

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

**ELEVENTH STATUS REPORT DATED
OCTOBER 14, 2019 SUBMITTED BY THE
SUPREME COURT APPOINTED
COMMITTEE OF ADMINISTRATORS**

[PAPER BOOK]

FOR INDEX PLEASE SEE INSIDE

VOL - I

(Pages 1 to 208)

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

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Filed by:

The Supreme Court Appointed Committee of Administrators

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ELEVENTH STATUS REPORT DATED OCTOBER 14, 2019
SUBMITTED BY THE SUPREME COURT APPOINTED
COMMITTEE OF ADMINISTRATORS

1. This status report is being filed by the Committee of Administrators pursuant to judgment of this Hon'ble Court dated August 9, 2018 in order to set out the status of implementation of reforms in cricket administration as mandated by the this Hon'ble Court in its judgment dated July 18, 2016 and judgment dated August 9, 2018 ("**Judgments**") and the steps taken by the Committee of Administrators in order to secure implementation and compliance thereof. This report also includes the recommendations of the Committee of Administrators *inter alia* pertaining to conflict of interest, membership structure of the State/Member Associations of BCCI, the fund disbursement policy of BCCI, the grievance redressal mechanism and the

appointment of ombudsman which in the humble opinion of the Committee of Administrators are imperative and necessary for the efficient and better administration of the game of cricket in India.

2. By way of this status report, this Hon'ble Court is also being requested to formally discharge the Committee of Administrators appointed by this Hon'ble Court vide orders dated January 2, 2017 and January 30, 2017 once the BCCI elections are conducted and the Committee of Administrators hands over the charge of the BCCI to the newly constituted Apex Council. Copies of the orders dated January 2, 2017 and January 30, 2017 are annexed hereto and marked as ANNEXURE A-1 (Pages 49 to 78) and ANNEXURE A-2 (Pages 79 to 85) respectively.

- A. CERTAIN STEPS TAKEN BY THE COMMITTEE OF ADMINISTRATORS AFTER FILING THE TENTH STATUS REPORT DATED OCTOBER 28, 2019 IN ORDER TO SECURE COMPLIANCE BY STATE/MEMBER ASSOCIATIONS WITH THIS HON'BLE COURT'S JUDGMENT DATED AUGUST 9, 2018

3. By its judgement dated July 18, 2016 in the matter of BCCI v. Cricket Association of Bihar, reported in (2016) 8 SCC 535, the Hon'ble Supreme Court accepted the reforms in the

administration of cricket as proposed by a Committee chaired by Hon'ble Justice RM Lodha ("**Justice Lodha Committee**").

4. This Hon'ble Court vide its order dated January 2, 2017 *inter alia* ordered and directed that:

"... the Committee of Administrators shall also ensure that the directions contained in the judgment of this Court dated 18 July 2016 (which accepted the report of the Committee with modifications) are fulfilled and to adopt all necessary and consequential steps for that purpose."

"... upon the Committee of administrators as nominated by this Court assuming charge, the existing office bearers shall function subject to the supervision and control of the Committee of administrators. The Committee of administrators would have the power to issue all appropriate directions to facilitate due supervision and control..."

5. Further, vide its judgment dated August 9, 2018, this Hon'ble Court ordered and directed that:

"44. ... We are emphatically of the view that once the draft Constitution has been approved by this Court, any amendment should not be given effect to without the leave of this Court."

45. *Having regard to the fact that the draft Constitution submitted by the CoA on 27-10-2017 has now been*

approved by this Court subject to the aforesaid modifications, we issue the following directions:

- 45.1. The Registrar of Societies under the Tamil Nadu Societies Registration Act, 1975 shall upon the presentation of the said Constitution by the CEO, register the documents forthwith and report compliance by way of a report to the Secretary General of this Court within four weeks;
- 45.2. Upon the registration of the said Constitution of BCCI, each of the members shall undertake registration of their respective Constitutions on similar lines within a period of 30 days thereafter. A compliance certificate must be furnished to the CoA, which shall file a status report before this Court with reference to the compliance undertaken by the State Associations; and
- 45.3. In the event that any State Association does not undertake compliance with the abovesaid directions, the directions contained in the orders of this Court dated 7-10-2016 [BCCI v. Cricket Assn. of Bihar, (2016) 10 SCC 23] and 21-10-2016 [BCCI v. Cricket Assn. of Bihar, (2016) 10 SCC 231] shall revive.
46. The Committee of Administrators is at liberty to submit a further report for such future directions as may be warranted and to secure compliance."

6. The Committee of Administrators has accordingly acted pursuant to the mandate of this Hon'ble Court. As recorded in the Tenth Status Report, upon registration of the BCCI Constitution that was approved by this Hon'ble Court vide the judgment dated August 9, 2018, an email dated August 21, 2018 was sent by the Committee of Administrators to all member

associations seeking submission of compliance certificate, within 30 days, in the prescribed format enclosing a copy of their constitution amended in accordance with the Judgments.

7. Similarly, separate emails dated August 23, 2018 were sent to the Railways Sports Promotion Board, the Service Sports Control Board and the Associations of Indian Universities intimating *inter alia* that they are required to comply with Rule 3(a)(ii)(E) to Rule 3(a)(ii)(G) of the registered BCCI Constitution, as applicable, so that their representative can cast a vote at the meetings of the general body of the BCCI. The Committee of Administrator again vide their separate emails dated September 14, 2019 reminded the Railways Sports Promotion Board, the Service Sports Control Board and the Associations of Indian Universities of their aforesaid obligation. Copies of the said emails dated August 23, 2018 are annexed hereto and marked as ANNEXURE A-3 (Pages 86 to 87), ANNEXURE A-4 (Pages 88 to 89) and ANNEXURE A-5 (Pages 90 to 91) respectively. Also copies of the said emails dated September 14, 2019 annexed hereto and marked as ANNEXURE A-6 (Pages 92 to 94), ANNEXURE A-7 (Pages 95 to 97) and ANNEXURE A-8 (Pages 98 to 101) respectively.
8. Upon scrutinizing the respective compliance certificates and the amended constitutions received from various State/ Member

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Associations, the Committee of Administrators filed its Tenth Status Report before this Hon'ble Court.

9. After filing the Tenth Status Report, in the first week of November 2018, the Committee of Administrators communicated curative amendments to the respective draft constitutions of each of the State/ Member Associations that had submitted their respective draft constitutions. The said State/ Member Associations were requested to incorporate the requisite amendments in their respective constitutions in order to make the said constitutions fully compliant with the Judgments.
10. Whilst some State/ Member Associations constructively engaged with the Committee of Administrators in relation to the proposed amendments communicated to them, others refused to incorporate the proposed amendments and made it clear that they would not incorporate the proposed amendments communicated to them by the Committee of Administrators.
11. Simultaneously, various interlocutory applications were filed by some of the State/ Member Associations before the Hon'ble Supreme Court. Vide order dated March 14, 2019, this Hon'ble Court appointed the Learned Amicus Curiae as a mediator in relation to any dispute that might arise in the interlocutory applications pending before this Hon'ble Court. A copy of the said order dated March 14, 2019 is annexed hereto and marked as ANNEXURE A-9. (Pages 102 to 112).

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12. Since April 2019, efforts to achieve compliance was made through mediation by the Learned Amicus Curiae in terms of the aforementioned order dated March 14, 2019 passed by this Hon'ble Court. The Learned Amicus Curiae separately as well as along with the Committee of Administrators met representatives of various State/ Member Associations who have filed Interlocutory Applications before this Hon'ble Court or otherwise. After marathon meetings, extensive discussions and efforts, the Learned Amicus Curiae submitted his report to this Hon'ble Court on May 9, 2019. A copy of the report dated May 9, 2019 is annexed hereto and marked as **ANNEXURE A-10**.
(Pages 113 to 128)

13. Pursuant to the aforesaid meetings and subsequent correspondences, several State/ Member Associations proceeded to implement the understanding arrived at with the Learned Amicus Curiae and the Committee of Administrators as part of the mediation process directed by this Hon'ble Court and sought to take steps to comply with the Judgments. However, some State Associations continued to remain non-compliant.

14. On May 21, 2019, the Committee of Administrators pursuant to the discussions with Learned Amicus Curiae issued the Timelines and Proposed Actions for conducting the elections of BCCI ("Timelines") and published it on the website of the BCCI. As per the said Timelines, the State Associations were

required to appoint their respective Electoral Officers by July 1, 2019 and were required to complete their respective elections latest by September 14, 2019. The date for the State Associations to complete their respective elections was subsequently extended till October 4, 2019. A copy of the Timelines dated May 21, 2019 issued by the Committee of Administrators is annexed hereto and marked as ANNEXURE A-11 (Pages 129 to 131).

15. In order to adhere to the aforesaid Timelines and to assist the State/ Member Associations by providing guidance in the process of State/ Member Association elections, the Committee of Administrators appointed the Electoral Officer of BCCI on June 7, 2019. Further, taking cognizance of the difficulty faced by certain State/ Member associations in appointing their respective Electoral Officers in terms of prescribed requirements specifically on account of all States not having a State Election Commission, the Committee of Administrators issued a direction dated July 25, 2019 broadening the category of persons who may be appointed by State/ Member Associations as their respective Electoral Officers. A copy of the said directions dated July 25, 2019 issued by the Committee of Administrators is annexed hereto and marked as ANNEXURE A-12 (Pages 132 to 133).
16. Subsequently, in terms of the Timelines, the Learned Electoral Officer of BCCI issued Rules of Procedure for the BCCI Elections on August 16, 2019. Further, in order to ensure

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consistency and a degree of harmonisation in the conduct of the elections across State/ Member Associations and the BCCI, the Electoral Officer of BCCI, vide advisory dated August 28, 2019, highlighted some salient issues that may be helpful for the respective Electoral Officers of the State/ Member Associations to carry out their duties effectively. A copy of the Rules of Procedure for the BCCI Elections dated August 16, 2019 and the advisory to State/ Member Associations dated August 28, 2019 are annexed hereto and marked as ANNEXURE A-13 (Pages 134 to 143) and ANNEXURE A-14 (Pages 144 to 157) respectively.

17. In the meanwhile, in furtherance of several emails earlier addressed by the Committee of Administrators in line with the Judgments to State/ Member Associations from time to time communicating the requirement to mandatorily ensure induction of former international players hailing from the respective jurisdictions of each State/ Member Association with voting rights before the conduct of their respective elections, and pursuant to receipt of suggestions from the Learned Amicus Curiae, the Committee of Administrators, in order to expedite and streamline the compliance of State/ Member Associations with the Judgments, also issued a protocol dated August 14, 2019 for induction of former international players (male and female) as members with voting rights in the State/ Member Associations. As per the said protocol, all former international

players had to intimate the details as provided in the Protocol to BCCI in writing on or before August 22, 2019, which date was subsequently extended to August 30, 2019. A copy of the said protocol for induction of former international players (male and female) dated August 14, 2019 is annexed hereto and marked as **ANNEXURE A-15** (Pages 158 to 159)

18. Further, upon receiving several requests for clarification from State/ Member Associations regarding the manner in which the disqualification of persons who have completed 9 years in various posts as well as the cooling-off period in the context of eligibility of representatives to contest in the elections is to be construed, an advisory dated August 27, 2019 was issued by the Committee of Administrators on the said issues. A copy of the said advisory dated August 27, 2019 is annexed hereto and marked as **ANNEXURE A-16**. (Pages 160 to 165)
19. The advisory dated August 27, 2019 was supplemented by another advisory dated September 16, 2019, which was issued in order to answer certain queries received by the Committee of Administrators. A copy of the aforesaid advisory dated September 16, 2019 is annexed hereto and marked as **ANNEXURE A-17** (Pages 166 to 172).
20. Subsequently, upon hearing an application filed by Tamil Nadu Cricket Association being I.A. No. 94179 of 2019 in the captioned matter, this Hon'ble Court passed an order dated

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September 20, 2019 directing *inter alia* that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations. A copy of the order dated September 20, 2019 is annexed hereto and marked as ANNEXURE A-18 (Pages 173 to 181).

21. On September 23, 2019, the Committee of Administrators filed an application being I.A. No. 146810 of 2019 in CA No. 4235 of 2014 seeking certain clarifications with respect to the order dated September 20, 2019 passed by this Hon'ble Court. A copy (without annexures) of the I.A. No 146810 of 2019 in CA No. 4235 of 2014 filed by the Committee of Administrators are annexed hereto and marked as ANNEXURE A-19 (Pages 182 to 206).
22. Subsequently, the Committee of Administrators, in order to ensure compliance with the Judgments, issued an advisory dated September 24, 2019 to the effect that the said order dated September 20, 2019 only relaxes the disqualification in Rule 6(5)(f) and Rule 14 (3)(f) of the BCCI Constitution and the *pari materia* provisions in the respective constitutions of the State/ Member Associations and that all other disqualifications viz. those contained in Rules 6(5)(a) to (e) and (g) as well as Rules 14(3)(a) to (e) and (g) remain in full force. The said advisory *inter alia* also advised the State/ Member Associations not to re-amend their constitutions as already approved by the Committee

of Administrators and put those State/ Member Associations who have not brought their constitutions in line with the BCCI Constitution on notice that they ran the risk of their respective election results not being recognised. The Committee of Administrators also extended the date for completion of elections by State/ Member Associations to October 4, 2019 and postponed the date for the BCCI elections to October 23, 2019. A copy of the said advisory dated September 24, 2019 is annexed hereto and marked as ANNEXURE A-20 (Pages 207 to 208) respectively.

23. Keeping in view the Timelines, the Committee of Administrators issued notice dated October 2, 2019 to all the State/ Member Associations of BCCI intimating that only qualified/ compliant members, as determined by the Committee of Administrators pursuant to the Judgments and orders of this Hon'ble Court, may attend the General Body Meeting of the BCCI scheduled on October 23, 2019 through their respective representative who are found to be eligible by the Electoral Officer of BCCI. The agenda for the aforesaid General Body Meeting of the BCCI includes *inter alia* elections to the post of five Office Bearers of BCCI, one elected Councillor of BCCI and two elected representatives of the Governing Council of the IPL under Rule 28. A copy of the said notice dated October 2, 2019 is annexed hereto and marked as ANNEXURE A-21 (Pages ____ to 209)

24. In the meanwhile, the Learned Electoral Officer of BCCI in furtherance of the Timelines and completion of the election process of BCCI issued Notice of BCCI election on September 26, 2019, containing *inter alia* the election schedule and various forms for making applications. The Notice of BCCI Elections also stipulated that only those member associations who are determined to be qualified/compliant by the Committee of Administrators would be permitted to participate and vote in the BCCI Elections. The process was followed by the publication of draft electoral roll on October 4, 2019. A copy of the said notice dated September 26, 2019 is annexed hereto and marked as ANNEXURE A-22 (Pages 210 to 217)
25. Pursuant to the election schedule as contained in the Notice of BCCI elections dated September 26, 2019, the draft electoral roll was prepared by the Electoral Officer, BCCI upon receipt of applications from the State/Member Associations nominating their representatives. The said draft electoral roll was published on the BCCI website on October 4, 2019. A copy of the draft electoral roll dated October 4, 2019 is annexed hereto and marked as ANNEXURE A-23 (Pages 218 to 220)
26. The Committee of Administrators is mandated by this Hon'ble Court to take all necessary and consequential steps to ensure that the cricket reforms as mandated by the Judgments and various orders passed by this Hon'ble Court are implemented as

envisaged. In view thereof, and in order to ensure that vested interests (who through their defiance and intransigence have refused to comply with the Judgements) are not allowed to exercise their ill-influence and clout over administration of cricket and specifically in the BCCI elections, through their representatives, it was deemed necessary by the Committee of Administrators to prevent participation and voting by defiant associations in the BCCI General Body Meeting scheduled on October 23, 2019.

27. Further, even though the Committee of Administrators have been receiving various complaints against several State/ Member Associations *inter alia* in relation to (a) conduct of elections in state association; (b) certain provision contained in the State Association constitution not being compliant with the Judgments of the Hon'ble Supreme Court of India; and (c) ineligibility of candidates elected/appointed as office bearers, councillors, members of committees and representatives to the BCCI, the Committee of Administrators decided that only those State/Member Associations who have either not registered or not submitted for registration their amended constitution, which they were required to do in accordance with the Judgments, will not be allowed to vote and participate in BCCI General Body Meeting scheduled on October 23, 2019.

28. Accordingly, the Committee of Administrators issued separate show cause notices, all dated October 5, 2019, to (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association. Copies of the Show Cause Notices, all dated October 5, 2019 issued to (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association are annexed hereto and marked as ANNEXURE A-24 (Pages 221 to 226), ANNEXURE A-25 (Pages 227 to 232) and ANNEXURE A-26 (Pages 233 to 240) respectively. Further, the responses received from (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association are annexed hereto and marked as ANNEXURE A-27 (Pages 241 to 250), ANNEXURE A-28 (Pages 251 to 262) and ANNEXURE A-29 (Pages 263 to 272) respectively.
29. After considering the respective responses from all the aforesaid three State Associations, the Committee of Administrators passed separate orders each dated October 9, 2019 barring/disqualifying (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association from participating in cricket administration and governance at the BCCI, in any manner whatsoever including by disqualifying them from participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019 in any manner

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whatsoever. Copies of separate orders, all dated October 9, 2019 passed by the Committee of Administrators debarring/ disqualifying (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association are annexed hereto and marked as ANNEXURE A-30 (Pages 278 to 290), ANNEXURE A-31 (Pages 291 to 319) and ANNEXURE A-32 (Pages 320 to 334) respectively.

30. The Committee of Administrators vide its email dated October 9, 2019 informed the Electoral Officer, BCCI of its aforesaid decision to bar (i) Tamil Nadu Cricket Association; (ii) Haryana Cricket Association and (iii) Maharashtra Cricket Association from participating in cricket administration and governance at the BCCI, in any manner whatsoever including by disqualifying them from participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019 in any manner whatsoever whilst leaving it to the Electoral Officer of BCCI to determine the eligibility of representatives elected/ nominated by eligible members to participate and vote in the said general body meeting scheduled on October 23, 2019. A copy of the said email dated October 9, 2019 is annexed hereto and marked as ANNEXURE A-33 (Pages 335 to 340).
31. Subsequently, after scrutiny of the names of the representatives in the draft electoral roll, and upon taking into consideration the objections as also the information received in relation to the non-

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compliant members, the Electoral Officer of BCCI published the final electoral roll of the representatives of such Full Members of the BCCI who have been determined to be eligible to participate in the election process of BCCI by the Committee of Administrators. The final electoral roll was published on October 10, 2019 with names of thirty nominated representatives. A copy of the final electoral roll dated October 10, 2019 is annexed hereto and marked as ANNEXURE A-34 (Pages 341 to 342)

32. For the eight State/Member Associations whose nominated representatives were not mentioned in the final electoral roll dated October 10, 2019, the Electoral Officer of BCCI separately released summary of findings dated October 10, 2019; stipulating in brief his findings in respect of representatives or State/Member Associations found ineligible to form part of the final electoral roll. The findings mentioned therein in respect of the said ineligibility included *inter alia* non-compliance with provisions of Rule 3(a)(ii) of the BCCI Constitution, determination of the State/Member association as non-compliant by the Committee of Administrators, disqualification of the representative and non-compliance with the cooling-off provision. A copy of the summary of findings dated October 10, 2019 is annexed and marked hereto as ANNEXURE A-35 (Pages ____ to 343).

33. The Electoral Officer of BCCI has vide its email dated October 11, 2019 also issued a travel policy for the campaign period starting from October 10, 2019 providing that the Office Bearers of the BCCI and Representatives, Office Bearers, Councillors and members of BCCI Member Associations may not undertake travel at the expense of the BCCI or be reimbursed by the BCCI for travel, boarding or lodging or any other expenses incurred by them until the completion of the BCCI Election on 23 October 2019, subject to stipulated exceptions. A copy of the email dated October 11, 2019 from the Electoral Officer, BCCI is annexed and marked hereto as ANNEXURE A-36 (Pages 344 to 346).

Formation of the Indian Cricketers' Association

34. The Judgments read with the registered BCCI Constitution requires nominees/ representatives of the Cricket Players' Association (the official association for ex-cricketers in India) to form part of BCCI Apex Council, IPL Governing Council, Apex Council of the respective State/Member Association and the Governing Councils of the respective State/Member Associations' leagues, in the manner stipulated in the registered BCCI Constitution and the registered constitution of the respective State/Member Association.
35. The Report had named four persons as members of the Steering Committee in relation to the formation of Cricket Players'

Association. However, upon expression of inability by 3 out of the 4 members, except Mr. G.K. Pillai, to be part of the Steering Committee, the Committee of Administrators formed a working group comprising of Mr. Kapil Dev, Mr. Anshuman Gaekwad, Mr. Bharat Reddy and Ms. Shanta Rangaswamy, to assist Mr. G.K. Pillai the Chairman, Steering Committee. The Working Committee was formed in order to initiate the preparatory work of formation of the Cricket Players' Association in anticipation of the directions, if any, from this Hon'ble Court re-constituting the Steering Committee.

36. The working committee formed by the Committee of Administrators assisted the Chairman, Steering Committee in formation of the Cricket Players' Association which was named as the Indian Cricketers' Association ("ICA").
37. Before the ICA was formally incorporated, the Committee of Administrators issued a notice dated June 21, 2019 intimating the eligibility criteria for membership of the ICA and asking all former players who meet the stipulated criteria to apply for membership by writing to the Member/State Association of the State they hail from expressing their interest, enclosing the relevant proof evidencing fulfilment of the criteria. A copy of the notice dated June 21, 2019 is annexed and marked hereto as **ANNEXURE A-37 (Pages 347 to 348)**

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38. On July 5, 2019, ICA was incorporated under the Companies Act, 2013 a non-profit company limited by guarantee. Subsequently, vide notice dated July 16, 2019 issued by the Committee of Administrators, ICA was given recognition as the official association for ex-cricketers in India on behalf of BCCI. A copy of the notice dated July 16, 2019 is annexed and marked hereto as ANNEXURE A-38 (Pages ____ to 349).
39. The Committee of Administrators on July 19, 2019 issued a notice to all Member/State Associations directing them to recognize only the separate chapters of ICA created for each state ("State Chapter") as the Cricket Players' Association for players hailing from their member association. Simultaneously, the Board of Directors of ICA also issued an advisory dated July 19, 2019 stipulating the member application process of the ICA and providing clarifications including *inter alia* in relation to the opportunity with the member of ICA to be member of the State Chapter of the ICA and meaning of 'first class cricket match'. A copy of the notice dated July 19, 2019 issued by the Committee of Administrators and notice dated July 19, 2019 issued by the Board of Directors, ICA is annexed and marked hereto as ANNEXURE A-39 (Pages 350 to 351) and ANNEXURE A-40 (Pages 352 to 353), respectively.
40. Subsequently, upon receipt of membership applications, ICA established the State Chapters for ex-cricketers hailing from

each Member/State Association and placed ICA members in the appropriate State Chapter based on their applications and verification of relevant documentation. The elections of ICA for the purposes of nomination of State Chapter representatives to the Apex Council of each Member Association and the Governing Council (where applicable) for the Member Association's premier league was notified vide notice dated September 30, 2019 by the Electoral Officer, BCCI, to be conducted in accordance with the procedures specified by the ICA. A copy of the notice dated September 30, 2019 issued by the Electoral Officer, BCCI is annexed and marked hereto as **ANNEXURE A-41 (Pages 354 to 365)**

41. In accordance with the election schedule specified in the election notice of ICA dated September 30, 2019, the draft electoral roll was also published by the Electoral Officer, BCCI on September 30, 2019. Subsequently, objections to the draft electoral roll was invited and upon disposal of the objections raised, the final electoral roll published on October 4, 2019. Further, upon scrutiny of the nomination applications received and disposal of objections, a final list of duly nominated candidates was published by the Electoral Officer on October 9, 2019, pursuant to which the elections were held from October 11, 2019 to October 13, 2019. The results have been announced on October 13, 2019. A copy of results of ICA elections is annexed and marked hereto as **ANNEXURE A-42 (Pages 366 to 369)**.

B. ADDITION TO THE MEMBERSHIP OF BCCI**(i) Grant of full membership to the Cricket Association of Uttarakhand**

42. The Uttarakhand Cricket Association ("UKCA") had filed an Interim Application being I.A. No. 124996 of 2017 before this Hon'ble Court seeking decision on the issue of grant of full membership of BCCI for the state of Uttarakhand. This Hon'ble Court vide its order dated November 29, 2017 directed the Committee of Administrators to look into the grievance in the said interim application. Pursuant to the order passed by this Hon'ble Court, and keeping in view the principle of one state-one vote as directed by this Hon'ble Court and the lack of representation of the state of Uttarakhand at the BCCI, the Committee of Administrators vide its order dated August 13, 2019 granted full membership of BCCI to Cricket Association of Uttarakhand ("CAU") in order to give representation to the state of Uttarakhand. The four cricket associations in the state of Uttarakhand that were claiming affiliation as full members of the BCCI were namely CAU, United Cricket Association ("United CA"), Uttaranchal Cricket Association ("UCA"), and UKCA and decision to give affiliation to CAU was based on the aspects including cricketing activities, cricketing infrastructure, administrative infrastructure & management, and future plans for development of the game. A copy of the decision of Committee

of Administrators dated August 13, 2019 is annexed hereto and marked as ANNEXURE A-43 (Pages 370 to 383)

(ii) **Grant of full membership to the Cricket Association of Pondicherry**

43. The Committee of Administrators vide its decision dated April 8, 2019, has conferred full membership of BCCI to Cricket Association of Pondicherry ("CAP"). Pursuant to the orders passed by this Hon'ble Court, CAP was earlier granted associate membership of BCCI by the Committee of Administrators vide its decision dated October 25, 2017. Upon consideration of the Interim Application being I.A. No. 59020 of 2019 filed by the CAP in April 2019, additional submissions made by the CAP and re-examination of the differential position of CAP in terms of territorial jurisdiction and cricketing participation, as compared with the category of associations being conferred associate membership in accordance with the recommendations of the Hon'ble Justice Lodha Committee ("Report") as accepted by this Hon'ble Court, it was considered appropriate to grant CAP the full membership of BCCI and full voting rights. A copy of the decision of Committee of Administrators dated April 8, 2019 is annexed hereto and marked as ANNEXURE A - 44 (Pages 384 to 385)

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(iii) Grant of associate membership to the UT Cricket Association, Chandigarh

44. The UT Cricket Association, Chandigarh ("UTCA") had filed an Interim Application being IA No. 19 of 2016 before this Hon'ble Court seeking affiliation as a member of the BCCI, pursuant to which this Hon'ble Court vide its order dated May 11, 2018 directed UTCA to put forth a representation before the Committee of Administrators on the matter of affiliation. The Committee of Administrators vide its decision dated August 1, 2019 has conferred associate membership of BCCI to UT Cricket Association, Chandigarh ("UTCA"), upon the merger of Chandigarh Cricket Association - Punjab ("CCA-P") with UTCA. The decision was taken upon consideration of the association best suited to carry out, develop and promote cricketing activities in the union territory of Chandigarh; the submissions made by various claimant associations, which included UTCA, Chandigarh Cricket Association - Haryana ("CCA-H") and CCA-P. A copy of the decision of Committee of Administrators dated August 1, 2019 is annexed hereto and marked as ANNEXURE A - 45 (Pages 386 to 393)
45. Subsequent to the aforesaid change in the membership structure, BCCI currently has 41 State/ Member Association as part of its membership structure. Of the 41 members, 38 members are Full Members whereas 3 are Associate Members. An intimation of change in membership of the BCCI made pursuant to the

Judgments has been also been filed with the Registrar of Societies under the Tamil Nadu Societies Registration Act, 1975.

A list of the full members and associate members of the BCCI is set out in the table annexed hereto and marked as ANNEXURE A-46 (Pages 394 to 395).

C. COMPLIANCE STATUS OF THE MEMBER ASSOCIATIONS

46. The Committee of Administrators is hereby annexing a chart indicating the status of each State/ Member Association, as on October 13, 2019, in relation to the various aspects which *inter alia* includes

- (a). compliance/adoption status of the constitution;
- (b). status of induction of former international players;
- (c). confirmation that membership of social clubs has been divorced from the administration of cricket;
- (d). relevant issues arising in relation to the conduct of elections as intimated to the Committee of Administrators;
- (e). relevant issues other than those pertaining to elections as intimated to the Committee of Administrators;
- (f). special measures taken in relation to any Member Association; and
- (g). assessment of compliance.

