

BEFORE JUSTICE JASPAL SINGH (RETD.)

OFFICE OF OMBUDSMAN-CUM-ETHICS OFFICER
PUNJAB CRICKET ASSOCIATION
NEW CHANDIGARH (MULLANPUR)

Complaint No. 02 of 2025

Date of Institution: 19.09.2025

Date of Decision: 18.04.2026

Rakesh Handa, aged about 68 years son of Sh. Dewan Chand Handa, resident of 6112, C 6/7, Vasant Kunj, Vasant Vihar, South West Delhi, Delhi- 110070, Former Ranji Player, Punjab and Life Member, Punjab Cricket Association, IS Bindra Cricket Stadium, Sector-63, SAS Nagar, Mohali, Punjab

.....Complainant

Versus

1. Sh. Harbhajan Singh, aged about 45 years , Former International Cricketer, Life Member, Punjab Cricket Association and Member Parliament, AAP Headquarters, Bunglow No. 1, Ravi Shankar Shukla Lane, New Delhi- 110001.
2nd Address: House No. 1, Chotti Baradari, Phase-1, Jalandhar, -144002.
3rd Address: Bungalow No. 32, Dr. Rajendra Prasad Road, New Delhi-110001.
2. M/s Bhaji Sports, Daulatpuri 22, 144001 Jalandhar, Punjab- India through its Proprietor/Partner Smt. Avtar Kaur. GSTIN: 03AMMPK1337Q2ZQ, Entity Type: Proprietorship, Owner: Mrs. Avtar Kaur, mother of Shri Harbhajan Singh (PAN: AMMPK1337Q) Nature of Business: Export, Wholesale, Retail, Service Provision, Registration Date: 1 July 2017]
3. Shri Vikram Kumar (Sidhu) son of Lt. Sh. Mohinder Lal resident of H.No.629A, Link Road, Model Town, Jalandhar 144003 - PCA Life Member and Member Apex Council since 2022, Punjab Cricket Association, IS Bindra Cricket Stadium, Sector-63, SAS Nagar, Mohali, Punjab and Manager M/s Bhaji Sports and Harbhajan Singh Institute of Sports.
4. Shri Sahebjit Singh Sehmbi son of Sh. Balbir Singh and Brother-in-law of Shri Harbhajan Singh resident of D-10, Focal Point, Rajpura, Patiala District-PCA Life Member and Member Apex Council, Punjab Cricket Association since 2022, IS Bindra Cricket Stadium, Sector-63, SAS Nagar, Mohali, Punjab.
5. Punjab Cricket Association, IS Bindra Cricket Stadium, Sector-63, SAS Nagar, Mohali, Punjab through its Honorary Secretary.

COMPLAINT AGAINST RESPONDENT NO.1 TO 5 FOR ACTING IN VIOLATION OF MEMORANDUM OF ARTICLES AND REGULATIONS, PUNJAB CRICKET AND RULES ASSOCIATION AND FOR DEBARMENT FOR LIFE FROM THE AFFAIRS OF PUNJAB CRICKET ASSOCIATION AND FURTHER LEGAL ACTION AS MAY BE DEEMED APPROPRIATE BY THIS HON'BLE FORUM.

Present: Mr. Rakesh Handa, complainant in person
Mr. Siddharth Maini, Advocate on behalf of Respondent No. 1 to 4
Mr. Yadwinder Singh, Advocate for Respondent No. 5

ORDER

I. In nutshell, complainant Mr. Rakesh Handa, a life member of Punjab Cricket Association (for short "PCA") has preferred instant complaint against Mr. Harbhajan Singh, a former international cricketer and presently member Rajya Sabha and Others. He has alleged that Mr. Harbhajan Singh was appointed as Chief Cricketing Advisor (CCA) by the PCA in the year 2022 by violating established legal and procedural norms enshrined in the constitution of PCA and BCCI, particularly Rule 44 and 45 of PCA and Rule 38 of BCCI as well as recommendations of the Lodha committee duly endorsed by the Hon'ble Supreme Court of India. The appointment of respondent no.1 as Chief Cricketing Advisor is alien and extraneous to the provisions of the constitution of PCA as well as the aforesaid rules. Moreover, Rule 52 of the constitution of PCA specifically provides that in case any change or amendment is required in the constitution and Rules and Regulations, prior permission of the Hon'ble Supreme Court is required. No such amendment has been made in the existing constitution of PCA as well as rules and regulations and as such, Respondent No. 1 could not have been appointed to the said unapproved post of Chief Cricketing Advisor. Thus, his appointment is absolutely illegal.

