



## PART I

### **BACKGROUND TO INQUIRY**

1. Cricket has always put itself forth as a gentleman's game. However, this aspect of the game has come under strain time and again, sadly with increasing regularity. From BodyLine to Trevor Chappel bowling under-arm, from sledging to ball tampering, instances of gamesmanship have been on the rise. Instances of sportsmanship like Courtney Walsh refusing to run out a Pakistani batsman for backing up too soon in a crucial match of the 1987 World Cup; Imran Khan, as Captain calling back his counterpart Kris Srikant to bat again after the latter was annoyed with the decision of the umpire; batsmen like Majid Khan walking if they knew they were out; are becoming rarer yet. Now, with the massive influx of money and sheer increase in number of matches played, cricket has become big business. Now like other sports before it (Baseball (the Chicago 'Black-Sox' against the Cincinnati Reds in the 1919 World Series), Football (allegations against Bruce Grobelar; lights going out at the Valley, home of Charlton Football club))

Cricket faces the threat of match-fixing, the most serious threat the game has faced in its life.

2. Match-fixing is an international threat. It is quite possibly an international reality too. Donald Topley, a former county cricketer, wrote in the Sunday Mirror in 1994 that in a county match between Essex and Lancashire in 1991 Season, both the teams were heavily paid to fix the match. Time and again, former and present cricketers (e.g. Manoj Prabhakar going into pre-mature retirement and alleging match-fixing against the Indian team; the Indian Team refusing to play against Pakistan at Sharjah after their loss in the Wills Trophy 1991 claiming matches there were fixed) accused different teams of match-fixing. The Sri Lankan Board ordered an inquiry after a complete batting collapse led to their loss in the Singer Cup Final against Pakistan, the match that at a stage they were easily winning. Very recently allegations that have come to the fore through Chris Lewis, Stephen Flemming etc. and they only demonstrate the world-wide nature of this threat.
3. However, this commission is limited to inquiring into the matter so far as the Pakistan Cricket team is concerned. For the Pakistani Cricket Team, the allegation of match-fixing seems to have started when Asif Iqbal was the captain of the Pakistani team in

1979-80. Asif was accused of betting on the toss. G. Vishwanath, an Indian cricketer in his book has written that when he went for the toss with the Pakistani Skipper, the latter without completing the toss said "congratulations" to the former, saying that the Indian skipper had won the toss.

4. In the Press Fareshteh Gati-Aslam, a Sports Journalist, wrote that in a one day match held at Nottingham, UK, Wasim Akram and Waqar Younis deliberately bowled so badly that England team scored more than 300 runs, though earlier they had totally demolished the English Team in the Test Series.
5. In the 1994-95 season, the Australian team toured Pakistan and lost the Test Series 1-0. After the series, three of the Australian players, Shane Warne, Tim May and Mark Waugh accused the then Pakistani Captain, Salim Malik, of offering them bribes to bowl badly in a test and a one-day. (Pakistan had eventually won the test match by one wicket.)
6. In the backdrop of these allegations, the Pakistan Cricket Board (the 'PCB') requested Jst. (Retd.) Fakhruddin G. Ibrahim to hold an inquiry into the allegations by the Australian players against Salim Malik. He submitted his report on October 21, 1995 in which he acquitted Salim Malik of all the charges

primarily on the basis of insufficient evidence on record. The Australian Cricketers had refused to come to Pakistan to testify and that was crucial.

7. Almost at the same time as the Australian allegations, Pakistani cricketers Basit Ali and Rashid Latif had accused some of the Pakistani players of match-fixing. Both even went into pre-mature retirement during an important tour of South Africa. Aaqib Javed and Aamir Sohail also came up with similar kind of allegations.
8. In the interim, a Probe Committee inquiry chaired made by Justice Ejaz Yousuf was also made which tentatively suggested that certain players be suspended from playing Cricket. However, this inquiry was abandoned as it was felt that the Committee did not have the powers of a judge which could compell people to speak up. Furthermore, this enquiry was done ex parte and no opportunity was given to the accused to cross-examine witnesses or have representation. As such this inquiry was in breach of natural justice and may be disregarded. (The Senate too has thereafter looked into the matter.) The above difficulties are mentioned in the letter from the then Chief Executive Majid Khan to the Patron of the Board, the President of Pakistan.
9. In such circumstances, the former Chief Executive of Pakistan Cricket Board, Mr. Majid Khan decided to

write to the Patron. In the said letter Majid Khan requested that a judicial inquiry be conducted into the allegations of betting and match-fixing, as he felt that only a judicial commission would be able to find the truth. Ordinary domestic inquiry officers had no power vested in them to either summon any person, nor to compel their attendance or to make them give statements on oath and in case they perjured, to be able to deal with them.

10. The Patron was so minded to forward the matter to the Federal Government which in turn requested the Chief Justice of the Lahore High Court to nominate one judge for a one man judicial Commission under the Commission of Inquiry Act, 1956. On the recommendation of the Learned Chief Justice, Mr. Justice Malik Muhammad Qayyum was appointed to this Commission.

11. The Commission of Inquiry was given its mandate in the following terms:-

- (a) To probe into the allegations regarding betting and match-fixing against the members of the Pakistan Cricket Team.
- (b) To determine and identify the persons including members of the team responsible for betting and match-fixing.

(c) To recommend such actions as may be appropriate;  
and

(d) To suggest measures to avoid any future  
incidence.

## PART II

### THE INQUIRY & PROCEDURE

12. The appointment of this Commission was made through a Notification dated 13<sup>th</sup> of August, 1998. In terms of the Notification, all the secretarial services and assistance were to be provided by Pakistan Cricket Board.
13. This Commission was faced with a rather difficult task at its outset. There was no legislation on match-fixing, no rules and regulations that this commission could go by. In effect, this Commission had to start from scratch.
14. This Commission was appointed under the Commission of Inquiry Act 1956. Under the said Act, it was empowered to determine its own procedure. So the Commission decided that rules of natural justice like hearing and right of cross-examination must be applied. It consequently heard not only the persons accused of match-fixing but also allowed them the opportunity to cross-examine whichever witnesses made allegations against them. The Commission went to the extent of recalling certain witnesses at the request of the accused and also sought clarification from them.

**Definition of match-fixing applied:**

15. Therafter the first task at hand was to define what match-fixing was. For the purpose of this inquiry, 'match-fixing' is defined as deciding the outcome of a match before it is played and then playing oneself or having others play below one's/ their ability to influence the outcome to be in accordance with the pre-decided outcome. Match-fixing is done primarily for pecuniary gain.
16. Match-fixing, as well as an attempt to fix a match, are to be considered an offence for the purpose of this inquiry.

**Offences coming under Match-fixing:**

17. This Commission believes that the appropriate punishment for match-fixing is a ban for life and institution of criminal charges. This needs to be so for deterrence reasons among others. As much has been said from most quarters, like Imran Khan, Majid Khan, etc. However, an offence of such a harsh punishment, then requires a high burden of proof. Further, such an offence needs to be established with specifics, most particularly which match was fixed.

18. With the above parameters set, there then appeared a gap wherein people against whom their own managers and a whole lot of allegations were made, managed to slip through, despite bringing the name of the team and their own name as national sport ambassadors into disrepute. The Commission therefore was minded to consider this an offence too under the umbrella of match-fixing: this, i.e. to bring the name of the team and self as national ambassador into disrepute was to be considered an offence. Such an offence would attract the lesser punishments of censure, fine, investigation and being kept under observation. (The presence of such an offence in the future too would ensure the players act impeccably and not associate with bookies, etc.)

19. In short then, the two offences coming under match-fixing are:

- (a) Match-fixing,
- (b) Bringing the name of the team into disrepute (match-fixing related).

20. This Commission believes the above is the most balanced system of procedure such an inquiry can have. Various factors such as fairness to the players, fairness to the team, and the difficulty of finding

proof in such cases of corruption can herein be balanced.

**Burden of proof for offences:**

21. Everyone is innocent in the eyes of this Commission until proven guilty. A player may play for the country and/ or captain its team until he is found guilty by this Commission. The burden of proof is on the party making allegations.

**Standard of Proof for a finding of guilt for match-fixing:**

**grounds for life ban and other high penalties:**

22. With due regard to the submissions of the counsels and the amicus curiae (see Part IV), it must be stated that the burden of proof is somewhere in between the criminal and normal civil standard.

23. It is not as high as the counsel for Wasim Akram recommended, that the case needs to be proven beyond a reasonable doubt. This is a commission of inquiry and not a criminal court of trial so that standard need not be high. The Lone Commission report was a report on its own facts and needs to be distinguished.

24. Having said that, it must also be added that this Commission is aware of what consequences a

preliminary, tentative finding of guilt in this Report will have on the career of a player. If this Report is released to the public, a finding of guilt are likely to effectively amount to a conviction. The player is likely to lose his livelihood for the time being and possibly the prime of his career. Therefore, the submission by the amicus that the standard of proof should be lower as all the commission is doing is making recommendations is not completely accepted.

25. Moreover, there are a number of other reasons why the standard of proof for a finding of guilt is not as low as the amicus proposes. The amicus bases his submission on *Munir's* evidence tome. That book while authoritative was written many years ago. In those days perjury was not as widespread. So the standard could be low. Now, there needs to be much higher standard as with the general decline in moral standards, people do perjure themselves. In fact, before this commission a person did perjure himself. Generally too it was felt that the whole truth was not forthcoming from several people in this case. Hence the higher standard of proof than the preponderance of probabilities.

26. Lastly, as to the proof of guilt, it must be added that for the Commission to be convinced, to arrive at a finding of guilt, it must be convinced of the

specifics of the offence. More than anything, the Commission needs to know that one particular match was fixed. Actions taken before or after, inferences of disposition from or later allegations, in regards to other matches will not figure in the determination of guilt of match-fixing.

Standard of proof for bringing own and the name of the team into disrepute (match-fixing related): grounds for censure, being kept under observation:

27. While the commission has set itself a rather high standard that needs to be satisfied in order to arrive at a finding of guilt, it is also aware that in cases of bribery and match-fixing direct evidence is hard to come by. One has to draw inferences and rely on expert opinion. As such for the offence of bringing a player's own name (as an international representative of the nation) and that of the Pakistan Cricket team giving a censure and lower levels of punishment, this commission will look at the allegations in their totality too. That is to say that while the commission needs to be certain that a person fixed a particular match or attempted to fix that match in order to recommend a ban and criminal charges, if a person appears on the totality of allegations against him to be, on the balance of probabilities (on the civil standard) to be involved in suspicious

activities, the lesser penalties such as a censure, fine and an order for the player to be kept under observation can be set-out.