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A copy of the chart indicating the status of Member Associations as on October 13, 2019 is annexed hereto and marked as ANNEXURE A-47 (Pages 396 to 558)

47. As indicated in the Annexure A-47, the Committee of Administrators is in receipt of several representations inviting its attention to the election/ nomination of several persons otherwise ineligible to hold the post of Office Bearer/ Councillors/ member(s) of the Governing Council/ member(s) of any Committee, on account of disqualification or cooling-off, occupying the said posts in several State/Member Associations. Further, upon perusal of these representations, the Committee of Administrators also understands that several of these State/Member Associations have not appointed an Ombudsman and Ethics Officer as per their respective Constitutions, as approved by the Committee of Administrators in line with the Judgement.
48. In view thereof, the Committee of Administrators issued a directions dated October 12, 2019 to all State/Member Associations *inter alia* clarifying that persons occupying the post of Office Bearer, Councillor, members of any Committee including the Governing Council are also subject to disqualifications set out in Rule 6(5) of the BCCI Constitution and are also subject to cooling off requirement under the provisions of the state association constitutions that are *pari*

materia to Rule 6(4) and Rule 14(4) of the BCCI Constitution.

In the said email it was stated that individuals who have come to occupy the post of Office Bearer, Councillor, members of any Committee including the Governing Council despite being subject any disqualification set out in Rule 6(5) of the BCCI Constitution and/or are subject to undergo "cooling off" cannot hold the said positions as per law and are liable to demit their office forthwith. Further, vide the said direction, all Member Associations who have not appointed the Ombudsman and Ethics Officer were directed to do so without further delay. All members, who have not already done so, were required to provide details of the Ombudsman and Ethics Officer appointed to the Committee of Administrators on or before October 14, 2019. A copy of the said directions / email dated October 12, 2019 is annexed hereto and marked as ANNEXURE A-48 (Pages 559 to 563).

49. The Committee of Administrators vide emails dated October 12, 2019 have requested the Comptroller and Auditor General of India and the Accountant General of states to nominate their representative/nominee on the Apex Council and Governing Council of the BCCI and state associations, respectively. A copy of the said emails dated October 12, 2019 are annexed hereto and marked as ANNEXURE A - 49 (Pages 564 to 566) and ANNEXURE A - 50 (Pages 567 to 570).

50. Once the ICA Elections are conducted, the ICA will nominate player nominees on the Apex Council and Governing Council of the BCCI and each state association
51. The Committee of Administrators believe that in order to ensure compliance with the Judgments, it is necessary that a direction be issued to all individuals who have come to occupy the post of Office Bearer, Councillor, members of any Committee including the Governing Council in state associations despite being subject any disqualification set out in Rule 6(5) of the BCCI Constitution and/or are subject to undergo "cooling off" to demit their office forthwith. In cases where there is a dispute, the complaints can be dealt with by the Ombudsman and Ethics Officer of state associations, as the case may be. In view thereof, it is necessary that the state associations are directed to appoint Ombudsman and Ethics Officer immediately.

D. RECOMMENDATIONS OF THE COMMITTEE OF ADMINISTRATORS TO THE HON'BLE SUPREME COURT

(i) Conflict of Interest

52. The Hon'ble Supreme Court vide its judgment dated 9th August 2018 approved the BCCI Constitution which under Rule 38 and Rule 39 contained provisions for avoidance of conflict of

interest. Further, the term 'Conflict of Interest' is defined under Rule 1(A)(g) of the BCCI Constitution.

53. The Committee of Administrators, during its tenure, has come across various instances where the rules pertaining to conflict of interest have been applied to positions and scenarios which in its view did not warrant such application. Possibly, this was a result of straight jacketed application of the rules on the basis of certain illustrations given in the conflict rules which seem to cover within its ambit a wide range of scenarios and individuals irrespective of their level of proximity or association with the BCCI administration. A few of the concerns stemming from such straight jacketed application include *inter alia* absolute prohibition on former players from occupying multiple posts, prohibition on holding of even two unrelated or remotely-related posts, undue restriction on the current players (not on an annual contract with the BCCI) from being gainfully employed even outside the BCCI during offseason.
54. The Committee of Administrators is accordingly of the view that the proscriptions contained in Rule 38(4) of the BCCI constitution are capable of being interpreted in a manner that is a very straight jacketed manner, which is proving to be counter-productive and disproportionately restrictive to players-both current as well as former. Further, it is the opinion of the Committee of Administrators, that the role of an independent

Ethics Officer in administering conflict of interest is of considerable importance and as such the Ethic Officer ought to be given more flexibility and discretion to administer and resolve conflicts in the facts and circumstances of each case rather than be bound by a straight jacketed formula.

55. The Committee of Administrators, accordingly recommends amendment to Rule 38 of the BCCI Constitution vide insertion of certain clauses and sub-clauses. The same has been outlined in the report prepared by the Committee of Administrators upon consultation with various stakeholders including current and former cricketers, cricket administrators, persons specialising in the study of ethics and legal experts. The suggestions are made with the objective of clarifying a few aspects covered by the prevailing conflict of interest rules, which have proved to be problematic, whilst retaining their original character and spirit.

A copy of the said report is annexed hereto and marked as ANNEXURE A-51 (Pages 571 to 593)

(ii) *Membership of the State Association*

56. The Report submitted by the Justice Lodha Committee observed that there is a lack of uniformity in the membership structure of Member Associations with no guidelines or basis for granting membership. It was noted that membership is often granted in an ad-hoc manner at the pleasure of incumbents of the association.

In its recommendations, the Report *inter alia* recommended that

there be uniformity brought about in the functioning of these various associations.

57. Constituents from several member associations have approached the Committee of Administrators for assistance in grant of membership/ voting rights in their respective State/Member Associations. Pursuant to various representations/submissions made by several parties, a direction was issued by the Committee of Administrators dated August 13, 2019 on Membership of Cricketing Clubs, advocating for an inclusionary approach towards granting membership to cricketing clubs by the respective Member Associations. A copy of the said directions is annexed hereto and marked as ANNEXURE A-52 (Pages 59 to 95).
58. While most State/ Member Associations provide for membership with voting rights to district cricket associations, it was also observed by the Committee of Administrators that certain State Associations do not provide for membership and/or voting rights to district cricket associations. It is the view of the Committee of Administrators that the exclusion of district cricket associations as voting members is undemocratic and manifests into the interest of the State/ Member Association eventually giving way to the interests of few individuals/ clubs at the helm of the State Association. Further, the lack of uniform representation from

across districts results in regional disparities arising in the representation of members in the association.

59. In light of the above observations, it is recommended that it may be in the fitness of things for the proper development of grass root cricket and the democratic functioning of Member Associations that all State/ Member Associations of the BCCI follow a uniform membership structure with district cricket associations being given the status of full members therein. Further, in regions where district associations are absent, the state/member associations shall encourage local clubs to come together and form a district association.
60. The Report submitted by the Justice Lodha Committee in its recommendations also noted that players must be included in the management, governance and membership of State/ Member Associations. In furtherance of the same, it is recommended that all former players who have played in the Ranji Trophy Tournament be automatically granted full membership with voting rights by their respective State/ Member Associations.
61. The Committee of Administrators believes that in order to remove restriction of membership, provide for a inclusionary approach and check the lack of transparency in granting membership, a uniform eligibility criteria for new membership be adopted for full member associations of the BCCI which shall

require all district associations and all former Ranji Trophy players to be given automatic membership with voting rights to full member associations of the BCCI.

(iii) Fund Disbursement Policy of BCCI

62. The existing practice of BCCI in relation to disbursement of funds to the State/Member Association is to distribute "equal" amount to each State/Member Association, irrespective of *inter alia* size, population, number of players, cricketing infrastructure and cricket operational activities. The distribution of equal amounts to the State/Member Association is done from a corpus which comprises of 70% of the net (gross minus production cost) BCCI media rights and 70% of the net (gross minus production cost) IPL franchisee consideration.
63. The Hon'ble Lodha Committee in its Report had recommended that disbursement of funds by the BCCI to its State/Member Associations for cricket development should not be uniform and must depend on the (i) need, (ii) infrastructure and (iii) the relevant criteria formulized as a clear and equitable policy to incentivize the members to develop the sports. It was also highlighted in the Report submitted by the Justice Lodha Committee that one of the major criticism of functioning of the BCCI has been the fact that there is no accountability by the State/Member Association of the grant given to them by the BCCI for the development of cricket and no detailed accounts

are maintained, no oversight or audit is carried out and no follow of action is taken. It was also pointed out that infrastructure remains poorly developed with very few turf wickets of cricket grounds outside the existing stadia. The aforesaid recommendations have been accepted by this Hon'ble Court and are binding on the BCCI as also the State /Member Associations. In view thereof, the BCCI fund disbursements policy would need to be compliant and based on the aforesaid recommendations and with disbursement of funds being made to the State/Member Associations in accordance therewith.

64. Accordingly, the Committee of Administrators had, in order to bring more dynamism, efficacy and equity to the process of allocation/ disbursement of funds, before the registration of the new BCCI constitution on August 21, 2018, tasked Deloitte with formulating a policy on methodology of allocation/ disbursement of funds to State/Member Associations.
65. In the Fifth Status Report dated August 25, 2017, the Committee of Administrators had recorded that when the new policy on fund disbursement, as formulated by Deloitte, was tabled in the SGM of the BCCI held on July 26, 2017, the SGM failed to adopt the same. The said policy was in accordance with the recommendations contained in the Report to ensure that the State/ Member Associations are accountable to the BCCI in

relation to the manner in which they utilize the funds disbursed to them by the BCCI.

66. Upon failure of the SGM to adopt the new policy on fund disbursement, the standing practice of distributing "equal" amount to State/Member Associations has continued to exist. However, the Committee of Administrators, with the intent of bringing more equity in the process of disbursement of funds, pursuant to its discussion in the meeting dated May 21, 2019 once again commenced the initiative to streamline the policy on fund disbursement. Accordingly, the BCCI management was tasked with preparation of a blueprint containing aspects that should be included in the policy.
67. The BCCI management briefed the Committee of Administrators on various proposed strategies/ scenarios on fund allocation to State/Member Associations and informed that the fund allocations should primarily be divided into two parts, namely fixed and variable, the actual proportion of which can be decided in due course. The fixed component is proposed to be equal for all State/Member Associations and the determination of the variable component is proposed to be done upon consideration of various parameters including *inter alia* number of players of each association, number of districts under each association, local tournaments (match days) conducted (excluding BCCI domestic tournaments), concerned geographical area, cricket

infrastructure, financial stability (other sources of income) of the respective association and population of the jurisdiction being administered by the respective association.

68. Permission of the Committee of Administrators was also sought for appointment of Deloitte to provide assistance in this regard. The said appointment was authorized by the Committee of Administrators and accordingly the required details and documents were shared by the BCCI management with Deloitte for its necessary action. However, after having held meetings and discussions with Deloitte on few occasions, the BCCI management was informed by Deloitte that given the matter of payments to State/Member Associations and players is an operational matter, engagement of Deloitte to provide recommendations would not be possible as they are also the auditors of BCCI and such engagement will prejudice the independent status of the auditor.
69. However, in view of the above and given the fund disbursement policy continues to envisage distribution of "equal" amount to each State/ Member Associations, the Committee of Administrators recommends that a revised policy be adopted by the BCCI wherein major part of fund disbursement to each State Cricket Association shall comprise of a variable component to be determined upon assessment of parameters including *inter alia*
- (i) the business case of each State/Member Associations for fund

requirement and the proposed plan of utilization; (ii) planned cricketing activities, (iii) expected cricketing spend over and above the normal spend, (iv) planned infrastructure development and various other parameters as already stipulated above. This methodology would entail payment of variable sums to all State/Member Associations, depending upon success or failure to achieve the various parameters as stipulated in the policy, once formulated.

(iv) *Grievance Redressal Mechanism*

70. The BCCI Constitution, as approved by this Hon'ble Court vide the judgment dated August 9, 2018, provides for an Ombudsman and Ethics Officer to be appointed by the General Body of the BCCI in its Annual General Meeting. Rule 3(b)(1)(viii) of the BCCI Constitution also stipulates that no Member Association will be entitled to any grant from the BCCI if its Constitution and/or bye-laws fails to provide for a provision whereby the Association will appoint an Ombudsman and Ethics Officer.
71. The Committee of Administrators has, during the course of implementing the reforms recommended by the Report, noted that there are three primary issues that have arisen with regard to the grievance redressal process provided for in the BCCI Constitution and corresponding Constitutions of State/Member Associations.

I. Perceived lack of independence in the functioning of the
Ombudsman and Ethics Officer of the BCCI and
Member Associations

- (i) Under the current structure, the Ombudsman and Ethics Officer are to be selected and appointed by the State/Member Association itself, raising an apprehension that the said complaint may not be dealt with in a manner that is fair, expedient and reasonable. The same problem applies in the case of BCCI as well.
- (ii) Further, it has been observed by the Committee of Administrators in course of implementing the reforms that certain vested interests in some State/Member Associations have managed to remove and replace the Ombudsman when faced with Orders not in their favour. This was observed particularly in the case of the Bihar Cricket Association which was fraught with factionalism and in-fighting. Representations were received from the Association alleging that two Ombudsmen were removed by the Office Bearers of the Association when faced with orders against them. The independence of the office of the Ombudsman is likely to be severely compromised in such a scenario.
- (iii) It is our view that in order to ensure the independence of the office of the Ombudsman and Ethics Officer, the said functionaries may be selected by an independent

committee to be constituted by the BCCI comprising of a Former Chief Justice of India (who shall be Chairman), one male and one female international cricketer both nominated by the Indian Cricketers' Association. The BCCI may constitute the said committee at least four weeks before its AGM. Once the said selection is made and communicated to the BCCI, the General Body of the BCCI may appoint the said functionaries in accordance with the BCCI Constitution;

- (iv) The functionaries under the respective state association constitutions viz. Ombudsman and Ethics Officer may be selected by an independent committee to be constituted by the relevant member association comprising of the BCCI Ombudsman (who shall be Chairman), one male and one female international cricketer preferably hailing from that state both nominated by the Indian Cricketers' Association. The member associations may constitute the said committee at least four weeks before their AGM. The said committee may select functionaries under the respective state association constitutions viz. Ombudsman and Ethics Officer in consultation with the Chief Justice of the High Court exercising jurisdiction over the concerned State Association. Once the said selection is made and communicated to the relevant Member Association, the General Body of the said Member Association may

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appoint the said functionaries in accordance with their Constitution.

II. Reference of complaints to the Ombudsman by the Apex Council

- (i) Rule 41 of the BCCI Constitution gives the power to the Apex Council to refer complaints made under the Rule to the Ombudsman for adjudication. It is the view of the Committee of Administrators that in order to ensure the just and proper functioning of the grievance redressal mechanism without any interference, actual or perceived, by any person who may or may not have a vested interest in the proceedings, aggrieved persons may be allowed to file complaints before the Ombudsman directly without the requirement of a reference by the Apex Council for the same.

III. Lack of supervision and oversight by the BCCI Ombudsman and Ethics Officer over the actions of the Members Associations and its officers

- (i) The present structure does not provide an in-house appellate remedy for an aggrieved person who is dissatisfied with the decision of the Ombudsman and

Ethics Officer of the State/ Member Association to appeal the said decision.

- (ii) It is recommended that an appeal from any order or decision or direction passed by the Ombudsman and Ethics Officer of a Member Association may lie before the BCCI Ombudsman and Ethics Officer as the case may be, acting as appellate authorities. Accordingly, the orders, directions and decisions issued by the BCCI Ombudsman and Ethics Officer must be binding on the respective member association.
 - (iii) It is further recommended that in order to ensure proper oversight and/or supervision over the actions of Member Associations, the BCCI Ombudsman and Ethics Officer may be empowered to frame the rules and regulations that will be applicable for the filing, determination and disposal of complaints before themselves as well as before the Ombudsman and Ethics Officers of the Member Associations; The BCCI and the Member Associations and its administrators and officers must be bound by the rules and regulations that may be framed as above.
72. In light of the above recommendations, it is humbly requested that this Hon'ble Court may pass appropriate orders as it deems fit in this regard. A copy of a note prepared by the Committee of Administrators, further detailing the aforesaid, is annexed hereto and marked as ANNEXURE A-53 (Pages 596 to 600).

E. ISSUES IN RELATION TO MANAGEMENT OF BCCI

*(i) Actions taken by the Committee of Administrators
against the Acting Secretary, BCCI*

73. This Hon'ble Court vide order dated January 30, 2017 had nominated Mr. Amitabh Choudhary, Acting Secretary of the BCCI as one of the representatives of the BCCI to the meeting of the International Cricket Council ("ICC") to be held in February, 2017. Further, vide a subsequent Order dated April 17, 2017, this Hon'ble Court while addressing the issue of the representative of the BCCI to the ICC meeting to be held on April 24, 2017 directed that Mr. Amitabh Choudhary will represent the BCCI before the ICC. A copy of the said order dated April 17, 2017 is annexed hereto and marked as **ANNEXURE A-54** (Pages 601 to 604).
74. In compliance with the Order of this Hon'ble Court dated April 17, 2017, Mr. Amitabh Choudhary has attended the said meeting. The Committee of Administrators permitted Mr. Amitabh Choudhary to attend subsequent meetings of the ICC as well as meetings of the Asian Cricket Council ("ACC") for more than two years.
75. As was made clear by the Order dated January 30, 2017, the representatives of the BCCI to the ICC were to function under the supervision and control of the Committee of Administrators

who were tasked with supervising the management of the BCCI.

However, the Committee of Administrators has noted that on several occasions Mr. Amitabh Choudhary has failed to recognize the supervisory authority of the Committee by failing to brief them in advance of the agenda items proposed to be discussed in the meetings of the ICC or ACC and failing to update them on the business that transpired in the said meetings.

76. Further, it was brought to the attention of the Committee of Administrators that Mr. Amitabh Choudhary failed to attend the ICC Conference scheduled to take place between July 14 to 20, 2019 and the ACC Annual General Meeting that took place on September 3, 2019 and chose to keep the Committee uninformed of the same until it was too late for a replacement to be found, thereby exposing the BCCI to considerable risk.
77. Accordingly, a show cause notice dated September 8, 2019 was issued to Mr. Amitabh Choudhary seeking an explanation for the aforesaid conduct. A copy of the said show cause notice is annexed hereto and marked as ANNEXURE A-55 (Pages 601 to 607) Mr. Amitabh Choudhary provided a response dated September 26, 2019 which was found to be unsatisfactory. Accordingly, the Committee of Administrators, vide email dated October 6, 2019, informed Mr. Amitabh Choudhary that they have resolved to appoint another representative in his place as the representative of the BCCI to the ICC and ACC for future

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meetings. A copy of the emails dated September 26, 2019 and October 6, 2019 are annexed hereto and marked as ANNEXURE A-56 (Pages 608 to 610) and ANNEXURE A-57 (Pages 611 to 614) respectively.

78. The Committee of Administrators vide email dated October 10, 2019 informed the ICC of its decision to have Mr. Rahul Johri, CEO-BCCI represent the BCCI at the ICC Board Meeting to be held on October 14, 2019. However, it was brought to the attention of the Committee of Administrators that Mr. Amitabh Choudhary has made a representation to the ICC challenging their authority in replacing him as the representative of the BCCI at the ICC and has sought to attend the meeting of the ICC on October 14, 2019 in defiance of the directions of the Committee of Administrators. The said conduct of Mr. Amitabh Choudhary is in clear defiance of the Orders of this Hon'ble Court dated January 2 and January 30, 2017 tasking the Committee of Administrators with supervising the management of the BCCI. In response, the Committee of Administrators was constrained to make a representation to the ICC, enclosing the relevant Orders of this Hon'ble Court, and bringing to its attention that the Committee of Administrators is well within the powers conferred upon them by this Hon'ble Court to nominate a representative of their choice to represent the BCCI at the ICC. It is submitted that in spite of specific direction from the Committee of Administrators Mr. Amitabh Chaudhary chose to attend the ICC F&CA meeting and the ICC Board Meeting on behalf of BCCI. The Committee of Administrators understand that it was allowed by the ICC.

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(ii) Conduct of the Honorary Treasurer, BCCI

79. The BCCI Constitution, as approved by this Hon'ble Court in Rule 7(3)(b) provides that the Treasurer of the BCCI shall be one of three persons (along with the President and the Secretary of the BCCI) who sign the audited Annual Accounts and other financial statements of the BCCI. ,
80. The BCCI Audited accounts for the Financial Years 2016-2017 and 2017-18 and IPL statements for Season 2018 are to be presented before the Annual General Meeting of the BCCI scheduled on October 23, 2019. Mr. Anirudh Chaudhry, by virtue of being the acting treasurer of the BCCI is required as per the BCCI Constitution to sign the said Annual Accounts. The Committee of Administrators vide email dated October 1, 2019 has directed him to sign the Accounts of the BCCI. Mr. Anirudh Chaudhry whilst signing the Audited accounts of the BCCI has endorsed that he is doing so under protest. No justification or reasons are forthcoming from Mr. Anirudh Chaudhry as to why it was necessary for him to sign the accounts under protest. A copy of the email dated October 1, 2019 is annexed hereto and marked as ANNEXURE A-58 (Pages ____ to 615).

(iii) Protection against Victimisation and misuse of authority

81. The Committee of Administrators has at all times adhered to the Judgments and directions issued by this Hon'ble Court from time to time. The BCCI Management including the Chief Executive Officer, Chief Financial Officer, IPL-Chief Operating Officer, General Managers, staff, lawyers and advisors of the BCCI have lent their valuable assistance and co-operation to the Committee of Administrator in discharge of their functions and actions. In order to prevent misuse of power and in order to protect the persons who have helped and assisted the Committee of Administrators to secure implementation and compliance of the Judgments as also to ensure due supervision and control over the affairs of the BCCI, it is necessary that this Hon'ble Court issues the following directions:

- i. Formally place the approval of this Hon'ble Court on the functioning and actions of the Committee of Administrators, and all agencies, individuals and persons assisting the Committee of Administrators in discharge of its functions and restrain the BCCI or any other person from taking any action against in relation to such discharge of functions
- ii. Formally place the approval of this Hon'ble Court on all contracts entered into, processes adopted and other binding commitments entered into by the BCCI after the

Committee of Administrators assumed charge of the affairs of the BCCI;


82. An email dated October 13, 2019 was sent by Ms. Diana Edulji, one of the members of the Committee of Administrators, highlighting concerns over certain issues contained in the present Status Report. The views of the other two members of the Committee of Administrators on the said issues were communicated to Ms. Edulji vide a separate email dated October 13, 2019 by the Chairman of the Committee of Administrators. A copy of the emails dated October 13, 2019 are annexed hereto and marked as ANNEXURE A-59 (Pages 616 to 621) and ANNEXURE A-60 (Pages 622 to 626), respectively.

F. PRAYER FOR DISCHARGE OF THE COMMITTEE OF ADMINISTRATORS

This Hon'ble Court is humbly requested to:

- i. Discharge the Committee of Administrators from the duties assigned to it by this Hon'ble Court vide orders dated January 2, 2017 and January 30, 2017 once the BCCI elections are conducted and the Committee of Administrators hands over the charge of the BCCI to the new Apex Council that is formed;

- ii. Direct or pass any direction that the Hon'ble Supreme Court may deem appropriate in respect of the recommendations made by the Committee of Administrators;
- iii. Direct or pass any direction to the BCCI and the Member/State Associations of the BCCI to abide by the directions dated October 12, 2019 issued by the Committee of Administrators to secure compliance of the judgments of this Hon'ble Court dated July 18, 2016 and August 9, 2018.
- iv. Direct or pass any other order and/or direction that the Hon'ble Supreme Court may deem fit and appropriate in the facts and circumstance of the present matter.

Mr. Vinod Rai, (Chairman)	}	 For and on behalf of the Members of the Supreme Court appointed Committee of Administrators
Ms. Diana Edulji	}	
Lt. Gen. Ravindra Thodge	}	

Date: 14.10.2019

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4235 OF 2014

Board of Control for Cricket in India

.....APPELLANT

Versus

Cricket Association of Bihar & Ors

.....RESPONDENTS

WITH
CIVIL APPEAL No. 4236 OF 2014

WITH
CIVIL APPEAL No. 1155 OF 2015

ORDER

This proceeding is a sequel to the order and directions issued on 21 October 2016. In the previous order of this Court, the status report submitted by the three member Committee (consisting of Justice R M Lodha, Justice Ashok Bhan and Justice R V Raveendran) was taken up for consideration.

2 The Committee was tasked with overseeing the implementation of the judgment and order of this Court dated 18 July 2016. The judgment of this Court has attained finality. Review and Curative petitions have also been dismissed. By its judgment, this Court has accepted the recommendations made by the Committee in report dated 18 December 2015 providing for reforms in the structure, organization and working of BCCI. Such an exercise is necessary in order to make the functioning of BCCI transparent, objective and accountable to the trust with which it

Signature Invalid

Digital
SHA-256
Date:
18/05/2017
Reason:

is impressed, as a body which presides over the affairs of a sport which has millions of followers. This Court had by its judgment expressed the hope that the process of implementing its directions would be completed within a period of four months or, at best, six months. The status report submitted by the Committee recorded that the directions of this Court were ignored, actions were taken by BCCI to present a *fait accompli* to the Committee and the directives issued by the Committee were breached. The Committee observed that BCCI has repeatedly taken steps to undermine its authority and this Court with several statements and actions which "are grossly out of order and would even constitute contempt".

3 On 7 October 2016, while taking note of the status report submitted by the Committee, this Court recorded the following *prima facie* findings :

"... The sequence of events.. since 18th July, 2016 and referred to in the status report *prima facie* give an impression that BCCI has far from lending its fullest cooperation to the Committee adopted an obstructionist and at times a defiant attitude which the Committee has taken note of and described as an impediment undermining not only the Committee but even the dignity of this Court with several statements and actions which according to the Committee are grossly out of order and may even constitute contempt".

4 On 7 October 2016, this Court took note of the fact that despite the directions which the Committee issued on 21 August 2016 that the AGM of BCCI may transact only routine business for 2015-2016 and that any business or matter for 2016-2017 may be dealt with only after the adoption of the Memorandum of Association and rules in pursuance of the recommendations of the Committee, substantial amounts running into crores of rupees were disbursed in favour of State Associations. BCCI had informed the court that one of the reasons for its failure to adopt the proposed MoA was the reluctance of its State Associations to subscribe to it. In this

background, the court was constrained to issue directions *inter alia* to the effect that no further amounts shall be disbursed to the State Associations except to those associations which undertake the reforms suggested by the Committee and accepted by the court.

5 Another issue which was of concern was the conduct of the President of BCCI (Mr Anurag Thakur) who, the Committee recorded as having asked the CEO of ICC to state that the Committee appointed by this Court amounted to 'governmental interference'. It may be noted here that in an interview to the electronic media, the CEO of ICC stated that the President of BCCI sought a letter from ICC that the appointment of a nominee of CAG (as directed by this Court on 18 July 2016 in terms of the recommendations of the Committee) would amount to 'governmental interference' inviting the suspension of BCCI from the membership of ICC. By its order dated 7 October 2016, the President of BCCI was directed to file a personal affidavit clarifying the position.

