


# REPORT

## OF

MR. JUSTICE KARAMAT NAZIR BHANDARI


REGARDING INQUIRY TO PROBE INTO  
ALLEGATIONS OF MATCH FIXING  
AGAINST MEMBERS OF THE PAKISTAN  
CRICKET TEAM IN WORLDCUP-1999.




Vide Notification No.SOR.363(I)/2001, dated 31st May, 2001, (received vide DO No.14-10/89-S-II, dated 25<sup>th</sup> August, 2001, sent through Culture, Sports and Tourism Division, (Sports-II Section), Government of Pakistan, Islamabad), this Commission of Inquiry was appointed to hold inquiry into the following matters and also to make recommendations:-

- a) To probe and ascertain whether the match between Pakistan and Bangladesh (World Cup 1999) was fixed.
- b) To probe and ascertain whether the match between Pakistan and India (World Cup 1999) was fixed.
- c) To determine whether some individuals were responsible for match fixing and betting.

- d) To recommend appropriate punishment and measures that in future this episode is not repeated in case of an affirmative finding.
- e) To inquire into the conduct of Umpire Javed Akhtar in the match between South Africa and England (during South African Tour to England in 1998).




2. This Commission entered upon the inquiry soon after receipt of notification. The Commission appointed Mr. Abdul Qadir, former renowned Test Cricketer, as Technical Adviser. This was done to have opinion on the game. Member Inspection Team of Lahore High Court, Mr. Kazim Ali Malik, was appointed to act as Registrar of the Commission. Proclamations in Daily "Dawn" Karachi, on 4<sup>th</sup> September, 2001, Daily "The Nation" Lahore, Islamabad and Karachi, Daily "Jang", Lahore, Karachi, Rawalpindi and Quetta, and Daily "Khabrain" Lahore, on 5<sup>th</sup> September, 2001, and Daily "Business Today" on 12<sup>th</sup> September, 2001 were issued, inviting the public to register themselves as witnesses. By the due date, however, only 2/3 persons responded. The Commission thereafter proceeded to call the relevant persons as witnesses. In all about 17 witnesses have been examined. Some persons expressed inability to personally appear and the Commission decided to entertain their written statements.



3. The Commission also wrote to International Cricket Council/its Ant-Corruption Unit, to assist the Commission and to send any relevant material. It was also indicated that if the witness was unable to travel to Pakistan, the Commission would arrange his deposition by appointing a local commission or even the sworn affidavit would be received in evidence. Initially Lord Condon of the Anti-Corruption Unit, invited the Commission to London for briefing. Subsequently, the venue for meeting was fixed at Sharja, the place being of mutual convenience. The Commission travelled to Sharja along with the Legal Advisor of the Pakistan Cricket Board. Lord Condon, however, could not travel to Sharja on account of illness and instead he deputed Alan Peacock, Senior Investigator etc. to meet the Commission and brief it. The meeting with these gentlemen took place at Sharja on 3.11.2001. The meeting with the Officers was enlightening. These gentlemen promised to send material relevant to the terms of inquiry.


4. The Commission has also been writing to United Cricket Board of South Africa and its boss for some time, namely Dr.Ali Bacher, to render necessary assistance to the Commission as the allegation of match fixing originated from Mr.Bacher. It was

Mr. Bacher, who made a statement in the press that Pakistan versus Bangladesh Match in the Worldcup 1999 was fixed. The South African Cricket Board had also complained against Umpire Javed Akhtar. The Commission has to record with regret that no assistance whatsoever was rendered by South African Cricket Board. Equally Dr. Bacher did not respond until the closure of inquiry.




