OFFICE OF THE OMBUDSMAN
MEGHALAYA CRICKET ASSOCIATION

Camp-Six Mile,VIP Road, Radhanagar, House No.90, (F A Ahmed Road),
Guwahati-781022

COMPLAINT CASE NO. 2 OF 2026

Shri James P. K. Sangma,
President, Meghalaya Cricket Association,
Shillong .....Petitioner

-Versus-

The Honorary Secretary,
Meghalaya Cricket Association, Shillong
.....Opposite Party

Advocates for the Complainant:	**1. Shri Vidushpat Singhania** **2. MS Aanya Agarwal**
For the Respondent:	**: None appeared**
Dates of Notice & Arguments:	**: 06.07.2026, 24.07.2026, 10.08.2026, 25.08.2026 and 05.11.2026**
Date of Final Order:	**: 06.11.2026**

ORDER NO. 6

DATE: 06.11.2026

This case was registered on the basis of a representation, submitted by the President of Meghalaya Cricket Association dated 01.07.2026 with a prayer to take appropriate disciplinary action against the Hony. Secretary, MCA, namely Shri Raynold Kharkamni on the basis of the findings and

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

recommendations of Meghalaya State Commission for Women (in brief MSCW). Prior to that, this office had also received a written complaint from the players of Meghalaya Under-23 Women's cricket team dated 08.05.2026 alleging sexual harassment and misconduct by Head Coach and Team Manager of MCA. The Cricket players has also alleged in their complaint that the issue of sexual misconduct by the Head Coach and Team Manager were also brought to the notice of the then Office Bearers of the MCA apex council. The complaint has been signed by as many as 13 players. The relevant parts of the allegations against the Hony. Secretary are reproduced below:-

> ***"This is not a matter that we have raised for the first time today Sir. We had previously brought this matter to the then office bearers of the MCA Apex Council. A specific electronic mail was sent by us to the then Honorary Secretary, Mr. Rynold Kharkamni, setting out the details of Hemant Roy's inappropriate conduct. We placed our trust in the institution and believed that action would be taken.***
> ***However, what followed was the Secretary giving him continued appointments as Head Coach for tournaments and trainings, which has caused us enormous and prolonged psychological distress, and we are unable to approach the training environment with a sense of safety and dignity."***

With the aforesaid allegations the women players have also requested to take appropriate action against the Head Coach (Hemant Roy), Team Manager (Sanjay Mandal) and Raynold Kharkamni, Honorary Secretary, MCA. Since the victim players did not appear before me personally I had no occasion to vouch the correctness of their allegations. Hence, their complaint was kept pending for taking cognizance. Subsequently, when the complaint of the President of MCA was received on 01.07.2026, referring to the findings and directions of MSCW, this complaint case was registered. It may be mentioned here that besides Shri Raynold Kharkamni, Honorary Secretary, MCA, the other accused

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

persons before MSCW are former office bearers of MCA. Hence, cognizance of the complaint is taken only against the Honorary Secretary, MCA.

I have perused the representation of the President, complaint of the players and also the Orders dated 05.06.2026 and 26.06.2026, passed by the Chairperson, MSCW, Shillong.

On receipt of the complaints repeated notices were issued to the opposite party, vide Orders dated 06.07.2026, 24.07.2026 and 10.08.2026, to appear before me and submit his reply to the complaints with a forewarning that in the event of his none appearance the case will precede *ex-parte*. Despite three notices the opposite party choose not to contest this case. Accordingly, I had heard oral arguments of Ms Aanya Agarwal, learned counsel for the complainant on 25.08.2026. Thereafter further hearing was postponed since connected issues were *sub-judice* before the Hon'ble Meghalaya High Court. After that Judgment of the High Court dated 30.10.2026. further hearing took place on 05.11.2026.

It may be noted here that MSCW has passed two separate orders. The 1st Order dated 05.06.2026 confines to the misconduct of the Head Coach Shri Hemant Roy and the Assistant Manager Shri Sanjay Mandal. The 2nd Order was issued on 26.06.2026. In this order the Commission has indicted Hony. Secretary Shri Raynold Kharkamni, former President Shri Nababrata Bhattacharjee, Treasurer Shri Dhrubojyoti Thakuria and the Operations Manager Shri Shining Star Lyngdoh.