6 There were two versions before this Court in regard to what had transpired between the President of BCCI and Mr Shashank Manohar, President of ICC at a meeting that was held at Dubai on 6 and 7 August 2016 during an ICC Governance Review Committee meeting. Mr. Ratnakar Shivaram Shetty, General Manager of Admin and Game Development, BCCI had in his response stated as follows :

"It appears that an interview was given by Mr. David Richardson the ICC CEO falsely stating that the BCCI President had requested the ICC to issue a letter stating that the intervention by this Hon'ble Court amounted to Governmental interference. It is submitted that no such letter or oral request was ever made to the said gentleman either by the BCCI President or any office bearer of the BCCI. It is apparent that Mr. Richardson has confused himself in relation to the issue. This issue is required to be

considered in the light of the fact that Mr. Shashank Manohar Senior Advocate had clearly opined as the BCCI President that appointment of the CAG in the BCCI shall result in suspension of the BCCI as it would constitute governmental interference. In fact the same had been submitted on affidavit before this Hon'ble Court. However, as Chairman of the ICC, Mr. Manohar had taken a contrary stand and stated that it would not amount to governmental interference. It was in this context that a discussion took place between Mr. Shashank Manohar and Mr. Anurag Thakur during a meeting in Dubai wherein a clarification as sought by Mr. Anurag Thakur during an informal discussion on what the exact status would be if the CAG was inducted by the BCCI as part of its management and whether it would amount to governmental interference as had been advised and affirmed by Mr. Manohar during his stint as BCCI President." (emphasis supplied)

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

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

On the other hand, the President of BCCI in his response (filed pursuant to the directions of this Court) stated as follows :

"In this context it is respectfully submitted that there was an ICC governance review committee meeting scheduled to be held in Dubai on 6th & 7th August 2016. There were certain issues relating to financial model for which my inputs were required and as such I was invited by ICC for the said meeting. During the meeting with regard to the review of the constitutional provisions of ICC, I pointed out to the Chairman of the ICC, Mr. Shashank Manohar that when he was the President of BCCI he had taken a view that the recommendations of the Justice Lodha committee appointing the nominee of the CAG on the Apex Council would amount to governmental interference and might invoke an action of suspension from ICC. I therefore requested him that he being the ICC Chairman can a letter be issued clarifying the position which he had taken as BCCI President. Mr. Manohar explained to me at the meeting that when the stand was taken by him, the matter was

pending before this Hon'ble Court and had not been decided. However, on 18.07.2016 this Hon'ble Court delivered its judgment in the matter. In the said judgment, this Hon'ble Court has rejected the submission that the appointment of the nominee of CAG on Apex council would amount to Governmental interference and had also held that the ICC would appreciate the appointment as it would bring transparency in the finances of the Board." (emphasis supplied)

7 In the response filed by Mr Shetty on behalf of BCCI there was a specific denial that its President had requested ICC to issue a letter stating that the Committee amounted to governmental interference. On the other hand, in the affidavit which the President of BCCI filed in pursuance of the directions of this Court dated 7 October 2016 he accepted having made a request to the Chairman of ICC for issuing a letter "clarifying the position which he had taken as BCCI President" (that the recommendation of the Committee for appointment of a CAG nominee would amount to governmental interference and may lead to a suspension of BCCI from ICC membership). Mr Shetty had not disclosed that there was any such request for a letter made by the President of BCCI whereas according to the latter he had made such a request. Mr Shetty in fact denied that any request for a letter was made to the ICC President by Mr Anurag Thakur.

8 This Court by its order dated 21 October 2016 observed as follows :

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

this Court. In the judgment of this Court dated 18 May 2016, this Court observed as follows :

"77. There is, in our view, no basis for the argument that any measure taken by the BCCI on its own or under the direction of a competent court specially when aimed at streamlining its working and ensuring financial discipline, transparency and accountability expected of an organization discharging public functions such as BCCI may be seen as governmental interference calling for suspension/derecognition of the BCCI. Far from finding fault with presence of a nominee of the Accountant General of the State and C&AG, the ICC would in our opinion appreciate any such step for the same would prevent misgivings about the working of the BCCI especially in relation to management of its funds and bring transparency and objectivity necessary to inspire public confidence in the fairness and the effective management of the affairs of the BCCI and the State Associations. The nominees recommended by the Committee would act as conscience keepers of the State Association and BCCI in financial matters and matters related or incidental thereto which will in no way adversely impact the performance or working of the BCCI for the promotion and development of the game of cricket. The criticism leveled against the recommendations of the Committee is, therefore, unfounded and accordingly rejected".

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

consider filing a response setting out his version, to set the record straight and assist this Court. Mr. Manohar is at liberty to obtain a report from Mr. Richardson before filing his response."

In pursuance of the directions issued by this Court on 21 October 2016, a response received by Mr Shashank Manohar, President of ICC has been placed before this Court by the Amicus Curiae.

9 After reviewing whether due and adequate steps were taken by BCCI to implement the final judgment of this Court, this Court in its order dated 21 October 2016 recorded the following findings :

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

10 A statement was made on behalf of the BCCI by learned Senior Counsel that BCCI would establish its *bonafides* before the Committee by establishing the compliance made of those of its recommendations which are stated to have been fulfilled. Accordingly, in order to furnish BCCI with an opportunity to demonstrate its compliance with the directions of this Court, we desisted from issuing a direction at that stage for the appointment of administrators (as sought by the Committee) in the hope that BCCI would comply with the judgment and order of this Court in the

meantime. While doing so, this Court observed that :

"19....We have presently come to the conclusion that, *prima facie*, there is substance in the status report submitted by the Committee. Implementation of the final judgment of this Court dated 18 July 2016 has *prima facie* been impeded by the intransigence of BCCI and its office bearers. However, having due regard to the submission made on behalf of BCCI that it would make every genuine effort to persuade the state associations to secure compliance with the judgment of this Court, and having regard to the larger interests of the game of cricket, we are desisting from issuing a direction at this stage in terms of the request made by the Committee for appointment of administrators so as to enable BCCI to demonstrate its good faith and the steps taken for compliance both before the Committee in the first instance and before this Court by the next date of hearing." (emphasis supplied)

11 In pursuance of the previous directions issued by this Court, on 21 October 2016, the Committee filed another status report on 7 November 2016 on which orders were passed by this Court on 8 November 2016. The Committee has filed another status report on 14 November 2016 seeking the following directions :

- (i) That all office bearers of BCCI and State Associations who stand disqualified by virtue of the norms contained in its report dated 4 October 2016 and accepted by this Court must cease to hold office forthwith;
- (ii) All administrative and management matters be carried out by the CEO of BCCI without advertence to the office bearers; and
- (iii) Appointment of anamed observer to supervise the administration of BCCI by the CEO.

The Committee has suggested that its own role may be confined to overall policy and direction and not the actual administration of BCCI.

12 The President of BCCI has filed an affidavit in these proceedings on 3

December 2016. The affidavit states that neither the President nor the Secretary of BCCI command voting rights in the meetings of the Working Committee. The affidavit states in the following terms that the State Associations have declined to accept the recommendations made by the Committee and accepted by this Court :

"Accordingly the Hon Secretary convened the said meeting referred to above of the General Body of the BCCI for the 30.9.2016....

The meeting resumed the next day i.e. on 1.10.2016....

I further state that I as Hon. President do not have a vote when I sit in the general body meeting neither does the Hon. Secretary....

I further state that I as a Hon. President am in no position to force members to adopt the full memorandum as recommended, even though armed with an order of this Hon'ble Court, as the members are of the opinion that as per the provisions of the Tamil Nadu Societies Registration Act, 1975 under which the BCCI is registered, they can amend their memorandum only when three fourths of the members present and entitled to vote, accept the changes to the memorandum.

I further state that another informal meeting of the members was once again held in New Delhi on 15.10.2016, wherein I along with the Hon. Secretary again conveyed to all the members present that should they not adopt the memorandum as proposed by the Lodha Committee, all the payments due to the member state associations would be stopped....

The members stuck to their stand that they would abide by the new memorandum only as approved by them with the changes as approved by them in the adjourned meeting of the 30.9.2016, irrespective of the fact that no further payments would be made to them. **The members were of the view that a few of the Lodha Committee recommendations were not in the interest of Indian Cricket and would be a huge setback to the game in India and destroy it completely.....**

As Hon. President, I am rendered totally incapable and without any authority to force the members, who are 30 in number and have voting rights under the statute, to adopt the entire

memorandum as proposed for adoption by the
Hon. Lodha Committee." (emphasis
supplied)

13 The position as it has emerged before the court is that despite the fact that there is a judgment and final order dated 18 July 2016 accepting the report submitted by the Committee, the implementation of the directions issued by this Court has been obstructed and impeded. By the order of this Court of 7 October 2016 and the subsequent directions that were issued on 21 October 2016, sufficient time was granted to BCCI to abide by the judgment and order of this Court.

14 Initially, as the Committee informed this Court, BCCI appeared to have taken the position that it was only if its Review Petition as well as Curative Petition were dismissed, that the recommendations of the Committee would be accepted. This statement of BCCI at a meeting of its Working Committee held on 21 October 2016 was manifestly misconceived. Once this Court had affirmed the recommendations of the Committee (with modifications) in a final judgment and order dated 18 July 2016, the judgment had to be implemented as it stands. By the Order of this Court dated 21 October 2016, this Court made it clear, if indeed such a clarification was at all warranted, that :

"A party to a litigation cannot be heard to say that it would treat a judgment of this Court as not having binding effect unless the Review or Curative Petitions that it has filed are dismissed."

15 As a matter of record, both the Review as well as Curative petitions have also been dismissed. Yet, the intransigence of BCCI has continued. The course of events indicates that though sufficient opportunities have been granted to BCCI to comply with the judgment and order of this Court, it has failed to do so. The President and Secretary and office bearers of BCCI have obstructed the implementation of the final

directions of this Court on the basis of a specious plea that its State Associations are not willing to abide by the directions. This Court having furnished sufficient opportunities to BCCI to comply, it is constrained now to take recourse to coercive steps to ensure that the directions contained in its final judgment and order are not left to be a writ in sand.

16 The Committee consists of a former Chief Justice of India and two former Judges of the Supreme Court. They have together been tasked with overseeing implementation of the judgment of this Court. Yet, the Committee has repeatedly been confronted with a barrage of unfortunate comments by BCCI – in Press conferences and in correspondence with an intent that it should be led to a situation where it throws up its arms in despair and frustration.

17 Among the recommendations of the Committee that have been accepted by this Court are the following disqualifications for being an office bearer of BCCI and of the State Associations :

"A person shall be disqualified from being an Office Bearer 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;
- (g) Has been charged by a Court of Law for having committed any criminal offence."

18 The Committee has in its status report dated 14 November 2016 drawn the attention of the court to the fact that several office bearers both of BCCI and the State Associations continue to hold posts although they stand disqualified in terms

of the above norms which have been accepted by this Court. Persons who have a vested interest in continuing in their positions inspite of the norms noted above have ensured that the writ of the court is obstructed and impeded. We need to emphasise that the turf of the cricket field is not a personal turf or fiefdom. We must hence order and direct that no person shall hereafter continue to be or be entitled for appointment as office bearer of BCCI or a State Association in breach of the above norms. All existing office bearers of BCCI and of the State Associations who do not fulfill the above norms shall with effect from the date of this Order stand disqualified.

19 That leads the court to the issue of the conduct of Shri Anurag Thakur, President of BCCI. By the final judgment and order of this Court dated 18 July 2016, the plea that the appointment of a nominee of CAG would amount to governmental interference with the affairs of BCCI was specifically negated. By its judgment, this Court had observed as follows :

"77. There is, in our view, no basis for the argument that any measure taken by the BCCI on its own or under the direction of a competent court specially when aimed at streamlining its working and ensuring financial discipline, transparency and accountability expected of an organization discharging public functions such as BCCI may be seen as governmental interference calling for suspension/derecognition of the BCCI. Far from finding fault with presence of a nominee of the Accountant General of the State and C&AG, the ICC would in our opinion appreciate any such step for the same would prevent misgivings about the working of the BCCI especially in relation to management of its funds and bring transparency and objectivity necessary to inspire public confidence in the fairness and the effective management of the affairs of the BCCI and the State Associations. The nominees recommended by the Committee would act as conscience keepers of the State Association and BCCI in financial matters and matters related or incidental thereto which will in no way adversely impact the performance or working of the BCCI for the promotion and development of the game of cricket.

The criticism leveled against the recommendations of the Committee is, therefore, unfounded and accordingly rejected."

20 Once this position had been laid down by the court, there was no occasion for the President of BCCI at the ICC Governance Review Committee Meeting held at Dubai on 6 and 7 August 2016 to solicit a letter from the Chairperson of ICC. Such a solicitation was but an effort to thwart the implementation of the orders of the court. An attempt was made to build up a record to indicate that implementing the orders of the Supreme Court of India would run the risk of endangering the status of BCCI as a member of ICC. In pursuance of the Order of this Court, Mr. Shashank Manohar (President - ICC) has in an email dated 2 November 2016 addressed to the Committee made the following disclosure :

"I would like to state that there was a meeting of the Working Group of the ICC held at Dubai on the 6th August, 2016 to consider the ICC's Governance and Financial Structure. At the meeting, apart from myself and Mr Anurag Thakur, Mr Giles Clarke, Mr David Peever and Mr Imran Khwaja, who are all Directors of ICC were present. The ICC CEO, Mr David Richardson and ICC COO Mr. Lain Higgins were also present.

During the meeting Mr Thakur pointed out to me that when I was the President of BCCI a submission was advanced before the Supreme Court at my behest that the appointment of a nominee of the CAG on the Apex Council might amount to Governmental interference and would invoke an action of suspension from the ICC. He therefore requested me to issue a letter to that effect in my capacity as ICC Chairman..

I declined to issue such a letter and explained to him that the said submission was advanced before the Hon Supreme Court when the court was hearing the matter. However, on 18-7-2016 the Hon SC delivered its judgment in the matter and rejected the submission that the appointment of a nominee of the CAG would amount to governmental interference. The Hon SC further held that the appointment of the CAG nominee on the Apex Council either made by the BCCI on its

own or under the orders of a competent court aimed at bringing financial discipline and transparency cannot be seen as governmental interference calling for suspension of the BCCI by the ICC..

The Hon SC further held that the ICC would appreciate the appointment of such a nominee as the same would bring transparency in the finances of the Board..

I therefore explained to Mr Thakur that the issue having been decided by the Hon Supreme Court of India, which is the highest court of the country and whose judgment binds everybody, I cannot give him any such letter." (emphasis supplied)

- 21 The response by Mr Shashank Manohar indicates that the President of BCCI requested him on 6 August 2016 to issue a letter in his capacity as ICC Chairman in terms of the position that he had adopted as the President of BCCI ("that the appointment of a CAG nominee would amount to governmental interference and would invoke an action of suspension from ICC"). The conduct of the President of BCCI in seeking a letter from the President of ICC in August 2016, after the final judgment and Order of this Court, is nothing but an attempt on the part of the head of BCCI to evade complying with the Order of this Court. That he sought a letter is clear even from the affidavit of Mr Thakur dated 15 October 2016 (though he states that he had requested the ICC Chairman to clarify the position which he had taken as BCCI President). Even going by that version, we are constrained to note that there was absolutely no occasion for the President of BCCI to solicit any such clarification from the Chairperson of ICC in the teeth of the judgment that was delivered by this Court. Moreover, we find adequate reasons to doubt the veracity of the explanation which has been tendered by Mr Thakur about the sequence of events. It must be noted that in the response which was filed by Mr Ratnakar Shivaram Shetty to the status report of the Committee there was a reference to a

discussion which took place between Mr Manohar and Mr Thakur in Dubai and to a clarification sought by the latter on what "the exact status would be" if a CAG nominee was inducted by BCCI. Mr Shetty specifically denied that Mr Thakur had requested the ICC Chairperson to issue a letter. Mr Shetty's response was based on records. This reference to some "clarification" was evidently not on the basis of the minutes of the purported meeting of BCCI Working Committee held on 22 August 2016 which were placed on record by learned Senior Counsel for BCCI during the course of the hearing prior to the Order of this Court dated 21 October 2016. If those minutes were before Mr Shetty, he would have made a disclosure in their terms. The purported minutes read as follows :

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

of his explanation on this issue". (emphasis supplied)

22 *Prima facie* it would appear that these minutes had not seen the light of the day when the response by Mr Shetty to the status report of the Committee was filed, and have been fabricated subsequently to lend credence to the version of Mr Thakur. The statement that Mr Manohar was requested to clarify the position which he had taken as BCCI President is falsified by Mr Manohar's disclosure that he was asked to give a letter in his capacity as ICC Chairman. The version of Mr Thakur that he had requested Mr Manohar that "he being ICC Chairman can a letter be issued clarifying the position" which he had taken as BCCI President is belied by the disclosure which has been made by Mr Shashank Manohar. Mr Manohar's response dated 2 November 2016 clearly indicates that during the course of the meeting at Dubai on 6 August 2016, Mr Thakur requested him to issue a letter in his capacity as ICC Chairperson that the appointment of a nominee of CAG in BCCI might amount to governmental interference, leading to action of suspension from ICC. *Prima facie*, it emerges from the record that Mr Thakur did seek such a letter from the ICC Chairperson as stated by Mr Manohar. The disclosure which Mr Thakur has made in his affidavit dated 15 October 2016 is *prima facie* false to his knowledge. *Prima facie*, we also find that the minutes of the meeting of the Working Committee of BCCI which were produced before this Court have been made up to lend support to the version of Mr Thakur.

23 We accordingly have arrived at the conclusion that Mr Thakur has by his actions and conduct rendered himself unfit for continuance as President of BCCI, for the following reasons :

Firstly, he has obstructed and impeded the implementation of the directions

contained in the judgment and order of this Court dated 18 July 2016. His own version is that he has been "rendered totally incapable and without any authority" to compel the members to comply with the orders of this Court. This is indicative of his having washed his hands off a duty and obligation to ensure compliance.

Secondly, we are *prima facie* of the view that Mr Thakur is liable to be proceeded with for contempt of court for having obstructed and impeded the orders of this Court.

Thirdly, *prima facie* we are of the view that Mr Thakur has made statements on affidavit before this Court which are false to his knowledge. A notice to show cause should be issued to Mr Thakur why he should not be proceeded with under Section 195 read with Section 340 of the Code of Criminal Procedure, 1973 for having made false statements before this Court.

24 In determining the modalities to be followed, we have drawn sustenance from an order dated 28 March 2014 passed by a Bench of two learned Judges of this Court consisting of Hon'ble Mr Justice A K Patnaik and Hon'ble Mr Justice F M I Kalifulla. In view of the circumstances which had then arisen resulting in the President of BCCI being unable to perform his duties, this Court appointed a distinguished cricket sportsperson, as an interim measure, to exercise the powers of the President in relation to IPL 2014. With regard to all other matters, the senior most Vice-President of BCCI was under the orders of the Court permitted to discharge the functions of the President, BCCI.

25 For the above reasons, we order and direct as follows :

- (i) All the office bearers of BCCI and of its affiliated State Associations who fail to meet the norms recommended by the Committee and accepted by this Court, shall forthwith demit and cease to hold office namely:

"A person shall be disqualified from being an Office Bearer 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;
- (g) Has been charged by a Court of Law for having committed any criminal offence."

- (ii) Shri Anurag Thakur, President of BCCI and Shri Ajay Shirke, Secretary, BCCI shall forthwith cease and desist from being associated with the working of BCCI;
- (iii) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded against under the provisions of Section 195 read with Section 340 of the Code of Criminal Procedure, 1973;
- (iv) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded with under the Contempt of Courts Act, 1971;
- (v) A Committee of administrators shall supervise the administration of BCCI through its Chief Executive Officer;
- (vi) This Court shall by a separate order nominate the persons who shall form part of the Committee of administrators. In order to enable the Court to have the

benefit of objective assistance in making the nominations, we request Mr Falli S Nariman, learned Senior Counsel and Mr Gopal Subramaniam, the learned Amicus Curiae to assist the Court by suggesting names of persons with integrity and experience in managing a similar enterprise. We request the learned Counsel appearing on behalf of the parties to also place their suggestions before the Court so as to facilitate a considered decision;

- (vii) In addition to the function assigned in (v) above, the Committee of administrators shall also ensure that the directions contained in the judgment of this Court dated 18 July 2016 (which accepted the report of the Committee with modifications) are fulfilled and to adopt all necessary and consequential steps for that purpose;
- (viii) In view of the directions contained in (ii) above, the senior most Vice-President of BCCI shall perform the duties of the President, BCCI and the Joint Secretary shall perform the duties of Secretary. Those of the office bearers of BCCI who are not disqualified in terms of clause (i) above (other than the President and Secretary) may continue subject to their filing an unconditional undertaking before this Court within four weeks of the date of this order to abide by and implement the directions contained in the judgment dated 18 July 2016. Upon the Committee of administrators as nominated by this Court assuming charge, the existing office bearers shall function subject to the supervision and control of the Committee of administrators. The Committee of administrators would have the power to issue all appropriate directions to facilitate due supervision and control; and
- (ix) The remuneration payable to the members of the Committee of Administrators shall be fixed in consultation with the Committee consisting of Mr Justice R M

Lodha, Mr Justice Ashok Bhan and Mr Justice R V Raveendran. The role of the Justice R M Lodha Committee shall hereafter be confined to overall policy and direction on such matters as may be referred by this Court.

- (x) We would request the learned Senior Counsel and the learned Amicus Curiae to endeavour to submit their suggestions to this Court within two weeks. The proceedings shall be listed before this Court on 19 January 2017 for pronouncement of directions in regard to the names of the administrators.

26 There shall accordingly be an order in these terms.

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

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

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

New Delhi
January 02, 2017

REVISED RECORD OF PROCEEDINGSITEM No. 1-I
(For Order)

Court No. 1

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCivil Appeal No(s). 4235 of 2014

BOARD OF CONTROL FOR CRICKET

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR AND ORS.

Respondent(s)

WITH CIVIL APPEAL NOS. 4236 OF 2014 AND 1155 OF 2015

Date : 02.01.2017 This matter was called on for pronouncement of
order today.

For Appellant(s)

Ms. Radha Rangaswamy, Adv.

Mr. Gagan Gupta, Adv.

Mr. Vikas Mehta, Adv.

For Respondent(s)

Mr. Senthil Jagadeesan, Adv.

Mr. Nirmesh Dube, Adv.

Mr. Gagan Gupta, Adv.

Ms. Rashmi Singh, Adv.

Ms. Manju Sharma, Adv.

Mr. Venkita Subramoniam T. R., Adv.

Mr. Gaurav Sharma, Adv.

Mr. A. S. Bhasme, Adv.

Ms. Sonia Mathur, Adv.

Mrs Lalita Kaushik, Adv.

Mr. Shree Pal Singh, Adv.

Mr. E. C. Agrawala, Adv.

Mr. Raghavendra S. Srivatsa, Adv.

Anish R. Shah, Adv.

Mukesh Kumar Maroria, Adv.

Mr. Chirag M. Shroff, Adv.

Mr. Shreekant N. Terdal, Adv.

Mr. Praveen Swarup, Adv.

Ms. Liz Mathew, Adv.

Anshuman Ashok, Adv.

Mr. V. K. Biju, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

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

In terms of the signed order, the Bench passed certain directions:

"25. For the above reasons, we order and direct as follows:

(i) All the office bearers of BCCI and of its affiliated State Associations who fail to meet the norms recommended by the Committee and accepted by this Court, shall forthwith demit and cease to hold office namely:

"A person shall be disqualified from being an Office Bearer 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;

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- (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;
- (g) Has been charged by a Court of Law for having committed any criminal offence."

(ii) Shri Anurag Thakur, President of BCCI and Shri Ajay Shirke, Secretary, BCCI shall forthwith cease and desist from being associated with the working of BCCI;

(iii) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded against under the provisions of Section 195 read with Section 340 of the Code of Criminal Procedure, 1973;

(iv) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded with under the Contempt of Courts Act, 1971;

(v) A Committee of administrators shall supervise the administration of BCCI through its Chief Executive Officer;

(vi) This Court shall by a separate order nominate the persons who shall form part of the Committee of administrators. In order to enable the Court to have the benefit of objective assistance in making the nominations, we request Mr Fali S Nariman, learned Senior Counsel and Mr Gopal Subramaniam, the learned Amicus Curiae to assist the Court by suggesting names of persons with integrity and experience in managing a similar enterprise. We request the learned Counsel appearing on behalf of the parties to also place their suggestions before the Court so as to facilitate a considered decision;

(vii) In addition to the function assigned in (v) above, the Committee of administrators shall also ensure that the directions contained in the judgment of this Court dated 18 July 2016 (which accepted the report of the Committee with modifications) are fulfilled and to adopt all necessary and consequential steps for that purpose;

(viii) In view of the directions contained in (ii) above, the senior most Vice-President of BCCI shall perform the duties of the President, BCCI and the Joint Secretary shall perform the duties of Secretary. Those of the office bearers of BCCI who are not disqualified in terms of clause (i) above (other than the President and Secretary) may continue subject to their filing an unconditional undertaking before this Court within four weeks of the date of this order to abide by and implement the directions contained in the judgment dated 18 July 2016. Upon the Committee of administrators as nominated by this Court assuming charge, the existing office bearers shall function subject to the supervision and control of the Committee of administrators. The Committee of administrators would have the power to issue all appropriate directions to facilitate due supervision and control; and

(ix) The remuneration payable to the members of the Committee of Administrators shall be fixed in consultation with the Committee consisting of Mr Justice R M Lodha, Mr Justice Ashok Bhan and Mr Justice R V Raveendran. The role of the Justice R M Lodha Committee shall hereafter be confined to overall policy and direction on such matters as may be referred by this Court.

(x) We would request the learned Senior Counsel and the learned

Amicus Curiae to endeavour to submit their suggestions to this Court within two weeks. The proceedings shall be listed before this Court on 19 January 2017 for pronouncement of directions in regard to the names of the administrators.

26. There shall accordingly be an order in these terms."

(Shashi Sareen)

AR-cum-PS

(Suman Jain)

Court Master

(Signed reportable order is placed on the file)

REVISED RECORD OF PROCEEDINGSITEM No. 1-I
(For Order)

Court No. 1

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCivil Appeal No(s). 4235 of 2014

BOARD OF CONTROL FOR CRICKET

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR AND ORS.

Respondent(s)

WITH CIVIL APPEAL NOS. 4236 OF 2014 AND 1155 OF 2015

Date : 02.01.2017 These matters were called on for pronouncement
of order today.

For Appellant(s)

Ms. Radha Rangaswamy, Adv.

Mr. Gagan Gupta, Adv.

Mr. Vikas Mehta, Adv.

For Respondent(s)

Mr. Gagan Gupta, Adv.

Ms. Rashmi Singh, Adv.

Ms. Manju Sharma, Adv.

Mr. Venkita Subramoniam T. R., Adv.

Mr. Gaurav Sharma, Adv.

Mr. A. S. Bhasme, Adv.

Ms. Sonia Mathur, Adv.

Mrs Lalita Kaushik, Adv.

Mr. Shree Pal Singh, Adv.

Mr. E. C. Agrawala, Adv.

Mr. Raghavendra S. Srivatsa, Adv.

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Anish R. Shah, Adv.
 Mukesh Kumar Maroria, Adv.
 Mr. Chirag M. Shroff, Adv.
 Mr. Shreekant N. Terdal, Adv.
 Mr. Praveen Swarup, Adv.
 Ms. Liz Mathew, Adv.
 Anshuman Ashok, Adv.
 Mr. V. K. Biju, Adv.
 Ms. Kamakshi S. Mehlwal, Adv.

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

In terms of the signed order, the Bench passed certain directions:

"25. For the above reasons, we order and direct as follows:

(i) All the office bearers of BCCI and of its affiliated State Associations who fail to meet the norms recommended by the Committee and accepted by this Court, shall forthwith demit and cease to hold office namely:

"A person shall be disqualified from being an Office Bearer if he or she :

- (h) Is not a citizen of India;
- (i) Has attained the age of 70 years;
- (j) Is declared to be insolvent, or of unsound mind;
- (k) Is a Minister or government servant;
- (l) Holds any office or post in a sports or athletic association or federation apart from cricket;
- (m) Has been an Office Bearer of the BCCI

- for a cumulative period of 9 years;
- (n) Has been charged by a Court of Law for having committed any criminal offence."
- (ii) Shri Anurag Thakur, President of BCCI and Shri Ajay Shirke, Secretary, BCCI shall forthwith cease and desist from being associated with the working of BCCI;
- (iii) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded against under the provisions of Section 195 read with Section 340 of the Code of Criminal Procedure, 1973;
- (iv) A notice to show cause shall issue to Mr Anurag Thakur to explain why he should not be proceeded with under the Contempt of Courts Act, 1971;
- (v) A Committee of administrators shall supervise the administration of BCCI through its Chief Executive Officer;
- (vi) This Court shall by a separate order nominate the persons who shall form part of the Committee of administrators. In order to enable the Court to have the benefit of objective assistance in making the nominations, we request Mr Fali S Nariman, learned Senior Counsel and Mr Gopal Subramaniam, the learned Amicus Curiae to assist the Court by suggesting names of persons with integrity and experience in managing a similar enterprise. We request the learned Counsel appearing on behalf of the parties to also place their suggestions before the Court so as to facilitate a considered decision;
- (vii) In addition to the function assigned in (v) above, the Committee of administrators shall also ensure that the directions contained in the judgment of this Court dated 18 July 2016 (which

accepted the report of the Committee with modifications) are fulfilled and to adopt all necessary and consequential steps for that purpose;

(viii) In view of the directions contained in (ii) above, the senior most Vice-President of BCCI shall perform the duties of the President, BCCI and the Joint Secretary shall perform the duties of Secretary. Those of the office bearers of BCCI who are not disqualified in terms of clause (i) above (other than the President and Secretary) may continue subject to their filing an unconditional undertaking before this Court within four weeks of the date of this order to abide by and implement the directions contained in the judgment dated 18 July 2016. Upon the Committee of administrators as nominated by this Court assuming charge, the existing office bearers shall function subject to the supervision and control of the Committee of administrators. The Committee of administrators would have the power to issue all appropriate directions to facilitate due supervision and control; and

(ix) The remuneration payable to the members of the Committee of Administrators shall be fixed in consultation with the Committee consisting of Mr Justice R M Lodha, Mr Justice Ashok Bhan and Mr Justice R V Raveendran. The role of the Justice R M Lodha Committee shall hereafter be confined to overall policy and direction on such matters as may be referred by this Court.

