

2014

JUSTICE MUDGAL IPL PROBE COMMITTEE

**A REPORT ON THE ALLEGATIONS OF BETTING AND
SPOT/MATCH FIXING IN THE INDIAN PREMIER
LEAGUE- SEASON 6**

Members:

1. **Mr. Justice Mukul Mudgal**
Retd. Chief Justice Punjab and Haryana High Court
Chairman
2. **Mr. L. Nageswar Rao**
Additional Solicitor General of India
3. **Mr. Nilay Dutta**
Senior Advocate

Secretary:

Mr. Vidushpat Singhania
Advocate

Research Associate:

1. **Mr. Gautam Bharadwaj**
Advocate

I N D E X

Sl.No.	Individual No.	Name
1	Individual No.1	Gurunath Meiyappan
2.	Individual No.11	Raj Kundra
3.	Individual No.12	Sunder Raman
4.	Individual No.13	N. Srinivasan

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. 26633 OF 2013

IN THE MATTER OF:-

CRICKET ASSOCIATION OF BIHAR

...PETITIONER

VERSUS

BOARD OF CONTROL FOR CRICKET
IN INDIA AND OTHERS

...RESPONDENTS

PROBE COMMITTEE REPORT APPOINTED BY THIS HON'BLE COURT
VIDE ORDERS DATED 08.10.2013 AND 16.05.2014

The 3 member Probe Committee was appointed by the Hon'ble Supreme Court of India pursuant to orders dated 08.10.2013 and 16.05.2014, while hearing the instant

Special Leave Petitions preferred against the order dated 30th July 2013 passed in PIL No.55/2013 of the Hon'ble High Court of Judicature at Bombay.

The Committee comprises of Mr. Justice Mukul Mudgal (Retired Chief Justice, Punjab and Haryana High Court) as the Chairman, Mr. L. Nageswara Rao, Additional Solicitor General as member, Mr. Nilay Dutta, Sr. Advocate, Guwahati High Court as Members. The terms of reference given to the Committee as per the order dated 8th October 2013 of Hon'ble Supreme Court were:

"the allegations of betting and spot-fixing in the IPL matches against Gurunath Meiyappan, allegedly the team principal of Chennai Super Kings, 3rd respondent (India Cements Limited) and the players and the 4th respondent/team owner of IPL franchisee Rajasthan Royals (Jaipur IPL Cricket Private Limited), the allegations

against Gurunath Meiyappan, the respondent 3 (India Cements Limited) and 4 (Jaipur Cricket Private Limited) with regard to their involvement in spot-fixing and betting.”

[The highlighted and bracketed names have been added for clarity]

The Committee in compliance with the order of the Hon'ble Supreme Court dated 08.10.2013 submitted its report before this Hon'ble Court on 10.02.2014, where the Committee had drawn its inference broadly under two heads:

- I. Inferences having a direct bearing on the terms of reference;
- II. Inferences indirectly related to the terms of reference.

In addition the Committee had submitted a copy of the following documents in a sealed envelope:

- a) Summary of the Witness interactions undertaken by the Committee till the 10.2.2014;
- b) Copy of the deposition of Mr. Sampath Kumar;
- c) A document enumerating unverified allegations against some players and BCCI officials.

The report of Justice Mukul Mudgal and Mr. Nageshwara Rao concluded inter-alia as follows:

"After interacting with several persons who were/ are part of CSK, former and current players who have participated in the IPL, administrators who have been involved in the IPL, persons representing other IPL teams, cricket commentators and sports journalists,

the Committee is of the considered opinion that Mr. Gurunath Meiyappan formed an integral part of Chennai Super Kings and most persons viewed him as the face of the team.. Though the de-jure ownership vests in India Cements, the Committee finds that Mr. Meiyappan was in fact acting as a team official if not the defacto owner of CSK.

For the purpose of this report the Committee is of the opinion that the terminology used to describe Mr. Meiyappan be it 'TEAM PRINCIPAL' or 'OWNER', would not materially alter his status/position held in CSK.

Thus, the Committee is of the opinion that Mr. Meiyappan would be a 'Team Official' under the IPL operational rules;-

Team Official - 'means any director, secretary, officer, management staff, employee, coach, physio

(or other medical personnel) or duly authorised (express or implied) agent of a Team or Franchisee or any consultant to or other person serving in any official capacity for any Franchisee including those persons who are accredited in connection with the League as contemplated by paragraph 1.1 of Section 4;

and would consequentially be a Person subject to these Operational Rules as has been defined in the operational rules itself.

1. The role of Mr. Gurunath Meiyappan in Chennai Super Kings as the team official stands proved and the allegations of betting and passing on information against Mr. Gurunath Meiyappan stand proved. However the allegations of fixing require further investigation.

