

**IN THE OFFICE OF OMBUDSMAN-CUM-ETHICS OFFICER, PCA,  
MOHALI**

**Complaint No: 10 of 28-10-2022**

**Dilsher Khanna & Ors. Versus Gulzarinder Singh Chahal & Ors.**

**ORDER**

**4-11-2022 Present:-For the Complainants : None**


**For the Respondents: Sh Gauravdeep Singh Dhaliwal**

**Convener in person and for others**

A complaint dated 06.10.2022 was received by office of the Ombudsman-cum-Ethics Officer Punjab Cricket Association via e-mail, whereby the complainants namely Sh. Dilsher Khanna (Hon. Secretary) PCA, Sh. Surjit Rai (Hon Jt. Secretary) PCA, Sh. Sahebjit S.Sehmby (Apex Council Member) & Sh. Vikram Kumar (Apex Council Member) have laid challenge to the process of grant of Life Membership of the Punjab Cricket Association by the President, Sh. Gulzarinder Singh Chahal and the 'Life Membership Committee'.

2. It has been alleged in the complaint that Sh. Gulzarinder Singh Chahal, President, Punjab Cricket Association, is granting illegal Life Membership of the Association to persons known to him without following the due process,

ostensibly, through the Life Membership Committee constituted by him, which is in total contravention to the Constitution of the Association. It has been alleged that the Life Membership Committee has not held any meetings in PCA stadium and have not assembled even once and the meetings seem to be happening in a very clandestine manner at the residence of the President, Sh. Gulzarinder Singh Chahal. It has been further alleged that both the Hon. Secretary and Hon. Jt. Secretary, who themselves are Life Members of the Association, have been deliberately kept out of the Committee by the President, PCA. Further, no criteria and vetting process has been clarified by the President for granting Life Membership to the persons being chosen by him. It has also been alleged that Sh. Gulzarinder Singh Chahal, President PCA is working for his own interest and not in the best interest of PCA. Based on these allegations, the complainants have inter-alia prayed as follows:-

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- i) The President and the Life Membership Committee be immediately restrained from granting any Life Membership to any person, including themselves, their family members, business associates and other persons.
  - ii) The Life Membership Committee be reconstituted and the Hon. Secretary & Hon. Jt. Secretary be compulsorily be made members of the said Committee.

iii) Cancel any such Life Membership processed or attempted to be granted by the President as proper procedure has not been followed.

3. Notice of the present complaint was issued and the parties were called upon to appear and give their submissions.

4. Sh. Shekhar Verma Advocate appeared on behalf of the Complainants on 28.10.2022 and sought time to address arguments.

5. Sh. Anurag Chopra Sr. Advocate with Sh. Rishab Bajaj Advocate appeared on behalf of Sh Gulzarinder Singh Chahal and Sh Gauravdeep Singh Dhaliwal Convener on behalf of the Life Membership Committee.

6. On request of the counsel for the Complainants, the case was adjourned for hearing on 04.11.2022.

7. On 04.11.2022, none chose to appear on behalf of the complainants. Instead an e-mail was received by this office from complainant Sh. Dilsher Khanna, Hon. Secretary PCA, wherein it was submitted as under:-

“ Sir,

*This is further to the earlier communications sent to you requesting you to provide disclosure regarding any prior personal or professional linkages you may have had with Mr. Gulzarinder Singh Chahal against whom complaints are listed before you for adjudication in your capacity as Ombudsman cum Ethics Officer, PCA.*

*Your lack of response to these repeated requests hardens the apprehension that the complainants have regarding your bias towards Mr. Chahal. This is also reinforced by the manner of your appointment as Ombudsman cum Ethics Officer, which was done without due process and without proper appraisal and criteria. In fact your appointment was made the same day that Mr. Chahal took over as the President of PCA, indicating some prior personal or professional relationship. By all Standards of ethics or propriety, any such relationship or understanding should have been disclosed immediately, if not prior to such appointment.*

*In view of the above opacity, the complainants have grave apprehension of not receiving any impartial or objective examination of their complaints by you and hence, do not wish to pursue them further before your goodself. We, therefore, withdraw the complaints before you while reserving our options and recourse to any further legal remedies. You are requested not to process these matters further or pass any controversial orders so as not to create any legal impropriety*

*Needless to say, all communication sent to you is being kept in our records for any need that may arise for legal matters in the future.*

*Respectfully yours,*

*Dilsher Khanna”*


Other Complainants namely Sh. Vikram Kumar , Sh. Sahebjit S. Sehmbay and Sh. Surjit Rai have also sent similar emails for withdrawal of the present complaint.

