

**BEFORE THE FORMER ACTING CHIEF JUSTICE SRI V. ESWARAI AH  
ETHICS OFFICER AND OMBUDSMAN ADDL. CHARGE  
THE HYDERABAD CRICKET ASSOCIATION AT RGICS,  
UPPAL, HYDERABAD**

**SUO MOTO TAKEN UP CASE NO. 33 OF 2024**

**Respondents**

**1. Sunil Kumar Agarwal**

Plot No. 37, Sy. No. 267/182,  
Luxura Greens, Opp. Kendriya Vidyalaya  
School, New Bowenpally, Secunderabad,  
Hyderabad – 500 011.

**2. Khush Agarwal**

Plot No. 37, Sy. No. 267/182,  
Luxura Greens, Opp. Kendriya Vidyalaya  
School, New Bowenpally, Secunderabad,  
Hyderabad – 500 011.

**3. The Hyderabad Cricket Association**

RGICS, Uppal, Hyderabad.  
Represented by its Secretary Sri R. Devraj.

...Respondents

**PROCEEDINGS DATED 28.01.2025**

1. A Petition dated 26.12.2024 through E-Mail Id "[iyamhere@gmail.com](mailto:iyamhere@gmail.com)" was received on 27.12.2024. The Gist of the said Petition was that Mr. Sunil Kumar Agarwal, elected Councillor by the Full Members of the HCA under Rule 14 (2) A and that he being the Representative of the Full Member instead of representing the grievances of the Full Members he has been part of a Committee that was providing oversight to the League Committee, Umpires Committee and Grounds

Committee, and also has been involved in the promotion and demotion of Clubs in the HCA Leagues, and also implicated in a conflict of interest situation arising from his son being in the Zone of selection in under 23 age category to represent Hyderabad.

2.

- (i) Earlier he has filed a disclosure statement before the Ethics Officer for the clarification whether there exists a conflict of interest his son being in the Zone of selection and whether he should continue as a Representative Councilor or his son should be removed from the Zone of Selection. The said case No.9 of 2024 was disposed of on 07.06.2024 stating that Selectors are appointed by the AGM who are independent and cannot be influenced by any of the Councilor and they are governed by Laws and Bye Laws of HCA and merits and demerits are considered by ethical methods by the Selectors. With bonafide impression it was expressed that there will not be any scope to influence the Selectors by the Elected Councilor.

***“The criteria followed in the Men Selection Committee will be formed in the Annual General Meeting (AGM).***

- 1. There is a Cricket Advisory Committee.***
- 2. There are Performance Evaluation Reports which are tabled before the Cricket Advisory Committee which are prepared purely on Performance of the Player on merits.***

**3. Based on the above process/criteria the selection will be done.”**

**(ii)** Accordingly it was held that so far there is no conflict of interest in the earlier Case of No.9 of 2024 and it was held that the Cricket Advisory Committee and the Selectors have to strictly follow the guidelines of HCA, Memorandum of Association & Rules and Regulations of HCA in all Selection Process without influenced by any of the Councillors or by the Office Bearers and in accordance with law and Fairplay to protect and improve the quality and standards of the Game of Cricket.

**3.** In view of the said E-mail Petition this Office in exercise of the powers vested under Rule 39 Suo Motto taken of the case No.33 of 2024. Rule 39 (2) is extracted as follows:

**“39. (2) Any instance of Conflict of Interest may be taken cognizance of by the Ethics Officer:**

**(a) Suo Motu;**

**(b) By way of a complaint in writing to the official postal or email address; or**

**(c) On a reference by the Apex Council**

4. By proceedings dated 24.01.2025 extracting the entire copy of E-mail Petition, Proceedings dated 27.12.2024 have been issued stating that there appears to be a conflict of interest if the said allegations are found to be true and correct and accordingly the Respondent No.1 & 2 are called upon to submit their replies within 2 weeks and the case is posted on 17.01.2025.
  
5. The 1<sup>st</sup> Respondent by letter dated 15.01.2025 requested to adjourn the matter for 4 weeks so as to enable him to submit accurate response to the notice giving him a fair opportunity have been heard. The case was adjourned to 24.01.2025 and the 1<sup>st</sup> Respondent appeared in person and submitted a preliminary reply to the show cause notice Proceedings dated 17.01.2025.
  
