

**MINUTES OF THE MEETING OF THE COMMITTEE OF ADMINISTRATORS  
HELD ON 6<sup>TH</sup> OCTOBER 2018 AT MARRIOT AEROCITY, NEW DELHI**

Mr. Vinod Rai – Chairman  
Ms. Diana Edulji  
Mr. Rahul Johri – BCCI CEO  
Mr. Prabhakaran Thangaraj - BCCI  
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 RELATING  
THERE TO**

**A. Policy on Allotment of Complimentary Tickets**

1. The COA noted the email dated 25<sup>th</sup> September 2018 received from the Madhya Pradesh Cricket Association (“MPCA”) as well as the communication dated 29<sup>th</sup> September 2018 issued by the Committee of Administrators. The COA was informed that certain State Associations have raised issues in relation to compliance with the cap on allocation of complimentary tickets as mandated by the New BCCI Constitution.
2. The COA was informed that the first match of the ongoing India-West Indies series has already taken place at Rajkot and the next match is scheduled to be played at Hyderabad. The COA was informed that in respect of this second match, the Hyderabad Cricket Association (“HCA”) has been enquiring with the BCCI as to the manner in which the complimentary tickets need to be allocated.
3. Regarding the Mumbai Cricket Association (“Mumbai CA”), the COA was informed that they have asked for payments to be made directly by BCCI. However, the issue which remains to be resolved is that there does not appear to be any signatory on behalf of the Mumbai CA who can either enter into agreements with vendors as required for the match and/or sanction/ authorise transactions on behalf of the Mumbai CA.
4. There was a detailed discussion on the issue of whether tickets/ passes provided to members of the host State Association are complimentary tickets. The COA was also informed of the number of tickets required by BCCI to meet its contractual commitments for each match towards sponsors, etc.

Mr. Saba Karim joined the meeting.



5. After some further discussion, the COA decided that in order to assist State Associations in complying with the 10% cap on complimentary tickets:
  - (a) tickets allocated/ provided by the host State Association to its members as per terms and conditions of membership shall not be treated as complimentary tickets and/or 'sponsor and other free allotments' as per Rule 37(8) of the New BCCI Constitution;
  - (b) BCCI shall reduce its requirement for sponsor and other free allotments to the minimum number required only for meeting its contractual obligations like sponsors, broadcasters, match officials, players, etc. so that maximum possible complimentary tickets within the 10% cap are available to State Associations for allocation as they deem fit;
  - (c) BCCI and host State Associations shall be required to disclose on their respective websites particulars of how and to whom the complimentary tickets have been allotted; and
  - (d) the COA will address an email to all State Associations communicating the above decisions at the earliest.
  
6. A draft of the email to be addressed by the COA to the State Associations in terms of the above decision(s) was prepared on a large screen with inputs from all present. After being satisfied that the final draft correctly captures the above decision(s), the COA decided that the same should be sent to the State Associations at the earliest.

Mr. Vikash Kumar Jha (Cyril Amarchand Mangaldas) joined the meeting.

At this juncture, COA decided to take up the matter relating to the representation made by Mr. Karan Mahajan.

## **ITEM 2: LEGAL MATTERS**

- A. Representation made by Mr. Karan Mahajan pursuant to the Delhi High Court Order
  1. The COA was informed that 17-18 players have filed a petition in the Delhi High Court. The COA was informed that the grievance raised in the said petition is that the children/ wards of railway employees have been representing the Railways in the under-19 and under-23 formats in BCCI domestic tournaments for the last 38 years but BCCI has recently taken a decision to bar them from doing so and restricted representation only to employees of Indian Railways.
  2. After a detailed discussion on the events leading up to the aforesaid decision as well as the contents of the representation made by Mr. Karan Mahajan, the COA decided

that a response to the said representation should be prepared after seeking such information as may be required from the Railway Sports Promotion Board.

At this juncture, the COA decided to take up the issue of Eligibility Criteria for Local Players (Dependents).

