

IN THE OFFICE OF THE OMBUDSMAN-CUM-ETHICS OFFICER, PCA, SAS  
NAGAR (MOHALI)

Pyush Rana son of Late Sh.Jawahar Lal Rana, House No.125/126,Street  
No.22, Tripuri, Patiala

.... Complainant

Versus

i) Sh. M.P.Pandove, resident of House No.426, Sector 35-A, Chandigarh  
and also at Laxmi Niwas, Arya Samaj Park, Patiala Phone No.0172-  
2668585, Mob.9872217150 ;

ii) Sh.R.P.Pandove, resident of # 3, Power Colony 1, Model Town Patiala,  
Mob. 09646200032 email ID: [rppandova@yahoo.com.pdcapatiala@  
yahoo.com](mailto:rppandova@yahoo.com.pdcapatiala@yahoo.com);

iii) Sh.Gursewak Singh Walia, resident of #3204, Sector 32, Chandigarh,  
and also at Lehal Colony, Patiala and also at Premier Rubber Industries,  
Focal Point, Rajpura : Mob.98722-19150.

iv) Sh.Janak Raj Sachdeva, resident of Dhaliwal Colony, Jagdish Ashram  
Road, Patiala and also through CEO, Punjab Cricket Association.

...Respondents.

v) Chief Executive Officer, Punjab Cricket Association, IS Bindra Cricket  
Stadium, S.A.S.Nagar (Mohali) email ID:[ceo@cricketpunjab.in](mailto:ceo@cricketpunjab.in)

Proforma Respondents

Present : - Mr. Shekhar Verma, Advocate and the petitioner is in person.  
None for respondents No.1 and 2.  
Mr. Anuj Ahluwalia, Advocate, for respondents No.3 and 4.



ORDER

The present complaint has been filed under sub Rule 2, 3 and 46 of the Rules and Regulations of Punjab Cricket Association (as revised upto 11.08.2019) against the respondents.

Brief facts necessary for the disposal of this case, as alleged by the complainant are that respondent No.1 Shri M.P.Pandove and respondent No.3 Shri Gursewak Singh Walia remained office bearers of Punjab Cricket Association (hereinafter referred as -PCA). There was Patiala District Cricket Association registered since 1982-83 with the Registrar, Firms and Societies Punjab at Chandigarh. Respondent No.2 Shri R.P.Pandove and respondent No.4 Shri Janak Raj Sachdeva were honorary Secretary and President respectively of another fictitious society namely Patiala Cricket Association. Respondent No.3 Shri Gursewak Singh Walia being office bearer and member of PCA, managed disbursement of maximum grant-in-aid to Patiala Cricket Association, which was neither registered with the Registrar of Firms and Societies, Punjab nor affiliated with Punjab Cricket Association. The complainant further alleged that in fact Patiala Cricket Association is a private trust owned and managed by



the respondents as the same was not affiliated with PCA, no funds could have been transferred in the account of Patiala Cricket Association from PCA. The respondents used to receive money from PCA in the accounts of Patiala Cricket Association, which was an unregistered fictitious body stated to be the successor-in-interest of a duly registered society namely Patiala District Cricket Association, which was defunct otherwise. Respondents No.1 to 4 were responsible for embezzlement and siphoning of grants/financial aids received from PCA and this process continued for the last couple of decades. Apart from this, they also received financial benefits from tournaments conducted in Patiala. Not only this, respondents No.1 to 4 managed to transfer the possession of Government land in the name of their privately run and managed trust Patiala Cricket Association. This happened in the year 1988-89, which is much prior in time to the date 18.08.1995 which is claimed to be the actual date on which Patiala District Cricket Association was allegedly re-named as Patiala Cricket Association. After obtaining the possession of the Government land, Patiala Cricket Association, raised construction of a Cricket Stadium from the funds availed from PCA by using the influence of respondents No.1 and 3. The stadium so constructed, was entrusted to another family