The relevant findings of MSCW (2nd Report) are reproduced below for ready reference:

"3. Upon consideration of the statements recorded from the former President, Secretary, Operations Manager, Treasurer and the present

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

President of the Meghalaya Cricket Association, As well as the materials placed before the Commission, it appears that complaints of sexual harassment were sent to the MCA official email on 2nd December 2025, and 3rd December 2025, but no prompt institutional action was taken by the office-bearers then in charge. The statements attributed to the former President, Secretary, Operations Manager and Treasurer show that , despite access to the official email and knowledge, actual or constructive of the complaints, there was no immediate enquiry, no communications to the complainants and no redressal mechanism activated

4. The record further indicates that the MCA had not constituted an Internal Committee as mandated by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, although such constitution is compulsory for every workplace of the required strength.

5. The commission notes that the failure of the then office-bearers to act on the complaints and the admitted absence of an Internal Committee amounted to a serious dereliction of institutional duty and a failure to maintain a safe workplace for women players. The explanation that elections, matches, transition of office or internal administrative confusion prevented action cannot override statutory obligations under the POSH Act, 2013."

"7. Absence of counselling, female coaches and nutritional support- Multiple statements from complainants confirm the absence of a counsellor for the women's team, the absence of any female head coach despite acknowledged efforts to recruit one, and inadequate, ad hoc nutritional arrangements. These are not, by themselves, POSH Act violations, but they speak directly to the "safe working environment" obligation Under Section 19(a) and to the wider duty of care owed to young women under the association's custodial responsibility and are appropriately the subject of recommendatory directions.

8. The statements of the complainants discloses a troubling pattern, separate from the conduct of the five office-bearers analysed above, including: phone calls and pressure on team members discouraging them

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

from approaching the Commission; a rumour of a threatened defamation suit; Section 16 of the POSH Act mandates confidentiality of the identity and particulars of the complainant; on this record, confidentiality was not maintained.

9. The disclosure regarding the hotel used for women's camps at Nongpoh- including reports of contraceptives found in players rooms, questionable night-time activity describes conduct that, if substantiated, may amount to a serious offence wholly outside the POSH Act framework and outside the Commission's own adjudicatory competence. The commission has rightly indicated it will not name this in stark terms in its report but will record it as "questionable activities" warranting further inquiry/investigation. At this stage, the Commission directs that the MCA to permanently discontinue the use of the said Hotel for the cricket team and staff of the MCA "

"Operative Part

For the foregoing reasons, the commission issues this Order holding that the non-action of the then President (Mr. Naba Bhattacharjee), Secretary (Mr. Raynold Kharkamni), Operations Manager (Mr. Shining Star Lyngdoh) and Treasurer (Mr. Dhrubajyoti Thakuria) of the Meghalaya Cricket Association, in relation to the complaints made by the Under-23 Women's Cricket Team, discloses grave negligence and non-compliance with the statutory framework of the POSH Act, 2013, and warrants immediate corrective, disciplinary and institutional action."

Since MSCW has passed the order on 26.06.2026 on the basis of the same complaint by women players alleging sexual harassment and misconduct at the workplace and after recording statements of the officers of MCA I did not feel it necessary to personally interact with the victims or examining the accused persons. Besides this, MSCW is a statutory body and its findings and recommendations need not be vouched by the Ombudsman. In the present case before me the complainant (President, MCA) has prayed for taking disciplinary action only against the Hony. Secretary Shri Raynold Kharkamni.

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

In view of the aforesaid wide scale of sexual harassment and misconduct with the female players the MSCW has issued catena of directions and recommendations to the MCA. As per the directions of MSCW the President of MCA has submitted a representation to this office. Subsequently, copies of MSCW Orders as well as the complaint of the victim players were also forwarded to this office for necessary action.

Now the pertinent issue before me is as to what disciplinary action should be taken against the opposite party. For this purpose I have to refer to relevant parts of Rule 41 of Meghalaya Cricket Association Rules and Regulations, hereunder:

> **"41(1) *(a) Member, Association & Franchisee Disputes***
> ***Any disputes between or among the Association, its Members and the Cricket Players Association shall be automatically referred to the Ombudsman who shall pass appropriate orders after hearing all the parties and exercising all powers of enquiry and hearing as the Ombudsman deems fit before appropriate orders are passed.***
> **(b) Detriment caused by Member or Administrator**
> **If any Member or any Administrator of the association commits any act of indiscipline or misconduct or acts in any manner which may or likely to be detrimental to the interest of the association or the game of cricket or endanger harmony or affect the reputation or interest of the association or refuses or neglects to comply *with any of the provisions of the Memorandum and/or the Rules and Regulations of the association and/or the Rules of conduct framed by the association, the Apex Council, on receipt of any complaint shall issue a Show Cause Notice calling for explanation and on receipt of the same and/or in case of no cause or insufficient cause being shown, refer the same to the Ombudsman who shall pass an appropriate order after providing opportunity of hearing to the parties."***