II. It has further been alleged that being the Chief Cricketing Advisor, he has facilitated award of supply of cricket kits and clothing through a proprietorship firm named and styled as M/S Bhajji Sports, owned by his mother Smt. Avtar Kaur which amounts to 'direct conflict of interest'. Being Chief Cricketing Advisor, he is /was in a position to influence decision making process of PCA/ Apex Council. Cricket kits and clothing have been supplied by M/S Bhajji Sports to Punjab cricket and Ranji teams and payments were released to it by PCA in the years 2024 and 2025. Respondent no.1 also did not disclose his relationship with M/S Bhajji Sports. Further, he also disobeyed the order passed in February 2016 by the Hon'ble Ombudsman, BCCI by supplying cricket kits and clothing to the aforesaid teams.

III. It has also been unfolded in the complaint that Respondent No. 1 by exercising his influence, favoritism and nepotism granted life membership of PCA to as many as 15 persons namely: Mrs. Sukhwinder Kaur and others fully depicted in para no.8 of the complaint by violating the provisions of the constitution who are closely related to him. This act of Respondent no.1 falls under "indirect interest and family influence" conflict prohibited by Rule 38 of constitution of BCCI as well as that of PCA besides the recommendations of Hon'ble justice Lodha committee's recommendations as approved and accepted by the Hon'ble Supreme Court. Not only this, Respondent no.1 has been influencing Office Bearer/ Apex Council in selection of committees formed under Rule 33/34 of PCA constitution. Other allegations include that he participated in the world cricket league, England 2025 involving Pakistan teams while serving as an MP and PCA Advisor; that he is under scrutiny by the Enforcement Directorate on account of the violation of IT Act, FEMA and PMLA. And that he was nominated to represent PCA at BCCI meetings despite the fact that he was not an Elected Office Bearer of PCA which is also in contravention of the provisions of constitution of PCA. Accordingly, complainant has sought the following reliefs:

- i) Immediate removal of Shri Harbhajan Singh from the unconstitutional post of "Chief Cricketing Advisor."
- ii) Order for thorough inquiry into all commercial dealings between the PCA and Bhajji Sports, including financial transparency and Shri Harbhajan Singh's involvement.
- iii) Review and cancellation of Life Memberships granted to Shri Harbhajan Singh's close relatives, ensuring compliance with transparent criteria.
- iv) Disqualification of conflicted PCA Apex Council members, namely Shri Vikram Kumar (Sidhu) and Shri Sahebjit Singh Sehmbay, who are directly related with Shri Harbhajan Singh.
- v) Debar Sh. Harbhajan Singh to represent Punjab Cricket Association in BCCI / any other body / institute.

IV. In response to the notice issued to the Respondents, Mr. Sidharth Maini advocate appeared on the behalf of Respondent no.1 to 4 whereas Mr. Yadwinder Singh represented the Respondent no. 5. All the Respondents resisted the complaint and filed their respective replies.

V. Respondent no.1 filed his reply to the complaint raising preliminary objection that the complainant had earlier approached Electoral Officer, BCCI, General Elections, 2025 with the allegation against his nomination as representative of PCA but that complaint was dismissed by the Electoral Officer and after being unsuccessful from one authority of competent jurisdiction has raised the similar issue before this Forum. On merits, all allegations have been denied alleging the same to be wrong and false. As regards his appointment

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as CCA, it has been submitted that neither such post is provided in the constitution of PCA nor he is holding the post of any Office Bearer of the PCA. He was just made CCA as PCA in its wisdom and for the benefit of budding cricketers of the state, with the intent to pass on his knowledge and experience being an international cricketer and experience of over 20 years invited him to be cricketing advisor. The said appointment is/was honorary in nature sans remuneration and without any power in executive or decision making authority. It has also been denied that after becoming CCA to the PCA, he facilitated award of supply of cricket kits and clothing to Respondent. In fact, Respondent no. 2 M/S Bhajji sports has been providing the goods to PCA since the year 2014 -2015 much prior to his becoming as life member of PCA or even CCA to PCA. The said firm being of highly repute and the goods being of high quality even number of other cricket associations are being supplied the goods by the said firm to various cricket associations not only in India but also in abroad. It has also been denied that the direction, if any given by Hon'ble Ombudsman ,BCCI, in the matters of PCA is relevant particularly when the Respondent no.1 was not under any PCA contract or even holding any office in the PCA.