5. The evidence recorded by the Commission can be placed in three categories. First category consists of witnesses making allegations of match fixing. M/s Sarfraz Nawaz, (PW.1), Majid Khan (PW.5), Saleem Pervaiz (PW.15) and Mrs. Fareshteh Gati Aslam, fall in this category. Mrs. Fareshteh Gati Aslam expressed her inability to come from Karachi to appear as a witness. However, she sent a written statement, which was placed on record. Second category mostly consists of players who refuted the allegation of match fixing. In this category fall M/s Zafar Altaf

(PW.6), the Manager of the Worldcup Team, Saeed Anwar (PW.7), Inzamamul Haq (PW.8), Waqar Younas (PW.9), Muhammad Moin Khan (PW.10) and Wasim Akram (PW.14), the then Captain of the Team. The third category consists of officials and journalists. In this category, the Commission examined Mian Riaz




Sami (PW.3), the then High Commissioner for Pakistan in England, Mr.Khalid Mahmood (PW.4), the then Chairman of Pakistan Cricket Board and Mr.Javed Miandad (PW.2). The Commission also examined journalists like Syed Ahmad Shah Bukhari (PW.11), Mr.Zahid Mahmood (PW.12) and Mr.Abdul Waheed (PW.13). The latter two were representatives of Daily "Din" and Daily "The News" deputed to cover the Worldcup for their Papers. Mr.Aamer Sohail, Cricketer, was also examined as PW.16, even though he was not member of the Pakistani Team as it was suggested that he may be in a position to reveal something on match fixing. The Commission received an anonymous letter stating that the author overheard the conversation of Khalid Mahmood with the then Prime Minister, Mr.Nawaz Sharif, to the effect that the Board should raise its own finance as the Government was not in a position to do so. The author suggested that there was an unusual deposit of millions of Dollars in the account of Pakistan Cricket Board in Bank Alfalah Limited soon after loss of Pakistan to Bangladesh. The Commission, therefore, decided to examine the accounts of the Board. Mr.Mushtaq Ahmad, Finance Manager of the Board, was examined as PW.17, who also produced the relevant accounts.



6. Before proceeding to appraise the evidence, it is necessary to settle one initial principle, viz., the yardstick to be used for appraising the evidence and for reaching a conclusion. The stricter yardstick is the one applied in criminal trials wherein a person is presumed innocent unless proved otherwise, beyond reasonable doubt. In civil proceedings, law of probability is applied to the controversy. As the findings and recommendations of the Commission are likely to adversely affect the players/Cricketers and may mar their career, in my opinion, a yardstick in between the two should and would be applied. It may be kept in mind that the proceedings of the Commission being inquisitorial (rather than adversarial) in nature, the examination etc was conducted by the Commission itself. However, learned Technical Adviser, Mr. Abdul Qadir and Board's counsel, Syed Asghar Haider were permitted to put questions to the witnesses.


7. M/s Sarfraz Nawaz (PW.1) and Majid Khan (PW.5) have been outstanding cricketers of their times. There is no doubt that they know the game fully well. They have stated that the Pakistan versus Bangladesh match was fixed. According to them on paper the Pakistani Team was much superior to the



Bangladeshi Team as Bangladesh had yet to achieve the test status. According to them, considering the nature of the pitch and the atmosphere, particularly, the rain on the preceding day, the decision of Captain Wasim Akram to field first was dishonest. In their opinion, the Pakistani Team, after winning the toss, should have batted first. More so, because the team is reputed to be bad chasers. They referred to the press statements of the Captain to this effect. When Wasim Akram appeared as PW.14 and was confronted with this, his answer was that it was a team decision to field first. As the team had already qualified for the next round known as Supper Sixes, the team decided to try to chase. He also justified the decision by saying that as the ball was likely to swing a lot, the decision to field first was correct. M/s Sarfraz Nawaz and Majid Khan further referred to fielding lapses by the Pakistani Players to suggest that this could only accord with the theory that match was fixed.

8. The consistent view of the second category of witnesses (the Manager and players) has been that as the team had won four of the first round matches and had reached the **Supper Sixes** stage, the players

became lax particularly when the Bangladeshi team was considered weak. All of them, however, admitted when questioned by the Commission that in theory Pakistani team is much superior to the Bangladeshi team. They have also given examples where stronger teams have been losing matches against relatively weak teams.




9. Mr. Riaz Sami, (PW.3) was the High Commissioner of Pakistan at the relevant time. He was summoned, as Sarfraz Nawaz in his statement had suggested that on the day of the match when he heard rumours of match fixing, he spotted Mr. Riaz Sami on the ground, went to him and informed him about the rumours and requested his intervention. Mr. Riaz Sami, however, denied this event. He further stated that he was present in the ground but he did not hear any rumour about the match being fixed. Mr. Khalid Mahmood (PW.4), the Chairman of the Pakistan Cricket Board at the relevant time, stated that he does not have any "cricketing explanation" of the loss of match to Bangladesh. He, however, ascribed the loss to the relaxed attitude of the players. He said that it did not come to his knowledge that the players had fixed the match.




