

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADMINISTRATORS
HELD ON 27TH SEPTEMBER 2017 AT BCCI HQ, MUMBAI**

Attendees:

Mr. Vinod Rai – Chairman
Ms. Diana Edulji
Mr. Rahul Johri – BCCI CEO
Ms. Anaisha Paranjape – BCCI Operations
Ms. Karina Kripalani – BCCI Legal Advisor
Ms. Prabhjyot Chhabra – BCCI Legal Advisor
Mr. Indranil Deshmukh (Cyril Amarchand Mangaldas)
Mr. Adarsh Saxena (Cyril Amarchand Mangaldas)

**ITEM 1: CONFIRMATION OF THE MINUTES OF THE MEETING OF THE
COMMITTEE OF ADMINISTRATORS HELD ON 16TH SEPTEMBER 2017**

The minutes of the previous meeting held on 16th September 2017 were approved and signed by the Chairman and the COA resolved that the said signed minutes should be put up on the BCCI website in the interests of transparency.

ITEM 1A: MATTERS ARISING OUT OF PREVIOUS MINUTES

The CFO joined the meeting.

A. Item 6(E) of Minutes of Meeting dated 29th August 2017 – Lease for Delhi Office

1. The COA was informed that the Acting President Mr. C. K. Khanna had objected to the portion of the minutes of the COA meeting held on 29th August 2017 regarding shutting the Delhi Office because the same is being used as the President's office.
2. After discussion, the COA decided that the objection of Acting President Mr. C. K. Khanna should be noted and the CFO should draw the attention of the Acting President to the relevant portion of the minutes of the COA meeting held on 29th August 2017, which is self explanatory.
3. At this juncture, the COA was informed that various old original agreements executed by BCCI are being kept at the Delhi Office and, if the said agreements are brought into Maharashtra, stamp duty will have to be paid on the same.
4. The COA took note of the above and decided that:
 - (a) The said agreements maybe stored at Writer's (warehousing/ storage agency) in New Delhi.

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- (b) BCCI should take appropriate steps to negotiate with the stamp authorities and attempt to get a waiver from stamp duty payable on agreements executed prior to 2005.

ITEM 2: COA MATTERS

A. Update on Supreme Court Matter

1. The COA was briefed on the hearing before the Hon'ble Supreme Court on 21st September 2017 and discussed the order passed by the Hon'ble Supreme Court at the conclusion of that hearing.
2. The COA was informed that several State Associations have written to the BCCI providing details of expenses and requesting release of funds. The COA was further informed that as per the order dated 21st September 2017 passed by the Hon'ble Supreme Court, payments were being processed for State Associations that have provided details, as required.
3. The COA took note of the above.

The CFO left the meeting. Prof. Shetty joined the meeting.

B. Affiliation of an Association from Puducherry

1. The COA noted that pursuant to the order dated 21st September 2017 passed by the Hon'ble Supreme Court, the COA had, vide email dated 22nd September 2017, requested the 3 claimants to provide their respective written submissions on or before 5 pm on 29th September 2017. By the said email, the COA had also invited duly authorized representatives of each of the three claimants to appear before the COA to make oral submissions at a personal hearing, if they so desired, at 12 noon on 27th September 2017. The COA also noted that of the three claimants, two are actually factions/ groups of the same association, i.e. Pondicherry Cricket Association ("PCA"). One faction/ group ("PCA-Kalaimani") asserts its claim through Mr. G. Kalaimani on the basis that he is the Hon. Secretary of the PCA whereas the other faction/ group ("PCA-Velmurugan") asserts its claim through Mr. G. Velmurugan on the basis that he is the Hon. Secretary of the PCA. Both the said factions/ groups claim to represent the PCA. The third claimant is the Cricket Association of Pondicherry ("CAP").
2. The authorized representatives of PCA-Kalaimani, PCA-Velmurugan and CAP appeared before the COA and made their oral submissions.

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3. After discussion, the COA decided that it would take a decision in the matter with the assistance of the legal team after each of the 3 claimants had filed their respective written submissions.

