

**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]**

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**VOL - III**

**(Pages 396 to 626)**

**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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FEDERATION OF CRICKET ASSOCIATIONS		
1.	Form of the Organization	Society, registered under the Registration and Societies Act XXI, 1860
2.	Compliance Status of Constitution <sup>1</sup> (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	13 District Members + 6 Clubs <sup>1</sup>
6.	Relevant issues arising in relation to the conduct	N/A

<sup>1</sup> From Public Forum.

	of elections, if any, as intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified



BY CONFIRMED ASSOCIATES		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee Of Administrators, registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	33

6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	N/A
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body	Qualified

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	Meeting scheduled on	
	October 23, 2019	

NACHAL CRICKET ASSOCIATION		
1.	Form of the Organization	Society
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	8 District Members
6.	Relevant issues arising in relation to the conduct of	N/A

	elections, if any, as intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

B. B. ROAD SPORTS ASSOCIATION (BCA)		
1.	Form of the Organization	Trust, registered under the Mumbai Public Trust Act 1950, now recognized as Gujarat Public Trust Act 1950
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators and registered. <sup>2</sup>
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed

<sup>2</sup> Vide email dated September 13, 2019, the BCA informed the Committee of Administrators that it has registered its constitution approved by the Committee of Administrators after incorporating corrections to certain typographical errors. The Committee of Administrators vide email dated September 17, 2019 requested the BCA to provide them with a list of all changes undertaken on the previously approved registered constitution and an undertaking that no other changes other than provided in the list have been made in the approved Constitution. The Association vide email dated September 19, 2019 has provided the said undertaking.

5.	Total number of voting members	2175
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	<p>a) An application (being I.A. No. ____ of 2019) has been filed by Mr. Jatin Vakil (member of BCA, and contestant to the post of President) <i>inter alia</i>, challenging the order of the Electoral Officer and elections held for BCA on September 27, 2019. His primary allegations are (i) BCA office issued forms to all with the counter sign of officer concerned, and all such forms were pre-numbered and were issued after taking signature in the register maintained in that regard of each such person who obtained nomination forms from the office. Further, receipts were issued with respective form</p>

	<p>number; (ii) Two forms were submitted for the candidacy to the post of President on behalf of Mr. Amin (Respondent 3), with certain discrepancies. Objections to the same was raised by the Applicant before the Electoral officer. It has been submitted that the Electoral Officer has accepted 2 forms for a candidate, both of which do not meet the prescribed criteria (iii) That while September 22, 2019 was the last day for withdrawal of nomination, various candidates nominated for multiple posts which was not withdrawn or cancelled by the Electoral Officer leading to the final list published on September 23, 2019. It has been submitted that in such an election where the candidates have contested from multiple posts and have not been disqualified on such ground</p>
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	<p>alone, is unheard of and non-democratic; (iv) That in the aforementioned circumstances, the entire process of elections of BCA has been vitiated on account of serious illegalities and irregularities in the process followed by the Electoral Officer in disregard to the prescribed rules. A representation to this regard to the Committee of Administrators has also been made by his advocate on record.</p> <p>b) Mehsana District Cricket Association, regularly participating in BCA elections, has written to the Committee of Administrators that while it regularly participates in the BCA elections and exercises its voting rights, it has not received any official intimation regarding the same this time.</p>
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		<p>c) Since the last election of the BCA was held in December, 2013, the present committee/s would complete 6 years in the next 3 months and all the elected members of Managing committee and sub-committee members from present committee needs to take cooling off of at least 3 years failing which if they stand for elections they would be required to demit the office after 3 months as directed by the Hon'ble Supreme Court.</p> <p>d) The Constitution of BCA (under which present notice of Elections is issued) was not filed by following the statutory procedure of filing it along with the "Change Report", so is still not part of Public Trust Report (PTR) of BCA maintained by</p>
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		<p>Charity Commissioner's office, and hence is not even registered.</p> <p>e) That certain persons are contesting for more than 1 post in the Apex Council, which is in violation of the Election Rules.</p> <p>f) It is alleged that Mr. Pranav Amin (representative of the BCA to the BCCI) has continuously been in the Managing Committee for more than thirteen years and must therefore be disqualified.</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Various allegations have been made by certain members against Mr. Snehal Parikh, (earlier Hon. Secretary of BCA), Mr. Amar Petiwale, (earlier Hon. Secretary of BCA), Mr. Pranav Amin, Chairman (earlier as well as present President) of BCA</p>

		<p>stating that they have illegally seized BCA's resources, positions and funds prejudicial to the interest of BCA, its cricket and members. Further, it has been alleged that all the three office bearers mentioned above are disqualified by virtue of having been in office for more than 9 year. Also that, Mr. Pranav Amin, MD of Alembic Ltd, who is also disqualified since 2016 chaired the meeting of the Managing Committee wherein BCA's new constitution was approved.</p> <p>b) There is no intention to take approval of members on Annual Accounts. The last time members approved accounts was for the FY 2012-13, the accounts for FY 2013-14 were rejected by members on 16/7/2016 and since then no steps have been taken</p>
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		<p>either to rectify the accounts for FY 2013-14 or to put accounts of subsequent years for approval.</p> <p>c) Issue of selection of unregistered players in the state teams and that selection meetings are being convened by one Mr. Cassim Unia, who is not authorized to do so.</p>
8.	Special Measures, if any, taken by the Committee of Administrators	<p>The following measures have been taken by the Committee of Administrators:</p> <p>a) With respect to the issues raised in Sl.No. 7, the Committee of Administrators provided the BCA with the representations received and sought its response to the allegations.</p>

		b) An independent observer, was appointed by the Committee of Administrators to observe the elections of the BCA to ensure that the same is conducted in a free and fair manner.
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps pursuant to the same as detailed above.</p> <p>However the complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	<p>Qualified on the basis of the unconditional undertaking by the Association that its constitution has been registered as per the constitution approved by the Committee of Administrators with</p>

		no further corrections other than the corrections to the typographical errors listed by the Association in its undertaking.
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HAWAIIAN CRICKET ASSOCIATION (HBCA)		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and submitted for registration
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	38 Members



6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Objection to only office bearers of the district associations being allowed to contest in the elections.</p> <p>b) Complaint that that the nomination process is not being conducted in a fair manner</p> <p>c) Objection to individuals who have allegedly been continuing as office bearers of their respective district associations since 2010 being elected as office bearers of the BCA.</p> <p>d) People who have been office bearers of district associations from 2005-2019 have been allowed as voters on the electoral roll of the BCA</p>
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		e) Out of the six office bearers elected, four are disqualified by virtue
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>Several allegations of factionalism and mismanagement were received from the BCA pursuant to which the Committee of Administrators appointed an Independent Supervisory Committee to manage the affairs of the Association. The following grievances have been raised after the Committee took charge on September 7, 2019.</p> <p>a) Request by Mr. Jagannath Singh (a former President of one of the factions in the BCA) requesting the Committee of Administrators to-</p> <p>a. Test the veracity of the allegations made by Mr. Jagannath Singh</p>

		<p>against the Committee of Management ("COM") led by Mr. Rabi Shankar Prasad.</p> <p>b. Examine the veracity and genuineness of the COM constituted under him through elections conducted on 23rd June, 2019</p> <p>c. Enquire into the allegations against Mr Rabi Shankar Prasad and Mr Gopal Bohra regarding misconduct in selection of players.</p> <p>b) Complaint that there is corruption in the Bihar Cricket Association.</p> <p>c) Complaint that the Independent Supervisory Committee is not functioning properly.</p> <p>d) Complaint regarding irregularity in selection of</p>
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		<p>players. Allegation that 5 new players have been added to the Bihar team in the middle of the Vijay Hazare Trophy tournament and that the Secretary of the BCA, Mr. Sanjay Kumar illegally selected his son in the Bihar Cricket Team for the Vijay Hazare trophy tournament. Mr. Alvin Gaikwad (member of the Independent Supervisory Committee) has confirmed that the 5 players as replacements for those 6 players who had participated/represented for BCA in the ongoing Vijay Hazare Trophy were not selected by the National Selectors in the standby for the Vijay Hazare Trophy. He is unsure whether Shivam S Kumar is the son of newly</p>
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		<p>elected Secretary of the Bihar Cricket Association</p> <p>e) Objection by Mr. Jagnnath Singh to the actions of the Committee of Administrators accepting the constitution of the Gopal Bohra faction and objection to the voters list prepared by Mr. Sirohi</p> <p><b>[NOTE: Mr. Singh has also filed a nomination as a representative of the BCA.]</b></p>
8.	Special Measures, if any, taken by the Committee of Administrators	<p>In response to several allegations of factionalism and mismanagement in the BCA, a meeting was convened with the representatives of the different factions of the BCA with representatives of BCCI. Each party was given an opportunity to present their case, following which a report was prepared and submitted to the Committee of Administrators recommending the appointment of a</p>

		<p>committee to oversee the functioning of the BCA till new office bearers are elected. Accordingly, the Committee of Administrators has appointed a 3 member Independent supervisory committee to supervise and regulate the BCA. The Committee took charge of the BCA on September 7, 2019.</p>
9.	<p>Remarks/Findings of the Committee of Administrators</p>	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators have undertaken certain steps in order to supervise the functioning of the association as detailed above. They have also made certain recommendations with regard to reforming the grievance redressal mechanism in Member Associations in the status report.</p>

		The complaints regarding violations of election procedure may be decided by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified on the basis of the acknowledgment of receipt of the Constitution of the BCA approved by the Committee of Administrators for registration by the Registrar

CHHATTISGARH STATE CRICKET ASSOCIATION		
1.	Form of the Organization	Society registered under the Chhattisgarh Society Registrarian Adhiniyam, 1973
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution, approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed <sup>3</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	83

<sup>3</sup> One former international cricketer, Mr. Rajesh Chauhan, inducted after the conduct of elections.



6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>Non induction of a former international player to membership of CSCS, who has been applying to CSCS since 2016. However, in terms of BCCI induction protocol dated August 14 2019, the said player applied for induction as a member of MPCA. Upon the Committee of Administrators' request to CSCS to grant membership, the membership was granted after the completion of elections. The said player has sought declaration of the elections of CSCS as void on account of elections not being in compliance with approved and registered constitution of CSCS.</p>
7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>Noting several violations of the CSCS Constitution</p>

8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections. The said complaints may be decided/adjudicated by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

Cricket Association of Bengal		
1.	Form of the Organization	Society registered under the West Bengal Societies Registration Act, 1961
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 37 First Division Club Members  ii. 57 Second Division Club Members

		iii. 18 District Associations iv. 7 Universities v. 1 Sports Federation
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	a) Representations made highlighting the need for an observer and proper guidelines for the upcoming elections. b) Certain allegations against Mr. Prabir Mitra and Mr. Ranajit Sen, <i>inter alia</i> , that they are falsely claiming themselves as Hon. Gen. Secretary and President of Balak Sangha c) Allegation that a number of former office bearers who have completed 9 years in office or are above 70 years of age attended AGM as a representative of state units. The Electoral Officer also allowed a minister of the state government to attend the AGM.

7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Allegations of Mr. Avishek Dalmiya assuming the post of Hon. Joint Secretary of CAB on September 24, 2015 while holding the post of a director of the National Cricketing Club till October 7, 2016.</p> <p>b) Vijay Sports Club has made a representation seeking recognition as an affiliated member of CAB</p>
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The said complaints

		may be decided/adjudicated by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

HONG KONG ASSOCIATION OF CRICKETERS		
1.	Form of the Organization	Society, registered under the Registration of Societies Act XXI, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	15
6.	Relevant issues arising in relation to the conduct of	N/A

	elections, if any, as intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified



I. CRICKET ASSOCIATION OF PENNSYLVANIA		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 16 member clubs ii. 3 regional associations iii. 13 life members

6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	Objection against Mr. P. Damodaran being nominated as the representative of Cricket Association of Pondicherry, as he has been the Secretary of the Cricket Association of Pondicherry from 2004-2018.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>Being aggrieved by the decision of Committee of Administrators to grant associate membership to Cricket Association of Pondicherry to represent the state of Pondicherry, Pondicherry Cricket Association ("PCA") (through G. Velumurugan) has made a representation to the Committee of Administrators. Further, Pondicherry Cricket Association had also filed an I.A. before the Hon'ble Supreme Court in this regard.</p> <p>Request from the PCA to not allow the Cricket Association of Pondicherry to vote or participate in.</p>

		the BCCI AGM pending the disposal of PCA's application by the Hon'ble Supreme Court.
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of complaints regarding the affiliation of the Cricket Association of Pondicherry. The said complaint may be decided/adjudicated by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

Uttarakhand Cricket Association of Uttarakhand		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by Committee of Administrators and registered
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 41 ordinary members ii. 13 district associations
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the	a) UPCA has been heavily involved in the elections of CAU, including the involvement of Mr. Rajiv Shukla. b) Mr. Mahim Verma is the secretary of the Cricket

	Committee of Administrators	Association of Uttarakhand and would therefore be in violation of conflict of interest rules if he is made the representative of the association to the BCCI
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	a) Working pattern of Cricket Association of Uttarakhand management is not up to the BCCI norms.
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The said complaints may be decided by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting	Qualified

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	scheduled on October 23, 2019	
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K. DISTRICT CRICKET ASSOCIATION (DDCA)		
1.	Form of the Organization	Licensed Company under Section 25 of the Companies Act, 1956
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered
3.	Induction of Former International Players	Confirmed <sup>4</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	4280

<sup>4</sup> As per letter dated October 3, 2019 from the DDCA membership has been offered to the 11 former International players who are not already members of the DDCA. However, confirmation from them regarding their membership in other State Associations is pending.