28. As such, it is believed that in the instance of persons upon whom doubt has been shed by a number of their own colleagues, grounds for investigation ought to be of a lower standard. In light of the fact that several of the managers who may be termed experts on cricket opined that there was match-fixing, while the Commission does not believe a finding of guilt can be established, the Commission does believe such evidence can be grounds for censure, further investigation of finances, and recommendation of keeping the accused under observation. Herein, players against whom there seems to be a trend of allegations but no solid proof for individual instances, can be chastised.

The cut-off point (added after this enquiry had been going on for a year)

29. The primary emphasis of investigation by this Commission as will be seen has been around the two names that have been brought up the most, Salim Malik and Wasim Akram. However, other names also appeared either having been brought up by people called or those that have cast suspicion on themselves by their

own actions or through Rashid Latif's tapes. As a consequence of these other leads and names, this inquiry has grown and grown as the commission has sought to pursue more and more leads. More and more time has been taken and extensions have been sought from the Federal Government.

30. In all of this, the commission has been aware that its report has been dubbed 'much-delayed' in the public. Therefore, a cut-off point needed to be settled, so as not to leave players and the public in suspense. The pressure the players have been kept under now for a year would be too unfair to continue. This cut-off point has been set at before the team leaves for the Sharjah and Australia tour, when the sixth extension for this commission expires. As such this commission closes its inquiry on the 30<sup>th</sup> of September, 1999. The Report will be submitted before the team leaves for Sharjah.

31. (Note dated 30<sup>th</sup> of September, 1999) Due to the cut-off point, certain leads were not completely followed up. Some were not followed as they were likely to provide information already available (Dan Keisel's tape seemed to, according to Rashid Latif, duplicate Keisel's own testimony and Aamir Sohail's allegations) or because these leads were against people against whom there was already sufficient evidence (re: Saeed

Anwar lead regarding Salim Malik making him an offer from Rashid Latif's testimony.) Some leads were not followed up against secondary players (Saeed Anwar, Basit Ali) for their lesser involvement because there was just not enough time. In the rush to complete the report at the end, a vital lead against Mushtaq Ahmad (i.e. Mr. Butt) despite best efforts was not forthcoming. This lead is currently being chased up.

32. (Note dated 12<sup>th</sup> of October, 1999) The Federal Government has kindly granted this Commission an extension till the 30<sup>th</sup> of October, 1999. However, this Commission, in view of fairness to the players accused, is sending this Report on to the Sports Minister today. Final Reports against Mushtaq and Salim Malik will be completed by a Supplementary Report shortly to follow.
33. Leads not followed up are listed later in the report, so that the Patron can have them pursued if he is so minded.

### **PART III**

#### **EVIDENCE PRODUCED BEFORE COMMISSION**

34. The Commission started its inquiry on 9<sup>th</sup> of September 1998 and summoned various persons together with evidence regarding the matter under reference.

35. The persons who were called to testify in this regard included former cricketers and officials of Pakistan Cricket Board, namely (in order of appearance):

1. Mr. Sarfraz Nawaz
2. Mr. Yawar Saeed Butt
3. Mr. Arif Ali Khan Abbasi
4. Mr. Javed Burki
5. Mr. Basit Ali
6. Mr. Haroon Rashid
7. Mr. Salim Malik
8. Mr. Ijaz Ahmad
9. Mr. Rameez Raja
10. Mr. Aaqib Javaid
11. Mr. Ata-ur-Rehman
12. Dr. Amir Aziz
13. Dr. Zafar Altaf
14. Mr. Aamir Sohail
15. Dr. Dan Keisal
16. Mr. Wasim Akram
17. Mr. Waqar Younus
18. Mr. Rashid Latif
19. Mr. Intikhab Alam
20. Mr. Saleem Pervez
21. Mr. Khalid Mahmood
22. Mr. Saeed Anwar
23. Mr. Mushtaq Ahmad
24. Mr. Inzamam-ul-Haq
25. Mr. Imran Khan
26. Mr. Javed Miandad
27. Mr. Majid Khan
28. Mr. Saqlain Mushtaq
29. Mr. Moin Khan
30. Mr. Shahid Afridi
31. Mr. Azhar Mahmood
32. Mr. Akram Raza
33. Mr. Zahid Fazal

36. In addition to above, following Sports Journalists were also examined by the Commission:-

1. Ms. Fareshteh Gati-Aslam
2. Ms. Kameela Hayat
3. Mr. Imtiaz Sipra
4. Mr. Shahid Sheikh

37. Three Australian players were also examined, namely:

1. Mr. Mark Waugh
2. Mr. Mark Taylor
3. Mr. Shane Warne

38. Various other persons have also been examined by the Commission whose names either appeared during the course of statements by other persons or whose names appeared in newspapers or other media during the course of investigation by the Commission. In this regard the following persons appeared before the Commission:-

1. Mr. Shaukat Javed, DIG Police Lahore Range.
2. Mr. Naeem Gulzar
3. Mr. Raja Aftab Iqbal
4. Mr. Raja Zafar Ali Iqbal alias 'Jojo'
5. Mr. Zia-ul-Haq, son of Ata-ul-Haq
6. Mr. Chaudhry Muhammad Khalid
7. Mr. Abdul Ghaffoor Ghani
8. Mr. Muneeb-ul-Haq son of Atta-ul-Haq
9. Mr. Akhtar Majeed Bhatti, SHO, Qila Gujar Singh, Lahore.
10. Mr. Aamer Malik
11. Mr. Muhammad Usman Ahmad, Executive Magistrate.
12. Mr. Muhammad Younis
13. Mr. Qaiser Ali Shah

1. Mr. Mark Waugh
2. Mr. Mark Taylor
3. Mr. Khalid Mehmood
4. Mr. Aamir Sohail
5. Mr. Rashid Latif
6. Mr. Saleem Pervez
7. Mr. Muhammad Younis
8. Mr. Javed Miandad
9. Mr. Wasim Akram
10. Mr. Inzamam-ul-Haq
11. Mr. Ata-ur-Rehman
12. Mr. Aaqib Javed
13. Mr. Salim Malik
14. Mr. Waqar Younus
15. Mr. Akram Raza
16. Mr. Saeed Anwar
17. Mr. Zahid Fazal
18. Mr. Shane Warne.

39. The first person to appear before the Commission of Inquiry was former cricketer Sarfraz Nawaz. Sarfraz Nawaz was of the opinion that betting on cricket started in 1979-80 when Pakistan was on the tour of India under the captaincy of Mr. Asif Iqbal. He was of the opinion that this spread to Sharjah and it was from there that match-fixing started on a larger scale. He was of the opinion that the 1987 World Cup semi final against Australia at Lahore was fixed and the main culprits were Javed Miandad and two other players. In 1993-94, Sarfraz Nawaz deposed that he was informed by Ch. Khalid alias Gitti in the presence of Manzoor alias Churra and Aslam Shami that Salim Malik was called to Lahore during the tour of Sri Lanka and the match was fixed. Mr. Salim Malik was allegedly paid Rs.40 lacs for fixing this match. In this match Pakistan were 79/1 at one stage but were all out for

149, which clearly showed the mala-fides of the players, according to Mr. Nawaz, and that they were playing under some pre-arranged scheme. Mr. Sarfraz Nawaz was also of the view that the brothers of Salim Malik and Wasim Akram were bookies and the same could be judged by comparison of their assets. He also opined that Mr. Ijaz Ahmad and Salim Malik were involved in gambling at the domestic level too. In October, 1994 in a match between National Bank and Habib Bank, Salim Malik was paid Rs. 10 Lacs.

40. The next person to appear was Ms. Fareshteh Gati-Aslam, Sports Journalist for "The News". Ms. Gati-Aslam was of the view that Wasim Akram, Salim Malik and Ijaz Ahmad were primarily responsible for match-fixing. She deposed that, according to her, match-fixing started during the English tour of 1992. Similarly, in New Zealand during the last test match and the last one day, the players performed so badly that it made her feel that match-fixing was taking place. It may be mentioned here that Ms. Gati-Aslam refers to the same match in which Ata-ur-Rehman has given a sworn affidavit to the effect that he was asked by Wasim Akram to bowl badly during the test match at Christ Church, New Zealand (Exh. 2). Ms. Gati also deposed that the 1996 World Cup's Quarter-Final between India and Pakistan at Bangalore was fixed and that Mr. Dan Keisel, the Physiotherapist, had informed

her that Wasim Akram was faking his shoulder injury.

She also deposed that Aaqib Javed had been asked to take Rs. 50 lacs and a Pajero by Mr. Saleem Pervez of the National Bank of Pakistan so that he could also be one of the members on the take and be included in the National team. When Aaqib refused, he got an indirect message from Wasim Akram that he would never be included in the team while Wasim Akram was the captain. According to her, the following players were clean:-

1. Mr. Rashid Latif
2. Mr. Azhar Mahmood
3. Mr. Shoaib Akhtar
4. Mr. Aamer Sohail; and other junior players.

41. The next to appear was Mr. Yawar Saeed who was the manager of the team in 1996-97. He was of the view that all the members of the team showed 100% commitment and were not involved in match-fixing.