II. Allegations of betting and spot fixing against Mr. Raj Kundra, team owner of Jaipur Cricket Private Limited, need to be further investigated. ✓

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b) The Committee during its interactions and on review of documents provided to it, has come across many allegations of sporting fraud. However as of now these are mere allegations', we do not think it proper to cast aspersions on the persons named unless ✓

investigations are conducted. The names of the persons and allegations in view of the sensitive nature of the information are being provided separately in a sealed envelope."

However in a separate report Mr. Nilay Dutta Senior Advocate concluded as under:

While agreeing with the findings arrived at by the other members of the Committee, it would be necessary to arrive at a conclusive finding as regards the voice alleged to be of Gurunath Meiyappan by appropriate scientific evaluation. If the voice is identified to be that of Gurunath Meiyappan there was no doubt that Mr. Meiyappan was indulging in betting for which he is liable to face appropriate sanctions.

Thus the essential difference between the two reports of the Committee was regarding the conclusion of the voice

in the taped conversation with Vindoo Dara Singh being that of Gurunath Meiyappan. The report of Justice Mudgal and Mr. Nageswara Rao held that the voice in the recorded conversation was that of Gurunath Meiyappan.

Mr. Niloy Dutta's report held that unless the voice said to be of Gurunath Meiyappan was scientifically verified no conclusion could be drawn against him.

The Order of 16th May 2014 of this Hon'ble Court ordering a further probe is on the basis of the above finding reads as follows:

"5. We are of the considered opinion that the allegations against the 13 persons including Mr. N. Srinivasan mentioned in the report submitted in the sealed cover should be investigated into by the Justice Mudgal Committee and the team of investigators because if a new Probe Committee is

entrusted to inquire into the allegations, there is likelihood of the allegations being leaked to the public and such leakage will damage the reputation of the 13 persons beyond repair.

In the written note submitted by Mr. Gopal Subramaniam appearing for the Justice Mudgal Committee, it is suggested that the Justice Mudgal Committee be assisted in the investigation by the following persons:

- (i) Shri M.L. Sharma, IPS (Retired);
- (ii) An officer from Mumbai Police (preferably not below the rank of Assistant Commissioner of Police);
- (iii) An officer from Chennai Police (preferably not below the rank of Assistant Commissioner of Police);

(iv) An officer from Delhi Police (preferably not below the rank of Assistant Commissioner of Police); and

(v) A former cricketer of repute and integrity.

In view of objections made on behalf of the BCCI and Mr. N. Srinivasan, we are of the view that instead of Shri M.L.Sharma, IPS (Retired), Shri B.B. Mishra, IPS of the 1983 batch of Assam-Meghalaya Cadre who has a vast experience in investigation including experience in the CBI and who is presently working as Deputy Director General, Narcotics Control Bureau, New Delhi, should head the investigation team. The other officers from Mumbai Police, Chennai Police and Delhi Police and a former cricketer of repute and integrity mentioned against serial Nos. (ii) to (iv) above will be chosen by the Justice Mudgal Committee in consultation with Shri B.B. Mishra.

We further direct that the competent authority of Government of India will pass appropriate orders placing the services of Shri B.B. Mishra at the disposal of the Justice Mudgal Committee till completion of the investigation and submission of the report to this Court.

Shri B.B. Mishra and the other officers of the investigating team will have the powers to investigate, require attendance of witnesses, the power to examine witnesses, the power to search and the power to seize and all other powers necessary for investigation except the power to arrest and the source of these powers of investigation will be this order passed by this Court. All concerned persons including the BCCI, Mr. N. Srinivasan and the cricket players will cooperate with the investigation in all respects. In

case of any difficulty, the Justice Mudgal Committee may apply to this Court for necessary orders for the purpose of completing the investigation. After investigation, the report will be filed in this Court by the Justice Mudgal Committee by the end of August, 2014 in a sealed cover and the Members of the Committee and the investigation team will not reveal anything regarding the investigation to others and the media and will maintain absolute confidentiality."

The Committee consequently met some of the senior police officials from Delhi Police on the 25.5.2014, Chennai Police on the 28.5.2014 and Mumbai Police on 7.6.2014, in order to apprise them of the order of this Hon'ble court and to explain to them the scope of the investigation ordered by this Hon'ble Court.

The Committee held its meetings from 25.5.2014 to 1.11.2014. During these meetings the Committee met with the investigation officers, gave directions to them and reviewed their progress reports from time to time. The Committee also interrogated/ interacted with certain other persons, whose names are not being disclosed in this report in order to maintain confidentiality, as ordered by this Hon'ble Court on 16.5.2014.

The findings of the Probe Committee in the report submitted on 1st September 2014 have been filed and are on record of this Hon'ble Court.

That the Committee as per the order of this Hon'ble Court of 16.5.2014, submitted an interim report on 1st September 2014. This Hon'ble Court in its order dated 1st September 2014 further directed as under:

"It is evident from a reading of the interim report that the same has covered considerable ground. The Committee would still require some time to conclude the investigation and submit its findings. In the circumstances and keeping in view the urgency expressed by learned counsel for the parties as also the significance of the Probe Committee for a proper disposal of this appeal, we request the Probe Committee to expedite the probe and adjourn this matter by two months to be listed again after the report of the Committee is submitted. In that view we do not consider it proper or necessary at this stage to direct the Committee to submit an interim report regarding any individual or office bearer whose conduct is being investigated by the Committee."

