

Justice L. Nageswara Rao
Former Judge, Supreme Court of India

BEFORE JUSTICE L. NAGESWARA RAO

FORMER JUDGE, SUPREME COURT OF INDIA

(Single Member Committee, Hyderabad Cricket Association)

Constituted by the Supreme Court of India in Special Leave

Petition (C) No.6779 of 2021 vide Order dated 14.02.2023

DATE: 31.07.2023

ORDER

1. On 06.06.2020, the Apex Council appointed Justice Deepak Verma, Former Judge of the Supreme Court of India as Ombudsman and Ethics Officer of the Hyderabad Cricket Association (hereinafter referred to as, 'the HCA'). M/s. Budding Star Cricket Club, Hyderabad filed PSROP No.17 of 2020 before the XXV Additional Chief Judge, City Civil Court, Hyderabad challenging the said appointment. I.A. No.674 of 2020 filed by the said Club was allowed and the decision dated 06.06.2020 of the Apex Council, Hyderabad Cricket Association was suspended. CRP No.117 of 2021 filed against the order of the City Civil Court was allowed by the High Court of Telangana on 06.04.2021 and

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the O.P. itself was dismissed. Special Leave Petition (C) No.6779 of 2021 was filed by the HCA against the judgment of the High Court of Telangana. By an order dated 22.08.2022, the Supreme Court of India appointed a Committee to supervise the management of the affairs of HCA. In the meanwhile, the term of the elected Apex Council came to an end on 26th September 2022. As an interim arrangement, the Supreme Court of India directed the President and the Secretary of the HCA to jointly sign the cheques.

2. On 14.02.2023, the Supreme Court of India appointed me as the Single Member Committee to ensure that fair and proper elections are conducted to the Apex Council of the HCA and to administer the affairs of the Association. In view of the absence of unanimity between the members of the Supervisory Committee, the Supreme Court directed that the Supervisory Committee would not survive.

3. An interim report was submitted by the Supervisory Committee appointed by the Supreme Court in which there was a reference to several representations received by the Committee and the issues that

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had to be dealt with. One of the issues mentioned in the said report relates to ownership of multiple clubs by an individual/family member. It was mentioned in the said report that 80 clubs are owned by 12 individuals and their family members. The owners of 80 clubs form a coterie controlling elections to key posts to the Apex Council. There is also a reference to the letter written by the Commissioner of Greater Hyderabad Municipal Corporation (hereinafter referred to as, 'the GHMC') on 8th December, 2022 requesting 21 clubs belonging to the Corporation which are under the control of private persons, to be returned to the GHMC.

4. After my appointment by the Supreme Court, I visited Hyderabad on several occasions and met past & present members of the Apex Council, secretaries of member clubs of the HCA as well as others who were interested in the good governance of the Association. Various issues plaguing the HCA have been brought to my notice, one of them being multiple ownership of clubs by an individual/family.

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5. In this regard, Notices were issued to all 206 clubs who are members of the Association, seeking information relating to the following:

- 5.1. Details and documents pertaining to their affiliation (such as date of affiliation, application for affiliation, letter of affiliation);
- 5.2. Byelaws of their club, including, registration certificate, if any, with any governmental authority (such as Registrar of Societies);
- 5.3. Details of whether the executive body/governing body of the club is elected or nominated. Details regarding the elections of the executive body/governing body of the Club, first three elections and last three elections that have been held at the club;
- 5.4. Details of transfer of ownership and/or management of the club (since the time of affiliation) along with a list of all transfers with the dates of the same. Details of all different names the club entity has been known by since its inception;
- 5.5. Whether the family members, affiliates, employees, servants, or agents of owners and/or managers and/or

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administrators of the club are persons having any ownership, control, management or pecuniary or administrative interest in any other member of HCA;

5.6. Details of the participation of the club in league competitions [atleast details pertaining to the first 5 leagues and the last 5 leagues the club has participated in];

5.7. Whether the accounts of the club have been audited or not, along with the details of the signatories of the bank accounts as existing on 14.02.2023. Particulars through which payment has been made to HCA for annual membership fee and subscription for membership and bank account in which any payment(s) have been received from HCA; and

5.8. Details of the ground (if any) that the clubs own or holds as a long-term lessee (wherein the lease is more than 5 years) along with details and copy of such ownership/lease.

6. All the clubs submitted their representations, though some of them were incomplete. After a detailed scrutiny of the information provided by the clubs and on the basis of reliable information, notices

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were issued to 80 clubs to submit further details about the management of the clubs for the purpose of finding out whether a person/family members are in control or have connection with more than one club. Notices were also issued to 18 clubs, which according to GHMC, were institutional clubs that were unauthorizedly transferred to private persons. Notices were also issued to four (4) other clubs which were originally registered in HCA as institutional clubs, which at present are private clubs. In a dispute relating to the ownership of clubs, notices were issued to rival parties in respect of two clubs.