(x) We would request the learned Senior Counsel and the learned Amicus Curiae to endeavour to submit their suggestions to this Court within two weeks. The proceedings shall be listed before this Court on 19 January 2017 for pronouncement of directions in regard

to the names of the administrators.

26. There shall accordingly be an order in these terms."

(Shashi Sareen)

AR-cum-PS

(Signed reportable order is placed on the file)

(Suman Jain)

Court Master

CA 4235/2014

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ANNEXURE-A2

ITEM NO.302

COURT NO.2

SECTION IX

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

Civil Appeal No.4235/2014

BOARD OF CONTROL FOR CRICKET

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondent(s)

(With appln. (s) for directions and intervention and modification of Court's order and permission to implead the name of applicant and recalling the Court's order and office report for direction)

WITH C.A. No.4236/2014

(With interim relief and office report)

C.A. No.1155/2015

(With office report for direction)

Commt. Pet. (C) No.46/2017 in C.A. No.4235/2014

Commt. Pet. (C) No.47/2017 in C.A. No.4235/2014

Date : 30/01/2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

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

Mr. Santosh Krishnan, Adv.

Mr. Ankur Kashyap, Adv.

Mr. Pavan Bhushan, Adv.

Mr. Anil B. Divan, Sr. Adv. (A.C.)

For Appellant(s)

Mr. Arvind P. Datar, Sr. Adv.

Mr. Radha Rangaswamy, AOR

Ms. Ranjeeta Rohatgi, Adv.

Mr. Abhinav Mukerji, Adv.

Validity unknown
Digitally signed by
CA 4236/14
Date: 2017.02.01
10:08:42
Reason:

CA 4236/14

Mr. Rajat Sehgal, Adv.

Mr. Chandrashekher Verma, Adv.

Mr. Gagan Gupta, AOR

CA 1155/15.

Mr. Vikas Mehta, AOR
Ms. Anushree Menon, Adv.

CP(C) 46/17

Mr. K.K. Mohan, AOR

CP(C) 47/17

Mr. M.P. Vinod, AOR

For Respondent(s)

Mr. Mukul Rohatgi, AG
Mr. Snehasish Mukherjee, AOR

Mr. R. Balasubramonian, Adv.
Ms. Ananya Mishra, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. Akshay Amritanshu, Adv.
Mr. Raj Bahadur, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Senthil Jagadeesan, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. P.R. Raman, Adv.
Mr. Gautam Raman, Adv.
Mr. Amol Chitale, Adv.
Mr. Nirnimesh Dube, AOR

Mr. Santosh Krishnan, AOR

Mr. Rajat S., Adv.
Mr. Chandrashekhar Verma, Adv.
Mr. Gagan Gupta, AOR

Mr. A. S. Bhasme, AOR

Mr. E. C. Agrawala, AOR

Mr. K. K. Mohan, AOR

Mr. Puneet Bali, Sr. Adv.
Ms. Gunjan Rishi, Adv.
Mr. Aditya Soni, Adv.
Mr. Shree Pal Singh, AOR

Mr. Shreekant N. Terdal, AOR

Ms. Manju Sharma, AOR

Mr. Praveen Swarup, AOR

Ms. Kamakshi S. Mehlwal, AOR

Ms. Sonia Mathur, AOR

Mr. Chirag M. Shroff, AOR

Dr. Rajeev Dhawan, Sr. Adv.
Mr. Balaji Srinivasan, AOR
Mr. Abhishek Bharti, Adv.
Ms. Srishti Govil, Adv.
Ms. Vaishnavi Subrahmanyam, Adv.
Ms. Pratiksha Mishra, Adv.

Mr. Raghavendra S. Srivatsa, AOR

Ms. Liz Mathew, AOR

Mr. Snehasish Mukherjee, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. P.R. Raman, Adv.
Mr. Gautam Raman, Adv.
Mr. Amol Chitale, Adv.
Ms. Pragya Baghel, AOR

Mr. Tushar Mehta, Sr. Adv.
Mr. P.R. Raman, Adv.
Mr. Gautam Raman, Adv.
Mr. Amol Chitale, Adv.
Ms. Pragya Baghel, AOR

Mr. Pragya Baghel, AOR

Ms. Pragya Baghel, AOR

Mr. Amit A. Pai, Adv.
Mr. Venkita Subramonyam T.R., AOR
Mr. Rahat Bansal, Adv.
Mr. Nitesh Ranjan, Adv.

Mr. Gaurav Sharma, AOR

Mr. V. K. Biju, AOR

Ms. Rashmi Singh, AOR

Mr. Anish R. Shah, AOR

Mr. Anshuman Ashok, AOR

Mr. Radha Rangaswamy, AOR

Mr. Hari Shankar K., AOR

Mr. Vipin Nair, AOR

Mr. Rahul Pratap, AOR

Mr. Mishra Saurabh, AOR

Mr. Deeptakirti Verma, AOR

Mr. M. Yogesh Kana, AOR
Ms. Nithya, Adv.

Mr. Vikas Singh Jangra, AOR

Ms. Tamali Wad, AOR

Ms. Pooja Dhar, AOR

Mr. Sangram Patnaik, Adv.
Ms. Sonal Bhalla, Adv.
Mr. Gautam Dass, Adv.

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

On 24th January, 2017, this Court after referring to the order dated 2nd January, 2017 and upon hearing Mr. Mukul Rohatgi, learned Attorney General for India, Mr. Anil B. Divan and Mr. Gopal Subramanian, learned Amicus Curiae, Mr. Arvind P. Datar, learned senior counsel appearing for the B.C.C.I., Mr. Kapil Sibal and Mr. Tushar Mehta, learned senior counsel appearing for certain Associations, had directed as follows:

"In view of the aforesaid, we permit Mr. Datar to give three names in a sealed cover after following the due process and, needless to say, the names that will be given should not be disqualified under the principal judgment or any of the orders of this Court.

Let the names by Mr. Mukul Rohatgi, learned Attorney General and Mr. Kapil Sibal, learned senior counsel for the Committee of Administrators for the BCCI and Mr. Arvind P. Datar, learned senior counsel for the BCCI for a nominee to attend the meeting of the ICC, be given by 27th January, 2017.

The documents that have been filed by the learned Amicus Curiae be kept in a sealed cover."

In pursuance of the aforesaid order, Mr. Datar, learned senior counsel has filed a list of names in a sealed cover. Similarly, certain names have been suggested by Mr. Kapil Sibal, learned senior counsel appearing for certain State Associations. In course of hearing, Mr. Mukul Rohatgi, learned Attorney General has suggested that the Secretary of the Sports Ministry, Union of India, may be one of the members of the Committee of Administrators.

First, we shall deal with the submission of Mr. Mukul Rohatgi, learned Attorney General for India. By order dated 2nd January, 2017, this Court had observed that no government servant shall be a member of the B.C.C.I. In view of the aforesaid, without dwelling upon the issue of whether the Sports Secretary should be a member of the Committee of Administrators or not, today, we think it appropriate to defer the proposal of Mr. Rohatgi.

We nominate the following members, who shall function as the Committee of Administrators for B.C.C.I.:-

- (i) Mr. Vinod Rai, former Comptroller and Auditor General of India;
- (ii) Mr. Ramachandra Guha, eminent writer, thinker and cricket historian;
- (iii) Mr. Vikram Limaye, Managing Director and CEO, IDFC Ltd.; and
- (iv) Ms. Diana Edulji, former eminent cricketer and captain of the Indian Women's Cricket team.

Mr. Vinod Rai shall be the Chairman of the Committee of Administrators. The C.E.O. of B.C.C.I. shall report to the Committee of Administrators and the Administrators shall supervise the management of B.C.C.I.

An issue had arisen on the previous occasion, as well as today with regard to the implementation of Justice Lodha Committee recommendations which have been accepted by this Court with certain modifications. It is submitted by Mr. Gopal Sankaranarayanan, learned counsel, the Secretary of Justice Lodha Committee that it had incorporated certain time lines. Mr. Arvind P. Datar, learned senior counsel appearing for B.C.C.I. would submit that many of the suggestions of Justice Lodha Committee which have been accepted by this Court have been complied with. There is a dispute with regard to the same.

In view of the same, we direct the Committee of Administrators to ask the C.E.O. of B.C.C.I. to submit a compliance report within a week hence. Mr. Sankaranarayanan, learned counsel shall supply the time lines to Mr. Datar so that the counsel assisting Mr. Datar may be in a position to convey to the C.E.O. what is to be placed before the Committee. The Committee shall scrutinize the compliance and submit a status report before this Court within four weeks from today.

Be it noted, on the last occasion, it was submitted by Mr. Datar that B.C.C.I. has to send a nominee to attend the meeting of ICC which is likely to be held in the first week of February, 2017. For the aforesaid purpose, names have been suggested by Mr. Datar. Considering the names suggested by Mr. Datar, we are of the opinion that three persons, one from the Committee of Administrators and two from the B.C.C.I. shall attend the ICC meeting so that there will be objectivity and transparency. For the aforesaid purpose, we nominate, Mr. Amitabh Choudhary, Joint Secretary, and Mr. Anirudh Chaudhry, Treasurer, B.C.C.I. and Mr. Vikram Limaye, Managing Director and CEO, IDFC Ltd. Needless to say, B.C.C.I. shall make all arrangements for and bear the

expenses of the same. It is further clarified that these persons have been nominated to attend the ICC meeting only for this time.

With regard to the terms and conditions of the Committee of Administrators, the C.E.O. of B.C.C.I. shall place the proposal before this Court.

Mr. Datar, learned senior counsel appearing for B.C.C.I. submits that he has Letters of Undertaking from certain office bearers in pursuance of the order dated 2nd January, 2017. Liberty is granted to file them. Needless to say, the grant of the liberty to file does not mean that we have expressed any opinion on the undertaking or the validity thereof.

Let the matter be listed at 3.00 p.m. on 27th March, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

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

Date: Thu, Aug 23, 2018 at 8:24 PM

Subject: Formation of Association of former players from the Indian Railways

To: <ms@rb.railnet.gov.in>, Railway Sports PB-Secretary
<rekha71yadav@gmail.com>

Cc: Rahul . Johri <rahul.johri@bccci.tv>, Saba Karim
<saba.karim@bccci.tv>

Dear Madam/ Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[E] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Indian Railways shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former cricketer from the Indian Railways who is elected by an association of former players from the Indian Railways and not a person nominated by the Government/ Railway Sports Promotion Board."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Indian Railways can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

Encl.: *Copy of Registered Constitution of BCCI*

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ANNEXURE A4

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

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

Date: Thu, Aug 23, 2018 at 8:21 PM

Subject: Formation of Association of former players from the Armed Forces/ Services

To: SSCB <sscbindia@navy.gov.in>, <svsheoran@rediffmail.com>, Services Sports Control Board <sscbindia@nic.in>

Cc: Rahul Johri <rahul.johri@bcci.tv>, Saba Karim <saba.karim@bcci.tv>

Dear Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[F] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Armed Forces/ Services shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former cricketer from the Armed Forces/ Services who is elected by an association of former players from the Armed Forces/ Services and not a person nominated by the Government/ Services Sports Control Board."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Armed Forces/ Services can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

Encl.: Copy of Registered Constitution of BCCI

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ANNEXURE - A5

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

Date: Thu, Aug 23, 2018 at 8:17 PM

Subject: Formation of Association of former players from the Association of Indian Universities

To: Indian universities Association <sgoffice@aiu.ac.in>

Cc: Rahul Johri <rahul.johri@bcci.tv>, Saba Karim <saba.karim@bcci.tv>

Dear Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[G] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Association of Indian Universities shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former First Class cricketer who has also represented a University in the All India Inter University Tournament and is elected by an association of former players from the Association of Indian Universities and not a person nominated by the Government/ Association of Indian Universities."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take

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place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Association of Indian Universities can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

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

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

Date: Sat, Sep 14, 2019 at 12:52 AM

Subject: Fwd: Formation of Association of former players from the
Indian RailwaysTo: <ms@rb.railnet.gov.in>, Railway Sports PB-Secretary
<rekha71yadav@gmail.com>

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

Dear Ma'am/Sir,

This in furtherance of the email dated 23rd August 2018 sent by the Committee of Administrators drawing attention of the Indian Railways to Rule 3(a)(ii)[E] of the registered constitution of BCCI in relation to nomination of a representative of Indian Railways to participate in the Annual General Meeting of BCCI.

Your attention is further invited to the Timelines and Proposed Actions issued by the Committee of Administrators on 21st May 2019 and published on the website of the BCCI read with the directions dated 6th September 2019 issued by the Committee of Administrators. Accordingly, Indian Railways is hereby requested to nominate a representative of Indian Railways to participate in the Annual General Meeting of BCCI, strictly in accordance with Rule 3(a)(ii)[E] of the registered constitution of BCCI, at the earliest and not later than 28th September 2019 failing which Indian Railways will not be eligible to participate in the elections of BCCI.

Further, Indian Railways is requested to ensure that the representative so nominated on its behalf should not be disqualified to become an

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office bearer of BCCI or a Councillor of BCCI in terms of the BCCI Constitution.

The Committee of Administrators reiterates that BCCI and its members are bound by the aforesaid stipulations and voting at the General Body Meetings of BCCI will take place strictly in accordance with the said provision.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

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

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

Date: Thu, Aug 23, 2018 at 8:24 PM

Subject: Formation of Association of former players from the Indian Railways

To: <ms@rb.railnet.gov.in>, Railway Sports PB-Secretary
<rekha71yadav@gmail.com>

Cc: Rahul Johri <rahul.johri@bcci.tv>, Saba Karim
<saba.karim@bcci.tv>

Dear Madam/ Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[E] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Indian Railways shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former cricketer from the Indian Railways who is elected by an association of former players from the Indian Railways and not a person nominated by the Government/ Railway Sports Promotion Board."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Indian Railways can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

Encl.: Copy of Registered Constitution of BCCI

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

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

Date: Sat, Sep 14, 2019 at 12:45 AM

Subject: Fwd: Formation of Association of former players from the Armed Forces/ Services

To: Services Sports Control Board <sscbindia@navy.gov.in>, <svsheoran@rediffmail.com>, Services Sports Control Board <sscbindia@nic.in>

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

Dear Ma'am/Sir,

This in furtherance of the email dated 23rd August 2018 sent by the Committee of Administrators drawing attention of the Armed Forces/ Services to Rule 3(a)(ii)[F] of the registered constitution of BCCI in relation to nomination of a representative of Armed Forces/ Services to participate in the Annual General Meeting of BCCI.

Your attention is further invited to the Timelines and Proposed Actions issued by the Committee of Administrators on 21st May 2019 and published on the website of the BCCI read with the directions dated 6th September 2019 issued by the Committee of Administrators. Accordingly, Armed Forces/ Services is hereby requested to nominate a representative of Armed Forces/ Services to participate in the Annual General Meeting of BCCI, strictly in accordance with Rule 3(a)(ii)[F] of the registered constitution of BCCI, at the earliest and not later than 28th September 2019 failing which Armed Forces/ Services will not be eligible to participate in the elections of BCCI.

Further, Armed Forces/ Services is requested to ensure that the representative so nominated on its behalf should not be disqualified to become an office bearer of BCCI or a Councillor of BCCI in terms of the BCCI Constitution.

The Committee of Administrators reiterates that BCCI and its members are bound by the aforesaid stipulations and voting at the General Body Meetings of BCCI will take place strictly in accordance with the said provision.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

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

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

Date: Thu, Aug 23, 2018 at 8:21 PM

Subject: Formation of Association of former players from the Armed Forces/ Services

To: SSCB <sscbindia@navy.gov.in>, <svsheoran@rediffmail.com>, Services Sports Control Board <sscbindia@nic.in>

Cc: Rahul Johri <rahul.johri@bcci.tv>, Saba Karim <saba.karim@bcci.tv>

Dear Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[F] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Armed Forces/ Services shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former cricketer from the Armed Forces/ Services who is elected by an association of former players from the Armed Forces/ Services and not a person nominated by the Government/ Services Sports Control Board."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Armed Forces/ Services can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

Encl.: Copy of Registered Constitution of BCCI

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ANNEXURE-A1

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

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

Date: Sat, Sep 14, 2019 at 12:49 AM

Subject: Fwd: Formation of Association of former players from the Association of Indian Universities

To: Indian universities Association <sgoffice@aiu.ac.in>

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

Dear Ma'am/Sir,

This in furtherance of the email dated 23rd August 2018 sent by the Committee of Administrators drawing attention of the Association of Indian Universities ("AIU") to Rule 3(a)(ii)[G] of the registered constitution of BCCI in relation to nomination of a representative of AIU to participate in the Annual General Meeting of BCCI.

Your attention is further invited to the Timelines and Proposed Actions issued by the Committee of Administrators on 21st May 2019 and published on the website of the BCCI read with the directions dated 6th September 2019 issued by the Committee of Administrators. Accordingly, AIU is hereby requested to nominate

a representative of AIU to participate in the Annual General Meeting of BCCI, strictly in accordance with Rule 3(a)(ii)[G] of the registered constitution of BCCI, at the earliest and not later than 28th September 2019 failing which AIU will not be eligible to participate in the elections of BCCI.

Further, AIU is requested to ensure that the representative so nominated on its behalf should not be disqualified to become an office bearer of BCCI or a Councillor of BCCI in terms of the BCCI Constitution.

The Committee of Administrators reiterates that BCCI and its members are bound by the aforesaid stipulations and voting at the General Body Meetings of BCCI will take place strictly in accordance with the said provision.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

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

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

Date: Thu, Aug 23, 2018 at 8:17 PM

Subject: Formation of Association of former players from the Association of Indian Universities

To: Indian universities Association <sgoffice@aiu.ac.in>

Cc: Rahul Johri <rahul.johri@bccitv>, Saba Karim <saba.karim@bccitv>

Dear Sirs,

In compliance with the judgment dated 9th August 2018 ("Judgment"), the Constitution of BCCI (as approved by the Hon'ble Supreme Court vide the Judgment) was registered on 21st August 2018. A copy of the said registered Constitution is enclosed herewith.

Your attention is drawn to Rule 3(a)(ii)[G] of the Constitution, which states as follows:

"Notwithstanding anything contained hereinabove in this Rule 3(a)(ii), a representative from the Association of Indian Universities shall be entitled to vote at meetings of the General Body of the BCCI. However, such representative shall be a former First Class cricketer who has also represented a University in the All India Inter University Tournament and is elected by an association of former

players from the Association of Indian Universities and not a person nominated by the Government/ Association of Indian Universities."

The BCCI and its members are bound by the aforesaid stipulation and voting at the General Body Meetings of BCCI henceforth will take place strictly in accordance with the said provision. Therefore, you are requested to ensure compliance with the above requirement so that the representative from the Association of Indian Universities can cast a vote at meetings of the General Body of the BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

ITEM NO.301
(AT 2 P.M.)

COURT NO.2

SECTION III

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

Civil Appeal Nos.4235/2014

BOARD OF CONTROL FOR CRICKET IN INDIA & ORS.

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondent(s)

With IA NO.8255/2019 - APPROPRIATE ORDERS/DIRECTIONS

- IA NO.8240/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.11702/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.7354/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.9216/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.7345/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.167725/2018 - CLARIFICATION/DIRECTIONS
- IA NO.185944/2018 - CLARIFICATION/DIRECTIONS
- IA NO.15567/2019 - CLARIFICATION/DIRECTIONS
- IA NO.12943/2019 - CLARIFICATION/DIRECTIONS
- IA NO.171525/2018 - CLARIFICATION/DIRECTIONS
- IA NO.170134/2018 - CLARIFICATION/DIRECTIONS
- IA NO.168793/2018 - CLARIFICATION/DIRECTIONS
- IA NO.169168/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA NO.8890/2019 - CLARIFICATION/DIRECTIONS
- IA NO.167724/2018 - APPLICATION FOR INTERVENTION
- IA NO.8235/2019 - APPLICATION FOR INTERVENTION
- IA NO.168786/2018 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.7343/2019 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.8251/2019 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.12941/2019 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.170132/2018 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.11698/2019 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.7352/2019 - APPLN.(S) FOR INTERVENTION/IMPLEADMENT
- IA NO.185941/2018 - APPLICATION FOR PERMISSION
- IA No. 138009/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 110244/2017 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 78398/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 136439/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 64280/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 105636/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 131096/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 55731/2017 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 144204/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 108136/2018 - CLARIFICATION/DIRECTION
- IA No. 139483/2018 - CLARIFICATION/DIRECTION
- IA No. 137988/2018 - CLARIFICATION/DIRECTION
- IA No. 160090/2018 - CLARIFICATION/DIRECTION
- IA No. 134679/2018 - CLARIFICATION/DIRECTION

Signatures
Date
Place

IA No. 62816/2018 - CLARIFICATION/DIRECTION
 IA No. 102722/2018 - CLARIFICATION/DIRECTION
 IA No. 101576/2018 - CLARIFICATION/DIRECTION
 IA No. 145662/2018 - CLARIFICATION/DIRECTION
 IA No. 128645/2017 - CLARIFICATION/DIRECTION
 IA No. 120190/2018 - CLARIFICATION/DIRECTION
 IA No. 160010/2018 - EXEMPTION FROM FILING O.T.
 IA No. 145665/2018 - EXEMPTION FROM FILING O.T.
 IA No. 45/2017 - EXTENSION OF TIME
 IA No. 43/2017 - EXTENSION OF TIME
 IA No. 42/2017 - EXTENSION OF TIME
 IA No. 93288/2017 - I/A FOR AMENDMENT OF INTERVENTION APPLICATION
 IA No. 110710/2017 - I/A FOR DIRECTIONS AND SUBMISSION OF
 OBJECTIONS TO THE DRAFT TEXT OF THE NEW BCCI CONSTITUTION - PER
 IA No. 33/2017 - INTERVENTION APPLICATION
 IA No. 55723/2017 - INTERVENTION APPLICATION
 IA No. 94554/2018 - INTERVENTION APPLICATION
 IA No. 32/2017 - INTERVENTION APPLICATION
 IA No. 48/2017 - INTERVENTION APPLICATION
 IA No. 121303/2017 - INTERVENTION APPLICATION
 IA No. 31/2017 - INTERVENTION APPLICATION
 IA No. 47/2017 - INTERVENTION APPLICATION
 IA No. 47253/2017 - INTERVENTION APPLICATION
 IA No. 30/2017 - INTERVENTION APPLICATION
 IA No. 46711/2017 - INTERVENTION APPLICATION
 IA No. 39270/2017 - INTERVENTION APPLICATION
 IA No. 110240/2017 - INTERVENTION APPLICATION
 IA No. 160008/2018 - INTERVENTION APPLICATION
 IA No. 36/2017 - INTERVENTION APPLICATION
 IA No. 51/2017 - INTERVENTION APPLICATION
 IA No. 107394/2017 - INTERVENTION APPLICATION
 IA No. 35/2017 - INTERVENTION APPLICATION
 IA No. 34/2017 - INTERVENTION APPLICATION
 IA No. 101571/2018 - INTERVENTION APPLICATION
 IA No. 108130/2018 - INTERVENTION/IMPLEADMENT
 IA No. 81233/2018 - INTERVENTION/IMPLEADMENT
 IA No. 105962/2018 - INTERVENTION/IMPLEADMENT
 IA No. 134678/2018 - INTERVENTION/IMPLEADMENT
 IA No. 40/2017 - MODIFICATION OF COURT ORDER
 IA No. 46/2017 - MODIFICATION OF COURT ORDER
 IA No. 37/2017 - MODIFICATION OF COURT ORDER
 IA No. 31454/2018 - MODIFICATION OF COURT ORDER
 IA No. 81234/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 39/2017 - RECALLING THE COURTS ORDER
 IA No. 8109/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 105965/2018 - RECALLING THE COURTS ORDER
 IA No. 48254/2017 - SEEKING DISCHARGE FROM COURT APPOINTED
 COMMITTEE
 WITH CONMT.PET.(C) No.47/2017 In C.A. No.4235/2014
 W.P.(C) No. 287/2017 (PIL-W)
 (FOR INTERVENTION APPLICATION ON IA 52924/2017)

C.A. No.4236/2014 (III)
 (FOR ON IA 87006/2013, FOR ON IA 89868/2013, FOR ON IA 22566/2014, FOR ON IA 48313/2014, FOR ON IA 60557/2014, FOR ON IA 62992/2014, FOR ON IA 62994/2014, FOR ON IA 65181/2014, FOR ON IA 64784/2014, FOR ON IA 78345/2014, FOR CLARIFICATION/DIRECTION ON IA 44726/2018)

C.A. No. 1155/2015 (III)
 (FOR CLARIFICATION/DIRECTION ON IA 141280/2018 AND IA NO.141280/2018 - CLARIFICATION/DIRECTION and IA No.168852/2018 - Clarification/directions)

W.P.(C) No.46/2017 (PIL-W)
 (FOR PERMISSION TO FILE SYNOPSIS AND LIST OF DATES ON IA 1/2017)
 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)

W.P.(C) NO.48/2019 (FOR ADMISSION)

W.P.(C) No.79/2019 (With appln.(s) for exemption from filing O.T.)

Date : 14-03-2019 These matters were called on for hearing today.
 CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
 HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

Counsel for the parties

Mr. P.S. Narasimha, Sr. Adv. (A.C.)
 Mr. V.C. Shukla, Adv.
 Ms. Sindoor VNL, Adv.
 Mr. Rahul G. Tanwani, Adv.

Mr. M. P. Vinod, AOR

Mr. K.V. Viswanthan, Sr. Adv.
 Mr. Ranjith K.C., AOR
 Mr. Absilash K.N., Adv.

Mr. Kapil Sibal, Sr. Adv.
 Mr. P.R. Raman, Sr. Adv.
 Mr. Amol Chitale, Adv.
 Mr. Nirnimesh Dube, AOR

Mr. Tushar Mehta, ASG
 Mr. Puneet Taneja, AOR
 Ms. Laxmi Kumari, Adv.
 Mr. Neeraj Shekhar, AOR

Mr. Gaurav Sharma, AOR

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

Mr. Atul Kumar - Applicant-in-Person
 Mr. Senthil Jagadeesan, AOR

Mr. Abhishek Singh, AOR
Mr. Shresth Arya, Adv.

Mr. Pragyan Sharma, Adv.
Mr. Mudit Makhijani, Adv.
Mr. Shikhar Garg, Adv.

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Mr. Jana Kalyan Das, Sr. Adv.
Mr. Sandeep D. Das, Adv.
Ms. Kritika Agrawal, Adv.
Mr. S. C. Sudhir, Adv.
Ms. Anusha Nagarajan, Adv.

Mr. Sachin Datta, Sr. Adv.
Mr. Vikas Mehta, AOR
Mr. Rajat Sehgal, Adv.
Mr. Vasanth Bharani, Adv.

Mr. Pai Amit, AOR
Mr. Anish R. Shah, AOR

Mr. Rauf Rahim, AOR

Mr. Pai Amit, AOR
Mr. Rahat Bansal, Adv.
Mr. Venkita Subramonium T.R., AOR

Ms. Petal Chandhok, Adv.
Mr. Gaichangpou Gangmei, AOR

Ms. Rashmi Singh, AOR

Mr. Venkita Subramoniam T.r, AOR

Ms. Manju Sharma, AOR

Mr. A. S. Bhasme, AOR

Mr. E. C. Agrawala, AOR

Mr. Raghavendra S. Srivatsa, AOR

Mr. Balaji Srinivasan, AOR
Mr. Sampath Kumar, Adv.
Ms. Garima Jain, Adv.
Mr. Siddhant Kohli, Adv.
Ms. Pallavi Sengupta, Adv.

