

**DECISION OF THE BOARD OF CONTROL FOR CRICKET IN INDIA ("BCCI")  
ON THE APPLICATION/ REPRESENTATION SUBMITTED BY THE  
TELANGANA CRICKET ASSOCIATION FOR ASSOCIATE MEMBERSHIP OF  
THE BCCI**

1. By way of the present proceedings, the BCCI has been tasked with deciding the question of grant or denial of the application/representation, dated 15<sup>th</sup> December 2020, submitted by the Telangana Cricket Association (hereinafter referred to as the "TCA") for Associate Membership of the BCCI. The present order represents a culmination of an elaborate process with a strict adherence to rules of natural justice, standards of objectivity, the BCCI Memorandum of Association and Rules and Regulations (hereinafter referred to as the "BCCI Constitution") and the fairness in process and decision-making.

**A. BACKGROUND**

2. *Vide* order dated 9<sup>th</sup> December 2020 ("**Supreme Court Order**") passed by the Hon'ble Supreme Court in Civil Appeal No. 4235 of 2014, it was directed that:

*"I.A. Nos. 101571 and 101576 of 2018 are filed by the Telangana Cricket Association seeking impleadment and clarification that it would be granted Associate Membership within BCCI. Mr. Siddharth Luthra, learned senior counsel submits that these interlocutory applications can be disposed of with liberty to the Telangana Cricket Association to approach the BCCI and make a representation for grant of Associate Membership in BCCI. Permission granted. Interlocutory applications are disposed of with liberty to the applicants to submit a representation before the BCCI which shall be disposed of in accordance with law".*

3. Pursuant to the Supreme Court Order, the TCA submitted their application/representation, dated 15<sup>th</sup> December 2020, for Associate Membership of the BCCI. The TCA submitted the application/representation *vide* emails dated 15<sup>th</sup> December 2020 and 16<sup>th</sup> December 2020.

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4. *Vide* order dated 21<sup>st</sup> January 2021, passed by the Hon'ble Bombay High Court ("**Bombay High Court Order**") in Writ Petition No. 1797 of 2019, it was directed that:

*"1. By consent of the learned Counsel for the parties, we dispose of the Petition by directing the Respondent No.1 to hear and decide the representation of the Petitioner made after order dated 9<sup>th</sup> December, 2020 of the Supreme Court in Civil Appeal No. 4235/2014 (Board of Control for Cricket & Ors. vs. Cricket Association of Bihar & Ors).*

*2. Petition to stand disposed of accordingly.*

*3. Let the representation be decided on or before 30<sup>th</sup> April, 2021 in accordance with law."*

5. In compliance with the Supreme Court Order and the Bombay High Court Order, the BCCI after going through the representation provided by TCA discussed the issue in the 7<sup>th</sup> Apex Council Meeting held on 17<sup>th</sup> April 2021. In the said Apex Council Meeting it was decided that a working group comprising Mr. Arun Dhumal, Hon. Treasurer, BCCI and Mr. Rajeev Shukla, Hon. Vice President, BCCI (hereinafter referred to as the "**BCCI Working Group**") be set up to hear the submissions of TCA and adjudicate on the issue. Accordingly, the BCCI addressed an email dated 22<sup>nd</sup> April 2021 to the TCA stating that the BCCI has gone through TCA's representation submitted to the BCCI and the BCCI deems it necessary to provide a personal hearing to TCA. Accordingly, the BCCI granted an opportunity to TCA to appear before it through a duly authorized representative/counsel for the hearing on 23<sup>rd</sup> April 2021. It was informed that in view of the conditions prevailing due to the outbreak of COVID-19 pandemic, the hearing shall be held via video conferencing and the details of the hearing were shared.
6. TCA *vide* email dated 23<sup>rd</sup> April 2021 informed the names of the representative appearing for the hearing before the BCCI. TCA appeared for hearing on 23<sup>rd</sup> April 2021 through video conferencing before the BCCI Working Group. TCA was represented by Mr. Dharam Guruva Reddy (Secretary, TCA), Col. A. Pragathi Kumar (Tech. Committee Head, TCA) and Mr. Niki Kantawala (Legal Counsel, TCA). At the hearing, the TCA representatives gave a presentation to the BCCI Working Group and explained in detail the issues and concerns which cricketers in Telangana were facing (outside the city of



Hyderabad) and answered the queries raised by the BCCI Working Group which included but were not limited to the queries regarding the existing infrastructure. They requested the BCCI to look into the said issue for the betterment of cricket in the state of Telangana. TCA after the hearing, *vide* email dated 25<sup>th</sup> April 2021 forwarded the presentation and a note to the BCCI.

7. After hearing the representatives of TCA, the BCCI Working Group was of the view that since there is already an existing member of BCCI from the state of Telangana, namely the Hyderabad Cricket Association (hereinafter referred to as the "HCA"), there is a necessity to hear and consider the stand of HCA on the issue before taking a decision on the TCA's representation for Associate Membership of the BCCI. Accordingly, the BCCI approached the Hon'ble Bombay High Court for extension of time to decide the application. The Hon'ble High Court *vide* order dated 4<sup>th</sup> May 2021 extended the time to decide the TCA representation till 31<sup>st</sup> May 2021.
8. Since, BCCI had to hear HCA, the existing full member from the state of Telangana, before taking any decision regarding the TCA membership, the BCCI *vide* its email dated 19<sup>th</sup> May 2021 requested HCA to appear for a hearing. However, HCA *vide* email dated 19<sup>th</sup> May 2021 requested for deferment of the hearing and for adequate time to be given to them to suitably present their views on the issue.
9. TCA *vide* email dated 10<sup>th</sup> May 2021 to the BCCI *inter alia* stated that if the BCCI files an application before the Hon'ble Bombay High Court for extension of time for finalizing TCA's representation, TCA will support the same. In reply, the BCCI addressed an email dated 23<sup>rd</sup> May 2021 to TCA stating that the BCCI intended to approach the Hon'ble Bombay High Court requesting for extension of time till 31<sup>st</sup> October 2021 to decide the representation of TCA and requesting TCA to provide its no objection to the same. *Vide* its email dated 24<sup>th</sup> May 2021, TCA, *inter alia*, communicated their cooperation for extension of time.
10. The Hon'ble High Court *vide* order dated 28<sup>th</sup> May 2021 extended the time to decide the TCA application till 15<sup>th</sup> July 2021.