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>DDCA conducted its elections on June 30, 2018, which was upheld by the Hon'ble Supreme Court on September 7, 2018 (which was pronounced after its order dated August 9, 2018), and exempted it from holding fresh elections.</p> <p>However, certain issues have been brought out by certain persons before the Committee of Administrators, as follows:</p> <ul style="list-style-type: none"> <li>a) That Shri OP Sharma, Treasurer of the DDCA continues to hold office despite being in Public Office by being an MLA of the Delhi Assembly.</li> <li>b) That the last election of DDCA was not held as per the new constitution as the Hon'ble Supreme Court passed its judgment after the elections. Certain provisions incorporated in the BCCI Constitution</li> </ul>
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	<p>subsequent to the judgment were not in the DDCA Constitution, and certain provisions in the DDCA constitution are not present in the BCCI Constitution.</p> <p>c) That as per the BCCI constitution, any amendment to the procedure adopted shall made at least 3 months prior to elections. However, various associations are amending their constitution even on date of elections.</p> <p>d) Representative of the DDCA must be appointed by the AGM and not by the Apex Council</p> <p>e) A Complaint has been filed under rule 39(2)(b) against Mr Rajat Sharma for breaching rule 38(4).</p> <p>f) That no formal meeting has been held on October 3, 2019 appointing Mr. Rajat Sharma, to represent DDCA in BCCI.</p>
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		Further that the approval of 4350 members was not taken for the appointment of the representative to BCCI which amounts to contempt of the Hon'ble Court's orders.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	a) Affiliated/Institutional clubs of DDCA are the only entities affiliated to the DDCA and actively involved in the cricketing activities of the Association. They have not been given adequate representation in the Apex Council of DDCA and no affiliated /institutional clubs of DDCA have been given membership as on date by the DDCA, request for which has been taken with the DDCA. Further an IA has been filed in the Supreme Court in Civil Appeal No.4235/2014 on May 1, 2019 by 17 affiliated clubs of

	<p>DDCA on the issue of grant of voting rights to the affiliated clubs of DDCA.</p> <p>b) That the DDCA has not held their AGM for the year 2017-18 &amp; 2018-2019 or submitted their books of accounts to its members. A detailed representation in this regard dated 3rd September, 2019 has also been made to the Registrar of Companies. Further, that as per the Committee of Administrators direction dated September 6, 2019, no association shall be allowed to contest and participate in the BCCI election if they have not held their AGM, and no AGM notice to be issued prior to 21 days has been received so far. That under the circumstances, the Committee of Administrators should not allow any DDCA</p>
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	<p>Executive Member to participate or contest the forthcoming BCCI election till they hold 2 AGMs and elect new Executive members as per the new DDCA Constitution and the Companies Act, 2013.</p> <p>c) That the DDCA management has passed the new constitution with huge changes, without calling the EGM and consulting the members, whereas it could have been passed only by the General Body and with a 3/4th majority. And that DDCA management has deprived the rights of 4300 members' to elect BCCI representative, by choosing the BCCI representative in BOD. Further that major changes have been made to the constitution of DDCA.</p>
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	<p>d) Certain clubs have written to the Committee of Administrators being aggrieved that despite DDCA not making a provision for voting rights of affiliated/ institutional clubs (which are involved in conducting cricketing activities), the constitution of DDCA has been approved by the Committee of Administrators. In light of the same, the Clubs are requesting the Committee of Administrators to review the matter in view of the directions dated August 13, 2019 to State Cricket Associations for grant of membership to their affiliated clubs.</p> <p>e) Certain clubs have alleged that DDCA has deleted the clause No.23(A) of their earlier Constitution viz., formation of a Sports Working Committee</p>
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		<p>which included representatives of the affiliated/ institutional clubs. However the representatives of affiliated/ institutional clubs have not been involved in the cricketing affairs of the DDCA in the newly approved constitution which is clearly against the spirit of the Justice Lodha committee recommendations. As per item 36 A(j) of the earlier constitution representative of the DDCA to the BCCI /other bodies had to be nominated in the AGM of the DDCA whereas as per latest approved constitution this power has been delegated to the Apex Council of the DDCA. That the aforementioned items needed consideration of AGM/ EGM of DDCA before being incorporated in the new constitution.</p>
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		<p>f) That new elections must be conducted by DDCA in accordance with the registered constitution which has been amended in accordance with the judgment of the Hon'ble Supreme Court on August 9, 2018.</p> <p>g) DDCA has committed violations of Sec 13 and 14 of the Companies Act 2013 by not convening its EGM/SGM to get the Approval of its 4350 odd Members to get the "deletion and addition" of Articles beyond the mandated Articles approved by the Hon'ble Supreme Court.</p>
8.	Special Measures, if any, taken by the Committee of Administrators	<p>a) With respect to point 6(a), by way of its email dated September 5, 2019, the Committee of</p>

	<p>Administrators informed DDCA that as per Rule 14(3)(d) of the New BCCI Constitution, a person shall be disqualified from being a councillor if he/she holds a public office. Accordingly, response of DDCA was sought to this allegation.</p> <p>b) With respect to point 7(a), the Committee of Administrators has sent an email dated September 5, 2019 requesting DDCA to consider the applications for membership/voting rights raised by the clubs keeping in mind the Directions issued by the Committee of Administrators on August 13, 2019 in this regard.</p> <p>c) With respect to point 7(b), the Committee of Administrators by way of its email dated September 5, 2019, requested DDCA to take appropriate action in accordance</p>
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		<p>with the applicable law. Further another email dated September 20 was sent by the Committee of Administrators to DDCA seeking their response to the representations.</p> <p>d) With respect to points 6 (b) and 7 (c) and (d), the Committee of Administrators sent an email dated September 20, 2019 to DDCA informing them about the representations made by various parties and seeking a response to the same.</p> <p>DDCA has sent certain responses to the aforesaid representations, by way of its emails dated October 2, 2019.</p>
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections</p>

		<p>and the functioning of the Association. Pursuant to the said complaints the Committee of Administrators has taken certain steps as detailed above.</p> <p>However, the said complaints may be adjudicated/ decided by the appropriate forum.</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

FOOT CRICKET ASSOCIATION (FCA)		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by Committee of Administrators, and registered.
3.	Induction of Former International Players	Not confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	107
6.	Relevant issues arising in relation to the conduct of	a) Representations have been received challenging the

<p>elections, if any, as intimated to the Committee of Administrators</p>	<p>independence of the functioning of the Electoral Officer who has been accused of indulging in favouritism.</p> <p>b) Regarding the process of nomination wherein it is alleged that for the first few days of the nomination process only Presidents/Secretaries of clubs were allowed to file nominations. However, subsequently other persons have also been allowed to file nominations.</p> <p>c) Scrutiny of nominations received have not been undertaken in a fair manner with acceptance/rejections being decided arbitrarily with the specific intention to tilt the election in favour of certain persons, and defeating the purpose of fairness and</p>
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	<p>transparency, espoused by the Justice Lodha Committee.</p> <p>d) The Electoral Officer has accepted the nomination of candidates who have been office bearers for 6 years in violation of the requirement of a cooling off period.</p> <p>e) Electoral Officer, GCA has allowed candidates to contest for more than one post</p> <p>f) Objection to Mr. Lolitkar being nominated as the representative of the GCA stating that he was elected unopposed as the Electoral Officer chose to reject the nominations of the other candidates on grounds which are contrary to the law, and in direction violation of the Justice Lodha Committee judgment.</p>
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		<p>g) Mr. Lotlikar has been holding office as a Member of Managing Committee/Vice President/President for the last 7 years, and is ineligible to have even contested the election due to the existing cooling off</p>
7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>Membership of Sarvodaya Club</p> <p>The Sarvodaya Club was formerly a member of the GCA but was removed from the voters list subsequently. It was alleged that similarly, 8 other clubs have been deleted and 11 other clubs have been added without following the due procedure. The Sarvodaya Club filed a writ petition before the Hon'ble High Court of Bombay, Panaji Bench. As the High Court could not take up the matter by virtue of the Order of the Hon'ble Supreme Court dated March 14,</p>

		2019, an application for intervention was filed in the Hon'ble Supreme Court on behalf of the Club. The Hon'ble Supreme Court at the mentioning on July 24, 2019 orally observed that the Sarvodaya Club may approach the Ld. Amicus Curiae and/or the Committee of Administrators to resolve its issues.
8.	Special Measures, if any, taken by the Committee of Administrators	a) In response to the representations received from the Sarvodaya Club, the Committee of Administrators invited the representative of the Sarvodaya Club and the GCA for a meeting with the Committee of Administrators on August 5, 2019. The Sarvodaya Club sent its representative for the said meeting while the GCA failed to do so. The representation made by Sarvodaya Club was brought to the attention of the GCA and their response was sought.

		<p>Following the same, on September 8, 2019, the Committee of Administrators in consideration of the fact that the Sarvodaya Club was removed due to allegations of non-payment of dues but that subsequently the club has undertaken to pay all its outstanding dues directed the GCA to re-admit Sarvodaya Club with all its rights and privileges subject to Sarvodaya Club paying all its outstanding dues to the GCA. However, the GCA has declined to accept the said direction on the ground that it would jeopardize the entire election process of the GCA. The GCA has informed the Committee of Administrators that the issue of Sarvodaya will be considered by the new Managing Committee in terms and in accordance with the</p>
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		<p>Constitution/Rules of the GCA after the completion of the present election process</p> <p>b) The Committee of Administrators has also provided the Electoral Officer, GCA with a copy of certain representations received regarding irregularities in the election process and sought his response.</p> <p>c) Further, an independent observer has been appointed to observe the elections of the GCA.</p>
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has undertaken certain steps as detailed above.</p>

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		However, the complaints may be decided/adjudicated by the appropriate forum.
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

NATIONAL CRICKET ASSOCIATION		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 37 district units ii. 1 former international cricketer
6.	Relevant issues arising in relation to the conduct of	N/A

	elections, if any, as intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

HARYANA CRICKET ASSOCIATION (HCA)		
1.	Form of the Organization	Company limited by Guarantee not having share capital not for profit under Section 8 of the Companies Act 2013.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Non-compliant, as the constitution submitted by HCA contains certain material deviations which renders the constitution of HCA non-compliant with the judgment of Hon'ble Supreme Court dated August 9, 2018.
3.	Induction of Former International Players	Not Confirmed <sup>5</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Not Confirmed

<sup>5</sup> As per Haryana Cricket Association's response to the show cause notice dated October 5, 2019 it has inducted the lone applicant as a member of the Association pending the necessary formalities/paperwork

5.	Total number of voting members	-
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	<p>We understand from the email dated October 3, 2019 that the elections of HCA is complete, however we have not been given details pertaining to the same.</p> <p>Objection to the nomination of Mr. Mrinal Ojha as the representative of the Haryana Cricket Association</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A

9.	Remarks/Findings of the Committee of Administrators	<p>The HCA has not received the approval of the Committee of Administrators for its amended constitution as the constitution submitted by the association contains several material deviations. A show cause notice dated October 5, 2019 was issued to the HCA asking the Association to show cause as to why it should not be disqualified from participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019. The HCA provided its response on October 7, 2019. The said response was found to be unsatisfactory by the Committee of Administrators. Accordingly, vide an order of the Committee of Administrators dated October 9, 2019, the HCA has been disqualified from participating in cricket administration and governance at the BCCI, in any way whatsoever including by</p>
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		participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Not Qualified



DELTA CHAL BRABESH CRICKET ASSOCIATION (C.A.)		
1.	Form of the Organization	A not for profit company limited by guarantee under Section 8 of the Companies Act, 2013.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	61 (including 10 District Associations)

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Creation of membership against donations, having an equivalent vote to a district cricket association.</p> <p>b) Board of directors were office bearers for almost 15 years.</p> <p>c) Almost all other office bearers have already completed 9 years of tenure in office.</p> <p>d) Districts which are not playing units are voters of the State Associations.</p>
7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>N/A</p>

8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections of the Association.  The complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

HUMBERHAD CRICKET ASSOCIATION		
1.	Form of the Organization	Society, registered under the Andhra Pradesh (Telangana Area) Public Societies Registration Act.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	a) 156 private clubs b) 51 institutional clubs c) 10 district cricket associations

		d) 11 former international players
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	<p>a) Affiliates and club members in the state association are not governed by limitations such as "cooling off period" and "tenurial disqualifications".</p> <p>b) Certain candidates who have served for more than 9 years as elected committee members/ councillors have been considered to be eligible to contest elections to the Hyderabad Cricket Association.</p> <p>c) Objection to Mr. Md. Azharuddin being nominated as the representative of the association to the BCCI as the</p>

		<p>life ban imposed on him has still not been lifted.</p> <p>d) Consult Cricket Club has produced an Order of Additional District and Sessions Judge directing that no decision or transaction undertaken at the SGM dated October 3, 2019 will be given effect to until October 18, 2019. Therefore, the nomination of Mr. Md. Azharuddin as the representative of the Association in the BCCI in the said SGM is invalid.</p>
7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>Issue of conflict of interest among the staff/ office bearers of clubs in the state association has been overlooked.</p>

8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association.</p> <p>The said complaints may be decided/adjudicated upon by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

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JAMMU & KASHMIR CRICKET ASSOCIATION (JKCA)		
1.	Form of the Organization	Society registered under the Jammu and Kashmir Societies Registration Act, 1998.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution, as approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	22 Districts <sup>6</sup>
6.	Relevant issues arising in relation to the conduct of	a) Elections not conducted, nor notified.

<sup>6</sup> Basis the email dated September 19 2019 from JKCA.



<p>elections, if any, as intimated to the Committee of Administrators</p>	<p>b) Representation received on behalf of (erstwhile) member clubs of JKCA seeking appointment of observers to facilitate the process of conduction elections of JKCA.</p> <p>c) Further, some objection filed on behalf of Full Members of Jammu &amp; Kashmir Cricket Association to the draft electoral roll published on October 4, 2019 by the Electoral Officer, BCCI</p> <p>d) Allegation that Mr. Abid Salim who has been nominated as the representative of the JKCA is neither a member of the JKCA nor has his name been suggested by the General House or the Working</p>
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		<p>Committee of the Association. The nomination is likely to have been sent by the CEO or the Administrators of JKCA.</p> <p>e) Several allegations against the JKCA Committee of Administrators including- the elections of the JKCA required the appointment of an electoral officer. But no one has been appointed.</p> <p>f) The CEO and COA of the JKCA cannot nominate the representative of the JKCA to the BCCI. As per the Constitution of the JKCA only the Apex Council/General Body of the Association has the power to do the same. Further questioning why when cricketing activities are going</p>
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		on in the state, elections of the JKCA cannot be conducted.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Exclusion of cricketing clubs as members of JKCA upon introduction of the concept of district associations in all the districts of Jammu and Kashmir All the Clubs, individuals, groups etc., in order to participate in JKCA, are now required to become members of their respective District Associations.</p> <p>b) Several allegations against the functioning of the JKCA Committee of Administrators</p>
c)	Special Measures, if any, taken by the Committee of Administrators	In response to Point 7(a) the Committee had sought response of JKCA and response was received intimating the inability of JKCA to induct these clubs

d)	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has undertaken certain steps as detailed above.  However, the complaints may be decided/adjudicated by the appropriate forum
e)	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

JHARKHAND STATE CRICKET ASSOCIATION (JSCA)		
1.	Form of the Organization	Not Provided
2.	Compliance Status of Constitution (Constitution Adoption Status)	<p>Constitution, as approved by the Committee of Administrators, submitted for registration on October 9, 2019.</p> <p>By email dated September 14, 2019, JSCA submitted to the Committee of Administrators an amended constitution incorporating the changes suggested by the Committee of Administrators. Accordingly, the Committee of Administrators requested the JSCA to registered the said approved Constitution vide email dated 15<sup>th</sup> September, 2019. However, the JSCA was found to have conducted its elections without providing the Committee of Administrators with a copy of their registered Constitution</p>

	<p>or an acknowledgment from the Registrar that the same has been submitted for registration. The COA vide email dated September 26, 2019 directed the JSCA to provide a copy of their registered constitution at the earliest, failing which the representative of the association will not be allowed to participate in the BCCI elections. By an email dated October 7, 2019 JSCA has submitted that their elections were conducted under the Constitution approved by Committee of Administrators and the same can be verified by the Observers appointed by Committee of Administrators and due to certain website issues they were not able to get the Constitution as approved by the Committee of Administrators uploaded. As per email dated October 9, 2019 the JSCA has submitted its approved Constitution for registration on October 9, 2019</p>
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3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	a) 11 honorary members b) 87 affiliated units c) 653 life members
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	a) Office Bearers of JSCA not having placed relevant facts before the Electoral Officer, JSCA, and having mislead the Electoral Officer by supressing material facts. b) Present ad-hoc committee does not any authority, and illegal acts by the Secretary.