Trust being run under the name and style Dhruv Pandove Trust, Patiala, which used to charge rental and other charges for facilities of the Cricket Stadium from general public and cricket teams. When these illegal transactions regarding transfer of possession of land in favour of private trust, came to the notice of the Government of Punjab, the revenue department, Government of Punjab, ordered for return/transfer of the ownership of the land in the name of Government of Punjab (Horticulture Department, Punjab). Complainant further alleged that the claim of Patiala Cricket Association, as a society, which is successor-in-interest of Patiala District Cricket Association, a registered society, turned out to be false when another society namely Patiala Cricket Association was registered in the year 2021 with the registration No.DIC/OL/Society/3265/2020-2021 dated 23.02.2021 as competent authority could not register two societies in the same name and in the same State. This shows that Patiala Cricket Association was not a society but a trust. The complainant alleged that this is a clear-cut case of conflict of interest and embezzlement of funds of PCA by the respondents No.1 to 4 in the name of Patiala Cricket Association. The complainant, therefore, submitted that the respondents No.1 to 4 be completely barred for life

A handwritten signature in black ink, appearing to be 'Dhruv Pandove', with a long horizontal line extending to the right.

from involvement with the game of Cricket. The affiliation of Patiala Cricket Association with the PCA, if any, may be cancelled and suitable monetary recovery of embezzled amount be effected from the respondents and suitable penalty be also imposed upon them.

On notice, respondents appeared. Respondents No.1 and 2 filed their joint written statement whereas respondents No.3 and 4 have also filed their joint separate written statements, but on the same line.

Respondent Nos.1 and 2 submitted that there is no conflict of interest as respondent No.1 demitted the office of honorary general secretary of PCA on 02.01.2017 in response to the order dated 02.01.2017 passed by Hon'ble the Supreme Court of India in *BCCI vs. Cricket Association of Bihar and others 2017(2) DCC page 333*, whereas respondent No.2 was never an office bearer of PCA. The complainant has made misleading allegations, therefore, complaint is wrong, false and frivolous, therefore, liable to be dismissed. Respondents No.1 and 2 further alleged that this forum has no jurisdiction nor competent to try and decide the present complaint.



On merits, these respondents No.1 and 2 submitted that Patiala Cricket Association is an Association of persons and not a trust. Patiala Cricket Association is duly registered with the Registrar of Firms and Societies under certificate No.382 of 1982-83. Earlier Patiala District Cricket Association was duly registered body and continued to be so till 1995. An extraordinary General Body meeting of Patiala District Cricket Association was convened on 18.08.1995 and unanimous resolution was passed in that meeting whereby it was decided to change the name of Patiala District Cricket Association to Patiala Cricket Association and it was informed to the Registrar of firms and Societies. In fact, Patiala Cricket Association is the successor of Patiala District Cricket Association which stands affiliated with PCA. All concerned were duly informed regarding the change of name. Ever since 1995 Punjab Cricket Association has been dealing with Patiala Cricket Association administratively, financially and for all other cricketing activities. So, no fresh or any new affiliation of Patiala Cricket Association with PCA was required. Respondents No.1 and 2 admitted that respondents No.2 and 4 namely R.P.Pandove and Janak Raj Sachdeva respectively are actively associated with the affairs of Patiala Cricket Association. The funds received by Patiala Cricket Association from



PCA were duly accounted for in the books and in the bank accounts which were duly audited by the Chartered Accountant. The balance-sheets are prepared every year, duly approved by the executive committee and then by the general body of Patiala Cricket Association and were sent to PCA as well as Income Tax Authorities. The audited balance sheets of Patiala Cricket Association are scrutinized every year by the accounts officers of the Punjab Cricket Association and only then the reimbursements are dispersed for the next year. The Administrative Committee of PCA used to take decisions for creation of infrastructure at district level and for transfer of funds/grants and subsidies to the district level associations. So, respondents No.1 and 3 were not in a position to transfer the funds of PCA to the Patiala Cricket Association as administrative committee of PCA used to take such decisions. The Patiala Cricket Association is not a trust but a registered society and all the due amounts received from PCA are duly accounted for in the bank accounts and books of accounts of Patiala Cricket Association. So, there is no possibility of any embezzlement. These respondents further submitted that Trusts are registered with the Sub Registrar (Tehsildar) of the area whereas Societies/Associations are registered with the Registrar of Firms and Societies. Earlier, there was



