

Case No. 1(EO) of 2026.

Sub: Complaint regarding Violation of Rule 67 of the CAB Rules by Surajit Lahiri, Member of the Apex Council, The Cricket Association of Bengal.

Present:

For Complainant:

Mr. Yashovardhan Kochar, Ld. Advocate.

Mr. Kaustav Banerjee, Ld. Advocate.

For Mr. Surajit Lahiri:

Mr. Suman Kr. Dutt, Ld. Senior Advocate

Ms. Monica Jaiswal, Ld. Advocate.

Mr. Ashim Mondal, Ld. Advocate.

For CAB

Mr. Samrat Sen, Ld. Senior Advocate.

Final Order

29/08/2026

The Complainant claiming to be a person interested in the game of Cricket, filed this complaint praying for removal of Mr. Surajit Lahiri from the post of Councillor / Member of the Apex Council as Mr. Lahiri while acting as a Councillor after being admittedly elected in the 94th Annual General Meeting of the CAB held on 22nd September, 2025, also remained at the helm of affairs of a franchise team viz. Novus Purulia Royals Team participating in the Bengal Pro -T20 League, 2026.

It is alleged that Mr. Lahiri as a Member of the Apex Council, participated in all the Apex Council meetings relating to Bengal Pro-T20 League and simultaneously acted as a representative of Novus Purulia Royals in the process of selection of players of Novus Purulia Royals and

thus there was “conflict of interest” in terms of Clause 67 of the Cricket Association of Bengal Rules.

Submission of Mr. Yashovardhan Kochar, Ld. Advocate appearing for the Complainant viz. Mr. Pranjal Pal.

Mr. Kochar, Ld. Counsel appearing for the complainant, refers to various provisions of the Memorandum and Rules of the Cricket Association of Bengal, while demonstrating as to how “conflict of interest” intervenes when Mr. Lahiri acted in dual capacity in CAB as well as in Novus Purulia Royals at the same time. He contended that while Mr. Lahiri was a Councillor of CAB and by virtue of his position as Councillor in CAB, he also became a Member of the Apex Council, taking all important decisions relating to Cricket Matches Organized by CAB, he also represented Novus Purulia Royals, which participated in Bengal Pro-T20 League Organized by CAB.

He referred to Rule 3(l) which defines “Councillors”. According to the said definition “Councillors” are the Members of the Apex Council. He thus contended that Sri Lahiri being the elected Councillor, is also a member of the Apex Council.

He then referred to Rule 3(d) which defines “Apex Council”. As per the said definition “Apex Council” is the principal body of the Association tasked with its governance as set out in Rule 34. Under Rule 34 (1), it is provided that there shall be an Apex Council for the Association which shall be primarily responsible for the governance of

the Association. Powers and Functions of the Apex Council are mentioned under Rule 35 of the CAB Rules. Under Rule 35, several powers and functions of the Apex Council are defined. However, under Rule 35(ss), general power and function of the Apex Council is defined in the manner as follows: -

"Rule 35(ss). Generally, to do all such other acts and things which are delegated to it by the Association and all other functions to be expedient, convenient and / or conducive to the carrying out of the above functions of the Apex Council.

Provided that the exercise of power under Clauses (j), (k), (l), (m), (o), (p) shall be subject to ratification by the Association at its next meeting, failing which the Rules shall lapse."

He also referred to Rule 67 which deals with "Conflict of Interest".

Mr. Kochar contended that "conflict of interest" is defined in Rule 3 (k) and if the said definition of "conflict of interest" is read conjointly with Rule 67 of the said Rules, then there will be no hesitation to hold that by holding two posts simultaneously in the aforesaid two places where decision taken in one of such bodies may influence the decision of the other body, "conflict of interest" as defined in Section 3(k) will be attracted. As such, he prays for dismissal of Sri Lahiri from the post of Councillor / Member of the Apex Council. He referred to paragraph 21 of the Order dated 21st July, 2020 passed by the Ethics Officer, The

Board of Control for Cricket in India in Complaint No. 5/2019, wherein an identical situation was allegedly dealt with, by the Ethics Officer of BCCI. It was held therein as follows: -

“20. Since all the parties are ad-idem that Mr. Mayank Parikh is a “Manager of BCCI” within the meaning of Clause (l) Sub-rule (4) of Rule 38 of the Rules, the issue falling for consideration is whether his erstwhile and present association, which he now claims stands severed, with the six clubs, still attracts clause (p) of Sub-rule (4) of Rule 38 of the Rules, giving rise to a situation of conflict of interest as contemplated under the rules?”