42. Mr. Arif Ali Abbasi, the longest serving official of the Pakistan Cricket Board, was next to appear. He deposed that rumors about match-fixing started in 1979 during the captaincy of Asif Iqbal. He alleged that there was a bet on "who will win the toss" and further alleged that the Pakistan Captain having tossed the coin in the air, informed the Indian Captain that the

latter had won the toss before the coin landed on the ground. Mr. Arif Ali Abbasi was of the opinion that apart from this there were no signs of match-fixing or gambling. During his tenure in the Ad-hoc Committee, there was a revolt against Wasim Akram and he was removed as Captain. Mr. Majid Khan was made the Manager. Mr. Majid Khan had received telephone calls during the South African tour that the players were throwing away their matches. Then started the tour of Sri Lanka. In that tour, Mr. Intikhab Alam alleged that Mr. Basit Ali, a test player, had confessed before him that he had indulged in match-fixing. Then came the tour of Zimbabwe and South Africa. Salim Malik was the Captain. Mr. Arif Abbasi found that the team's performance was questionable and the Ad-hoc Committee requested to go to South Africa and investigate. Saleem Altaf, who was a Member of the Selection Committee, was sent to South Africa but came back with nothing to report. Before the Zimbabwe series, Australian cricket team came to Pakistan and played in three test matches. No allegation was made during this tour. However, four or five months later, a senior Australian journalist, Phil Wilkins informed Mr. Arif Abbasi that three players had signed affidavits against the Pakistani Captain Salim Malik accusing him of trying to bribe the Australians to lose the first test match in Karachi. Justice Fakhruddin G. Ibrahim was appointed to investigate

into this matter. However, because of lack of evidence, Justice Fakhruddin G. Ibrahim announced his judgement that Salim Malik was not guilty. During his tenure, Mr. Arif Abbassi maintained that he never came across any proof against any player including Salim Malik, Wasim Akram and Ijaz Ahmad. He also maintained that before going to India, Mr. Wasim Akram was nursing an injury and had a bandaged arm and ribcage. Also that after the retirements of Rashid Latif and Basit Ali, Mr. Intikhab Alam was given a show-cause notice after the Zimbabwe tour for not reporting the allegation against Basit Ali.

43. Mr. Javed Burki, who was Chairman of the Selection Committee from 1989 to September, 1992 and Chairman of the Ad-hoc Committee of PCB in 1994 also appeared. He was asked by the President of Pakistan to look into the allegations surrounding Pakistani cricket team. The Vice-Captain Mr. Rashid Latif, had accused Mr. Salim Malik of match-fixing during the South African tour in 1995. During his stay in Harare, Rashid Latif personally informed Mr. Burki that Salim Malik and other members of the team - although he did not name them - were indulging in match-fixing. Mr. Burki stated that when he was leaving the Board to the new set up, he had recommended that Salim Malik should never play for Pakistan again and that Ijaz Ahmad and Wasim Akram should be warned. He said he was sure that

match-fixing and betting was going on in the Pakistani cricket team. During the Singer Trophy in Sri Lanka and in the summer of 1994, these allegations first appeared in the Press and there were detailed articles in the Friday Times regarding the match that was thrown away in Sri Lanka. During that tour, Salim Malik rung up Mr. Burki and asked for permission to fly to Pakistan so that he could attend a wedding ceremony. Mr. Burki gave him permission but it was alleged that during his visit he struck a deal with Mr. Khalid Gitti to fix one of the matches in the Singer Trophy. Although Saeed Anwar deposed to him that he was asked not to play well during this match, Anwar never made the statement in writing. In the reception arranged by the President's House in honor of Australian and Pakistani, Salim Malik is stated to have offered bribes to two Australian cricketers Mr. Mark Waugh and Shane Warne. Mr. Burki was of the opinion that the allegations were made public by the Australians after our own Vice Captain, Mr. Rashid Latif, accused his Captain for match-fixing. The person who claimed to have had direct knowledge of match-fixing was named by Mr. Javaid Burki as Mr. Naeem Gulzar, c/o Lahore Gymkhana.

44. Next to appear was Ms. Kamala Hayat who was working as a journalist in England. She had also traveled to South Africa. She claimed that an English man by the

name of David Minro had over-heard three Pakistani cricketers namely Mushtaq Ahmad, Wasim Akram and Ijaz Ahmad discussing amongst themselves that the next match in England was fixed and this match was later lost by Pakistan. She also deposed that she had no direct evidence in her possession.

45. Next to appear was Mr. Basit Ali who was a member of the Pakistani squad from 1993 to 1995. Mr. Basit deposed that he received a call at 8:00 a.m., a day before the Final of the Australasia Cup in Sharjah in 1994, made by a person by the name of Raqeeb who offered him Rs. 10 Lacs if he would get himself out for less than 10 runs. According to Mr. Basit Ali, he informed the Manager, Mr. Intikhab Alam, who called Mr. Basit and the rest of the Pakistani Cricket team to his room at 1:00 p.m. to swear on the Holy Quran that they would perform to their best.
46. During the tour of South Africa, Mr. Basit Ali saw the renowned bookie Mr. Haneef Cadbury going into the room of certain players. When Aaqib Javed protested to Intikhab Alam, Ijaz Ahmad said that he could not be asked not to see old friends. During the Final, an altercation took place between Salim Malik and Rashid Latif. Salim Malik had apparently decided to bat first in conditions which were favorable for fielding. Mr. Basit Ali stated that he himself had never indulged in

match-fixing. Mr. Basit Ali also said that because of the circumstances created by Salim Malik and the management, he had to resign.

47. Haroon Rasheed, who is a former member of Pakistan cricket team and was appointed as Coach also appeared. Haroon Rasheed was of the opinion that some matches, including the One Day between Pakistan and Sri Lanka in Colombo in Asia Cup 1997, were fixed.
48. Similarly, in the home One Day series against India at Karachi in 1997, Saqlain Mushtaq gave away 17 runs in the last over. This kind of bowling, according to Haroon Rasheed, was not expected from the caliber of Saqlain Mushtaq and Haroon Rasheed was of the opinion that this match was fixed too.
49. Haroon Rasheed was of the opinion that the test match played at Faisalabad against South Africa was also fixed when Pakistan were all out for 116 chasing a target of 144 runs in the second innings. Haroon Rasheed also accused Wasim Akram of changing the batting order during various competitions including Pakistan's Independence Golden Jubilee. Wasim Akram, according to Haroon Rasheed, would promote himself ahead of Moin Khan and Azhar Mahmood, break the momentum of the game which would result in loss. Mr.

Haroon Rasheed felt that the main culprits were Wasim Akram, Ijaz Ahmad and Salim Malik.

50. Next to appear was the former Pakistani Captain Salim Malik. He said that he was exonerated by the inquiry conducted by Justice (Retd) Fakhr Uddin G. Ibrahim. As such, allegations against him including the one's leveled by the Australians were false and baseless. He admitted that an altercation had developed between him and Rashid Latif on the issue of who should bat first after winning the toss. He was of the view that the senior players wanted to bowl first, while Rashid Latif insisted that we must bat. He denied that he had fixed the final between National Bank and Habib Bank in domestic cricket. To a question why Shane Warne had accused him, he maintained that he was the only batsman in the world Shane Warne could not get out and as such was nursing a grudge. Regarding the statement made by Haroon Rashid against him for fixing the match of Sahara Cup against India, he maintained that he played with his best ability.

51. Next to appear was Ijaz Ahmad. Mr. Ijaz Ahmad maintained that he had never heard of match-fixing or betting. When reprimanded, he admitted that Rashid Latif and Basit Ali had resigned during the South African tour because of some allegations. He also admitted that he had sworn on the Holy Quran when

Intikhab Alam called him. He said, he never knew of any bookie named Hanif Cadbury or Khalid Gitti. He maintained that as he was related to Salim Malik, allegations against him were there.

52. Next to appear was Rameez Raja, former Captain of the Pakistani Team. He maintained that the only incident in his entire career when the players were accused of match-fixing, was during the tour of Sri Lanka in 1994.

53. Next to appear was the Sports Editor of the Daily "The News" Mr. Imtiaz Sipra. He maintained that he did not come across any player indulging in match-fixing.

54. Aaqib Javed was next to appear before this Commission of Inquiry. He affirmed the assertions that he had received a telephone call from an unknown person in Sri Lanka asking him to contact Saleem Pervez who was allegedly a bookie and receive a sum of Rs. 15 Lacs and a vehicle. He also maintained that he saw one Hanif Cadbury freely mixing with players during the South African tour. He also affirmed that he had received a message indirectly from Wasim Akram that as he was not part of the game, he would never play cricket till Wasim Akram was captain. Aaqib Javed maintained that one of his friends Naeem Gulzar c/o Lahore Gymkhana had some information regarding match-

fixing. He also affirmed that an oath was taken on the Holy Quran at the insistence of Mr. Intikhab Alam. He accused Wasim Akram and Salim Malik of being the main culprits.

55. Next to appear was Ata-ur-Rehman who played for the Pakistan cricket team from 1992 to 1994. He denied that he had made a statement against Wasim Akram before the Probe Committee. However, when the statement was produced before him, he changed his story the next day and confirmed in camera the affidavit that was given by him. According to the affidavit, he was asked to bowl badly by Wasim Akram during the final One Day match at Christ Church. For this, Wasim Akram gave him Rs. 100000/-. However, he maintained that because he was threatened with dire consequences in Manchester, he changed his story under coercion. He also maintained that Wasim Akram paid the air ticket from New Castle to Manchester. He also said that Khalid Mahmood, CHAIRMAN PCB asked him, to retract from his statement. Ata-ur-Rehman, however, in his subsequent cross examination by Wasim Akram retracted from the statement he made against him and said that statement containing allegations against Akram was false.

56. Mark Waugh, the member of the Australian cricket team who was present in Pakistan, also appeared. He

maintained that Mr. Salim Malik approached him during the Presidential reception in 1994 to lose the first test in return for US \$200,000. When the offer was made, Shane Warne was standing next to him. He also confirmed that he had given an affidavit to this effect later on.

57. Mark Taylor also appeared. He produced a written statement which stated that he informed the manager Colin Edgar, and Mr. Bob Simpson about the incident soon after the game. Statement produced as Exhibit-3. (More details of the Australian evidence below at paragraphs: 96-110.)

58. Next to appear was Mr. Zafar Altaf, Member of the Ad-hoc Committee during 1994. He deposed that the only evidence that was brought before him was by the Chairman, Zulfiqar Ali Bokhari which were two bank statements of 6000 Dirhams in a bank account in Sharjah belonging to Mr. Salim Malik. He strongly refuted the allegations against Wasim Akram, Ijaz Ahmad and Salim Malik.

59. Next to appear was Mr. Shaukat Javed, DIG Police, Lahore. He confirmed that he investigated the matter of the kidnapping of Mr. Wasim Akram's father. The culprits, who were later apprehended by the police were, investigated and it was found that Wasim Akram

or his father had nothing to do with betting or match-fixing. The DIG was asked to produce the two bookies, Mr. Zafar Ali alias Jojo and someone by the name of Raja.