11. The BCCI once again *vide* its email dated 18<sup>th</sup> June 2021 provided HCA with an opportunity of hearing before the BCCI with regards to the representation of TCA for Associate Membership of the BCCI. HCA, through its President Mr. Mohammed Azharuddin and Secretary Mr. R. Vijayanand, appeared before the BCCI Working Group. The said hearing was conducted through virtual mode on 19<sup>th</sup> June 2021. The representatives of HCA stated that they are a Full Member of the BCCI representing the full state of Telangana and hence opposed granting of Associate Membership to TCA. They refuted the contention of TCA that cricketers from Telangana were not being adequately represented by the HCA. The detailed submissions of HCA, as contained in their letter dated 21<sup>st</sup> June 2021, will be referred to at a later stage.
12. TCA further *vide* emails dated 28<sup>th</sup> June 2021 and 29<sup>th</sup> June 2021, submitted another submission summarizing their contentions and again requesting the BCCI to grant them Associate Membership.

**B. WHETHER THE BCCI CONSTITUTION PERMITS FOR ADMISSION OF AN ASSOCIATE MEMBER FROM A STATE WHICH IS ALREADY REPRESENTED BY A FULL MEMBER.**

13. Before deciding TCA application/representation it is important to ascertain whether the BCCI Constitution permits admission of an Associate Member from a state which is already represented by a Full Member i.e., HCA, in the present scenario.
14. On the aforesaid issue, TCA has in its representation stated that the Supreme Court Order has a material effect on Rule 3(a)(iii) B of the BCCI Constitution and the said order clarifies to the BCCI on the concerns raised by the erstwhile Committee of Administrators of the BCCI (hereinafter referred to as the "BCCI COA") in the order of 15<sup>th</sup> June 2018 and permits TCA to apply for Associate Membership of the BCCI. TCA also submits that reliefs sought by them in the application for direction before the Hon'ble Supreme Court, like grant of associate membership to their cricket association, direct that constitution of BCCI permits a state to have an Associate Member in addition to one Full Member, on the basis of which BCCI can exercise its discretion under Rule 3 (a) (iii) (B) of the BCCI Constitution provide for the power to admit an Associate Member were permitted by the Court *vide* Supreme Court Order. It is stated that Supreme





Court Order only directed the BCCI to decide the representation of the TCA in accordance with law. TCA's interpretation that the reliefs sought by them were accepted by virtue of the Supreme Court Order is not accurate.

15. TCA submits the following to support their argument regarding granting of Associate Membership by BCCI:

- (a) As per the recommendations of the Justice Lodha Committee (a committee appointed by the Supreme Court headed by Justice Lodha) as accepted by the Supreme Court in its judgment dated 18<sup>th</sup> July 2016 and the BCCI Constitution as approved by the Supreme Court in its judgment dated 9<sup>th</sup> August 2018, there is no bar on Associate Membership of an Association from a state which has a full member. Thus, the issue pertains to interpretation of the BCCI Constitution which has been accepted by the Hon'ble Supreme Court.
- (b) TCA relied on Rules 3(a) (iii) B, 3 (d) of the BCCI Constitution. TCA also states that BCCI reforms suggest the key factor of providing equal and level playing platforms to all regions, individuals and sections of the country. It is imperative that all players across the country have opportunities to represent their states and zones and then the national team. To punish the innocent residents for shortcomings of a Member Association is illogical and unacceptable. If an alternate Association is not readily available, BCCI should function as the *parens patriae* of Indian cricket and continue to provide equal and alternate avenues for that particular state.
- (c) Reliance is also placed by TCA on the objective and purpose as stated in the BCCI Constitution regarding encouraging and formation of state, regional and other cricket associations and the organization of inter-state and other tournaments, to lay down norms for recognition which achieve uniformity in the structure, functioning and processes of the Member Associations.
- (d) TCA states that it can be said from the Justice Lodha Committee recommendations that it intended to promote Telangana and that Future Member status (as specified in the earlier constitution of the BCCI) is not a satisfactory arrangement. Many Future Members specified in the BCCI's old constitution and Union Territories are already recognized through due process and Telangana in spite of being part of Future Members list and Telangana being established as a

new state has been ignored from giving an opportunity of representing in the BCCI tournament ever since its formation. Further, TCA states that based on the Justice Lodha Committee recommendations and provisions of the new BCCI Constitution the BCCI COA has taken certain initiatives and recognized associations from some states and Union Territories like Sikkim, Manipur, Meghalaya, Arunachal Pradesh, Nagaland, Uttarakhand, Puducherry, Mizoram and Chandigarh.

