

# CONSTITUTIONAL VALIDITY OF BOARD OF CONTROL FOR CRICKET IN INDIA (BCCI)

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## ABSTRACT

The Board of Control for Cricket in India is the national governing body for cricket in India. The board was formed in December 1928 as a 'society'. The BCCI is India's richest sporting body and richest cricket board in the world. In the year of 2018, after 90 years of its establishment the Law Commission of India in its 275<sup>th</sup> report has recommended that BCCI should be classified as a 'state' under Article 12 of the Constitution of India. The Commission was headed by B.S. Chauhan who submitted a 128 pages report to the Law Minister. It stated BCCI performs 'state' like functions, receives public funding and so, should be brought under the ambit of the Right to Information Act, 2005.

As per Article 12 of the Constitution of India, "the State" includes the Government and Parliament of India and Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India. In *Ajay Hasia v. Khalid Mujib Sehravardi*, it has been held that a society registered under the Societies Registration Act, 1898, is an agency or "instrumentality of the State" and hence a 'State' within the meaning of Article 12.

After the IPL controversy and discrepancy in functions of BCCI and State Associations on January 2015, Lodha committee was formed. Lodha Committee advocates for uniformity in constitution and functioning of BCCI and member associations but does not recommend for enacting a national law for uniform, transparent and accountable sports bodies in India. Further

it may be difficult to get BCCI under scrutiny of RTI until a national law is enacted by the parliament.

After the Law Commission Report the question arises whether BCCI should come within the purview as a 'state' under the Article 12 of the Constitution of India?

## INTRODUCTION

The most significant expression used in Article 12 is "other authorities". This expression is not defined in the constitution. It is, therefore, for the Supreme Court, as the Apex Court, to define this term. It is obvious that wider the meaning attributed to term "other authorities" in Article 12, wider will be the coverage of the Fundamental Rights, i.e., more and more bodies can be brought within the discipline of the Fundamental Rights.<sup>1</sup>

As per the above lines, the question arises that, "should BCCI is a 'public authority' within the meaning of Article 12 of Constitution of India?" In recent development Law Commission of India in its 275<sup>th</sup> report recommended that BCCI should be treated as 'State' under Article 12 and under the purview of Right to Information Act, 2005.

The Law Commission of India has been recommending legal reforms since 1834. In its 275<sup>th</sup> report, released in April 2018, the commission recommended that the Board of Control for Cricket in India (BCCI) be brought within the purview of the Right to Information Act, 2005. The RTI Act applies to 'public authorities'. Before understanding how the Law Commission came to the conclusion that the BCCI falls within that definition of 'public authority,' and hence the purview of the RTI Act, let us understand the chain of events that led to the commission looking into this issue.<sup>2</sup>

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<sup>1</sup> M P Jain, Indian Constitutional Law, 856(7<sup>th</sup> Edition, 2016, Lexis Nexis).

<sup>2</sup> Akansha Kaul, Explained: Should BCCI come under the RTI Act?, the quint (April 20,2018), available at <https://www.thequint.com/sports/cricket/bcci-rti-law-commission-of-india-explain>.

## STATE

The Constitution of India had followed the U.S. precedent and enacted Fundamental Rights in the Constitution itself. The United States Constitution has defined their legislative and executive powers in two Articles, which makes it easier to define their correlation. However, the Indian Constitution being an elaborative one, it is difficult to correlate the legislative and executive powers because those powers are to be found in widely separated parts of our Constitution.<sup>3</sup>

The framers of the Constitution used the words ‘the State’ in a wider sense than what is understood in the ordinary or narrower sense. The word ‘includes’ suggests that the definition is not exhaustive. The expanding dimension of the words ‘the State’ through the judicial interpretation must be within the limitation otherwise the expansion may go much beyond what even the framers of Article 12 may have thought of.<sup>4</sup>

Harold J. Laski quoted in his book “A Grammar of Politics”, that ‘Every State is known by the right that it maintains’.

Also in *Golak Nath v. State of Punjab*, the Indian Supreme Court has put it “Fundamental Rights are the modern name for what have been traditionally known as natural rights.”<sup>5</sup> It is explicitly mentioned in Article 12 that State includes Parliament of India and the State Legislature and State Executive by virtue of the functions and powers exercised by these bodies. Besides, Article 32 empowers the Supreme Court to issue writs against the Government of India as well as the State Government and also Article 226 expressly includes government as one of the persons against whom a writ may be issued.