“21. The concept of conflict of interest, is not necessarily a question about something one does or intends to do but a question of what it can possibly or potentially do. However, in so far as the Rules of the BCCI are concerned, the said principle has been codified in Rule 1(A)(g) read with Rule 38(1)(i) of the Rules. Rule 1(A) (g) of the Rules refers to the situations, where an individual associated with the BCCI in any capacity acts, or omits to act, in a manner that brings or is perceived to bring the interest of the individual in conflict with the interest of the game of Cricket and

that may give rise to apprehension of, or actual favoritism, lack of objectivity, bias, benefits (monetary or otherwise) or linkages, as set out in Rule 38 of the Rules. Hence, the question of conflict of interest has to be considered on the touchstone of the definition, which clearly brings within its ambit all situations, which even have the potential or perception of giving rise to apprehension of any kind of favoritism, lack of objectivity, bias benefits (monetary or otherwise) or linkages by or to a person associated with the BCCI, in any capacity."

Mr. Kochar has also referred to the decision of the Hon'ble Supreme Court in the case of **Board of Control for Cricket in India - vs-Cricket Association of Bihar and Ors. Reported in 2015 (3) SCC 251** to demonstrate that to attract "conflict of interest", bias was actually at work when decision was taken, need not be proved. It is the reasonable likelihood of bias that determines whether the action can be faulted, is the real test, to attract the conflict of interest.

Relying upon the aforesaid decisions, Mr. Kochar invited the Undersigned to impose penalty upon Mr. Lahiri in terms of Rule 68 (3) of the CAB Rules. Rule 68 (3) of the said Rule runs as follows:-

"68(3) After considering the relevant factors and following the principles of natural justice, the Ethics Office may do any of the following:

(a) Declare the conflict as Tractable and direct that:

- (i) the person declare the Conflict of Interest as per Rule 67(3) (a); or*
- (ii) the interest that causes the conflict be relinquished; or*
- (iii) the person recuse from discharging the obligation or duty so vested in him or her.*

(b) Declare the conflict as intractable and direct that:

- (i) the person be suspended or removed from his or her post; and*
- (ii) any suitable monetary or other penalty be imposed; and*
- (iii) the person be barred for a specified period or for life from involvement with the game of cricket.*

The Ethics Office is wholly empowered to also direct any additional measures or restitution as is deemed fit in the circumstances."

Submission of Mr. Samrat Sen, Ld. Senior Advocate appearing for the CAB.

Mr. Sen Ld. Senior Counsel appearing for CAB, submitted that the situation which was prevalent even at the time when the prayer for interim relief of the complainant was refused, remained unchanged. According to him, if that be so, the Undersigned need not come to a different conclusion.

Mr. Sen further contended that the allegations made in Paragraph 14 and 15 of the complaint are the foundation of the complaint of the complainant. He also contended that no allegation was made by the complainant in this complaint that on the date when the meeting was held in the Apex Council relating to holding of Bengal Pro -T20 League, Shri Lahiri was in anyway associated with Novus Purulia Royals. He further contended that even on the date when Shri Lahiri represented Novus Purulia Royals, the said club viz. Novus Purulia Royals did not have any other competitor as apart from Novus Purulia Royals no other club participated in the auction when Novus Global Horizon Pvt. Ltd. was declared as the successful bidder.

Mr. Sen further contended that the complainant has failed to prove that there was any bias and/or even apprehension of bias because of the alleged participation of Shri Lahiri in the auction. According to Mr. Sen, the selection was made through a process which was absolutely transparent, open and in a competitive manner.

Mr. Sen further contended that even the Apex Council had no participation in the process of controlling and/or managing the said Bengal Pro T20 League, as right from the inception, CAB had entrusted matters relating to the tournament operations and management of the league, including playing conditions, player draft/auction process, on-ground staff etc. to JSW Sports Pvt. Ltd. He contended that the said

league was entirely managed and controlled by JSW Sports Pvt. Ltd. and as such neither the Apex Council nor any Member of the Apex Council nor even Shri Lahiri had any control over the management of the said tournament.