60. Next to appear was Mr. Aamir Sohail, the former Pakistani Captain who did not say very much. At that time the Zimbabwean tour was on and he was captaining the National team. (He also subsequently reappeared of his own accord and maintained that there were a large number of allegations of match-fixing and betting during the South African tour.) He stated that as the Pakistan Cricket Board was not doing anything, he decided to go to the Press. He confirmed that he was approached during the Singer Trophy in Sri Lanka and offered Rs. 10 Lacs. He maintained that he was informed five minutes before the start of the Bangalore Quarter Final that he was supposed to lead the team. He maintained that this was not normal practice and that he was sure Wasim Akram would play. Aamir Sohail was subsequently cross-examined by counsels for Wasim Akram and Salim Malik. He stuck to his earlier statement.

61. Next to appear was Dr. Dan Keisel, the Physiotherapist of the Pakistani cricket team. He confirmed that Wasim Akram was injured during the match against India at Bangalore and was treated with anti-inflammatory

drugs. When questioned whether Wasim Akram was fit to play, he maintained that that question was for Mr. Wasim Akram to decide. He also stated that he had asked Wasim to come to him for treatment later. He was not sure if Wasim did.

62. Next to appear was the Captain of the current Pakistani team Wasim Akram. He confirmed that he was unfit for the match against India at Bangalore. He refuted the allegations leveled against him by Ata-ur-Rehman and maintained that he never offered any money to him. He confirmed that Zafar Ali alias Jojo was his neighbor but was not aware whether he was a bookie. He refuted the allegations that his brother was a bookie and maintained that his brother worked at a show room by the name of Madina Motors. He maintained that Salim Malik was one of the best batsmen in the world. He felt that the attitude of Majid Khan, Chief Executive was antagonistic and on no occasion was his performance appreciated by him. Wasim Akram also subsequently appeared on 3<sup>rd</sup> September, 1999 in which he answered allegations against the team made by Javed Miandad during the Sharjah Trophy which is dealt with separately.

63. Next to appear was Mr. Naeem Gulzar who was mentioned by Mr. Aaqib Javed and Javed Burki. He deposed that all cricketers were his friends. He said that Salim

Malik and Ijaz Ahmad were involved in match-fixing and betting. However, he had no proof.

64. Next to appear was Waqar Younis who maintained that he had no knowledge of match-fixing and betting. He clarified that he had received no money or car from any person and maintained that the statement by Mr. Aaqib Javed was not correct. He also confirmed that the members had decided to take oath on the Holy Quran before the start of the match. This was due to Rashid Latif who felt that players were throwing away matches. Aaqib Javed was subsequently recalled and subjected to cross-examination on the 3<sup>rd</sup> September, 1999 by counsel for Waqar Younis. Aaqib reaffirmed that Waqar had received a car from a bookie. He named the car also Pajero Inter Cooler.

65. Next to appear was Raja Aftab Iqbal, the elder brother of Zafar Iqbal alias Jojo. He confirmed that he was friendly with Wasim Akram, Ijaz Ahmad and Salim Malik. He also stated that he would occasionally bet at Carry Home Restaurant and Star Video in Gulberg.

66. Zafar Iqbal alias Jojo also appeared. He maintained that he had never traveled with the Pakistani team abroad. He also maintained that his brother does not involve in betting and match-fixing. At this stage it was felt that the witness was making a wrong statement

as his brother, who had appeared earlier, admitted Zafar Iqbal alias Jojo made bets. He was charged with perjury and a notice was issued U/s 476 of the CPC.

67. Rashid Latif was the next to appear. He maintained that before the fifth One Dayer at Christ Church, he was called by Salim Malik to his room and offered 10 Lacs to throw away the match. There were five other cricketers present in the room. However, he refused to take up the offer. Pakistan, according to Rashid Latif deliberately lost the match. He added that the main culprits were Wasim Akram and Salim Malik. Rashid Latif also confirmed that this was the same match regarding which Ata-ur-Rehman had given an affidavit. He also maintained that Wasim Akram declared himself unfit before the first ball was bowled and as such was feigning injury. In August, 1994, Rashid Latif informed the Court that Saeed Anwar was approached by Salim Malik and was asked to throw away the Singer Trophy match. However, as Saeed Anwar was very close to Rashid Latif, he was informed of the offer. During this match, mobile phones were freely used by Waqar Younis, Wasim Akram and Salim Malik. During the 10 day gap between the Singer Trophy held in Sri Lanka and the tour of Sharjah, he flew back with Salim Malik to Pakistan. Salim Malik's luggage was lost and Mr. Rashid Latif was asked to look for it. The bag was found by Rashid Latif. In his bag, Mr. Salim Malik had

50,000 Sri Lankan rupees in cash which, according to Rashid Latif, was the money Salim Malik had won because of match-fixing and betting. Mr. Rashid Latif also maintained that the cricket players gamble amongst themselves and place heavy bets against each other. Rashid Latif confirmed that Saleem Pervez, the former opening batsman of National Bank was a bookie and was seen freely mixing with the players in their hotel rooms. He also confirmed that he had informed Arif Abbasi about the incident. Rashid Latif also confirmed that he had an altercation with Salim Malik during the South African tour as Malik was putting the other team i.e. South Africans to bat when conditions were optimal for batting. He maintained that Salim Malik, when asked, he refused to take an oath on the Holy Quran that the match was fixed. He maintained that he had accused Salim Malik of match-fixing because he himself had been offered money. He maintained that things had gotten so bad that he had to call Arif Abbasi and ask him to come to South Africa. However, Mr. Saleem Altaf was sent. Due to the circumstances prevailing, Rashid Latif decided not to play any longer and announced his retirement. He also produced copies of the cheques issued in favour of Salim Malik and audio cassettes containing conversations of Ata-ur-Rehman and Saeed Anwar.

68. Next to appear was Ch. Muhammad Khalid alias Gitti. He refuted the allegations leveled by Mr. Sarfraz Nawaz against him. He asserted that he had never visited or seen Salim Malik as was suggested by certain people. He maintained that he had never given Salim Malik Rs. 40 lacs.

69. Next to appear was Mr. Intikhab Alam, the former Manager. He has been associated with the game for nearly 17 years. He maintained that during the 1994 Final at Sharjah, he started receiving phone calls that the match was fixed. As such he assembled the cricketers and asked them to take an oath on the Holy Quran. He maintained that he was suspicious of the Final that took place in Sharjah against Australia and he called Waqar Younis, Salim Malik and Basit Ali to his room. These were the three players who he suspected were involved. According to him, Basit Ali confessed before him that he had indulged in match-fixing. Further Mr. Intikhab Alam stated that Asif Iqbal, the former Pakistani Captain was linked with bookies. Mr. Intikhab Alam also felt that this last match at Christ Church against New Zealand was fixed. He confirmed that there were rumors during the Mandela Cup final in South Africa that the Pakistani Team was going to lose the match. He stated that an anonymous person called him and alleged that the seven players namely Salim Malik, Wasim Akram, Inzamam-ul-Haq, Basit

Ali, Ijaz Ahmad, Mushtaq Ahmad, Moin Khan and Waqar Younis had sold themselves. During the Zimbabwean Tour the allegations that Salim Malik had offered bribes to two Australian players also came up. Mr. Intikhab Alam opined that to fix a match at least five/ six players need to be involved. When asked about the players who he thought were absolutely clean he named Rameez Raja, Aaqib Javed and Aamir Sohail. He confirmed that Salim Pervez was staying in the same Hotel as the cricketers in their tour of Sri Lanka in 1994. Finally, Mr. Intikhab Alam maintained that betting and match-fixing had taken place during his tenure as Manager.

70. Salim Pervez alias Paijee appeared before this Inquiry and confessed that he himself had handed Salim Malik and Mushtaq Ahmad \$ 100,000 to throw away the final in Sharjah against Australia. He stated that the two players had contacted him directly in this connection and had asked for a larger amount but settled for \$ 100,000. This match was lost by Pakistan. He confirmed that he was present in Sri Lanka during the Singer Trophy. He was also of the view that the team deliberately lost the Mandela Trophy in South Africa and the Quarter Final in Bangalore. He suspected that Ijaz Ahmad had sold himself during the match in Bangalore. Salim Pervez was subsequently summoned and faced cross-examination. He was first cross examined

by Mr. Azmat Saeed, counsel for Malik and later by Mr. Mozamal Khan, counsel for Mushtaq Ahmad. In his cross-examination, Salim Pervez elaborated his statement and stated that he was accompanied by one Mr. Butt who was the main man. He, in reply to a question said that US\$ 100,000 were taken by him in his inner garments (underwear) and that he had earlier met Mushtaq Ahmad in Shalimar Hotel, Gulberg.

71. Next to appear was Mr. Khalid Mahmood, Chairman, Pakistan Cricket Board. Mr. Khalid Mahmood deposed that he could not say with certainty that match-fixing took place or not but he opined that he was certain that one day international at Nottingham in 1992 was not fixed. He stated that there was a consistent pattern of accusing the Pakistani cricketers of match-fixing whenever the team was faring well. When asked whether he had any explanation for the allegations leveled by the Australian Team he deposed that the Australian Cricket was known for indulging in tactics like terrorizing the opposition in and off the field which they called "sledging". He hoped that the matter would be resolved once and for all by this Commission of Inquiry.

72. Next to appear was Saeed Anwar. Saeed Anwar deposed that he never indulged in match-fixing and the statement of Rashid Latif to this effect was wrong.

He confirmed that he had appeared before the Probe Committee and given a statement. He denied ever speaking to Mr. Javed Burki regarding the Singer Trophy in Sri Lanka. He felt that he was misunderstood by Mr. Burki.

73. Next to appear was Mushtaq Ahmad. He confirmed that Salim Pervez was staying in the same hotel as the cricket team and that he knew Salim Pervez. He denied that he had taken money from Saleem Pervez but said that his performance in the said match was very good. When questioned as to how he knew which match the counsel was referring to Mushtaq Ahmad had no answer.