- **Article (12)**

**Definition** – In this part , unless the context otherwise requires, “the State” includes the Government and Parliament of India and Government and the Legislature of each of the States

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<sup>3</sup> H M Seervai, Constitutional Law of India: A critical commentary, 349(4<sup>th</sup> Edition).

<sup>4</sup> Pradeep Kumar Biswas v. Indian Institute of Chemical Biology, (2002) 5 SCC 111: JT 2002 (4) SC 146, per seven judge bench ; Bengal Immunity Co. Ltd. v. State of Bihar, AIR 1955 SC 661.

<sup>5</sup> AIR 1967 SC 1643, para 16, Subbarao J.

and all local or other authorities within the territory of India or under the control of the Government of India.

- **Article( 1)**

**Name and Territory of the Union -**

(3) The territory of India shall comprise –

- (a) The territories of the States;
- (b) The Union territories specified in the First Schedule; and
- (c) Such other territories as may be acquired.

No parliamentary legislation is required to acquire a foreign territory. It is an inherent attribute of a sovereign State to acquire new territories. Article 1(3)(c), therefore, in including the acquired territory as part of the Indian territory, merely states a factual situation and does not confer a power on Parliament to acquire foreign territory.<sup>6</sup>

"Local authority" shall mean a municipal committee, district board, and body of port commissioners or other authority legally entitled to or entrusted by the government with the control or management of a municipal or local fund.

“Other authorities” are nowhere defined neither in a 12 of constitution nor in the General Clauses Act 1987 nor in any other statutes of India therefore over the time the interpretation has been mainly done by judicial interpretation or judicial opinion.

Today’s government performs a large number of functions because of the prevailing philosophy of a social welfare state. The government acts through natural persons as well as juridical persons. Some functions are discharged through the traditional governmental existing outside the departmental structure, such as, companies, corporations etc.<sup>7</sup>

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<sup>6</sup> Berubari Union (1),(re),AIR 1960 SC845 ,857: (1960) 3 SCR 250.

<sup>7</sup> Monika Sharma, State under Article 12 of The Constitution of India ,CONSTITUTIONAL LAW,(March 6, 2017), [https://www.legalbites.in/law-notes-constitution-state-article-12/#\\_ftn1](https://www.legalbites.in/law-notes-constitution-state-article-12/#_ftn1)

We can analyse the definition of other authorities can be interpreted from the following judicial pronouncement:

In the case of *University of Madras v Shantha Bai* ,<sup>8</sup> High court held that since the expression “other authorities” is used after mentioning few of them ,namely, the Government and Parliament of India, it would be reasonable to construe this expression *ejusdem generis* with government or legislature .

In *Rajasthan State Electricity Board v. Mohan Lal*,<sup>9</sup> Supreme Court held that “other authorities” would include all authorities created by the Constitution or Statute on whom powers are conferred by law.

In *Sukhdev Singh v. Bhagatram Sardar Singh Raghuvanshi* ,<sup>10</sup> the court had to deal whether statutory corporations such as ONGC , LIC , IFC , came within the definition of “the State”.

By a majority of 4:1, the court held that the three corporation were State.

In *Ajay Hasia v. Khalid Mujib Sehravardi*<sup>11</sup> it has been held that a society registered under the Societies Registration Act ,1898 , is an agency or “instrumentality of the State” and hence a ‘State’ within the meaning of Article 12.

But in *Zee Telefilms Ltd. V. Union of India*,<sup>12</sup> the court by a majority of 3:2 declined to accept Board of Control for Cricket in India (BCCI) – a society registered under the Tamil Nadu Societies Registration Act, 1975 – as “the State” under Article 12.

- **Is judiciary come within the definition of state or not?**

It may be noted that the judiciary though an organ of the State like the executive and the legislature is not specifically mentioned in Article 12. The answer depends on the distinction between the judicial and non-judicial functions of the courts. In exercise of non-judicial function such as legislative and administrative, the court fall within the definition of “the

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<sup>8</sup> AIR 1954 Mad 67.

<sup>9</sup> AIR 1967 SC 1857.

<sup>10</sup> (1975) 1 SCC 421; AIR 1975 SC 1331.

<sup>11</sup> (1981) 1 SCC 722; AIR 1981 SC 487.