6. Under Rule 38 of HCA Memorandum of Association & Rules and Regulations – 2018, the position of the 1st Respondent will be in conflict of interest, he being a representative of the Full Members of HCA to the Apex Council and his club, Mahadev Cricket Club, being a member of HCA. His own son, a cricket player, is under the zone of consideration and there is a possibility of using his influence in matters that could favor his son, including selections.

Under Rule 38(1)(v) the 1<sup>st</sup> Respondent being a member of the Apex Council and occupying the post of Councillor elected by the General

Body, there appears to be a conflict of interest as the Apex Council decisions in which the 1<sup>st</sup> Respondent is a member may influence matters of governance, management, selection to be made particularly in favor of his son who is in the zone of consideration.

7. On 24.01.2025 the 1<sup>st</sup> Respondent requested to adjourn the matter so as to enable him to file an Affidavit dispelling the scope of any tractable conflict of interest. Tractable conflict of interests are those that are resolvable or permissible or excusable through recusal of the individual concerned and/or with full disclosure of interest involved. It is not a case of intractable conflict of interest.
8. The 1<sup>st</sup> Respondent appeared in person and filed a notarized Affidavit which is extracted as follows:

**"AFFIDAVIT**

***I, Mr. Sunil Kumar Agarwal, an elected Councillor to the Apex Council of the Hyderabad Cricket Association (HCA), son of [Father's Name], aged [Age], and residing at [Full Address], do hereby solemnly affirm and declare as follows:***

***1. Declaration of Potential Conflict of Interest:***

***My son, Khush Agarwal, is currently in contention for selection to the Hyderabad team in the U23 Men's age category under the purview of the Hyderabad***

Cricket Association. I recognize that this situation constitutes a potential conflict of interest as defined under the bye-laws and ethical guidelines of the HCA.

**2. Recusal from Selection Process:**

To maintain transparency, fairness, and the integrity of the Association's functioning, I formally recuse myself from:

**a. Participating in any discussions, deliberations, or decision-making processes**

related to the selection process in which my son is under consideration.

**b. Attending any meetings or committees** where matters involving the selection of players, including my son, are discussed.

**c. Serving on any committees or sub-committees** of the Hyderabad Cricket Association that may have a role in the selection process or other related activities.

**3. Commitment to Integrity:**

I affirm my commitment to uphold the principles of fairness, impartiality, and integrity as a Councillor of the HCA. I shall ensure that my personal association does not influence the impartiality or credibility of the Association's processes.

**4. Request for Action:**

*I request the Ethics Officer and Apex Council of the HCA to take note of this declaration and implement necessary measures to manage this potential conflict of interest as per the Association's rules and regulations.*

**Verification:**

*I, the undersigned, verify that the contents of this affidavit are true and correct to the best of my knowledge and belief. No part of this affidavit is false, and nothing material has been concealed.*

**Place:** [City]

**Date:** [DD/MM/YYYY]

**Signature of the Deponent:**

**Sd/-**

**Sunil Kumar Agarwal**

.....”

- 9.** In view of the aforesaid clear and unambiguous undertaking given by the 1<sup>st</sup> Respondent observing that the 1<sup>st</sup> Respondent herein after will not make any attempt by taking his position as the member of the Apex Council as undertaken by him or which may come under conflict of interest under Rule 38. In fact the responsibility of the 1<sup>st</sup> Respondent, he being the representative of the members of HCA entitled to make

representations and bring the notice of the Apex Council about the grievances of individual members. The copy of the Affidavit is directed to be circulated to the Apex Council of HCA so as to enable them to take appropriate precautions without giving any scope to any of the Councillors or Officer Bearers to protect and maintain the quality and standards of game of cricket. The case is accordingly disposed of.

**Sd/-**  
**Justice V. Eswaraiah**  
**Ethics Officer and Ombudsman Addl. Charge**  
**The Hyderabad Cricket Association**

\*\*\*\*\* True Copy \*\*\*\*\*

**For Hyderabad Cricket Association**



  
**Suneel Kante**  
**Chief Executive Officer**