The investigation team has given a detailed report of its investigation to this Committee which are being annexed separately to this report. This report of the Committee is based upon the findings recorded by the investigating team headed by Mr. B.B.Mishra and thus summarizes the findings along with its own inputs as under.

Final conclusions of the Committee:

- a) Individual 1: Investigations have confirmed that this individual was a team official of a franchisee. He was frequently meeting individual 2 in his hotel room. This strengthens the conclusion of the Committee in its report dated 10.2.2014 that individual 1 was in close touch with Individual 2.

The forensic report of the voice sample analysis further confirms the voice of this individual in the conversation with the person acting as a go between, between this

individual and bookies. Consequently the divergence in the two reports dated 8.2.2014 and 9.2.2014, about the voice sample belonging to this individual 1 gets resolved and the reports thus becomes unanimous about the betting activity of this individual.

No material is available on record to show that this individual is involved in match fixing.

Thus the Committee is of the view that due to the scientific evidence of voice matching and the testimony of security personnel recorded by the investigating team, the finding about the betting activities of Individual 1 and the finding that he was a team official stand confirmed.

Individual 11: This Individual was in touch with the bookies about betting and thus by not reporting contact with the bookie has violated BCCI/IPL Anti-Corruption Code. The Committee also found that the investigation against this individual was abruptly and without reason stopped by the Rajasthan Police upon receiving the case papers from Delhi Police. The Committee found that a friend of individual 11 was a

known punter. The said punter has given a section 164 statement to the effect that he was placing bets on behalf of individual 11. Individual 11 had introduced him (punter) to another bookie who dealt with larger stakes. Section 161 statement made by another player confirmed that Individual 11 introduced him to a bookie. Materials on record indicate that Individual 11 was placing bets or was at the minimum standing guarantee for his punter friend. These infractions also violate BCCI/IPL Anti-Corruption Code.

Individual 12: This individual knew a contact of a bookie and had contacted him eight times in one season. This individual admitted knowing the contact of the bookies but however claimed to be unaware of his connection with betting activities. This individual also accepted that he had received information about individual 1 and individual 11 taking part in betting activities but was informed by the ICC-ACSU chief that

this was not actionable information. This individual also accepted that this information was not conveyed to any other individual.

Individual 13: This individual is not involved with match fixing activity.

This individual was not found to be involved in scuttling the investigations into match fixing.

This individual along with four other BCCI officials was aware of the violation of the Players Code of Conduct by Individual 3, but no action was taken against Individual 3 by any of the aforesaid officials who were aware of this infraction.

The Committee would also like to record deep appreciation of the stellar effort put in by the investigating team led by Shri B.B.Mishra, Deputy

Director General, Narcotics Control Bureau assisted by:

- a) Mr.S.Thirunavukarasu, Additional Superintendent of Police, Tamil Nadu;
- b) Mr.S.Prabakaran, Inspector of Police, Tamil Nadu;
- c) Mr. Chimaji Jaganath Adhav, Inspector of Police, Maharashtra Police;
- d) Mr. Prahlad Singh Yadav, Inspector of Police, Delhi Police.

The investigating team has worked day and night to complete its investigation within the time granted by this Hon'ble Court. We also acknowledge our gratitude to the co-operation extended by the director general and police commissioners of:

- a) Chennai: Mr. K.Ramanujam;


- b) Delhi: Mr.B.S.Bassi; and
- c) Mumbai: Mr. Rakesh Maria.

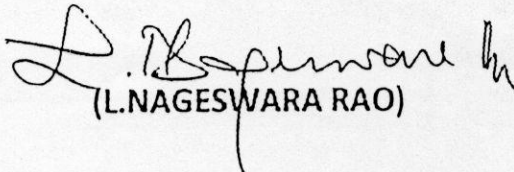
We were also expertly guided on the cricketing aspects of our investigation by the former Indian skipper Shri Sourav Ganguly and appreciate his contribution.

The Committee appreciates the cooperation extended by BCCI and in particular Mr. Anirudh Chaudhary and Mr. Mayank Parikh.

The Committee has been able to complete its report within the time granted by this Hon'ble Court due to the able contribution of the investigation team led by Shri.B.B.Mishra and the cricketing expert Mr. Ganguly.

The Committee also records its appreciation of the hard work put in by Mr. Vidushpat Singhania a sports lawyer, who functioned as the Secretary of the Committee, Mr. Gautam Bharadwaj and Ms. Heena Zuni Pundit who provided valuable assistance to the investigating team.


(JUSTICE MUKUL MUDGAL)


(L.NAGESWARA RAO)


(ANILAY DUTTA)

Date: 1.11.2014

New Delhi