been initiated against the association and key individuals associated with it. In the circumstances, the situation within the UKCA does not inspire confidence from the standpoint of the objective of effective promotion of cricket in the state of Uttarakhand being achieved.
21. As regards the UCA and CAU, the scrutiny of the Affiliation Committee as contained in the Report discloses a degree of parity on matters such as cricketing activities, cricketing infrastructure, future plans for the development of the game, etc. However, the administrative infrastructure of CAU did not meet the expectations of the Affiliation Committee and the documents submitted by them were also found to be inadequate. At

the same time, the Affiliation Committee found the UCA's management to be professional, their documents complete, they had a better connect with former international players. One more factor which was considered by the Affiliation Committee in favour of the UCA was that it is the oldest association in Uttarakhand. However, the Affiliation Committee did not make any recommendation on which association should be granted affiliation by the BCCI.

22. However, a few significant facts and particulars have been brought to the attention of the Committee of Administrators in the course of subsequent discussions and correspondence with the claimant associations. These include -

- (i) It emerges from the financial statements of CAU that their aggregate revenue over the years from the financial year 2005-06 to 2017-18 amounts to Rs. 2,59,80,456/- (Rupees Two Crores Fifty Nine Lacs Eighty Thousand Four Hundred and Fifty Six). At the same time, the aggregate revenue of UCA at the end of the said period of time as disclosed by their financial statements is Rs. 10,84,028/- (Rupees Ten Lacs Eighty Four Thousand and Twenty Eight). As is apparent, the disparity between the quantum of aggregate revenues of CAU and UCA is enormous. This is relevant as it is indicative of the significantly superior financial capacity/ability of CAU to carry out cricketing activities in the state of Uttarakhand. It is also indicative of the fact that the CAU has been carrying out cricketing activities at a much wider scale than the UCA. Considering the difference in the revenue figures, it would be difficult for the UCA to carry out cricketing activities at a similar scale as the CAU; and
- (ii) communications addressed from the Government of Uttarakhand more particularly the letter dated 17<sup>th</sup> July 2019 addressed by the Department of Sports, Government of Uttarakhand setting out the break-up of funds granted by the Government to the CAU on an annual basis over previous years i.e. from 2005-06 to 2016-17, is relevant and is indicative of a recognition conferred to the CAU by the Government of Uttarakhand and the Government's continuing support to the CAU.

23. The abovementioned factors are significant from the perspective of gauging an association's ability to optimally run cricketing activities in the state of Uttarakhand. The Affiliation Committee has not included these factors as part of their analysis. In the opinion of the Committee of Administrators, these factors which support CAU's claim for affiliation outweigh the inadequacies in administrative infrastructure as found by the Affiliation Committee. Additionally, the information provided by the CAU in its submissions filed before the Committee of Administrators on the extent of cricketing activities carried out by it over the years is notable. Further, the Committee of Administrators is of the opinion that extent and scope of cricketing activity of an association at the grassroots level is the primary consideration for grant of affiliation to

the BCCI. Other aspects such as administrative infrastructure, inadequacy of governance and management structure *albeit* important are relative and not decisive in these circumstances since the same can be swiftly rectified and bettered with the help and support of the BCCI. In any event, any association which becomes a member of the BCCI would have to radically reform its ways of governance and management in order to comply with and implement the Hon'ble Supreme Court's judgment dated 9<sup>th</sup> August 2018 delivered in the Justice Lodha Committee Cricket Reforms matter. Accordingly, Committee of Administrators hereby grants full membership of BCCI to CAU from the state of Uttarakhand.

24. The CAU shall forthwith comply with all of the following conditions: (i) comply with the said judgment dated 9<sup>th</sup> August 2018 and file compliance certificate (in the form prescribed by the Committee of Administrators) with the Committee of Administrators; (ii) appoint electoral officer as per the directions issued by the Committee of Administrators; and (iii) conduct elections in accordance with the approved constitution on or before 14<sup>th</sup> September 2019.
25. In addition to being published on the BCCI website, it is directed that this decision be filed before the Hon'ble Supreme Court under intimation to the Learned Amicus Curiae.
26. With the passing of this decision, the UCCC hereby stands dissolved.

Dated this 13<sup>th</sup> day of August 2019.



Mr. Vinod Rai  
(Chairman)



Ms. Diana Edulji  
(Member)



Lt. Gen. (Retd.) Mr. Ravindra Thodge  
(Member)