16. On the contrary, the HCA submitted a letter dated 21<sup>st</sup> June 2021, *inter alia*, stating the following points:

- (a) HCA represents the entire state of Telangana with total coverage of 31 districts which is officially designated territorial jurisdiction of the state of Telangana at present;
- (b) HCA was founded in the year 1934 and since then it is the Full Member of BCCI. TCA is recently registered in 2015 with no cricketing history or has organized events ever or has been associated by the cricket star players at any point of time;
- (c) TCA is trying to have jurisdiction over the areas already administered by HCA and therefore the parallel claim of membership of the BCCI by TCA is baseless, groundless and untenable;
- (d) The general body members of the BCCI themselves can take firm decision with its authority to determine as to who shall be the members as per the existing rules and regulations of BCCI;
- (e) The Justice Lodha Committee recommendations/report expressively states that it is impermissible to have another association crossing the same territorial jurisdiction;
- (f) The present BCCI Constitution does not envisage a situation wherein a new cricket association is given associate/affiliate membership by overlapping jurisdiction;
- (g) The reference of cricket associations of Maharashtra and Gujarat having three full members is of no relevance to the present case.
- (h) In view of the aforesaid submissions, claim of TCA should be set aside completely for the same being untenable, illegal and mischievous in nature.

17. In order to deal with the aforesaid contentions, the following provisions of the Justice Lodha Committee report/recommendations and the Supreme Court judgments dated 18 July 2016 and 09 August 2018 would be relevant:



*“Almost universally, apart from those who represented the associations in Gujarat and Maharashtra, the prevalent view was that that the State is a fair unit of representation on the BCCI. On a consideration of the entire issue, the Committee is of the view that it is not proper for only one or two States to have multiple members when all other States have single memberships (in fact, while many States have no representation). Democratic norms require each State should have equal representation, and therefore the Committee proposes the policy of ‘One State – One Member – One Vote’. In fact, this is the policy followed by other national sports associations (IHF & AIFF), each of whose members have an equal vote regardless of size or population. Even at the international level (IOC & FIFA), this is the position. Cricket ought to be no different.*

*It was however also stated that as far as disbursement of funds by BCCI for cricket development, it need not be uniform, but can depend on the need, infrastructure and other relevant criteria, formalised as a clear and equitable policy to incentivize Members to develop the sport.*

*In keeping with the above principle, and notwithstanding any sense of sentiment, there would also be no place for multiple associations from a single State. The Committee is of the view that it be left to the BCCI to decide which of the 3 associations from Gujarat and Maharashtra would be taken to represent the entire State, and the remaining 2 associations from each State would become Associate Members, who would however continue to field teams for competitions as they have done in the past. Equally, in States where there are disputes concerning the appropriate governing body [Jammu & Kashmir, Bihar, Rajasthan, etc.], it is best left to the BCCI or the Court (as may be the case) to decide which association would represent the State.”*

(emphasis supplied)

In paragraphs 70 to 73 of the Judgment dated 18<sup>th</sup> July 2016, the Hon’ble Supreme Court has held as follows:

*“70. Coming to the second aspect of “one State-one vote”, it was argued by the learned counsel appearing for the intervening clubs from the States of Maharashtra*

and Gujarat that the six clubs/ associations three each from the two States viz. Mumbai Cricket Association, Maharashtra Cricket Association, Vidarbha Cricket Association, Gujarat Cricket Association, Baroda Cricket Association and Saurashtra Cricket Association not only represent a definite territory and participate in competitive cricket by fielding teams but have contributed to the development of the game in their regions. It was submitted that the recommendations made by the Committee that BCCI should choose one of the clubs to represent the entire State were fraught with difficulty and ignored the historical perspective and the fact that these clubs had made substantial contribution to the development and promotion of cricket in this country. It was, therefore, urged that reducing the role of four out of the six clubs from full membership to associate membership was not a sound proposition and deserved to be turned down and the associations allowed to continue their position as full members.

71. The argument advanced by the intervenor clubs cannot be lightly brushed aside. It is not disputed that three different regions are represented by three distinct associations both in the State of Gujarat and Maharashtra. This position continued to exist from the inception. Some of the clubs/ associations, if not all are the founding members of BCCI. That being so, a balance has to be struck with historical reality and the need for adopting a pragmatic, uniform and principled approach aimed at reforming and rationalising BCCI's structural edifice. The recommendation made by the Committee to the extent it provides for one vote for each State is unexceptionable nor should there be any compromise with what is proposed as a reformative measure.

72. Even so, the question is whether BCCI, in the peculiar situation prevalent in these two States, is in a position to recognise one of the three associations representing different territories in those two States as the one that would represent the entire State. The learned counsel for the intervenors and so also Mr Venugopal, counsel for BCCI are, in our opinion, justified in contending that the process of recognising one out of three associations representing three different regions in those two States is fraught with several difficulties and would result in long-drawn litigation and frustration for the players in particular and cricket lovers in general. What then is the way out of this conundrum.

X



73. We had in the course of hearing asked the learned counsel for the parties, if it would be possible for the three associations to sync and unify their associations into a single entity. There were serious reservations expressed on that front and rightly so as each association is entitled today to field a team and receive monetary assistance. In the process of unification, the prospects of budding cricketers of these regions would go down substantially. That being so, the only reasonable and rational answer to the problem within the broad principle of one State-one vote would be to allow the full membership of BCCI to rotate among the three clubs on an annual basis. During the period one of the associations would exercise the rights and privileges of a full member, the other two associations would act as associate members of BCCI. This rotational arrangement would give each member a right to vote at its turn without violating the broader principle of one State-one vote recommended by the Committee. This would also respect the historical aspect in which these associations grew to promote the game and form BCCI as a national body. Needless to say that the right of the association to field teams as before will remain unaffected subject to any changes that BCCI may make in its wisdom over a period of time. BCCI shall, however, decide the order in which the membership will rotate among the three associations in these two States. We make it clear that this arrangement of rotational membership shall continue till such time the clubs/associations come together to form a single entity, if such a unification was to ever become a reality.”