### **ITEM 3: CRICKETING MATTERS**

#### **A. Eligibility Criteria for Local Players (Dependents)**

1. The COA was informed that if the parent/ guardian who is a government employee gets transferred, then the child/ ward is at a disadvantage because he/ she will not be selected by the new State Association in whose jurisdiction his/ her parent/ guardian has now been transferred.
2. It was suggested that if there is a genuine apprehension that children/ wards of railway employees are being side-lined/ neglected by State Associations only because such children/ wards are eligible to play for Railways, then the BCCI can, at the most, consider clarifying that State Associations should not bar children/ wards of railway employees from participating in selection trials, etc. for the State Association teams only on this ground.
3. The COA was informed that as per the eligibility criteria for BCCI domestic tournaments, a person should have resided in the relevant State/ territory for a particular period in order to be eligible to represent that State Association. He added that this will have to be changed in order to accommodate any children/ wards affected by their parent/ guardian being transferred. It was discussed that the minimum residence requirement may be relaxed for such children/ wards of all government employees. It was pointed out to the COA that a child/ ward who does not meet the minimum residence requirement can still opt to play for the State Association in whose jurisdiction he/ she was born.
4. The Chairman observed that he does not see any problem in relaxing the minimum residence requirement for government employees provided certain procedural safeguards are put in place such as submitting a copy of the transfer order of parent/ guardian and a valid address proof in the new State/ territory.

At this juncture, the COA decided to take up certain matters which are not on the agenda.

### **ITEM 5: ANY OTHER MATTER**

#### **A. Selectors of the Hyderabad Cricket Association**



1. The COA was informed that the selectors of the HCA are yet to be appointed.
2. After some further discussion, the COA decided that Mr. Saba Karim can discuss the matter with Prof. Ratnakar Shetty and request the HCA COA for a decision on this issue.

B. Catering Bill of Assam Cricket Association

1. The COA was informed that the Assam Cricket Association (“ACA”) has submitted particulars of its catering bills for its local tournaments and requested that funds for the same be released by BCCI since the same caterer is intended to be engaged for the One Day International Match to be played at Guwahati. It was discussed that if the caterer is not paid the outstanding dues, he may refuse to provide catering services for the One Day International Match and the same will then have to be hosted elsewhere.
2. It was pointed out to the COA that as per the Hon’ble Supreme Court’s judgment dated 9<sup>th</sup> August 2018 (“**Judgment**”) read with the orders dated 7<sup>th</sup> October 2016 and 21<sup>st</sup> October 2016 passed by the Hon’ble Supreme Court, no funds can be released to a State Association which has not complied with the Judgment.
3. After some further discussion, the COA decided that funds can be released to the ACA only once the ACA complies with the Judgment.

C. Email from Maharashtra Cricket Association

1. The COA was informed that the Maharashtra Cricket Association (“**Maharashtra CA**”) has said that it does not have any money to conduct the One Day International Match at Pune.
2. After some further discussion, the COA observed that the hosting subsidy amount may be paid to the Maharashtra CA and the CEO should speak to concerned official(s) of the Maharashtra CA to ascertain what its requirements are so that the COA can take an informed decision in the matter.

**ITEM 2: LEGAL MATTERS (CONTINUED)**

B. Update on Dispute with Pakistan Cricket Board

1. The COA was briefed on the hearing in the matter and took note of the same. It was suggested that the COA address an email to all the witnesses thanking them for assisting BCCI.
2. After some further discussion, the COA decided that it will address an email to all the witnesses thanking them for assisting BCCI.

At this juncture, the COA decided to take up the remaining Cricketing Matters.

### **ITEM 3: CRICKETING MATTERS (CONTINUED)**

#### **B. Extension of Left-Handed Training Assistant for Senior Men's Team**

1. The COA was informed that pursuant to the decision during the COA meeting held on 11<sup>th</sup> September 2018, a left-handed bowling trainer (designation of Training Assistant) had been recruited for the Senior Men's Team on a trial basis during the Asia Cup 2018. The COA was informed that the entire coaching staff had provided positive feedback on the said Training Assistant and recommended that he be given a longer contract. Accordingly, it was recommended that the said Training Assistant can now be appointed on the same terms and conditions for the period 1<sup>st</sup> October 2018 to 31<sup>st</sup> July 2019.
2. After some discussion, the COA decided that the said Training Assistant should be appointed as Training Assistant for the period 1<sup>st</sup> October 2018 to 31<sup>st</sup> July 2019 on the same terms and conditions as earlier.

**Action:** CEO

#### **C. Update on Asia Cup**

1. The COA was informed that the Asia Cup 2018 was a successful tournament and that the stadia for the matches were full.
2. The COA took note of the same.