Mr. Puneet Bali, Adv.

Mr. Gunjan Rishi, Adv.
Mr. Aditya Soni, Adv.
For Mr. Shree Pal Singh, AOR

Ms. Neela Gokhale, Adv.
Ms. Kamakshi S. Mehlwal, AOR

Mr. Mukesh Kumar Maroria, AOR

Mr. Praveen Swarup, AOR

Ms. Liz Mathew, AOR
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Mr./Ms. Ilam Paridi, Adv.
Ms. Kamakshi S. Mehlwal, AOR

Mr. Tushar Mehta, Sr. Adv.
Mr. Siddharth Garg, Adv.
Ms. Pratishtha Vij, Adv.
Mr. Snehasish Mukherjee, AOR

Mr. V. K. Biju, AOR

Mr. Amol Chitale, Adv.
Mrs. Pragya Baghel, AOR

Mr. P.S. Patwalia, Sr. Adv.
Mr. Siddharth Garg, Adv.
Ms. Pratishtha Vij, Adv.
Mr. Snehasish Mukherjee, AOR

Ms. Vasundhara Pathak Masoodi, Adv.
Mr. K. Krishna Kumar, Adv.
Mr. K. K. Mohan, AOR

Mr. Shreepal Singh, AOR

Mr. Ashis Mohan, Adv.
Mr. K. K. Mohan, AOR

Mr. Rajiv Nanda, AOR

Mr. Sarvesh Singh, AOR

Mr. Chirag M. Shroff, AOR
Ms. Neha Sangwan, Adv.

Mr. Gagan Gupta, AOR

Ms. Sonia Mathur, AOR

Mr. Ritesh Kumar Chowdhary, AOR

Mr. Chandra Bhushan Prasad, AOR

Mr. Aditya Verma, AOR

Mr. Shrey Patnaik, Adv.

Mr. Maninder Singh, Sr. Adv.

Ms. Aruna Mathur, Adv.

Mr. Tejveer Bhutia, Adv.

Mr. Rohan Swarup, Adv.

Ms. Retika Talwar, Adv.

Mr. Avneesh Arputham, Adv.

Ms. Anuradha Arputham, Adv.

For M/S. Arputham Aruna And Co, AOR

Mr. R. Chandrachud, AOR

Mr. Nitin Thukral, Adv.

Mr. Karan Sharma, Adv.

Mrs. Bina Gupta, AOR

Mr. Maninder Singh, ASG

Mr. Tejveer Bhatia, Adv.

Mr. Prabhas Bajaj, Adv.

Mr. Parangat Pandey, Adv.

Ms. Ashita Chawla, Adv.

Mr. Rameshwar Prasad Goyal, AOR

Mr. Santosh Mishra, AOR

Mr. Raghenth Basant, Adv.

Mr. Santosh Kumar - I, AOR

Mr. Raghav Mehrotra, Adv.

Mr. R. Basant, Sr. Adv.

Mr. Pai Amit, AOR

Mr. Rahat Bansal, Adv.

Ms. Pankhuri Bhardwaj, Adv.

Mr. Deeptakirti Verma, AOR

Mr. M. Yogesh Kanna, AOR

Mr. S. Partha Sarathi, Adv.

Mr. S. Raja Rajeshwaran, Adv.

Ms. Tamali Wad, AOR

Mr. Vikas Singh Jangra, AOR

Mr. Anupam Lal Das, Adv.

Mr. Ishan Bisht, Adv.

Mr. Angaj Gautam, Adv.

Mr. Rahul Pratap, AOR

Mr. Tushar Mehta, Ld. SG

Mr. R. Balasubramanian, Adv.

Mr. Puneet Taneja, Adv.

For Mrs. Anil Katiyar, AOR

Mr. Parag P. Tripathi, Sr. Adv.

Mr. Chander Uday Singh, Sr. Adv.

Ms. Gauri Rasgotra, Adv.

Mr. Indranil Deshmukh, Adv.

Mr. Vikash Kumar Jha, Adv.

Mr. Adarsh Saxena, Adv.

Mr. Vimeet Unnikrishnan, Adv.

Ms. Nikitha Shenoy, Adv.

Mr. Rishabh Kapur, Adv.

Mr. Amjid Maqbool, Adv.

For M/S. Cyril Amarchand Mangaldas Aor, AOR

Mr. Gaurav Kejriwal, AOR

Mr. Kabir Hathi, Adv.

Ms. Jesal Wahi, AOR

Mr. Hrishikesh Baruah, AOR

Mr. Hemant Phulphar, Adv.

Mr. Parth Goswami, Adv.

Mr. Rashmi Malhotra, AOR

Mr. Himanshu Kaushik, Adv.

Mr. Sonam Sharma, Adv.

Ms. Ruchi Kohli, AOR

Ms. Nidhi Jaswal, Adv.

Mr. Avijit Mani Tripathi, AOR

Dr. Monika Gusain, AOR

Mr. Ashok Panigrahi, AOR

Mr. Anmol Tayal, Adv.

Mr. S. Vinay Ratnakar, Adv.

Mr. Niki Kantawala, Adv.

Ms. Uttara Babbar, AOR

Ms. Bhavana Duhoon, Adv.

Mr. Manan Bansal, Adv.

Mr. Gourab Banerji, Sr. Adv.
Mr. Sahil Tagotra, AOR
Mr. Subhro P. Mukherji, Adv.
Ms. Raka Chatterjee, Adv.
Mr. Mohit Pandey, Adv.

Mr. D.N. Goburdhun, Adv.
Mr. Balendu Shekhar, Adv.
Ms. Gauri Goburdhun, Adv.
Ms. Pallavi Chopra, Adv.

Mr. Reepak Kansal, Adv.
Mr. Yadunandan Bansal, Adv.
Mr. Ravinder Kumar, Adv.
Mr. Pratik R. Bombarde, AOR

Mr. S.B. Upadhyay, Sr. Adv.
Mr. Neeraj Shekhar, AOR
Mr. Sumit Kumar, Adv.
Mr. Animesh Kumar, Adv.
Mr. Ashutosh Thakur, Adv.

Mr. Shikhar Garg, Adv.
Ms. Nishtha Kumar, AOR

Mr. Kaustubh Shukla, Adv.
Mr. Abhay Singh, Adv.

Mr. Azim H. Laskar, Adv.
Mr. Sachin Das, Adv.
Mr. Chandra Bhushan Prasad, Adv.

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

When the matter was taken up today, Mr. P.S. Narasimha, learned *Amicus Curiae*, has pointed out two issues before this Court viz., (a) One is regarding applications for rectification of the Registered BCCI Constitution and (b) another is regarding applications for release of funds.

As far as issue (a) is concerned, we consider it appropriate to request Mr. Narasimha, learned *Amicus Curiae* to look into this matter and make appropriate recommendations to

the Committee of Administrators (CoA). In case the parties are not satisfied with those recommendations, they may approach this Court for passing appropriate orders.

As far as issue (b) is concerned, it is pointed out that certain applications for release of funds have been filed by the Cricket Associations of Maharashtra, Madhya Pradesh, Saurashtra, Himachal Pradesh and Kerala and some others. We request Mr. Narasimha, learned Amicus Curiae to look into this matter and make appropriate recommendations to the Committee of Administrators (CoA) before the next date of hearing.

Mr. Parag P. Tripathi, learned Senior Counsel appearing for the Committee of Administrators, states that it will take adequate/appropriate steps to protect the Pune Stadium of Maharashtra Cricket Association and discharge the liability in respect thereof.

By consent of all the parties, Mr. P.S. Narasimha, learned Amicus Curiae, is appointed by this Court to act as a Mediator in relation to any dispute that might arise in the instant interlocutory applications pending before us. Fee of the learned Mediator shall be paid by the Board of Control for Cricket in India (BCCI).

Till Mr. Narasimha, learned Amicus Curiae, submits a report, we consider it desirable that no Court/Tribunal in India shall entertain or proceed with any matter pertaining to BCCI or any State Cricket Association(s) involved.

List these matters except Writ Petition (Civil) No.79/2019 and I.A. No.31 of 2017 in C.A. No.4235 of 2014, at 2

P.M. on 11.4.2019, 25.04.2019, and 02.05.2019 before the same Special Bench.

Writ Petition (Civil) No.79/2019

Heard.

The only prayer which is pressed on behalf of the petitioners viz., Kerala Cricket Association and another in the instant writ petition is that a direction be issued to register the amended bye-laws of the Kerala Cricket Association (for short, the 'KCA') which according to them, are in accordance with the judgment and order of this Court dated 9.8.2018 in Civil Appeal No.4235 of 2014. The amended bye-laws are said to have been approved by the Committee of Administrators (CoA).

The Registrar is accordingly directed to register the aforesaid amended bye-laws of KCA under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955, in accordance with law.

Learned counsel appearing for the State of Kerala shall communicate this order to the concerned Registrar forthwith.

With the aforesaid directions, the instant writ petition is disposed of.

As a sequel to the above, pending interlocutory applications, if any, stand disposed of.

I.A. No.31 of 2017 in C.A. No.4235 of 2014

In view of the above order passed in Writ Petition (Civil) No.79/2019, the instant interlocutory application is disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR

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ANNEXURE-A10

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

IN THE MATTER OF:

THE BOARD OF CONTROL FOR
CRICKET IN INDIA

.....PETITIONER

VERSUS

CRICKET ASSOCIATION OF BIHAR
& ORS.

.....RESPONDENTS

REPORT OF THE AMICUS CURIAE UPTO 09.05.2019

1. This Hon'ble Court vide order dated 14.03.2019 observed as follows:

".....

By consent of all the parties, Mr. P.S. Narasimha, learned Amicus Curiae, is appointed by this Court to act as a Mediator in relation to any dispute that might arise in the instant interlocutory applications pending before us.

Till Mr. Narasimha, learned Amicus Curiae, submits a report, we consider it desirable that no Court/Tribunal in India shall entertain or proceed with any matter pertaining to BCCI or any State Cricket Association(s) involved."

2. Pursuant to the above order passed by the Court, the Amicus Curiae has met several parties and even held joint meetings with the State association on the one hand and the Committee of Administrators on the other hand. A list of all such meetings is being enclosed herewith and marked as **ANNEXURE-1**.
3. That in view of the meetings held with the State Associations and several intervenors before this Hon'ble Court the following issues have been resolved:

S. No.	State Association and the I.A. No.	Conclusion
1. Odisha		
1A	I.A. No. 167724-25 of 2018 filed by the Union Sporting Club. (Mr. Amit A. Pai, Advocate)	<p>The grievance in the IA is regarding exclusion of the Union Sporting Club from the Odisha State Cricket Association. During mediation it has come to light that the Union Sporting Club has been added as a member and accordingly the applicant has agreed to withdraw the IA.</p> <p>In any event, if there arises a dispute regarding the membership of any club in the State Association, the clubs may adopt such legal remedies as available.</p>
1B	I.A. No. 8251 & 8255 of 2019 filed by Shaheed Sporting Club & Rameshwar Sporting Club. [Mr. R. Chandrachud, Advocate]	<p>The Applicants challenge the wrongful exclusion of their sporting club from the membership of the Odisha State Cricket Association. After mediation, the parties agreed to withdraw the IA with permission to pursue such legal remedies as available to them.</p>

1C	<p>I.A. No. 168786 & 168793 of 2018 filed by Harinarayan Pujari & Ors. [Mr. Ashok Panigrahi, Advocate]</p>	<p>The grievance of the Applicant is that clubs other than Cuttack have not been given voting rights. As this is a dispute of membership to the State Association, the remedy need not be in the Supreme Court. After mediation the parties have agreed that they will withdraw the IA and pursue such remedies as available under the law.</p>
1D	<p>I.A. No. 11698 & 11702 of 2019 filed by the Mangala Club. [Mr. Sandeep Devashish Das]</p>	<p>The grievance in the IA is regarding exclusion of the Mangala Club from the Odisha State Cricket Association. During mediation it has come to light that the Mangala Club has been added as a member and accordingly the applicant has agreed to withdraw the IA.</p> <p>In any event, if there arises a dispute regarding the membership of any club in the State Association, the clubs may adopt such legal remedies as available.</p>

2. PONDICHERRY		
2A	I. A. No. 102722 of 2018 filed by Pondicherry Cricket Association through Kalaimani. [Mr. Aditya Verma, Advocate]	All these Applicants seek recognition of Pondicherry Cricket Association as the member of BCCI. By its decision dated 20.10.2017 CoA had recognised Cricket Association of Pondicherry as the member of BCCI. These IA's challenge the validity of the order dated 20.10.2017 passed by the CoA. During mediation it was agreed by the Counsels that they will withdraw these applications and challenge the impugned order as per the remedies available as per law. Accordingly, these IA's can be disposed of as withdrawn with liberty to challenge it before an appropriate forum.
2B	I.A. No. 55723 of 2017 filed by Pondicherry Cricket Association through Kalaimani. [Mr. Aditya Verma, Advocate]	
2C	I. A. No. 105636 of 2018 filed by Pondicherry Cricket Association through G. Velmurugan. [Mr. R. Chandrachud, Advocate]	
2D	I.A. No. 39270 of 2017 filed by Pondicherry Cricket Association through G. Velmurugan. [Mr. R. Chandrachud, Advocate]	
2E	I.A. No. 94554 of 2018 filed by K. Sundar [Ms. Ruchi Kohli, Advocate]	The Applicant preferred the instant application challenging the averments made by the representatives of Pondicherry Cricket Association. In view of the fact that the said applications are being withdrawn as abovestated, the instant application becomes infructuous and may be disposed of accordingly.

3. Karnataka		
3A	I.A. No. 37 of 2017 filed by the Karnataka State Cricket Association. [Mr. Balaji Srinivasan, Advocate]	The applicants raised a large number of issues in the IAs, with regard to provisions of the proposed Constitution of the State Association. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the joint meeting between the applicants, AC and CoA an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court.
3B	I.A. No. 46 of 2017 filed by the Karnataka State Cricket Association. [Mr. Balaji Srinivasan, Advocate]	
3C	I.A. No. 110710 of 2017 filed by the Karnataka State Cricket Association. [Mr. Balaji Srinivasan, Advocate]	
3D	I.A. No. 137988 of 2018 filed by the Karnataka State Cricket Association. [Mr. Balaji Srinivasan, Advocate]	
3E	I.A. No. 15567 of 2018 filed by the Karnataka State Cricket Association. [Mr. Balaji Srinivasan, Advocate]	In view of the settlement, the IA's may be disposed in terms of the settlement.

4. Maharashtra		
4A	I.A. No. 41 of 2017 filed by Maharashtra Cricket Association [Ms. Neela Gokhle, Advocate]	<p>The applicants raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the joint meeting between the applicants, AC and CoA an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court.</p> <p>In view of the settlement, the IA's may be disposed in terms of the settlement.</p>
4B	I.A. No. 18753 of 2017 filed by Maharashtra Cricket Association [Ms. Neela Gokhle, Advocate]	
4C	I.A. No. 83844 of 2017 filed by Maharashtra Cricket Association [Ms. Neela Gokhle, Advocate]	
4D	I.A. No. 78398 of 2018 filed by Maharashtra Cricket Association [Ms. Neela Gokhle, Advocate]	
4E	I.A. No. 160090 of 2018 filed by Maharashtra Cricket Association [Ms. Neela Gokhle, Advocate]	

5. Baroda		
5A.	I.A. 9216 of 2019 filed by Baroda Cricket Association [Mr. Kabir Hathi, Advocate]	<p>The grievances of the applicant were successfully mediated. A copy of the minutes of meeting is enclosed for the perusal of the Court.</p> <p>In view of the settlement, the IA may be disposed in terms of the settlement.</p>

6. Saurashtra		
6A	I.A. 93022 of 2017 filed by the Saurashtra Cricket Association. [Ms. Liz Mathew, Advocate]	The applicants raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association.. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the joint meeting between the applicants, AC and CoA an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court. In view of the settlement, the IA's may be disposed in terms of the settlement.
6B	I.A. 171525 of 2018 filed by the Saurashtra Cricket Association. [Ms. Liz Mathew, Advocate]	
6C	I.A. 128645 of 2017 filed by the Saurashtra Cricket Association. [Ms. Liz Mathew, Advocate]	
6D	I.A. 136439 of 2018 filed by the Saurashtra Cricket Association. [Ms. Liz Mathew, Advocate]	

7. Himachal Pradesh		
7A	I.A. 42 of 2017 filed by the Himachal Pradesh Cricket Association. [Mr. Siddhartha Garg, Advocate]	The applicants raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association.. The applicants had multiple meetings with the Amicus and thereafter the Amicus
7B	I.A. 139483 of 2018 filed by the Himachal Pradesh Cricket Association. [Mr. Siddhrtha Garg, Advocate]	discussed these issues with the CoA. In the joint meeting between the applicants, AC and CoA an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court.
7C	I.A. 8890 of 2019 filed by, he Himachal Pradesh Cricket Association. [Mr. Siddhrtha Garg, Advocate]	In view of the settlement, the IA's may be disposed in terms of the settlement.

8. Jharkhand		
8A	I.A. No. 32 of 2017 filed by Jharkhand State Cricket Association [Mr. Rajiv Singh, Advocate]	The applicant raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the meeting between the applicants and the AC, an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court. In view of the settlement, the IA's may be disposed in terms of the settlement.
8B	I.A. 121303 of 2017 filed by Jharkhand State Cricket Association [Mr. Rajiv Singh, Advocate]	

9. Tripura Cricket Association

9A	<p>Mr. Timir Chanda, Member representing United Friends, affiliated to Tripura Cricket Association, Tapash Ghosh, Member representing Polestar affiliated to Tripura Cricket Association, Manoj Das, Member representing Bloodmouth affiliated to Tripura Cricket Association and Rajesh Debbarma, Member representing Cosmopolitan, affiliated to Tripura Cricket Association met the Amicus.</p>	<p>Members of the Tripura Cricket Association met the AC and have informed him that at present, an AdHoc Committee of Administrators appointed by the Hon'ble High Court of Tripura are in charge of the day-to-day functioning of the Association. The members have prayed for a direction to the Tripura Cricket Association to hold elections at the earliest.</p> <p>The Amicus verified with CoA and it is seen that the Tripura Cricket Association is fully complaint with all the directions.</p> <p>The Hon'ble High Court vide order dated 05.02.2019 said that the process of elections in the State Association must be started.</p>
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10. Punjab Cricket Association

10A	Mr. R.P. Singla, Hon. Secretary, Punjab Cricket Association and Mr. Deepak Sharma, COO, Punjab Cricket Association met the Amicus.	Representatives of the Punjab Cricket Association met the AC and raised some issues regarding provisions of the proposed Constitution of the State Association. During the meeting between the Amicus and the representatives of the State Association, an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court.
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11. Mumbai Cricket Association

11A	<p>Mr. Ravi Savant, former President, Mumbai Cricket Association, Dr. Unmesh Khanvilkar, AdHoc Committee Member, Mumbai Cricket Association, Navin Shetty, AdHoc Committee Member, Mumbai Cricket Association, Ganesh Iyer, AdHoc Committee Member, Mumbai Cricket Association and C.S. Naik, CEO and AdHoc Committee Member, Mumbai Cricket Association met the Amicus.</p>	<p>Representatives of the Mumbai Cricket Association met the AC and raised issues peculiar to their State Association regarding provisions of the proposed Constitution of the State Association.</p> <p>During the Joint meeting of the Amicus, the CoA and the representatives of the State Association, an agreement was arrived at, resolving all the issues. A copy of the minutes of meeting is enclosed for the perusal of the Court.</p>
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In addition to the State Associations mentioned above, other State Associations have also met the AC and discussed their issues with him. The following State Associations, as per their protocol, have agreed to convey the proposals of the CoA and the Amicus for the purpose of resolving the issues to their General Body and revert once a decision has been reached at by their General Body.

12. Bengal Cricket Association		
12A.	I.A. No. 8235 of 2019 filed by the Bengal Cricket Association. [Mr. Sahil Tagotra, Advocate]	The information provided by the CoA is that Bengal Cricket Association is compliant on all respects except for one, i.e. it had not given voting rights to international players in its General Body.
12B	I.A. No. 8240 of 2019 filed by the Bengal Cricket Association. [Mr. Sahil Tagotra, Advocate]	The Amicus had a meeting with the Advocate representing the Bengal Cricket Association. The Amicus also had a word with the President of the Association, who has stated that the decision on this will be taken by the General Body and that he would revert upon a decision being taken.

13. Chhattisgarh State Cricket Sangh		
13A.	I.A. No. 48 of 2017 filed by the Chhattisgarh State Cricket Sangh. [Mr. Amol Chitale, Advocate]	The applicant raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the Joint meeting
13B	I.A. 144204 of 2018 filed by the Chhattisgarh State Cricket Sangh. [Mr. Amol Chitale, Advocate]	between Mr. Rajesh Dave, Member, Mr. Vijay Shah, Member, and Mr. Amol Chitale, Advocate representing the State Association, the CoA and the AC, a few proposals were put forth to the State Association, and the representatives have stated that the decision on this will be taken by the General Body and that they would revert upon a decision being taken.

14. Madhya Pradesh Cricket Association		
14A.	I.A. No. 34 of 2017 filed by the Madhya Pradesh Cricket Association. [Mr. Amol Chitale, Advocate]	The applicant raised a large number of issues in the IAs with regard to provisions of the proposed Constitution of the State Association. The applicants had multiple meetings with the Amicus and thereafter the Amicus discussed these issues with the CoA. In the Joint meeting
14B.	I.A. 169168 of 2018 filed by the Madhya Pradesh Cricket Association. [Mr. Amol Chitale, Advocate]	between Mr. Milind Kanmadikar, Hon. Secretary, Mr. Rohit D. Pandit, C.A.O., and Mr. Amol Chitale, Advocate, representing the State Association, the CoA and the AC, a few proposals were put forth to the State Association, and the representatives have stated that the decision on this will be taken by the General Body and that they would revert upon a decision being taken.

P.S. NARASIMHA, Amicus Curiae

Press Release**BCCI Desk****Mumbai, 21 May 2019, 15:04 IST****CoA announce election timelines for BCCI and state associations****Media Advisory****May 21, 2019**

Under the directions of Hon'ble Supreme Court of India, the learned Amicus Curiae Shri PS Narasimha held extensive mediation meetings with various state associations of the BCCI and the Supreme Court Appointed Committee of Administrators (CoA). Pursuant to these meetings, most state associations have agreed to implement the directions of the Hon'ble Supreme Court and become compliant to the reforms.

The learned Amicus Curiae Shri PS Narasimha advised the CoA that the time is now right to call for elections in the state associations and the BCCI.

The Committee of Administrators (CoA) on Tuesday announced the election schedule for the state associations and the BCCI.

The detailed schedule is given below –

Timelines and Proposed Actions

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S. No.	Action	Last date for completion
1.	Appointment of Electoral Officer by BCCI and preparation of the electoral protocol by the Electoral Officer of BCCI in consultation with the COA which shall be communicated to all the State Associations	30 th June 2019
2.	Appointment of Electoral Officer by State Associations	1 st July 2019
3.	Completion of preparation of the list of members, election protocol and electoral roll of the State Associations by the Electoral Officer of the State Association	14 th August 2019
4.	Completion of Elections of State Associations	14 th September 2019
5.	Sending of names of representatives of State Associations to BCCI	23 rd September 2019

6.	Preparation of the electoral roll of nominees qualified for the BCCI elections	30 th September 2019
7.	Elections of BCCI	22 nd October 2019

Issued by the Supreme Court Appointed Committee of
Administrators

DIRECTIONS ISSUED BY THE COMMITTEE OF ADMINISTRATORS ON APPOINTMENT OF ELECTORAL OFFICER

- A. The order dated 2nd January 2017 passed by the Hon'ble Supreme Court *inter alia* ordered and directed that:

"A Committee of administrators shall supervise the administration of BCCI through its Chief Executive Officer.

... the Committee of Administrators shall also ensure that the directions contained in the judgment of this Court dated 18 July 2016 (which accepted the report of the Committee with modifications) are fulfilled and to adopt all necessary and consequential steps for that purpose.

... Upon the Committee of administrators as nominated by this Court assuming charge, the existing office bearers shall function subject to the supervision and control of the Committee of administrators. The Committee of administrators would have the power to issue all appropriate directions to facilitate due supervision and control"

- B. In relation to the electoral process, the report submitted by the Justice R.M. Lodha Committee provides as follows:

"The electoral process will have to be transparent and independent, for which an Electoral Officer (a retired Central or respective State Election Commissioner) will have to be appointed. In the event that no such person is available, any other former State Election Commissioner, preferably from a neighbouring State may be appointed. This officer would conduct and supervise the entire process of elections from the filing of nominations to the declaration of results and the resolution of any disputes and objections during the election."

- C. The Committee of Administrators have noted that certain State Associations have faced difficulties in appointing an Electoral Officer in terms of the aforesaid, specifically, as all States have not set up a State Election Commissions.
- D. The Committee of Administrators is of the view that the Justice R.M. Lodha Committee contemplated the appointment of an Electoral Officer for the State who had requisite experience and expertise in the election process and the conduct of elections.

Accordingly, with a view to ensure that the Member Associations do not face difficulties in the appointment of electoral officers for the conduct of the elections and are in a position

to comply with the Orders passed by the Hon'ble Supreme Court, the Committee of Administrators considers it is necessary to issue the following directions:

1. The Member Association shall appoint an Electoral Officer from any of the following categories of persons only:

- (a) A former Chief Election Commissioner of India or former member of the Election Commission of India; or

- (b) A former Election Commissioner of the State.

Note: In case, such person is not available, then former Election Commissioner of a neighbouring State(s) may be appointed; or

- (c) A former Chief Electoral Officer of the State.

Note: In case such person is not available, then the former Chief Electoral Officer of a neighbouring State(s) may be appointed.

2. It is clarified that former Joint or Additional Chief Election Commissioner and Joint or Additional Chief Electoral Officers of States are not eligible for being appointed as the Electoral Officer of the Member Association.

Issued by Hon'ble Supreme Court Appointed Committee of Administrators

Dated this 25th day of July, 2019.

Office of the Electoral Officer

Conduct of Elections to the posts of BCCI Office Bearers, one (1) Councillor (as a representative of BCCI Members) of the BCCI and (2) two members of the Governing Council

Rules of Procedure1. Preamble

As mandated by the Supreme Court of India (vide its Judgement dated 9th August 2018 in Civil Appeals No.4235/2014 and connected matters) and consequently provided for in the MoA and Rules & Regulations ("**Constitution**") of the Board of Control for Cricket in India ("**BCCI**") in Rule 33 of the Constitution, the appointed Electoral Officer of the BCCI ("**Electoral Officer**") shall oversee and supervise the entire election process.

The Committee of Administrators ("**COA**") appointed by the Hon'ble Supreme Court have announced the Election Schedule for elections to state associations and the BCCI. All full members of the BCCI (apart from Vidarbha Cricket Association, Delhi and District Cricket Association and Assam Cricket Association, who have already held elections) who have been declared compliant with the Judgement dated 9th August 2018 passed by the Hon'ble Supreme Court by the COA are required to complete election process in their respective associations by 14th September 2019.

Full Members who either have not been declared compliant with the Judgement dated 9th August 2018 or who do not complete the election process before 14th September 2019 (or such other date that may be appointed by the COA for this purpose) and their representative, shall not be eligible to participate in the BCCI Election process.

The rules of procedure which shall cover the (i) election to the posts of Office Bearers of BCCI, (ii) election of one (1) member of the Apex Council (as a representative of BCCI Members under Rule 14 of the Constitution) and (iii) (2) two members of the Governing Council [as member elected by the General Body under Rule 28(2)(i) of the Constitution] are hereby prescribed and set out below.

2. Preparation and publication of Electoral Rolls of qualified members

As soon as may be but not later than 3 weeks before the date of the Annual General Meeting of the General Body of BCCI wherein elections of Office Bearers and a member of the Apex Council and two members of the Governing Council are to be held ("**Election Day**"), the Electoral Officer shall publish the electoral roll of

Representatives of eligible members qualified to participate in the BCCI elections viz. entitled to vote and field candidates for elections.

3. Call to file nomination papers for elective posts

As soon as may be but not later than 2 weeks before the Election Day, the Electoral Officer shall issue a notice calling upon Representatives of eligible Full Members to file nomination papers for election to the posts of President, the Vice-President, the Secretary, the Joint Secretary, the Treasurer, of one member of the Apex Council and two members of the Governing Council, indicating the schedule for covering every activity related to the elections.

