

**OMBUDSMAN AND ETHICS OFFICER  
CRICKET ASSOCIATION OF UTTARAKHAND**

Complaint No. 1 of 2024

**IN THE MATTER OF**

Dhiraj Bhandari  
Vice President, CAU

AND

Mahim Verma  
Secretary, CAU

**ORDER**

(Dated: 27/3/2025)

The Complainant herein is the Vice President of the association and has filed instant complaint alleging violation of the Lodha Committee guidelines by Secretary and other office bearers of Cricket Association of Uttarakhand.

The complainant submitted that the reasons for direct approach to the Ombudsman was due to agenda of Apex Council Meeting excluded key issue, no response to the objection raised by the Vice President, Invalidity of the Apex Council, Conflict of interest with the Secretary, failure of internal governance, no fair process available, urgency of the matter, exclusion of internal remedies and attempts to address the issues through internal channels would not be a proper remedy.

The complainant also submitted grounds for complaint which included violation of age restrictions for the President of CAU, violation of tenure and calling off period provisions, violation of transparency and conflict of interest, financial transparency, violation of BCCI rules, constitutional provisions and Supreme Court directions and legal complaints and mismanagement.

The complainant had prayed for series of reliefs from the Ombudsman which included immediate resignation of the Secretary, invalidate elections, resignation of all non-complainant office bearers, ensure compliance, conduct comprehensive review etc.

The complainant further submitted on record an expert opinion of financial year 2022-23 on 7/11/2024, which presented an expert analysis of the financial records of the Cricket Association of Uttarakhand (CAU) for the financial year 2022-2023, allegedly revealing significant discrepancies and raising serious concerns regarding the governance and financial management within the association as per him.

During virtual hearing on 5/11/2024 the complainant was represented by Ms. Chitranjali Negi, Advocate and Mr. Ayush Negi, Advocate for the respondent. Counsel for the respondent prayed for submitting his preliminary objection/s on maintainability and the same was filed.

The respondent association filed its preliminary reply on the maintainability of the complaint submitted that the complaint in present form is not maintainable in view of Practice Directions no. CAU 1/2020 issued by the Cricket Association of Uttarakhand and any complaint made without complying with the directions shall render the complaint liable to be rejected. Also, that the complaint fails to show the exact provision of the Constitution of the Cricket Association of Uttarakhand, the present complaint is made. Also, the prayers as sought by the Complainant are clearly beyond the scope of the punishments/penalties which can be ordered by this Hon'ble Tribunal as provided under The Cricket Association of Uttarakhand (CAU) regulations Governing the Discipline, Conduct & Penalties for the Players, Match Officials, Team officials and other persons with CAU.

The complainant submitted his rejoinder in which he submitted that it is a settled principle that internal procedural guidelines cannot override or supersede the broader framework of governing laws, constitutional principles, and judicial directives and that any procedural requirement stipulated in Practice Directions No. CAU 1/2020 must be consistent with these higher authorities. The rejoinder further stated that the assertion made by the Respondent regarding the alleged failure of the Complainant to refer to the specific provisions of the Constitution of the Cricket Association of Uttarakhand (CAU) is misplaced and legally unfounded as the primary concern in the complaint relates to the actions and governance of the CAU, which have raised serious issues of misconduct and violations of ethical and administrative standards. While specific constitutional references may be cited as the matter progresses, the absence of an exhaustive reference at the outset does not undermine the merit of the complaint. Also submitting on the question of replies sought the complainant submitted that The Tribunal's primary responsibility encompasses the enforcement of proper governance, integrity, and accountability within the CAU. The relief sought by the Complainant aligns precisely with this mandate, as it seeks to address governance lapses, promote transparency, and ensure the CAU operates in accordance with its constitutional and regulatory framework. The Complainant's prayers aim to rectify operational deficiencies, enforce compliance with ethical standards, and uphold the principles of justice and fairness- matters that are well within the jurisdiction of this Tribunal.

During virtual hearing on 5/12/2024 it was suggested to the counsel of complainant to consider filing amendment to the existing complaint to align it as per practice directions specifically mentioning the provision of the constitution under which the complaint is filed, on request of the counsel of complainant an opportunity was given to seek instructions from her client on the maintainability of the complaint.

Further on 9/1/2025 when the matter was taken up for hearing, the counsel for the complainant submitted in her oral pleadings that she has got instructions from her client that he shall not withdraw or amend the complaint as per practice directions as suggested and pleaded for adjudication of her complaint in its present form. Post which the matter was reserved for order with on request of the counsel for complainant to allow her to file written arguments within a week.

The written arguments filed by the counsel of complainant consisted of arguments and submission on the issues raised in the complaint and not much on maintainability then what was already submitted.

**The question before me is, is the complaint filed by the complainant maintainable?**

The arguments forwarded by the respondent association cites the Practice Directions (CAU 1/2023) issued by me on 1/8/2023 which states the Requirements for filing of a Complaint before the Ombudsman and Ethics Officer, which specific to provision 4(a) and 8.

**Provision 4(a)**

*"Every complaint must be set out in clear and exact terms the nature of dispute with respect to pertinent provisions of the Constitution of CAU, violation, allegations, etc. All facts constituting cause of complaint must be stated precisely but concisely. Complaint must be divided, as far as possible into paragraphs, numbered consecutively, each allegation being contained in a separate paragraph." (Emphasis added)*

**Provision 8**

*"Consequence of non-compliance and/or violation of the directions-*

*Any complaint made without complying with the directions and violation of any of the direction at any stage shall render the complaint liable to be rejected on that count alone, without going into its merits."*

Whereas the Provision 4(a) clearly states that the complaint must contain and set out the pertinent provision of the constitution under which the complaint is filed. Therefore it is a matter of necessity that the pertinent provisions of the constitution needs to be mentioned in the complaint. Also the Provision 8 gives no option but to reject the complaint if found in violation of the practice directions.

The complainant was provided an opportunity to set go of the defect and get an option to file again meeting the defect / violation of practice directions, but for reasons best known to the complainant he instructed his counsel otherwise and not consider to meet out the defect. Which leaves with no other option with me but to reject the complaint on that it does not meet out the requisites of practice directions, but liberty is granted to the complainant to file a fresh complaint if he deems fit as per the required practice directions.



**Justice (Retd.) M.N. Bhandari**  
**Ombudsman and Ethics Officer**