VI. As regards the induction of various members in the Apex Council of PCA, no influence was ever exercised by him. In fact, elections to Apex Council of PCA or any other office of PCA are conducted by an Electoral Officer who happens to be a retired State Election Commissioner, as per memorandum of Articles/ constitution of PCA. General house of PCA elects the office bearers as well as members of Apex Council. The members of Apex Council and Office Bearers are being elected unanimously since long and earlier no objection was ever raised by any person including the complainant, who has also every right to contest such an election or to field anybody else. He has also no role to play either to influence the Office Bearers/ Apex Council in the selection of various committees. As regards, his nomination to represent PCA at BCCI, it has been submitted that such representation is not violative of any rule of PCA or BCCI. Rest of the allegations or averments have been denied alleging the same to be wrong and false. Respondent No.1, accordingly, prayed for dismissal of the complaint.

VII. Respondent No.2 M/S Bhajji sports filed its reply to the complaint that the procurement of the cricket kits and clothing from the firm by the PCA predates the alleged association of Respondent no.1 with PCA either in the capacity of member of the Apex Council or CCA. In fact, it was based on the quality and competitive pricing. No influence was ever exercised by Respondent no.1 in procurement decisions as a matter of fact, Respondent no. 2 is supplying cricket kits and clothing to numerous entities all over the country since long because of their high quality and competitive rates since 2014 -2015 i.e much before the Respondent no.1 became the life member of PCA or even CCA to the PCA. Mr. Vikram Kumar and Mr. Sahebjit Singh have been falsely dragged into the matter who are not the members of any the

committees responsible for such decisions and they had no authority to influence or participate in the tender process. All other allegations have been denied either being wrong or not pertaining to it.

- VIII. Respondent no .3 has almost toed the line of Respondent no .1 to the extent of his induction/ election as member of the Apex Council and that no influence was exercised by Respondent no.1 or in the procurement of the supply of cricket kits and clothing. Otherwise also, it goes to the credit of PCA that elections of Apex Council and Office Bearers are being held unanimously since long. There was no contest or objection to any office of PCA, not even by the complainant who can also contest the elections, if he so desires. Accordingly, Respondent no. 2 prayed for the dismissal of the complaint.
- IX. Respondent no.4 has completely taken up the stand put forth by the respondent no.3 so far his election to the Apex Council is concerned.
- X. Respondent no.5- PCA filed reply to the complaint raising preliminary objections to the effect that complaint is not legally maintainable as the complainant is enjoying dual membership of both PCA (Punjab Cricket Association) and DDCA (Delhi and District Cricket Association) which is not permissible in the light of directions dated 19-7-2019 issued by the Committee of Administrators appointed by the Hon'ble Apex Court and the said matter is also under consideration of the Apex Council PCA, Mohali: that complainant has already approached by way of objection petition to the Electoral Officer of the Board of Control Cricket in India in relation to the same subject matter which were dismissed on merits :that allegations levelled in the complaint were baseless and that complainant has a history of filing false, frivolous and baseless complaints and that Apex Council of the PCA has already recommended the suspension of the complainant on account of dual membership. On merits, all the allegations unfolded the complaint had been denied and PCA has averred that there is no violations of any provision of the PCA/ MOA or constitution of the BCCI as alleged. Respondent no.1 is not holding any post in PCA. Earlier, he was designated as Chief Cricketing Advisor and the said designation did not carry any remuneration or pecuniary benefits. It was honorary advisory in nature and without any power in decision making of PCA. He was merely invited to assist for the development of cricket. As regards the supplying of goods to PCA by M/S Bhajji sports, it has been submitted that the goods were being supplied since 2014-2015 i.e. prior to the becoming of life member or CCA to PCA and he has never interfered or influenced. The decisions were taken independently by the Office Bearers. It has also been averred that the alleged post of CCA does not fall within the category of the Office Bearers as defined in the constitution of PCA and as such, does not fall in the ambit of Rule 45 of the constitution. So far as the life membership granted to the various members is concerned, it was granted as per norms by the Apex Council and that all the elections were conducted absolutely in consonance with the PCA rules. So far

as the allegation regarding Enforcement Directorate, participation of respondent no.1 in world cricket league, nomination as representative of PCA to BCCI and exercise of influence in the functioning of PCA are concerned, the same have been emphatically denied and the Respondent no. 5 has sought the dismissal of the complaint.

