

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADMINISTRATORS
HELD ON 27TH JUNE 2018 AT BCCI HEADQUARTERS**

Mr. Vinod Rai – Chairman
Ms. Diana Edulji
Mr. Santosh Rangnekar – BCCI CFO
Ms. Prabhjyot Chhabra – BCCI Legal Advisor
Mr. Indranil Deshmukh (Cyril Amarchand Mangaldas)
Mr. Adarsh Saxena (Cyril Amarchand Mangaldas)
Ms. Rachyeta Shah (Cyril Amarchand Mangaldas)

ITEM 1: IMPLEMENTATION OF REFORMS AND MATTERS RELATED THERETO

A. Meeting of BCCI Members held on 22nd June 2018

1. The COA discussed the Acting Secretary's email dated 24th June 2018 communicating the resolutions passed at the meeting of BCCI members held on 22nd June 2018 ("**Meeting**"). It was observed that what cannot be done directly (i.e. overruling COA directions/ decisions) is sought to be done indirectly by passing resolutions that are contrary to COA directions/ decisions. It was also observed that it is evident that under the guise of 'policy matters', the State Associations are challenging the authority of the COA. It was discussed that the Meeting was nothing but an attempt by the BCCI office bearers to circumvent the orders of the Hon'ble Supreme Court (which require them to function under the supervision and control of the COA) by taking refuge under the contrary resolutions passed by the General Body. Each of the resolutions passed during the Meeting was discussed in detail. It was further discussed that the COA must stop implementation of all the resolutions passed during the Meeting.
2. After some further discussion, the COA decided that:
 - (a) The COA should address an email directing that no office bearer/ committee member/ employee/ consultant/ retainer/ service provider shall in any way implement, act further to or in aid of any resolutions that may have been passed during the Meeting; and
 - (b) Once the said email is issued, a copy of the same should be put up on the BCCI website.

B. Way Forward for the Hearing on 5th July 2018

1. The COA discussed that once the email directing that no office bearer/ committee member/ employee/ consultant/ retainer/ service provider shall in any way implement,

act further to or in aid of any resolutions that may have been passed during the Meeting is issued and put up on the BCCI website, the COA should file a status report apprising the Hon'ble Supreme Court of the developments pertaining to the Meeting and the directions issued by the COA.

2. It was discussed that the status report should contain certain specific instances of how office bearers have sought to overrule COA decisions/ directions through the resolutions passed at the Meeting should be highlighted – such as Uttarakhand, Puducherry and legal matters.
3. After some further discussion, the COA decided that CAM Team should prepare a draft status report on the lines discussed and circulate the same for the COA's approval.

ITEM 2: LEGAL MATTERS

- A. Order dated 7th May 2018 passed by the Hon'ble Supreme Court in Writ Petition (Civil) No. 1163 of 2017 filed by Mr. Atul Kumar & Anr.

Mr. Ajit Singh joined the meeting.

1. The COA noted the order dated 7th May 2018 passed by the Hon'ble Supreme Court in the Writ Petition (Civil) No. 1163 of 2017 (“**Writ Petition**”) filed by Mr. Atul Kumar & Anr, wherein the Court has directed the COA to take a decision with regard to the grievance made in the Writ Petition and submit a report to the Court.
2. The COA was informed that Mr. Ajit Singh had prepared a report to apprise the COA on the existing rules and regulation and various suggestions for the COA's consideration.
3. Mr. Ajit Singh took the COA through the report which consisted of (i) an overview of the existing rules/ regulations/ mechanisms/ measures that have been put in place by the BCCI to prevent and/or otherwise deal with fixing and other similar corrupt activities in cricket matches; (ii) suggestions on what additional mechanisms/ measures can be put in place by the BCCI to further strengthen and/or improve the existing rules/regulations/ mechanisms/ measures; and (iii) suggestions regarding the assistance/ support that other agencies (including agencies of the Government of India and/or States) can be requested to provide to the BCCI for the purpose of preventing and/or otherwise dealing with fixing and other similar corrupt activities in cricket matches.
4. After some further discussion, the COA decided that it would send an email to Mr. Atul Kumar calling him for a meeting to hear his views on the matter.

Mr. Ajit Singh left the meeting.

B. Update on Rajasthan Cricket Association

1. The COA attention was drawn to the discussions during the COA meeting held on 2nd May 2018 whereby the COA had noted that as the matter had been referred to the office bearers by the CEO vide his email dated 17th April 2018 and it would wait and see what the office bearers had to say in relation to this matter. The COA was informed that there has been no response from the office bearers in this regard. However, the matter is likely to be listed on 6th July 2018. The course of action in the event the issue as regards the matter of suspension of Rajasthan Cricket Association (“RCA”) comes up in Court was discussed.
2. The COA was also informed that RCA does not have access to the stadium in Rajasthan, which is owned by the Rajasthan State Sports Council (“RSSC”). The Court had directed that the stadium be used for IPL matches, after which it appears that the stadium has been sealed. BCCI has received a demand from RSSC for the payment of a sum of Rs. 1.40 crores vide its letter dated 4th May 2018.
3. The COA took note of the above.