	<p>c) Indiscriminate involvement of the Acting Secretary of BCCI, in the election process of JSCA.</p> <p>d) Confidentiality not being observed and fraud being committed during the conduct of elections, and</p> <p>e) New committee of JSCA, elected pursuant to the illegal elections, being ineligible and accordingly a demand made for not accepting the nomination of representative till the issues surrounding elections are settled.</p> <p>f) Several allegations that the elections were not conducted in a transparent manner including that Mr. Debashish Chakroborty has responded to all the objections to the voters list even though he had filed a nomination for the post of secretary</p>
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		Further, an Interim Application has also been filed before the Hon'ble court alleging various irregularities in the JSCA elections.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	<p>The Committee of Administrators had sought response from JSCA in relation to certain complaints received, and responses were received by JSCA.</p> <p>Observer appointed by the Committee of Administrators, on account of various complaints</p>

		received, to observe the election process.
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has undertaken certain steps as detailed above.</p> <p>However, the complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	<p>Qualified on the basis of the unconditional undertaking provided by the JSCA that the Constitution of the Association, approved by the Committee of Administrators has been submitted for registration on October 9, 2019.</p>

KARNATAKA STATE CRICKET ASSOCIATION (KSCA)		
1.	Form of the Organization	Society registered under the Karnataka Societies Registration Act, 1960
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution, as approved by the Committee of Administrators, registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	Around 2000 Members <sup>7</sup>

<sup>7</sup> Information as provided on their electoral roll. However, KSCA's website claims to have over 4000 members.

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Allegations of illegal conduct against the managing committee of KSCA, which existed prior to holding of the elections, and accordingly a request for appointment of an observer for the KSCA elections,</p> <p>b) Objection to the nomination of Mr. Brijesh Patel as the representative of the KSCA. It is alleged that he is an accused in a criminal case before the Additional Chief Metropolitan Magistrate, Bangalore</p>
7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>N/A</p>

8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections of the Association.</p> <p>The said complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

TRAVANCORE CRICKET ASSOCIATION (TCA)		
1.	Form of the Organization	Society registered under the Travancore- Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (ACT XII of 1955)
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	14 district associations 1 former international cricketer

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) That KCA has violated certain clauses of the KCA Constitution in connection with the selection of voters and nomination of candidates.</p> <p>b) That in its response to the Electoral Officer, KCA has misrepresented that it has adopted new bye laws, but is actually merely modifying the old bye laws.</p> <p>c) That the amended constitution of KCA itself is not in conformity with the amended constitution of BCCI as recommended by the Justice Lodha committee.</p> <p>d) That members of KCA who had completed 2 terms of 6 years each in the Central council earlier should go into cooling off period, and the complaint accordingly mentions the names of the person who are thus ineligible.</p>
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	<p>e) That in light of the advisory of September 16, 2019 issued by the Committee of Administrators, almost all the councillors in the voters list for the KCA elections stand disqualified as per the advisory as they have been members of the KCA General Body since time immemorial, and they must be terminated from their posts as an office bearer with immediate effect.</p> <p>f) Complaint under Rule 41 of the BCCI Constitution filed by Mr. Itty Cherian against the office bearers of the Kerala Cricket Association.</p> <p>g) Complaint against the irregularities in scheduling of AGM on October 11, 2019. Complaint that the players association nominees/</p>
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		representatives will not be able to participate in this said AGM.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Certain clubs have sent representations regarding the illegal and unethical interpretations of the common bylaw of district association and state bylaw by the KCA.</p> <p>b) That there has been violation of various by-laws and directions of the Committee of Administrators by KCA.</p>
8.	Special Measures, if any, taken by the Committee of Administrators	With respect the issues raised in Sl. No. 6 and Sl. No. 7, the Committee of Administrators by way of its email dated September 27, informed KCA of the representations and sought for their response to the

		same. A response to the same has been provided by KCA vide its email dated September 30.
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has undertaken certain steps as detailed above.</p> <p>However, the complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

REVIEWED BY A PRO-TEST CRICKET ASSOCIATION, 1973		
1.	Form of the Organization	Society registered under the M.P. Societies Registration Act, 1973
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	Not provided
6.	Relevant issues arising in relation to the conduct of elections, if any, as	a) Representation regarding violations of election procedure by the Electoral

<p>intimated to the Committee of Administrators</p>	<p>Officer, MPCA including non-publication of the electoral roll on the MPCA website, election schedule issued not containing the date of issue or the signature of the Electoral Officer.</p> <p>b) Individuals who have completed 6 years in a Cricket Committee or Selection Committee and are above 60 years of age have filed nominations for the post.</p> <p>c) Individuals whose membership are invalid, have filed their nomination for the Managing Committee Members</p> <p>d) Several individuals above 70 years of age have filed nominations to contest for the MPCA elections.</p> <p>e) The Electoral Officer, MPCA has interpreted the Order of the Hon'ble Supreme Court</p>
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		<p>dated September 20, 2019 as meaning that disqualifications are applicable only to individuals contesting for the post of office bearers and on that basis have allowed several disqualified candidates to contest. Further, it has been interpreted to mean that disqualification does not apply to institutional members.</p> <p>f) Institutional members are not being asked to disclose the names of the representatives to the election. Disqualified individuals are attending meetings in this manner.</p> <p>g) MPCA AGM has not appointed Representative for BCCI AGM October 23 2019</p> <p>h) MPCA AGM has not appointed any nominee of State Accountant General in</p>
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		<p>MPCA Apex Council / Managing Committee</p> <p>i) MPCA AGM has not appointed Ombudsman cum Ethics Officer</p> <p>j) Complaint has been filed under Rule 41(1)(b) against Mr. Abhilash Khandekar who has been elected as the president of the MPCA on 2<sup>nd</sup> October, 2019. The complaint alleges that Mr. Khandekar violated Rule 6(5) of the BCCI constitution.</p> <p>[Note: As per the closing report of the Electoral Officer, MPCA, Mr. Abhilash Khandekar has been elected President of the Association.]</p> <p>k) Objection to Mr. Raju Singh Chauhan as the representative of MPCA. Allegations that</p>
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		<p>he's a state panel umpire and Madhya Pradesh Under 16 selector</p> <p>l) People other than Apex Council members attending meetings of the</p> <p>m) New Selection Committee not constituted</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	Representation informing the Committee of Administrators that MPCA CEO is not qualified to be so under the Constitution of the Association.
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the

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		Association. The said complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified



MAHARASHTRA CRICKET ASSOCIATION (MCA)		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860 and Maharashtra Public Trusts Act 1950
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution, as approved by Committee of Administrators, not registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	21 District Associations <sup>8</sup> 18 former international players.

<sup>8</sup> Public information.

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>Various allegations of elections not having been conducted in compliance with the constitution of MCA, as approved by the Committee of Administrators, and that the elections were being conducting on a previous version of constitution, not approved by the Committee of Administrators. Email received from the Electoral Officer, MCA supplements this allegation.</p> <p>Further, allegations of:</p> <ul style="list-style-type: none"> <li>a) Constitution submitted for registration, not being approved by the Committee of Administrators.</li> <li>b) Relaxation in reference to notice period not taken from the amicus curiae;</li> <li>c) Nomination of disqualified individuals being accepted;</li> <li>d) Not allowing formed international cricketers, to</li> </ul>
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		<p>participate or contest in the elections;</p> <p>e) Elections of disqualified members;</p> <p>f) Non-induction of former international players;</p> <p>g) Conducting elections basis an unregistered constitution;</p> <p>h) Representatives of certain district associations being ineligible to participate.</p> <p>i) Nomination of the representative of the Maharashtra Cricket Association is not valid.</p> <p>j) Several violations of election procedure and not in compliance with constitution of the MCA</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to	Allegations of:

<p>the Committee of Administrators</p>	<p>a) The current secretary acting against the order of the Hon'ble High Court of Bombay in Writ Petition no. 6342/ 2018 vide which no policy decisions were allowed to be taken by the secretary.</p> <p>b) Constitution submitted to the Committee of Administrators, not being approved in a general meeting of MCA and no copy of the Committee of Administrators approved constitution furnished to the members of the MCA.</p> <p>Further, an Interim Application has also been filed before this Hon'ble court alleging various illegalities and irregularities committed by the MCA.</p>
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8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	<p>The MCA conducted its elections under a constitution of the Association that has not been approved by the Committee of Administrators. MCA has not submitted a registered copy of a constitution incorporating all the proposed amendments suggested by the Committee of Administrators. Accordingly, a show cause notice was issued to the Association dated October 5, 2019 asking the Association to show cause as to why it should not be disqualified from participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019. The MCA provided its response on October 7, 2019. The said response was found to be unsatisfactory by the</p>

		<p>Committee of Administrators.</p> <p>Accordingly, vide an order of the Committee of Administrators dated October 9, 2019, the MCA has been disqualified from participating in cricket administration and governance at the BCCI, in any way whatsoever including by participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019</p>
10.	<p>Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019</p>	<p>Not Qualified</p>

MANIPUR CRICKET ASSOCIATION, IMINGA		
1.	Form of the Organization	Society registered under the Manipur Societies Registration Act, 1975
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	24 Full Members + 8 Associate Members

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) A civil suit has been filed before the Civil Judge, Senior Division, Imphal who ordered that elections for the post of Treasurer be not declared until further order, on account of alleged irregularities in the elections.</p> <p>b) Allegations of various irregularities in the elections process which <i>inter alia</i> includes conduct of elections without a returning officer, non-publication of voter list before the filing of nominations, signs of seal tampering, disqualified people including the MLA being nominated and proxy voting.</p> <p>c) Objection of nomination of Shri RK Imo Singh as representative as he is a sitting MLA of Manipur.</p>
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		<p>d) The Secretary of the Association elected utilized all the MNCA staff appointed by him in the election process when the returning officer was out of station.</p> <p>e) The election was conducted without an AGM or passing of accounts</p> <p>f) Tampering of nomination papers</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	No EGM held in the previous term of MNCA.
8.	Special Measures, if any, taken by the Committee of Administrators	N/A

9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The said complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

MEGHALAYA CRICKET ASSOCIATION		
1.	Form of the Organization	Not Provided
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	10 District Members <sup>9</sup>
6.	Relevant issues arising in relation to the conduct of elections, if any, as	N/A

<sup>9</sup> Basis the information received from the election report of Meghalaya.

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	intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

MUMBAI CRICKET ASSOCIATION		
1.	Form of the Organization	Society registered under the Society Registration Act, 1860 and registered with the Charity Commissioner under Bombay Public Trusts Act, 1950.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	All former International players not inducted <sup>10</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	As per the electoral roll on MCA Website:

<sup>10</sup> The said information is as per the voters list published on the website of the association.

		i. 213 maiden clubs ii. 96 officer clubs iii. 42 school/college members iv. 39 former international players
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	Allegations of corruption and lack of transparency in the elections.  Representative of the Mumbai Cricket Association to the BCCI was not appointed by the General Body as required by the Constitution of the Association.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	Conflict of interest with the coach of U16 teams also being the chief selector for Maharashtra ICSE school boards state cricket team
8.	Special Measures, if any, taken by the Committee of Administrators	N/A

9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections. The said complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

SOCIETY AND CRICKET ASSOCIATION		
1.	Form of the Organization	Society
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	-
6.	Relevant issues arising in relation to the conduct of elections, if any, as	N/A



	intimated to the Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

NEW ZEALAND CRICKET ASSOCIATION (NZCA)		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860
2.	Compliance Status of Constitution (Constitution Adoption Status)	Approved constitution submitted for Registration
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 31 district associations ii. 11 schools iii. 3 colleges iv. 20 clubs v. 3 former international cricketers vi. 5 members

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Allegation that office bearers of district units illegally holding their posts have been admitted as the representative of the unit to the OCA.</p> <p>b) Several objection raised regarding acceptance nominations filed by persons from the Electorate in violation of the 9+9 advisory issued by Committee of Administrators.</p> <p>c) Representation informing the Committee of Administrators that the present working committee of OCA is being headed by Mr. Dhiren Palai, which is being indirectly directed and regulated by one of the former office bearers of OCA. In light of the aforesaid, it was requested that the Committee of</p>

		<p>Administrators direct the appropriate authority to stop the elections.</p> <p>d) The electoral officer had also not followed the advisory 9+9 Rule issued by Supreme Court appointed Committee of Administrators (Committee of Administrators) dated August 27 2019 &amp; September 16 2019</p> <p>e) Electoral roll and nominations not prepared in a transparent manner.</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Several complaints with regard to the induction of members. Several objections to the induction of KIIT University and Paradeep Trust as members alleging that the due procedure under the OCA Constitution was not followed in doing the same.</p>

		<p>One such complainant is the Union Sporting Club.</p> <p>b) Representations have also been made requesting that all District Athletic Associations must be removed as members and District Cricket Associations must be made members. An order of the High Court in a writ petition filed has been sent in this regard, by which, as an interim measure it is directed that the election for the post of Office Bearers of the OCA shall be subject to the results of the writ petition.</p>
7.	Special Measures, if any, taken by the Committee of Administrators	<p>a) In response to representations received against the induction of KIIT University and Paradeep Trust, the Committee of Administrators convened a meeting with the representatives of the OCA, the Union Sporting</p>

	<p>Club, KIIT University and Paradeep Trust along with the Shahid and Rameshawar Sporting club (clubs who alleged that they have been unjustly denied membership in the OCA) on September 5, 2019.</p> <p>b) Pursuant to the said meeting, the Committee of Administrators issued Directions dated August 13, 2019 advocating for an inclusionary approach towards granting membership to clubs by the respective station Associations.</p> <p>c) Further, the Committee of Administrators clarified to the OCA that that while adding or rejecting the sporting clubs as members, the Member Association, will have to follow the procedure prescribed in their Constitution, rules and regulations and the laws in force.</p>
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		<p>d) Pursuant to the same, the Committee of Administrators also forwarded all the applications for affiliation by various clubs that have been received by the Committee of Administrators requesting the OCA to consider the same in light of the directions of August 13, 2019.</p> <p>e) In response to the representations made, the Committee of Administrators has also sought a response from the OCA regarding the same.</p> <p>f) Further, an independent observer has been appointed to the OCA to observe the election process of the association.</p>
8.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the</p>

		<p>Association. The Committee of Administrators has taken steps pursuant to the same as detailed above.</p> <p>However the complaints may be decided/adjudicated by the appropriate forum</p>
9.	<p>Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019</p>	<p>Qualified on the basis of the acknowledgment of receipt of the Constitution of the OCA approved by the Committee of Administrators for registration by the Registrar</p>



PUNJAB CRICKET ASSOCIATION		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860, as amended by Punjab Amendment Act, 1957.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators and registered.
3.	Induction of Former International Players	Inducted all former international players <sup>11</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	208

<sup>11</sup> As per the list of all individual voting members from Punjab Cricket Association. Separate list of former International players not made available.