7. After receiving the response from the individual clubs, an opportunity of oral hearing was given to the representatives of the clubs who appeared in person or through their counsel before me on 30th May 2023, 31st May 2023 and 1st June 2023.

8. In so far as the claim by GHMC, a hearing was conducted virtually on 20th June 2023. On the same day, all representatives of the clubs which were alleged originally to be institutional clubs and were

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transferred to private persons and clubs having *inter se* dispute regarding ownership were also heard.

9. While dealing with the membership and privileges in Chapter X of the report, Justice R.M. Lodha Committee pointed out that in respect of membership to the Board of Control for Cricket in India (BCCI) there are no guidelines and it is often at the pleasure of the incumbents. It was observed that in cases where clubs are members, a few powerful interests control several clubs, thereby positioning themselves for easy election with the sizeable chunk of the convenient electorate. It was further observed by Justice Lodha Committee that certain associations function more as social clubs controlled by a few families.

10. The full members of the HCA elect the office bearers of the Association. According to the 2019 voters' list, there are 215 members of the General Body with voting rights, apart from players who have represented India. From a perusal of the records, no new members have been admitted after 1986. In the interim report of the Supervisory Committee, it has been mentioned that there are several transfers of

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clubs which were done either with or without due authorization, with which we are not concerned at present.

11. Ownership of multiple clubs by an individual/family members would be detrimental to fair play and good governance, apart from the conflict of interest. Further, a few individuals holding control over several clubs form a cartel which would decide who should be elected to the Apex Council. This would result in the elections to the Apex Council not being fair and transparent. According to the information received from several quarters, this appears to be the saga of all the past elections to the Apex Council of HCA. To uphold the democratic principles of fairness in elections to the Apex Council of HCA and to prevent the propensity for manipulation and maneuvering by a few individuals controlling a number of clubs, I found it necessary to conduct a detailed inquiry into the ownership of multiple clubs.

12. Multiple membership of clubs leads to players, matches or tournaments being exposed to possible corruption through match manipulation. Owning or having control over more than one club also

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gives rise to a conundrum wherein the said owner may prioritize the development of one club over the other, thereby hampering the growth of the other club as well as the players therein. The practice of owning more than one club has been scrutinized and banned worldwide across multiple sports.

13. Though, the league matches conducted by HCA are in three different divisions, ownership of more than one club by an individual/family would potentially lead to a manipulation of the performance of the players according to the whims and fancies of the owner. Fairness in the game of cricket is sacrificed when there is match fixing, especially in respect of number of runs scored by a batsman and the wickets that are taken by a bowler.

14. In football, the International Federation of Association Football (FIFA), which is the governing body for the sport of football across the world, provides for the limitation on control and voting rights thereof for any person who's on the board of any club. Article 20.2 of the FIFA

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Statutes and Regulations Governing the Application of the Statutes¹

states that:

“Every member association shall ensure that its affiliated clubs can take all decisions on any matters regarding membership independently of any external body. This obligation applies regardless of an affiliated club’s corporate structure. In any case, the member association shall ensure that neither a natural nor a legal person (including holding companies and subsidiaries) exercises control in any manner whatsoever (in particular through a majority shareholding, a majority of voting rights, a majority of seats on the board of directors or any other form of economic dependence or control, etc.) over more than one club whenever the integrity of any match or competition could be jeopardised.”

15. As can be seen from the article reproduced above, control by any person in more than one club is strictly prohibited in the best

¹ Regulations Governing the Application of the Statutes, FIFA Statutes, Pg. 21 of FIFA Legal Handbook, September 2022 | available at <https://digitalhub.fifa.com/m/8222fe0e3964060/original/FIFA-LEGAL-HANDBOOK-EDITION-SEPTEMBER-2022.pdf>

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interests of integrity of sport. Similarly, Rule 5² of the Standardised Rules issued by The Football Association of England (“The FA”) also provides for a strict restriction on any person having any control whatsoever, in more than one club. Further, Section 21 of the FA Handbook 2022 – 2023³ stipulates an *Owners’ and Directors’ Test* which lays down the various regulations for the Owners’ and Directors’ Test for Clubs competing in various leagues in England. Schedule One of the said Rules provides for a declaration which ensures that the deponent does not have any control or the power to control or influence the management or administration of any other club in any league in England.