Patiala District Cricket Association registered at No.382 of 1982-83 dated 20.09.1982. A specific resolution was passed in General Body Meeting of the Patiala District Cricket Association on 18.08.1995 and the name of the same was changed to Patiala Cricket Association. The change was duly communicated to all concerned persons. The Registrar of Firms and Societies, Punjab, Chandigarh, on 20.02.2015 confirmed the change of name with the same old registration No.382 of 1982-83 was issued to Patiala Cricket Association. The PCA issues cheques in the name of Patiala Cricket Association and not in the name of any trust as alleged by the complainant. These respondents also filed latest list of office bearers of Patiala Cricket Association for the year 2020-2021. The Patiala Cricket Association had complete/full infrastructure in this ground i.e. double storey pavilion, dormitories, players hostel, spectator stands and proper umpires room, match referee room and dining room, etc. Rather, Patiala Cricket Association, in fact, facilitated and helped PCA to discharge its obligation towards BCCI and other State matches by providing its own created infrastructure to which Punjab Cricket Association used to reimburse the actual expenses incurred by the District Cricket Associations. Patiala Cricket Association has been regularly paying annual





subscription and statutory dues to PCA. PAN Card No.AAATP2124N has also been issued to the Patiala Cricket Association mentioning its date of incorporation as 16.07.1982. Patiala Cricket Association has been running the game of cricket in Baradari ground for more than 100 years. It has built the Stadium at this ground by its own resources and the stadium was completed and no amount was taken from PCA. The entry of change of possession of the cricket ground land to Horticulture department on jamabandi of the year 2016-17 is not physical transfer of possession of the cricket ground and the stadium. The physical possession of the stadium is with the Patiala Cricket Association. The stadium was complete on cricket ground, which was inaugurated on 15.09.1988 by the then Governor of Punjab. The Patiala Cricket Association is still in possession of the Stadium. However, the ownership of the land has been changed in the name of Horticulture department, Punjab, by the revenue authorities. Rather the State Government granted lease of 33 years vide lease deed dated 27.7.2021 to the Patiala Cricket Association. The name of the Stadium has been changed to the name of late Dhruv Pandove due to sad demise of Dhruv Pandove, a known reputed cricketer in an accident and that too by the State Government. Dhruv Pandove trust is an independent legal



persona and has no connection with Patiala Cricket Association. The complainant has wrongly submitted that the management of Patiala Cricket Association is entrusted to Dhruv Pandove Trust. Dhruv Pandove Trust has separate bank account. The allegation of charging room rent of the stadium by the Dhruv Pandove Trust is totally false and frivolous. These respondents further submitted that Patiala Cricket Association is registered with Income Tax Department under the Income Tax Act as a charitable society and not as Trust and the Patiala Cricket Association files income tax return and claims deductions under the Income Tax Act. Respondents No.1 and 2 further alleged that in fact the complainant has formulated an illegal parallel body by the name of Patiala Cricket Association and got the same registered with Registrar of Firms and Societies, Punjab and the answering respondents have lodged objections to the concerned authorities in this regard. Finally, these respondents submitted that the complaint is false and frivolous and has been filed with mala fide intention to defame the respondents and the same is liable to be dismissed with exemplary costs.



Similar, rather, same is the written statement submitted by respondents No.3 and 4 and they also prayed for dismissal of the complaint with exemplary costs.

Complainant filed rejoinder to the written statements filed by respondents No.1 to 4, in which, he reiterated the allegations as narrated in the complaint and controverted the submissions made by the respondents and further submitted that Patiala Cricket Association has been incorporated as a Trust by the respondents just to throw dust in the eyes of the authorities. Earlier Patiala District Cricket Association was a registered Society. In order to get double benefit, the respondents created Patiala Cricket Association, a Trust but the respondents never informed these developments to the PCA. As per respondents version, the Patiala District Cricket Association, Luxmi Niwas, Arya Samaj Park, Patiala with registration No.382 of 1982-83 was re-named as Patiala Cricket Association, Patiala vide resolution dated 18.08.1995 but this fact was not intimated to the Registrar, Firms and Societies, Punjab, at-least till the year of 2015 and it was informed to the Registrar of Firms and Societies, Punjab, Chandigarh and a certificate to this effect was got from the office of Registrar of Firms and Societies, Punjab, Chandigarh on 20.02.2015 vide