6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	<p>a) Neither clarifications, nor invitation to former players for membership and ensuing elections.</p> <p>b) District bodies sending district representatives despite not having held elections for the past decade.</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) Certain district associations have not been affiliated despite representations made.</p> <p>b) A former international cricketer has sought membership.</p>
8.	Special Measures, if any, taken by the Committee of Administrators	<p>With respect to Sr. No. 7</p> <p>a) An email dated September 18 2019 was sent by the Committee of Administrators to PCA informing them about the</p>

		<p>representations, and asking them to comply with the "Directions Issued by the Committee of Administrators" on August 13, 2019.</p> <p>b) The Committee of Administrators, <i>vide</i> email dated September 21 2019 requested for the needful to be done in accordance with the protocol for induction of international players.</p>
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps pursuant to the same as detailed above.</p>

		However the complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

RAJASTHAN CRICKET ASSOCIATION (RCA)		
1.	Form of the Organization	Sports Association, registered under the Rajasthan Sports (Registration, Recognition and Regulation of Association) Act, 2005
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators has been duly registered by RCA
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	35 Full Members

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) An incident report of September 20, 2019 (at the time of hearing of objections on voters list) has been sent to the Committee of Administrators, which alleges that the miscreants were led by Mahendra Nahar and Mohd. Iqbal.</p> <p>b) Certain District Cricket Associations (Nagaur, Sriganganagar and Alwar) have alleged, <i>inter alia</i>, that violations of the provisions of the Rajasthan Sports Act, 2005 and the Constitution of Rajasthan Cricket Association have taken place in the ongoing election proceedings of RCA.</p> <p>c) Certain objections on the filing of nomination by Mr. Amin Pathan for the post of the Vice-</p>
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	<p>President as well as Secretary of RCA.</p> <p>d) Names of Office Bearers of various other District Cricket Associations have also been changed in the Final Voter List which was published by your office.</p> <p>e) Certain objections have been raised by a District Cricket Association, <i>inter alia</i>, that no order has been supplied to the office of the District Cricket Association by the Electoral Officer regarding the decision taken on the Objection against the elected Office Bearers of the District Cricket Association and the Objections have been allowed, suddenly ousting the elected Office Bearers in the Final Voter List.</p>
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		<p>f) Objection as to the names of office bearers of the Ajmer District Cricket Association in the voters list of the RCA.</p> <p>g) Several allegations against the electoral officer of the RCA RR Rashmi in conducting the elections of the RCA including no orders being communicated to those against whom objections have been allowed, no written record of election proceedings, lack of independence and fairness, violation of the order of the Ombudsman of the RCA, violations of the provisions of the Rajasthan Sports Act, 2005, secrecy of ballot papers not maintained, proxy voting allowed.</p>
7.	Relevant issues, other than those pertaining to	Various complaints regarding factionalism, and allegations of



	elections, as intimated to the Committee of Administrators	mismanagement have been received by the Committee of Administrators with respect to Rajasthan Cricket Association. The emails have predominantly been sent by one Mr. Rajendra Nandhu and Mr. Mahendra Nahar  Parallel election notices have been received from both factions in RCA.
8.	Special Measures, if any, taken by the Committee of Administrators	Independent Observers appointed to observe the elections of the RCA to ensure that the same is conducted in a free and fair manner.
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps pursuant to the same as detailed above.

		However the complaints may be decided/adjudicated by the appropriate forum
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

SHRIMP CRICKET ASSOCIATION		
1.	Form of the Organization	Society registered under Item No. 329 Volume No. I under Notification No. 2602 /H dated March 25 1960
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 35 full members ii. 4 district cricket associations iii. 2 player associations

6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	N/A
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	N/A
10.	Qualification to participate in the BCCI General Body Meeting	Qualified

	scheduled on October 23,	
	2019	

THE SAURASHTRA CRICKET ASSOCIATION (S.C.A.)		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 489 individual members. ii. 1 honorary member
6.	Relevant issues arising in relation to the conduct of elections, if any, as	a) In relation to the election scheduled on September 26,

<p>intimated to the</p> <p>Committee of</p> <p>Administrators</p>	<p>2019, there are no details of current eligible players or new member who can vote. Request for an Independent Observer to be appointed to ensure free and fair elections.</p> <p>b) The illegally concluded election proceedings were conducted in total isolation without complying with the order/guidelines of the Supreme Court appointed Committee.</p> <p>c) Complaint under Rule 41 of the BCCI Constitution stating <i>inter alia</i> that (i) Pool of members have been restricted to the people close to the family of Mr. Niranjana Shah. The representative to the BCCI nominated is also the son of Mr. Niranjana Shah (2) Electoral Officer, SCA has falsely claimed that no complaints were</p>
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		received. (3) Life members list was declared for the first time and new members not admitted.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	The Porbandar District Cricket Association (PDCA) has sought SCA membership for all affiliated district cricket associations.
8.	Special Measures, if any, taken by the Committee of Administrators	<p>a) With relation to Sr. No. 6: The representation was forwarded by the Committee of Administrators to the Electoral Officer of the SCA on September 21, 2019.</p> <p>b) With relation to Sr. No. 7: Vide email dated September 11, 2019, the Committee of Administrators sought the SCA's response and sent the response to the PDCA on September 18, 2019. The PDCA's representation was then forwarded to the Electoral</p>



		<p>Officer of the SCA vide email dated September 21 2019.</p> <p>c) In response to the allegations received, the Committee of Administrators has appointed an independent observer to observe the elections of the SCA.</p>
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps pursuant to the same as detailed above.</p> <p>However the complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting	Qualified

	scheduled on October 23, 2019	
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TAMIL NADU CRICKET ASSOCIATION (TNCAS)		
1.	Form of the Organization	Society registered under the Tamil Nadu Societies Registration Act, 1975
2.	Compliance Status of Constitution (Constitution Adoption Status)	Non- Compliant Constitution registered
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 180 full members ii. 22 former international cricketers

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Conducted elections as per the non-compliant constitution</p> <p>b) Questioning whether disqualification is applicable to office bearers of district associations as well as the several office bearers of district have been holding their posts for 25 years.</p> <p>c) Further informing the Committee of Administrators that all the District Associations are managed by Mr. N Srinivasan, chairman of India cements.</p> <p>d) Objection to the nomination of Mr. R S Ramasaamy as the representative of the TNCA</p>
7.	<p>Special Measures, if any, taken by the Committee of Administrators</p>	<p>N/A</p>

8.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	Krishna District has written emails to the Committee of Administrators, regarding elections of District Associations of TNCA. They has alleged that TNCA had a meeting on 23 <sup>rd</sup> September to pick Apex council members in a draw of lots for districts on a rotation policy. However, the complaint is not supported with any documents, and is merely asking the Committee of Administrators to do something about the situation.
9.	Remarks/Findings of the Committee of Administrators	The TNCA has not received the approval of the Committee of Administrators for its amended constitution as the constitution submitted by the association contains several material deviations. A show cause notice was issued to the TNCA on October 5, 2019 asking the Association to show cause as to why it should not be

		<p>disqualified from participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019. The TNCA provided its response on October 5, 2019. The said response was found to be unsatisfactory by the Committee of Administrators. Accordingly, vide an order of the Committee of Administrator dated October 9, 2019, the TNCA has been disqualified from participating in cricket administration and governance at the BCCI, in any way whatsoever including by participating and voting in the BCCI General Body Meeting scheduled on October 23, 2019</p>
10.	<p>Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019</p>	<p>Not qualified</p>

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G.S. TRIPURA CRICKET ASSOCIATION (GTC A)		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	33 Members

6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators	i. MPs and MLAs are participating in TCA as representatives of its Members.
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	N/A
8.	Special Measures, if any, taken by the Committee of Administrators	N/A
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections. The said complaints may be decided/adjudicated by the appropriate forum



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10.	Qualification to	Qualified
	participate in the BCCI General Body Meeting scheduled on October 23, 2019	

Uttar Pradesh Cricket Association (UPCA)		
1.	Form of the Organization	A not for profit company limited by guarantee under Section 8 of the Companies Act, 2013.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered.
3.	Induction of Former International Players	All players not inducted <sup>12</sup>
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 41 associations ii. 63 life members iii. 5 corporate members

<sup>12</sup> BCCI vide email dated September 4, 2019 has provided a list of former International players including Ms. Varsha Raphael. UPCA has informed the Committee of Administrators that it has not inducted her as she has not applied to the Association for membership.

6.	<p>Relevant issues arising in relation to the conduct of elections, if any, as intimated to the Committee of Administrators</p>	<p>a) Election procedures were not followed.</p> <p>b) Information on conduct of election were not published on the website/newspaper/social media.</p> <p>c) Various members have never served an election notice.</p> <p>d) Individuals in power for a long period of time have again been elected in the recent election.</p> <p>e) The President, who was supposed to conduct the elections, has been absent therefrom.</p> <p>f) Mr. Yadupati Singhania was elected as President despite his absence from the AGM.</p> <p>g) Rajiv Shukla is ineligible/disqualified to be appointed as representative of UPCA to BCCI.</p>

	<p>h) Office bearers of UPCA are also holding positions as office bearers of District Associations, other sports associations, or hold public office.</p> <p>i) Individuals holding the position of President, Secretary, and Treasurer are of also the directors of UPCA, which is a company.</p> <p>j) Many office-bearers have criminal proceedings pending against them.</p> <p>k) Powerful individuals in control of UPCA misled the Committee of Administrators and got the Constitution approved, and also appointed Electoral Officers of their choice.</p> <p>l) Affiliation granted only to 37 districts in place of 76 districts and have 31 life members. This was done in order to manoeuvre a favourable election result.</p> <p>m) Several objections regarding the representative to the BCCI</p>
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		<p>stating that he is disqualified and not eligible to represent UPCA in BCCI election. Some of the objections raised include -1. Mr. Shukla has been residing outside of UPCA for more than 20 years</p> <p>2. he is a board member of Hockey India, Nominee Director, DDCA and Director of UPCA</p> <p>3. Gifts were distributed to influence voters</p> <p>n) Several objections regarding election procedure including that there was no mention of a last date for filing nominations for various posts, no form provided for filing nominations, election process lasted only for 10 min and list of office bearers prepared arbitrarily, objections not received properly.</p>
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7.	<p>Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators</p>	<p>a) UPCA has gotten itself registered as a company under the Companies Act, 2013 despite its request for converting from a society to an incorporated entity being rejected by the Hon'ble Allahabad High Court.</p> <p>b) Ethics Officer not appointed</p> <p>c) Composition of the Apex Council is irregular.</p> <p>d) AGMs have been held in an irregular and illegal manner.</p> <p>e) Agra District Association has been removed from the membership on invalid grounds.</p> <p>f) Mr. Rajiv Shukla has constituted UPCA in the form of a company in order to remain in power. Most of the directors are people of his choice and are more than 80 years of age.</p>
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		g) Mr. OP Sharma is holding a public office but continues to be the treasurer of the DDCA
8.	Special Measures, if any, taken by the Committee of Administrators	N/A -
9.	Remarks/Findings of the Committee of Administrators	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association.</p> <p>The said complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

MIRBHA CRICKET ASSOCIATION (MCA)		
1.	Form of the Organization	Society registered under the Societies Registration Act, 1860
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators, and registered
3.	Induction of Former International Players	Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Confirmed
5.	Total number of voting members	i. 1151 Life Members ii. 56 Affiliated Clubs
6.	Relevant issues arising in relation to the conduct of elections, if any, as intimated to the	N/A



	Committee of Administrators	
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	<p>a) The Constitution of the VCA has not been approved by the Charity Commissioner. VCA has disputed the said allegation stating that the association is not a trust.</p> <p>b) Allegations of financial irregularities.</p> <p>c) Several representations from District Associations and clubs for affiliation with the VCA</p>
7.	Special Measures, if any, taken by the Committee of Administrators	<p>In view of the fact that no District Associations are members of the VCA, the Committee of Administrators vide email dated 28<sup>th</sup> September, 2019 requested the VCA to induct District Associations as its members. The VCA in response informed the Committee of Administrators that it is unable to agree to the said request and directed the Committee of Administrators</p>

		<p>attention to VCA Constitution wherein clubs eligible under the requirements of Article 6 would be admitted as members. The VCA has taken the stance that in the absence of any requirement under the Justice Lodha Committee report or any order from the Hon'ble Supreme Court, the VCA will not be able to change its membership structure aside from granting automatic membership to Former International players.</p>
8.	<p>Remarks/Findings of the Committee of Administrators</p>	<p>The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps pursuant to the same as detailed above. They have also made certain recommendations with regard to granting full member status to</p>

		district associations in the status report.  However the complaints may be decided/adjudicated by the appropriate forum
9.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	Qualified

THE FIFTY CHANDIGARH CRICKET ASSOCIATION LIMITED		
1.	Form of the Organization	Society, registered under the Societies Registration Act, 1860.
2.	Compliance Status of Constitution (Constitution Adoption Status)	Constitution approved by the Committee of Administrators and registered
3.	Induction of Former International Players	Not Confirmed
4.	Confirmation that membership of social clubs has been divorced from the administration of cricket	Not Confirmed
5.	Total number of voting members	86
6.	Relevant issues arising in relation to the conduct of elections, if any, as	a) The AGM was called by the General Secretary who had

	intimated to the Committee of Administrators	<p>completed 70 years of age as on 6<sup>th</sup> September 2019, and as only one former Ranji player and seven life member were informed at the last minute while other former state players were not given any notice.)</p> <p>b) No notice was given to the members regarding elections of the UTCA.</p> <p>c) No notice of 15 days was given for the conduct of the AGM and no list of members had been displayed on the website.</p>
7.	Relevant issues, other than those pertaining to elections, as intimated to the Committee of Administrators	Allegations that there is an absence of a proper selection team, and selectors have no qualifications.

8.	Special Measures, if any, taken by the Committee of Administrators	The Committee of Administrators has sought the response of the UTCA to the allegations made. Further, as the elections of the Association have been conducted prior to receiving the approval of the Committee of Administrators for the Constitution of the UTCA, the said election is not recognized by the Committee of Administrators. The UTCA is required to conduct another election after getting its constitution approved by the Committee of Administrators and submitting the same for registration.
9.	Remarks/Findings of the Committee of Administrators	The Committee of Administrators is in receipt of several complaints regarding the conduct of elections and the functioning of the Association. The Committee of Administrators has taken steps

		<p>pursuant to the same as detailed above.</p> <p>However the complaints may be decided/adjudicated by the appropriate forum</p>
10.	Qualification to participate in the BCCI General Body Meeting scheduled on October 23, 2019	N/A

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

Date: Sat, Oct 12, 2019 at 1:58 PM

Subject: Directions-12.10.2019

To: Andhra Cricket <andhracricquet@gmail.com>, Andhracricquet  
<andhracricquet@yahoo.com>, Arunachal CA - Jt. Secretary Joram  
Anand <24joramanand@gmail.com>, Arunachal CA - Secretary  
<tkholi2017@gmail.com>, assam cricket association ,  
<assamca@rediffmail.com>, Baroda CA  
<brdca1@cricketbaroda.com>, Bengal CA <cab@bengalcricket.com>,  
Bengal CA-Sourav Ganguly <cabpresidentscg@gmail.com>, Bihar  
Cricket Association <biharcricquetassociation@gmail.com>, BIHAR  
CA <bihcricketassociation.patna@gmail.com>, Chhattisgarh State CA  
<sec.cscs@yahoo.com>, Prasad V. Phaterpekar ,  
<goacricquetassociation@rediffmail.com>, Gujarat Cricket Association  
, <gcaahd@yahoo.co.in>, Haryana CA , <hca@haryanacricquet.com>,  
HPCA Dharamsala , <hpcadharamsala@yahoo.com>, HPCA Secretary  
<secyhpc@gmail.com>, Hyderabad CA  
<hyccricket@rediffmail.com>, Hyderabad COA  
<hcacoa@gmail.com>, Jammu & Kashmir CA  
<jkcags\_srinagar@yahoo.com>, Jharkhand State Cricket Association  
<jscack@gmail.com>, Debasish Chakraborty  
<jscasecy@gmail.com>, Karnataka Cricket Association ,  
<office@ksca.co.in>, Chief Executive Officer KSCA  
<ceo@ksca.co.in>, Kerala CA <office@keralacricquet.in>,  
Maharashtra Cricket Association , <cricketmaharashtra@yahoo.com>,  
Manipur CA <mca\_khuman@yahoo.com>, Meghalaya CA  
<meghalayacricquet11@gmail.com>, naba bhatta ,  
<naavstar@yahoo.co.in>, Mizoram CA <mamon.etc@gmail.com>,  
MPCA <secretary@mpcaonline.com>, MPCA Cricket Operations  
<cricket.operations@mpcaonline.com>, Mumbai Cricket Association  
<mcacrik@mumbaicricquet.com>, Secretary <abumetha@gmail.com>,