(emphasis supplied)

In paragraphs 7 to 11 of the Judgment dated 09<sup>th</sup> August 2018, the Hon'ble Supreme Court has held as follows:

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7. Rule (3)(a)(i) of the draft Constitution contemplates that membership of BCCI shall consist of (i) full members; and (ii) associate members. The text of the draft Constitution provides thus:

“(ii) Full Members

- A. Each State shall be represented by a State Cricket Association duly recognized by BCCI and such associations shall be Full Members. No State shall have more than one Full Member at any given point of time.
- B. The associations who are the controlling bodies for cricket in the following States shall be the Full Members of BCCI:

1. *Andhra Pradesh*
2. *Arunachal Pradesh*
3. *Assam*
4. *Bihar*
5. *Chhattisgarh*
6. *Delhi*
7. *Goa*
8. *Gujarat*
9. *Haryana*
10. *Himachal Pradesh*
11. *Jammu and Kashmir*
12. *Jharkhand*
13. *Karnataka*
14. *Kerala*
15. *Madhya Pradesh*
16. *Maharashtra*
17. *Manipur*
18. *Meghalaya*
19. *Mizoram*
20. *Nagaland*
21. *Orissa*
22. *Punjab*
23. *Rajasthan*
24. *Sikkim*
25. *Tamil Nadu*
26. *Telangana*
27. *Tripura*
28. *Uttar Pradesh*
29. *Uttarakhand*
30. *West Bengal*

C. *In States with multiple Existing Members, the full membership shall rotate annually among such Existing Members such that only one of them will exercise the rights and privileges of a Full Member at any given point of time. The rotation shall be as per the policy framed by BCCI.*

D. *Where disputes are pending regarding the duly recognised association to represent a particular State, the State shall be represented by the recognised association, subject to any order of the Court or resolution of BCCI as the case may be.*

(ii) *Associate Members*





A. Any existing Member [including an Existing Member who is not exercising the rights and privileges of a Full Member in terms of Rule 3(i)(ii)(C) above] shall be an Associate Member of BCCI.

B. BCCI may induct any other entity as an Associate Member, subject to all the conditions and disqualifications laid down in Rule 33(b)(b) below.”

8. In Chapter I of its Report titled “The Structure and Constitution”, the Lodha Committee dealt with membership of BCCI and anomalies perceived in its composition. The Committee took note of the fact that several States such as Bihar, Chhattisgarh, Uttarakhand, the six north-eastern States (except Tripura) and Union Territories (except Delhi) lack representation on the Board. On the other hand, the Committee perceived an anomaly in that States like Maharashtra and Gujarat hold three full memberships each. The Committee noted that the Services Sports Control Board (Services), Railway Sports Promotion Board (Railways) and Association of Indian Universities (Universities) do not as such represent any specified territory but are actively involved in the game of cricket whereas some members like National Cricket Club at Kolkata and the Cricket Club of India at Mumbai do not represent any territory. The Lodha Committee relied upon territoriality as a determining factor for the grant of full membership. Railways, Services and Universities not being tied to the territory of one State were denied full membership. Though Gujarat fielded three cricket teams (Gujarat, Saurashtra and Baroda) and so did Maharashtra (Mumbai, Maharashtra and Vidarbha) both States would each have one full membership. The Lodha Committee recommended that the status of associate member should be granted to those members who do not represent any territory.

9. In the principal judgment of this Court dated 18-07-2016, the one State-one vote norm was accepted. While doing so this Court observed thus: (BCCI case, SCC pp.590-92, paras 66, 69 &71-73)

“66. That brings us to the question whether “one State-one vote” recommended by the Committee suffers from any legal or other infirmity sufficient for this Court to reject the same. The recommendation made by the Committee has a twofold impact on the current state of affairs of BCCI.

The first is the reduction of some of the associations and clubs from the full membership of BCCI to the status of Associate Members. The other aspect of the recommendation is the reduction of the full membership of at least four existing full members to the status of Associate Members from the States of Maharashtra and Gujarat.

69. We see no merit in that contention nor do we see any reason to disagree with the recommendation made by the Committee, which has upon a thorough consideration of all facts and circumstances relevant to the working of BCCI, recommended the conversion of the clubs and associations without a territory from full members to associate members. This is a measure which has been recommended with a view to structurally streamlining BCCI to make it more



*responsive and accountable having regard to the aspiration of different regions for an equal opportunity to participate in the growth and promotion of the game in the country.*

*71. ....a balance has to be struck with historical reality and the need for adopting a pragmatic, uniform and principled approach aimed at reforming and rationalising BCCIs structural edifice. The recommendation made by the Committee to the extent it provides for one vote for each State is unexceptionable nor should there be any compromise with what is proposed as a reformative measure.*

*72. Even so, the question is whether BCCI, in the peculiar situation prevalent in these two States, is in a position to recognise one of the three associations representing different territories in those two States as the one that would represent the entire State.*

*73. That being so, the only reasonable and rational answer to the problem within the broad principle of one State –one vote would be to allow the full membership of BCCI to rotate among the three clubs on an annual basis.”*