### **ITEM 2: LEGAL MATTERS (CONTINUED)**

#### **C. Order dated 1<sup>st</sup> October 2018 passed by the Central Information Commission**

1. The COA was briefed on the order dated 1<sup>st</sup> October 2018 passed by the Central Information Commission ("CIC") whereby certain directions have been issued under the Right to Information Act, 2005 ("RTI Act"). The COA was informed of the legal advice received by BCCI.
2. After some further discussion, the COA issued instructions on the steps to be taken to proceed legally in respect of the aforesaid order whilst directing that everything which is mandatorily required to be put up on the BCCI's website as per the New BCCI Constitution and earlier decisions of the COA should be put up at the earliest.

#### **D. Issue pertaining to Payment of Stamp Duty**



1. The COA was briefed on the pros and cons of the options available with BCCI in the matter. After some discussion the COA decided that it will break for lunch and discuss the issue once the CFO joins the meeting after lunch.

Mr. Saba Karim and Mr. Prabhakaran Thangaraj left the meeting.

There was a break for lunch. Meeting resumed after lunch.

The CFO joined the meeting.

2. The COA was briefed by the CFO on his meeting with the Stamp Authorities.
3. After some further discussion, the COA decided that BCCI should consult Senior Counsel regarding the way forward and proceed as per his advice.

#### **ITEM 4: FINANCE MATTERS**

##### **A. Annual Report for 2016-2017**

1. The COA was informed that the Annual Report of BCCI for the year 2016-2017 is being finalized and the same usually includes a message/ short note from the senior officials of BCCI. The COA was asked whether it would like to include a message/ short note in the said Annual Report.
2. The Chairman observed that the COA was only in charge for 2 months of the financial year 2016-2017 and hence there is no need for a message/ short note from the COA in the Annual Report for the said year.
3. After some further discussion, the COA decided that the Annual Report of BCCI for the financial 2016-2017 will not include any message/ short note either from the COA or from the office bearers.

##### **B. Authorized Signatory for Credit Cards**

1. The COA was informed that currently only the CEO and the CFO are the authorized signatories for credit cards.
2. The COA asked the COA to circulate an email on the issue with suggested names of additional signatories in order for the COA to take a decision.

At this juncture, the COA was informed that the CEO has had a conversation with the concerned official of the Maharashtra CA and requested that the said matter be taken up once again.



## **ITEM 5: ANY OTHER MATTER (CONTINUED)**

### **C. Email from Maharashtra Cricket Association (Continued)**

1. The COA was informed that the concerned official of the Maharashtra CA has requested that since all the bank accounts of the Maharashtra CA are charged to banks, no amount (including the hosting subsidy) should be disbursed by BCCI to the Maharashtra CA. Instead, BCCI should directly make payments to various vendors and also directly receive all amounts that would otherwise have been received by the Maharashtra CA from third parties in connection with the One Day International Match to be played at Pune. After squaring off the income received in respect of the said match with the expenditure incurred, only the excess of income over expenditure should be disbursed to the Maharashtra CA so that it can be appropriated by the bank.
2. It was pointed out to the COA that the amounts that are to be received by the Maharashtra CA from third parties would be pursuant to concluded contracts, the proceeds of which would have already been charged to banks. Accordingly, BCCI should expect banks to issue garnishee notices to BCCI once they get to know that amounts that are actually to be received by the Maharashtra CA from third parties are being remitted to BCCI instead.
3. After some further discussion, the COA decided that it will not disburse any amount (including the hosting subsidy) to the Maharashtra CA but will utilize the said amount to directly pay vendors in connection with the conduct of the said match. In the event, the expenditure in relation to the said match exceeds the hosting subsidy amount, the COA will then take an appropriate decision on how to recover the said amount from the Maharashtra CA.