NAGALAND CRICKET ASSOCIATION <nagalandca@gmail.com>, Orissa Cricket Association <orissacricket@yahoo.co.in>, Pondicherry CA <pd@siechem.com>, <arun@cap-cricket.com>, Punjab CA <pcastadium@yahoo.com>, Punjab CA - Deepak Sharma <gmpca92@gmail.com>, Saurashtra CA Rajkot <saucricket@gmail.com>, Saurashtra CA Rajkot -Madhukar Worah <mkworah@gmail.com>, Sikkim Cricket Association , <sikkimcricketassociation2016@gmail.com>, Sikkim Cricket Association <sca@sikkimcricket.com>, Tamil Nadu CA <office@tnca.in>, TNCA secretary <secretary@tnca.in>, Triplichi Assoc , <tcaagt@yahoo.com>, UPCA <upcaknp@gmail.com>, Vidarbha CA <admin@vca.co.in>, PS to Justice Dave <pstojusticedave@gmail.com>, Justice Gurram Venkata Seethapathy <jgvs@yahoo.com>, C. K. Prasad <justiceckprasad@gmail.com>, <justicesralam@gmail.com>, Ratnakar Shetty <ratnakar.rs@gmail.com>, DDCA CA <president@ddca.co>, <chd.cricket@gmail.com>, <info@cauttarakhand.tv>, <lon1969@yahoo.com>, rca rca <rca@cricketrajasthan.in>

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

Dear Members,

1. The Committee of Administrators is in receipt of several representations and complaints which have brought to light that individuals disqualified from holding the post of Office Bearer, Councillor, member of the Governing Council and Committee members and persons who are required to undergo a cooling off period have been elected/nominated/appointed to the said posts in several Member Associations.

2. It has also been brought to our attention that several Member Associations have misinterpreted the Order of the Hon'ble Supreme Court dated 20<sup>th</sup> 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*' to mean that the said disqualifications are applicable only to persons contesting for the post of Office Bearer and not to candidates contesting any other post.
  
3. Please note that, by way of clarification and in order to prevent such mischievous misinterpretation of the said Order, the Committee of Administrators had issued an Advisory dated 24<sup>th</sup> September, 2019 wherein it was clarified *inter alia* 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)."*

4. Accordingly, 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. Therefore, please take note 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. The BCCI shall not recognise such appointments/elections/nominations which falls foul of the aforesaid disqualification and eligibility criteria.

5. It has further been brought to our attention that several State/Member Association have not appointed the Ombudsman and Ethics Officer till date. Please note that this is a serious non-compliance of the Judgment dated 9<sup>th</sup> August, 2018. All Member Associations who have not appointed the said functionaries are directed to do so without further delay. All members, who have not already done so, shall provide details of the Ombudsman and Ethics Officer appointed to the Committee of Administrators on or before 14<sup>th</sup> October 2019.

6. Further, in line with Rule 3(b)(1)(ii) of the BCCI Constitution, the Constitutions of all Member Associations are required to appoint a nominee of the Accountant General of the relevant State on the Apex Council and Governing Council of the Member Association. All Members are directed to do the needful and take all necessary steps required for appointment of the said nominee on the Apex Council and Governing Council of the Member Association. A separate communication is being sent by the Committee of Administrators to the Office of the Comptroller and Auditor General of India and Accountant General of states requesting their co-operation and necessary action in this respect.

7. Please note that, in line with the Judgment of the Hon'ble Supreme Court dated 9<sup>th</sup> August, 2018 read with Orders dated 7<sup>th</sup> October, 2016 and 21<sup>st</sup> October, 2016 and the BCCI Constitution, the disbursement of funds to Member Associations by the BCCI is contingent upon them complying *inter alia* with the aforesaid requirements.

Thanking You

Yours faithfully,

Supreme Court Appointed Committee of Administrators

564  
**ANNEXURE-A49**

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

Date: Sat, Oct 12, 2019 at 2:06 PM

Subject: Request for nomination of a person to the Apex Council of Board of Control for Cricket in India (BCCI)

To: <cagoffice@cag.gov.in>

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

Dear Sir/s

1. The Hon'ble Supreme Court of India vide its judgment dated 22<sup>nd</sup> January 2015 appointed a Committee ("Justice Lodha Committee") comprising of Justice R.M. Lodha, former Chief Justice of India, Justice Ashok Bhan, former Judge of the Supreme Court and Justice R.V. Raveendran, former Judge of the Supreme Court who were mandated inter alia to examine and make suitable recommendations to the Board of Control for Cricket in India ("BCCI") for reforms in its practices and procedures and necessary amendments in the Memorandum of Association and Rules and Recommendations.
2. The Report of the Justice Lodha Committee recommended *inter alia* that the Apex Council of the BCCI must have one nominee of the Comptroller and Auditor General of India in order to bring in the much required oversee into monitoring the finances of the BCCI.
3. The said Report was adopted by the Hon'ble Supreme Court vide its Judgment dated 18<sup>th</sup> July, 2016. A copy of this Order is attached herewith for your reference.

4. In order to implement the reforms the Committee of Administrators (COA) were appointed by the Hon'ble Supreme Court vide its Orders dated 2nd January, 2017 and 30th January, 2017 with ex-Comptroller & Auditor General of India, Mr. Vinod Rai as the chairperson of the COA. The COA was tasked with carrying out the reforms adopted by the Hon'ble Supreme Court vide its judgment dated 18<sup>th</sup> July, 2016 and further supervising the management of the BCCI. A copy of the Orders dated 2<sup>nd</sup> January, 2017 and 30<sup>th</sup> January are attached herewith for your reference.
5. Pursuant to the various orders passed by the Hon'ble Supreme Court, the draft constitution of BCCI was prepared in line with the recommendations of the Justice Lodha Committee, providing for the nomination of one Councillor in the Apex Council of the BCCI by the Comptroller & Auditor General of India from amongst the senior functionaries of the CA&Gs office. The Hon'ble Supreme Court, vide its judgment dated 9<sup>th</sup> August, 2018, was pleased to accept the draft constitution of BCCI, and directed that the same be registered, subject to certain modifications. A copy of judgment dated 9<sup>th</sup> August, 2018 and registered BCCI Constitution is attached herewith for your reference.
6. As per Rule 14(2) (reproduced below) of the BCCI Constitution, the Apex Council of the BCCI is to have a member nominated by the Comptroller and Auditor General of India from amongst the senior functionaries of the CA&Gs office. Under Rule 28(2)(iii), the

councillor so nominated will also be a member of the Governing Council of the BCCI, IPL.

Rule 14 (2) of the approved and registered BCCI Constitution provides as follows:

*"(2) The Apex Council shall comprise of 9 Councillors of whom 5 shall be the elected Office Bearers as per Rule 6 and the remaining 4 shall be:*

*(c) One to be nominated by the Comptroller and Auditor General of India from among the serving senior functionaries of the C&AG's office, co-terminus with the nominee's tenure"*

7. In light of the above, we request your good offices to kindly assist the Committee of Administrators in implementing the reforms adopted by the Hon'ble Supreme Court and nominate/ appoint a person from amongst the serving senior functionaries of the Comptroller and Auditor General's office, co-terminus with the nominee's tenure, to the Apex Council of BCCI.

Thanking you

Yours Faithfully

Supreme Court appointed Committee of Administrators

*Encl:*

1. Judgment dated 18<sup>th</sup> July, 2016 in Civil Appeal No. 4235 of 2014
2. Order dated 2<sup>nd</sup> January, 2017 in Civil Appeal No. 4235 of 2014
3. Order dated 30<sup>th</sup> January, 2017 in Civil Appeal No. 4235 of 2014
4. Judgment dated 9<sup>th</sup> August, 2018 in Civil Appeal No. 4235 of 2014
5. Registered Constitution of BCCI

From: Committee of Administrators <coa@bccitv>

Date: Sat, Oct 12, 2019 at 5:24 PM

Subject: Request for nomination of a person to the Apex Council of  
<Name of Member Association

To: <agchattisgarh@cag.gov.in>, <agauGoa@cag.gov.in>,  
<agaeHaryana@cag.gov.in>, <agaeJammukashmir@cag.gov.in>,  
<agaekarnataka@cag.gov.in>, <agaeMadhyapradesh1@cag.gov.in>,  
<agaemanipur@cag.gov.in>, <agaeOrissa@cag.gov.in>,  
<agaerajasthan@cag.gov.in>, <agaeUttarpradesh1@cag.gov.in>,  
<choudhuryAR@cag.gov.in>, <agauuttarakhand@cag.gov.in>,  
<agaetripura@cag.gov.in>, <agaeSikkim@cag.gov.in>,  
<agaenagaland@cag.gov.in>, <agauMeghalaya@cag.gov.in>,  
<agaeMaharashtra1@cag.gov.in>, <agaegujarat@cag.gov.in>,  
<agaudelhi@cag.gov.in>, <agaebihar@cag.gov.in>,  
<agaepunjab@cag.gov.in>, <agaeTamilnadu@cag.gov.in>,  
<agaeandhrapradesh@cag.gov.in>, <agaeAssam@cag.gov.in>,  
<agarunachalpradesh@cag.gov.in>, <agmizoram@cag.gov.in>,  
<agauHimachalpradesh@cag.gov.in>, <agaetelengana@cag.gov.in>,  
<agaeJharkhand@cag.gov.in>, <agaeKerala@cag.gov.in>

Cc: Rahul Johri <rahul.johri@bccitv>

Dear Ma'am/Sir

1. The Hon'ble Supreme Court of India vide its judgment dated 22<sup>nd</sup> January 2015 appointed a Committee ("Justice Lodha Committee") comprising of Hon'ble Justice R.M. Lodha, former Chief Justice of India, Hon'ble Justice Ashok Bhan, and Hon'ble Justice R.V. Raveendran, former Judges of the Supreme Court who were mandated *inter alia* to examine and make suitable



recommendations to the Board of Control for Cricket in India ("BCCI") for reforms in its practices and procedures and necessary amendments in the Memorandum of Association and Rules and Recommendations ("BCCI Constitution").

2. The Report of the Justice Lodha Committee recommended *inter alia* that the Apex Council of the BCCI must have one nominee of the Comptroller and Auditor General of India in order to bring in the much required oversight into monitoring the finances of the BCCI.
3. The Report of the Justice Lodha Committee was adopted by the Hon'ble Supreme Court vide its Judgment dated 18<sup>th</sup> July, 2016. A copy of this judgment is attached herewith for your reference.
4. In order to implement the reforms the Committee of Administrators (COA) were appointed by the Hon'ble Supreme Court vide its Orders dated 2nd January, 2017 and 30th January, 2017 with ex-Comptroller & Auditor General of India, Mr. Vinod Rai as the chairperson of the COA. The COA was tasked with carrying out the reforms adopted by the Hon'ble Supreme Court vide its judgment dated 18<sup>th</sup> July, 2016 and further supervising the management of the BCCI. A copy of the Orders dated 2<sup>nd</sup> January, 2017 and 30<sup>th</sup> January are attached herewith for your reference.
5. Pursuant to the orders passed by the Hon'ble Supreme Court, the draft constitution of BCCI was prepared in line with the recommendations of the Justice Lodha Committee providing for the

nomination of one Councillor in the Apex Council of BCCI by the Comptroller & Auditor General of India. The Hon'ble Supreme Court, vide its judgment dated 9<sup>th</sup> August, 2018, was pleased to accept the draft constitution of BCCI, and direct that the same be registered, subject to certain modifications. A copy of judgment dated 9<sup>th</sup> August, 2018 and the registered BCCI Constitution is attached herewith for your reference.

6. As per Rule 14(2) (reproduced below) of the BCCI Constitution, the Apex Council of the BCCI is to have a member nominated by the Comptroller and Auditor General of India from amongst the senior functionaries of the CA&Gs office. Under Rule 28(2)(iii), the councillor so nominated will also be a member of the Governing Council of the BCCI, IPL.

Rule 14 (2) of the approved and registered BCCI Constitution provides as follows:

*"(2) The Apex Council shall comprise of 9 Councillors of whom 5 shall be the elected Office Bearers as per Rule 6 and the remaining 4 shall be:*

*(c) One to be nominated by the Comptroller and Auditor General of India from among the serving senior functionaries of the C&AG's office, co-terminus with the nominee's tenure"*

7. Further thereto, the Hon'ble Supreme Court in its judgment dated 9<sup>th</sup> August, 2018 directed that all the member state associations of BCCI were to adopt their constitutions on similar lines to the BCCI

Constitution. Accordingly, the constitution of the member state associations provides that one person shall be nominated by the Accountant General of the State, in line with the requirements under the Constitution of the respective Member Association, to be on the Governing Body/Managing Committee of the Member Association.

8. In light of the above, we request your good office to kindly assist the Committee of Administrators and Member Association/s who are approaching your good-offices in ensuring the compliance of the various Member Association of the BCCI with the Judgments and Orders of the Hon'ble Supreme Court, by nominating a senior serving officer from your good-offices to the Apex Council/Management Committee of the Member Association(s) from your respective State.

Thanking you

Yours Faithfully

Supreme Court appointed Committee of Administrators

*Encl:*

1. Judgment dated 18<sup>th</sup> July, 2016 in Civil Appeal No. 4235 of 2014
2. Order dated 2<sup>nd</sup> January, 2017 in Civil Appeal No. 4235 of 2014
3. Order dated 30<sup>th</sup> January, 2017 in Civil Appeal No. 4235 of 2014
4. Judgment dated 9<sup>th</sup> August, 2018 in Civil Appeal No. 4235 of 2014
5. Registered Constitution of BCCI

**REPORT OF THE COMMITTEE OF ADMINISTRATORS FOR THE BCCI  
ON CONFLICT OF INTEREST PROVISIONS IN THE BCCI  
CONSTITUTION**

This Report was prepared and is being presented with the objective of making suggestions to clarify a few aspects covered by the prevailing conflict of interest rules, which have proved to be problematic, whilst retaining their original character and spirit. The suggestions in this Report have been made with a view to avoid the unintended adverse effect of conflict of interest rules on game development activities of the BCCI and opportunities available therefor. The suggestions made in this Report are being made after consultation with players- current as well as former, cricket administrators and other stakeholders and are also based on the first-hand experience that the Committee of Administrators has had with the application and administration of the prevailing conflict of interest rules during the course of their supervision over the administration and functioning of the Board of Control for Cricket in India and the learnings therefrom. Before proceedings to make suggestions on the clarifications required, it would be appropriate to briefly set out the background and genesis of the existing conflict of interest rules in the BCCI Constitution.