Mr. Sen further contended that the allegation of conflict of interest and /or even their apprehension regarding conflict of interest because of involvement of Shri Lahiri in the manner as complained of, is nothing but a wishful thinking of the complainant as it will appear that though Novus Purulia Royals participated in the Tournament in both men's and women's category but could not be declared as winner in any of the Tournaments. The winner of the Men's Tournament was Shrachi Rarh Tigers. The winner of the women's tournament was Adams Howrah Warriors. In the Men's category, Novus Royals Purulia played 07 - Matches in the League Stage. It won four out of its seven matches in the League stage. Its over all rank in the tournament was four. Likewise, in the Women's category Novus Purulia Royals played seven matches in the League stage. It won one of its seven matches in the League stage. Its overall rank in the Tournament was seven. The performance of Novus Purulia Royals in both the aforesaid categories as declared will prove beyond any reasonable doubt that even participation of Shri Lahiri in the auction process, the ultimate decision-making process was not influenced by Shri Lahiri.

Mr. Sen ultimately contended that the complainant even in Paragraph-10 of their reply admitted that only the fixtures for Bengal Pro T-20 League was determined by the Apex Council, which is also not even admitted by the CAB.

Mr. Sen thus contended that when admittedly CAB had no control over the management of the Tournament of Bengal Pro -T20 League and further when the control and management of the said tournament was vested with JSW Sports Pvt. Ltd. which ultimately not only conducted the matches but also declared the ultimate fate of such matches, the "conflict of interest" clause even cannot be attracted by the mere presence of Mr. Lahiri in the auction process to represent Novus Purulia Royals.

By referring to the citations relied upon by Mr. Kochar, Mr. Sen submitted that the view of the Ethics Officer of BCCI as expressed in the Order dated 21st July, 2020, in Complaint No. 5/2019 was subsequently reconsidered in his subsequent Order dated 14th November, 2019 passed in complaint no. 6/2019, wherein it was held that mere holding of post by any individual associated with BCCI as identified in Sub-Rule 4 of Rule 38 of the Rules, may not *per se* be sufficient for arriving at the conclusion of existence of conflict of interest. It was further held therein that whether holding of such post(s) gives rise to "conflict of interest" or not must, also be tested on the anvil

of reasonable apprehension of, or actual favoritism, lack of objectivity, bias, benefits, etc. as contemplated in the definition of the "conflict of interest" in Rule 1 (A) (g) of the BCCI Rules.

Mr. Sen further contended that the principles which was laid down by the Hon'ble Supreme Court in the decision cited by Mr. Kochar, has no application in the facts of the instant case as the complainant failed to prove that even reasonableness in his apprehension regarding "conflict of interest" existed because of participation of Shri Lahiri in the auction process.

Mr. Sen submitted that no definite allegation has been made against Mr. Lahiri, which may lead the Undersigned to hold that there may arise reasonable apprehension of, or actual favoritism, lack of objectivity, bias, benefits, etc. as Mr. Lahiri holds two posts simultaneously; one as Councilor in the Apex Council of CAB and the other as representative of a franchise team viz. Novus RoyalsPurulia.

Mr. Senthus contended that in the absence of reasonable apprehension of, or actual favoritism, lack of objectivity, bias, benefits, etc. even no order can be passed against Mr. Lahiri in the manner as prayed for. He also contended that the complainant being neither a member of CAB nor any person affected by any decision of the CAB, has any locus to maintain such a complaint before the Undersigned. He ^b having not disclosed his intention to participate in the said tournament

but some how was excluded by any decision of the CAB illegally, did not acquire any *locus standi* to maintain this complaint before the Undersigned.

Mr. Sen thus invited the Undersigned to dismiss the said complaint.

Submission of Mr. Suman Kr. Dutt, Ld. Senior Advocate appearing for
the Respondent viz. Mr. Surajit Lahiri.

Mr. Dutt, Ld. Senior Counsel representing Mr. Lahiri, contended that the complainant has miserably failed to prove that Mr. Lahiri had any participation on behalf of Novus Purulia Royals in the auction process. He contended that the complainant has simply disclosed two photographs wherein the photograph of Mr. Lahiri along with others are allegedly appearing. He further contended that the complainant has not even identified Mr. Lahiri and /or the other persons present there, whose photographs are appearing in those two photographs. He further contended that even the occasion in which they were present has also not been proved by the complainant. He thus submitted that by disclosing two photographs only, the allegations made out by the complainant in the complaint cannot be held to be proved.

Mr. Dutt further contended that that even by holding two posts in two places as aforesaid, the concept of "conflict of interest" cannot be

attracted, as the Apex Council did not have any role in the conduct of the said Bengal Pro-T20 League. Even according to the Complainant, the Apex Council had no other role save and except settlement of the fixtures i.e. fixing the dates for holding the matches for the said tournament. He further contended that the Apex Council had no role in conducting the auction for negotiating with the players. Thus, even by participating in the auction process for negotiating with the players as a representative of a team viz. Novus RoyalsPurulia, there can hardly be any chance of attraction of concept of "conflict of interest". He further contended that even the result of the matches was not decided by the CAB. The matches were conducted by JSW Sports Pvt. Ltd. which was an out-sourced independent Agency over which Mr. Lahiri had no control.