16. The Union of European Football Associations (UEFA) is the governing body of European football and the umbrella organisation for

² Interests in more than one club, Rule 5, Standardised Rules, Pg. 500 of the FA Handbook 2022 – 2023 | available at <https://www.thefa.com/-/media/files/thefaportal/governance-docs/rules-of-the-association/2022-23/individual-sections/the-fa-handbook-2022-23-april-update.ashx>

³ Owners’ and Directors’ Test, Section 21, Pg. 419 - 431 of the FA Handbook 2022 – 2023 | available at <https://www.thefa.com/-/media/files/thefaportal/governance-docs/rules-of-the-association/2022-23/individual-sections/the-fa-handbook-2022-23-april-update.ashx>

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55 national associations. Article 5⁴ of the Regulations of the UEFA Champions League 2021 – 2024 Cycle, aims to protect the integrity of its competitions and football by ensuring that no participating club has direct or indirect ownership, interest, or control in any other participating club. In the event the aforesaid provisions are not complied with, Article 5 of the said regulations ensure that only one of such conflicting clubs shall be allowed to participate in UEFA Champions League.

17. In the National Football League [league for American football] held in the United States of America, the Constitution and bylaws of the NFL also lay down “*Prohibited Conduct*” under Article 9⁵, wherein multiple ownership or control has been banned.

18. Similarly, *Fédération internationale de basket-ball* (FIBA), which is the governing body for the sport of basketball across the world, does not allow for multiple ownership. As such, Article 12.6 of the FIBA

⁴ Article 5 of the Regulations of the UEFA Champions League 2021 – 2024 | available at <https://documents.uefa.com/r/Regulations-of-the-UEFA-Champions-League-2023/24/Article-5-Integrity-of-the-competition/multi-club-ownership-Online>

⁵ Article 9 – Prohibited Conduct, Constitution and Bylaws of the National Football League, Pg. 37| available at <https://www.onlabor.org/wp-content/uploads/2017/04/co .pdf>

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General Statutes 2021⁶ do not allow for a national member federation or any other person/entity related to such member federation, to participate directly or indirectly in the management or exploitation of broadcast, marketing, merchandising, or similar rights of another national member federation.

19. During the course of inquiry, I noticed that several persons have adjusted their affairs in changing their executive committees in line with the recommendations made by Justice Lodha Committee. Some individuals represented to me that they do not have control over more than one club, though their family members are running other clubs, as, according to them, there is no bar in their family members having control over other clubs. I am of the opinion that the practice of individuals controlling more than one clubs should be discontinued. This applies not only to the individual but also to his immediate family members like parents, spouse, siblings, spouses of siblings, children and spouses of children. It was construed from the hearings that control

⁶ Article 12.6 – Clubs, Other Bodies and Leagues, FIBA General Statutes 2021, Pg. 10 | available at <https://www.fiba.basketball/documents/fiba-general-statutes.pdf>

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could only be established by the members of one club through its affiliation with another club, wherein the said clubs have such members of their immediate family as office bearers. In this context and as explained above, immediate family shall include a person's closest family unit, i.e., parents, spouse, siblings, spouses of siblings, children and spouses of children. For the reasons stated in this order above, leverage can be granted to families having affiliation with other clubs through distant relatives such as cousins, nieces, nephews etc.

20. Keeping in mind all of the above, the following are the findings in respect of clubs which are under the control of an individual/family members:

20.1. The submissions, documentation and evidence collated conclude that Mr. Dharam Chand Agarwal, Secretary of Hyderabad Titans Cricket Club, Mr. Purushottam Agarwal, Secretary of Vijay Anand Cricket Club, Prakash Chand Agarwal, Secretary of Victoria Cricket Club, Vijay Kumar Agarwal, President of Hyderabad Patriots Cricket Club,

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Anand Kumar Agarwal, Secretary of Hyderabad Panthers Cricket Club, Gopal Chand Agarwal, Secretary of Secunderabad Gymkhana Cricket Club are sons of Late Shri Hari Chand Agarwal and Ms. Shakuntala Devi, the current President of Victoria Cricket Club indicating that they are brothers and fall under the ambit of “*immediate family*”.

20.2. Additionally, the bank account documents presented by Mayura Cricket Club reveal that, the Agarwal brothers namely, Mr. Mukesh Chand Agarwal, Ramjilal, Mr. Dharam Chand Agarwal, Anand Kumar Agarwal, Narayan Kakani are all the joint account holders of the bank account of Mayura Cricket Club indicating an indirect control over the club by the Agarwal family.