**I. The concept of "Conflict of Interest"**

1. In the judgment dated 22<sup>nd</sup> January, 2015 passed by the Hon'ble Supreme Court in *BCCI v. Cricket Association of Bihar* (2015) 3

SCC 251, the Hon'ble Supreme Court has explained the meaning of the term 'Conflict of interest' in the context of the amendment to the then Rule 6.2.4 of the BCCI Memorandum, Rules & Regulations for Players, Team Officials, Managers, Umpires and Administrators, which permitted BCCI administrators to hold commercial interest in certain events like the Indian Premier League ("IPL") and Champions League T20. In paragraph 96 of the said judgment, it was held as follows:

*"To sum up: Public Policy is not a static concept. It varies with times and from generation to generation. But what is in public good and public interest cannot be opposed to public policy and vice-versa. Fundamental Policy of Law would also constitute a facet of public policy. This would imply that all those principles of law that ensure justice, fair play and bring transparency and objectivity and promote probity in the discharge of public functions would also constitute public policy. Conversely any deviation, abrogation, frustration or negation of the salutary principles of justice, fairness, good conscience, equity and objectivity will be opposed to public policy. It follows that any rule, contract or arrangement that actually defeats or tends to defeat the high ideals of fairness and objectivity in the discharge of public functions no matter by a private non-governmental body will be opposed to public policy. Applied to the case at hand Rule 6.2.4 to the extent, it permits, protects and even perpetuates situations where the Administrators can have commercial interests in breach or conflict with the duty*

they owe to the BCCI or to the people at large must be held to be against public policy, hence, illegal. That is particularly so when BCCI has in the Anti Corruption Code adopted by it recognized public confidence in the authenticity and integrity of the sporting contest as a fundamental imperative. It has accepted and, in our opinion rightly so, that all cricket matches must be contested on a level playing field with the outcome to be determined solely by the respective merits of the competing teams: The Anti Corruption Code of the BCCI does not mince words in accepting the stark reality that if the confidence of the public in the purity of the game is undermined then the very essence of the game of cricket shall be shaken. The BCCI has in no uncertain terms declared its resolve to protect the fundamental imperatives constituting the essence of the game of cricket and its determination to take every step in its power to prevent corrupt betting practices undermining the integrity of the sport including any effort to influence the outcome of any match. Unfortunately, however, the amendment to Rule 6.2.4 clearly negates the declarations and resolves of the BCCI by permitting situations in which conflict of interest would grossly erode the confidence of the people in the authenticity, purity and integrity of the game. An amendment which strikes at the very essence of the game as stated in the Anti Corruption Code cannot obviously co-exist with the fundamental imperatives. Conflict of interest situation is a complete anti-thesis to everything recognized by BCCI as

constituting fundamental imperatives of the game hence unsustainable and impermissible in law."

(emphasis supplied)

2. The meaning of 'Conflict of Interest' was also clarified by the Hon'ble Supreme Court in its judgment in *Orissa Olympic Association v. State of Orissa & Anr.* (2017) 14 SCC 22 where the dispute was in relation to a land leased by the State Government of Orissa to Orissa Olympic Association. The association entered into a tenancy agreement for a portion of the said land with a firm named M/s Incon Associates where the son and son-in-law of the Secretary of the association were inducted as partners. The Court referred to the aforesaid judgment in *BCCI v. Cricket Association of Bihar* and stated the following in paragraph 59:

*"...The concept of conflict of interest is well established. A person who is accountable to the public and deals with public affairs is not expected, as required under the law, to have any personal interest. He is not to act in a manner where it is perceived that he is directly or indirectly the beneficiary; or for that matter, extends the benefit to a person of immediate proximity..."* (emphasis supplied)

Whilst deciding the matter, the Hon'ble Court further declared the agreement between the association and M/s Incon Associates null and void *inter alia* for the following reasons:

*"62..... It is clear as day that the relationship between the two individuals and their different obligations expose conflict of interest.*

*It is an interest where one may abuse the public office to gain personal benefit either directly or indirectly. In the instant case, the son of the Secretary of the association is a partner in the firm that had been given the contract. The son might have been inducted as a partner at a later stage but the fact remains that the father was the Secretary of the association. In such a situation, it does not require Solomon's wisdom or, for that matter, the wisdom of an adjudicator as described in "Tripitak" to understand that there is conflict of interest. The Secretary of the association, as it seems, had sent his conscience on vacation."*

## **II. Report of the Justice R.M. Lodha Committee**

3. The inclusion of provisions in relation to Conflict of Interest in the BCCI Constitution was recommended in the report of the Hon'ble Justice R.M. Lodha Committee ("**Report**") which also contained a Model Constitution where such provisions were included. The Report expressly prefaces the recommendations for including rules in relation to conflict of interest by declaring that the same does not stem from and are not designed to raise questions on the integrity of administrators or players, but simply to eliminate any perception or inference of compromise or unfairness in the administration of cricket. The Report therefore requires individuals in positions of influence, trust and governance to be above board in order to ensure probity and purity in administration. Drawing strength from the frequently quoted idiom "*sunlight is the best disinfectant*" the



Report mandates disclosures by incumbents as well as persons who come to be associated with the BCCI.

4. The Report spelt out specific types of Conflict of Interest, and applied them to individuals associated with the BCCI. Every Office Bearer, Player, Councillor, Employee, Administrator, Team Official, Umpire or other person connected to the BCCI, its Members or the IPL and its Franchisees were mandated to avoid any act or omission which is, or is perceived to be, likely to bring the interest of the individual in conflict with the interest of the game of cricket. The Report broadly classifies conflicts to be tractable and intractable and provides for the appointment of an independent Ethics Officer to administer the policy for the BCCI. The duty of the Ethics Officer includes administration of the principles of conflict of interest and recommendation of such action, including their classification as tractable and intractable, as may be deemed just and fit.

### **III. Conflict of Interest provisions under the BCCI Constitution**

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

6. Rule 1(A)(g) of the BCCI's Memorandum of Association and Rules & Regulations dated 21<sup>st</sup> August 2018 ("BCCI Constitution") defines the term 'Conflict of Interest' in the following manner:

*"CONFLICT OF INTEREST" refers to situations where an individual associated with the BCCI in any capacity acts or omits to act in a manner that brings, or is perceived to bring the interest of the individual in conflict with the interest of the game of cricket and that may give rise to apprehensions of, or actual favouritism, lack of objectivity, bias, benefits (monetary or otherwise) or linkages, as set out in Rule 38.'*

7. Rule 38 and Rule 39 of the BCCI Constitution is reproduced below:

**"38. CONFLICT OF INTEREST"**

(1) *A Conflict Of Interest may take any of the following forms as far as any individual associated with the BCCI is concerned:*

(i) *Direct or Indirect Interest: When the BCCI, a Member, the IPL or a Franchisee enter into contractual arrangements with entities in which the individual concerned or his/her relative, partner or close associate has an interest. This is to include cases where family members, partners or close associates are in positions that may, or may be seen*

to compromise an individual's participation, performance and discharge of roles.

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

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

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

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

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

- (ii) *Roles compromised:* When the individual holds two separate or distinct posts or positions under the BCCI, a Member, the IPL or the Franchisee, the

functions of which would require the one to be beholden to the other, or in opposition thereof.

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

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

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

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

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

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

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

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

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

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

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

Illustration 1: A is President of the BCCI. Prior to his taking office, he has been engaged professionally for his services by a firm B. After A becomes President, B is appointed as the official consultants of the BCCI. A is hit by Conflict of Interest.

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

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

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

- (v) *Position of influence:* When the individual occupies a post that calls for decisions of governance, management or selection to be made, and where a friend, relative or close affiliate is in the zone of consideration or subject to such decision-making, control or management. Also, when the individual holds any stake, voting rights or power to influence the decisions of a franchisee / club / team that participates in the commercial league(s) under BCCI;

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

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

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

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

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

- (2) Within a period of 15 days of taking any office under the BCCI, every individual shall disclose in writing to the Apex Council any existing or potential event that may be deemed to cause a Conflict of Interest, and the same shall be uploaded on the website of the BCCI. The failure to issue a complete disclosure, or any partial or total

suppression thereof would render the individual open to disciplinary action which may include termination and removal without benefits. It is clarified that a declaration does not lead to a presumption that in fact a questionable situation exists, but is merely for information and transparency.

(3) *A Conflict of Interest may be either Tractable or Intractable:*

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

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



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

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

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

### 39. THE ETHICS OFFICER

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- (1) *The BCCI shall appoint an Ethics Officer at the Annual General Meeting for the purpose of guidance and resolution in instances of conflict of interest. The Ethics Officer shall be a retired Judge of a High Court so appointed by the BCCI after obtaining his/her consent and on terms as determined by the BCCI in keeping with the dignity and stature of the office. The term of an Ethics Officer shall be one year, subject to a maximum of 3 terms in office.*
- (2) *Any instance of Conflict of Interest may be taken cognizance of by the Ethics Officer:*
  - (a) *Suo Motu;*
  - (b) *By way of a complaint in writing to the official postal or email address; or*
  - (c) *On a reference by the Apex Council;*
- (3) *After considering the relevant factors and following the principles of natural justice, the Ethics Officer may do any of the following:*
  - (a) *Declare the conflict as Tractable and direct that:*
    - (i) *the person declare the Conflict of Interest as per Rule 0Error! Reference source not found.; or*
    - (ii) *the interest that causes the conflict be relinquished; or*

- (iii) *the person recuse from discharging the obligation or duty so vested in him or her.*
- (b) *Declare the conflict as Intractable and direct that:*
  - (i) *the person be suspended or removed from his or her post; and*
  - (ii) *any suitable monetary or other penalty be imposed; and*
  - (iii) *the person be barred for a specified period or for life from involvement with the game of cricket.*

*The Ethics Officer is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstances."*

#### **IV. Need for clarification:**

8. The Committee of Administrators has treated avoidance of conflict of interest in management and administration as a pivotal action point, implementation of which was secured through various measures including *inter alia* seeking disclosures, undertakings and inclusion of the said provisions in contracts and tender conditions. 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 is a result of

straightjacketed 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. It is also felt that the proscriptions contained in Rule 38(4) are too straight jacketed which is proving to be counter-effective and disproportionately restrictive to players-both current as well as former. It is submitted that the role of an independent Ethics Officer of 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. If the rules are not clarified the Ethics Officer would be tied down even in cases where the conflict of interest is found to be tractable and capable of being sufficiently addressed by full and proper disclosure of conflict.

9. Moreover this is the time when the need to engage with former players is at its greatest since the cricket reforms process requires cricketing activities to be managed only by cricket committees, exclusively comprising of former players not only at the BCCI level but also at the state association level. Hence, there is a need to encourage active participation of hundreds of former players to come forward and participate and engage with the BCCI and its members for development of the game.

10. In order to fully understand the issues and make efforts towards redressing such concerns, the Committee of Administrators held meetings with various stakeholders including current and former cricketers, cricket administrators, persons specialising in the study of ethics and legal experts. A few of the concerns highlighted by the individuals, coupled with their recommendations, are set out as below:

- (a) *Absolute prohibition on former players from occupying multiple posts is restrictive.*

It was suggested that former international players, who are not in long term contract with the BCCI or in positions governance in the BCCI or its member associations, should be allowed to occupy more than one post under Rule 38(4), so long as the performance of duties or roles associated with the occupation of each respective post are not compromised or prejudiced by such simultaneous holding of posts. It is necessary to treat posts which require individuals with cricketing skills, acumen, expertise and valuable experience differently from the ones which don't. The reasons for such differentiation are (a) availability of only a few individuals with such superior cricketing skillset and expertise in the game, and therefore restriction of their involvement to merely one post will adversely impact the utilization of the best cricketing expertise available for filling up cricketing positions under the BCCI and

its members and consequently the overall improvement of the game; (b) in order to optimize utilization of former players it is important that the BCCI and its members are able to engage an individual in multiple capacities where none of his roles come into conflict or require one of his roles to be beholden to the other (c) the involvement of former players on cricket committees, umpires committee etc. is not a full time requirement and a lot of time is available with former players to seek other employment where they can put their cricketing knowledge and experience to use for the betterment and development of cricket in India and (d) also, limiting employment of the former players who are engaged with BCCI on part time basis is undue restriction on their right to earn livelihood in the Indian cricketing ecosystem.

- (b) *The rules pertaining to conflict of interest are too rigid and prohibit holding of two unrelated or remotely-related posts as listed in Rule 38(4).*

Rule 38(4) is worded in absolute terms and prohibits even former players and current players, who do not have long term contracts with the BCCI to hold other positions not only in the BCCI but within the entire Indian cricketing ecosystem. A straightjacketed application of this rule will result in the BCCI and Indian Cricket losing valuable experience and expertise in the form of stalwarts and icons of cricket who are already

engaged elsewhere not being able to engage with the BCCI and its members in cricketing roles. Incorporation of provisions allowing flexibility in determination of conflict by the Ethics Officer and differentiation between players-who have long term contracts with the BCCI and those who don't will help ensure that BCCI has the best cricketing expertise available at its disposal for filling up cricketing positions under the BCCI and its members.

*(c) The current players, not on an annual contract with the BCCI, and participating in limited number of cricket tournaments for limited part of the year are being unduly restricted from being gainfully employed even outside the BCCI during offseason.*

It is unreasonable to prohibit current players, who have not been given central contracts by the BCCI, from holding posts simultaneously, particularly those which do not compromise or prejudice the performance of duties or roles associated with the respective posts or adversely impact the larger interests of the game. Accordingly, provisions should be made in a manner such that the concerned individuals are not unduly restricted in occupying more than one such post at the same time, given full and accurate disclosure is made to the BCCI. The skill, acumen and expertise possessed by such current players can be utilized for the larger interest of the game including for mentoring and nurturing grass-root talent.

## V. Recommended Amendments

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11. In light of the aforesaid, and taking into account the suggestions discussed, the Committee of Administrators is of the view that concerns set out above can be resolved if the following provision are introduced in the BCCI Constitution. Inclusion of these clauses is being proposed with a view to ensure that former cricketers as well as current cricketers (except cricketers on annual contract with BCCI) can occupy posts in cricket committees and/or as cricket administrators within the BCCI as well as with IPL Franchisees as also under the member associations whilst maintaining the applicability of conflicts and transparency provisions:-

### Rule 38(2A)

*"BCCI shall ask every individual to disclose in writing to the Apex Council any existing or potential event that may be deemed to cause a Conflict of Interest conflict before employing, appointing, nominating or entering into a contract with him/her. The information received by BCCI shall be uploaded on the website of BCCI."*

### Rule 38(6)

*"Notwithstanding anything contained in this Rule 38, an individual who is (i) a former Player and (ii) is not engaged by the BCCI or its member on a full time basis under a contract for a duration of two years or more, may become or continue as a member of a Cricket Committee or Cricket Advisory Committee or*



*a Standing Committee or a Team Official, Match Official, Commentator or member of any other committee of the BCCI (except the Apex Council and the Governing Council) in addition to holding any cricketing position with the BCCI, a member or a Franchisee or broadcaster, provided that such individual:-*

- (a) makes the required disclosure under Rule 38(2) or Rule 38(5) as may be applicable;*
- (b) declares that there is no contractual prohibition against him/her from holding the additional post; and*
- (c) if he/she is a members of Cricket Committee or Cricket Advisory Committee shall abide by Rule 26(4).*

*Explanation:- For the purpose of the above provision a "cricketing position" shall mean a post which necessarily requires the individual occupying the same to have cricketing experience, expertise, skills and acumen for discharging his/her duties and include position/ post of a team official, match official, umpire, mentor, cricket advisor, commentator, etc."*

**Rule 38(7)**

*"Notwithstanding anything contained in this Rule 38, a current Player, who has not been engaged by the BCCI under an annual contract, may become or continue as*

- (i) A commentator with any broadcaster;*

- (ii) owner of cricket academy; or
- (iii) team official of a Franchisee

*provided that such individual:-*

- (a) *makes the required disclosure under Rule 38(2) or Rule 38(5) as may be applicable; and*
- (b) *declares that there is no contractual prohibition against him/her from holding the additional post.*

**Rule 38(8)**

*"The illustrations contained in Rule 38 are for the purpose of guidance only and the Ethics Officer shall not be bound by the same for the purpose of determination and resolution conflict of interest in accordance with Rule 39."*

The Supreme Court appointed Committee of Administrators

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 18<sup>th</sup> 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 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." 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

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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 13<sup>th</sup> day of August 2019

Issued by The Supreme Court Appointed Committee of Administrators

EFFECTIVE GRIEVANCE REDRESSAL MECHANISM

I. Problems with the Present structure

(a) The present grievance redressal mechanism under the BCCI Constitution and the respective member association constitutions deal only with a few aspects of disputes/grievances. Whilst the BCCI Constitution confers concurrent jurisdiction on the BCCI in respect of players, match officials, team officials and umpires of member associations, it does not do so in respect of administrators and officers of the member associations.

