

BEFORE THE ETHICS OFFICER
Cricket Association of Bengal
Dr. B. C. Roy Club House
Eden Gardens, Kolkata
on 05.07.2025 at 2.00 P.M.

Re: Complaint made by Shiv Bahadur Singh against the Cricket Association of Bengal (hereinafter referred as to as "CAB").

Present:

Justice Ashim Kumar Banerjee (Retd.), Senior Advocate, Ethics Officer.

Mr. Snehasish Ganguly, President, CAB.

Mr. Samrat Sen, Sr. Adv. representing CAB.

Mr. Amitesh Banerjee, Sr. Adv.,

Mr. Debangshu Dinha, Adv. For Mr. Niraj Kajaria.

Mr. Sarbapriya Mukherjee, Adv.,

Mr. Saurodip Banerjee, Adv. For Mr. Bibek Dalmia.

On April 23, 2025, Mr. Shiv Bahadur Singh, a member of the public has made a complaint addressed to me as against CAB for allowing Mr. Niraj Kajaria and Mr. Bibek Dalmia in the committee violating the cooling off period mentioned by the Apex Court in the case of BCCI vs. Cricket Association of Bihar and Ors. reported in 2022 SCC OnLine 2133. The complainant on the same day also wrote another letter almost on the similar issue. However, in the last paragraph of the

letter the complainant has said, *"And in case NCC refuses to induct CAB nominated member in time bound manner, then a letter must be sent to BCCI Ombudsman for Immediate action"*.

CAB forwarded the complaint to me by a letter dated April 25, 2025. Pertinent to note, although the letters referred to above, were addressed to me those were submitted at the CAB office marked to me as Ethics Officer being a part of the CAB administration.

Mr. Mukherjee appearing for Mr. Bibek Dalmia would submit that the complaint dated April 23, 2025 addressed to the Ethics Officer has not been forwarded to him.

The matter was fixed for hearing on May 22, 2025 and June 18, 2025. Matter could not be heard as parties prayed for adjournment.

On June 28, 2025, the complainant was represented by Mr. Pravat, his representative. Mr. Souradip Banerjee, learned Advocate appeared for Mr. Bibek Dalmia.

On June 28, 2025, I heard the complainant, CAB and Mr. Souradip Banerjee representing Mr. Dalmia. Since none appeared for the other respondent, I did not decide on the issue and kept it for today.

Upon hearing the parties, it appears, the subject issue would be outside out domain. /

Both Mr. Banerjee as well as Mr. Mukherjee would pray for dismissal of the complaint as I do not have power to go into the same.

Mr. Banerjee would raise serious objection with my recording in the earlier meeting where an impression was given that the matter would be placed before the Ombudsman, who according to Mr. Samrat Sen, learned senior Advocate assisting me on behalf of CAB, would be the right person to decide on the complaint.

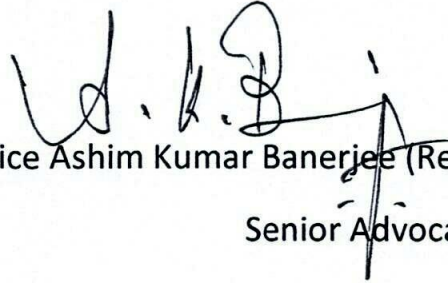
It is a grievance redressal mechanism when there is any conflict of interest. I have also suo motu power to decide on the issue. Similarly anyone interested in the issue or otherwise can escalate the same before me. Admittedly, the issue is outside my domain. In that event, I feel, the order of dismissal would not be the right approach.

Mr. Mukherjee has prayed for cost of infructuous hearing before me. Mr. Sen would draw my attention to the rules to contend, awarding of cost would not be the right approach as it might be beyond my power.

Since the complaint is outside my domain, question of dismissal by me, would not arise.

I return the complaint to the complainant for placing it before the appropriate authority, if he so chooses.

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Justice Ashim Kumar Banerjee (Retd.)

Senior Advocate.

Ethics Officer, CAB.