20.3. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next

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one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

- 20.3.1. Hyderabad Titans Cricket Club
- 20.3.2. Vijay Anand Cricket Club
- 20.3.3. Victoria Cricket Club
- 20.3.4. Hyderabad Patriots Cricket Club
- 20.3.5. Hyderabad Panthers Cricket Club
- 20.3.6. Secunderabad Gymkhana Cricket Club
- 20.3.7. Mayura Cricket Club

20.4. It was further revealed that President of Agarwal Seniors Cricket Club, Ms. Arushi Agarwal is the wife of Devashish Agarwal who is the present President of Hyderabad Titans Cricket Club; Mr. Akshit Agarwal who appeared in the capacity of Secretary of Akshit Cricket Club is the son of Mr. Surender Kumar Agarwal, Secretary of Shri Shyam Cricket Club (Formerly known as P & T Colony Cricket Club) and Ms. Vanitha Agarwal who is the present President of Akshit Cricket Club and Treasurer of Jai Bhagwathi Cricket Club and

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grandson of Ghanshyamdas Agarwal, Secretary of Agarwal Seniors Cricket Club (Father of Surender Kumar Agarwal, Pradeep Kumar Agarwal, Sudeep Kumar Agarwal and Sandeep Kumar Agarwal). On further inquiry, it was also found that Mr. Sunil Agarwal, the Joint Secretary of Jai Bhagwathi Cricket Club is also the Secretary of Reliance Cricket Club.

20.5. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years. The said clubs are as listed below:

20.5.1. Agarwal Seniors Cricket Club

20.5.2. Akshit Cricket Club

20.5.3. Jai Bhagwathi Cricket Club

20.5.4. Reliance Cricket Club

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20.5.6. Shri Shyam Cricket Club (Formerly known as P & T Colony Cricket Club)

20.6. On subsequent hearings, the family members of Mr. Adnan Mahmood appeared before me. Mr. Imran Mahmood of Mahmood Cricket Club appeared before me in the capacity of its Secretary. Mr. Imran Mahmood admitted during the hearing that he is also the President of Sunshine Cricket Club and is the brother of Mr. Adnan Mahmood who is not only the Secretary of Adnan Cricket Club but also has stakes at Lords Cricket Club as admitted by Mr. Imran Mahmood himself. Apparently, he is also the father of Dr. Salman Mahmood, the present Secretary of Sunshine Cricket Club.

20.7. It was further revealed that, Mr. Aman Adnan Mahmood who appeared on behalf of Lords Cricket Club in the capacity of the Secretary of the club and Mr. Zeeshan Adnan Mahmood who appeared as the Secretary of Green Turf Cricket Club are the sons of Mr. Adnan Mahmood, Secretary of Adnan Cricket

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Club. It is pertinent to note that Mr. Adnan Mahmood passed away during the inquiry, before this order could be released. It appears from the record that other office bearers of Adnan Cricket Club or their family members do not hold any elected/nominated posts in any other affiliated club of the Hyderabad Cricket Association.

20.8. It is clear from their submissions itself that there is no hesitation in admitting that there exists apparent conflict of interest as per the guidelines of the Lodha Committee. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.8.1. Mahmood Cricket Club

20.8.2. Sunshine Cricket Club

20.8.3. Lords Cricket Club

20.9. During the hearings, Mr. Ammar M Ayub appeared as the Secretary of Enskonce Cricket Club. It was inquired whether Mr. Arshad Ayub has been in-charge since its affiliation to which he responded stating that since 2018, he has been in-charge of the club. He also admitted that he is the son of Mr. Arshad Ayub, who is also currently the President of Green Turf Cricket Club. Further, on inquiry he submitted that the bank account is managed by the Treasurer, which post is currently held by his sister Ambreen Fatima Ayub. However, he denied having any of his family members related to any other club in support of which he was also ready to file an affidavit, as instructed by me.

20.10. Thereafter, Ms. Arshia Ayub, the Secretary of Hyderabad Wanderers Cricket Club followed suit and on inquiring about her relations with Mr. Arshad Ayub, she admitted to being his wife. She further submitted that the

current executive committee has been in place since 2018.

She further agreed to also file an affidavit stating that none of her family members are affiliated to any other club.

20.11. It is clear from their submissions that there is a direct conflict of interest as per the guidelines of the Lodha Committee. Mr. Arshad Ayub who is the President of Green Turf Cricket Club is the father of Mr. Ammar Ayub, the Secretary of Ensconce Cricket Club and the husband of Ms. Arshia Ayub, the Secretary of Hyderabad Wanderers Cricket Club. There is direct conflict of interest between both the clubs. Therefore, all the above-named clubs are clearly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.11.1. Ensconce Cricket Club

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20.11.2. Hyderabad Wanderers Cricket Club

20.11.3. Green Turf Cricket Club

20.12. On the first day of hearing, I received a letter from Mr. Prakash Chand Jain, Secretary of Evergreen Cricket Club, Sanjay Kumar Jain, President of Kishoresons Detergent Cricket Club and Rajendra Kumar Jain, President of Southend Raymonds Cricket Club, requesting for another date of hearing due to the demise of their relative Mr. Shashwath Jain. However, Mr. Prakash Chand Jain appeared before me. The remaining two clubs appeared before me on 20.06.2023.