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

It is true that under Rule 41 (1) (b), the complaints of indiscipline and misconduct against Members or any Administrator of the Association should ordinarily be forwarded to the Ombudsman by the Apex Council after preliminary enquiry. However, under Rule 41 (1) (a), any dispute between or among the association or its Members shall be automatically referred to the Ombudsman, who shall pass appropriate orders after hearing the parties. In the case before me the complaint has been referred by the President against the Hony. Secretary. In this way, the complaint is covered under Rule 41 (1) (a) of the MCA Rules and Regulations. On the top of it, the Chairperson of MSCW has also directed the Ombudsman to take appropriate departmental action against the offending office bearers of MCA. Accordingly, the prescription of preliminary enquiry under Rule 41 (1) (b) by the Apex Council before referring the complaint to the Ombudsman has become otiose and irrelevant.

While disposing of WP(C) No. 294, 321 and 377 of 2026, the Hon'ble High Court has also taken the matter of sexual harassment with the women players very seriously. The relevant observations of the Hon'ble High Court are reproduced below for ready reference:-

> ***"16.....Though Rule 41 (b), speaks of final disciplinary proceedings requiring the Apex Council's prima facie finding, the suspension of Hony. Secretary as an emergency measure, has to be looked at in the light of POSH Act ,2013, wherein Section 12 thereof, mandates immediate steps to be taken by the employer (herein MCA) to prevent a hostile work environment and provides for a temporary measure to diffuse it while the enquiry is underway. It would not be out of place to mention that the MSCW's Order No. 522 dated 26.06.2026, had noted a deliberate cover up by the Honorary Secretary, of suppression of official complaints e-mails from December, 2025 and therefore, the President's duty of care under Rule 18(a), justifies the***

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

interim suspension to protect the evidence and the complainants, while the formal disciplinary enquiry was referred to the Ombudsman. This Court therefore, finds that for the reasons discussed on the accompanying facts, the suspension was a valid interim measure"

Keeping in mind the findings of the MSCW, Shillong and also the observations made by the Hon'ble High Court I need not make another roving and parallel inquiry about the allegations of serious indiscipline, misconduct and inactions of the respondents with regard to the allegations of sexual assault and harassment with the players of ' Under 23 Women's Cricket Team, Meghalaya'.

Under Rule 41 (1) (a), the Ombudsman has been vested with powers to pass appropriate orders qua the allegations. Similar power has been vested with the Ombudsman under Rule 41 (1) (b).

The preamble of the Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act, 2013 recognizes that sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment. In this way, the laxity shown by the respondent with regard to the sexual harassment of women players cannot be dealt with any leniency. According to the complaint of the victims, the Hony. Secretary, MCA did not give any credence to their grievances; rather rewarded the Head Coach of sexual assault by giving him renewed appointment. This is really a shocking treatment to the women players. The inaction of the respondent on the complaint of the victim players is totally against the objective and spirit of the law. The dignity and safety of women players were given as go bye by the guardian of the players, viz the Hony. Secretary that cannot be tolerated to any extent.

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association

Having regard to entire conspectus and facts and circumstances of the case I am of the opinion that the respondent, Honorary Secretary, Mr. Rynold Kharkamni do not deserve to remain in the roll of office bearers of Meghalaya Cricket Association. Correspondingly, Shri Raynold Kharkamni, Honorary Secretary, MCA is hereby punished by way of putting him under suspension for the remaining tenure in the MCA as Honorary Secretary. To put it differently, the Order of suspension dated 27.06.2026 by the President of MCA, issued vide Memo No. MCA/DISC/2026/PRES/1, is hereby upheld and it shall continue till the remaining period of the elected body of MCA, Shillong. The respondent is directed to handover all MCA property, files, records (physical and digital) and also access to credentials and equipments in his possession/custody to the President forthwith.

With the aforesaid directions the complaint case is disposed of.

06.11.2026

(Retd. Justice B D Agarwal)
Ombudsman, MCA

Justice (Retd.) BD Agarwal
Ombudsman
Meghalaya Cricket Association