- 10. The one State-one vote norm and the principle of territoriality have given rise to specific objections. Historically in the State of Maharashtra, there have been three associations, each of which fields its own cricket team in the Ranji Trophy (i) Maharashtra; (ii) Mumbai and (iii) Vidarbha. Similarly, in the State of Gujarat, there have been three associations representing (i) Gujarat; (ii) Baroda; and (iii) Saurashtra. In both the States, these associations have made a signal contribution to the cricketing history of the nation. Besides, fielding teams for the Ranji Trophy, these associations have produced players of national and international repute. The Amicus Curiae has responded to the plea before this Court for allowing full membership to the three associations each in the States of Maharashtra and Gujarat. The Amicus Curiae submits that the order of this Court mandates that there should be an annual rotation of the constituent members of Maharashtra and Gujarat so that every year, one of the three constituent members would be capable of voting and participating in the general body. Moreover, it has been submitted that for the elections to the Apex Council which takes place once every three years, the first member association which has already cast a vote should not be able to cast a vote at the end of three years but must pass it on to the next association in turn. In this manner, it has been suggested that all the three constituent associates of the two States will have due opportunity to not only participate in the affairs of the general body but would have an opportunity to vote at the end of three years. In the view of the Amicus, a rotational policy is eminently practicable for Maharashtra and Gujarat and the mandate of the principal judgement brings about parity and fairness so that no constituent member is excluded from the general body for a period exceeding one year. However, it has not been explained how, once full membership has been granted, what legal principle can be applied for adopting a rotational*





policy. The Amicus Curiae while recognising the circumstances of history pertaining to Maharashtra and Gujarat submits that the recommendations of the Lodha Committee which have been accepted in the principal judgement seek to bring about uniformity in the structure of management and a certain amount of domestic equality. However, he suggests that the releasing of grants and such other requirements as may be necessary for constituents must be suitably addressed by the BCCI COA and by the regularly elected Apex Council.

11. We are of the view that it is necessary to restore full membership in the Constitution of BCCI to the three associations each in the State of Maharashtra and (Maharashtra, Mumbai and Vidarbha) and in Gujarat (Gujarat, Baroda and Saurashtra). During the course of the hearing, written submissions have been placed on the record in which the contributions of Baroda, Saurashtra, Mumbai and Vidarbha have been set out. We need to extract them here:

*“Baroda Cricket Association”*

Cricket was introduced to Vadodara City by the Maharaja of Baroda, Sayajirao Gaekwad in 1934 and Moti Bagh Stadium was the home of Baroda cricket. Since then Baroda has emerged 5 times as Ranji Trophy Champions in the years 1942-43, 1946-47, 1949-50, 1957-58 & 2000-01.

Baroda had produced many famous cricketers of international level in the past such as Vijay Hazare, Gogumal Kishenchand, Jayasingh Rao Ghorpade, Deepak Shodhan and in the present generation Datta Gaekwad, Chandu Borde, Kiran More, Anshuman Gaekwad...Jitendra Patel. Amongst the later crop, Irfan Pathan, Yusuf Pathan, Zaheer Khan and Munaf Patel have played for this association.

*“Mumbai Cricket Association”*

In the year 1928 'the Bombay Presidency (Proper) Cricket Association' was formed having geographical limits extending from Sind in the north to Karnataka (excluding Mysore State) in the South. In the year 1935, it was re-christened as 'Bombay Cricket Association' as the newly formed Gujarat and Maharashtra Cricket Association receded from the territorial limits of the Bombay Presidency (Proper) Cricket Association. The present day Mumbai Cricket Association or MCA is the governing body for cricket in Mumbai and its surrounding regions like Thane and Navi Mumbai. The Mumbai cricket team is the team for the Mumbai Cricket Association in the Ranji Trophy. The team has won over 41 titles, the most recent being in 2015-16. It has also come runner-up in the final of the Ranji Trophy a total of 4 times. The association owns the Wankhede Stadium.

Famous cricketers produced by MCA, amongst others, include Abey Kuruvilla, Ajinkya Rahane, Ajit Wadekar, Ashok Mankad, Chandu Borde, Dilip Sardesai, Dilip



*Vengsarkar, Eknath Solkar, Farokh Engineer, Jatin Paranjpe, Polly Umrigar, Ravi Shastri, Rohit Sharma, Rustomji Jamshedji, Rusi Modi, Sachin Tendulkar, Sandeep Patil, Sanjay Manjrekar, Sunil Gavaskar, Vijay Manjrekar, Vijay Merchant, Vinod Kamble, Wasim Jaffer, etc."*

*"Saurashtra Cricket Association"*

*Saurashtra is one of three cricket teams based in Gujarat which competes in the Ranji Trophy (the others being Baroda and Gujarat). Formerly it was known as Nawanagar Cricket Team. Nawanagar was an Indian princely State in the historical Halar region, located on the southern shores of the Gulf of Kutch. Ranjitsinhji often known as 'Ranji' was the ruler of the Indian princely State of Nawanagar from 1907 to 1933, as Maharaja Jam Saheb, and a noted Test cricketer who played for the English cricket team. He also played first-class cricket for Cambridge University, and county cricket for Sussex.*

*Ranji has widely been regarded as one of the greatest batsmen of all time. In 1934 BCCI launched a national competition between "the princes and the princely States" and it was named after the greatest Indian player of that time, KS Ranjitsinhji.*

*Saurashtra won the Ranji Trophy in 1936-37 and were also runners-up in the very next season of 1937-38. They have been runners-up in Ranji Trophy (plate) in 1937-38, 2012-13 and 2015-16.*

*Famous international players are Cheteshwar Pujara, Ravindra Jadeja and Jaydev Unadkat."*