Mr. Dutt thus prayed for dismissal of the complainant's complaint.

Findings of the Undersigned.

Heard the Ld. Counsel of the parties. In the above background of the case, the Undersigned feels that paragraph-19 of the Order of Ethics Officer of BCCI dated 14th November, 2019 in Complaint no. 6/2019 has a great bearing in deciding the dispute involved in this proceeding. Accordingly, paragraph-19 of the said Order is set out hereunder:-

*"19. Having reconsidered the matter in the light of the
 b afore-stated provisions, while maintaining that on a literal*

interpretation, it may not be possible to hold that Sub-rule (4) of Rule 38 of the Rules, is merely directory. Nevertheless, on a harmonious and meaningful construction of all the provisions in the BCCI Rules, I am of the opinion that the said Sub-rule (4) cannot be divorced from sub-Rule (1) of Rule 38 of the Rules. Hence, while examining the question whether or not there is a "conflict of interest" in the case of a particular individual, the actual or potential consequences of the instances illustrated in extension in Sub-rule (1) of the Rule 38 of the Rules or other possibilities of potential/actual conflicts similar to those given in Sub-rule (1) of the Rule 38 of the Rules, have to be kept in view. To put it differently, for examining an instance of "conflict of interest", mere holding of post/s by an individual associated with the BCCI, as identified in Sub-rule (4) of Rule 38 of the Rules, may not per se be sufficient for arriving at the conclusion of existence of "conflict of interest". But whether holding of such post(s) gives rise to "conflict of interest" or not must also be tested on the anvil of reasonable apprehensions of, or actual favoritism, lack of objectivity, bias, benefits, etc., as contemplated in the definition of "conflict of interest" in Rule 1(A)(g) of the Rules."

Even what role Shri Lahiri played in the auction process could not be proved by the complainant by production of any material evidence before the Undersigned. The role which Mr. Lahiri allegedly played in the auction process cannot be held to have been proved simply because two photographs were produced without explaining the relevance thereof, which in my view, even cannot be relied upon as an evidence of taking active part by Mr. Lahiri on behalf of the Novus Royals Purulia in the auction process. The complainant simply relied upon the statement made by the CAB in its response, in support of his allegation regarding Mr. Lahiri's participation on behalf of the said club in the said auction but without ascertaining the nature and extent of Mr. Lahiri's involvement with the club and how he exerted his influence as a Member of Apex Council in the decision-making process regarding the fate of the tournament, the Undersigned cannot come to the conclusion that simply because of his presence in the auction, he can be penalized under Rule-68 of the CAB Rules by holding that the concept of "conflict of interest" is attracted in the instant case.

Thus, in the absence of any definite and pin-pointed allegation made against Mr. Lahiri, the Undersigned cannot hold that even reasonable apprehension of attraction of the concept of "conflict of interest" because of occupying two positions by Mr. Lahiri in two different bodies, as stated in the complaint, can be contemplated in the facts of the instant case.

Admittedly, CAB entrusted JSW Sports Pvt. Ltd. for management and control of the said Tournament viz. Bengal Pro T20 League. Undisputedly CAB did not have any control at any stage in their decision-making process. It also appears that though the said Novus Purulia Royals participated in both Men's Tournament and Women's Tournament but their performance were not assessed as even satisfactory. They ranked quite at the bottom in both the matches i.e. Men's League and Women's League, in the said Tournament.

Exercise of any influence by Shri Lahiri in the decision-making process at any stage of the play could not be proved by the complainant. Even the complainant failed to make out reasonable apprehension which prompted him to make this complaint. The complaint is nothing but a frivolous, vexatious and harassing one. In my view, such a complaint might have been filed by the complainant, actuated by some ill-motive. The complainant has no locus to lodge such complaint as he was neither a person who had any interest directly or indirectly in the ultimate result of the said tournament. The complainant was not even a person who was an aspirant for participating in the matches but was wrongfully excluded by any decision of the CAB.

Under such circumstances, the Undersigned declines to reject the complaint made by the complainant. The complaint is thus disposed of.

CAB is directed to communicate this order to all concerned, at the earliest.

Jyotirmay Bhattacharya

Justice Jyotirmay Bhattacharya
Former Chief Justice, High Court at Calcutta,
Presently, Ethics Officer, Cricket Association of Bengal