10. Saleem Parvez (PW.15) stated that he was ex-Cricketer and had played Oneday Game for Pakistan. He referred to atleast one previous incident where the money was passed on to Salim Malik in Sri Lanka for loosing the match. From this he went on to state that Pakistan deliberately lost the matches to Bangladesh and India in the Worldcup.

11. Aamer Sohail (PW.16) was non-committal. He would suggest that the Commission should draw an inference of match fixing but would not go to the extent of saying that the players had deliberately lost the matches to Bangladesh and India.



12. Abdul Waheed Khan (PW.13) and Mrs.Fareshteh Gati Aslam, in their deposition and written statement have suggested that they did hear the rumours that matches versus Bangladesh and India were fixed. Mrs.Fareshteh Gati was of the view that in the Sharja Cup final, played by Pakistan against England about two months prior to Worldcup, the bookies heavily suffered on account of victory of England and it was decided that Pakistan would loose one of the matches either against Bangladesh or against Scotland in the Worldcup to compensate the bookies. Zahid Mahmood (PW.12), representing Daily "Din", also stated that on his way to the ground in

the morning of the match, he did discover that betting shops were giving bets indicating victory for Bangladesh.



13. Mushtaq Ahmad (PW.17), the Finance Manager of the Pakistan Cricket Board, produced the relevant accounts (Marked "E" and "F"), showing transfer of US \$1,500,000 from Standard Chartered Bank to Bank Alfalah on 7.6.1999. It may be noted that Bangladesh match was played on 31.5.1999. Statement of Accounts (Mark "F") shows that between 21.7.1998 to 3.3.1999, the Board had been receiving various amounts in its account in Standard Chartered Bank from M/s Transworld International, a Company based in America to whom the Board had given television coverage rights for matches played by Pakistani Team. The amount thus accumulated was transferred to the account of Board in Al-Falah Bank. The suggestion in the anonymous letter that receipt of millions of US Dollars by the Board was a consequence of loosing match against Bangladesh, has not been found true.

14. The Worldcup was played in England in May/June, 1999. The match between Bangladesh and Pakistan was a Group Match and was played on 31.5.1999 at County Ground Northampton. It was 29<sup>th</sup> match of the tournament. Toss was won by Pakistan who put

Bangladesh into bat. According to Exhibit (Mark "A"), the following is the score card of the two teams:-

Bangladesh innings (50 overs maximum)				R	B	4	6
Shahriar Hossain	lbw	b Saqlain Mushtaq		39	60	5	0
Mehrab Hossain	st Moin Khan	b Saqlain Mushtaq		9	42	0	0
Akram Khan	c Wasim Akram	b Waqar Younas		42	66	6	0
*Aminul Islam		b Shahid Afridi		15	26	2	0
Naimur Rahman		b Waqar Younas		13	20	2	0
Minhajul Abedin		c & b Saqlain Mushtaq		14	14		2
					0		
Khaled Mahmud	st Moin Khan	b Saqlain Mushtaq		27	34	3	0
+Khaled Mashud	not out			15	21	1	0
Mohammad Rafique	c Shoaib Akhtar	b Saqlain Mushtaq		6	19	0	0
Naimur Rashid	lbw	b Wasim Akram		1	2	0	0
Shafiuddin Ahmed	not out			2	3	0	0
Extras	(lb 5, w.28, nb 7)			40			
Total	(9 wickets, 50 overs)			223			

FOW: 1-69 (Mehrab Hossain, 15.3 ov), 2-70 (Shahriar Hossain, 17.4 ov),  
3-120 (Aminul Islam, 29.1 ov), 4-148 (Akram Khan, 34.3 ov),  
5-148 (Naimur Rahman, 34.5 ov), 6-187 (Minhajul Abedin, 41.1 ov),  
7-195 (Khaled Mahmud, 43.1 ov), 8-208 (Mohammad Rafique, 47.1 ov),  
9-212 (Naimur Rashid, 48.1 ov)