20.13. From their oral submissions and documents provided, it is clear that Mr. Prakash Chand Jain of Evergreen Cricket Club is the father of Mr. Yash Jain who is the Joint Secretary of Southend Raymonds Cricket Club and further from the letters submitted by Evergreen Cricket Club, Kishoresons Detergent Cricket Club, Southend Raymonds Cricket Club that Mr. Prakash Chand Jain is the brother of Mr. Dharam Chand Jain, and the uncle of Mr. Shashwath Jain, the erstwhile Secretary of

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Kishoresons Detergent Cricket Club and uncle of Sri Rajendra Kumar Jain, the President of Southend Raymonds Cricket Club.

20.14. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

- 20.14.1. Evergreen Cricket Club
- 20.14.2. Southend Cricket Club
- 20.14.3. Kishoresons Detergent Cricket Club

20.15. During the hearings, Mr. Vanka Mahender of Picket Cricket Club appeared before me in the capacity of its Secretary. He intimated that the executive body had been elected in the year 2003, after which there has been no alteration in its constitution

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and that the current serving President is Mrs. Sireesha who is also his wife. On inquiry about his relationship with Mr. Vanka Pratap, he admitted that Mr. Pratap is his first cousin and further that Mr. Vanka Pramod, the Vice President of the Club is the brother of Mr. Vanka Pratap, the Secretary of Gunrock Cricket Club.

20.16. Thereafter, Mr. Vanka Pratap appeared before me on behalf of Gunrock Cricket Club in the capacity of its Secretary. During the said hearing it was inquired about his previous experience as the erstwhile member of the Executive Committee of HCA. He promptly responded that he had been able to successfully contribute to the administration and also suggested changes to the procedure for selections of the cricketers for a tournament. It is recorded that apart from the change in the post of the Vice President due to the death of the erstwhile Vice President, Mr. Gurneet Singh, none of the posts were changed since 2015. It was further inquired if any of the club's current Executive Committee members were affiliated with any other club. It was

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clarified by him that no such relations with other clubs subsisted at the moment.

20.17. It is clear from their submissions itself that there is no hesitation in admitting that there exists apparent conflict of interest as per the guidelines of the Lodha Committee. Mr. Vanka Pratap, the Secretary of Gunrock Cricket Club and Mr. Vanka Pramod, the Vice President of Picket Cricket Club are brothers, therefore, belonging to the same family. Therefore, the above-named clubs are in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.17.1. Gunrock Cricket Club

20.17.2. Picket Cricket Club

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20.18. During the hearings, Mr. P R Mansingh and his son Mr. Vikram Mansingh appeared on behalf of Deccan Blues Cricket Club and Roshanara Recreation Club in the capacity of the Vice President and Secretary of the respective clubs. Mr. P.R. Mann Singh informed me that Secunderabad Union Cricket Club (SUCC) is the oldest club and that the Deccan Blues Cricket Club is relatively new in comparison to SUCC. On inquiry about the creation of Roshanara Recreation Club, he intimated that the club was created to increase the number of votes by the HCA Executive Committee initially and was run by the name of Zoroastrian Cricket Club previously managed by Zoroastrian Social Club. Based on records and statements made in the hearing it comes forth that Mr. P.R. Mann Singh is the President of Roshanara Recreation Club, President of Hyderabad Blues Cricket Club, President of Elegant Cricket Club and Hon. Treasurer of Secunderabad Union Cricket Club.

20.19. From the submissions of the representatives and the documents submitted it was revealed that Mr. R A Swaroop who

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appeared on behalf of Hyderabad Blues Cricket Club as its Joint Secretary that he has been holding the post of Treasurer at Roshanara Recreation Club simultaneously which was not denied by him; Mr. M Chandrashekhar appearing on behalf of Secunderabad Union Cricket Club is also the Joint Secretary of Roshanara Recreation Club and EC Member of Hyderabad Blues Cricket Club.