serial No.820 (after 20 years). Not only this, this fact was never informed to the PCA. Even in the letter dated 17.01.2020, this certificate dated 20.02.2015 was not disclosed by the respondents. Even an application seeking exemption from income tax under section 12-A of the Income Tax Act, was filed by Patiala Cricket Association after a delay of more than seven years, as is evident from the letter dated 3/4-11-2003 of the Income Tax Commissioner, Patiala and that too exemption was claimed by Patiala Cricket Association as Trust and not as Society. Not only this, Shri R.P.Pandove respondent No.2 filed income tax return of Patiala Cricket Association for the assessment year 2018-19 on 21.09.2018 in the capacity of trustee and not as office bearer of the Patiala Cricket Association. The respondents got illegal revenue entries regarding the land of the Cricket Stadium, in the name of Patiala Cricket Association. When were noticed by the Revenue Department, Punjab, a letter dated 17.08.2020 was written by the Revenue Department, Government of Punjab to the Deputy Commissioner, Patiala and the illegal revenue entries in the jamabandi/khasra girdwari were corrected in the name of Horticulture Department, Government of Punjab and it was ordered that legal action be taken against the defaulter and the possession of the land should be



restored to Horticulture Department, Government of Punjab. The complainant submitted that no record of Patiala District Cricket Association in support of the meeting dated 18.08.1995 has been produced by the respondents nor any record in this regard is available with the PCA. The Resolution dated 18.08.1995 is apparently antedated document. Further, the address of the Patiala District Cricket Association was Luxmi Niwas, Arya Samaj Park, Patiala whereas the address of the Patiala Cricket Association is Dhruv Pandove Cricket Stadium, Baradari, Patiala. This fact regarding change of name, change of address and change of members of the Association were never informed to the PCA by the respondents. Moreover, Patiala Cricket Association is a Trust, which cannot be converted into a Society. Respondent No.1 M.P.Pandove was the key office bearer and had influence over the affairs of PCA from the year 1978 till 2017 and he is the settler and trustee of the Trust namely Patiala Cricket Association. Respondents No.2 to 4 are also the trustees. Therefore, there is no possibility of co-existence of a Trust as well as a Society. As Patiala Cricket Association was not affiliated with the PCA and Patiala District Cricket Association had become defunct since the year 1995 but Patiala Cricket Association has received huge funds, financial



aids, grants, etc. from PCA and mis-utilized the same. The date of incorporation of Patiala District Cricket Association is stated to be 20.09.1982 and the date of incorporation of Patiala Cricket Association has not been mentioned by the respondents but on the PAN CARD No.AAATP2124N of Patiala Cricket Association, the date of incorporation is mentioned as 16.07.1982. This shows that Punjab Cricket Association was incorporated as early as on 16.07.1982 whereas Patiala District Cricket Association was a society incorporated on 20.09.1982 that is why the address of Patiala District Cricket Association is separate from the address of Patiala Cricket Association (a Trust). The mala-fide on the part of the respondents is also evident that they got the revenue entries illegally in the name of Patiala Cricket Association, which were later on corrected by the Revenue Department and it was also ordered that legal action be taken against the defaulting officials/persons. The complainant submitted that all this shows that the respondents were from the very beginning played mischief and fraud with the Registrar of Firms and Societies, the PCA and the Revenue Department. Patiala Cricket Association is not affiliated with the PCA, as such they were not entitled to any funds/grants from the PCA but the respondents No.1 and 3, who were the office bearers



and are now members of the PCA got released huge funds/aids from PCA to the non-affiliated Trust i.e. Patiala Cricket Association. The complainant, therefore, prayed that respondents No.1 to 4 be completely barred for life for involvement with the game of Cricket and affiliation of Patiala Cricket Association, if any, with the PCA be cancelled and other suitable penal action be taken against the respondents.

Proforma respondent No.5 Chief Executive Officer, PCA, filed the entire record available with the PCA pertaining to Patiala Cricket Association.