Bowling	O	M	R	W
Waqar Younis	9	1	36	2 (1w)
Shoaib Akhtar	8	0	30	0 (2nb, 1w)
Wasim Akram	10	0	35	1 (4nb, 8w)
Azhar Mahmood	8	0	56	0 (3w)
Saqlain Mushtaq	10	1	35	5 (6w)
Shahid Afridi	5	0	26	1 (1nb, 1w)


Pakistan innings (target: 224 runs from 49 overs)				R	B	4	6
Saeed Anwar	run out (Khaled Mashud)			9	20	0	0
Shahid Afridi	c Mehrab Hossain b Khaled Mahmud			2	4	0	0
Ijaz Ahmad	b Shafiuddin Ahmed			0	5	0	0
Inzamam-ul-Haq	lbw b Khaled Mahmud			7	16	1	0
Saleem Malik	lbw b Khaled Mahmud			5	17	0	0
Azhar Mahmood	run out (Khaled Mashud)			29	61	3	0
*Wasim Akram	c Shahriar Hossain						
	b Minhajul Abedin			29	52	2	1
+Moin Khan	c Mehrab Hossain						
	b Naimur Rahman			18	17	2	0
Saqlain Mushtaq	run out Khaled Mashud			21	51	2	0
Waqar Younis	b Muhammad Rafique			11	20	0	0
Shoaib Akhtar	run out			1	5	0	0
Extras:	(b 1, lb 6, w 21, nb 1)			29			
Total:	(all out, 44.3 overs)			161			

FOW: 01-5 (Shahid Afridi, 0.5 ov), 2-7 (Ijaz Ahmad, 1.6 ov),  
3-26 (Saeed Anwar, 7.1 ov), 4-29 (Inzamam-ul-Haq, 8.1 ov),  
5-42 (Saleem Malik, 12.3 ov), 6-97 (Azhar Mahmood, 27.5 ov),  
7-102 (Wasim Akram, 29.1 ov), 8-124 (Moin Khan, 34.6 ov),  
9-160 (Waqar Younis, 43.3 ov), 10-161 (Saqlain Mushtaq, 44.3 ov)

Bowling	O	M	R	W
Khaled Mahmud	10	2	31	3 (1nb, 7 w)


Shafiuddin Ahmed	8	0	26	1 (6w)
Niamur Rashid	5	1	20	0
Mohammad Rafique	8	0	28	1 (1w)
Minhajul Abedin	7	2	29	1 (1w)
Naimur Rahman	6.3	2	20	1 (1w)

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- 4<sup>th</sup> (reserve) umpire: WB Smith (Scot)
  - Pakistan were fined 1 over for a slow over rate
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15. Admittedly the Bangladesh had not been granted Test Status at the time of the match. Undisputedly every expert and in fact every person interested in the game of cricket, ranked Pakistan as a much superior side. It may also be noticed that before this match Pakistan had already won its matches against some very strong teams like Australia and had already qualified to the next stage of the tournament known as "Supper Sixes". As will be seen from the score card, Bangladesh were able to play their full 50 overs and score 223 runs, which means Pakistan was given a target of 224 runs. This was not a difficult target, as has been admitted by the players also. Pakistan, however, were all out in 44.3 overs for petty 161 runs, giving victory to the opposition by 62 runs. This victory by Bangladesh over a much stronger Pakistani side, created surprises and ripples throughout the cricketing world.






16. M/s Sarfraz Nawaz (PW.1), Majid Khan (PW.5) and witnesses in that category are of the opinion that this defeat of Pakistan cannot be explained except on the hypothesis that the match was fixed and Pakistani team or atleast some of the leading players had decided to throw away the match. For this opinion they have also relied on an unusual decision of the Pakistan team to bat first after winning the toss, to resting players like Yousaf Yuhana and to include players like Ijaz Ahmad and Saleem Malik, against whom suspicions of match fixing already existed and the manner in which the Pakistani team had played. Their fielding was extremely poor and their batting was relaxed. Even the bowlers bowled recklessly and gifted lot of no balls and wide balls to the opposition. According to these witnesses our star bowler, Wasim Akram, also the Captain, bowled eight wide balls and four no balls. In other words, the Captain alone gave 12 extra runs and had to bowl two extra overs. Version of the players examined by this Commission, on the other hand, is that there was no match fixing; that the team lost because nothing was at stake (the team having already qualified for the next stage); that the players took the match very lightly and hence failed to give their best. They are