<sup>12</sup> (2005) 4 SCC 649; AIR 2005 SC 2677.

State”. But in exercise of judicial functions will, however not the occasion of infringement of fundamental rights, the courts do not fall within the definition of “the State”.<sup>13</sup>

## **BOARD OF CONTROL FOR CRICKET IN INDIA**

- **HISTORY :**

The Board of Control for Cricket in India (BCCI) is the national governing body for cricket in India. The board was formed in December 1928 as a society, registered under the Tamil Nadu Societies Registration Act. It is a consortium of state cricket associations and the state associations select their representatives who in turn elect the BCCI officials. R E Grant Govan was elected as its first president and Anthony de Mello as secretary.<sup>14</sup>

The BCCI's moment of transition came in November 1991, when the South African cricket team toured India, their first international assignment after a 21-year ban for apartheid. Today, the BCCI is worth over Rs 3,000 crore and its arrangement with the ICC, the world's cricket body, only makes it richer.<sup>15</sup>

Govan and De Mello visited England in 1928, where they made out a case on India's behalf in front of the ICC. Their deliberations were satisfactory, but it turned out that their efforts had not been complemented in their absence. In late 1928, only six associations - Southern Punjab Cricket Association, Cricket Association of Bengal, Assam Cricket Association, Madras Cricket Association and Northern India Cricket Association - had been formed.<sup>16</sup>

'Team India' underwent a 'baptism by fire' from 1932 to 1952 before opening its account in Test cricket. The fifth and final Test of the 1951-52 series against England at Chennai was won by an innings and eight runs. A year later, the Indian cricketers registered their first-ever series win against compatriots-turned-foreigners Pakistan.<sup>17</sup>

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<sup>13</sup> V N Shukla, Constitution of India, 34(13<sup>th</sup> Edition, Mahendra Pal Singh, 2017).

<sup>14</sup> BCCI, The Times of India (Aug 3, 2018, 10:09 PM IST), <https://timesofindia.indiatimes.com/topic/bcci> .

<sup>15</sup> Definition of BCCI, The Economic Times, <https://economictimes.indiatimes.com/definition/bcci> .

<sup>16</sup> History, BCCI.tv, available at <http://www.bcci.tv/about/2018/history> .

<sup>17</sup> “Id. At 16”



- **CONSTITUTIONALITY OF BCCI:**

In the case of Article 12, the court has held that it is only those bodies that are created by a statute, which enjoy their own law-making powers, and are pervasively dominated — financially, functionally, and administratively — by the government that can be described as a “State.” Practically, what this has meant is that private bodies, even if they were capable of invading fundamental rights, through acutely entrenched processes of discrimination, would not be held accountable for such violations. Even Article 226, which grants the high courts the authority to issue writs, has been circumscribed to include within its jurisdiction only those authorities that perform overwhelmingly public functions. But even these bodies would not be bound by many of the Fundamental Rights— such as the right to equality — but would be governed only by other constitutional and statutory rights specifically guaranteed against.<sup>18</sup>

There are many cases where the constitutionality of BCCI has been questioned whether it was case of *Ajay Jadeja v. Union of India and Ors* or case of *Zee Telefilms* or *Mohinder Amarnath’s* case and recent case of *BCCI v. Cricket Association of Bihar*.

#### **A. WHETHER BCCI COME WITHIN THE DEFINITION OF STATE OR NOT?**

In the case of *Mohinder Amarnath &Ors v. BCCI*<sup>19</sup> question arises that whether BCCI is “State” or mere an instrumentality of “State”. The court held that BCCI neither a “State” nor an instrumentality of “State”. Further the decision of this case also referred in case of *Ajay Jadeja*. Where the question regarding to the nature of the duty performed by the BCCI and nature of rights infringed. Where the Government of India has taken a stand that the BCCI is an autonomous body not funded by the Government of India and the Government has no control over BCCI's affairs and tax relief is available to all sports events and stadia at concessional rates and is given to the respective State Associations of BCCI by

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<sup>18</sup> Suhrith Parthasarthy, BCCI monopoly and Judicial Review, *The Hindu*, (Jan 27, 2015, 2:01 IST), available at <https://www.thehindu.com/opinion/op-ed/bcci-monopoly-and-judicial-review/article6824141.ece> .