From the pleadings of the parties, following issues are required to be adjudicated for the decision of this case :-

1. Whether Patiala Cricket Association is the successor of Patiala District Cricket Association?
2. Whether Patiala Cricket Association is a Trust or Association?
3. Whether Patiala District Cricket Association (now defunct body) and later on Patiala Cricket Association is affiliated with PCA?
4. Whether respondents No.1 to 3 being office bearers and members of PCA illegally and wrongly helped Patiala Cricket Association in the allocation of funds/grants?
5. Whether respondents No.1 and 3 are hit by the conflict of interest?



Thereafter, the case was adjourned for evidence of the parties by way of affidavits, but the parties did not lead any evidence. However, the parties produced their documentary evidence and the CEO of PCA produced the entire record of PCA pertaining to Patiala District Cricket Association as well as Patiala Cricket Association available with the PCA and submitted that no other record is available with the PCA pertaining to these two Associations.

**Issue No.1-** Whether Patiala Cricket Association is the successor of Patiala District Cricket Association?

The documents available on the file produced by the parties themselves fully proved that there was Patiala District Cricket Association, Laxmi Niwas, Arya Samaj Park, Patiala duly registered with the Registrar of Firms and Societies with No.382 of 1982-83, which was incorporated and registered on 28.09.1982. The respondents were also running Patiala Cricket Association but the same was not registered. The PANCARD NO.AAATP2124N of Patiala Cricket Association, issued by the Income Tax Department and produced by the respondents themselves proves that the date of incorporation of Patiala Cricket Association is 16.07.1982. Rather, both these documents i.e. registration number of Patiala District Cricket





Association and the PANCARD of Patiala Cricket Association, both produced by the respondents themselves, proved that Patiala District Cricket Association is a different body, which is situated at Laxmi Niwas, Arya Samaj Park, Patiala, the date of its incorporation is 20.09.1982 whereas Patiala Cricket Association is situated at Dhruv Pandove Cricket Stadium, Baradari, Patiala and its date of incorporation is 16.07.1982. However, the respondents in order to throw dust in the eyes of the PCA, Registrar of Firms & Societies and other relevant departments of the Government of Punjab including Revenue Department, cleverly submitted to the Registrar, Firms and Societies, Punjab, Chandigarh that Patiala District Cricket Association in its meeting dated 18.08.1995 passed a Resolution thereby changed the name of Patiala District Cricket Association, Laxmi Niwas, Arya Samaj Park, Patiala to Patiala Cricket Association, Patiala. As is evident from the certificate issued by the Registrar of Firms and Societies of Punjab, Chandigarh vide No.820 of 20.02.2015 produced by the respondents themselves concealing the fact that Patiala Cricket Association was already in existence, as is clear from PANCARD of Patiala Cricket Association produced by the respondents themselves, that is why the respondents did not mention the complete



address of the Patiala Cricket Association, they have only mentioned the address of the Patiala Cricket Association, as Patiala Cricket Association, Patiala because it was at a different place than the Patiala District Cricket Association, which was already in existence. The Patiala Cricket Association vide letter dated 17.01.2020 brought to the notice of the PCA that the revised registration certificate dated 20.02.2015 has been issued by Registrar, Cooperative Societies, which clearly spells out that they had concealed the facts and want to hide this illegal post dated action of re-naming Patiala District Cricket Association to Patiala Cricket Association in the year 2015. It is also proved on record that they have been operating bank account in the name of Patiala Cricket Association prior to 2015 for many years and have been receiving huge amount from PCA and in addition to that they had passed Resolution to change the name in the year 1995 but they procured an entry in the girdwari of Baradari in the year 1988-89, which is much prior to 18.08.1995. So, this clearly shows that another entity in the name of Patiala Cricket Association was in existence prior to 18.08.1995. Therefore, the Patiala Cricket Association, which was a separate body already in existence even prior to Patiala District Cricket Association, cannot be the successor of Patiala District Cricket Association.



Moreover, the resolution dated 18.08.1995, for the reasons best known to the respondents, was not placed on record meaning thereby that the same was created later on. Therefore, the respondents have failed to prove on the record that the Patiala Cricket Association is the successor of Patiala District Cricket Association. Resultantly, issue No.1 is decided in favour of the complainant and against the respondents.