20.20. It is clear from their submissions that there is no hesitation in admitting that there is a direct conflict of interest as per the guidelines of the Lodha Committee. Mr. PR Mansingh is the member of the current Executive Committees of Deccan Blues Cricket Club, Hyderabad Blues Cricket Club, Roshanara Recreation Club, Secunderabad Union Cricket Club and Elegant Cricket Club simultaneously which is a clear violation of the Lodha Committee guidelines by means of it being a direct conflict of interest. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections,

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for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.20.1. Deccan Blues Cricket Club

20.20.2. Hyderabad Blues Cricket Club

20.20.3. Roshanara Cricket Club

20.20.4. Secunderabad Union Cricket Club

20.20.5. Elegant Cricket Club

20.21. During the hearings, Mr. Satya Pratap Anagani of Satya Cricket Club appeared before me in the capacity of its Secretary. On inquiry of his relations with Mr. Syed Moizuddin he intimated that they have been known to each other since sometime. He further submitted that there are no relations or affiliations of his club or his family members with any other club. However, records clearly show that Syeda Umaira Fatima, the Treasurer of the Classic Cricket Club is the daughter of Syed Moizuddin, the President of Satya Cricket Club.

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20.22. From the bare perusal of the documents and the oral representations made during the hearings, the above-named clubs are clearly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.22.1. Satya Cricket Club

20.22.2. Classic Cricket Club

20.23. During the hearings, Mr. Adnan Mahmood of Adnan Cricket Club reappeared as an authorised representative of Ms. P. Shwetha, the Secretary of New Stars Cricket Club as she happened to be out of town. He admitted that Ms. P. Shwetha is the daughter of Mr. P. Yadagiri, the current Secretary of Swastik Cricket Club and Ms. P. Anuradha who appeared as the current Secretary of Shanti Associates. There is a direct conflict of

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interest between all the 3 clubs. It was also admitted by Ms. Anuradha that she is the wife of Mr. P. Yadagiri.

20.24. Further, Mr. P. Yadagiri also appeared on behalf of P. Krishnamurthy Memorial Cricket Club. He claims that the Secretary of the Club, Mr. Pallemoni Sushant is his son. Such admission is indicative of existence of clear conflict of interest with the other clubs belonging to the family of M. P. Yadagiri. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.24.1. New Stars Cricket Club

20.24.2. Swastik Cricket Club

20.24.3. Shanti Associates Cricket Club

20.24.4. P. Krishnamurthy Memorial Cricket Club

20.25. During the hearings, Mr. K. Pravin appeared on behalf of Chums XI Cricket Club in the capacity of the President of the club and Mr. Ravinder Reddy, appeared as the President of Cheerful Chums Cricket Club. Similar questions were also posed before them, and they affirmed that no affiliation or relationship existed between any of the executive committee's members and any other club. However, it was revealed from the documents submitted by them that Mr. Y Mohan Kumar, the current Vice President of Chums XI Cricket Club is also the EC Member in Cheerful Chums Cricket Club. Therefore, the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.25.1. Chums XI Cricket Club

20.25.2. Cheerful Chums Cricket Club

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20.26. Further, in the submissions of Abhinav Colts Cricket Club, it is admittedly clarified that the current Secretary, Mr. Abhinav Dayanand Rupla is the son of Mr. R. Vijayanand who was the Secretary of HCA and is currently the Secretary of Dayanand Cricket Club. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.26.1. Abhinav Colts Cricket Club

20.26.2. Dayanand Cricket Club

20.27. During the hearings, Mr. G. Sudarshan Raju appeared on behalf of Raju's Cricket Club in capacity as the Secretary of the club. He submitted that he has been the official coach of a few schools for over 35 years and also runs the Raju's Cricket Academy and Raju's Cricket Center (erstwhile St. Mary's

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Cricket Club). He promptly admitted to being related to Ms. Bhuuvneshwari Raju as her husband who is the Secretary of Raju's Cricket Center and Mr. G. Chandrasekhar Bharathi as his brother who is the incumbent Secretary of Raju's Cricket Academy. All three of them were heard together.

20.28. It is clear from their submissions itself that there is no hesitation in admitting that there exists apparent conflict of interest as per the guidelines of the Lodha Committee. Mr. G. Sudarshan Raju, a 59-year-old coach also has been successfully running three clubs through his wife and brother, which is a direct conflict of interest.

20.29. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of

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HCA or for three years, whichever is greater. The said clubs are as listed below:

20.29.1.Raju's Cricket Club

20.29.2.Raju's Cricket Academy

20.29.3.Raju's Cricket Centre (Previously known as St. Mary's Cricket Club)

20.30. Two instances of Conflict of Interest as per the Lodha Committee Guidelines were disclosed by 4 separate clubs, one of them being the involvement of Mr. P. Srinivas Rao simultaneously in the Executive Committee of East Marredpally Cricket Club in the capacity of the Treasurer of the Club, in the Executive Committee of St. Andrews Cricket Club in the capacity of its Vice President and as the Joint Secretary of Kosaraju Cricket Club. The representatives of each of these clubs admitted that he is a coach in their respective clubs.