## **ITEM 1: IMPLEMENTATION OF REFORMS AND MATTERS RELATING THERETO (CONTINUED)**

### **B. Review of Compliance by State Associations**

1. The COA was informed that pursuant to the COA meeting held on 25<sup>th</sup> September 2018, the COA has been advised by Senior Advocates that it should file its status report with reference to compliance undertaken by the State Associations only after it has scrutinized all the compliance certificates and accompanying amended constitutions which it has received.
2. The COA was then informed that most of the compliance certificates and accompanying amended constitutions that have been received by the COA till date have been reviewed and even as the review of the few remaining amended constitutions is underway, a work in progress version chart of all deviations in the

various State Associations' constitutions (when compared to the New BCCI Constitution) has been prepared and circulated to the COA in terms of the decision taken during the COA meeting held on 25<sup>th</sup> September 2018. It was discussed that this chart may be used for the purpose of discussion and decision on which of the deviations are critical and which are not.

3. It was discussed that in the interests of carrying out the exercise of classifying each deviation as critical or otherwise in an efficient manner, the COA will categorize them as RED (critical), GREEN (non-critical) or YELLOW (to be discussed in greater detail). Accordingly, the COA went through the chart of all deviations in the various State Associations' constitutions (when compared to the New BCCI Constitution) and the COA classified the same as RED (critical), GREEN (non-critical) and YELLOW (to be discussed in greater detail).
4. Thereafter, the COA decided to discuss the four deviations categorized as YELLOW (to be discussed in greater detail).

(1) PLAYERS' ASSOCIATION AT STATE LEVEL:

1. Reference was made to the COA meeting held on 18<sup>th</sup> May 2018 which members of the Steering Committee/ Working Group for the Cricket Players' Association ("CPA") had also attended along with their legal adviser.
2. After a detailed discussion, the COA decided that the players' representatives on the Apex Council and/or Governing Council of each State Association shall be nominated by the CPA from amongst those of its members who hail from the relevant State.

(2) COOLING OFF PERIOD APPLICABLE TO 2 CONSECUTIVE TERMS IN STATE ASSOCIATION AND/OR DISTRICT ASSOCIATION:

After discussion, the COA decided that:

- (a) it is mandatory to have a cooling off period applicable after 2 consecutive terms either in BCCI or the State Association or a combination of both and absence of such a provision should be treated as a critical deviation; and
- (b) in the event an amended constitution also mandates a cooling off period applicable after 2 consecutive terms either in the State Association or a District Association (in addition to the above mandatory cooling off provision), the presence of such a provision should not be treated as a critical deviation.

(3) REDUCTION IN HOW MANY YEARS PREVIOUSLY SELECTOR SHOULD HAVE RETIRED:



1. The COA was informed that Rule 26(2)(A)(ii)(b) of the New BCCI Constitution provides that every member of the Men's Selection Committee should have retired from the game at least 5 years previously. Similar provision is there in Rule 26(2)(B)(i) of the New BCCI Constitution in respect of the Junior Cricket Committee and Rule 26(2)(C)(ii) of the New BCCI Constitution in respect of the Women's Selection Committee. It was pointed out to the COA that some State Associations do not require selectors to have retired at least 5 years previously. The COA was asked whether this should be treated as a critical deviation or otherwise.
2. The COA discussed the rationale for the said rule and the practical difficulties which State Associations are likely to face if the same is made applicable as it is to them.
3. After some further discussion, the COA decided that it is sufficient if all selectors of State Associations have retired from the game and they need not have retired at least 5 years previously, like in the case of BCCI.

(4) ABSENCE OF POWER OF ETHICS OFFICER TO DIRECT ADDITIONAL MEASURES OR RESTITUTION:

1. The COA was informed that Rule 39(3) of the New BCCI Constitution provides that the Ethics Officer is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstances. It was pointed out that at least one State Association's amended constitution has all the other provisions relating to powers and duties of the Ethics Officer but this once provision is absent. It was discussed that while this may be an inadvertent omission, the COA is required to decide whether such omission should be treated as a critical deviation or otherwise.
2. After some further discussion, the COA decided that the omission of the Ethics Officer's power to direct any additional measures or restitution as is deemed fit in the circumstances should be treated as a critical deviation.

At this juncture, the COA decided to also discuss the issue of whether having more than 9 members on the Apex Council/ Managing Committee of the State Association should be treated as a critical deviation.

(5) STRENGTH OF APEX COUNCIL/ MANAGING COMMITTEE IS MORE THAN 9 MEMBERS:

1. The issue of whether there is any merit in allowing State Associations to have an Apex Council/ Managing Committee of more than 9 members was discussed. It was discussed that the nature of activities of State Associations is substantially different from BCCI and requires more persons to be involved.