C. Letter dated 13th June 2018 from Competition Commission of India

1. The COA noted the letter dated 13th June 2018 from the Competition Commission of India (“CCI”) which refers to the order dated 29th November 2017 passed by the CCI wherein it has been held that the BCCI Rules and Regulations amount to a denial of market access for organisation of professional domestic cricket league/ events in India and is in contravention of certain provisions of the Competition Act, 2002. The COA also noted that the CCI has, vide the same order, passed certain directions.
2. The COA recalled that the matter was taken in appeal by BCCI to the National Company Law Appellate Tribunal (“NCLAT”) wherein the NCLAT has directed a stay on the order passed by CCI subject to payment of 10% penalty imposed on BCCI. In the letter dated 13th June 2018 from the CCI to the COA, the CCI has noted that the regulations contained in the draft constitution which is pending finalisation by the Supreme Court, is similar to the regulations which the CCI had found to be violative of the provisions of the Competition Act, 2002. Accordingly, the CCI has expressed the opinion that it would be appropriate for the COA to take a closer look at the regulations contained in the draft constitution from the perspective of the CCI’s observations and that the COA should bring to the notice of the Supreme Court, the order of the CCI and the pendency of the appellate proceedings in the case.
3. The COA was informed that the defence taken by BCCI before the CCI as well as before the NCLAT, is that the rules and regulations of the BCCI do not curb the right

of any person to organise cricketing activities. This aspect was pointed out to the NCLAT, which was agreed to by the NCLAT while staying the operation of the CCI order. It was discussed that there is no reason for the COA to take a different position in relation to this matter. Further, in the event the CCI is of the view that the Supreme Court should consider this aspect while finalising the draft constitution, it is open for the CII to make an appropriate application to the Supreme Court in this regard.

D. Dispute with Pakistan Cricket Board

1. The COA was updated on the developments in relation to the ongoing dispute with the Pakistan Cricket Board.
2. The COA took note of the above.

ITEM 3: CRICKETING MATTERS

A. Matters pertaining to Women's Cricket

Mr. Deshmukh, Mr. Saxena, Ms. Shah and Ms. Chhabra left the meeting.

Ms. Mithali Raj, Ms. Harmanpreet Kaur, Ms. Hemlata Kala and Ms. Trupti Bhattacharya joined the meeting.

1. There was a discussion between the COA and Ms. Mithali Raj, Ms. Harmanpreet Kaur, Ms. Hemlata Kala and Ms. Trupti Bhattacharya on various issues relating to women's cricket.

Mr. Saba Karim joined the meeting.

2. There was a further discussion between the COA and Ms. Mithali Raj, Ms. Harmanpreet Kaur, Ms. Hemlata Kala and Ms. Trupti Bhattacharya in the presence of Mr. Saba Karim.

Ms. Mithali Raj, Ms. Harmanpreet Kaur, Ms. Hemlata Kala and Ms. Trupti Bhattacharya left the meeting.

Mr. Deshmukh, Mr. Saxena, Ms. Shah and Ms. Chhabra joined the meeting.

B. Task Force for the North-Eastern States

1. The COA was informed that during the COA meeting held on 18th May 2018, the COA had confirmed the formation of a Task Force for the North Eastern States.

However, the Chairman had subsequently said that he wanted to further discuss the matter.

2. The COA noted that its approval to formation of the Task Force had already been communicated to the members of the NADP Committee vide the COA's email dated 21st May 2018.
3. It was discussed that it would be appropriate to have Prof. Ratnakar Shetty included as part of the Task Force so that it could be guided by his expertise. However, prior to his engagement, it would be appropriate to seek his consent for the same. Mr. Karim agreed and stated that he would check with Prof. Shetty for his consent.
4. After some further discussion, the COA decided that after obtaining his consent, Prof. Shetty would be included in the Task Force for the purpose of attending meetings and sharing his expertise.

C. Hosting Fee for Matches of India 'A' Team , India Under-19 Team, Women's Team and Domestic Matches

1. The COA's attention was drawn to the fact that the COA had referred the matter to the Finance Committee as this would entail a change in policy and it was decided that the BCCI would continue to pay the State Associations as per the existing policy in the meantime.
2. It was discussed that the State Associations should be asked to provide a budget for the expenses and, on the basis of the budget provided, BCCI could release 50% amount as advance to enable the State Associations to meet these expenses.
3. After further discussion, the COA decided that:
 - (a) The existing policy of reimbursement of expenses at actuals should be continued until the Finance Committee decides on the issue; and
 - (b) However, the State Associations would be asked to provide a budget, on the basis of which 50% amount should be released as advance and the balance 50% after the State Association submits supporting documents and the expenses are verified.

