

**BEFORE JUSTICE DEEPAK VERMA (RETD.), OMBUDSMAN
DELHI & DISTRICT CRICKET ASSOCIATION
HEARD (THROUGH VIDEO CONFERENCING) ON 04.07.2020
BETWEEN 1 PM TO 1:45 PM, JABALPUR (MP)**

1. Following Learned Advocates and Members of Apex Council were present in today's Apex Council meeting:
 - i. Mr. Ankur Chawla - Advocate
 - ii. Mr. Gautam Dutta – Advocate
 - iii. None appeared on behalf of other side/Complainants

2. As per my Order dated 15.06.2020, a DDCA hearing was scheduled for today i.e. 04.07.2020. Today's hearing had been fixed for consideration of following Agenda:
 - i. Complaint filed by DDCA Members Group against Mr. Sanjay Bhardwaj
 - ii. Enquiry regarding handing over of documents by Mr. P.C. Vaish
 - iii. Any other issue raised by parties in the hearing

3. Today's hearing was earlier scheduled at 12PM, however since the Apex Council Meeting of DDCA was also scheduled for 12PM, therefore, this meeting was postponed by one hour. Same was also intimated to parties via Email.

Agenda 1 – Complaint filed against Mr. Sanjay Bhardwaj by DDCA Members Group

4. Vide email dated 26.05.2020, DDCA Members Group had filed a complaint against Mr. Sanjay Bhardwaj and raised questions regarding his continuance as a Director in Apex Council. On receiving such Email, I had requested DDCA Members group to file a detailed Complaint dealing with all aspects. Thereafter, a detailed complaint was filed by DDCA Members Group which was also forwarded to Mr. Sanjay Bhardwaj in order for him to file his reply. Reply was also filed on behalf of Mr. Sanjay Bhardwaj on 30.06.2020. Accordingly, oral arguments were to be advanced by the parties in today's hearing.

5. The Hearing started at 1PM, however no one appeared on behalf of DDCA Members Group. It was considered fit to wait for some time for a representative to show up, however no one appeared till 1:40 PM.
6. Since, no one could appear on behalf of DDCA Members Group today, on the basis of equity and to follow principles of natural justice, today's hearing was adjourned and another opportunity of presenting their case has been given to DDCA Members Group. The matter shall now be taken up on 15.07.2020 at 04:30PM.

Agenda 2 – Enquiry regarding handing over of documents by Mr. P.C. Vaish

7. Vide Email dated 23.06.2020, I had directed Mr. P.C. Vaish to handover the documents in his possession to DDCA. I have today been informed that the above-mentioned process of handing over of documents is now complete.
8. In light of the above, I direct Mr. Vinod Tihara (Secretary) to prepare a list of documents handed over by Mr. P.C. Vaish and the same shall be shared with me and the Independent Auditor, who shall carry out the Forensic Audit i.e. M/ s Anil Agarwal and Company (Mobile No. – 9717733422, Address – 506, Surya Kiran Building, Connaught Place, New Delhi -110001). I further direct Secretary, DDCA to get in touch with Mr. Anil Agarwal (Learned CA) and documents in relation to Forensic Audit may be provided to him within 4 days from today i.e. by 08.07.2020.
9. In the normal course, a Forensic Audit is conducted at Clients Location, however, looking at the circumstances we are in, it would be wise to request the Independent Auditor himself, regarding his convenience, whether he would like to conduct the Audit at DDCA's office or whether he would require the documents (in relation to the Forensic Audit) to be delivered to his office. In case, the Independent Auditor wishes to do the same from DDCA Office, all arrangement of sanitization, social

distancing, disinfecting the premises etc. shall be carried out by DDCA for convenience of the Independent Auditor, under intimation to him.

10. In light of the above, I direct that Forensic Audit, specifically in relation to MSL JANGID be carried out first and the same may be conducted within 20 days' time from 08.07.2020 i.e. the date on which Independent Auditor shall receive all the relevant documents.

Agenda 3 – Any other issues raised in the Hearing

11. I am in receipt of an Email dated 03.07.2020, sent by Mr. Rajan Manchanda wherein he has stated that, he has not received the Official Video Footage and Attendance Register of the AGM dated 29.12.2019, till date. He further stated that, more than 6 months have lapsed since he had made such a request. Complaint against Mr. Rajan Manchanda has already been disposed off. However, in light of his request, I direct the Secretary of DDCA to look into the same and provide Mr. Rajan Manchanda, a copy of all the Video Footage(s) available with DDCA and also the attendance register of AGM dated 29.12.2019, at the earliest.
12. Needless to say, that Mr. Gautam Dutta, Advocate is well versed with the working of DDCA, he is requested to be associated fully with Mr. Navin Chawla (electoral Officer), to render all possible help and assistance to him and his team to effectively hold the elections. Mr. Gautam Dutta will be paid a lumpsum amount of Rs. 5,00,000/- (Rupees Five Lakhs only) plus 10% clerkage & miscellaneous expenses, for this additional work. Nothing over and above this.
13. Since today's hearing only lasted for about 40 minutes, therefore, I will not be charging any fees for today's hearing. It is once again made clear that, I have not charged any Fees & Expenses for the meeting held on 01.07.2020, 03.07.2020 and 04.07.2020 (2 Meetings/Hearings) i.e. for 4 Dates of hearing/meeting in all.

14. **Matter is now directed to be listed for Online hearing on 15.07.2020 at 04:30 PM. Details for logging in the Video Conference shall be provided in due course.**

Date - 04.07.2020

Place – Jabalpur

Justice Deepak Verma

Ombudsman

DDCA