

9th November 2018

Haidermota BNR

15 Zafar Ali Road, Gulberg V,

Lahore, Pakistan

Tel: +92 42 35791391

**Subject: LEGAL NOTICE UNDER SECTION 8 OF THE DEFAMATION
ORDINANCE, 2002**

Dear Sirs,

We under instructions from our Client, the Pakistan Cricket Board that includes its Chairman, serve upon you the reply to your legal notice dated 29 October 2018.

At the outset the allegations of any wrong doing or intent on the part of our Client to defame your client is categorically denied. Our Client has merely disclosed as part of its transparency and accountability policy relevant information relating to its management. The amounts disclosed in the Chart pertaining to your client are solely based on financial records of the Pakistan Cricket Board as were overseen by your client in his capacity as Chairman up until 20 August 2018. While some of these amounts have been audited , the amounts pertaining to the financial years 2018 and 2019 are yet to be audited and for which reason it has been clearly stated that these are subject to a final review by the Board.

The expenses incurred or payments received by members of a board are in the ordinary course disclosed as part of transparency policy adopted and exercised by organizations of the stature and nature of the Pakistan Cricket Board. There is nothing extraordinary behind such disclosure. Because disclosures relating to fundamental principles of corporate transparency were not strictly

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enforced by previous managements does not lead to a conclusion, albeit grossly misplaced on the part of your client, of ulterior motives. Our Client has only stated actual facts in the said public disclosure and no opinions or views have been disclosed hence the question of defamation does not arise. Furthermore, as the disclosure is one of actual accounts there exists no need or obligation upon our Client to provide explanations as to relevant approvals of each amount or ancillary acts thereto. However, without prejudice to there existing no such obligation upon our Client, in view of the fact that you have specifically raised this issue, our Client will be considering pertinent disclosure in due course of such connected actions of the Chairman and Board of Governors pertaining to the relevant accounts disclosed.

It is patently denied that any amount contained in the Chart as disclosed is 'incorrect' or 'exaggerated' or 'deliberately calculated'. Your client is put to strict proof of these patently false allegations and is required to withdraw the same forthwith, failing which our Client retains the right to seek all available remedies. We note that other than claiming that he did not receive payment of the PSL Allowance, however which he admits was approved by the Board to be paid to him and a fact which is disclosed in the Chart, your client has not denied receipt of any of the specific amounts stated in the Chart or having duly received the same corresponding to the category of respective payments made.

It is absurd to presume that disclosure of actual accounts as maintained by the Pakistan Cricket Board, and that too during a period substantially when your client was the Chairman having the power to undertake and oversee the day-to-day management of the Board including its accounts; unless your client for some reason desires to withhold transparent disclosure of amounts received by him from the Board during the period that he served as a member of the Board.

Notwithstanding that there exists no claim for defamation in law corresponding to a public disclosure for purposes of transparency of actual accounts, which in most cases were approved with your clients participation, assent and consent, our Client seeks to clarify a few of the unwarranted allegations contained in your legal notice.

1. The PSL Allowance in the amount of Rs.14,181,570 was approved as a payment to be made to your client by the Board pursuant to the initiation of a circular resolution in February 2018 by your client in his capacity as Chairman of the Board. The PSL Allowance was approved retrospectively as payable to your client for the period 1st August 2015 until his appointment as Chairman PCB on 9th August 2017 at the rate of Rs. 500,000 (net of tax) per month while he was a member of the Board, Chairman of the Executive Committee and Chairman of the Pakistan Super League.

A payment of Rs.7,046,845 against the said approved PSL Allowance was made to your client vide cheque dated 10th August 2018 for a net amount of Rs.6,064,516 after deducting of tax. However, upon your Client informing the CFO of PCB a month later that he appeared to have misplaced the said cheque, the payment of the said cheque was stopped at your Client's request on 17th September 2018.

As per the accounts of our Client, an amount of Rs.14,181,570 was approved as PSL Allowance to be paid to your Client. Therefore, it is represented in the accounts as it was approved and hence would remain due until either refused by your client or such approval is altered by the Board of Governors.

2. The Chart represents accounts disclosure up to 30th September 2018 as is noted on the Chart. As on 30th September 2018 the Board had provided no furnished apartment to the current Chairman Mr. Ehsan Mani. The disclosure therefore, as contained in the Chart to the extent of Mr. Ehsan Mani is correct. However, as stated by the Chairman of the Board the disclosures, as part of corporate transparency shall be consistently made every quarter and expenses incurred on account of the Chairman of the Board in the current quarter will be accordingly and fully disclosed at the conclusion of the current quarter in December 2018.
3. The disclosure pertains to Chairmen of the PCB over the last 5 year period as stated. It does not pertain to the executive management / officers of the Board. The reason it became

necessary to disclose the expenses and benefits received by your client during 2014 to 2017 is two fold. Firstly, majority of these expenses and benefits such as the PSL Allowance and Vehicle Allowance were approved retrospectively in 2018 during the period your client was Chairman of the Board. Secondly, during such relevant period your client while not being Chairman of the Board was a member of the Board of Governors as well as acting as the Chairman of the Executive Committee. As to the corresponding benefits and allowances received by the other members of the Board during this period, the same are being compiled and shall be shortly publicly disclosed pursuant to the corporate transparency policy of the Board.

4. The benefits and allowances received by Mr. Shaharyar Khan as Chairman for the period 2014-2016 will be shortly disclosed when the said Chart is updated along with the disclosure of benefits and allowances received by the other members of the Board as stated above. However, the same are available and can be provided to your client if he so desires.

In conclusion it is reiterated that not only does our Client categorically deny any defamatory act on its part, it further categorically denies each and every allegation contained in your legal notice under reply. The legal notice is without any factual or legal basis and appears instead to have been issued to supplement your clients purported intent to use it for a media campaign against our Client and in turn seek to defame our Client; consequent to which our Client reserves its rights to seek in its discretion all available legal remedies at the appropriate time and specifically if the legal notice under reply is not forthwith withdrawn.



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