<sup>19</sup> CW.NO.632/89.

the State Government in order to promote sports and the stadia are not owned or leased by BCCI. BCCI has its own constitution and functions within its own rules and regulations and not came within the definition of State.

The principles laid down by Supreme Court in *Ajay Hasia*<sup>20</sup> case facts revealed about BCCI are:

- 1) The Board of Control for Cricket in India was not created by a statute;
- 2) No part of the share capital of the Board was held by the Government;
- 3) Practically no financial assistance was given by the government to meet the whole or entire expenditure of the Board;
- 4) The Board did enjoy a monopoly status in the field of cricket but such status is not State conferred or State protected.
- 5) There was no existence of a deep and persuasive State control and the control, if any, is only regulatory in nature as applicable to other similar bodies.
- 6) The Board was not created by transfer of a government owned corporation and was an autonomous body.

The court noted that the Union of India has been exercising certain control over the activities of the Board in regard to organizing cricket matches and travel of the Indian team abroad as also granting of permission to allow the foreign teams to come to India. The court also assumed that even there was some element of public duty involed in the discharge of Board's functions the Board would not be an authority for the purpose of Article 12.

In the case of *Zee Telefilms Ltd. v. Union of India*,<sup>21</sup> the question was whether the Board of Control for Cricket in India was "State" within the meaning of Article 12. The Board argued that its autonomous nature took it out of the ambit of Article 12, *as per Pradeep Kumar Biswas*<sup>22</sup>. Zee Telefilms, on the other hand, pointed to the "governmental functions exercised by the Board in the area of cricket." The Court held in favour of the Board. Following *Pradeep Kumar Biswas*, it noted that the Board was not created by statute, the Government held no share capital, provided no financial assistance, conferred no

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<sup>20</sup> *Ajay Hasia v. Khalid Mujib Sehravardi* , (1981)1 SCC 722.

<sup>21</sup>(2005) 4 SCC 649: AIR 2005 SC 2677.

<sup>22</sup> *Pradeep Kumar Biswas v. Indian Institute Of Chemical Biology* (2002)5 SCC 111 .Also see CSIR.



monopoly, exercised no pervasive control, and had not transferred a government-owned corporation. Consequently, Article 12 was not applicable. Responding to the petitioners' contentions, the Court then stated: "Even assuming that there is some element of public duty involved in the discharge of the Board's functions even then as per the judgment of this Court in Pradeep Kumar Biswas that by itself would not suffice for bringing the Board within the net of "other authorities" for the purpose of Article 12".

Also in the case of *BCCI v. Cricket Association of Bihar & Ors*<sup>23</sup> the question arises that whether BCCI is come in the definition of "the State" under Article 12 or not. The court held that it is not came under the definition of Article 12.

## **B. IPL CONTROVERSY**

The **2013 Indian Premier League spot fixing and betting case** arose when the Delhi Police arrested 3 cricketers, Sreesanth, Ajit Chandila and Ankeet Chavan, on the charges of spot-fixing. The three represented the Rajasthan Royals in the 2013 Indian Premier League. In a separate case, Mumbai Police arrested Vindu Dara Singh and Chennai Super Kings Team Principal Gurunath Meiyappan for alleged betting and having links with bookies.<sup>24</sup>

BCCI suspends the trio from playing any form of cricket after which the Indian Sports Ministry asks IPL authorities to hand out deterrent punishment to the three cricketers if they are found guilty.<sup>25</sup>

Mumbai police arrest actor Vindoo Dara Singh for his alleged links with bookies. May 23, 2013: Mumbai police team searches Meiyappan's residence in Chennai. May 24, 2013: Mumbai police arrest Meiyappan on charges of betting, cheating and conspiracy. India Cements executive president T.S. Raghupathy says Meiyappan was neither the owner, nor CEO/team principal of Chennai Super Kings, only a cricket "enthusiast".<sup>26</sup>

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<sup>23</sup> (2015)3 SCC 251,281.

<sup>24</sup> 2013 Indian Premier League Spot - fixing and betting case, Wikipedia, available at [https://en.wikipedia.org/wiki/2013\\_Indian\\_Premier\\_League\\_spot-fixing\\_and\\_betting\\_case](https://en.wikipedia.org/wiki/2013_Indian_Premier_League_spot-fixing_and_betting_case) .

<sup>25</sup> IPL spot-fixing saga – Timeline , cricbuzz,(Jul 25, 2015, 5:50 PM ), available at <https://www.cricbuzz.com/cricket-news/67028/ipl-spot-fixing-saga-timeline> .

