

Committee. As an example the minutes of Finance Committee meeting dated 12th May, 2009 are annexed and marked as **Annexure-B**. If the ED feels there has been a violation of FEMA or any of its regulations, or the same requires any adjudication then the same should be directed against the President, the Secretary and the Treasurer of the BCCI who alone, have the responsibility under the BCCI constitution to ensure that all Acts/Regulations are complied with at all times by them.

Shifting IPL-2 to South Africa

29. That IPL Season-2 was initially announced to be played in India between 10th April 2009 to 24th May 2009. However, the Election Commission announced election schedule for general elections starting 13th April, 2009 to 13th May, 2009. The Ministry of Home Affairs informed BCCI that IPL schedule was required to be changed. Since, the window available between the international fixtures for IPL to be played was between April to May of 2009, it was not possible to shift the tournament. The working committee of BCCI in a meeting held on 22nd March, 2009 therefore decided that the tournament should be shifted out of country to either England or South Africa. It was decided that for the purpose of the tournament an account be opened abroad to take care of expenses for staging of IPL. It was decided that BCCI should seek clearance from RBI and account would be operated by Treasurer Mr. M.P. Pandove. Mr. N. Srinivasan, the Secretary was to frame appropriate resolution in this regard and rightly so as secretary is the person responsible for the same as per constitution of BCCI.

30. Subsequently, as hosting tournament in England was cost wise not suitable therefore it was decided to host the tournament in South Africa. Mr. N. Srinivasan executed an agreement on behalf of BCCI with Cricket South Africa (CSA) on 30th March, 2009. When the agreement was negotiated and signed our client was not even present. To the best of knowledge of our client, Mr. M.P. Pandove was present along with Mr. N. Srinivasan for negotiating and executing the agreement between BCCI and CSA.

31. That one of the conditions under the agreement dated 30th March, 2009 was that CSA would open and operate a dedicated bank account for conducting the tournament under Clause-4(e) of the said agreement. This too was learnt by our client only post the execution of the agreement by BCCI Secretary. Whether this was in contravention or not of FEMA or any regulation under it will have to be answered by the BCCI Secretary as he is the person responsible for and on behalf of BCCI.

32. That though the working committee in its meeting dated 22nd March, 2009 had agreed that BCCI would operate a bank account after taking due approval of RBI and Mr. N.