

## CONDUCT OF PROCEEDINGS BEFORE INDEPENDENT ADJUDICATORS

1. Appointment of Adjudicator: For hearing of proceedings under Paragraph 37, an Adjudicator shall be appointed by Chairman PCB from the panel of adjudicators approved by the Governing Board.
  
2. Locus Standi to invoke paragraph 37: Following shall be eligible to file an appeal under paragraph 37 of the Constitution.
  - i) Any Active Club; or
  - ii) Association; or
  - iii) Person aggrieved by a decision of Scrutiny Committee or of the Election Commissioner; or
  - iv) Any other person aggrieved by any decision of PCB.
  
3. Procedure to conduct Proceedings:
  - i) The appeal/proceedings shall be deposited with PCB at its head office at Gaddafi Stadium Lahore. The memorandum of appeal or proceedings as the case may be, in original printed on foolscap white paper(s), shall accompany the supporting document(s) which include affidavit(s) of witness (es) which the Petitioner wishes to produce in its favor and any other document(s) which the Petitioner deems necessary in his support. Additionally, the Petitioner shall along with the Appeal file complete sets thereof in the number corresponding with that of the Respondent(s), PCB and the Adjudicator. The Petitioner(s) shall also annex a demand draft/Pay Order of Rs.100,000.00 as his/its share of cost of proceedings. Provided that no witness (es) other than whose affidavits have been annexed with the appeal shall be allowed to appear on behalf of the Petitioner. The appeal so filed shall be examined by Manager Legal, PCB or any official so authorized by him, an appeal which fails to fulfill any of the requirement(s) as mentioned herein shall be returned to the Petitioner for re-filing after removal of

objection(s) within 07 days. Such re-filing otherwise shall have no effect on the limitation period which shall remain the same.

- ii) In case of more than one petitioner/appellant separate appeals shall be filed by each petitioner/appellant. Any appeal filed jointly by two or more petitioners/appellants shall not be maintainable.
- iii) Upon receipt of such appeal within the prescribed time to the satisfaction of Manager Legal PCB or any official so authorized by him, the Chief Operating Officer shall, as soon as practicable, request the Chairman PCB to appoint an Adjudicator. Provided that the process of appointment of Adjudicator shall complete within 15 days of receipt of Appeal.
- iv) The Chairman shall from amongst the panel of adjudicators maintained by PCB, appoint one of the Adjudicators to adjudicate upon the matter.
- v) The Adjudicator shall examine the appeal and issue notice to Respondent(s) with a direction to file reply in the manner prescribed herein. The notice(s) shall accompany the complete set(s) of copies of appeal.
- vi) The Respondent(s) on receipt of notice from Adjudicator shall within 10 days, file their reply(ies) along with any supporting material or document(s) and affidavit(s) of witness(es) and complete sets thereof corresponding with the number of Petitioner(s), PCB and the Adjudicator.
- vii) The Adjudicator shall immediately send the respective sets of reply to the Petitioner(s) and issue notices of hearing to all parties. The Adjudicator may pass an injunctive/stay order where deemed appropriate in the meanwhile and shall be empowered to extend or vacate the same during the proceedings.

- viii) On the date of hearing so fixed by the Adjudicator, the parties shall appear in person or through counsel. They shall examine each other's witnesses and advance arguments. In case of non-appearance of any of the parties, unless they are able to show cogent reason for non-appearance, *ex-parte* proceeding will be held by the Adjudicator and decision may be passed in their absence. Where any of the parties fails to produce its witness (es) on the fixed date, the Adjudicator shall have the power to close right of evidence of such party(ies).
  - ix) Once the hearing is complete, the Adjudicator may announce any short order and reserve his detailed decision to be announced within seven (07) working days.
  - x) The proceedings under these regulations being summary in nature, the Adjudicator shall ensure that the same are complete on the date of hearing given by him provided that in exceptional circumstances justifying more time, another date of hearing may be given by the Adjudicator for reasons to be recorded in writing. Provided that such extension of time shall be an exception and not a rule and shall not extend beyond 30 days. Provided further that the Adjudicator shall ensure that the minimum standard to conduct the proceedings shall be in accordance with the rules of natural justice, equity and fair play.
4. Cost: The cost of proceedings including the fee of Adjudicator shall be borne equally by the petitioner and the respondent sides. For avoidance of any doubt, each party shall be responsible to pay for the travelling or any other expense whatsoever of its witnesses. PCB shall review the cost of adjudication annually and circulate among those concerned. The cost of each proceeding shall be Rupees Two Hundred Thousand (Rs. 200,000.00). The Petitioner's share of the costs (Rs. 100,000.00) shall only be refunded incase the appeal is allowed/declared successful by the Independent Adjudicator.

5. Venue of proceedings: The venue of proceedings shall be National Cricket Academy/Gaddafi Stadium, Ferozepur Road, Lahore unless changed by PCB.
  
6. Order of Adjudicator: The Adjudicator shall complete the proceedings in time not exceeding one month from the date of taking cognizance of the matter. He shall announce his order in writing within seven (07) working days of completion of hearing, will give detailed reasons for the same and provide one attested copy of the order to each party. The order shall be binding on all parties to the proceedings. In case of the rejection of appeal, the Adjudicator may award cost of proceedings in appropriate case(s).
  
7. Change of Adjudicator: Where an Adjudicator during pendency of proceedings becomes ineligible, indisposed or unavailable for any reason, the Chairman PCB shall appoint a new adjudicator to complete the proceedings in the remaining time limitation. It is clarified that the adjudicator so appointed shall commence upon the proceedings from the stage where they were, at the time of his appointment.