also aggrieved that whenever the team loses, the defeat is attributed to match fixing and betting, but no appreciation is given to the team when it wins even the difficult matches. They also felt that in such a situation the Pakistan Cricket Board does not come to their rescue and in fact involves itself in witch hunting. As noted earlier, there is third category of evidence consisting of sports journalists and cricket officials. Dr. Zafar Altaf, the Manager of the Team (himself a cricketer of past era) sided with the players and outrightly rejected the theory of the match being fixed. He, however, did admit that players played badly and, according to him, it was not because of match fixing or betting, but because the players had become complacent. Mr. Khalid Mahmood, the then Cricket Board's Chairman, stated before the Commission that while he was shocked at the defeat of his team, he had no "**cricketing explanation**" of the loss. He maintained that as Chairman of the Board, no evidence of match fixing came to his knowledge. Sports Journalist, Mrs. Fareshteh Gati Aslam, sent a written statement suggesting that the match was fixed in order to compensate the bookies who had lost heavily at Sharja in April-1999 when Pakistan lost to England in the final.


17. Mr. Abdul Waheed (PW.13), Sports Journalist of Daily "The News", claimed that he was deputed by his Paper to cover the Worldcup matches, that on the day of match against Bangladesh, he was present at the ground but did not hear anything about the match being fixed in favour of Bangladesh. He, however, stated that on his way to the ground, he found the betting shops giving very high odds in favour of win by Bangladesh.



18. Mr. Abdul Qadir, the expert attached with the Commission, is also of the view that the Pakistani Team have played recklessly and irresponsibly and that their loss to Bangladesh is clearly an upset. However, Mr. Qadir also has been clear that from the negligent play and loss, it cannot be inferred that the match was fixed. He is of the view that the inference drawn by M/s Sarfraz Nawaz and Majid Khan regarding match fixing does not seem to be correct as even they have not been able to place before the Commission any material indicating the loss of match due to prior arrangements, for monetary considerations or otherwise.

19. After intensive review of evidence and other material and keeping in view the yardstick as laid down for determining the question, the Commission is





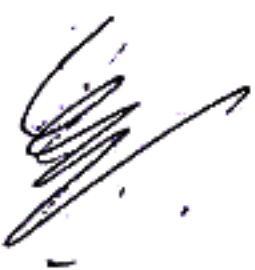
of the view that it is difficult to hold that this match was fixed. The testimony of M/s Sarfraz Nawaz and Majid Khan is in fact an opinion. They did not profess any direct knowledge about the fixation of the match. Although they are former cricketers of repute and their analysis is entitled to respect, but in order to hold that the match was fixed and, therefore, to condemn the players, the Commission required incriminatory evidence, which is completely lacking. A finding of condemnation cannot justifiably be based on opinions. Similar is the case of written statement of Mrs. Fareshteh Gati Aslam. Even the Anti-Corruption Unit of the ICC had no material in support of the theory that the match was fixed. The Commission attended the briefing, which more or less consisted of the general patterns of betting and match fixing in cricket. The Unit subsequently sent a copy of the extract from the "Wisden", the cricket monthly, which contained an article on Bangladesh cricket, which made a reference to this match against Pakistan in Worldcup. The relevant part of which reads:-

"Then Bangladesh won their 1999 World Cup match against Pakistan by 62 runs. It remains the only match of any




kind that Bangladesh have won against any Test country - and it is being investigated by a Pakistani judicial inquiry.

No doubt the Pakistani judge, Justice Bhandari, will want to know why Inzamam-ul-Haq let Saeed Anwar run more than halfway down the pitch before sending him back to be run out; why Inzamam then played back and missed a straight medium-paced ball to be lbw; and why Wasim Akram chose to run a single after hitting the ball to midwicket, even though the fielder dived and stopped it. And it was not Wasim but Azhar Mahmood, going well on 29 and leading the recovery, who was run out."




It will be seen that the author of the Article made suggestions based on inferences. With respect to the author, even if the inference he has drawn may be pointing towards match fixing to an expert and to an enlightened cricket fan, condemnatory findings are required to be based not on opinions (differable) and inferences (weak) alone, but on something more direct and incriminatory. The "Wisden" ought to have known that Inzamamul Haq is notorious for run outs.