**Issue No.2.** Whether Patiala Cricket Association is a Trust or Association?

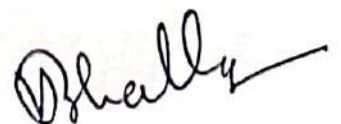
The complainant alleges that Patiala Cricket Association is a Trust and not an Association that is why it was not registered with Registrar of firms till 2015. Earlier it was a separate body than Patiala District Cricket Association that is why both these bodies have different address and different status; one is Trust and another is an Association. The Patiala District Cricket Association was incorporated on 20.09.1982 whereas Patiala Cricket Association was incorporated on 16.07.1982. The complainant produced on record copy of the income tax return filed by Shri R.P.Pandove, respondent No.2-Honorary Secretary of Patiala Cricket Association on 21.09.2018 for the assessment year 2018-19, which was filed by Shri R.P.Pandove on behalf of Patiala Cricket Association in the capacity of trustee and not as an office bearer of Patiala Cricket



Association. Apart from this, Shri R.P.Pandove respondent No.2 filed an application for exemption of Income tax on behalf of Patiala Cricket Association to the Income tax authorities. It is also proved on record from the letter No.262 dated 3-4.11.2003 issued by the Income Tax Department that the exemption has been given to Patiala Cricket Association as trust and it is categorically admitted by the respondents in their pleadings that Patiala Cricket Association is a trust. Therefore, all these facts are beating the drum with regard to the Patiala Cricket Association as a trust and not as an association. So, all these facts discussed above fully proved that Patiala Cricket Association is a trust and not an association. Resultantly, this issue is also decided in favour of the complainant and against the respondents.

**Issue No3.** Whether Patiala District Cricket Association (now defunct body) and later on Patiala Cricket Association is affiliated with PCA?

Respondent No.5 CEO of the PCA produced the entire record of Patiala District Cricket Association as well as Patiala Cricket Association available with the PCA, which shows that PCA never issued any affiliation certificate to either of these associations i.e. Patiala District Cricket Association and Patiala Cricket Association. Not only this, neither of these



associations have ever applied for affiliation to the PCA. The documents pertaining to Patiala District Cricket Association and Patiala Cricket Association produced by the CEO of PCA before this Forum, which are on the file, fully proved that the Patiala Cricket Association never applied for affiliation with the PCA nor any affiliation certificate has been issued by the PCA to the Patiala Cricket Association, whereas Patiala District Cricket Association is a defunct body as admitted by the respondents themselves. All this fully proved that neither Patiala District Cricket Association, which is now a defunct body nor Patiala Cricket Association is affiliated with PCA. Consequently, this issue goes in favour of the complainant and against the respondents.

**Issue No.4.** Whether respondents No.1 to 3 being office bearers and members of PCA illegally and wrongly helped Patiala Cricket Association in the allocation of funds/grants?

As discussed and held above, Patiala Cricket Association neither applied for nor got any affiliation from PCA, so Patiala Cricket Association was not entitled to get any grant-in-aid or financial package for promotion of cricket in the District of Patiala but the documents of the PCA produced by CEO, fully prove that the Patiala Cricket Association was granted/allocated huge amount in the form of subsidy, prize money,



infrastructure, equipments, reimbursement, claims, other grant-in-aid, etc. Whereas an unaffiliated association is not entitled to get grant-in-aid, subsidy etc from PCA.

It is a fact that respondents No.1 and 3 are associated with, as life members of Patiala Cricket Association and were also associated with PCA. So, in order to give undue benefit to Punjab Cricket Association respondents No.1 and 3 used their official capacity in the PCA illegally/wrongly and got disbursed huge amount to Patiala Cricket Association from PCA, as is evident from the record produced by CEO of Punjab Cricket Association, fully knowing that Patiala Cricket Association was not affiliated with the PCA. This issue is, therefore, decided against the respondents.