2. Reference was made to the relevant portion of the Lodha Committee Report which deals with the composition of the Apex Council of BCCI and it was pointed out that the rationale for reducing the strength of the Apex Council to 9 was to maintain a fair balance between elected representatives (6 in number) and independent members (3 in number). It was discussed that the aforementioned rationale for limiting the strength of the Apex Council of BCCI to 9 members is equally applicable to State Associations. It was discussed that since the number of independent members is limited to 3 (i.e. 2 player representatives and 1 nominee of the Accountant General of the State), the ratio/ balance between elected members and independent members will be disrupted if the strength of the Apex Council/ Managing Committee is increased.
3. The issue of whether the COA can permit the strength of the Apex Council/ Managing Committee to be increased subject to the ratio/ balance between elected members and independent members being maintained was discussed. It was discussed that there will be difficulty in determining who the additional independent members should be and how they should be appointed. It was discussed that since the COA is not treating the existence of additional committees as a critical deviation, these additional committees can be entrusted with various tasks which would otherwise have been carried out by the erstwhile larger Apex Council/ Managing Committee. In this manner, the need to have additional persons available to carry out the activities of the State Association can be addressed.
4. After some further discussion, the COA decided that having an Apex Council/ Managing Committee of more than 9 members should be treated as a critical deviation.

At this juncture, the COA decided to discuss the next steps that are now required to be taken before the status report with reference to compliance undertaken by the State Associations can be filed in terms of the Judgment.

(6) WAY FORWARD:

1. The COA was informed that once scrutiny of the remaining compliance certificates and accompanying amended constitutions has been completed, an updated chart of all deviations in the various State Associations' constitutions (when compared to the New BCCI Constitution) along with the COA's categorization thereof (i.e. whether critical or non-critical) will be circulated to the COA. It was discussed that in the event any further compliance certificates and accompanying amended constitution, those should also be scrutinized despite having been submitted beyond the deadline specified in the Judgment.
2. It was discussed that based on the approved chart of deviations along with categorization, a separate chart classifying each State Association as either non-compliant, partially compliant or substantially compliant can be circulated for the

COA's approval. On the basis of the said approved classification, the status report with reference to compliance undertaken by the State Associations can be prepared and circulated for the COA's approval.

3. After some further discussion, the COA decided that:
  - (a) once scrutiny of the remaining compliance certificates and accompanying amended constitutions has been completed, an updated chart of all deviations in the various State Associations' constitutions (when compared to the New BCCI Constitution) along with the COA's categorization thereof (i.e. whether critical or non-critical) will be circulated to the COA;
  - (b) in the event any further compliance certificates and accompanying amended constitution, those should also be scrutinized despite having been submitted beyond the deadline specified in the Judgment;
  - (c) in the event there are any additional deviations (i.e. which have not been discussed by the COA above) that emerge during the remaining scrutiny, the COA will take an appropriate decision on whether such deviations should be categorized as critical or non-critical;
  - (d) once the chart of all deviations and their categorization into critical and non-critical has been approved by the COA, a separate chart classifying each State Association as either non-compliant, partially compliant or substantially compliant should be circulated to the COA; and
  - (e) once the chart classifying each State Association as either non-compliant, partially compliant or substantially compliant has been approved by the COA, a revised draft of the status report with reference to compliance by State Associations should be circulated to the COA.

At this juncture, COA decided to discuss a matter relating to the Delhi & District Cricket Association ("DDCA").

(7) MEMBERSHIP STRUCTURE OF THE DELHI & DISTRICT CRICKET ASSOCIATION:

1. It was discussed that the clubs which actually play cricket in Delhi do not have voting rights in the DDCA. It was noted that the changes which the Lodha Committee Report and the Judgment require to be made in the membership of State Associations is to grant automatic membership to former international cricketers hailing from the State and to ensure that social clubs are divorced from the administration of cricket.
2. After some further discussion, the COA decided that:

- (a) it will address an email to all State Associations seeking confirmation that their respective membership structures are in conformity with the Lodha Committee Report; and
- (b) based on the response (if any) received from the DDCA to the said email, the COA will take a decision on whether to specifically take up the issue of voting rights to affiliated clubs of DDCA.

Meeting concluded.

A handwritten signature in blue ink, consisting of a stylized 'V' followed by a series of loops and a wavy tail.