20. When the Commission was in the process of recording its report after closing the hearing, the Commission did receive the fax message dated 24.1.2002 from Dr. Ali Bacher, who publicly accused the Pakistani team of match fixing. Dr. Bacher did not send any material or his sworn statement in support of accusation of match fixing. He, however, stated that he had previously disclosed all information to the ICC and its Anti-Corruption Unit. Furthermore, he



also testified before King Commission. He offered that if his statement before King Commission is not in possession, he would be happy to arrange for a transcript to be forwarded. The Commission was already in midst of compiling its report and in the absence of any indication whatsoever as to the nature of testimony relevant to the terms of reference, the Commission decided not to wait for transcript particularly so when the Commission had got extension to submit the report by 31<sup>st</sup> January, 2002. It may be recorded that during its meeting with representatives of Anti Corruption Unit at Sharja, the Commission pointedly asked for material relevant to the subject but the answer was in the negative. The Commission also requested the Unit to contact Dr. Ali Bacher and request him to transmit the material/evidence to the Commission. This they promised but apart from the photocopy of article from "**Wisden**", the Unit did not send any other material. The Commission, therefore, holds that it cannot be said with any amount of certitude that the match was fixed.


21. As regards the match **Pakistan versus India** in the same Worldcup, the evidence as well as the material is either lacking or is of much less credibility. This match was played at Old Trafford, Manchester, on



8<sup>th</sup> June, 1999 and was a fourth Super Six Match. As per score card (Mark "B"), India won the toss and batted first. In fifty overs it scored 227 runs for six wickets. In reply Pakistan was all out in 45.3 overs for 180. India thus won by 47 odd runs. On this match the Commission again has the statement of M/s Sarfraz Nawaz and Majid Khan. As noticed, their opinion is based on inferences. The players examined by the Commission denied any match fixing. In fact some of them went to the extent of saying that the match against India was like going to war and no Pakistani can think of subverting his Country in war against India. It is known fact that these two cricket-playing countries have long history of rivalry not only in the game of cricket but in all other fields. Unlike Bangladesh, India is a stronger side, which has produced some outstanding cricketers over the years. Both the teams have been winning and losing matches against each other. Apart from opinion, there is no credible material on the file whereby this Commission can give a finding that this match was fixed in favour of India.

22. As regards the third term of Reference, viz., conduct of Umpire Javed Akhtar, there is hardly any material or even a suggestion or inference that





Umpire Javed Akhtar by design gave large number of lbws against South African batsmen. In all fairness as South African Board initiated and inspired allegations against Umpire Javed Akhtar, it ought to have come forward to assist this Commission in resolving this matter. In spite of number of letters, the South African Board did not respond nor sent any material for consideration by this Commission. Dr. Ali Bacher's delayed communication, referred to above, is also absolutely silent on this issue. The Commission on its own put questions to various players/witnesses as to the stature of Umpire Javed Akhtar and most of the witnesses responded by saying that he was a good and upright Umpire, (he is now stated to have retired). Umpire Javed Akhtar appeared in the proceedings once or twice, but remained a silent spectator.

23. The findings of the Commission on the terms of Reference may be summarized as under:-

a) To probe and ascertain whether the match between Pakistan and Bangladesh (World Cup 1999) was fixed.

No.

b) To probe and ascertain whether the match between Pakistan and India (World Cup 1999) was fixed.

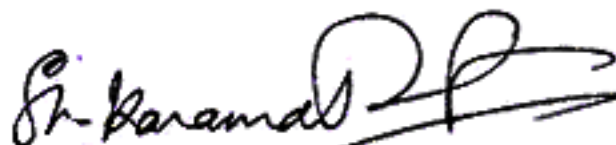
No.

c) To determine whether some individuals were responsible for match fixing and betting.

No.

d) To recommend appropriate punishment and measures that in future this episode is not repeated in case of any affirmative finding.

As the findings of the Commission are in the negative, the Commission is not required to recommend appropriate punishment and measures.

  
COMMISSION OF INQUIRY

**Dated:**  
Lahore January 31, 2002