4. Eligibility and procedure to file nomination papers

- a) A candidate can contest only for one post.
- b) A candidate must fill up the prescribed nomination form duly signed by him/her and his/her signature attested by notary/oath commissioner.
- c) A candidate's nomination should have been signed by a proposer and seconder, who shall each be a Representative of an eligible Full Member with all details as prescribed in the nomination form.
- d) The proposer's and seconder's signature should be duly attested by a notary/oath commissioner.
- e) No Representative shall be a proposer or a seconder to more than one candidate in respect of one post.
- f) A candidate may personally come to the BCCI office and file his/her nomination papers or his/her nomination form duly signed by him can be deposited by an authorized person whose name and address is duly verified and authorized by the candidate himself.

5. Scrutiny of nomination form and preparation of list of duly nominated candidates and contesting candidates.

- a) On the appointed date, the Electoral Officer shall scrutinize all nomination papers in presence of the candidates or their authorized representatives and announce his/her decision in respect of each nomination and then proceed to prepare and announce a list of validly nominated candidates for each of the posts.
- b) A validly nominated candidate will be allowed to withdraw from the contest till the time allowed for such withdrawal by filing his/her withdrawal application in the prescribed form in person before the Electoral Officer.

- c) On the stipulated day, the Electoral Officer shall, after taking into account withdrawal if any, of such validly nominated candidates from the contest, announce the list of contesting candidates for each of the posts.

6. Voting and declaration of results

- a) The Electoral Officer shall cause arrangements to be made for voting by the Representatives of eligible members on the Election Day for all the posts for which more than one nomination has been received and will call the Representatives of members eligible to vote to exercise their voting right in respect of each of the contested posts.
- b) The Electoral Officer will prescribe the procedure for the Representatives to cast their vote including but not limited to the ballot, its design, its authentication, the maintenance of secrecy of ballot, the time limit for exercising the voting right, the time period for preservation of counted ballots and other election materials, etc.
- c) At the closure of the time prescribed for the poll, the Electoral Officer shall cause the counting of the ballot papers and announce the results in respect of each of the contested posts.
- d) After announcement of results, the Electoral Officer shall announce the completion of the poll process.

7. Disputes and Objections

In case of any disputes or objection arising at any stage of the election process from the declaration or publication of electoral roll of qualified members to the declaration of results including but not limited to objection to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

8. Model Code of Conduct

A code of conduct covering all the activities relating to elections is enclosed which is to be mandatorily observed by all members.

Capitalised terms used by not defined above shall have the same meaning as set forth in the Constitution.

CODE OF CONDUCT FOR BCCI ELECTIONS

Instructions of the Electoral Officer appointed to conduct BCCI elections

1. In order to ensure free and fair polls, as envisaged in BCCI's MoA and Rules and Regulations ("Constitution"), candidates are expected to file the nomination papers along with an affidavit/declaration covering provisions mentioned therein. Nominations received without the affidavit/ declaration will be rejected at the time of scrutiny.
2. A period has been designated as the 'Campaign Period' to enable prospective candidates to seek support of members of BCCI in their favour on the voting day. The Campaign period may be used for candidates for campaigning. However, during the Campaign Period, candidates will not use unfair means including bribery, or appeal to or use of religious symbols, nor distribute gifts of various kinds such as liquor, to induce members for support. They will strictly adhere to the prescribed campaign practices annexed to these instructions.
3. Candidates will not use vehicles to bring members to the voting venue on the date of polling.
4. Proxy voting shall not be allowed.
5. Pamphlets and posters if circulated should not appeal to religious, caste, or communal sentiments to entice for votes. If pamphlets/ posters are put up, they should be not violative of the local law in force in the Bombay Municipal Area.
6. No pamphlets/ posters/ banners are allowed to be used/ put up, in or around the venue of the voting.
7. Candidates will maintain peace and calm in the voting venue during the polling period in order to maintain law and order.
8. Campaign office/ platform will not be opened in and around the venue of voting.
9. All candidates are expected to cooperate with the Electoral Officer for smooth conduct of voting during the entire process.
10. As stipulated in Rule 33 of the BCCI Rules and Regulations, "In case of any dispute or objection as to candidacy, disqualification, eligibility to vote or admission or

rejection of vote, the Electoral Officer shall decide the same and such decision shall be final and conclusive."

(As approved by the Electoral Officer)

Dated this 16th day of August, 2019

Annexure

Campaign Practices

Clause 1:

- (i) Electoral campaigns shall be carried out by the candidates in a fair and reputable manner and, more generally, in a spirit of respect for fundamental ethical principles.
- (ii) Candidates shall conduct all campaigns with dignity and moderation and with due respect to other candidates, the BCCI and its Members. A Candidate may produce no spoken word, written text or representation of any nature likely to harm the image of another candidate or cause his/her prejudice. Criticism of other candidates, when made, shall be confined to their policies and programmes, past record and work. Criticism based on unverified allegations or distortion shall be avoided. There shall be no appeal to caste or communal feelings for securing votes.
- (iii) Each Candidate may present to the electoral college his/her plans and views for the post, in the form of a written document, whatever the means used to distribute it.
- (iv) Candidates shall avoid excessive expenditure in campaigning, recognising that it could become a factor of inequality amongst the candidates
- (v) The promotion of a candidate shall exclude any form of publicity, including the use of new media or social networks. No public meeting or gathering of any kind may be organised in the framework of promoting a candidature. No use, free of charge or in return for payment, of the services of a journalist or the media may be made in order to place a Candidate at an advantage or a disadvantage.
- (vi) All candidates shall avoid scrupulously all activities that are "corrupt practices", such as bribing of voters, intimidation of voters, impersonation of voters, etc.
- (vii) Candidates may in no case and under no pretext give presents, offer donations or gifts or grant advantages of whatever nature, directly or indirectly, to voting members or their representatives.
- (viii) The incumbent BCCI Office Bearers shall ensure that no cause is given for any complaint that they have used their official position for the purposes of their or others' election campaign and in particular shall not (a) use official transport including,

vehicles, machinery and personnel for furtherance of their campaign; (b) issue any advertisement at the cost of the BCCI or its Members in the newspapers and other media or misuse the BCCI's official media channels during the elections; (c) sanction grants/payments out of discretionary funds from the time elections are announced; and (d) enter into any promise or undertaking to be performed, whatever the timing of such performance, for the direct or indirect benefit of any of the BCCI's Members or its partners.

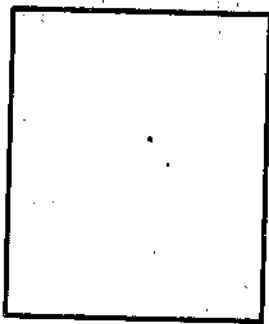
Clause 2: Neutrality and Independence

- (i) As the voting is secret, voting members are prohibited individually or collectively, from announcing publicly in any form whatsoever their intention to vote or not vote for a candidate.
- (ii) Incumbent BCCI Office Bearers shall refrain from making any public declaration and may in no way support a candidate.
- (iii) Candidates may not accept mandatory instructions from any public or private, natural or legal person. No direct or indirect assistance, be it financial, material or in kind, be it direct or indirect, may be given to candidates by any third party. Candidates may not enter into any form of undertaking with any natural or legal person likely to affect the neutrality and the freedom of decision or action of their future post.
- (iv) The BCCI's executive team and administration shall maintain a strict duty of neutrality at all times. No support or service in relation to a Candidature may be requested from nor be given by any member of the BCCI's administration or staff.

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Board of Control for Cricket in India
Cricket Centre, Wankhede Stadium, D Road, Churchgate, Mumbai - 400020

Nomination-Cum Affidavit Form



I, _____ S/o, W/o, D/o
_____ residing at _____
_____ and representing
_____ Association, hereby offer myself for
election to the Apex Council of BCCI in the following category.

- | | |
|---|--------------------------|
| 1. President | <input type="checkbox"/> |
| 2. Vice President | <input type="checkbox"/> |
| 3. Secretary | <input type="checkbox"/> |
| 4. Joint Secretary | <input type="checkbox"/> |
| 5. Treasurer | <input type="checkbox"/> |
| 6. Councillor (as representative of BCCI Members) | <input type="checkbox"/> |
| 7. Governing Council Member | <input type="checkbox"/> |

Note: Put a ✓ mark in the appropriate box. A candidate can apply for only one post.

I _____ hereby confirm and solemnly affirm that I have been duly nominated by _____ which is a Full Member of the BCCI to be its representative to the BCCI Annual General Meeting to be held on _____ and I am not disqualified to be an Office Bearer or member of the Apex Council. I particularly affirm and confirm that:

- a) I am a citizen of India;
- b) I have not attained the age of 70 years
- c) I have not been declared to be insolvent or of unsound mind;
- d) I am not a Minister or Government Servant,
I do not hold a public office

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- e) I do not hold any office or post in a sports or athletic association or federation apart from cricket;
- f) I have not been charged by a Court of Law for having committed any criminal offence i.e. no court of law has passed any order framing charges against me.
- g) I have not been an office bearer of the BCCI for a cumulative period of 9 years
- h) I have not functioned as an office-bearer either in my or any member association and/or BCCI for a continuous period of 6 years and I affirm that on that count I am not ineligible to contest and I affirm that therefore I do not require to undergo a cooling off period of 3 years to make me eligible to contest.
- i) I am attaching (1) an information sheet detailing the periods for which I have been an office-bearer in the BCCI and/or any state association and (2) certified copy of the resolution passed by the _____ of the Full Member association duly nominating me as its representative to the BCCI Annual General Meeting to be held on _____ and I solemnly affirm that the information provided therein is true to the best of my knowledge and understanding.

Name and Signature of the Candidate /Deponent

Witness Signature:

Name of witness:

Member of BCCI Member Association:

Contact Details

Address:

Mobile No.:

E mail ID:

Proposer's Signature:

Name:

Member of BCCI Member Association:

Contact Details:

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Address:

Mobile No.:

E-mail ID:

Seconders Signature:

Member of BCCI Member Association:

Contact Details:

Address:

Mobile No.:

Email ID:

Verification:

Verified at _____ on this _____

day _____ that the above stated contents of the present
affidavit/nomination form are true and correct to the best of my knowledge and
and I affirm that no material information has been concealed.

DEPONENT.

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ANNEXURE-A14

Reference No. EO/BCCI/Advisory/1/28082019

Advisory to Electoral Officers of BCCI Member Associations

The Hon'ble Supreme Court of India, vide its Judgement dated 9th August 2018 in Civil Appeals No.4235/2014 and connected matters, handed down a judgement that intended to usher in far reaching changes to the entire administration connected with the sport of cricket in India, from the Board of Control of Cricket (BCCI) at the apex to the various member cricket associations of the BCCI.

The judgement accepted, with suitable modifications, the report of the Justice Lodha Committee constituted by the Supreme Court itself, with a view to bring in greater accountability, professionalism, transparency, higher ethical standards and integrity in the bodies connected with the game of cricket in India.

The constitutions of the BCCI as well as a few member associations ("**Member Associations**") have already been revised to be in compliance with the changes mandated in the judgement.

In addition, the election processes for the BCCI and several Member Associations are under way, with timelines for such Elections laid down, under the supervision of Electoral Officers appointed for this purpose.

It is in the interest of the BCCI and the Member Associations, their respective members and the candidates for elections that respect for "universal fundamental ethical principles" should prevail in the conduct of the election procedures. It is also essential that equality be observed between candidates for any posts and an atmosphere of mutual respect prevail amongst them. There is a need to ensure a degree of harmonisation in the conduct of the elections across Member Associations and the BCCI itself and as the electoral college for the BCCI will comprise of the nominees of compliant Member Associations, it would seem appropriate to highlight a few salient issues related to the upcoming elections that may be helpful for the Electoral Officers of the Member Associations ("**Electoral Officers**") to carry out their duties effectively. Accordingly, Electoral Officers overseeing the conduct of elections of Member Associations may note and consider the following:

- 1) The BCCI Electoral Officer has issued the Rules of Procedure governing the election to various BCCI posts, to be conducted on October 22, 2019. The Rules of Procedure are available on the BCCI's website.
- 2) The aforesaid Rules of Procedure could serve as a point of reference and as model election guidelines for the Member Association elections to be supervised by the respective Electoral Officers.
- 3) The Supreme Court appointed Committee of Administrators of the BCCI ("COA") has recently issued a set of clarifications, communications and notifications that have a bearing on the constitution of memberships and electoral colleges, eligibility criteria and disqualifications applicable to election candidates and other relevant issues regarding elections at the BCCI and Member Association levels. Due notice and consideration may be taken by the Electoral Officers of the following documents and any other clarifications, communications and notifications that might be issued in respect of or have a bearing on the aforesaid elections:
 - a) Directions on multiple membership to State Associations, issued on 19 July 2019, appended as *Annexure 1* hereto.
 - b) Directions on membership of Cricketing Clubs issued on 13 August 2019, appended as *Annexure 2* hereto.
 - c) Protocol for Induction of Former International Players issued on 14 August 2019, appended as *Annexure 3* hereto, and extension to the same issued on 23 August 2019, appended as *Annexure 4* hereto.
 - d) Advisory on 9+9 rule in the context of eligibility of representatives to contest in upcoming BCCI elections, issued by the COA via email to all Member Associations on 27 August 2019, appended as *Annexure 5* hereto

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- e) Directions to BCCI and all Member Associations on eligibility of former players currently employed by Railways, Government or Public Sector Undertakings to be elected/appointed as Office Bearers, Councillors or members of committees, appended as *Annexure 6* hereto
- 4) The COA, in concurrence with the BCCI Electoral Officer, issued an email to all Member Associations, titled '*Representatives of Member Associations*' and dated 29 July 2019. As per this communication (which is appended as *Annexure 7* hereto), Member Associations are required to ensure that their representatives to the BCCI for the BCCI elections, duly nominated on their behalf, should not be disqualified to become an office bearer of BCCI or a Councillor of BCCI in terms of the BCCI Constitution.

Electoral Officers may take note of the issues/points raised in Paragraphs 1 to 4 above and follow the various clarifications/notifications issued by the COA in the interests of conducting free and fair elections. Further policy decisions, if any, of the CoA, that would have implications for the elections at the Member Associations level will be brought to your notice from time to time. We acknowledge your valuable contribution in the establishment of a democratically and fairly elected administration across BCCI and its Member Associations.

Dated: this 28th day of August 2019

Issued by The Electoral Officer, Board of Control for Cricket in India

ANNEXURE 1

DIRECTIONS ISSUED BY THE COMMITTEE OF ADMINISTRATORS

1. The Report submitted by the Hon'ble Justice Lodha Committee accepted by the Hon'ble Supreme Court vide its judgment dated 13th July 2016 whilst identifying the problem plaguing the state associations states as under:

"Some Member Associations have clubs and individuals as members, some have only clubs as members and others have individuals and patrons as members. There does not seem to be any guideline or basis for membership, and there seems to be ad-hoc, often at the pleasure of the incumbents. Where clubs are members, a very few interests control several cricket clubs, thereby positioning themselves for easy election with a sizeable chunk of convenient electorate. New entrants are discouraged or muzzled out of contention. Some associations exclude even former Indian cricketers from membership (including legendary performers), without any basis, and ensure that association functions more as a social club controlled by a few families."

(Emphasis Added)

2. The Hon'ble Supreme Court, vide its judgment dated 9th August 2018 has mandated that membership to the State Association is to be granted to all former international players (men and women) hailing from the State. The Committee of Administrators, keeping in mind the principle of de-centralization of power and influence (which lies at the very core of the Cricket Reforms) directed that such former international players are required to indicate the State Association to which membership is to be granted. Further, the former international players are only entitled to membership to only one (1) State Association at a time.
3. The Committee of Administrators is of the view that in a similar manner and in order to implement Cricket Reforms process, membership of a person should be restricted to one (1) State Association and therefore, a person shall only be entitled to membership of one (1) State Association at a time.
4. In light of the above, it is directed that any person holding memberships to more than one (1) State Associations will have to choose the State Association to which he / she desires to remain a member. Further, the State Associations are directed to ensure that their respective members do not hold membership in any other State Association.
5. For the purpose of these directions:
 - a. The terms "State Association" shall mean an association which is a full member of the BCCI; and
 - b. The term "person" shall include a club, owned by or belonging to an individual who is a member of another state association.

Dated: July 19, 2019

Issued by The Supreme Court Appointed Committee of Administrators

ANNEXURE 2

DIRECTIONS ISSUED BY THE COMMITTEE OF ADMINISTRATORS

1. The Report submitted by the Hon'ble Justice Lodha Committee accepted by the Hon'ble Supreme Court vide its judgment dated 18th July 2016 whilst identifying the problem plaguing the state associations stated as under:

"Some Member Associations have clubs and individuals as members, some have only clubs as members and others have individuals and patrons as members. There does not seem to be any guideline or basis for membership, and there seems to be ad-hoc, often at the pleasure of the incumbents. Where clubs are members, a very few interests control several cricket clubs, thereby positioning themselves for easy election with a sizeable chunk of convenient electorate. New entrants are discouraged or nuzzled out of contention. Some associations exclude even former Indian cricketers from membership (including legendary performers), without any basis, and ensure that association functions more as a social club controlled by a few families." The priority often seems to be to have an exclusive venue with bar and dining facilities with other recreational avenues for the members, and not the promotion of cricket. Tickets to games are also distributed as largesse among members as entitlement, thereby shrinking their availability to the public at large."

(Emphasis Added)

2. The Committee of Administrators is of the view in order to implement the recommendations of the Hon'ble Justice Lodha Committee and for the furtherance of the Cricket Reforms process, it is necessary that State Associations should enlarge the pool of members such that persons who are involved in cricketing activities at the grass root level, are involved in cricket governance at the State Association. This will ensure that greater number of persons experienced in cricketing activities are associated with the governance of cricket at the State Association level.
3. In light of the above, the Committee of Administrators is of the view that the State Associations should encourage membership and participation of cricketing clubs within the State, if such club demonstrates good track record and experience in conducting cricketing and cricket development activities. However, the membership structure of the State Association and the existing affiliation of the concerned club with existing member district association and parity and equality in treatment of clubs that are similarly placed shall be borne in mind, while considering applications for membership from such cricket clubs.
4. Further, there is nothing either in the Report submitted by the Hon'ble Justice Lodha Committee or the judgements of the Hon'ble Supreme Court dated July 18, 2016 and August 9, 2018 that forbids cricketing clubs (which are not social clubs) from being affiliated to or having voting rights in the respective member associations. Therefore, the Committee of Administrators is of the view that in case any member association has taken away membership or voting rights of such cricketing clubs, who are engaged in established cricketing activities (and are not social clubs) and were earlier affiliated

with member associations, it would be appropriate for such member associations to restore membership and/or voting rights in the concerned member association.

5. Further, the Committee of Administrators hereby advises member associations to encourage cricketing clubs carrying on cricketing activities within their respective territorial jurisdiction to make application for membership to member associations. Since encouraging membership is in furtherance of cricket governance which is a public function, member associations are bound to deal with the said applications in a fair and transparent manner keeping in mind the aforementioned objective of encouraging membership and participation of cricketing clubs in governance of member associations. In order to ensure transparency and fair play, it is incumbent that member associations give reasons for rejecting such applications for membership.

Dated: this 13th day of August 2019

Issued by The Supreme Court Appointed Committee of Administrators

ANNEXURE 3

PROTOCOL FOR INDUCTION OF FORMER INTERNATIONAL PLAYERS

The Ld. Amicus Curias had suggested that a protocol should be put in place for induction of former international players for all State/Member Associations. Accordingly, the Committee of Administrators is setting out the following protocol for induction of former international players (male and female) as members with voting rights in State/Member Associations:-

- a. For the purpose of induction as voting members of State Associations the term "former international player" shall mean any player who has retired from competitive cricket in all forms of the game (including domestic cricket) having represented India in 'Senior Men' or 'Senior Women' teams in test cricket or one day international cricket or T20 international cricket.
- b. It is reiterated that the term "hailing from the state" shall mean the following:-
 - (i) in case a former international player has represented the [State/Member Association] in first class cricket, such a player is entitled to membership of the [State/Member Association] regardless of whether such a player resides within the jurisdiction of the [State/Member Association] provided such player provides a written confirmation that he/she has not already opted for membership of another State/Member Association; and
 - (ii) in case a former international player has not represented the [State/Member Association] in first class cricket but permanently resides within the jurisdiction of the [State/Member Association], such a player is entitled to membership of the [State/Member Association] provided such a player provides a written confirmation that he/she has not already opted for membership of another State/Member Association.
- c. All former international players (as defined in Clause (a) above) should intimate the BCCI in writing of (i) the format of the game the player has played in (Test, ODI or T20 International Matches); (ii) the date on which the player has retired from all forms of the game; (iii) the [State/Member Association(s)] the former international player has represented in first class cricket; (iv) the jurisdiction of the [State/Member Association] within which the former international player permanently resides; and (v) choice of [State/Member Association] of which the former international player will seek membership along-with a written confirmation that he/she has not already opted for membership of another State Association(s). The aforesaid intimation should be sent by an e-mail addressed to playerinduction@bcci.tv latest by 22nd August, 2019 and shall also include a declaration that the player has retired from all forms of the game and does not play in any domestic matches including Indian Premier League or tournaments/leagues organised by State/Member Associations.

15)

- d. For the purpose of this protocol, the respective association of former players from Railways, Services and Universities mentioned in Rule 3(a)(ii)(E)(F) and (G) shall not be treated as a State/Member Association.
- e. The BCCI shall send a list to the State/Member Associations of former international players hailing from the relevant State who shall be automatically inducted as members with voting rights by the State/Member Associations.
- f. The BCCI is directed to put this protocol on its website and give this protocol publicity in order to ensure that former international players who want to become members of State/Member Associations become aware and comply with the requirements.

Dated this 14th August, 2019

The Supreme Court appointed Committee of Administrators for the BCCI

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ANNEXURE 4

**EXTENSION FOR PROTOCOL FOR INDUCTION OF FORMER
INTERNATIONAL PLAYERS DATED AUGUST 14, 2019**

The Protocol for Induction of Former International Players was set out by the Supreme Court Appointed Committee of Administrators on 14th August 2019 ("Protocol"). All former international players had to intimate the BCCI in writing, details as provided in the Protocol, on or before 22nd August 2019, through an email addressed to playerinduction@bcci.tv.

BCCI has now decided to extend the date for sending of intimation till 30th August 2019.

Dated this 23rd August, 2019

The Supreme Court Appointed Committee of Administrators.

ANNEXURE 5

8/27/2019

The Board Of Control for Cricket In India Mail - Advisory on 9+9 rule

Electoral Officer <electoral.officer@bcci.tv>

Advisory on 9+9 rule

Committee of Administrators <coa@bcci.tv>

Tue, Aug 27, 2019 at 12:19 PM

To: Andhra Cricket <andhracricicket@gmail.com>, Andhracricicket <andhracricicket@yahoo.com>, "Arunachal CA - JL Secretary Joram Anand" <24joramand@gmail.com>, Arunachal CA - Secretary <tkhpli2017@gmail.com>, "assam cricket association" <assamca@rediffmail.com>, Assam CA - secretary <bgpredip@yahoo.co.in>, Baroda CA <baroda1@cricketbaroda.com>, Bengal CA <cab@bengalcricket.com>, Bengal CA-Sourav Ganguly <cabpresidenteg@gmail.com>, Bihar Cricket Association <biharcricketassociation@gmail.com>, BIHAR CA <biharcricketassociation.panna@gmail.com>, Chhattisgarh State CA <ssc.osses@yahoo.com>, "Prasad V. Phatarpekar" <gpcricketassociation@rediffmail.com>, "Gujarat Cricket Association" <gcaabid@yahoo.co.in>, "Haryana CA" <hca@haryanacricicket.com>, "HPCA Dharamsala" <hpcadharamsala@yahoo.com>, HPCA Secretary <seeyhpc@gmail.com>, Hyderabad CA <hyrcricket@rediffmail.com>, Hyderabad COA <hcaabca@gmail.com>, Jammu & Kashmir CA <jkzgs_srinagar@yahoo.com>, Jharkhand State Cricket Association <jscacrt@gmail.com>, Debashish Chakraborty <jscaseoy@gmail.com>, "Karnataka Cricket Association" <office@kca.co.in>, Chief Executive Officer KSCA <ceo@kscac.co.in>, Kerala CA <office@keralacricket.in>, "Maharashtra Cricket Association" <cricketmaharashtra@yahoo.com>, Manipur CA <mca_khuma@yahoo.com>, Meghalaya CA <meghalayacricket11@gmail.com>, "neba bhatia" <naavstar@yahoo.co.in>, Mizoram CA <mamon.eto@gmail.com>, MP&CA <secretary@mpcachina.com>, MP&CA Cricket Operations <cricket.operations@mpcachina.com>, Mumbai Cricket Association <mcaonline@gmail.com>, "Nagaland CA-Abu Mehra, Secretary" <abumehra@gmail.com>, NAGALAND CRICKET ASSOCIATION <nagalandca@gmail.com>, Orissa Cricket Association <orissacricket@yahoo.co.in>, Pondicherry CA <pd@sicchem.com>, arun@cap-cricket.com, Punjab CA <pcastadium@yahoo.com>, Punjab CA - Deepak Sharma <mpca92@gmail.com>, Saurashtra CA Rajkot <saurocricket@gmail.com>, Saurashtra CA Rajkot <madhukar Worah <mkwcrash@gmail.com>, "Sikkim Cricket Association" <saikkimcricketassociation2018@gmail.com>, Sikkim Cricket Association <saikkimcricket.com>, Tamil Nadu CA <office@tncal.in>, TNCA secretary <secretary@tncal.in>, Tripura Assoc. <tripeag@yahoo.com>, UP&CA <upcaonline@gmail.com>, Vidarbha CA <admin@vca.co.in>, PS to Justice Dave <ps.to.justice.dave@gmail.com>, Justice Gurram Venkata Seethapathy <gvs@yahoo.com>, "C. K. Prasad" <justicackprasad@gmail.com>, Justice chd.cricket@gmail.com, Ratnakar Shetty <ratnakar.shetty@gmail.com>, DDCA CA <president@ddca.co>, Co: Rahul Jhri <rahul.jhri@bcci.tv>, Electoral Officer <electoral.officer@bcci.tv>

Dear All

Certain Member Associations have sought clarifications from the Committee of Administrators regarding the 9+9 years disqualification rule and cooling-off period in the context of eligibility of representatives to contest in the upcoming BCCI Elections.

Accordingly, the Committee of Administrators deems it appropriate to clarify as under:

1. For a person to be eligible to attend the AGM of BCCI and participate in BCCI Elections as a member representative (other than representative of Indian Railways, Armed Forces/Services and Association of Indian Universities), the said representative shall be a member of the electoral college of (i.e., an eligible voter within) the Member Association, which he/she seeks to represent in the BCCI and in addition to filing the nomination form in the prescribed form (if he/she desires to contest elections), the said representative shall produce before the Electoral Officer a certified copy of the resolution passed by the general body or apex council of the Member Association, as the case may be (depending on the relevant constitution provisions in this regard of the Member Association), duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the Member Association that empowers the general body or the apex council, as the case may be, to make such nomination. A person representing Indian Railways, Armed Forces/Services and Association of Indian Universities shall be eligible to attend the AGM and vote in BCCI Elections only if the said representative provides a certified copy of the resolution passed by the governing body of the concerned association of former players in terms of Rule 3(a)(ii)E, F and G of the BCCI Constitution, respectively, duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the concerned former player association that empowers the said governing body to make such nomination. Only eligible representatives of Full Members of the BCCI are entitled to stand for election for the post

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of Officer Bearer or Councillor or member of Governing Council in BCCI whilst eligible representatives of Full Members of the BCCI and eligible representatives of Indian Railways, Armed Forces/Services and Association of Indian Universities are entitled to vote at BCCI Elections. Associate Members of BCCI are entitled to attend the AGM of BCCI but not entitled to vote in or field candidates for the BCCI Elections.

2. That a person who has been an Officer Bearer or Councillor or member of Governing Council or any committee in a Member Association for a cumulative period of 9 years or more shall not be disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or member of Governing Council in BCCI so long as the said person:

- (a) Is a citizen of India;
- (b) Has not attained 70 years of age;
- (c) Has not been declared insolvent or of unsound mind;
- (d) Is not a Minister or Government Servant or does not hold a public office;
- (e) Does not hold office or post in a sports or athletic association or federation apart from cricket;
- (f) Has not been an Office Bearer of the BCCI for a cumulative period of 9 years;

[Note: The BCCI Constitution defines an "Officer Bearer" to mean the President, Vice President, Secretary, Joint Secretary or Treasurer. Therefore, any person who has been President, Vice President, Secretary, Joint Secretary or Treasurer of the BCCI for a cumulative period of 9 years is disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or member of Governing Council or any Committee in BCCI or to be BCCI's representative to the International Cricket Council.]