74. Inzamam-ul-Haq also appeared. In his view the Singer Trophy match against Australia in Sri Lanka was not fixed. Inzamam-ul-Haq confirmed that an altercation had taken place during the South African tour between Captain and Vice Captain but he felt that no match-fixing takes place in Pakistan.

75. Mr. Imran Khan, former Captain, also appeared before this Commission of Inquiry. He felt that match-fixing had taken place in Pakistani cricket but apart from what Ata-ur-Rehman had told him he had no information regarding match-fixing. Mr. Imran Khan maintained that the involvement of the Captain is imperative if match-fixing is to take place because guaranteeing the

results of the match cannot be without the knowledge or consent of the Captain. Mr. Imran Khan also maintained that Intikhab Alam was a decent person and should be believed. He suggested that any one found guilty of match-fixing, should be banned for life and fines should be imposed on them.

76. Mr. Javed Miandad, former Captain also appeared before this Commission of Inquiry. He stated that he knew Saleem Pervez and had also heard that Saleem Pervez had paid money to some Pakistani players. He also maintained that the Australians were speaking the truth. He suggested that the culprits be punished sternly and be banned for life. He stated that during the Singer Trophy match in 1994, the conduct of Pakistani team was suspicious and he felt that they were involved. He stated that once Mushtaq Ahmad had confessed to him about his involvement in match-fixing. He also stated that senior players had been influencing younger players in order to persuade them to indulge in match-fixing and those who did not agree, were put out of the team.

77. Javed Miandad was again called by the Commission in August 1999 to ask him as to why he had resigned as Coach of Pakistan team after its tour of Sharjah in 1999. He appeared before the Commission and after some hesitation stated that during the Pakistan match with

England at Sharjah, he had received a phone call from someone apparently reliable and whom he did not want to name, who said that the match was fixed. That person told Miandad that Shahid Afridi, Moin Khan, Azhar Mahmood, Salim Malik, Inzamam-ul-Haq had taken money to 'box' the match. He even made Wasim Akram talk to the man. Miandad says he was furious at the team during lunch and say that England who were earlier 40/5 had scored 206. He further went on to state that before he knew what was happening, five of his batsmen were out and the entire team got out for about 135 runs in the 35<sup>th</sup> over without playing 50 overs.

78. The said five players were then summoned by the Commission on the 3<sup>rd</sup> September, 1999. All these players denied match-fixing and on the contrary said it was because of Javed Miandad's allegations against them coupled with his extremely aggressive behaviour that they got upset and could not play properly and lost the match. They further stated that earlier on two different occasions, Javed had accused the team of match-fixing, once in Canada (Sahara Series) and once in Mohali (India) but on both those occasions Pakistan won the match.

79. Wasim Akram also appeared and explained the Sharjah match. He said he did talk to someone called Dawood

Ibrahim on the phone, who told him that the match had been fixed. He asked Wasim to make the boys take oath on Holy Quran, which Wasim did not because Holy Quran was not available on the ground at that time.

80. Next to appear was the former Pakistani Captain and the recent Chief Executive of the Pakistan Cricket Board, Mr. Majid Khan. Mr. Majid Khan had been instrumental in the appointment of this Commission of Inquiry. Mr. Majid Khan deposed that after the disappointing performance of the Pakistani team in the Independence Cup Quadrangular matches, he confronted Haroon Rasheed. Mr. Haroon Rasheed maintained that if the Captain Wasim Akram was not interested in winning the matches, he, Haroon, should not be blamed. Mr. Majid Khan, produced exhibits which showed that Mr. Wasim Akram was promoting himself in the batting order, which was resulting in breaking the momentum and the slowing of the run rate. When Wasim Akram was confronted by Majid Khan, Wasim Akram replied that he was not aware of the in form batsman and the out of form batsman and that he would rectify the mistake. During the matches in Sharjah, the same mistake was repeated by Wasim Akram. He would promote himself in the batting order instead of Azhar Mahmood and Moin Khan. Mr. Majid Khan maintained that the exemplary punishment should be given to all those who were involved in match fixing so that an example could be

set for others. He also suggested that investigating agencies should investigate the assets of the Players.

81. Next to appear was Saqlain Mushtaq, who refuted the allegations against him given by the Coach Haroon Rasheed. He maintained that he gave away 15 runs in the last over because he was asked to bowl with a new ball. This was because the white ball had to be changed because of visibility problems. Since no old ball was available, a new ball was given after rubbing off its shine which created difficulties for the spinners and for that reason, he could not contain the batsman.

82. Finally Aamir Sohail appeared again and produced the original affidavit sworn by Ata-ur-Rehman. Aamir Sohail maintained that during the Singer Trophy, Saleem Pervez had also come into his room and implied that he wanted to buy over Aamir Sohail. During the said match, a message was sent through Zahid Fazal, the 12<sup>th</sup> man and Saeed Anwar immediately retired hurt. At the time, there was no apparent reason for Saeed Anwar to leave the field. During the South African tour, Saeed Anwar was not in good form and was not making runs. When asked about his poor form, he replied that curse had come to him from God as he had been indulged in match-fixing. Aamir Sohail told him to pray for forgiveness and pay some "Kuffara".

83. According to Sohail, during the World Cup Quarter-Final, Wasim Akram went to a Night Club just before the Bangalore match against India. When Aamir Sohail asked Wasim Akram about his fitness, Wasim said he was fit to play and that he would not miss such a crucial match. Aamir Sohail maintained that there is a team meeting before all important matches, but that no such meeting took place for this all important quarter final.

84. Before the Australasia Cup Final in 1994, Aamir Sohail maintained that he received a call from an Indian bookie who offered him Rs. 25 Lacs for getting himself out before scoring 10 runs and also getting Saeed Anwar run out. It was during this time that it was felt necessary for all the members of the team to take oath on the Holy Quran. Aamir Sohail maintained that the only reason Ata-ur-Rehman and Rashid Latif had lost their place in the National team was because they had exposed all the match fixers. Mr. Aamir Sohail maintained that during the 1994 Christ Church match, Mr. Majid Khan was very up-set about the rumours and had banned all telephone calls going to the players directly. This is the same match in which Ata-ur-Rehman later gave an affidavit. Aamir Sohail maintained that match-fixing mainly takes place in Sharjah and that Saleem Pervez had informed him that

he had paid money to Salim Malik, Mushtaq Ahmad, Inzamam-ul-Haq and Waqar Younis.

85. Mr. Qaiser Ali Shah, Director of the Ehtesaab Bureau appeared and made a statement that the Bureau at the request of the Chairman of the Adhoc Committee made an investigation into the affairs of the Pakistani Cricket Team. The Bureau was given two days to do this. There was a lot of hearsay evidence, but no direct evidence available.

**The Ehtesaab Bureau Report.**

86. The Ehtesaab Bureau then submitted a report on match-fixing, indiscipline in the team and mismanagement. It also included some investigation into the World Cup final performance. On the whole the report found all allegations to be baseless and the allegations about the World Cup possibly 'the outcome of an emotional trauma that the nation has gone through during the World Cup.' A brief summary of the report follows:

87. The Ehtesaab Bureau (EB) report compiled a list of bookies. It was as follows:

'Haneef Caddie - Zafar alias Jo Jo.- Koki.- Saleem and Arif Pappu. Ch.Khalid-Mian Koko-Naseer-Shahzada - Chotani - Iqbal Club - Salim Matka - Jawaid - Mukaish - Ratta - Aslam Bhatti - Gulbert - Riaz - Wasim Anwar - Mian Shaukat Elahi - Rehmat - Pervez - Shabban - Vinod - Daneish -

Aneel Steal - Bharat Club - Poley - Pinkey - Ramesh - Salim Pervez.'

88. The EB report notes that gambling in Cricket has its roots with 'Carry Packer of Australia [sic]' and for Pakistan in the development of cricket in Sharjah under the guidance of Mr. Abdul Rehman Bukhatir and with the assistance of Mr. Asif Iqbal. Sharjah became a gambling event for bookies. It also noted that most of the gambling is channeled through Bombay, India.
89. The EB Report further says that 'against all rumors it was surprising to note that a lone player cannot arrange match-fixing through the bookies network. It is practically impossible, because news will flash like a wild fire in the gambling markets. Hence it is difficult for the bookies to make wind-fall by arranging match-fixing. Thus this option was totally ruled out.' On similar reasoning the Report concluded that since the UK gambling system is computer linked, the World Cup could not have been fixed as once more the news of large bets would have flashed all over the UK.
90. "There are certain matches which are alleged to have been Fixed [sic], have been carefully scrutinized; but we failed to arrive at a definite conclusion that the charges are true in essence and spirit. The charges leveled were wild in nature, devoid of proper evidence to substantiate the allegations. At best it can be

defined as varied viewpoint of experts on a technical issue. Discreet inquiries and a bundle of hearsay stories were sifted; but it all had driven us to an inference that even if a match is fixed, it cannot be a team act but it could be an individual act. Thus it is a difficult proposition to track down."

91. 'The assets movement in the form of money laundering etc. (in the players finances) had not gone to an exaggerated extent where one could conclude that black money had trickled into their coffers. Thus we are constrained to conclude in its totality that without any shadow of doubt match-fixing had taken place.'
92. The Report also did a general review of the situation players are faced with. It notes that players can be taken off track by the various concerns and temptation such as these that litter their path:
  - i. short lived career and glamour
  - ii. uncertain future
  - iii. social differences among the different groups
  - iv. attraction from overseas families during foreign tours
  - v. attempts to retain positions in the team
  - vi. resources and benefits are poor for the Pakistan team, even vis-à-vis India

vii. managers are not appropriately paid and have great financial differences vis-à-vis the players they have to control.

93. The team has failed to be the best it can be because of:

- i. Propaganda unleashed by the losers and international media
- ii. Exploitation by the same overseas families who served abroad and defamed the players at home
- iii. Internal friction/ lobbying and the politics of the team players
- iv. Regional polarization between Lahore and Karachi
- v. Professional jealousy against emerging junior competitors
- vi. Exploitation by the print media.

94. The Report thereafter goes into arguments why the present Board set-up is not the best and needs to be replaced by a modern set-up. That is not the concern of this inquiry, so that part can be ignored.