8. On the other hand, Sh. Gauravdeep Singh Dhaliwal Convener appearing on behalf of the Life Membership Committee vehemently opposed the request for withdrawal of the present complaint by the complainants by casting unfounded imputation on the office of the Ombudsman PCA thereby seeking to malign the said office. It was further stressed by him that the complainants cannot now be permitted to withdraw the present complaint by defaming the Office of the Ombudsman-cum-ethics officer, as the same would shake the faith of the members in the institution created by the PCA Constitution. He also submitted that there is no provision in the PCA constitution seeking any disclosure from the office of the Ombudsman qua any prior linkages with any party and that this conduct of the complainants, to say the least, is most derogatory and needs to be suitably deprecated. He further submitted the record of the proceedings of the Life Membership Committee for the perusal of this office.

9. The matter was fixed today for addressing of arguments by the parties. As noticed earlier, the complainants have chosen not to appear before this office despite having filed the present complaint and then seeking time to address the arguments. Arguments have been addressed on behalf of the respondents by their representative Sh. Gauravdeep Singh Dhaliwal convener who has placed reliance upon the record of the Apex Council meetings and the meetings of the Life Membership Committee to submit that due process has been followed and the present complaint is an absolute abuse of process of law.

10. I have carefully gone through the relevant records/minutes of meeting of the Apex Council and the meetings of the Life Membership Committee. The Apex Council in its meeting dated 19.06.2022 has passed the following resolution:-

*Item No. 2:xxxx*

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- i) *Life Membership Committee:*
    - i) *Sh. Gulzarinder Singh Chahal, President*
    - ii) *Sh. Gagan Khanna, Vice President*
    - iii) *Sh. Rakesh Walia, Hon. Treasurer*
    - iv) *Sh. Binwant Singh Behgal*

v) *Sh. Gauravdeep Singh Dhaliwal- Convener*

*The Sub-Committee was constituted to enrol Former Cricketers, Lovers of the Game and Cricket well-wishers as Life Members, who can take cricket to the grass root level and promote and develop the game of cricket and assist the Association to achieve its aims and Objectives.'*

11. The Apex Council, by passing the above resolution, unanimously laid down the criteria and constituted a 'Life Membership Committee' with a specific purpose of enrolling Life Members of the PCA and delegated its power and function to the said Committee. The following five persons were made members of the said committee namely (a) Gulzarinder Singh Chahal, President PCA (b) Gagan Khanna Vice-President PCA, (c) Rakesh Walia, Treasurer PCA (d) Binwant Singh Behgal, Apex Council Member & (e) Gauravdeep Singh Dhaliwal, Apex Council Member (Convener). From the contents of the resolution dated 19.06.2022 it is apparent that the said Committee was specifically delegated with the task of enrolling Life Members of PCA. Perusal of the record made available to this office by the Convener of the Life Membership Committee reveals that the first meeting of the said committee was held on 13.08.2022 wherein the Committee reiterated the criteria as fixed by the Apex

Council, for enrolling Life Members of the PCA i.e. i) Former Cricketers (ii) Lovers of the Game of Cricket & (iii) Cricket well-wishers. Pursuant thereto, the Committee undertook the task of identifying the individuals who can be offered the Life Membership of the Association. Thereafter, during the second and the third meeting of the Committee held on 13.09.2022 and 15.09.2022 respectively, the said Committee proposed the names of 228 individuals for grant of the Life Membership. Subsequently, on 28.09.2022, the Committee directed the convener to formally approach the shortlisted individuals and to seek their consent for becoming the Life Members of PCA and subsequent thereto, issue the id cards to the newly inducted members.

12. Based on the above elucidated facts, it is apparent that the Life Membership Committee acted upon the mandate granted to it by the Apex Council vide its resolution dated 19.06.2022 wherein the criteria for grant of Life Membership was clearly spelled out i.e. for enrolling former cricketers, lovers of the game & cricket well-wishers. Further, three of the complainants have themselves signed the minutes of the Apex Council meeting dated 19.06.2022 whereby the task was so delegated to the Life Membership Committee.



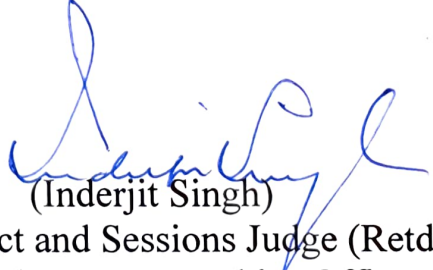


13. From the records, it is manifest that the Life Membership Committee has functioned in the manner so warranted by the Apex Council. I see no infirmity or illegality in the process so undertaken by them. It appears that the present complaint was a feeble attempt on the part of the complainants to vitiate the proceedings of the Life membership Committee for their vested interests. It is thus apparent that the complainants while filing the present complaint have not approached this office with clean hands and thus the present complaint reeks of malafide.

14. However in the light of e-mails of Sh. Dilsher Khanna, Sh. Vikram Kumar , Sh. Sahebjit S. Sehmbay and Sh. Surjit Rai seeking withdrawal of the present complaint, the same is hereby dismissed as withdrawn. Copy of this order be intimated to the parties.

File be consigned to record

Date: 04.11.2022

  
(Inderjit Singh)  
District and Sessions Judge (Retd.)  
Ombudsman-cum-Ethics Officer,  
PCA Mohali