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20.31. Secondly, from the submissions of Mr. K. John Manoj, Secretary of St. Andrews Cricket Club and from the audit report provided by him it is compellingly evident that Mr. K. John Manoj holds indirect control over Marredpally Colts Cricket Club simultaneously. Moreover, it was admitted by him that his daughter, Ms. Trishala John is the Secretary of Marredpally Colts Cricket Club.

20.32. Therefore, all the above-named clubs are in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.32.1. East Marredpally Cricket Club

20.32.2. St. Andrews Cricket Club

20.32.3. Marredpally Colts Cricket Club

20.32.4. Kosaraju Cricket Club.

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20.33. With regards to the assessment of the Executive Committees in Visaka Cricket Club, Consult Cricket Club, Vijaynagar Cricket Club, Safilguda Cricket Club, Deccan Colts Cricket Club, West Marredpally Cricket Club, it is evident that Visaka Cricket Club, Consult Cricket Club and Vijaynagar Cricket Club did have relations with each other prior to 2023. However, at present, owing to the change of their Executive Committees, it is found that only Visaka Cricket Club has a Conflict of Interest with Vijaynagar Cricket Club as one of the current EC Members of Visaka Cricket Club, Mr. Ramesh Chand Joshi also happens to be the President of Vijaynagar Cricket Club.

20.34. Therefore, Visaka Cricket Club and Vijaynagar Cricket Club are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the

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Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.34.1. Visaka Cricket Club

20.34.2. Vijaynagar Cricket Club

20.35. Similarly, it is established from the hearings and documents provided by International Cricket Club, Manikumar Cricket Club and M.L. Jaisimha Cricket Club that the President of Manikumar Cricket Club, Mr. D. Sai Prasad is the son and Dasu Nagajyothi, the EC Member of M.L. Jaisimha Cricket Club is the daughter of Mr. Dasu Sridhar who is the President of International Cricket Club indicating clear conflict of interest and control by a single family.

20.36. Further, it was discovered that C. Srinivas, Joint Secretary of Dhruv XI Cricket Club, C. Ramakrishna, President of Andhra Cricket Club and C. Bhargava, President of M.L. Jaisimha Cricket Club are the sons of Shri C. Dikshitulu,

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indicating thereby that all the three clubs are in conflict of each other.

20.37. D. Suryaprakash, Treasurer of International Cricket Club and Late DS Chalapathi, erstwhile Secretary of M.L. Jaisimha Cricket Club are the sons of D. Brahmanandam indicating clear conflict of interest. B..Srikanth, the Joint Secretary of International Cricket Club also happens to be the brother of B. Sudhakar, the Secretary of Dhruv XI Cricket Club by virtue of them being the sons of Mr. B. Krishna Murthy; further Deepika Cherivela, the EC Member of M.L. Jaisimha Cricket Club is the sister of Ch. Brahmanandam, the President of Dhruv XI Cricket Club by virtue of them being the children of Late Ch. Sobhanadri, thereby indicating a conflict of interest between both the clubs.

20.38. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be

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barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

20.38.1. International Cricket Club

20.38.2. Manikumar Cricket Club

20.38.3. Dhruv XI Cricket Club

20.38.4. M.L. Jaisimha Cricket Club

20.38.5. Andhra Bank Colony Cricket Club

20.39. Multiple ownership of clubs is visibly rampant within the HCA members and another instance of such multiple ownership is evident from the involvement of Mr. T. Shesh Narayan in the present Executive Committee of Fateh Maidan Club and simultaneously as the Secretary of Bharat Cricket Club. Therefore, the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting

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elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater:

20.39.1. Fateh Maidan Cricket Club

20.39.2. Bharat Cricket Club

20.40. Several attempts were made by one B. Govind Raj to inform me through emails that three clubs, namely Anu Cricket Club, Crown Cricket Club and Vijay Bharath Cricket Club which belonged to the Late Sri B R Dayanand were illegally taken over by Mr. C. Hanumanth Rao. It was submitted by him that the Club was originally named as Indo Chem Cricket Club which was renamed to Vijay Bharath Cricket Club. However, C. Hanumanth Rao being the erstwhile member of the EC of the Club during the term of Late Sri BR Dayanand, took over the club fraudulently in collusion with his family members & some HCA officials.

20.41. He also filed a police complaint against such a fraudulent act, which is currently under adjudication. All the three clubs were invited for a hearing and after careful

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assessment of their claims, it is evident that there exists a dispute in the ownership of the clubs which may be settled in the Court of Law. Nonetheless, it is also evident that both the clubs belong to the family of C. Hanumanth Rao, as at present Chetty Nagaraj Rao, the President of Anu cricket Club and C. Satya Shekar Babu, the Secretary of Crown Cricket Club are sons of C. Hanumanth Rao and thereby falling within the ambit of “*immediate family*”.