ITEM 3: CRICKETING MATTERS

A. Selectors

1. After discussion, the COA decided that:
 - (a) Those selectors whose services had not been utilized after January 2017 should be relieved as of 30th September 2017 and payments till that date should be made since their contracts had not been terminated earlier.
 - (b) The existing Selection Committees (3 each) should continue till the AGM to be held in 2017 on the same terms and conditions.
 - (c) The COA would make a suggestion to the Hon'ble Supreme Court that:
 - (1) Selectors should be appointed for 2 years and that the appointment of selectors and coach should be free from any political influence.
 - (2) Accordingly, instead of directly appointing selectors, there should be a provision whereby the General Body appoints a professional committee comprising of reputed former cricketers (like the Cricket Advisory Committee) and this professional committee can, in turn, appoint the selectors as well as the coach.

ITEM 4: LEGAL MATTERS

A. Appeal filed by BCCI in the Kerala High Court in relation to S. Sreesanth

1. The COA was briefed on the Sreesanth matter and the order dated 22nd September 2017 passed by the Division Bench of the Kerala High Court granting *status quo* till the next date of hearing. The COA was further informed that the Court had, vide the said order, directed that the members of the COA file their appearance in the matter within 10 days.
2. The COA noted the above and issued necessary instructions for filing their appearance in the matter.

B. Proceedings relating to the Jammu & Kashmir Cricket Association



1. The COA was briefed on the Writ Petition which is pending before the Jammu & Kashmir High Court (“JKHC”) wherein a party has sought appointment of an administrator. The COA was informed that the matter is due to come up before the JKHC shortly and the Court may ask BCCI to suggest names of administrators.
2. After discussion, the COA decided that the names of the administrator to be appointed should be left to the Court to decide without any suggestions being volunteered by BCCI.

C. I. A. filed by Dr. Subramaniam Swamy in the Hon’ble Supreme Court

Mr. Hemang Amin joined the meeting.

1. The COA was briefed on the I. A. filed by Dr. Subramaniam Swamy in the Hon’ble Supreme Court as well as on the proposed course of action in relation thereto.
2. The COA took note of the same.

Mr. Hemang Amin left the meeting.

ITEM 5: ADMINISTRATIVE/ HR MATTERS

The CFO joined the meeting.

A. Re-Designation of Employees

1. After discussion, the COA decided that:
 - (a) The CFO and CEO should implement rotation for members of the Finance Team in line with best practices as suggested by the CFO.
 - (b) Based on the recommendation of the CEO and the CFO, the re-designation of Mr. Vidyadhar Sahasrabudhe as Archive Manager is approved.
 - (c) The list of other proposed re-designations would be discussed at a subsequent meeting of the COA.

B. Extension of Contract for Prof. Ratnakar Shetty

After discussion and based on the CEO’s recommendation, the COA decided that Prof. Ratnakar Shetty’s contract should be extended till 31st December 2017 on the same terms and conditions.

ITEM 6: FINANCE MATTERS



A. Payments to State Associations

1. After discussion, the COA decided that:
 - (a) In relation to requests received by BCCI from State Associations seeking release of money for payment of statutory dues, BCCI can make payments directly to the relevant statutory authorities on behalf of the concerned State Associations after calling for the necessary documents and adjust the amounts so paid against the concerned State Associations share of amount due to associations. The same mechanism may be followed for other bona fide payments to third parties like banks on behalf of the concerned State Associations.
 - (b) In relation to requests received by BCCI from State Associations seeking release of money for payment to the employees of state associations, the concerned State Associations should first be requested to provide details of the fixed deposits and other investments/ funds available with them in addition to other relevant documents to verify the genuineness and remuneration of the employees. BCCI may release payments directly to the employees of the concerned State Associations only if the CFO is satisfied that:
 - (1) The concerned State Association does not have sufficient fixed deposits and/or other investments/ funds available with them which can be utilized for making payments to their employees; and
 - (2) The employees are genuinely employed by the concerned State Association and their remuneration sought to be paid to them is as per terms of their appointment.
 - (c) In relation to requests received from State Associations for reimbursement of expenses in relation to domestic tournaments, it is necessary to reimburse the same in order to ensure that interest of cricket is not jeopardized and the concerned State Associations do not face any kind of litigation and/or undue harassment. However, such reimbursement should be subject to the following (which will be communicated by the COA to all State Associations):
 - (1) Scrutiny by the BCCI Finance Team of the supporting documents submitted by the concerned State Association to BCCI; and
 - (2) A responsible authorized officer of the State Association should submit an undertaking (in the format to be prepared by the BCCI Legal Team) confirming the same since it is difficult for the BCCI Finance Team to independently verify whether the payments in respect of which

reimbursement is being sought have actually been incurred by way of payment to the concerned parties.