(b) Member Associations are the ones who actually work at the grassroots level and are responsible for conduct and development of the game of cricket and careers. It is at this level that the cricket reforms and the principles of professionalism, transparency, discipline and independence of adjudication recommended by the Justice Lodha Committee have to be implemented. However, the present structure does not empower the BCCI and its constitutional functionaries such as the BCCI Ombudsman and Ethics Officer to exercise oversight and/or supervision over the actions of the members associations and its officers;

(c) Although under the current structure, any person having grievance against an administrator/officer of a state

association has a forum available to lodge a complaint viz. the Ombudsman or the Ethics Officer of the respective member association, since the said Ombudsman and Ethics Officer are to be selected and appointed by the General Body of the member association it raises an apprehension that the said complaint may not be dealt with in a manner that is fair, expedient and reasonable. This may discourage aggrieved persons from coming forward with their grievance. The same problem applies in the case of BCCI as well; and

(d) There is no appellate remedy provided for an aggrieved person who is dissatisfied with the decision of the Ombudsman and Ethics Officer of the member association leaving such an aggrieved person with no choice but to take the member association to a Court of law. Determination before the courts is often slow and scope of review of the impugned decision is often very limited.

(e) Further, 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. Such a power could interfere with the fairness and independence of the grievance redressal mechanism as it allows room for interference in the proceedings by members of the Apex Council, who may or may not have a vested interest in the outcome of the proceedings.

## II. Solution

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In addition to the existing framework, in order to assure an aggrieved person of fairness in dealing with complaints, it is important that the functionaries under the BCCI Constitution and the respective state association constitutions viz. Ombudsman and Ethics Officer are selected by a body/committee independent of the BCCI and/or its member associations. The functionaries under the BCCI Constitution should be empowered to frame the rules and procedure for dealing with complaints that may be filed against the member association and/or its officers and the said functionaries should be given a supervisory/appellate role in relation to the said complaints.

## III. Proposed structure

1. The functionaries under the BCCI Constitution viz. Ombudsman and Ethics Officer shall 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 Cricket Player Association. The BCCI shall 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 shall appoint the said functionaries in accordance with the BCCI Constitution;

2. The functionaries under the respective state association constitutions viz. Ombudsman and Ethics Officer shall 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 Cricket Player Association. The member associations shall constitute the said committee at least four weeks before their AGM. The said committee shall 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 made and communicated to the relevant member association, the General Body of the said member association shall appoint the said functionaries in accordance with their Constitution;
3. The BCCI Ombudsman and Ethics Officer shall 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;
4. An appeal from any order or decision or direction passed by the Ombudsman and Ethics Officer of a member association



shall lie before the BCCI Ombudsman and Ethics Officer, as the case may be. The BCCI Ombudsman and Ethics Officer shall be empowered to frame rules regulating the procedure for dealing with such appeals. The BCCI Ombudsman and Ethics Officer shall also be empowered to frame rules relating to implementation and enforcement of the orders, directions and decisions that may be passed by the Ombudsman and Ethics Officers of the BCCI and member associations; and

5. The BCCI and the Member Associations and its administrators and officers shall be bound by the rules and regulations that may be framed as above and the orders, directions and decisions issued by the BCCI Ombudsman and Ethics Officer shall be binding on the respective member association.
6. Further, in order to ensure the just and proper functioning of the grievance redressal mechanism without any external interference, actual or perceived, 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.

CA 4235/2014

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ANNEXURE- A54

ITEM NO.303

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 impleadment and directions and intervention and modification of Court's order and permission to implead the name of applicant and recalling the Court's order )

Date : 17/04/2017 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., (AC)  
Mr. Santosh Krishnan, Adv.  
Mr. Ankur Kashyap, Adv.  
Mr. Pavan Bhushan, Adv.

For Appellant(s)

Mr. P. Chidambaram, Sr. Adv.  
Mr. Chandra Uday Singh, Sr. Adv.  
Ms. Gauri Rasgotra, Adv.  
Mr. Adarsh Saxena, Adv.  
Mr. Raunak Dhillon, Adv.  
Mr. Vikash Kumar Jha, Adv.  
for M/s. Cyril Amarchand Mangaldas

Mr. Vikas Mehta, Adv.  
Mr. Rajat Sahay, Adv.  
Ms. Anushree, Adv.  
Mr. Gagan Gupta, AOR  
Mr. Chandrashekhar Verma, Adv.

Mr. Venkita Subramoniam T. R., AOR

Mr. K. K. Mohan, AOR

Signature invalid

CHIEF  
CLERK  
JUDICIAL  
OFFICE  
OF THE  
JUDGE  
IN-CHARGE  
OF THE  
COURT

Mr. M. P. Vinod, AOR

Mr. A. Subba Rao, AOR

For Respondent(s) Mr. Senthil Jagadeesan, AOR

Mr. Kapil Sibal, Sr. Adv.

Mr. P.R. Raman, Sr. Adv.

Mr. Amol Chitale, Adv.

Mr. Nirnimesh Dube, AOR

Mr. Gagan Gupta, AOR

Mr. Chirag M. Shroff, AOR

Ms. Rashmi Singh, AOR

Mr. Venkita Subramoniam T.R., AOR

Ms. Manju Sharma, AOR

Mr. Gaurav Sharma, AOR

Ms. Sonia Mathur, AOR

Mr. A. S. Bhasme, AOR

Mr. E. C. Agrawala, AOR

Mr. Raghavendra S. Srivatsa, AOR

Mr. Balaji Srinivasan, AOR

Mr. Abhishek Bharti, Adv.

Ms. Vaishnavi Subrahmanyam, Adv.

Ms. Pratiksha Mishra, Adv.

Mr. Anish R. Shah, AOR

Mr. Maninder Singh, ASG

Mr. R. Balasubramoniam, Adv.

Ms. Diksha Rai, Adv.

Mr. Akshay Amritanshu, Adv.

Ms. Aarti Sharma, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. Raj Bahadur Yadav, Adv.

Mr. Shreekanth N. Terdal, AOR

Mr. Praveen Swarup, AOR

Ms. Liz Mathew, AOR  
Mr. Ashwani Kumar, Adv.  
Mr. M.F. Philip, Adv.

Mr. Anshuman Ashok, AOR

Ms. Kamakshi S. Mehlwal, AOR

Mr. V. K. Biju, AOR  
Mr. N. Livistion, Adv.

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

Mr. Shree Pal Singh, AOR

Mr. Mukul Rohtagi, AG  
Mr. Tushar Mehta, Sr. Adv.  
Mr. Siddharth Garg, Adv.  
Mr. Snehasish Mukherjee, AOR

Mr. K. K. Mohan, AOR

Mr. Santosh Krishnan, AOR

Mr. Rajiv Nanda, AOR

M/s. Cyril Amarchand Mangaldas

Mr. Hari Shankar K., AOR

Mr. Vipin Nair, AOR

Mr. Rahul Pratap, AOR

Mr. Mishra Saurabh, AOR

Mr. Deeptakirti Verma, AOR

Mr. M. Yogesh Kanna, AOR

Mr. Vikas Singh Jangra, AOR

Ms. Tamali Wad, AOR

Ms. Pooja Dhar, AOR

Mr. Gaurav Kejriwal, AOR

Mr. Puneet Bali, Sr. Adv.

Mr. Gunjan Dishy, Adv.  
Mr. Aditya Soni, Adv.  
Mr. R.P. Goyal, Adv.

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

Heard learned counsel for the parties.

The only issue that is required to be decided today is who will represent the BCCI in the ICC meeting which is scheduled to be held on 24.04.2017.

In course of hearing, we have been apprised that Mr. Amitabh Chaudhary, who is presently the acting Secretary of the BCCI can be nominated to attend the meeting. At this juncture, it is also submitted that Mr. Rahul Johri, the Chief Executive Officer should accompany him and attend the meeting of the Chief Executive Officers.

Regard being had to the significance of representation of the BCCI in the said international body, i.e., ICC, it is directed that Amitabh Chaudhary shall represent the BCCI before the ICC and Mr. Rahul Johri shall accompany him and also attend the meeting of the Chief Executive Officers.

Let the matter be listed at 2.00 p.m. on 14.07.2017.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master

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**ANNEXURE-A55**

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

Date: Sun, Sep 8, 2019 at 5:18 PM

Subject: Show Cause Notice

To: Amitabh Choudhary <amitabh@bcci.tv>

Cc: CK Khanha <ckkhanna@bcci.tv>, Anirudh Chaudhry  
<Chaudhry@bcci.tv>, Rahul Johri <rahul.johri@bcci.tv>

Dear Sir,

Your attention is invited to the relevant orders passed by the Hon'ble Supreme Court of India and the directions issued by the Committee of Administrators from time to time which make it clear that you are functioning as the Acting Secretary of the BCCI under the supervision and control of the Committee of Administrators. As such, you are also currently the BCCI representative to the ICC and the ACC. You will appreciate that the position of BCCI's representative to the ICC and the ACC is a position of great responsibility and importance.

The Committee of Administrators has at all times permitted your international travel for attending ICC and ACC meetings on each occasion. This is despite the fact that you have never deemed it appropriate to brief the Committee of Administrators in advance of the agenda items proposed to be discussed in these meetings or taken its mandate for the discussions or even bothered to keep the Committee of Administrators updated on what transpired in these meetings.

Notwithstanding the aforesaid and the attitude displayed by you towards the Committee of Administrators during our meetings, the Committee of Administrators, in deference to the direction of the Hon'ble Supreme Court, has continued to have you represent the BCCI in ICC meetings. It has now come to the notice of the Committee of Administrators that in the last meetings of the ICC and the ACC, not only did you not attend the meetings but kept the BCCI in dark about your unavailability either until it was too late or altogether. Your aforesaid conduct left the BCCI unrepresented in the said meetings and exposed the organisation to considerable risk.

The ICC Conference was scheduled from 14<sup>th</sup> to 20<sup>th</sup> of July 2019. The Committee of Administrators came to learn of your unavailability to attend the ICC Conference scheduled in London for the 14<sup>th</sup> July on 12<sup>th</sup> July when you merely forwarded your e-mail dated 12<sup>th</sup> July 2019 to ICC, informing the ICC of your unavailability for the said meetings. The short notice did not leave any room with the Committee of Administrators to appoint a replacement to attend the said meetings in London. Consequently, the BCCI was unrepresented in the board meeting of the ICC.

Later, the Committee of Administrators had approved your travel to Bangkok to attend the ACC AGM on September 3, 2019. Again at the eleventh hour you failed to attend the ACC meeting, leaving the interests of the BCCI unattended. You did not even deem it necessary to inform the Committee of Administrators of your unavailability to

attend the said meeting. The Committee of Administrators learnt of your unavailability, and that too without knowing the reason for the absence, from the Secretary of the ACC as you had mailed to him of your unavailability to attend. Thus, the BCCI learnt from the ACC that its own representative was not attending the meeting on the morning of the meeting. This was most humiliating for the Committee of Administrators and the organisation. Besides the fact that in both the meetings the BCCI went unrepresented, its interests have been seriously compromised by your action.

In the aforesaid background, you are advised to show cause and explain within a period of 7 days from today why action should not be taken against you in relation to your aforesaid conduct.

Thanking you,

Yours faithfully,

Supreme Court appointed Committee of Administrators



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**ANNEXURE-AS6**

From: **Amitabh Choudhary** <[amitabh@bccci.tv](mailto:amitabh@bccci.tv)>

Date: Thu, Sep 26, 2019 at 9:03 AM

Subject: SHOW CAUSE

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

**Amitabh**

Sep 25, 2019, 1:27 PM (19 hours ago)

**Choudhary**

to me, Rajiv

Dear Sirs/Madam,

The content of the show cause actually surprised me, particularly the phrase –“It has now come to the notice of the Committee of Administrators that in the last meetings of the ICC and the ACC, not only did you not attend the meetings but kept the BCCI in dark about your unavailability either until it was too late or altogether.....” where a motive has been attributed to the undersigned when the facts are clearly otherwise.

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I have been representing the BCCI in the ICC and ACC since April 2017 and on each of these occasions the practice followed had been the same as on the instant occasion and, therefore, it astonishes me to see the words '...kept the BCCI in dark about your unavailability...' when it is evident that I could not attend the ICC Conference only account of health reasons and on the basis of advice rendered by a top doctor, on the very day on which the email had been sent to you and the ICC. I fail to understand how can anyone forsee one's illness, medical condition or a doctor's advice and inform the CoA before such advice is rendered. These words are therefore obviously untrue and and in fact, unfair, more so when we realise that none in his right sense would miss the week long trip to England which included invitations to various functions as well as to the World Cup final.

In so far as the trip to Bangkok for the ACC meeting was concerned I had been booked to travel to Bangkok on September 1. On realising that the meeting was only on September 3, and it being the only business I had to attend to, the undersigned requested the travel agency to book my travel to Bangkok on September 2 which was

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eventually done. However, due to peculiar visa rules of Thailand, which was unknown to the undersigned and as would be the case for a majority of people, the visa which was valid for travel on September 1 had been rendered invalid for September 2. It was this situation which resulted in my failure to reach Bangkok for the ACC meeting.

Thanking you,

Amitabh Choudhary

Acting Secretary, BCCI.

611  
**ANNEXURE-A5**

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

Date: Sun, Oct 6, 2019 at 10:58 AM

Subject: Re: SHOW CAUSE

To: Amitabh Choudhary <amitabh@bcci.tv>

Cc: CK Khanna <ckkhanna@bcci.tv>, Anirudh Chaudhry  
<Chaudhry@bcci.tv>, Rahul Johri <rahul.johri@bcci.tv>

Dear Sir,

This has reference to your e-mail dated 25<sup>th</sup> September 2019 ("Reply") in response to the e-mail dated 8<sup>th</sup> September 2019 issued by the Committee of Administrators.

The Committee of Administrators has noted the contents of your Reply. The Committee of Administrators is of the view that your response does not satisfactorily explain the reasons for not keeping the Committee of Administrators well informed of your inability to travel for the ICC Conference in July 2019, the complete lack of intimation of your inability to attend the ACC AGM on 3<sup>rd</sup> September 2019 or the fact that you have not felt it necessary to brief the Committee of Administrators in advance of the agenda items to be discussed at the meetings and update the Committee of Administrators of what transpired at the meetings.