95. A number of reasons make this report to be of rather limited value to this Commission:

96. One, a lot of reasoning therein used is erroneous. The Ehtesaab Bureau Report assumes that anything setup with one bookie would immediately be revealed to other bookies and thereafter no one can make a profit. Therefore it would have us believe no bookie would ever approach a player as doing so would be unprofitable for him. That, putting it lightly, is quite faulty reasoning.
97. Two, as the report itself notes the time given for inquiry and reporting was only two days. Therefore the report and investigation was not thorough enough. As such it can be largely ignored. The report does though provide some useful information into the temptations that Cricket players are faced with.

**The Australian Evidence.**

98. After the Sri Lanka tour, Pakistan team played in a home series against Australia in 1994. There has been evidence mentioned earlier that indicated that for the First Test in Karachi and first one day, the Australians Shane Warne, Mark Waugh and Tim May were allegedly offered bribes by Malik to play badly so that Pakistan could win. All three players had given their affidavits now with the Pakistan Cricket Board and the courts. When the Australian team came to

Pakistan again in 1998, Waugh made a personal appearance before the Commission of Inquiry with his Captain, Mark Taylor in Lahore and repeated the same allegation. Taylor and Waugh had been cross-examined.

99. However, when the Australian Cricket Team finished the tour of Pakistan, it was reported in the press that the two Australian cricketers Mark Waugh and Shane Warne had taken money to provide information regarding the Singer Trophy Match between Pakistan and Australia in September, 1994. The two players admitted in a press conference that they had accepted money from a person named John. The match on which the two Australians had admitted giving information for consideration from John was the same match for losing which Saleem Pervez said that he had paid Salim Malik and Mushtaq Ahmad and hence it became necessary to further examine them. Moreover, it also cast some doubt on the credibility of the Australians as they had not been above board with the commission. They had not revealed these material facts as to why they precisely were approached by Malik. In the light of John's offer and acceptance by these two it was clear why Malik had approached these two only. Malik had possibly heard these two had some connections with bookies and so were approachable.

100. Therefore, efforts were made to summon these players in Pakistan again at PCB's expenses. As such summons

were sent to Australian Cricket Board and in response to which Australian Cricket Board requested that perhaps a video concerned via satellite could do the job. Alternatively a Commission be sent to Australia at their cost and lastly if the two offers were not acceptable the player should come to Pakistan. The video conferencing option could not materialize. So on the offer of the Australian Cricket Board a one member Commission of Inquiry comprising of Mr. Abdus Salam Khawar, Judge, who is also Registrar of this Commission, along with Mr. Ali Sibtain Fazli and his associate, Mr. Ali Sajjad, flew to Australia to cross-examine the said players in the light of this new evidence at the cost of Australian Cricket Board. The Commission comprised of Mr. Abdul Salam Khawar, Judge, Mr. Ali Sibtain Fazli, Mr. Ali Sajjad, counsels assisting the Inquiry Commission, Mr. Azmat Saeed, the counsel for Salim Malik, also went to Australia. Mr. Brian Ward, the Australian Cricket Board's legal advisor became amicus curiae for the inquiry. Mr. Michael Shatin, QC represented Mark Waugh and Mr. Lassen alongwith Mr. Andrew Hudson represented Shane Warne. Mr. Allan Crompton, former Chairman Australian Cricket Board appeared. Mr. Tim May, Test Cricketer, was present but not called.

101. Mark Waugh in Australia made a statement. According to him, he met a person John in Sri Lanka during the

Singer Trophy in September, 1994. John offered him US\$ 4,000 which he accepted for providing information regarding pitch and weather condition. Waugh firmly stated that he did not agree to give any kind of information regarding individuals, team tactics or team selection. After that meeting, he talked to John approximately 10 times and gave no more information other than to what he had agreed upon. He was the one who introduced John to Shane Warne in a Casino and was told by Warne the next day that John had given Warne US\$ 5000 to place on bets.

102. Mark Waugh was thereafter cross-examined by Mr. Fazli.

The following salient points came out:

- (a) During the cross examination, Mark Waugh stated that Salim Malik's offer came as a shock to him although he had already taken bribe from John before that.
- (b) When asked as to why he was given money for information which a groundsman would well have been in a better position to give, Mark Waugh replied that he had been playing cricket since the age of 10 and had practical knowledge of the pitches.
- (c) During the cross examination it was also revealed that before going for the West Indies tour, Mr. Alan Crompton and Mr. Graham Halbish, the Chief

Executive and the Chairman, ACB, had fined him without giving any show cause notice as such.

- (d) Mark Waugh when confronted with questions from Mr. Fazli, accepted that he was a frequent bettor. He placed bets on golf, rugby and horse races but never on cricket.
- (e) His affidavit, according to him, was written by the ACB Solicitor and he only signed it.

103. Mr. Azmat Saeed, learned counsel for Salim Malik thereafter cross-examined Waugh. He confronted Mark Waugh with questions regarding the meeting between Salim Malik and Mark Waugh himself. According to Mark Waugh, the information regarding the meeting between Malik and him was not disclosed the same day he was offered the money by Malik. Although he was clear in his mind as to what his response would be, Mr. Saeed said, it was curious still that he asked for some time from Malik and never disclosed to anyone that day. While Shane Warne did not take part in the conversation when the money was offered, to throw away a one day game at Rawalpindi, he was within an earshot to Mark Waugh. Mark Waugh also stated that he never talked to Malik after that incident.

104. Shane Warne thereafter made a statement. (He had not made one before the Commission in Lahore). According to him, John gave him the money the next day and not

same night they met for the first time.. The money, according to Warne, was given as a token of appreciation. John had said he was a fan of Warne's and had won money on him. So the money was a gift. The amount he received was US\$ 5000. He talked to John only three times after that incident:-

- (a) Prior to the One Day game in Sydney in early December, 1994.
- (b) In Melbourne, just before the Boxing Day test later that year
- (c) In Perth in February, 1995.

105. All the three times, John only inquired about pitch and weather conditions.

106. After the tour of New Zealand had finished and whilst on the way to West Indies, he was asked by Alan Crompton, the Chairman, Graham Halbush, the Chief Executive and Ian McDonald to talk about the bookmaker in Sri Lanka and was subsequently fined \$ 8,000.

107. On the Pakistan tour in September, 1994, he was called by Malik to his room in the hotel and was offered US\$ 200,000 to throw away the Karachi Test by getting another bowler Tim May to bowl badly with him. He told Malik to get lost and the same was the answer by Tim May when told about the offer by Warne. Warne,

according to him, thereafter went back to his room and told May.

108. Towards the end of October, 1994 at the Presidential function, he heard Salim Malik offering bribe to Mark Waugh for the One Day match at Rawalpindi.

109. In February, 1995, he was asked to make a short summary of the incident and was asked to sign a declaration in April, 1995.

110. Shane Warne was thereafter cross-examined by Mr. Fazli. The following points came out of the cross-examination:

- (a) Warne denied knowing any one by the name of Saleem Pervez.
- (b) He was fined by the ACB without any show cause notice being given. Warne did not know as to how the information was disclosed to the ACB.
- (c) The declaration was made in the hotel room in Antigua. He was asked certain questions and then they were written down and Warne signed them.
- (d) Warne revealed that he was a frequent gambler.
- (e) When asked as to why he did not tell Waugh, at the Presidential function, that he had also been

offered money by Salim Malik, Warne replied that he was not directly involved in the conversation and thought that Mark Waugh must be knowing it already because majority of the players had information about the incident. This was so even though he had earlier said he had only disclosed the meeting to Mark Taylor and Bob Simpson.

- (f) When asked as to why he did not tell Mark Taylor the whole incident the same night he was offered money by Malik, he responded that it was already quite late at night when Malik called him and by the time this whole episode was over, it was already midnight. Therefore, he thought that it would be more appropriate to talk the next day.
- (g) He denied having any information regarding the match in Sri Lanka between Australia and Pakistan in which he was declared Man of the Match.

111. Learned Counsel for Salim Malik thereafter cross-examined Shane Warne. The following points came out of that cross-examination.

- (a) Warne disclosed that he gave the statement when inquiry in Pakistan had been initiated and he was asked for a statutory declaration.

- (b) He explained the whole incident in a few words through the ACB lawyer Graham Johnson and then he answered certain questions and every thing was written down.
- (c) In New Zealand, Ian McDonald asked him if he was ever involved with a Bookmaker and subsequently was fined before leaving for the Windies tour.
- (d) Warne claimed that he was never accused of being a liar, on his face by Malik, after the allegation.

112. Mr. Michael Shatin QC stated in court that Mr. Salim Malik had never approached Mark Waugh or Shane Warne regarding these allegations, although they had met several times after the incident. Why not if Malik was not guilty. This assertion carries weight.

#### **The Rashid Latif Tapes.**

113. Thereafter some tapes that had been produced by Rashid Latif were examined as were others that he submitted at later dates. These tapes contained the following conversations:

- (1) Conversation between Rashid Latif and 'Basit Ali' and 'Saeed Anwar',

- (2) Conversation between Rashid Latif and 'Basit Ali' and Salim Malik,
- (3) Conversation between Rashid Latif and 'Zia-ur-Rehman', brother of Ata-ur-Rehman,
- (4) Conversation between Rashid Latif and 'Ata-ur-Rehman' (and Ata's friend Makha),
- (5) Conversation between Rashid Latif and 'Saeed Anwar' (Poor Quality)
- (6) Another conversation between Rashid Latif and 'Saeed Anwar' (Poor Quality)
- (7) Conversation between Rashid Latif and 'Javed Burki'
- (8) Conversation between Rashid Latif and 'Arif Abbassi'
- (9) Conversation between Rashid Latif and Khalid Mehmood
- (10) Conversation between Rashid Latif and 'Dan Keisel' (very poor quality)

114. Efforts were made to authenticate these tapes, but such technology does not seem available in Pakistan.

115. However, these tapes do appear authentic. They contained conversations of various lengths (possibly too long to be manufactured) and the voices, nicknames, languages employed in them, and the matters talked about all seem to indicate that these were authentic. Rashid Latif has further under oath vouched

for their authenticity. However, in light of the fact that these cannot be authenticated this Commission will give them only reduced weight.