D. Umpires Policy & Pathway

1. The COA was updated regarding the level 2 examinations that are to be organised. The COA was informed that the pathway for the same has been prepared and is to be implemented in the next season. The need for employing a person on contract basis to assist in this was communicated to the COA.

2. It was discussed that the organization structure does not place any restriction on the number of lower level employees as long as a proper process is followed.
3. After some further discussion, the COA decided that the process of recruiting a person to assist in implementation of umpires policy and pathway can be commenced by preparing an advertisement to be put up on the BCCI website.

E. Purchase of AMS and GPS-enabled Wearable Devices

1. The proposed purchase of an Athlete Management System (“AMS”) and GPS-enabled wearable devices was discussed and the COA was informed that the same are proposed to be procured for the NCA and the National teams. The COA was also informed that this technology envisages a fully integrated digital enterprise wide platform which would be available to all stakeholders – players, coaches, administrators and support functions and would provide the necessary database and analytics to help track, record and analyze player performances.
2. After some further discussion, the COA decided that this is a matter which should be discussed in detail at a subsequent meeting of the COA.

F. Best Pitch Award

1. The COA’s attention was drawn to the decision taken during the COA meeting held on 12th April 2018 to the effect that BCCI should ask each of the State Associations who are intended to be rewarded for best pitch in each zone) for a list of persons who have assisted in pitch preparation along with their respective designations/ roles so that a proper mechanism can be formulated for ensuring that each of them are suitably rewarded.
2. The COA was informed that the Punjab Cricket Association had raised an objection to changing the mechanism for disbursement of the award amount and expressed the view that the entire amount should be disbursed to the concerned State Association only. However, all the other State Associations viz. Mumbai Cricket Association, Chhattisgarh State Cricket Sangh, Karnataka State Cricket Association and Cricket Association of Bengal had responded positively and provided the requisite details.
3. After some further discussion, the COA decided that:
 - (a) The amount towards best pitch award may be disbursed as per the details provided by Mumbai Cricket Association, Chhattisgarh State Cricket Sangh, Karnataka State Cricket Association and Cricket Association of Bengal; and

- (b) A second email should be sent to the Punjab Cricket Association once again requesting for the requisite details.

G. Schedule for 2018-2019 Domestic Season

1. The COA observed that since the format of domestic tournaments including Ranji Trophy that has been approved during the Meeting is different from the one that had been approved by the COA, it should be made clear that the format approved by the COA is being implemented since the COA has decided to issue a direction to the effect that none of the resolutions passed at the Meeting should be implemented.
2. After some further discussion, the COA decided that:
 - (a) A press release may be issued notifying the schedule for the 2018-2019 domestic season in terms of the format approved by the COA.
 - (b) The fact that the Meeting sought to change/ approve a format that is different from the one that had already been approved by the COA should be in the draft status report to be circulated by CAM Team.

H. Way forward for National Cricket Academy

1. The COA was requested to clarify whether the Request for Proposal (“RFP”) document for selecting a master planning agency for the proposed new National Cricket Academy (“NCA”) facility can be proceeded with. The COA noted that it had already addressed an email dated 20th April 2018 to the Acting Secretary requesting that a meeting of the NCA Board be convened to discuss various matters including the development of the NCA facility. However, the Acting Secretary had failed to convene a meeting of the NCA Board as directed by the COA.
2. After some further discussion, the COA decided that it would take up this issue at a subsequent meeting of the COA in the presence of the CEO and Mr. Tufan Ghosh.

ITEM 5: FINANCE MATTERS

A. Gratuity Payment to Ex-Employees

1. The COA was informed that the payment of gratuity to 12 ex-employees is pending. The COA was also informed that the tax free limit for such payment is Rs. 20 lakhs. Particulars of the amount of gratuity payable to each of the 12 ex-employees was communicated to the COA.
2. After some discussion and based on the CFO’s recommendation, the COA approved the payment of the gratuity to the 12 ex-employees as above.