*"Vidarbha Cricket Association"*

*Vidarbha Cricket Association is the governing body of cricket activities in the Vidarbha region in Maharashtra State and Vidarbha cricket team. Vidarbha first played first-class cricket in the 1957-58 season, competing against the other Central Zone teams until 2001-2002, after which the Ranji Trophy was no longer contested on a zonal basis. Vidarbha's best seasons were 1970-71 and 1995-96, when it reached the quarter-finals of the Ranji Trophy and 2002-03 and 2011-12, when it reached the semi-finals of the Plate Group, Vidarbha has played more than 250 first-class matches.*

*Umesh Yadav is a member of the Vidarbha Cricket Team. Vidarbha won the Ranji Trophy and Irani Trophy in the 2017-18 season."*

*These associations have a long and abiding history of nurturing talent for the game of cricket in India. The history of cricket in India is replete with their contribution to the cause of cricket. These associations have produced players who have brought laurels*





*to their States and to the nation. The principle of territoriality requires that each of the States and Union Territories should have full membership of BCCI in terms as suggested in Clause 3(a) (ii-B). This becomes a principle of inclusion. To utilise territoriality as a basis of exclusion is problematic because it ignores history and the contributions made by the above associations to the development of cricket and its popularity. Having due regard to the contributions made by Mumbai and Vidarbha in the State of Maharashtra and by Baroda and Saurashtra in the State of Gujarat to the game of cricket, it would be appropriate to also grant them full membership of BCCI. We however, maintain the decision not to grant the status of full members to the National Cricket Club and the Cricket Club of India. Neither of the two Clubs fields teams in the Ranji Trophy. They cannot be placed on par with the other State Associations.*

18. In order to appreciate the issue at hand, the BCCI seeks to read the Rules of the BCCI Constitution - Rule 3(a)(ii)(A), Rule 3 (a)(iii)(B), Rule 3 (d) along with the aforesaid portions of the Justice Lodha Committee recommendations/report and Supreme Court judgments dated 18<sup>th</sup> July 2016 and 09<sup>th</sup> August 2018. A holistic reading of the same, culminates into an understanding that the admission of an Associate Member from a state which is already represented by a Full Member is not a necessity. In fact, the recommendation contained in the Justice Lodha Committee recommendations/report is 'One State – One Member – One Vote' and not 'One State – One Vote'. The term 'Member' is defined in Rule 1(A)(t) of the BCCI Constitution as including a Full Member and an Associate Member. Even though Rule 3(a)(ii)(A) of the BCCI Constitution states that no state shall have more than one Full Member, it also states that "Each State shall be represented by a state cricket association ...". (emphasis supplied). Accordingly, it follows that another state cricket association cannot be admitted from a state which is already represented by a Full Member even if such other state cricket association is sought to be admitted as an Associate Member. The only exceptions in the discussion of the judgment of the Hon'ble Supreme Court were pertaining to certain states and some associations with a distinct history and representation for a significant amount of time and even therein, the Hon'ble Court express the desire for consolidation in compliance of the larger principle of 'One State – One Member – One Vote'.

19. The objects and purposes of the BCCI include taking measures for the promotion and development of the game of cricket in India. Rule 3(a)(iii)(B) of the BCCI Constitution states that the BCCI may induct any other entity as an Associate Member, however, the





said Rule cannot be construed as permitting the BCCI to compulsorily induct an Associate Member from a state which is already represented by a Full Member. The interpretation of the said Rule in the manner that the TCA has sought will be inconsistent with the fundamental principles underlying the Lodha Committee report and the Judgments passed by Hon'ble Supreme Court.

20. TCA's reference to the Rule regarding *parens patriae* cannot be considered to be relevant as the Rule 3(b)(2) is for a specific subject which does not include the issue of membership to associations.
21. TCA refers to recognition of certain state associations like Sikkim, Manipur, Meghalaya Arunachal Pradesh, Nagaland, Uttarakhand, Puducherry, Mizoram, Chandigarh by the BCCI COA. It is relevant to mention that Justice Lodha Committee recommendations/report goes on to specifically recommend the induction of Puducherry as an Associate Member of the BCCI in the following words:

*"...Among the Union Territories, it would however be appropriate for Puducherry to be now inducted by the BCCI as an Associate Member which will retain rights to field a team and compete."*

However, no such specific recommendation has been made in respect of the state of Telangana as the Justice Lodha Committee was aware of the existence of HCA. In fact, states that were completely unrepresented in BCCI were inducted as Full Member/ Associate Member from any of the said States/ Union Territories and this addition cannot be compared with the case of the TCA.

22. TCA's interpretation regarding the BCCI's objective for formation of a state, regional and other cricket associations is baseless. As stated earlier the state of Telangana is already represented by a Full Member i.e., HCA and hence there is no question of formation of any state, regional and other cricket associations when there is already an active Full Member in that state which is fulfilling the objective of promotion and development of game of cricket in that state.