**Issue No.5.** Whether respondents No.1 and 3 are hit by the conflict of interest?

It is admitted case of the respondents that respondent No.1 Shri M.P.Pandove remained the General Secretary of PCA for the period from 1978 to 1981, Secretary of PCA for the period from 1981 to 2015 and Secretary General of PCA from 2015 to 2017. Similarly, respondent No.3 Gursewak Singh Walia remained Treasurer of PCA from 2002 to 2008,



General Secretary of PCA from 2008 to 2015 and Secretary of PCA from 2015 to 2017. It is also a fact that all the four respondents including respondents No.1 and 3 are also life members of Patiala Cricket Association. Rather respondent No.1 and 3 are founder members of Patiala Cricket Association. The record of PCA fully proves that upto 2017 when respondents No.1 and 3 were the office bearers of PCA, allocated huge amount of PCA to Patiala Cricket Association. Not only this, these respondents No.1 and 3 by exercising their power as office bearers of PCA allocated much more amount to Patiala Cricket association than the other District Cricket Associations of Punjab, i.e. District Cricket Association, Ludhiana, Jalandhar, Amritsar etc. Whereas a non-affiliated association cannot be granted any amount from the PCA. The Patiala Cricket Association was not affiliated with the PCA but these respondents No.1 and 3 being office bearers of PCA as well as associated with and controlling Patiala Cricket Association and by exercising their position as office bearers in PCA allocated huge amount to the Patiala Cricket Association, during this period upto 2017. This fact that respondents No.1 and 3 are also the founder members of Patiala Cricket Association and also office bearers of PCA was not disclosed in writing to the PCA. ... The



failure on the part of respondents No.1 and 3 to disclose these facts to the PCA for so many years i.e. from 1982 to 2017 is intractable conflict of interest, which rendered respondents No.1 and 3 open to disciplinary action under Rules and Regulations of the PCA. Hence, this issue also goes against the respondents.

The grant of funds to the Patiala Cricket Association while the respondents No.1 and 3 were office bearers of the PCA does not prove that the Patiala Cricket Association is affiliated with the PCA unless all the formalities are fulfilled and that PCA granted certificate of affiliation to the Patiala Cricket Association, and at the costs of repetition, I would again like to observe that there is nothing on record to show that PCA ever granted affiliation to the Patiala Cricket Association nor the use of facilities for sometime proves the affiliation of this association in any manner. If in connivance with the office bearers of the PCA, they obtained, the funds through respondents No.1 and 3 does not mean that affiliation has been granted to them automatically. Moreover, the respondents could not place on record even the copy of the application by virtue of which they applied for affiliation, meaning thereby that no such application was moved and since the respondents No.1 and 3 were






the office bearers of PCA for number of years and also became active members of both i.e. Patiala District Cricket Association and Patiala Cricket Association and when they realized their mistake they thought of clever device, changed the name of Patiala District Cricket Association to Patiala Cricket Association because both the associations could not run together and as such, they changed the name in the year 1995 and this change was not intimated to the PCA till 2020. The CEO of the PCA has also disclosed that no affiliation certificate is available on the record.


All the questions, as emerged out from the record of the PCA as well as from the documents produced by the complainant and the respondents and CEO of PCA, which have been discussed above, there is no escape from the conclusion that Patiala Cricket Association and earlier Patiala District Cricket Association were not recognized by the PCA in any manner. Therefore, I have no other option but to observe finally that in view of what has been discussed above and also considering the records of the PCA and the other facts put forward by all the parties, present conflict is liable to be declared as intractable and I order accordingly. While exercising powers under Rule 46(3) (b) of Rules and Regulations of the PCA, as they (respondents No.1 and 3) have exercised their powers as



office bearers and also released the funds to both the associations which were not recognized by the PCA, in any manner, they are debarred for life from involvement with the game of cricket. So far as other respondents i.e. Shri R.P.Pandove and Shri Janak Raj Sachdeva, who were receiving funds as office bearers of Patiala Cricket Association, to which they were not entitled, shall not participate in the affairs of the Punjab Cricket Association, in any manner.

Before I part with this order of mine, it is made clear that the CEO would be at liberty to pass appropriate order to recover the amounts which were released to Patiala District Cricket Association and Patiala Cricket Association in spite of the fact that both the associations were not affiliated with the PCA, in accordance with the Rules and Regulations.

  
May 19<sup>th</sup> 2022

  
(JUSTICE H.S.BHALLA)  
(FORMER JUDGE)  
OMBUDSMAN-CUM-ETHICS OFFICER,  
Punjab Cricket Association, SAS NAGAR  
(MOHALI)