20.42. Further, the Vice President of Anu Cricket Club, Mr. D. Narsing Rao, happens also to be holding the post of Secretary of Saint Sai Cricket Club, indicating therefore a clear conflict of interest. Therefore, all the above-named clubs are manifestly in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said clubs are as listed below:

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20.42.1. Anu Cricket Club

20.42.2. Crown Cricket Club

20.42.3. Saint Sai Cricket Club.

21. The facts mentioned above clearly disclose that the management and/or control of the clubs, are with an individual/his family members, as the individuals referred to above have continued to hold control over more than one club in spite of the report of Justice Lodha Committee and acted to the detriment of fair play and good governance of sport. The current office bearers/ executive committee members of the said clubs are barred from either contesting in the forthcoming elections to the Apex Council of HCA or casting their vote for election to the post of office bearers of HCA. It is made clear that this bar is only for one term of office bearers of HCA or for a period of three years, whichever is higher. No individual/his immediate family members i.e., parents, spouse, siblings, spouses of siblings, children and spouses of children shall be part of the executive committee of more than one club. Any deviation shall be viewed seriously and

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severe action for expulsion of the membership of the club may be taken by the HCA.

22. Though the office bearers/ executive committee members of the aforementioned clubs are barred for contesting or voting in the forthcoming elections, the cricketers representing these clubs should not be adversely affected. The clubs shall be allowed to field their players and send their teams for participation in HCA leagues and other competitive matches, subject to these clubs changing their executive committee, with immediate effect in order to resolve any existing or potential conflict of interests, i.e., the current executive committee be replaced by members having no conflict of interest or control or ownership in any other club either through their immediate family relations or through any of their office bearers or close affiliates. It is key to ensure such immediate changes in the executive committee of these clubs, as a person/family in control of multiple clubs allows such persons to exert influence in the conduct of not only individual players, but also the whole team, thereby leading to corruption in sports. However it is clarified herein that should a present executive

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member(s) be able to resolve all issues of conflicts, as mentioned above, he/she and their family members may continue to be a part of the executive committee of the club, but the sanction against the person to hold a post or contest in the ensuing elections of HCA shall remain. In other words a person/his family members who have been barred from contesting elections and voting in the ensuing elections to the HCA cannot be office bearers in more than one club.

23. Several matters comprising an internal dispute in terms of their ownership were also heard. Such clubs, namely Hyderabad Bottling Cricket Club and Deccan Wanderers Cricket Club (Formerly known as Chanchalguda Sharks Cricket Club) were represented before me respectively by Sharda Govardhini and MVVK Prasad for Hyderabad Bottling Cricket Club and Basharith Khan and Riaz Qureshi for Deccan Wanderers Cricket Club raising conflicting claims over the ownership of the clubs. The abovenamed clubs may resort to remedies available to them under law, as my mandate does not extend to resolution of such disputes.

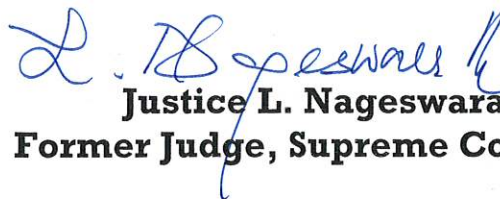
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24. An inquiry was initiated at the request of GHMC regarding certain clubs owned by it which are at present under the control of private persons. A list of 18 clubs were mentioned in the representation preferred by GHMC which originally belonged to the GHMC. In the said representation, it was mentioned that some clubs were restored to private persons by Mr. L. Venkatarama Reddy, Director of Sports in the year 1993 unauthorizedly. During the course of inquiry, the representatives of all the 18 clubs submitted that the clubs were originally registered and affiliated to the Hyderabad Cricket Association as private clubs. Some clubs were using the facility of the grounds belonging to the then Municipal Corporation of Hyderabad (MCH) which is now renamed as GHMC. These clubs were also provided with cricket kits and balls apart from summer camps being held by MCH. In view of such assistance for the period between 1986-1993, some private clubs were represented by MCH in the HCA. Thereafter, all the 18 clubs were represented by individuals unconnected to GHMC. The representatives of the clubs have further submitted that no objection was taken by GHMC for nearly 30 years regarding the ownership of these clubs. No material has been

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submitted by GHMC in support of their claim that the 18 clubs mentioned in their representation belonged to them. Mr. Mohit Parsham, learned counsel appearing on behalf of GHMC sought permission to withdraw the representation preferred by GHMC with liberty to pursue other remedies, if any. Granting permission to GHMC to pursue any other remedy available to it, request made for restoration of ownership by GHMC regarding the clubs mentioned in its representation is rejected.

Dated: 31.07.2023


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Single Member Committee
Hyderabad Cricket Association