116. Furthermore, a reason that makes this commission not be completely taken by these tapes is that some of the conversations of the tapes, when they were initially submitted, had been edited. Initially when Rashid Latif was asked as to why he had edited the tapes, he said because they contained insults, etc. He was asked to produce the original tapes nonetheless. The tapes that he submitted showed that this was not the only reason why the tapes had been edited. Crucially, mention of Basit Ali's involvement in match-fixing had been totally taken out of the tape containing conversation two (between Rashid Latif, Basit Ali and Salim Malik) when Rashid Latif submitted it to this Commission. Furthermore, some of Saeed Anwar's involvement in conversation one, in getting Salim Malik to call Rashid Latif and Basit had been cut out too. Subsequently, when Rashid Latif was asked to name who was the 'friend' mentioned in conversation 6, Rashid unconvincingly said it was Aamir Sohail. It appeared clear to this commission that the 'friend' was Saeed Anwar and the tape incriminated him to some extent. In light of these lingering doubts, it appeared to this commission that Rashid Latif may well have wanted to protect his friends, Saeed Anwar and

Basit Ali. Rashid Latif may well have thought that these two can or should be protected as they by most accounts are allegedly one-time offenders. But that if indeed that is what happened, was not for him to decide.

117. When asked as to why the tapes had been initially edited, Latif stated that the tapes had been in the safekeeping of a relative of Basit Ali's and they had been edited by this relative or someone for the sake of this relative of Basit's, as the relative was a heart patient. Perhaps this was the truth but these actions made the tapes tainted and the Commission is also aware of the chance, albeit not a great one, that some or all the tapes may well have been doctored or manufactured.

118. Moreover, when Rashid Latif was thereafter asked to produce the original copies, he produced some somewhat unedited copies. There were some discrepancies in one of the tapes that made us believe that the Commission was not given the originals.

119. Further, Rashid Latif has stated that he has not submitted all the tapes he made as the others contained meaningless conversation. This also presents the commission with the possibility that the picture

presented to it may well be skewed as only certain conversations may have been submitted to it.

120. In light of all of this, the Commission chose to give the tapes limited weight: to use them as weak corroboration, especially if denied, and primarily as a source of leads to be followed.

121. Summaries of these conversations are found in the Appendix II.

**LINES OF INVESTIGATION ARISING OUT THE TAPES PURSUED**

122. In response to the Rashid Latif tapes, the inquiry was reopened and more people were called by the Commission.

123. First to be called was Rashid Latif. He vouched for the authenticity of the tapes under oath. Further, he explained the various nicknames (referred to above) used in the tapes. He swore that the tapes were authentic and unedited [after the 'edited out names' incident reported above.]

124. Further, when the commission pressed Rashid Latif to name the four players who were present when Salim

Malik made him an offer before the Christchurch match, he did name them. They were according to him:

- (a) Waqar Younis,
- (b) Akram Raza,
- (c) Inzamam-ul-Haq.
- (d) Basit Ali.

125. Then Ata-ur-Rehman was confronted with his cassette. He denied that the voice he heard was his voice. He further added that the first affidavit he had submitted had been at the insistence of Aamir Sohail. Aamir Sohail had wanted to become the captain of the team and so wanted to have Wasim Akram displaced.

126. Thereafter Salim Malik was confronted by his tape. He accepted that the voice was his. He offered explanations for his comments. He stated that all he had been saying in the tape was that rather than the players falsely accusing each other in the press, they should all get together and work their differences out.

127. Rashid Latif was then cross-examined by the counsels for Wasim Akram and Salim Malik. He stated that the issue of match-fixing first came to light when he raised it. The first article was written by Usman Shirazi on the basis of information supplied to him by

Rashid. Salim Malik and he, Rashid said, have different world-views but there was never any enmity between them. Rashid noted that even when a Board enquiry was held against Salim Malik, it was only done in the context of the Australian allegations and Rashid was not called. He had in fact applied to the Board in 1995, but that is not on the record of the Board now. Then in 1997, he made an application to the board which was received by Mr. Majid Khan. On none of his applications an enquiry was held. He was not even called before the probe committee. Arif Abassi and tour managers had been told of match-fixing by Rashid. Saleem Altaf held an enquiry in Zimbabwe in which Rashid was told to forget everything. Rashid asserted that he had told Arif Abbassi everything and this can be confirmed by the taped conversation he has submitted between Rashid and Arif Abassi. The toss and inclusion of Akram Raza instead of Kabir Khan was crucial. Half of the team wanted to bat first.

128. Basit then stated that he did not know if Basit Ali was involved in match-fixing. Basit stated that he was friends with all his team-mates and that it was incorrect to suggest that he and Basit had a special relationship. Rashid accepted that he knew tapping phones was an offence, but he said, he did it all to reveal the truth to the public. It was suggested to him that he was doing this because of the Karachi-

Lahore rivalry against Punjabi players. Rashid Latif denied this. Moreover, he stated that all he was doing was telling the truth and the Salim Malik counsel's statement that he was harming the Pakistani name abroad was only an unfortunate consequence. Lastly he denied any malice or lies in his statement.

129. The four players named by Rashid Latif were called. Three appeared. Basit Ali seemed to have been struck down with Jaundice. Arrangements were tried to be made for his statement to be recorded over the phone. However, those arrangements fell through.

130. Waqar Younus re-appeared before the Commission and stated that he did not recall a time when he was called to Salim Malik's room for a particular purpose on the New Zealand tour. It is incorrect to suggest that in his presence, with Basit Ali, Inzamam-ul-Haq, and Akram Raza there, Malik offered Rashid Latif money to throw a match. He did not recall how many wickets he took in the match as he had played too many matches to remember. Similarly he could not remember whether Wasim Akram bowled in that match and also could not recall if Wasim bowled badly deliberately. It is true that the sky was overcast. But he could not recall if he was told to bowl quickly so that the match would finish before the rain. However, as they are required

to bowl a certain number of overs in an hour, the team always tries to bowl quickly.

131. Inzamam-ul-Haq appeared and stated that he did play in the Christchurch match. He denied there was an instance when he was in room with Basit Ali, Akram Raza and Waqar Younis when Malik may have offered Rashid Latif money to throw the match. He recalled that Pakistan did lose the match, making 145 runs batting first and New Zealand reaching the target for the loss of three wickets in 35 overs. In his view no one bowled badly deliberately. He did not remember Wasim Akram's performance in the match. He did recall though that the pitch was difficult for batsmen early on. He did not recall about the bad weather, threat of imminent rain, bowling fast or excessive wides and no-balls. He did not think the match was fixed as he gave 100% from his side.

132. Akram Raza was called for the first time. He under oath stated that while he and Malik remained together most of the time on the New Zealand tour, it is incorrect to state that they, Waqar, Inzamam, Basit Ali and Rashid Latif were together (in Malik's room) at any time. Moreover, it incorrect that Rashid Latif was offered any money by Malik in his presence. Raza accepted that he did play in the fifth one-day and he did recall that all the one-days were low scoring, but

he does not recall who batted first. Pakistan must have made 200 in that match. He does not recall the weather, overcast conditions or threat of imminent rain.

133. Under cross-examination by Mr. Fazli, Akram Raza reiterated that it is incorrect to say Malik offered Latif money in front of him. He and Malik were team-mates in domestic Cricket since 1986. After he left the team, Raza accepted, he did hear of instances of incidents of match-fixing which appeared in the press. He remembered players talking among themselves about the allegations. He did not however recall who were the players who were talking. He did volunteer that there was a time when Intikhab Alam in Sri Lanka had asked all the players not to use their mobile phones. Four or five players had these phones. They were Salim Malik, Wasim Akram, Basit Ali, and maybe Waqar Younis. He himself was there in Sri Lanka too.

134. Saeed Anwar who was also called by the commission in light of the tapes made a supplementary statement: He stated that he remembered going to Rashid Latif once in Sri Lanka with the apprehension that a match had been fixed. Some people had come to Sri Lanka and there were rumors that they were there to fix matches. Rashid told everyone in the morning that he has heard of match-fixing and that he will not spare anybody.

Since, 1994/95, he, Saeed, has kept himself aloof from the team in view of persistent rumors of match-fixing. For two years he and Rashid Latif made noises about match-fixing. In Sri Lanka Saeed told the manager Intikhab Alam of his suspicions and Intikhab told him to keep quiet. However, Saeed said he has no direct evidence against anyone.

135. At Christchurch, he had just come back into the team after a year and a half. He could not say whether the match was fixed. However, he did confront Wasim Akram with the allegation and Wasim has always denied it.

136. While he was batting in Sri Lanka, Saeed says he received repeated messages which surprised him as he was playing at his best. He had made 47 when the messages came. Further Salim Pervez and his group had been present when the one-day was played at Kaitarama. Rashid Latif had told me that he was offered money by Malik but that was during the South Africa tour. It is however correct that some person called him Saeed up in Sri Lanka and offered him money. He informed Rashid Latif of it.

137. Thereafter, Mr. Khalid Mahmood was called in the matter of his conversation with Mr. Rashid Latif. After hearing the tape, Mr. Mehmoood was quite pleased to accept that it was his voice on the tape.

138. Imran Khan (for corroboration of Ata telling him of accusation against Wasim Akram), Javed Burki (to let him hear his tape), Arif Abbassi (to confront him with his tape and get information from him about what Saeed Anwar told him) were summoned. However, for various reasons they were unable to appear before the commission before the closing date.

139. Ata-ur-Rehman appeared again in response to his show-cause notice. He was further asked about Imran Khan's statement that Ata had told him about an offer having been made to him by Wasim Akram. Ata stated that he had done so and that he had told Imran of the offer after the news had broken in the newspapers.

140. Imran Khan in the meanwhile did through his attorney confirm that Ata had indeed told him about the Wasim accusation after the news had broken in the newspapers.

## PART IV

### LEARNED COUNSEL'S' ARGUMENTS

#### **The Counsels' closing submissions**

141. On the request of the learned counsels for the accused, the commission allowed counsels an opportunity to give closing submissions, so as to sum up the case of each side. The amicus was also asked to and did make a submission.

142. They were asked to *inter alia* address the following questions:

- (a) What is the standard of proof to be applied in this case?
- (b) Why have people blamed their respective clients?
- (c) Why individuals have said what they have said against them?
- (d) What is the evidence for and against?
- (e) Why is it that a majority of managers of the team say there has been match-fixing?
- (f) What recommendations can they make for stopping match-fixing in the future?