23. TCA submits that they have complied with the new BCCI Constitution and the same is uploaded on the website. TCA has also filed their audited financial reports for the past 4 years which is also uploaded on the website. As per the reformed constitution of BCCI, TCA has also updated possible committees and are actively present across web and social media.
24. TCA's contention of being compliant with BCCI's constitution and filing audited financial reports and updating committees is irrelevant to BCCI at this stage.
25. TCA refers to the order of BCCI COA dated 14<sup>th</sup> June 2018 rejecting their associate membership application by wrongly interpreting the BCCI's rules and not following due procedure of finding ground level facts through Affiliation Committee or Technical Committee. Pursuant to the Supreme Court Order and Bombay High Court Order the issue regarding the membership is to be considered by the BCCI and the Hon'ble Courts have directed BCCI to decide the representation of TCA in accordance with law and there is no question of looking into what BCCI COA has passed.
26. TCA has stated that Government of Telangana has granted permission to utilize the international cricket stadium, along with providing funds to support the cause and TCA has conducted many matches. It is alleged that the TCA is a newly formed association, however, the demand for separate cricket association for Telangana region excluding Hyderabad city has been in demand since 1986, mainly for the reasons that neither HCA nor Andhra Cricket Association have ever bothered to develop infrastructure or provide access to selections in any state teams for the Telangana region. TCA has also provided list of trained cricketers and registered cricketers in their association. All these contentions do not make a case for becoming an Associate Member of the BCCI for reasons stated in this order.
27. TCA's submissions regarding permission granted by the Government of Telangana to use a stadium or TCA following up for a separate cricket association is of no relevance. The issue in question is whether the BCCI Constitution allows admission of an Associate Member from a state already represented by a Full Member. TCA's contention that BCCI has neglected TCA is also not acceptable.





28. TCA submits that they have been filing representations before BCCI and approaching courts of law for the past 4 years for equal opportunity for cricketers and people of Telangana. TCA has also provided a list of various applications filed before the BCCI/ BCCI COA regarding the issue of membership. TCA is not satisfied with the decision taken by the BCCI COA rejecting their application for Associate Membership. TCA's reference to various previous representations is not useful as this application is considered pursuant to the Supreme Court Order and hence the BCCI will only consider the representation filed pursuant to the Supreme Court Order.
29. TCA has made submissions regarding precedent of allowing more than one member per state. Certain examples like Maharashtra having three Full Members and one Associate Member, state of Gujarat having three Full Members, West Bengal having one Full Member and one Associate Member and erstwhile Andhra Pradesh having two Full Members were presented by TCA. Newly bifurcated states are given Full Memberships including Union Territories like Puducherry and Chandigarh.
30. TCA is well aware that in the Supreme Court judgment dated 9<sup>th</sup> August 2018 the Hon'ble Court has allowed Maharashtra and Gujarat to have more than one member. The Court allowed these states to have more than one members as an exception. The relevant portion from the judgment is placed below:

*" 11. We are of the view that it is necessary to restore full membership in the Constitution of BCCI to the three associations each in the State of Maharashtra and (Maharashtra, Mumbai and Vidarbha) and in Gujarat (Gujarat, Baroda and Saurashtra). During the course of the hearing, written submissions have been placed on the record in which the contributions of Baroda, Saurashtra, Mumbai and Vidarbha have been set out. We need to extract them here:*

*"Baroda Cricket Association"*

*Cricket was introduced to Vadodara City by the Maharaja of Baroda, Sayajirao Gaekwad in 1934 and Moti Bagh Stadium was the home of Baroda cricket. Since then Baroda has emerged 5 times as Ranji Trophy Champions in the years 1942-43, 1946-47, 1949-50, 1957-58 & 2000-01.*

*Baroda had produced many famous cricketers of international level in the past such as Vijay Hazare, Gogumal Kishenchand, Jayasingh Rao Ghorpade, Deepak Shodhan and in the present generation Datta Gaekwad, Chandu Borde, Kiran More, Anshuman*



*Gaekwad...Jitendra Patel. Amongst the later crop, Irfan Pathan, Yusuf Pathan, Zaheer Khan and Munaf Patel have played for this association.*

*"Mumbai Cricket Association"*

*In the year 1928, 'the Bombay Presidency (Proper) Cricket Association' was formed having geographical limits extending from Sind in the north to Karnataka (excluding Mysore State) in the South. In the year 1935, it was re-christened as 'Bombay Cricket Association' as the newly formed Gujarat and Maharashtra Cricket Association receded from the territorial limits of the Bombay Presidency (Proper) Cricket Association. The present day Mumbai Cricket Association or MCA is the governing body for cricket in Mumbai and its surrounding regions like Thane and Navi Mumbai. The Mumbai cricket team is the team for the Mumbai Cricket Association in the Ranji Trophy. The team has won over 41 titles, the most recent being in 2015-16. It has also come runner-up in the final of the Ranji Trophy a total of 4 times. The association owns the Wankhede Stadium. Famous cricketers produced by MCA, amongst others, include Abey Kuruvilla, Ajinkya Rahane, Ajiit Wadekar, Ashok Mankad, Chandu Borde, Dilip Sardesai, Dilip Vengsarkar, Eknath Solkar, Farokh Engineer, Jatin Paranjpe, Polly Umrigar, Ravi Shastri, Rohit Sharma, Rustomji Jamshedji, Rusi Modi, Sachin Tendulkar, Sandeep Patil, Sanjay Manjrekar, Sunil Gavaskar, Vijay Manjrekar, Vijay Merchant, Vinod Kambli, Wasim Jaffer, etc."*

*"Saurashtra Cricket Association"*

*Saurashtra is one of three cricket teams based in Gujarat which competes in the Ranji Trophy (the others being Baroda and Gujarat). Formerly it was known as Nawanagar Cricket Team. Nawanagar was an Indian princely State in the historical Halar region, located on the southern shores of the Gulf of Kutch. Ranjitsinhji often known as 'Ranji' was the ruler of the Indian princely State of Nawanagar from 1907 to 1933, as Maharaja Jam Saheb, and a noted Test cricketer who played for the English cricket team. He also played first-class cricket for Cambridge University, and county cricket for Sussex. Ranji has widely been regarded as one of the greatest batsmen of all time. In 1934 BCCI launched a national competition between "the princes and the princely States" and it was named after the greatest Indian player of that time, KS Ranjitsinhji. Saurashtra won the Ranji Trophy in 1936-37 and were also runners-up in the very next season of 1937-38. They have been runners-up in Ranji Trophy (plate) in 1937-38, 2012-13 and 2015-16. Famous international players are Cheteshwar Pujara, Ravindra Jadeja and Jaydev Unadkat."*