B. Next Meeting of the Finance Committee

1. The CEO briefed the COA on his conversation with the Chairman of the Finance Committee regarding the next meeting of the Finance Committee. The CEO also informed the COA that the Chairman of the Finance Committee had suggested a process for taking any decision on finance related issues whereby all such issues are first discussed by the Finance Committee and the COA thereafter considers the decisions of the Finance Committee on the said issues and takes a final decision.
2. The COA observed that the matter had already been clarified in the COA's response to email that had been addressed by the Hon. Treasurer after the previous meeting of the Finance Committee held on 14th September 2017. The said response had been copied to all the members of the Finance Committee including the Chairman and no one had sought any clarification on the same.
3. After further discussion, the COA decided that the CEO should draw the attention of the Chairman of the Finance Committee to the COA's aforesaid response as well as the directions dated 6th April 2017.

C. Welfare Schemes of State Association

1. The COA was informed that Prof. Shetty has already written to all State Associations asking for details of their respective welfare schemes and that their responses are awaited.
2. COA took note of the same.

D. Extension of time for holding AGM

1. The COA was informed that the AGM is required to be held prior to 30th September 2017, which was only 3 days away and no notice for holding the AGM had been issued till date.
2. The COA took note of the above.

Prof. Shetty left the meeting.

E. Streamlining the Commercial & Financial Process

1. The CEO informed the COA that the email regarding re-structuring of the Finance Team has already gone out.



2. The COA took note of the same and decided that any movement of persons due to the said re-structuring should be completed by 30th September 2017.

F. Applicability of GST on Payment of Travel Allowance/ Dearness Allowance

1. The COA was informed that the BCCI had received 2 contrary opinions on the issue of applicability of GST on payment of Travel Allowance/ Dearness Allowance (“TA/ DA”).
2. After discussion, the COA decided that:
 - (a) The BCCI should seek an opinion from Mr. V. Sridharan on the issue of applicability of GST on payments of TA/ DA by BCCI.
 - (b) In the meantime, if BCCI is required to charge GST on the said payments and deposit the same with the authorities, it should do so under protest so that it can later claim refund if it is found that GST is not applicable.

G. Claim for Infrastructure Subsidy by Karnataka State Cricket Association

1. The COA was informed that the BCCI had received a claim from the Karnataka State Cricket Association (“KSCA”) of Rs. 3 Crores under infrastructure subsidy. He further informed the COA that such claims are normally approved by the Infrastructure Subsidy Committee, which has not met for over a year due to which this payment has not been approved. The COA was also informed that if this amount is not paid by BCCI to the KSCA on or before 30th September 2017, then BCCI will not be able to claim GST credit in respect of the GST chargeable on the said payment.
2. After discussion, the COA decided that:
 - (a) The CFO should send an email to the Infrastructure Subsidy Committee regarding the claim made by the KSCA and seek approval for the same.
 - (b) In the meantime, the BCCI should make payment of Rs. 3 crores to the KSCA on the basis that if the Infrastructure Subsidy Committee subsequently rejects the claim made by the KSCA, the said amount can be adjusted against the KSCA’s share of amount due to association.

H. Claim from Cricket Club of India

After discussion, the COA decided that BCCI should adjust the amount of Rs. 69 lakhs that is payable to CCI against the amount of Rs. 1.25 crores which is shown as recoverable from CCI and ask CCI to pay the balance amount.



ITEM 7: ANY OTHER MATTER

A. Resignation of Dr. M. V. Sridhar

1. The CEO informed the COA that Dr. M.V. Sridhar had expressed his intention to move on and has tendered his resignation vide letter dated 20th September 2017. He also informed the COA that the CEO had requested Dr. Sridhar to stay on till 30th September 2017 for handover of the work handled by Dr. Sridhar and that Dr. Sridhar has acceded to this request.
2. After discussion, the COA decided that:
 - (a) the resignation of Dr. M. V. Sridhar is accepted and his last working day will be 30th September 2017.
 - (b) The matter relating to the explanation sought from him is now closed.

B. Travel Desk

1. The CEO discussed streamlining the travel process and suggested setting up a travel desk where dedicated resource from Trade Wings (travel agency) would sit in the BCCI office and process all travel requests of BCCI.
2. The COA approved the same.

C. Next COA Meeting

After discussion, the COA decided that it would meet next on 24th October 2017 at New Delhi.

Meeting concluded.