<sup>26</sup> A Timeline of the IPL 2013 spot-fixing controversy, CSK & RR suspended, (Aug 3, 2017, 7:26 IST), available at <https://www.mykhel.com/cricket/a-timeline-the-ipl-2013-spot-fixing-controversy-csk-rr-suspended-003178.html>.

The 2-member probe panel, comprising former judges T Jayaram Chouta, R Balasubramanian, appointed by BCCI to investigate the spot-fixing controversy finds no evidence against Raj Kundra and Gurunath Meiyappan .The Bombay High Court dismisses the findings of the BCCI-appointed probe panel that gave clean chits to Gurunath Meiyappan and Raj Kundra on hearing the Public Interest Litigation filed by Aditya Verma - Secretary of Cricket Association of Bihar. The High Court also finds the panel "illegal and unconstitutional" as the probe mandates the need of at least a 3-member panel according to IPL's operational rule 2.2.BCCI to move the Supreme Court on August 7<sup>th</sup> challenging Bombay High Court's order.<sup>27</sup>

Supreme Court appoints a committee headed by Justice Mukul Mudgal to look into the spot-fixing scandal. The Mudgal Committee found that IPL chief operating officer Sundar Raman, Meiyappan and Rajasthan Royals owner Raj Kundra guilty of betting. The Committee's report pointed fingers at BCCI chief N. Srinivasan as well.<sup>28</sup>

The three-member committee, headed by former Chief Justice Lodha and including retired Supreme Court judges Ashok Bhan and R Raveendran, had been formed in January 2015 in the wake of the Justice Mudgal Committee report which called for reforms within BCCI. The Mudgal committee had gone into state of affairs of the BCCI following the 2013 IPL betting and spot-fixing charges. The Mudgal committee had also gone through conflict of interest issues among Board members and others connected with the game. The Lodha panel sends an 82-point questionnaire to the BCCI to understand how it functions and how it runs cricket in India. The questions were split into eight sections and covered an exhaustive set of topics from the role of the BCCI's stakeholders to the board's election processes, the basis and formation of its various committees, player welfare, conflict of interest and transparency in the IPL's functioning.<sup>29</sup>

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<sup>27</sup>"Id. At 25".

<sup>28</sup> BCCI v Supreme Court: A timeline, livemint, (Jan 2, 2017, 2:52 PM), available at <https://www.livemint.com/Sports/ryz6H4xpR4kftYscKBD9mL/BCCI-vs-Supreme-Court-A-timeline.html> .

<sup>29</sup> Vedam Jaishankar, Lodha Committee report: Supreme Court takes BCCI to the cleaners but the last word hasn't been heard yet, FIRSTPOST, (Apr 06, 2016, 8:38:48 IST), <https://www.firstpost.com/sports/lodha-committee-supreme-court-takes-bcci-to-the-cleaners-but-the-last-word-hasnt-been-heard-yet-2713928.html> .

The Lodha committee recommends a complete overhaul of Indian cricket - from the very top down to the grassroots - affecting all its stakeholders. With special focus on BCCI's governance and administrative structures, rather than its cricketing operations, the most important set of recommendations aims at transforming the board's power structure.<sup>30</sup>

Lodha panel recommends complete overhaul of the BCCI structure. Major recommendations include one-vote-one-state criteria, limiting tenure of office bearers, separate players' associations for men and women, and barring ministers over 70 from holding any position in the board or state associations. The panel also gave BCCI time till 31 January 2016 to come back with suggestions. No response from the board forces the panel to approach the Supreme Court.<sup>31</sup>

On July 18, 2016, the Supreme Court had embraced the Lodha recommendations to overhaul Indian cricket administration at the end of a two-year-long innings during which the BCCI and State associations fought tooth-and-nail to protect their turf from the court's intervention. The apex court had then concluded that the Lodha reforms would effectively overhaul the BCCI's organisational set-up, memberships and functioning for the sake of transparency and accountability.<sup>32</sup>

However Lodha Committee advocates for uniformity in constitution and functioning of BCCI and member associations but does not recommend for enacting a national law for uniform, transparent and accountable sports bodies in India. Further it may be difficult to get BCCI under scrutiny of RTI until a national law is enacted by the parliament.