The Committee of Administrators notes that by not attending the said meetings and also by not intimating the Committee of Administrators well in advance, the BCCI remained unrepresented at the meetings and the organization was exposed to considerable risk and its interests seriously compromised.

In view of the above, the Committee of Administrators at the meeting held on 1<sup>st</sup> October 2019 has resolved to appoint another representative in your place, who shall represent the BCCI at future meetings of the ICC and ACC.

Yours faithfully,

Supreme Court appointed Committee of Administrators

On Thu, Sep 26, 2019 at 9:03 AM Amitabh Choudhary  
<[amitabh@bccci.tv](mailto:amitabh@bccci.tv)> wrote:

**Amitabh Choudhary**

Sep 25, 2019, 1:27 PM (19  
hours ago)

to me, Rajiv

Dear Sirs/Madam,

The content of the show cause actually surprised me, particularly the phrase —“It has now come to the notice of the Committee of Administrators that in the last meetings of the ICC and the ACC, not

only did you not attend the meetings but kept the BCCI in dark about your unavailability either until it was too late or altogether....." where a motive has been attributed to the undersigned when the facts are clearly otherwise.

I have been representing the BCCI in the ICC and ACC since April 2017 and on each of these occasions the practice followed had been the same as on the instant occasion and, therefore, it astonishes me to see the words "...kept the BCCI in dark about your unavailability..." when it is evident that I could not attend the ICC Conference only account of health reasons and on the basis of advice rendered by a top doctor, on the very day on which the email had been sent to you and the ICC. I fail to understand how can anyone foresee one's illness, medical condition or a doctor's advice and inform the CoA before such advice is rendered. These words are therefore obviously untrue and in fact, unfair, more so when we realise that none in his right sense would miss the week long trip to England which included invitations to various functions as well as to the World Cup final.

In so far as the trip to Bangkok for the ACC meeting was concerned I had been booked to travel to Bangkok on September 1. On realising that the meeting was only on September 3, and it being the only business I had to attend to, the undersigned requested the travel agency to book my travel to Bangkok on September 2 which was eventually done. However, due to peculiar visa rules of Thailand, which was unknown to the undersigned and as would be the case for a majority of

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people, the visa which was valid for travel on September 1 had been rendered invalid for September 2. It was this situation which resulted in my failure to reach Bangkok for the A/C meeting.

Thanking you,

Amitabh Choudhary

Acting Secretary, BCCI.

615  
**ANNEXURE-ASE**

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

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

Date: Tue, 1 Oct, 2019, 4:31 pm

Subject: Signing of BCCI Annual Accounts for FY 2017-18 and IPL  
Statements for Season 2018

To: CK Khanna <[ckkhanna@bcci.tv](mailto:ckkhanna@bcci.tv)>, Amitabh Choudhary  
<[amitabh@bcci.tv](mailto:amitabh@bcci.tv)>, Anirudh Chaudhry <[Chaudhry@bcci.tv](mailto:Chaudhry@bcci.tv)>

Cc: Rahul Johri <[rahul.johri@bcci.tv](mailto:rahul.johri@bcci.tv)>, Santosh Rangnekar  
<[santosh.rangnekar@bcci.tv](mailto:santosh.rangnekar@bcci.tv)>

Dear Sirs,

You are directed to sign the BCCI Final accounts for FY 2017-18 and  
IPL statements for Season 2018 tomorrow.

Regards,

Supreme Court Appointed Committee of Administrators.



**From:** DIANA EDULJI <eduljid@gmail.com>

**Date:** 13 October 2019 at 11:35:37 AM IST

**To:** Jha, Vikash Kumar <vikashkumar.jha@cyrilshroff.com>

**Cc:** Rasgotra, Gauri <gauri.rasgotra@cyrilshroff.com>, Deshmukh, Indranil <indranil.deshmukh@cyrilshroff.com>, Rahul Johri <rjohril@gmail.com>, Vinod Rai <raivinod@hotmail.com>, Melinda Colaco <colaco.melinda13@gmail.com>, Ravindra Thodge Coa <ravindra.thodge@yahoo.com>, Biswa Patnaik <biswapatnaik17@gmail.com>, P S Narasima Amicus <psvlnarasimha@gmail.com>, paragtripathi@gmail.com <paragtripathi@gmail.com>, Electoral Officer <electoral.officer@bccitv>

**Subject:** Re: Draft Eleventh Status Report + Grievance Redressal Mechanism

I have gone through all the remarks passed in the status of Member Association of BCCI as on 11th October 2019.

Following remarks against are offered.

1. Baroda : Their Constitution was approved by COA and registered. However, they held their elections violating the very same Constitution by allowing non eligible members and disqualified ones and also allowing persons to apply for multiple posts. This is gross violation of the Registered Constitution and process thus if they are permitted to participate in the election

process on 23rd then the others who are disqualified for non compliance should also be allowed as the rules can't be different for different associations.

2. Chhatisgarh: In point 7, you have mentioned several violations of the CSCS constitution? Kindly highlight. If there are any then how come it has been approved by us. Again, the rules have to same for everyone and can't be treated differently.
3. DDCA: The treasurer is a sitting MLA. In manipur we disqualified them because a member was a MLA. Same yardstick should be applied here. There are numerous complaints against DDCA and your saying appropriate forum to look into them. What is the appropriate forum? I have stated from day one that the DDCA elections were not held as per constitution . It was the duty of the COA to bring it to the notice of the court at the high court and SC level when the matter came up. I had categorically stated that the courts should be informed of the wrong doing. Thus, if they are permitted inspite of violations then others who are not should also be allowed as the rules can't be different for different Associations.
4. JKCA: If cricketing activities are going on then efforts should have been made to hold the elections. Though this is a unique case but again are we as COA suppose to bend rules ourselves? If they were allowed inspite all the conditions not complied, then they are also hit by the disqualification. Therefore if they are

permitted then the others who are not should also be allowed, we should be treating everyone on par and not differentiate.

5. MPCA: Their constitution was approved by BCCI and registered however like Baroda they have violated the same Constitution by allowing ineligible and disqualified members to participate in the elections. It also states that the EO has interpreted the SC judgement of 20th Sept. These were the same grounds on which TNCA and HCA were disqualified. What is the appropriate forum? In view of gross violations of the registered constitution and process, if they are permitted to participate in the election process on 23rd then the others who are disqualified for non compliance should also be allowed as the rules can't be different for different Associations.
6. Mumbai: in point 3 you state all International players not included. In point 5 you say 39 former International players voting members. As per my knowledge all International players men and women have been given membership and most of them voted.
7. RCA: There are serious complaints against the EO not conducting the elections of the RCA in a fair manner. He has violated order of the ombudsman of RCA, violated provisions of the Rajasthan Sports Act 2005, secrecy of ballot papers not held and allowed proxy voting. This is gross violation of the Registered Constitution and violation of the election process and if they are permitted to participate in the election process on 23rd

then the others who are disqualified for non compliance should also be allowed as the rules can't be different for different Associations.

8. Sikkim: Point 5 you mention 2 Player association as voting members, how is this permitted and their constitution passed by us.
9. Tripura: Point 6 says MP'S AND MLAs are participating in the TCA as representatives of its members. How can this be? Its violates the Constitution approved by us. If true then they should be disqualified for the elections on 23rd or if they are permitted to participate in the election process on 23rd then the others who are disqualified for non compliance should also be allowed as the rules can't be different for different Associations.
10. UPCA : Your saying they are qualified but in your response to the query raised by the BCCI EO you said the representative is not eligible thus they were disqualified. Why 2 theories ?
11. Vidharbha: point 3 says confirmed but Monica sumra an international player has not been given membership and has not voted. Point 7 also needs to be clarified . An association under societies act has to be registered under charity commissioner.
12. In all north east states you have mentioned in international players coloum confirmed. Do they have international players ?

In view of the above Baroda, DDCA, MPCA, Tripura and Rajasthan are also in violation and should also be disqualified from the elections on 23rd and the BCCI EO should be advised immediately. If the ones

mentioned above are permitted to participate in the election process on 23rd then the others who are disqualified for non compliance TNCA, HCA, UPCA, Manipur, Maharashtra, AIU, Services and RSPB should also be allowed as the rules can't be different for different Associations.

As mentioned before a level playing field should be there for all associations and as the saying goes "ceasers wife should be above suspicion." COA perception should be equal in eyes of the law. COA should be seen above board and not have a partisan view.

This is a very important election and will chart out the future of the BCCI and its functioning. It can have an adverse effect on the administration and in turn running of the game of which the players may become a casualty.

I as a COA member would not like to leave such a legacy.

Regarding Effective grievance redressal mechanism,

we are casting doubts on the integrity of the nominated ombudsman and ethics officers of the state associations. Also our constitution doesn't envisage such drastic changes. We will have to amend our constitution to incorporate these changes for which it is too late. Interference in running of the elected state association will be detrimental to BCCI. BCCI can't enforce themselves on the elected state association who have registered their constitution.

In the status report prepared pls see point 59, you say there should be a uniform membership structure, for this you have to see that all state associations are registered under the societies act as the BCCI is registered under societies act. Only then one can have a uniform structure. At present some are under company act some societies act.

Para 60 should be deleted as Lodha Committee said International Players should become voting member. Having Ranji Players with voting rights in State Associations will be making SCA a circus. Point 61 Ranji Players should be deleted.

Status report page 28 D Conflict of interest.

I would like to state only players representing India are contracted with BCCI. Current players are registered with their states, some states have contracts for them and finally all are BCCI-registered players. As such they can't be permitted to don other hats.

Kindly put my points in the status report. As it is important for the court to know my views too.

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**ANNEXURE-A 6**

**From:** vinod rai <raivinod@hotmail.com>

**Sent:** 13 October 2019 19:55

**To:** DIANA EDULJI <eduljid@gmail.com>; Jha, Vikash Kumar  
<vikashkumar.jha@cyrilshroff.com>

**Cc:** Rasgotra, Gauri <gauri.rasgotra@cyrilshroff.com>; Deshmukh,  
Indranil <indranil.deshmukh@cyrilshroff.com>; Rahul Johri  
<rjohri1@gmail.com>; Melinda Colaco  
<colaco.melinda13@gmail.com>; Ravindra Thodge Coa  
<ravindra.thodge@yahoo.com>; Biswa Patnaik  
<biswapatnaik17@gmail.com>; P S Narasima Amicus  
<psvlnarasimha@gmail.com>; paragptripathi@gmail.com; Electoral  
Officer electoral.officer@bccitv

**Subject:** Re: Draft Eleventh Status Report + Grievance Redressal  
Mechanism

Diana,

I have gone through your email and the comments made therein.

I have also discussed the issues highlighted by you with General Thodge and what is stated herein has his concurrence. You will appreciate that I have always maintained that you are entitled to express your point of view. I whole heartedly support your email being made part of the status report. In the same spirit I would also ask that this email should also form part of the status report as it contains our comments on the issues highlighted in your email. This will ensure that the Hon'ble court has the entire perspective when it considers the status report.

In your email you have highlighted concerns about 11 State Associations and members from north east. All the issues highlighted by you already forms part of the compliance chart which is being attached along with the status report. The conformation with regard to the requirement to include former international players from north eastern states obviously means that they have confirmed that whosoever has applied to them under this category has been given the membership.

I have conveyed earlier that we have to take cognizance of the fact that any standard being adopted by us for the purpose of disqualification has to be objectively discernible and consistent. It should not only be objective but also be perceived to be objective. It would otherwise give an impression of arbitrariness. At the same time we have to ensure that the standard can't be too technical either. Therefore, I propose that we adopt a standard that all associations, who have either registered or submitted for registration their constitution which has been approved by COA in line with the judgment dated 9<sup>th</sup> August, 2018, will be allowed to vote and participate in BCCI Elections. All state association who have not done so will be disqualified. This qualification standard in my view achieves the right balance in ensuring compliance with the supreme court judgments and not being too technical. If we decide to micro manage and look into into internal matters of SCA's and disqualify associations who "have not held the elections according to the constitutions" apart from the fact



that it would derail the BCCI election process, it is also something which is a matter which will be decided by appropriate authority/court after considering the merits and demerits of each complaint. The COA can't adjudicate the truth or falsity of every complaint without following due diligence which will be very time consuming. It is also not in our mandate to go into each of these issues. Therefore, on a balance, we think the approach proposed above would be reasonable for the purpose of disqualification of associations. In any case, the compliance chart which forms part of the status report and lists out all issues/complaints in relation to each state association, for the consideration of Hon'ble Supreme Court. Further, the said compliance chart also brings out the approach adopted by the COA for the purpose of qualification of state association to vote and participate in BCCI elections.

Please note that TNCA, Maharashtra and Haryana clearly form a separate class as compared with others as all three have refused to incorporate the changes suggested by us and shown defiance in holding elections on the basis of unapproved constitution. These three associations cannot be equated with any of the other state associations mentioned in your email. They were part of the mediation process initiated by the Ld. Amicus, but remained intransigent to the directions of the Hon. Court. Further, apart from TNCA, Maharashtra CA and Haryana CA, the representatives of UPCA, Manipur CA, AIU, Services and Railways were determined to be ineligible by the Ld. Electoral Officer, BCCI after following due process and for the reasons

mentioned in the summary of finding published by him. COA did not have any role in this disqualification.

As regards the suggestion in relation to grievance redressal mechanism, the recommendations are being made by the COA to the Hon'ble Supreme Court for its consideration which will decide whether the changes are too drastic or deserves consideration. It is definitely our view that the grievance redressal mechanism as proposed in the status report will help bring greater transparency, objectivity and independence in decision making. There is absolutely no question of casting any doubt on the integrity of any individuals but as accepted in the Lodha committee report, it is not sufficient for a functionary to be independent, but it should also appear to be independent.

As regards your comment to the proposal of uniform membership structure, please note that all that is sought to be suggested is not to deprive the state associations to choose the form of organization in which they will chose to conduct their business, but uniformity in the kind of members they would need to take into the membership. At this point state associations based on their individual constitution have the discretion to deny membership to district associations and former cricketers who we all agree are important stakeholders in the administration of cricket and the proposal therefore made on behalf of the COA is that the entry level qualification for being a member of state association should be made uniform and considerably relaxed in order to ensure that the district associations, former cricketers and any

organisation with cricketing activities which is otherwise representative gets a say in cricket administration.

Again your comments on the COA proposal that former Ranji players should be given membership of state associations with voting rights does not appear to be well founded. In any event it is a recommendation which is being made to the Hon'ble Supreme Court. It is an admitted position that the Lodha Committee Report required only the former international players with voting rights. The COA believes that former Ranji players who have cricketing knowledge and experience should not be deprived of membership to state associations.

Lastly your reservation on clarifying the conflict of interest rules in order to ensure that BCCI is not deprived from making the optimum use of available cricketing talent and experience is hard to comprehend. This reservation has come for the first time and after you have participated in interactions with former players after which this report has been made. In any case just because some of the players are contracted by state associations and or are registered by BCCI does not mean that they should be outside the consideration of cricketing post, so long as there is no conflict of interest.

In view thereof, it is imperative that the status report is filed at the earliest and without any further delay. I am therefore requesting General to sign the status report after legal sends us the final version.

Regards

VR