(g) Has not been charged by a Court of Law (i.e. order framing charges has not been passed by a court of law having competent jurisdiction) for having committed any criminal offence;

(h) Has completed a cooling off period of three years after holding the post of an Officer Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both);

[Note: The Cooling Off requirement is applicable to persons who have held the post of Office Bearer (i.e., President, Vice President, Secretary, Joint Secretary or Treasurer) either in a Member Association or in the BCCI (or a combination of both) for two consecutive terms aggregating to six years or more unless he/she has undergone cooling off for a period of three years. To clarify, if on the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, he/she has not completed six years as Office Bearer in a Member Association or in the BCCI (or a combination of both) in two consecutive terms, he/she is eligible to contest in the BCCI Election. However, he/she will not have a full term and will have to demit office immediately upon completion of the six year period. It is further clarified that an individual who has not held any post (either as a committee member or a governing council member or in any governance or managerial capacity) in the Member Association or the BCCI for the period of three years or more, immediately prior to the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, is not required to undergo cooling off even though he/she has spent more than six years as Office Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both).]

Any person who does not fulfil any of the conditions set out in (a) to (h) above shall not be eligible to be a representative of a Member Association to the BCCI or contest for the post of an Officer Bearer/Councillor and member of Governing Council in BCCI, respectively.

3. In addition to the above, it is also clarified that no individual shall be a Councillor for more than 9 years and in the event of a Councillor completing 9 years before expiry of his/her term, he/she shall cease to hold office on completing of 9 years. Similarly, a Councillor who has held any post for two

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The Board Of Control for Cricket In India Mail - Advisory on 349 rule

consecutive Terms either in a Member Association or in the BCCI (or a combination of both) shall not be eligible to contest any further election without completing a cooling off period of three years.

This clarification is being issued with the concurrence of the Electoral Officer, BCCI. In terms of Rule 7 of the Rules of Procedure for BCCI Elections prescribed by the Electoral Officer, BCCI, all disputes or objection arising including but not limited to objection to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

Dated: 27th August, 2019

Yours faithfully,
Supreme Court appointed Committee of Administrators

ANNEXURE 6

DIRECTIONS TO BCCI AND ALL MEMBERS ASSOCIATIONS

Some of the member associations have sought a clarification from the Committee of Administrators on whether former players who are currently employed with Railways, Government or Public Sector Undertakings would be disqualified from being an Office Bearer, Councillor or member of committee/cricket committee of the BCCI or Member Associations by virtue of being "Government Servants" or a person holding a "public office".

The Committee of Administrators had sought and received legal advice on this issue. After considering the issue and the legal advice received it is hereby clarified that former players employed with the Railways, Central or State Government, Central or State Government Departments/undertakings, Nationalised Banks or Public Sector Undertakings, particularly under "sports" quota will not be deemed to be disqualified as being "Government Servants" or holding a "public office" for the purpose of determining their eligibility to become an Office Bearer of the BCCI or a Member Association, Councillor in the BCCI or a Member Association or member of any committee of the BCCI or a Member Association.

In other words, former players who are employed with the Railways, Central or State Government, Central or State Government Departments/undertakings, Nationalised Banks or Public Sector Undertakings particularly under "sports" quota may be elected to and hold the post of an Office Bearer of the BCCI or a Member Association, Councillor in BCCI or a Member Association and member of any committee of the BCCI or a Member Association.

Dated this 27th day of August, 2019.

Issued by the Supreme Court appointed Committee of Administrators for the BCCI

ANNEXURE 7

8/23/2019

The Board Of Control for Cricket in India Mail - Representatives of Member Associations



Electoral Officer <electoral.officer@bcci.tv>

Representatives of Member Associations

Committee of Administrators <coa@bcci.tv>

Mon, Jul 29, 2019 at 7:51 PM

To: Andhra Cricket <andhracricicket@gmail.com>, Andhracricicket <andhracricicket@yahoo.com>, "Arunachal CA - JL Secretary Joram Anand" <24joramand@gmail.com>, Arunachal CA - Secretary <jkhol2017@gmail.com>, "assam cricket association" <assamica@rediffmail.com>, Assam CA - secretary <bgpradip@yahoo.co.in>, Baroda CA <brda1@cricketbaroda.com>, Bengal CA <cab@bengalcricket.com>, Bengal CA - Sourav Ganguly <cabpresident@gmail.com>, Bihar Cricket Association <biharcricicketassociation@gmail.com>, BIHAR CA <biharcricicketassociation@gmail.com>, Chhattisgarhi State CA <sec.scs@yahoo.com>, "Prasad V. Phatarpekar" <biharcricicketassociation@rediffmail.com>, "Gujarat Cricket Association" <gcaahd@yahoo.co.in>, "Haryana CA" <hca@haryanacricicket.com>, "HPCA Dheramwala" <hpcadheramwala@yahoo.com>, HPCA Secretary <sec.hpcadheramwala@yahoo.com>, Hyderabad CA <hyccricicket@rediffmail.com>, Hyderabad COA <hcccoa@gmail.com>, Jammu & Kashmir CA <jkcsa@gmail.com>, Jharkhand State Cricket Association <jstacri@gmail.com>, Debasish Chakraborty <jscasac@gmail.com>, "Karnataka Cricket Association" <office@kaca.co.in>, Chief Executive Officer KSCA <ceo@kaca.co.in>, Kerala CA <office@keralacricicket.in>, "Maharashtra Cricket Association" <cricketmaharashtra@yahoo.com>, Manipur CA <mca.khumam@yahoo.com>, Meghalaya CA <meghalayacricicket11@gmail.com>, "naba bhalta" <nabavstar@yahoo.co.in>, Mizoram CA <mamson.etc@gmail.com>, MPCA <secretary@mpcaonline.com>, MPCA Cricket Operations <cricketoperations@mpcaonline.com>, Mumbai Cricket Association <mcacri@mumbaiocricket.com>, "Nagaland CA-Abu Mehta/Secretary" <abumelha@gmail.com>, NAGALAND CRICKET ASSOCIATION <nagalandca@gmail.com>, Orissa Cricket Association <orissacricicket@yahoo.co.in>, Pondicherry CA <pd@elechem.com>, "arun@cap-cricket.com" <arun@cap-cricket.com>, Punjab CA <pcasidlum@yahoo.com>, Punjab CA - Deepak Sharma <mpca92@gmail.com>, Saurashtra CA Rajkot <saucricicket@gmail.com>, Saurashtra CA Rajkot - Madhukar Worah <mkworah@gmail.com>, "Sikkim Cricket Association" <slkdmcricketassociation2016@gmail.com>, Sikkim Cricket Association <sca@slkdmcricket.com>, Tamil Nadu CA <office@tnca.in>, TNCA secretary <secretary@tnca.in>, "Thipric Assoc" <tsaagi@yahoo.com>, UPCA <upcacricket@gmail.com>, Vidarbha CA <admin@vca.co.in>, PS to Justice Dave <psbjusdave@gmail.com>, Justice Gurram Venkata Seethapathy <jgs@yahoo.com>, "C. K. Prasad" <justiceckprasad@gmail.com>, Justicesalam@gmail.com, Ratnakar Shetty <ratnakar.rs@gmail.com>, DDCA CA <president@ddca.co> Co: Rahul Johri <rahul.johri@bcci.tv>, Electoral Officer <electoral.officer@bcci.tv>

Dear all,

This has reference to the Timelines and Proposed Actions issued by the Committee of Administrators on 21st May 2019 in relation to the BCCI Elections. As per the said directions member associations are required to nominate their representative for participating in the Annual General Meeting of BCCI.

Member Associations shall ensure that representative so nominated on their behalf should not be disqualified to become an office bearer of BCCI or a Councillor of BCCI in terms of the BCCI Constitution. This direction is being issued with the concurrence of the Ld. Electoral Officer of BCCI.

Thanking you.

Yours faithfully,

The Supreme Court Appointed Committee of Administrators

PROTOCOL FOR INDUCTION OF FORMER INTERNATIONAL PLAYERS

The *Ld. Amicus Curiae* had suggested that a protocol should be put in place for induction of former international players for all State/Member Associations. Accordingly, the Committee of Administrators is setting out the following protocol for induction of former international players (male and female) as members with voting rights in State/Member Associations:-

- a. For the purpose of induction as voting members of State Associations the term "former international player" shall mean any player who has retired from competitive cricket in all forms of the game (including domestic cricket) having represented India in 'Senior Men' or 'Senior Women' teams in test cricket or one day international cricket or T20 international cricket.
- b. It is reiterated that the term "hailing from the state" shall mean the following:-
 - (i) in case a former international player has represented the [State/Member Association] in first class cricket, such a player is entitled to membership of the [State/Member Association] regardless of whether such a player resides within the jurisdiction of the [State/Member Association] provided such player provides a written confirmation that he/she has not already opted for membership of another State/Member Association; and
 - (ii) in case a former international player has not represented the [State/Member Association] in first class cricket but permanently resides within the jurisdiction of the [State/Member Association], such a player is entitled to membership of the [State/Member Association] provided such a player provides a written confirmation that he/she has not already opted for membership of another State/Member Association.
- c. All former international players (as defined in Clause (a) above) should intimate the BCCI in writing of (i) the format of the game the player has played in (Test, ODI or T20 International Matches); (ii) the date on which the player has retired from all forms of the game; (iii) the [State/Member Association(s)] the former international player has represented in first class cricket; (iv) the jurisdiction of the [State/Member Association] within which the former international player permanently resides; and (v) choice of [State/Member Association] of which the former international player will seek membership along-with a written confirmation that he/she has not already opted for membership of another State Association(s). The aforesaid intimation should be sent by an e-mail addressed to playerinduction@bcci.tv latest by 22nd August, 2019 and shall also include a declaration that the player has retired from all forms of the game and does not play in any domestic matches including Indian Premier League or tournaments/leagues organised by State/Member Associations.

- d. For the purpose of this protocol, the respective association of former players from Railways, Services and Universities mentioned in Rule 3(a)(ii)(E)(F) and (G) shall not be treated as a State/Member Association.
- e. The BCCI shall send a list to the State/Member Associations of former international players hailing from the relevant State who shall be automatically inducted as members with voting rights by the State/Member Associations.
- f. The BCCI is directed to put this protocol on its website and give this protocol publicity in order to ensure that former international players who want to become members of State/Member Associations become aware and comply with the requirements.

Dated this 14th August, 2019

The Supreme Court appointed Committee of Administrators for the BCCI.

Advisory dated 27th August, 2019

Certain Member Associations have sought clarifications from the Committee of Administrators regarding the 9+9 years disqualification rule and cooling-off period in the context of eligibility of representatives to contest in the upcoming BCCI Elections.

Certain Member Associations have sought clarifications from the Committee of Administrators regarding the 9+9 years disqualification rule and cooling-off period in the context of eligibility of representatives to contest in the upcoming BCCI Elections.

Accordingly, the Committee of Administrators deems it appropriate to clarify as under:

- 1: For a person to be eligible to attend the AGM of BCCI and participate in BCCI Elections as a member representative (other than representative of Indian Railways, Armed Forces/Services and Association of Indian Universities), the said representative shall be a member of the electoral college of (i.e., an eligible voter within) the Member Association, which he/she seeks to represent in the BCCI and in addition to filing the nomination form in the prescribed form (if he/she desires to contest elections), the said representative shall produce before the Electoral Officer a certified copy of the resolution passed by the general body or apex council of the Member

Association, as the case may be (depending on the relevant constitution provisions in this regard of the Member Association), duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the Member Association that empowers the general body or the apex council, as the case may be, to make such nomination. A person representing Indian Railways, Armed Forces/Services and Association of Indian Universities shall be eligible to attend the AGM and vote in BCCI Elections only if the said representative provides a certified copy of the resolution passed by the governing body of the concerned association of former players in terms of Rule 3(a)(ii)E,F and G of the BCCI Constitution, respectively, duly nominating him/her to be its representative to the BCCI, which resolution shall also reproduce the relevant provision contained in the respective constitution of the concerned former player association that empowers the said governing body to make such nomination. Only eligible representatives of Full Members of the BCCI are entitled to stand for election for the post of Officer Bearer or Councillor or member of Governing Council in BCCI whilst eligible representatives of Full Members of the BCCI and eligible representatives of Indian Railways, Armed Forces/Services and Association of Indian Universities are entitled to vote at BCCI Elections. Associate Members of BCCI are entitled to attend the AGM of BCCI but not entitled to vote in or field candidates for the BCCI Elections.

2. That a person who has been an Officer Bearer or Councillor or member of Governing Council or any committee in a Member Association for a cumulative period of 9 years or more shall not be disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or member of Governing Council in BCCI so long as the said person:

- (a) Is a citizen of India;
- (b) Has not attained 70 years of age;
- (c) Has not been declared insolvent or of unsound mind;
- (d) Is not a Minister or Government Servant or does not hold a public office;
- (e) Does not hold office or post in a sports or athletic association or federation apart from cricket;
- (f) Has not been an Office Bearer of the BCCI for a cumulative period of 9 years;

[Note: The BCCI Constitution defines an "Officer Bearer" to mean the President, Vice President, Secretary, Joint Secretary or Treasurer. Therefore, any person who has been President, Vice President, Secretary, Joint Secretary or Treasurer of the BCCI for a cumulative period of 9 years is disqualified to be a representative of the Member Association to the BCCI and to contest election for the post of an Officer Bearer or Councillor or

member of Governing Council or any Committee in BCCI or to be BCCI's representative to the International Cricket Council.]

(g) Has not been charged by a Court of Law (i.e. an order framing charges has not been passed by a court of law having competent jurisdiction) for having committed any criminal offence;

(h) Has completed a cooling off period of three years after holding the post of an Officer Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both);

[Note: The Cooling Off requirement is applicable to persons who have held the post of Office Bearer (i.e., President, Vice President, Secretary, Joint Secretary or Treasurer) either in a Member Association or in the BCCI (or a combination of both) for two consecutive terms aggregating to six years or more unless he/she has undergone cooling off for a period of three years. To clarify, if on the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, he/she has not completed six years as Office Bearer in a Member Association or in the BCCI (or a combination of both) in two consecutive terms, he/she is eligible to contest in the BCCI Election. However, he/she will not have a full term and will have to demit office immediately upon completion of the six year period. It is further clarified that an individual who has not held any post (either as a committee member or a governing council

member or in any governance or managerial capacity) in the Member Association or the BCCI for the period of three years or more, immediately prior to the date on which the concerned individual is nominated by the Member Association as its representative to the BCCI, is not required to undergo cooling off even though he/she has spent more than six years as Office Bearer for two consecutive terms either in a Member Association or in the BCCI (or a combination of both).]

Any person who does not fulfil any of the conditions set out in (a) to (h) above shall not be eligible to be a representative of a Member Association to the BCCI or contest for the post of an Officer Bearer/Councillor and member of Governing Council in BCCI, respectively.

3. In addition to the above, it is also clarified that no individual shall be a Councillor for more than 9 years and in the event of a Councillor completing 9 years before expiry of his/her term, he/she shall cease to hold office on completing of 9 years. Similarly, a Councillor who has held any post for two consecutive Terms either in a Member Association or in the BCCI (or a combination of both) shall not be eligible to contest any further election without completing a cooling off period of three years.

This clarification is being issued with the concurrence of the Electoral Officer, BCCI. In terms of Rule 7 of the Rules of Procedure for BCCI Elections prescribed by the Electoral Officer,

BCCI, all disputes or objection arising including but not limited to objection to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

Dated: This 27th day of August, 2019

Issued by the Supreme Court appointed Committee of
Administrators

Advisory dated 16th September 2019

The Committee of Administrators had issued an advisory dated 27th August 2019 clarifying certain aspects regarding the 9+9 years disqualification rule and cooling-off period in the context of eligibility of representatives to contest in the upcoming BCCI Elections.

In paragraph 3 of the said advisory, the Committee of Administrators had stated that:

"3. In addition to the above, it is also clarified that no individual shall be a Councillor for more than 9 years and in the event of a Councillor completing 9 years before expiry of his/her term, he/she shall cease to hold office on completing of 9 years. Similarly, a Councillor who has held any post for two consecutive Terms either in a Member Association or in the BCCI (or a combination of both) shall not be eligible to contest any further election without completing a cooling off period of three years."

Several questions are being raised in relation to interpretation of the above and also the applicability of these rules to elections in BCCI Member Associations. In this context, reference may profitably be made to the division bench judgement dated 23rd March 2019 passed by the Hon'ble Delhi High Court in the matter of Delhi and District Cricket Association vs Municipal Corporation Delhi where the Hon'ble High Court has held that:

"11. The objectors had also argued that the fresh or proposed articles should be made effective prospectively and not made to apply to the forthcoming elections. It was urged that the new condition would unfairly take away the chances of those who had served as directors, for previous periods, though they were not office bearers. The Court finds no merit in this submission. The BCCI judgment which accepted the Lodha Committee recommendations are binding. The objective of ensuring that the same people or a clutch of individuals do not maintain their control over sport bodies like cricket associations is to encourage budding talent and promote fresh blood, not only in the sport, but also in the management of its affairs. By occupying one executive or decision making position in an organization after another, a set of individuals can shut out an entire generation of new talent, which would possess greater energy and be more open to innovation. The plea to give prospective effect, in essence is a cry of existing directors who might be staring at the 9 year tenure restriction, to somehow get a "look in" into the fresh election process. It has no merit and is accordingly rejected."

In view of the aforesaid clear pronouncement by Hon'ble High Court, the Committee of Administrators believes that the following queries have already adequately addressed in its earlier advisory dated 27th August 2019, but still as a measure of abundant caution, the Committee of Administrators deems it necessary to clarify as under:

Q.1 Are the restrictions on tenure of 9 years and requirement of cooling off after 6 years, both applicable to a Councillor in BCCI and Councillor in a Member Association, prospective?

Ans: No, the above restrictions will also apply retrospectively and will apply to any individual who has already served as a member of the working committee of the BCCI for the prescribed duration and/or has served as a member of the working/managing/executive committee of a Member Association (by whatever name the apex level governance committee is called) or as a director of a Member Association for the prescribed period.

Q.2 Whether the period spent by an individual as a working committee member in BCCI and/or member of working/managing/executive committee of a Member Association (by whatever name the apex-level governance committee is called) or as a director of a Member Association will be counted to calculate the 9 year period applicable as cap on tenure as a Councillor and the 6 year period necessitating cooling off?

Ans: Yes.

Q.3 Whether the period spent by an individual as member in any BCCI committee other than the working committee (such as the Cricket Advisory Committee, Technical Committee or

Governing Council) and/or member of any committee other than the working/managing/executive committee of a Member Association (by whatever name the apex-level governance committee is called) will be counted to calculate the 9 year period applicable as cap on tenure as a Councillor?

Ans: No.

Q.4 Whether the period spent by an individual as member in any BCCI committee other than the working committee (such as the Cricket Advisory Committee, Technical Committee or Governing Council) and/or member of any committee other than the working/managing/executive committee of a Member Association (by whatever name the apex-level governance committee is called) will be counted to calculate the 6 year period necessitating cooling off?

Ans: No. However, it is clarified that once the cooling off requirement is triggered the concerned individual cannot hold any post (including on any committee) in the BCCI or the Member Association during the cooling off period of 3 years. If an individual who was required to cool off has been a part of any committee of the BCCI or

Member Association such an individual will necessarily have to undergo a cooling off period of 3 years before being eligible to

be an office bearer or Councillor or member of any committee or representative in BCCI or a Member Association.

Q.5 Is a person who has completed 6 years as an officer bearer and 3 years as a member of the working committee of the BCCI (or any other combination of the above that totals to 9 years) eligible for contesting the post of Officer Bearer or Councillor in BCCI?

Ans: No.

Q.6 Is a person who has completed 3 years as an officer bearer in BCCI and 3 years as a member of the working committee in a member association consecutively (or any other combination of any 'posts' that totals to 6 consecutive years), eligible for contesting the post of Councillor in BCCI or member association?

Ans: The person would have to undergo a cooling off period of 3 years before contesting in either such election in the BCCI or the Member Association

Q.7 Whether a person who has been a member of working/managing/executive committee of a Member Association (by whatever name the apex-level governance committee is called) or as a director of Member Association for a period of 9 years is eligible to contest the post of Councillor in the BCCI?

Ans: Yes, subject to having satisfied the cooling off requirement.

Q.8 Is a person who has finished 9 years (either as office bearer or committee member or combination of both) in a Member Association eligible to contest the post of officer bearer or Councillor in the Member Association?

Ans: No.

Q.9 Is a person who has finished 9 years (either as office bearer or committee member or combination of both) in BCCI eligible to contest the post of officer bearer or Councillor in BCCI?

Ans: No.

Q.10 Can the affiliated Clubs/Universities/District Associations or Member Organizations of a Member Association nominate a person who is disqualified to become an office bearer or Councillor of the Member Association as a representative on their behalf to the Member Association to participate in the Member Association's electoral process or attend its general body meetings?

Ans: No. There will only be one Representative each of the affiliated Clubs/Universities/District Associations or Member Organizations and the same person shall vote in and may stand for elections in the Member Association's election or attend its

general body meetings. This is in line with the spirit of the cricket reforms accepted by the Hon'ble Supreme Court which requires only non-disqualified and eligible nominated/elected individuals to occupy positions of responsibility and functioning such as representatives to the BCCI and/or Member Associations. This will also ensure that there is a greater pool of talent available from amongst whom officer bearers and Councillors are elected. At the same time, it is clarified that this rule is not applicable to individual members of Member Associations such as life members or former international players who will be entitled to attend the general body meeting and vote. Needless to add that only non-disqualified and eligible members shall be entitled to contest for posts at the elections.

This clarification is being issued with the concurrence of the Electoral Officer, BCCI. In terms of Rule 7 of the Rules of Procedure for BCCI Elections prescribed by the Electoral Officer, BCCI, all disputes or objections arising, including but not limited to objections to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, shall be decided by the Electoral Officer and such decisions shall be final and conclusive.

Dated: 16th September 2019

Yours faithfully,

Supreme Court appointed Committee of Administrators

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ANNEXURE A18

1

ITEM NO.301

COURT NO.2

SECTION III

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

Civil Appeal No(s).4235/2014

BOARD OF CONTROL FOR CRICKET & ORS.

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondent(s)

WITH IA No. 185941/2018 - APPLICATION FOR PERMISSION

IA No. 131096/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 7345/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 64922/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 130518/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 55731/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 144204/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 8255/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 117556/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 126712/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 138009/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 8240/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 123354/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 110244/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 78398/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 136439/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 11702/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 119259/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 64280/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 105636/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 7354/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 119256/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 169168/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 9216/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 117717/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 101576/2018 - CLARIFICATION/DIRECTION

IA No. 145662/2018 - CLARIFICATION/DIRECTION

IA No. 168793/2018 - CLARIFICATION/DIRECTION

IA No. 8890/2019 - CLARIFICATION/DIRECTION

IA No. 49512/2019 - CLARIFICATION/DIRECTION

IA No. 79435/2019 - CLARIFICATION/DIRECTION

IA No. 128645/2017 - CLARIFICATION/DIRECTION

IA No. 120190/2018 - CLARIFICATION/DIRECTION

IA No. 74323/2019 - CLARIFICATION/DIRECTION

IA No. 108136/2018 - CLARIFICATION/DIRECTION

IA No. 139483/2018 - CLARIFICATION/DIRECTION

IA No. 167725/2018 - CLARIFICATION/DIRECTION

IA No. 185944/2018 - CLARIFICATION/DIRECTION

IA No. 15567/2019 - CLARIFICATION/DIRECTION

IA No. 62051/2019 - CLARIFICATION/DIRECTION

IA No. 117431/2019 - CLARIFICATION/DIRECTION

IA No. 12943/2019 - CLARIFICATION/DIRECTION

Signature
 Date
 16/08/2019
 Ramesh

IA No. 117426/2019 - CLARIFICATION/DIRECTION
IA No. 137988/2018 - CLARIFICATION/DIRECTION
IA No. 160090/2018 - CLARIFICATION/DIRECTION
IA No. 171525/2018 - CLARIFICATION/DIRECTION
IA No. 59020/2019 - CLARIFICATION/DIRECTION
IA No. 67942/2019 - CLARIFICATION/DIRECTION
IA No. 122683/2019 - CLARIFICATION/DIRECTION
IA No. 141854/2019 - CLARIFICATION/DIRECTION
IA No. 170134/2018 - CLARIFICATION/DIRECTION
IA No. 134679/2018 - CLARIFICATION/DIRECTION
IA No. 52295/2019 - CLARIFICATION/DIRECTION
IA No. 65043/2019 - CLARIFICATION/DIRECTION
IA No. 98955/2019 - CLARIFICATION/DIRECTION
IA No. 135608/2019 - CLARIFICATION/DIRECTION
IA No. 62816/2018 - CLARIFICATION/DIRECTION
IA No. 102722/2018 - CLARIFICATION/DIRECTION
IA No. 94179/2019 - CLARIFICATION/DIRECTION
IA No. 160010/2018 - EXEMPTION FROM FILING O.T.
IA No. 145665/2018 - EXEMPTION FROM FILING O.T.
IA No. 93288/2017 - I/A FOR AMENDMENT OF INTERVENTION APPLICATION
IA No. 110710/2017 - I/A FOR DIRECTIONS AND SUBMISSION OF
OBJECTIONS TO THE DRAFT TEXT OF THE NEW BCCI CONSTITUTION - PER
IA No. 101571/2018 - INTERVENTION APPLICATION
IA No. 49510/2019 - INTERVENTION APPLICATION
IA No. 130124/2019 - INTERVENTION APPLICATION
IA No. 55723/2017 - INTERVENTION APPLICATION
IA No. 94554/2018 - INTERVENTION APPLICATION
IA No. 74320/2019 - INTERVENTION APPLICATION
IA No. 121303/2017 - INTERVENTION APPLICATION
IA No. 167724/2018 - INTERVENTION APPLICATION
IA No. 47253/2017 - INTERVENTION APPLICATION
IA No. 8235/2019 - INTERVENTION APPLICATION
IA No. 46711/2017 - INTERVENTION APPLICATION
IA No. 114725/2019 - INTERVENTION APPLICATION
IA No. 141846/2019 - INTERVENTION APPLICATION
IA No. 39270/2017 - INTERVENTION APPLICATION
IA No. 110240/2017 - INTERVENTION APPLICATION
IA No. 160008/2018 - INTERVENTION APPLICATION
IA No. 51/2017 - INTERVENTION APPLICATION
IA No. 107394/2017 - INTERVENTION APPLICATION
IA No. 135606/2019 - INTERVENTION APPLICATION
IA No. 117713/2019 - INTERVENTION/IMPLEADMENT
IA No. 168786/2018 - INTERVENTION/IMPLEADMENT
IA No. 7343/2019 - INTERVENTION/IMPLEADMENT
IA No. 64918/2019 - INTERVENTION/IMPLEADMENT
IA No. 8251/2019 - INTERVENTION/IMPLEADMENT
IA No. 108130/2018 - INTERVENTION/IMPLEADMENT
IA No. 62048/2019 - INTERVENTION/IMPLEADMENT
IA No. 72928/2019 - INTERVENTION/IMPLEADMENT
IA No. 81233/2018 - INTERVENTION/IMPLEADMENT
IA No. 12941/2019 - INTERVENTION/IMPLEADMENT
IA No. 116989/2019 - INTERVENTION/IMPLEADMENT
IA No. 105962/2018 - INTERVENTION/IMPLEADMENT

IA No. 67939/2019 - INTERVENTION/IMPLEADMENT
 IA No. 170132/2018 - INTERVENTION/IMPLEADMENT
 IA No. 11698/2019 - INTERVENTION/IMPLEADMENT
 IA No. 134678/2018 - INTERVENTION/IMPLEADMENT
 IA No. 7352/2019 - INTERVENTION/IMPLEADMENT
 IA No. 52054/2019 - INTERVENTION/IMPLEADMENT
 IA No. 65003/2019 - INTERVENTION/IMPLEADMENT
 IA No. 31454/2018 - MODIFICATION OF COURT ORDER
 IA No. 81234/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 8109/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 53616/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 105965/2018 - RECALLING THE COURTS ORDER
 IA No. 48254/2017 - SEEKING DISCHARGE FROM COURT APPOINTED
 COMMITTEE)

WITH C.A. No. 4236/2014 (III)
 (FOR ON IA 87006/2013, FOR ON IA 89868/2013, FOR ON IA
 22566/2014, FOR ON IA 48313/2014, FOR ON IA 60557/2014
 FOR ON IA 62994/2014, FOR ON IA 62992/2014, FOR ON IA
 65181/2014, FOR ON IA 64784/2014, FOR ON IA 78345/2014)

C.A. No. 1155/2015 (III)
 (FOR CLARIFICATION/DIRECTION ON IA 141280/2018 FOR
 CLARIFICATION/DIRECTION ON IA 168852/2018 FOR
 CLARIFICATION/DIRECTION ON IA 65368/2019 FOR INTERVENTION
 APPLICATION ON IA 93160/2019 IA No. 168852/2018 -
 CLARIFICATION/DIRECTION)

W.P.(C) No. 46/2017 (PIL-W)
 (FOR PERMISSION TO FILE SYNOPSIS AND LIST OF DATES ON IA 1/2017
 and IA No. 1/2017 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

CONMT.PET.(C) No. 47/2017 In C.A. No. 4235/2014 (IX)

W.P.(C) No. 287/2017 (PIL-W)
 (FOR INTERVENTION APPLICATION ON IA 52924/2017 and IA No.
 52924/2017 - INTERVENTION APPLICATION)

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)

W.P.(C) No. 48/2019 (X)
 (FOR ADMISSION)

CONMT.PET.(C) No. 755/2019 in W.P.(C) No. 79/2019 (X)

CONMT.PET.(C) No. 760/2019 in W.P.(C) No. 79/2019 (X)
 (FOR ADMISSION)

Date : 20-09-2019 These matters were called on for hearing today.
CORAM :

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HON'BLE MR. JUSTICE L. NAGESWARA RAO

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Mr. Palash Singhai, Adv.
Ms. Rini Badoni, Adv.
Mr. P. V. Yogeswaran, AOR

Mr. Rabin Majumder, AOR

Mr. Rauf Rahim, AOR

Mr. Aditya Verma, AOR

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

I.A. NO. 94179 OF 2019

We have heard Mr. Kapil Sibal, learned Senior Counsel appearing for the Applicant and Mr. P.S. Narsimha, learned *Amicus Curiae* in the matter.