B. Email from Maharashtra Cricket Association dated 29th May 2018

1. The COA noted the email dated 29th May 2018 from the Maharashtra Cricket Association (“MCA”) requesting for disbursement of an amount of Rs. 3.55 crores from the subsidy amount to enable the MCA to fulfil certain financial commitments that have been due since 1st April 2018. The COA’s attention was drawn to the fact that the COA approved disbursement of funds to the MCA in similar situations in the past.
2. The COA was informed that as per the orders dated 7th October 2016 and 21st October 2016 passed by the Hon’ble Supreme Court, the steps required to be taken by a State Association for becoming eligible to receive funds from BCCI are passing a resolution and filing an affidavit, both of which have been done by the MCA in December 2017. The COA was also informed that on the basis of such resolution and affidavit, the COA has disbursed funds to the MCA on previous occasions and has also disbursed funds to other State Associations who have done so.
3. The COA noted that the request contained in the email dated 29th May 2018 specifically refers to release of amount against infrastructure subsidy in respect of which the COA has, during the meeting held on 18th June 2018, decided that a decision will be taken once the BCCI Legal Team confirms that conditions/qualifications subject to which the claims were approved by the Infrastructure Subsidy Committee have been complied with and/or addressed. The COA was informed that it is likely that the MCA will follow this up with another communication generally asking for funds. Accordingly, the COA should take a decision on whether it is going to disburse funds to the MCA or not.
4. After some further discussion, the COA decided that once the MCA makes a request for funds which is not specifically linked to infrastructure subsidy amount, the COA should reject the said request on the following grounds:
 - (a) BCCI has already advanced amounts in excess of what is due from BCCI to the MCA;
 - (b) While the COA had, on earlier occasions taken into account the fact that the MCA has passed a resolution and filed an affidavit in terms of the orders dated 7th October 2016 and 21st October 2016 passed by the Hon’ble Supreme Court, on account of subsequent events (including those set out in the Eighth Status Report dated 27th April 2018 filed by the COA, it is clear that the MCA has no intention of abiding by the aforesaid resolution and affidavit; and
 - (c) For the above reasons, it is neither prudent nor appropriate for BCCI to render any further financial assistance to the MCA in the present circumstances.

C. NCA – Inter Zonal U-16 Inter Academy matches

1. The COA was informed that payments to the Kerala Cricket Association (“KCA”) in connection with the Inter Zonal U-16 Inter Academy matches are pending because the KCA has not yet been declared a compliant association for the purpose of receiving funds from BCCI.
2. After some further discussion, the COA decided that payments in connection with the Inter Zonal U-16 Inter Academy matches may be made to the KCA in accordance with the existing COA decisions/ directions pertaining to payments for cricket operations.

D. Payment to Deceased Scorer’s Family

1. The COA was informed that a scorer had passed away recently while he was in the course of employment with BCCI. A payment of Rs. 5 lakhs compensation to the family of the deceased scorer was recommended.
2. After some discussion and based on the CFO’s recommendation, the COA approved the payment of Rs. 5 lakhs to the deceased scorer’s family.

E. Signatory in relation to Matters relating to Provident Fund

1. The COA was informed that previously Professor Ratnakar Shetty was the signatory for all matters relating to Provident Fund. However, since Prof. Shetty has now retired, a new signatory needs to be designated.
2. After some discussion, the COA decided that the CFO should be the signatory for all matters relating to Provident Fund.

F. Contracts valued above Rs. 25 lakhs

1. The COA was informed that although paragraph 6 of the directions dated 15th March 2018 mandate that all contracts having value of above Rs. 25 lakhs shall be put up by the CEO before the COA for approval, certain contracts which are valued above Rs. 25 lakhs have been executed without the COA’s specific approval.
2. It was observed that the COA’s directions have to be complied with in all instances.
3. After some further discussion the COA decided that the respective Heads of Departments should draw up a list of all contracts which have been executed without complying with COA directions along with particulars of the person responsible for

having negotiated/ finalized the contract without COA approval and submit the same to the CEO and the CFO so that the COA can thereafter determine the way forward.

G. Update on Asia Cup

Mr. Hemang Amin joined the meeting.

1. The COA referred to the discussion during the COA meeting held on 18th May 2018 when it was informed that BCCI would only be hosting the Asia Cup 2018 and that the costs of the same would be borne by the Asian Cricket Council (“ACC”).
2. The COA was briefed on the mechanism followed by the ACC for hosting tournaments including the financial/ commercial arrangements between the ACC and the host cricket board.
3. The COA was informed that pursuant to the discussion during the COA meeting held on 18th May 2018 wherein the COA had decided that BCCI should take the assistance of an appropriate consultant/ advisor while making preparations to put in place the necessary agreements/ arrangements for the Asia Cup 2018 and then place the same before the COA, BCCI had taken the assistance of an appropriate consultant/ advisor. The structuring options formulated by the said consultant/ advisor were discussed as also certain additional structuring options.
4. After some further discussion, the COA decided that BCCI can negotiate with the ACC and the Emirates Cricket Board (“ECB”) with a view to formulating an option that will be fully compliant with all laws as well as be the best possible commercial deal for BCCI in the circumstances and the final negotiated arrangement can then be placed before the COA for approval.

Meeting concluded.