- XI. The complainant filed rejoinder to the replies particularly filed by respondent no.1 and 5 reiterating the allegations unfolded by him in his complaint and denying those raised in the written replies.
- XII. The parties to the instant complaint have been afforded an ample opportunity to adduce and conclude their evidence in support of their respective claims and they produced certain documents and submitted that in the light of the documents available on record so produced by the parties as well as the provisions of the constitution, Rules and Regulations applicable to the controversy, the matter be decided. The parties have been heard at length. I have also gone through records/ documents meticulously besides hearing the parties as well their learned counsel(s).
- XIII. The issues arising in the present complaint may be crystallized and framed as follows. Firstly, whether the complainant possesses the requisite *locus standi* to institute and pursue the present proceedings, and consequently, whether the complaint is maintainable in its present form. Secondly, whether the Respondent qualifies as an office-bearer within the meaning of the applicable Rules and Regulations governing the Punjab Cricket Association (PCA), thereby attracting the rigours of the 'conflict of interest' framework. Thirdly, whether alleged supply of goods during the years 2014, 2015, 2024 and 2025, if established on record, gives rise to a conflict of interest on account of the relationship between Respondent No. 1 and Respondent No. 2, and whether such transactions fall within the prohibited or regulated domain under the governing norms. Lastly, whether the material placed on record discloses circumstances indicative of nepotism, favoritism, or undue advantage, and if so, whether the same stand proved to the requisite standard warranting intervention.
- XIV. It has been contended on behalf of the Respondents that present complaint is not maintainable at the instance of the Complainant in view of the fact that he stands suspended from Life Membership of the Punjab Cricket Association by resolution dated 12.11.2025, which suspension was subsequently confirmed on 29.12.2025 and continues to remain in force. It is argued that a suspended member does not retain the rights and privileges of membership so as to invoke the internal adjudicatory mechanism of the Association, and therefore, Complainant is devoid of locus standi to maintain the present proceedings. It is further urged that continuation of proceedings at the behest of a suspended member would amount to permitting circumvention of internal disciplinary action.

- XV. On the other hand, it is submitted on behalf of the Complainant that the complaint was instituted at a point of time when the Complainant was a duly recognized Life Member in good standing, and therefore, the institution of proceedings was valid ab initio. It is further contended that subsequent suspension cannot operate retrospectively so as to nullify a complaint validly filed. It is further been submitted by the complainant that prior to the alleged suspension from life membership, he was not given any opportunity of hearing. Neither any notice was issued to him, nor he ever appeared before the Apex Council. Moreover, he has not been so far informed in writing or in any other mode that he has been placed under suspension. Otherwise, he would have challenged the same before the competent authority.
- XVI. It is an admitted position that the present complaint was instituted at a point of time when the Complainant was a duly enrolled Life Member of the Punjab Cricket Association. The subsequent suspension from membership, even if assumed to be validly passed by the Apex Council, came into existence only after the filing of the present proceedings. The law is well settled that locus standi is to be tested at the time of filing of the complaint, and subsequent events do not ordinarily divest a validly instituted proceeding of its maintainability, unless the very cause of action is extinguished. Therefore, this contention holds no water, and pales into insignificance.
- XVII. As regards, order dated 10th March 2026, passed in a case titled as Rakesh Handa versus Amarjeet Mehta and others bearing no.1 of 5.1.2026 by this authority, the reference of which has been made in the written arguments, is of no help to the submissions made by the respondents, for the simple reason that the said complaint was filed after the suspension of life membership of the complainant by the Apex Council. Thus, it held that complainant has locus-standi to file the complaint.
- XVIII. It is next to be considered whether Respondent No.1 qualifies as an "office-bearer" within the meaning of the applicable Rules and Regulations governing the Punjab Cricket Association (PCA), so as to attract the rigours of the conflict of interest framework. It is the case of the Respondents that designation attributed to Respondent No.1 is not that of an elected or constitutionally recognised office-bearer, and that he does not discharge any statutory, executive, or financial functions within the organisational structure of PCA, and therefore, cannot be equated with an office-bearer for the purpose of fastening fiduciary or regulatory obligations in the strict sense. Similarly, he was also under no bounden duty to disclose his relation with the Respondents especially with Respondent no.1 to the PCA.
- XIX. On the aspect of alleged conflict of interest arising out of procurement during 2014, 2015, 2024 and 2025, Respondents have specifically contended that there is no material whatsoever to establish that Respondent No.1 had any role in the procurement process, nor did he participate in exercised influence,

or interfered with any decision-making authority of PCA in awarding or facilitating purchases of cricket kits, clothing, or other sporting goods through Respondent No.2 or any related entity. It is further submitted that mere commercial dealings between PCA and third-party entities, without any demonstrable nexus to Respondent No.1, cannot give rise to an inference of conflict of interest.

XX. Upon consideration of the material on record, this Forum finds that the allegations are based on bald assertions, unsupported by any admissible documentary evidence establishing participation, control, or influence by Respondent No.1 in the procurement process. The documents relied upon by the Complainant, including Annexures 3 and 4, have not been duly proved in accordance with law and are not supported by any corroborative bank records, payment trail, or certification from the concerned financial institution, and therefore, cannot be treated as reliable evidence.