We permit the applicant - Tamil Nadu Cricket Association to hold elections to the post of Assistant Secretary. The result of the elections shall be subject to the remedy available in law and the final order that may be passed by this Court.

We trust that the various Associations will comply with the requirements of the BCCI Constitution.

We direct that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations.

This order shall apply to all the States Cricket Association.

Notice period may be relaxed at the directions of the learned Amicus Curiae. The Registrar shall comply with the suggestions of the learned Amicus Curiae.

With the aforesaid directions, the instant interlocutory application for directions stands disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR

Application

NO. 146810 of 2019

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO. 146810 OF 2019

IN

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

IN THE MATTER OF

Supreme Court appointed Committee
of Administrators

... Applicant

WITH

I.A. NO. OF 2019

Application for directions for the purpose of the order dated 20th September 2019

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

ADVOCATE FOR THE APPLICANT
M/S. CYRIL AMARCHAND MANGALDAS (AOP)

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CYRIL AMARCHAND MANGALDAS

Advocates for the Applicant
4th floor, Prius Platinum,
D-3, District Centre, Saket,
New Delhi - 110 017, India

Place New Delhi

Date: 23.09.2019

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

L.A. NO. _____ OF 2019

IN

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

IN THE MATTER OF

Supreme Court appointed Committee
of Administrators

... Applicant

APPLICATION FOR DIRECTIONS AND SEEKING CERTAIN

CLARIFICATIONS TO ORDER DATED 20th SEPTEMBER,

2019

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF

THE SUPREME COURT OF INDIA AT NEW DELHI

THE HUMBLE APPLICATION OF THE
APPLICANT ABOVE-NAMED

MOST RESPECTFULLY SHOWETH:

1. The Applicant is the Committee of Administrators ("COA") constituted and appointed by this Hon'ble Court by its Order dated 2nd January, 2017 and 30th January, 2017 to ensure the

implementation of Hon'ble Justice Lodha Committee Reforms which were approved and adopted by this Hon'ble Court vide its judgement dated 18th July, 2016 reported as 2016 (8) SCC 535. This Hon'ble Court vide its orders dated 2nd January 2017 and 30th January 2017 empowered the COA to ensure that the directions contained in the judgment of this Court dated 18th July 2016 (which accepted the report of the Hon'ble Justice Lodha Committee with modifications) are implemented and to adopt all necessary and consequential steps for that purpose. Vide its judgment dated 9th August, 2018, a three judge bench of this Hon'ble Court directed the COA to ensure the compliance of its judgment by the BCCI and its member/state associations.

2. The COA is constrained to file the present Application seeking certain clarifications with respect to the Order passed by this Hon'ble Court on 20th September, 2019 on an Application filed by Tamil Nadu Cricket Association ("TNCA") being I.A. No. 94179 of 2019 whereby this Hon'ble Court has ordered the following:

"We have heard Mr. Kapil Sibal, learned Senior Counsel appearing for the Applicant and Mr. P.S. Narshima, learned Amicus Curiae in the matter.

We permit the applicant - Tamil Nadu Cricket Association to hold elections to the post of Assistant Secretary. The result of the elections shall be subject to the remedy available in law and the final order that may be passed by this Court.

We trust that the various Associations will comply with the requirements of the BCCI Constitution.

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We direct that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations.

This order shall apply to all the States Cricket Association.

Notice period may be relaxed at the directions of the learned Amicus Curiae. The Registrar shall comply with the suggestions of the learned Amicus Curiae. With the aforesaid directions, the instant interlocutory application for directions stands disposed of."

Emphasis supplied.

A copy of the said Order dated 20th September, 2019 is annexed hereto and marked as ANNEXURE A-1 (from pages 21 to 29)

3. The COA is specially seeking clarification to the portion of the above Order whereby this Hon'ble Court has:
- (i) permitted the applicant - Tamil Nadu Cricket Association to hold elections to the post of Assistant Secretary.
 - (ii) directed that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations.

It is humbly submitted that the direction that, "disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations" is being erroneously construed in such a manner so as to override the principal judgment dated 18th July, 2016 and 9th August, 2018.

It may be pertinent to note that out of 38 Full Members, it is TNCA and Haryana Cricket Association who have remained defiant and intransigent and have deliberately not adhered to the

BCCI Constitution as approved by this Hon'ble Court vide its order dated 9th August, 2018.

4. It is humbly submitted that in its judgment dated 9th August, 2018, (reported as 2018 (9) SCC 624) this Hon'ble Court has extensively dealt *inter alia* with the aspect of cooling-off and disqualifications. The relevant extract from the judgment are as follows:

38. *We accordingly clarify that the position as approved by the Court in the present order shall be to the following effect:*
- 38.1 *The term for all posts of office bearers in BCCI and in state associations shall be three years;*
- 38.2 *No person shall hold the position of an office bearer in any state association, regardless of post, for a period in excess of nine years in the aggregate;*
- 38.3 *No person shall hold the post of office bearer in BCCI, regardless of post, for a period in excess of nine years in the aggregate;*
- 38.4 *There shall be a cooling off period of three years after an individual has held the post of an office bearer for two consecutive terms either in a state association or in the BCCI or a combination of both; and*
- 38.5 *The expression 'office bearer' should not be permitted to be circumvented by being a member of any other committee or of the Governing Council in BCCI or any state association, as the case may be.*

E. Disqualifications

- 42 *In regard to disqualifications, we accept the clause in the draft constitution as proposed with the incidental modifications as suggested by the amicus. The disqualifications read as follows:*

" Clause 6 (5) - A person shall be disqualified from being an Office Bearer, a member of the Governing Council or

any Committee or a representative to the International Cricket Council or any similar organization 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 or holds a public office;
- (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 of a State association for a cumulative period of 9 years;
- (g) has been charged by a Court of Law for having committed any criminal offence, i.e. an order framing charges has been passed by a court of law having competent jurisdiction."

44. We approve the above clauses. We are emphatically of the view that once the draft constitution has been approved by this Court, any amendment should not be given effect to without the leave of this Court."

5. Further, by the said judgment dated 9th August, 2018, this Hon'ble Court inter alia issued the following directions:

"45 Having regard to the fact that the draft constitution submitted by the CoA on 27 October 2017 has now been approved by this Court subject to the aforesaid modifications, we issue the following directions:

45.1 The Registrar of Societies under the Tamil Nadu Societies Registration Act, 1975 shall upon presentation of the said Constitution by the CEO, register the documents forthwith and report compliance by way of a report to the Secretary General of this Court within four weeks;

45.2 Upon the registration of the said Constitution of BCCI, each of the members shall undertake registration of their respective Constitutions on similar lines within a period of 30 days thereafter. A compliance certificate must be furnished to the CoA, which shall file a status report before this Court with reference to the compliance undertaken by the State Associations; and

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45.3 *In the event that any State Association does not undertake compliance with the above said directions, the directions contained in the orders of this Court dated 7th October, 2016 and 21st October, 2016 shall revive.*

46 *The Committee of Administrators is at liberty to submit a further report for such future directions as may be warranted and to secure compliance."*

A copy of the judgment dated 9th August, 2018 passed by this Hon'ble Court is annexed hereto and marked as ANNEXURE A-2 (Pages 50 to 53).

6. Pursuant to the judgement dated 9th August, 2018 passed by this Hon'ble Court, the BCCI constitution as approved by this Hon'ble Court was registered on 21st August, 2019. The COA addressed an email dated 21st August, 2019 to all the members of BCCI directing them to furnish compliance certificate in terms of the judgment dated 9th August, 2018. By this email, the member association were directed to register their respective constitution on similar lines to the BCCI constitution in letter and spirit. Thereafter, the COA filed its Tenth Status Report dated 28th October, 2018 mentioning the steps taken by the COA to ensure compliance by the BCCI and its Member Associations.

A copy of the said email dated 21st August, 2018 from COA to member associations is annexed hereto and marked as ANNEXURE A-3 (Pages 54 to 60).

7. In terms of the communication dated 21st August, 2018, various member associations submitted their revised amended constitution for the approval of the COA. The COA responded by sending a chart mentioning the "proposed amendments" to be carried out by the respective member associations. This exercise was undertaken to ensure compliance with the judgments passed by this Hon'ble Court and to ensure consistency in the constitution of BCCI and member associations which is the heart and soul of the Hon'ble Justice Lodha Committee recommendations.
8. On 14th March, 2019, this Hon'ble Court on account of various pending interlocutory applications directed that the Ld. Amicus Curiae will look into the matter and make appropriate recommendations to the COA. The Ld. Amicus Curiae was appointed as mediator in relation to any dispute that might arrive in the instant interlocutory application. The Ld. Amicus Curiae / Mediator was also requested to submit his report. Pursuant thereto there were various meetings between the Ld. Amicus Curiae / Mediator, the COA and member associations. In the course of these mediation meetings, various issues were discussed and a substantial number of associations agreed to register their constitution in line with the judgments passed by this Hon'ble Court. The Ld. Amicus Curiae / Mediator filed a report as on 9th May, 2019 before this Hon'ble Court. On 21st

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May, 2019, the COA in consultation with the Ld. Amicus Curiae issued timelines to conduct elections in the member Associations and BCCI.

A copy of the said media advisory/timelines issued on 21st May, 2019 to conduct elections in the member associations and BCCI is annexed hereto and marked as ANNEXURE A- 4 (Pages 61 to 62).

9. It is submitted that in the IA No. 94179 of 2019 (Application filed by TNCA on 2nd July, 2019 on which the Order dated 20th September, 2019 has been passed), TNCA had sought a direction restraining the COA from going ahead with the election schedule announced on 21st May, 2019 till the final disposal of the Applications filed by TNCA. In the said application TNCA has not sought for elections in its association as it has not yet been declared complaint by the COA as per the judgment passed by this Hon'ble Court. In fact no prayer seeking confinement of disqualification to only Office Bearers have been sought for in the said application. The prayer sought by TNCA is as follows:

"allow the present application and issue a direction restraining the COA from going ahead with the election schedule announced on 21st May, 2019 till the final disposal of the Applications filed by the Applicant Association"

A copy of the said IA No. 94179 of 2019 is annexed hereto and marked as ANNEXURE A-5 (Pages 63 to 127).

10. It is submitted that when the IA No. 94179 of 2019 came up for hearing on 20th September, 2019 the Ld. Senior Counsel appearing for the TNCA tendered a chart across the bar which was essentially the proposed amendments issued by the COA to TNCA for incorporating the same in its revised constitution. It is submitted that vide email dated 24th September, 2018 and 25th September, 2018, TNCA submitted its revised constitution and the compliance certificate to the COA respectively. Vide email dated 4th November, 2018, the COA sent a document named 'Draft Amendments to TNCA Constitution' which was essentially the same chart detailing the proposed changes to be made by TNCA in its revised constitution so as to be in compliance with the judgments passed by this Hon'ble Court. In fact, till date, TNCA has failed and neglected to carry out those proposed amendments and has not submitted its registered constitution with the COA.

A copy of the said Draft Amendments to TNCA Constitution issued on 4th November, 2018 by COA to TNCA is annexed hereto and marked as ANNEXURE A-6 (Pages 128 to 148).

11. It is submitted that during the course of hearing on 20th September, 2019, the Ld. Senior Counsel for TNCA pointed out item Nos. 1, 5 and 14 from the said proposed amendments to TNCA constitution which are reproduced herein-below.

Sr. No.	Existing	Proposed
1.	Rule 1(A)(d) "Assistant Secretary" shall mean the Hon. Asst. Secretary in charge of the Districts under Rule 7(5).	To be deleted
5.	<u>Rule 1(A)(dd)</u> "OFFICE BEARER" means the President, Six Vice-Presidents, Secretary, Joint Secretary, Treasurer and the Asst. Secretary.	<u>Rule 1(A)(dd)</u> "OFFICE BEARER" means the President, the Vice President, Secretary, Joint Secretary and Treasurer.
14.	<u>Rule 6(5)</u> A person shall be disqualified from being an Office Bearer if he or she: (a) ... (b) ... (c) ... (d) Is a Minister or Government Servant; (e) ... (f) Has been an Office Bearer of the TNCA for a cumulative period of 9 years and of the BCCI for a cumulative period of 9 years; (g) Has been convicted by a Court of Law for commission of any offence involving moral turpitude.	<u>Rule 6(5)</u> A person shall be disqualified from being an Office Bearer, a member of the Governing Council or any Committee or a representative of the BCCI or any similar organization if he or she: (a) ... (b) ... (c) ... (d) is a Minister or a Government Servant or holds a public office; (e) ... (f) Has been an Office Bearer of the TNCA for a cumulative period of 9 years; (g) Has been convicted by a Court of Law for commission of any offence involving moral turpitude; (h) Has been charged by a Court of law for having committed any criminal offence, i.e. an order framing charges has been passed by a court of law having competent jurisdiction

12. It is submitted that the Hon'ble Justice Lodha Committee's recommendation and the judgment of this Hon'ble Court has

made it amply clear that there can be only five office bearer positions and no other [viz. (i). President, (ii). Vice President, (iii). Secretary, (iv). Joint Secretary, and (v). Treasurer] as defined in Rule 6 (1) of the BCCI Constitution as approved by this Hon'ble Court. The position of Assistant Secretary as an Office Bearer is impermissible. It is submitted that accordingly vide its email dated 4th November, 2018 COA had directed TNCA to delete the said rule 1 (A) (d) and suggested change in Rule 1 (A) (dd). A reference may be made to Item No. 1 and 5 in the chart above in this regard. Further, keeping in view, the judgment passed by this Hon'ble Court and more specifically judgment dated 9th August, 2018 the COA suggested proposed changes in Rule 6(5) of the TNCA Constitution.

13. It is submitted that in its Order dated 20th September, 2019, this Hon'ble Court directed that the disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations. It is being erroneously and mischievously interpreted by certain State Associations and persons which is leading to a situation which has put the entire reform process at risk.

14. It is submitted that in the BCCI Constitution as approved by this Court, Rule 14 deals with the Apex Council. The members of the Apex Council are nine Councillors out of which five are elected

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Office Bearers as per Rule 6 and out of remaining four, one is an elected Councilor and three are nominated Councilors (two to be nominated by Players Associations and one by the CAG Office). Rule 14(3) prescribes the disqualifications for the Councilors which is same as prescribed for Office Bearers under Rule 6(5). Rule 14(4) and 14(5) prescribes for cooling-off and tenure for the Councilors. Just like the Office Bearers the tenure of the elected Councilors is restricted to 9 years. It is submitted that the 20th September, 2019 Order is being erroneously and mischievously interpreted to mean that the disqualifications specified in Rule 14(3) are not applicable to all candidates who stand for election for Councilor positions but only to individuals who have held the post of Office Bearers in the past and no other persons. This interpretation will render the Rule 14(3) infructuous, which could never have been the intention of this Hon'ble Court. Pursuant to the mediation meetings with the Ld. Amicus Curiae and state associations, the number of councilors (members of Apex Council/ Management Committee) is agreed to be 19, which shall comprise of 5 Office Bearers and 3 nominated Councilors and up to 11 elected Councilors.

15. It is submitted that the BCCI Constitution in Rule 6(5) reads as follows:

"5. A person shall be disqualified from being an Office Bearer, a Member of the Governing Council or any

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Committee or a representative to the International Cricket Council or any similar association if he or she:

- (a)
- (b)
- (c)
- (d)
- (e)
- (f) has been an Office Bearer of the BCCI for a cumulative period of 9 years or of a State association for a cumulative period of 9 years; or "
- (h)"

16. The clear and only meaning of sub Rule 6(5)(a) to 6(5)(h) is that the person so disqualified cannot be thereafter elected either as an Office Bearer, a member of Governing Council or of other bodies referred to therein.

17. The Hon'ble Supreme Court vide its order dated 20th September, 2019 directed as follows:

"We direct that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations."

18. The COA understands that the clear, categoric and only effect of the said direction of the order of this Hon'ble court dated 20th September is that the disqualification contained in Rule 6(5)(f) and 14(3)(f) to the non-office bearer post would at this stage and subject to the final view of the Hon'ble Court not being insisted upon. All other disqualifications in Rule 6(5) (a) to (e) and (g) and 14 would necessarily continue to apply.

19. The COA understands that this Hon'ble Court in its order dated 20th September, 2019 is not dealing with all the heads of disqualification referred to in Rule 6(5) and 14(3) of the BCCI Constitution and the *pari materia* provisions of the constitutions of the member associations. The interpretation to the contrary would mean that this Hon'ble Court has lent its imprimatur to permit the following category of disqualified candidate to nonetheless contest for the post of Councillor/ members of Committee who suffers from the disqualification mentioned at sub rule 6(5) (a) to (e) and (g). The issue before the Hon'ble Court arose in the context of the applicability of the disqualification relating to eligibility to contesting to the post of Councillor, of a person who had been an office bearer of the BCCI for a cumulative period of 9 years or of a state associations for a cumulative period of 9 years. It was in this context that, after hearing the parties and subject to the final order that may be passed by this Hon'ble Court, this Hon'ble Court confined the disqualifications to those who had held the post of Officer Bearer. The COA understands the effect of the said direction mentioned in order dated 20th September, 2019 is to clarify that the 9 year period, mentioned in Rule 6(5)(f) and Rule 14(3)(f) of the BCCI Constitution, is to computed only by taking into account period served by individuals as "Office Bearers" cumulatively, without adding or taking into account any period

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served in any other position such as Member of a Governing Council or Managing Committee. However, the said direction is being erroneously and mischievously interpreted by certain person in a manner that would override the principal judgments dated 18th July, 2016 and 9th August, 2018. It is now being suggested that the effect and meaning of the said direction issued by the Hon'ble Supreme Court is that:

- (i) None of the disqualifications mentioned in sub rule 6(5) or 14(3) would apply to any candidate who is contesting for a non-office bearer post in the Apex Council; and/or
- (ii) none of the disqualifications are applicable to candidates for the posts of committee members, governing council members (IPL Governing Body) and representatives to the BCCI and ICC.

The COA respectfully and vehemently disagrees with these position(s).

- 20. As stated above, the aforesaid direction is however being mischievously interpreted to mean that the all the disqualifications listed under Clause 6(5) (a) to (h) have been relaxed by way of the order dated 20th September, 2019.
- 21. If the present situation is allowed to prevail, then it would mean that a person who is:

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(i). not a citizen of India would be elected as a member of the Managing Committee, Governing Council or any Committee or a representative etc;

(ii). Likewise someone over the age of 70 years would also be elected;

(iii). An insolvent or someone with an unsound mind would also seek to be elected;

(iv). A minister or Government Servant or someone holding a public office or

(v). Someone with a post/office in a sports or athletic association or federation apart from cricket, would also take part in the elections;

(vi). Moreover someone who has been charged by a court of law for having committed any criminal offense would be equally entitled to sit in the elections.

This can never be the purport and intention of the Hon'ble Court's Order dated 20th September, 2019.

22. It is submitted that in view of the perverse and opportunistic interpretation which is being undertaken by the vested interest groups, it is imperative that this Hon'ble Court clarifies its Order dated 20th September, 2019 for the reasons stated above.

23. It is further submitted that as on today out of total 38 Full Members of BCCI, the status of compliance of full members of BCCI are follows:

- (i) 24 Full Members of BCCI have registered their respective constitutions, as approved by the COA.
- (ii) 3 Members (Railways, Services and Universities) have to only appoint an authorized representative as per BCCI Constitution.
- (iii) 7 Full Members of BCCI have had their constitution approved by the COA, but have not yet submitted the registered constitution, as approved by the COA. These associations are thus on the clear path way to compliance.
- (iv) 2 Full Members of BCCI are in dialogue with the COA and are on way to compliance,
- (v) Only 2 members, that is TNCA and Haryana Cricket Association, are still not compliant and have failed to even bring their constitutions in line with the approved and registered BCCI Constitution, which leads to their potential disqualification, subject to the orders of this Hon'ble Court's Orders.
- (vi) 9 Full Member associations have already conducted elections and 16 members associations have already

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notified a date for elections on or before September 28, 2019.

It is ironic that the application on which the order dated 20th September 2019 has been passed is the application that has been moved by one of the only two non-compliant members, that is, TNCA.

24. It is submitted that significant progress has been achieved in securing compliance with the judgments passed by this Hon'ble Court and substantial number of state associations have either registered their constitution or are in the process of registering their constitution in line with the BCCI constitution as approved by the COA in terms of the judgment dated 9th August, 2018,

25. It is submitted that because of the, out of context and opportunistic interpretation of the 20th September, 2019 Order, many associations who have registered their constitution and some of them who have even conducted their elections want to amend their constitution in derogation of the judgments passed by this Hon'ble Court. In fact, Karnataka State Cricket Association vide their email addressed to the COA have informed the COA that they have amended their constitution in view of the 20th September 2019 Order and submitted it for registration.

26. That in the aforementioned facts and circumstances the present application for clarification / direction deserves to be allowed in terms of the prayer clause.
27. That the present application is made *bona fide* and in the interest of justice.

PRAYER

It is therefore, most respectfully prayed that in the interest of justice and equity this Hon'ble Court may be pleased to:

- (a) Clarify that the following direction contained in the Order dated 20th September 2019 "*We direct that disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations.*" only means that the 9 year period mentioned in Rule 6(5)(f) and Rule 14(3)(f) is to be computed by taking into account the period served by individuals as "Office Bearers" cumulatively, without adding or taking into account any period served in any other position such as Member of a Governing Council or Managing Committee, etc.
- (b) Clarify / modify the Order dated 20th September, 2019 and direct that the election for the post of office bearers in the TNCA be limited only to the 5 posts mentioned and approved in the BCCI Constitution registered pursuant to the order passed by this Hon'ble Court on 9th August, 2019;

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- (c) Pass such other or further orders as this Hon'ble Court deems fit
and proper under the facts and circumstances of the case.

APPLICANT

**Supreme Court Appointed
Committee of Administrators**

THROUGH

CYRIL AMARCHAND MANGALDAS

Advocates for the Petitioner
4th Floor, Prius Platinum,
D-3, District Centre, Saket,
New Delhi - 110 017, India

Place: New Delhi
Date:- .09.2019

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO. _____ OF 2019

IN

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

IN THE MATTER OF

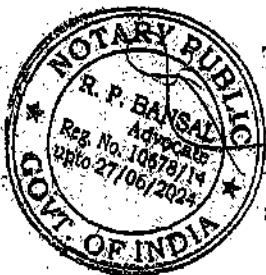
Supreme Court appointed Committee
of Administrators

... Applicant

AFFIDAVIT

I, Vinod Rai, son of late Shri Bhola Nath Rai, aged about 71 years, resident of 3, Palam Marg, Vasant Vihar, New Delhi-110 057, do hereby solemnly affirm and state as under:

1. That I am the Chairman of Supreme Court appointed Committee of Administrators and authorized representative of the Applicant in the abovementioned case. I am well acquainted with the facts and circumstances of the present case and am duly authorized to swear this affidavit.



That I have read and understood the averments made in paras of the accompanying application and I say that the contents of the same are true to my knowledge and belief as derived from the records of

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the case maintained by BCCI of which the Applicant is a Supreme Court appointed Committee of Administrator .

3. That the annexures filed along with the application are true copies of their respective originals.

V. R.

DEPONENT

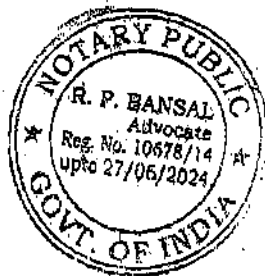
VERIFICATION:

Verified at New Delhi on this 2nd day of September, 2019, that the contents of my above affidavit are true and correct to the best of my knowledge and belief as derived from the record of this case. No part of it is false and nothing material has been concealed therefrom.

V. R.

DEPONENT

W. R.
IDENTIFIED BY



ATTESTED

Notary Public, Delhi
(As Presented)

23/09/19

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ANNEXURE-A20

Advisory

1. This advisory is being issued in light of the order passed by the Hon'ble Supreme Court on 20th September, 2019 wherein the Hon'ble Supreme Court has *inter alia* directed that, 'disqualification shall be confined only to those who had held the post of "Office Bearers" of the Cricket Associations'.

It is the respectful understanding of the Committee of Administrators ("COA") that the said direction relaxes the disqualification in Rule 6(5)(f) and Rule 14 (3)(f) of the BCCI Constitution and the *pari materia* provisions in the constitutions of the member State Associations. The relaxation is that the 9 year period mentioned in the said rules is to be computed by taking into account only the period served by individuals as "Office Bearers" cumulatively [without adding or taking into account the period served in any other position such as Member of a Governing Council or Managing Committee, etc.].

All other disqualifications remain in full force viz. those contained in Rule 6(5) (a) to (e) and (g) and Rule 14 (3)(a) to (e) and (g).

2. The COA is duly implementing the reforms as approved by the Hon'ble Supreme Court vide its judgments dated 18th July, 2016 and 9th August, 2018, as well as the order dated 20th September, 2019.
3. The member State Associations and their respective electoral officers are directed not to re-amend their constitutions as already approved by the COA in light of the judgment dated 9th August, 2018. The member State Associations are also directed to conduct the elections in accordance with the constitution approved by the COA in terms of the order of the Hon'ble Supreme Court dated 9th August, 2018 and the relaxation granted by the Hon'ble Supreme Court in its order dated 20th September, 2019, as explained in paragraph 1 above. The State Associations who have not brought their constitutions in line with the BCCI Constitution run the risk of their election results not being recognised.
4. Further, in order to facilitate and secure compliance by various State Associations and for conduct of elections in the member State Associations

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in accordance with the judgment dated 18th July 2016 and 9th August, 2018 and any further order and judgement that the Hon'ble Supreme Court may be pleased to pass, the COA hereby extends the date for completion of election by member State Associations to 4th October, 2019. Further, the date of BCCI election is extended by one day in view of the voting in the Legislative Assembly elections in the states of Maharashtra and Haryana on 21st October, 2019. Accordingly, the election date for BCCI stands postponed to 23rd October, 2019.

The Advisory dated 16th September 2019 issued by the COA stands modified accordingly.

Dated this 24th September 2019.

Issued by:

Supreme Court Appointed Committee of Administrators