*"Vidarbha Cricket Association"*

*Vidarbha Cricket Association is the governing body of cricket activities in the Vidarbha region in Maharashtra State and Vidarbha cricket team. Vidarbha first*



*played first-class cricket in the 1957-58 season, competing against the other Central Zone teams until 2001-2002, after which the Ranji Trophy was no longer contested on a zonal basis. Vidarbha's best seasons were 1970-71 and 1995-96, when it reached the quarter-finals of the Ranji Trophy and 2002-03 and 2011-12, when it reached the semi-finals of the Plate Group, Vidarbha has played more than 250 first-class matches.*

*Umesh Yadav is a member of the Vidarbha Cricket Team. Vidarbha won the Ranji Trophy and Irani Trophy in the 2017-18 season."*

*These associations have a long and abiding history of nurturing talent for the game of cricket in India. The history of cricket in India is replete with their contribution to the cause of cricket. These associations have produced players who have brought laurels to their States and to the nation. The principle of territoriality requires that each of the States and Union Territories should have full membership of BCCI in terms as suggested in Clause 3(a) (ii-B). This becomes a principle of inclusion. To utilise territoriality as a basis of exclusion is problematic because it ignores history and the contributions made by the above associations to the development of cricket and its popularity. Having due regard to the contributions made by Mumbai and Vidarbha in the State of Maharashtra and by Baroda and Saurashtra in the State of Gujarat to the game of cricket, it would be appropriate to also grant them full membership of BCCI. We however, maintain the decision not to grant the status of full members to the National Cricket Club and the Cricket Club of India. Neither of the two Clubs fields teams in the Ranji Trophy. They cannot be placed on par with the other State Associations."*

31. Further, the other states referred to by the TCA are also inducted pursuant to the Justice Lodha Committee recommendations/report or in compliance with Supreme Court judgement. Such circumstance is not applicable to State of Telangana.
32. TCA submits that in spite of Telangana being listed as the controlling body for the state of Telangana as per the Supreme Court approved BCCI Constitution, the COA has unlawfully determined HCA as the controlling body of the state of Telangana. TCA submits that factually HCA is not a state level association as it is not present in major parts of the state of Telangana outside Hyderabad city and the fact has been admitted by the HCA at the BCCI COA meeting held on 30<sup>th</sup> may, 2018. The points of HCA submitted by letter dated 21<sup>st</sup> June 2021 have been considered. HCA has stated that HCA represents the entire state of Telangana with total coverage of 31 districts which is officially designated territorial jurisdiction of the state of Telangana at present.



33. The BCCI does not deem it necessary to get into the issue of the order passed by BCCI COA. The present application is a fresh application filed by the TCA and in compliance with the court orders. The BCCI is required to decide the application in accordance with law. Forming an Affiliation/Technical Committee for admitting an association is not provided anywhere in the BCCI Constitution and hence the question of forming such committee does not arise. In any event, the BCCI does not feel it is necessary at this juncture.

34. TCA has also placed reliance on Rule 3 (b) (3) of the BCCI Constitution.

Rule 3(b)(3) of the BCCI Constitution provides the following:

*“If any Association continues to be disentitled for a grant under Rule 3(b)(1) above for a continuous period of 2 years, the BCCI may derecognize the Association as a Member, and if it is a Full Member, in its place, recognize any other Association from that State which complies with the requirements of Rule 3(b)(1) above.”*

The same is of no relevance to the BCCI as Rule 3 (b)(3) is interlinked with Rule 3(b)(1). We do not see merit in this argument by TCA as HCA has not failed in any of the obligations mentioned in Rule 3(b) of the BCCI Constitution and therefore the question of not recognizing HCA does not arise.

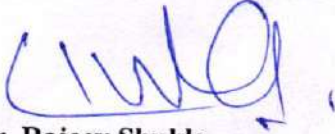
### C. DECISION

35. In view of the reasons mentioned above, the application made by the Telangana Cricket Association (i.e., TCA) seeking affiliation as an Associate Member of BCCI cannot be accepted and is hereby rejected.

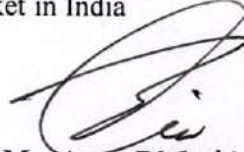
36. TCA has in great detail explained their concerns and the issues which they are facing, and BCCI appreciates the effort of TCA and their concern regarding the development of cricket in the state of Telangana (outside the city of Hyderabad). Although the BCCI cannot accept the representation of Associate Membership by TCA, the BCCI feels TCA in collaboration with HCA can help the growth and development of cricket in the state of Telangana. Accordingly, the BCCI directs the HCA to meet with the representatives of TCA and address their concerns *inter alia* in relation to the development of cricket

outside the city of Hyderabad. The HCA is directed to address the concerns of TCA in a time bound manner. HCA is also directed to prepare a report of the steps taken by it in relation to development of cricket outside the city of Hyderabad within 6 months from the date of this order passed by the BCCI. A copy of this order may also be provided to HCA for them to comply with the directions mentioned above.

For and behalf of the Board of Control for Cricket in India



**Mr. Rajeev Shukla**  
(Vice President, BCCI)



**Mr. Arun Dhimal**  
(Treasurer, BCCI)

Dated this 11 day of July 2021.