Lodha committee report which put emphasis on reforming cricket by removing some necessary evils such as poor governance, match fixing, etc. The report is a starting step in reforming the sports and if accepted then become a landmark for reforms in other sports.

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<sup>30</sup> Nagraj Gollapudi, Timeline of the Lodha committee reforms case, ESPN cricinfo, (Jan 30, 2017), available at [http://www.espnricinfo.com/story/\\_/id/16616908/a-line-bcci-lodha-committee-reforms-case-supreme-court-india](http://www.espnricinfo.com/story/_/id/16616908/a-line-bcci-lodha-committee-reforms-case-supreme-court-india) .

<sup>31</sup>“id. At 28”.

<sup>32</sup> LODHA COMMITTEE: Recommendations and Analysis, IAS Score, <http://iasscore.in/national-issues/lodha-committee-recommendations-and-analysis-> .

**C. LAW COMMISSION REPORT: BCCI vis-à-vis RIGHT TO INFORMATION ACT, 2005 [REPORT NO.275]**

This report was prepared by direction of Supreme Court of India in case of *BCCI v. Cricket Association of Bihar & Ors* by Dr. B.S. Chauhan Former Judge of Supreme Court of India and Chairman of Law Commission. This report contains seven parts – first part is about history of BCCI and evolution of Right to Information in India, whereas second part contains reference to commission and reports of different committees. Third part is concept of State under Article 12 of Constitution of India and with that analysis of ‘other authorities’. Fourth part is about RTI- Human Right Perspective and fifth part is perusal of “public authority, “public functions” and “substantially financed”. Sixth part is analysis of legal status of BCCI and seventh part contains recommendation and conclusion.

This report is for examining that whether the BCCI fall under the Right to Information Act or not. Main points of the reports are as follows:

- a) In this report it was said that BCCI has a State like nature as it has policy make power for its own associations as State.
- b) Also it is substantially financed by the government of India.
- c) It also performs public functions and also recommended as public authority and sometimes violates human right so it should come under the ambit of the Act.
- d) National Sports Federation: The Commission noted that the BCCI has not been designated as a National Sports Federation (NSF), but has been treated as one. This is because its stated objects include: (i) controlling and improving the quality of cricket in India, (ii) laying down policies relating to cricket in India, and (iii) selecting teams to represent India internationally. An NSF which receives funds of over ten lakh rupees from the government is covered under

the RTI Act. The Commission observed that the central government has already been regarding the BCCI as an NSF.<sup>33</sup>

- e) So, the report recommended that BCCI should come under the ambit of the Right to Information Act, 2005 due to the above given reasons.

## CONCLUSION

In enacting Fundamental Rights in part III of our constitution, the founding father showed that they had the will, and they were ready to adopt the means to confer legally enforceable Fundamental Rights. Against whom were the Fundamental Rights to be enforced? Broadly speaking, against “the State”, not as ordinary understood but as widely defined by Article 12.<sup>34</sup>

Bhagwati J. went on to observe:

“To use the methodology is not liberate the government from its basic obligation to respect the Fundamental Rights and not override them. The mantle of a corporation may be adopted in order to free Government from inevitable constraints red-tapism and slow motion but by doing so, the Government can truant with the basic Human Rights. Otherwise it would be the easiest thing for the Government to assign to the plurality of corporation almost every State business, such as, Post and Telegraph, T.V and Radio, Rail Road and Telephones- in short every economic activity and thereby cheat the people of India out of the Fundamental Rights guaranteed to them.”<sup>35</sup>

As we know that cricket is the most watched sport in India, so, it must be clean and corrupt free. Therefore, every citizen should have right to know about the functions of BCCI as it should be included in the scope of Fundamental Rights. After the recommendation of Law

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<sup>33</sup> Roshni Sinha, Law Commission Report Summary, PRS Legislative Research, (Apr 27, 2018), available at <http://www.prsindia.org/parliamenttrack/report-summaries/law-commission-report-summary-bcci-vis-vis-right-to-information-act-2005-5243/>.

<sup>34</sup> *Supra*, at 3

<sup>35</sup> *Ajay Hasia v. Khalid Mujib Sehravardi*, AIR 1981 SC 487, at 493: (1981) 1 SCC 722.

Commission of India in its 275<sup>th</sup> report it is now up to the Government of India and judicial authorities to take necessary steps to save the sanctity of this beloved sport.