XXI. Further, there is no material to show that Respondent No.1 was a member of any tender committee, selection committee, or any body responsible for procurement decisions, nor is there any evidence indicating that he had any financial, proprietary, or beneficial interest in Respondent No.2. The mere appearance of his name in certain documents or commercial branding, in the absence of proof of control or nexus, does not ipso facto establish influence or facilitation in the procurement process.

XXII. Accordingly, it is held that Respondent No.1 cannot be treated as an office-bearer within the meaning of the applicable rules, and as such instant complaint is not maintainable. Otherwise also, in any event the allegations of conflict of interest remain unsubstantiated, speculative, and not proved on record. No adverse finding can therefore be recorded against the Respondents on this count.

XXIII. It is next to be considered whether the material placed on record discloses circumstances indicative of nepotism, favoritism, or undue advantage in the selection or enrolment of Life Members or other members of the Punjab Cricket Association (PCA), and if so, whether the same stand proved to the requisite standard warranting intervention by this Forum.

XXIV. The Complainant has alleged that certain individuals, including Smt. ~~Sukhwinder Kaur~~ and others named in paragraph 8 of the complaint, are closely related to Respondent No.1 and were enrolled as members at his instance, and that such enrolment was allegedly motivated by an intent to derive future advantage in elections and internal functioning of PCA. It is further alleged that Respondent No.1 has sought to exert influence within the Association by securing such enrolments, thereby amounting to nepotism and undue concentration of control.

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XXV. These allegations have been categorically denied by the Respondents. It has been specifically contended that Respondent No.1 was not associated with PCA in any capacity prior to 2022, and therefore could not have exercised any influence over enrolment or membership decisions during the relevant period. It is further submitted that mere relationship, if any, between members and Respondent No.1 does not ipso facto establish that such enrolments were made at his instance or under his influence, particularly in the absence of any documentary or corroborative evidence demonstrating such linkage. Moreover, life memberships are granted by the general house as per norms of PCA duly approved by Hon'ble supreme court and further it is to be note-able that election to the apex council are conducted under supervision of retired state election commissioner as Electoral officer. Since elections have been unanimous with no contest or objection raised by any voter. Even respondent no 1 had no voting right during the period, he acted as chief cricketing advisor. Thus, Nepotism or favoritism in the grant of life membership to various persons shown in para no. 8 of the complaint cannot be even inferred.

XXVI. It is also a matter of record that the alleged beneficiaries of such membership or enrolment have not been impleaded as parties to the present proceedings, and in their absence, any adverse inference against their selection or status would be legally impermissible. In the absence of necessary parties and in the absence of cogent evidence establishing influence, manipulation or deviation from prescribed procedure, the allegations remain in the realm of conjecture and suspicion.

XXVII. Accordingly, it is held that the material on record does not disclose any proved instance of nepotism, favoritism, or undue advantage, and no interference is warranted on this count.

XXVIII. As regards, the alleged disobedience of order passed in February 2016, if any by the Hon'ble Ombudsman, BCCI or any undertaken given it is, suffice to say that it does not fall within the purview of this Forum and if at all, complainant is aggrieved in this regard, he can have recourse the remedies available before the competent authority. Similarly, the pendency of any proceedings on account of the alleged violation of IT Act, FEMA and PMLA etc. are concerned, this Forum has no jurisdiction to make any observation in this regard and those matters can be considered and dealt with by the concerned authorities. Moreover, no particulars have also been furnished as regards the nomination of Respondent no. 1 for participation in the proceedings of the PCA to be conducted by the BCCI, no specific provision of constitution of PCCA as well as the Rules and Regulations applicable to the PCA could be cited by the complainant which shows the violation of thereof.

XXIX. In light of the aforesaid findings and observations, this Forum is of the considered view that the allegations raised in the present complaint are not

substantiated by cogent or admissible evidence so as to establish any actionable misconduct on the part of the Respondents. The material on record does not disclose any proven instance of conflict of interest, nepotism, or interference in the decision-making process. As, the complaint fails to meet the requisite standard of proof complainant is not entitled to any of the reliefs mentioned in Para No. III of this order and is liable to be dismissed. The complaint is, therefore, dismissed with no order to costs.

File be consigned to records after its completion

Pronounced.

Date: 18.04.2026


(Jaspal Singh)

Former Judge Punjab & Haryana High Court, Chandigarh
Ombudsman-cum-Ethics Officer, PCA

18/04/2026