#### **For Salim Malik:**

143. Mr. Azmat Saeed for the accused Salim Malik made his submissions. He submitted that a match can only be fixed by 5 or 6 players working together. It cannot be fixed by an individual working alone. One player can win a match, but it takes a conspiracy for a team to loose.

144. Salim Pervez' statement is like a 'multiple choice test.' Between his statement and cross-examination there are a number of material contradictions. He is confused about who carried the money. He says that he went to Sri Lanka to fix a match, whereas at another time he said it had already been fixed. He says that he did not place a bet on the match. Then why fix it ?

145. The only reason so many people have given evidence against Salim Malik is that he has an abrasive personality.

146. Similarly Rashid Latif should not be believed because all the players he has named as co-accused in Christchurch have denied the matter.

147. Moreover, the Australians are not to be believed because they waited four months to make their statement. While they were in Pakistan they did not make a hint of such a thing to the PCB or anyone for that matter.

148. Therefore, he submitted, it cannot be said to the requisite standard of proof that his client is guilty.

**For Wasim Akram:**

149. Mr. Khawaja Tariq Raheem made his submissions for his client, Wasim Akram. He stated that most of his arguments have already been submitted in written form. They were as follows:

- (a) 'The... allegations are based on hearsay evidence, tainted with ulterior motives and malafide intentions, beset with contradictions and are indicative of the sheer lack of credibility of the persons making the depositions.'
- (b) Ata-ur-Rehman in view of his retraction cannot be believed. *Inter alia*, he said that Ijaz Ahmad was instrumental in fixing the Christchurch match. Ijaz was not even in New Zealand in any capacity much less as part of the team.
- (c) In the Akhbar-e-Watan article and the Nawa-e-Waqt statement dated 10.1.97, Ata has in fact praised Wasim Akram and stated that he did not offer Ata money.

- (d) Ata-ur-Rehman has stated that his original affidavit is with Mr. Khalid Mehmood, whereas Aamir Sohail has produced the same before the commission on 19.12.98. This indicates that both have colluded to implicate and malign Wasim Akram.
- (e) There are contradictions between Aamir Sohail's first statement against Wasim Akram and his supplementary statement. In the first statement on 8.10.98 Sohail categorically denied any knowledge of match-fixing yet he changed his stance two months later. This, he did in order to find a place in the team.
- (f) The contents of the supplementary statement have no probative value as the allegations are conjectural and full of contradictions. Further, Sohail did not report the matters he highlighted to the BCCP or the manager at the relevant times.
- (g) The statement of Rashid Latif does not contain an iota of evidence and contains baseless allegations. The fact that players used mobile phone cannot be used to draw inferences of match-fixing against him. The allegations arise out of bitterness for having been replaced in the team by a competent all-rounder in Moin Khan. He has

failed to report the matters complained of to any BCCP or the team manager at any relevant time.

(h) Javed Miandad's statement that he was told by Haneef Cadbury that Wasim was a bought player is hearsay and no plausible evidence has been provided in support. It is interesting to recall that Miandad cannot even recall the name of the third player who had been bought according to Cadbury.

(i) Majid Khan has alleged match-fixing in that the batting order was changed by Wasim Akram to the detriment of the team. In Wasim's defence it can be said that he is a quick scorer and often such a scorer is brought up the order to make a few quick runs.

150. In addition to the written submissions he orally submitted that the standard of proof required under the 1956 Act was that of beyond reasonable doubt as the commission may recommend criminal sanctions. He sought support from the case of the Lone Commission in the matter of the co-operatives.

151. He stated that there are in fact three matches about which there is some doubt that they might have been

fixed: the Christchurch match, the Singer Cup and the match against England in Sharjah where there was controversy over the batting order. In the first two, Wasim's performance with the ball was outstanding. At Christchurch, his figures were 6.3 over for 18 runs, less runs per over given than anyone else in the team. That Wasim did not complete his overs was up to the Captain. In the Singer Cup he bowled ten overs for 28 runs and bagged three wickets. Finally, as regards the Sharjah match, the allegation is that Wasim did not send Moin Khan or Azhar Mehmood ahead of him. Azhar Mehmood was not well-established in those days and his one-day record was bad. Moin Khan when sent in did not score many himself.

152. Ata-ur-Rehman's statements are loaded with inconsistencies. He cannot be believed.

153. Counsel to Wasim Akram indicated that it was suspicious that all the players accusing the Pakistani players come from the same team, Allied Bank of Pakistan. Rashid Latif, Ata-ur-Rehman, Aaqib Javed, Aamir Sohail and as their captain Rameez Raja.

154. As regards recommendations to stop match-fixing, he recommended that win bonuses be introduced. Moreover, the players should be remunerated on par with other cricketers around the world.

155. If the Commission did find anyone guilty, the appropriate punishment would be a censure, perhaps a ban for some time, or more appropriately a fine.

**The submissions of the amicus curiae:**

156. Mr. Ali Sibtain Fazli, who is the Legal Advisor of Pakistan Cricket Board and has been the Counsel assisting this Commission, was asked to appear as an amicus-curiae in the case. He first addressed the Court with regard to the yard sticks of proof that would be required for the purposes of arriving at any conclusion by this Commission regarding the involvement of any player or other official or person in match fixing. He contended that the rules of evidence for civil and criminal cases are, in general, the same. But some provisions in the Qanun-e-Shahadat Order, 1984, are peculiar to criminal cases and others peculiar to civil cases. There is, however, a marked difference as to the effect of evidence in civil and criminal cases. In civil cases, a mere pre-ponderance of evidence and probability are sufficient to serve as the basis of decision while in criminal cases proof of guilt beyond all reasonable doubt is required. He cited references from the Evidence Act, 1872 by M. Monir. He further stated that the case of the cricketers and the present inquiry can, at best, be

equated with that of service servants or other service matters, and a domestic inquiry that is held on the basis of which they may be dismissed from service. The yardstick for arriving at such a decision would not be of proving guilt of the accused beyond reasonable doubt but would be based on pre-ponderance of evidence.

157. The Counsel was asked by the Commission as to against which of the players was there any direct evidence of match fixing. The Counsel named Saleem Malik, Wasim Akram and Mushtaq Ahmad. He also stated that in the case of Basit Ali and Waqar Younis, there is some evidence against them, but it is not sufficient to arrive at any final conclusion. He also named Ijaz Ahmad and stated that although his name has been mentioned by quite a few persons, but there is no direct evidence against him to prove that he has been involved in match fixing.

158. Against Salim Malik he indicated there were statements of the Australians, Rashid Latif and Saleem Pervez. General allegation were leveled by a number of others. Primarily, most people name Malik as a king-pin.

159. According to Rashid Latif, Malik probably fixed the Christchurch match with Ijaz Ahmed and Zafar Ali Jojo. He went to Sri Lanka and fixed the Singer Trophy match

with Salim Pervez. There, John had approached the Australians. Malik was probably told of this. He therefore tried to bribe the Australians when he saw them. Then when the team went to South Africa, the matter came to a head when Rashid Latif finally cried foul in public. The Australians thereafter came forward with their allegations. The pattern is there.

160. As against Wasim Akram there was the evidence of Ata-ur-Rehman primarily and to certain extent Rashid Latif. Plus there were statements of various office holders and the issue of changing the batting order in Sharjah and the withdrawal from the Quarterfinal in Bangalore. In light of Ata's U-turn, Ata's story cannot be believed. However, it should be recommended that Wasim Akram be warned and kept under observation.

161. As against Mushtaq there is the statement of Salim Pervez that he did give Mushtaq and Malik the money to fix a match in Sri Lanka.

162. With this the inquiry was closed on the 30<sup>th</sup> of September, 1999.

**PART V**

**INDIVIDUALS ALLEGEDLY INVOLVED IN MATCH-FIXING**

**EVIDENCE, VERDICT & REASONS**

163. Having carefully examined the evidence produced before the Commission and the submissions of the learned counsels, it is observed that there is a division of opinion between players and persons who are or have been officials of the Pakistan Cricket Board. Mr. Khalid Mahmood, ex-Chairman PCB, Mr. Arif Abbasi, former Chief Executive PCB and Mr. Zafar Altaf, former Member Ad-hoc Committee and most of the current players have maintained that allegations of match-fixing have no substance whatsoever. Mr. Majid Khan, ex-Chief Executive PCB, Mr. Javed Burki, former Captain Imran Khan and Javed Miandad, Mr. Intikhab Alam, Coach, Mr. Haroon Rashid, Mr. Rashid Latif, Mr. Aamir Sohail, and Mr. Aaqib Javed have stated that match-fixing has been taking place. On the latter side, there are also the allegations of the Australians.

164. In light of the evidence brought on record, as far as the majority of the players, particularly the younger ones are concerned, there is little or no evidence against them. However, the cases of Salim Malik, Mushtaq Ahmad, and Wasim Akram primarily are on a different footing. Other players have also been

brought in either by their own reluctance to speak before this commission or by sub-allegations. Waqar Younus, Basit Ali, Saeed Anwar, Akram Raza, Ijaz Ahmad and Inzamam-ul-Haq are among these. Each is dealt with individually below:

## **SALIM MALIK**

165. Salim Malik was made the captain of Pakistan in 1993-94 and had been playing for Pakistan since 1981. He is the cricketer most accused of match-fixing.

### **ALLEGATION ONE: NEW ZEALAND TOUR AND CHRISTCHURCH MATCHES**

166. His first tour as captain was to New Zealand in 1993-94. The third Test in Christchurch and the fifth One-day International at Christchurch have been mentioned as matches that were fixed by him, along with other people, for Pakistan to lose.

167. As regards the last test match, Intikhab Alam, Saeed Anwar and Fareshteh Gati-Aslam have opined that that test match was fixed. New Zealand were set 314/315 to win in the last inning against a strong Pakistan attack which they managed. The coach of that tour was Intikhab Alam. In his statement Intikhab says that he has doubts about how New Zealand, which had been losing till then, suddenly recovered to score a big total like 316 to win the Christchurch Test. Pakistan had won the first two Tests by margins of 5 wickets and by an innings and 12 runs. (In fact the target had been 324.)

New Zealand v Pakistan, 1993/94, 3rd Test  
 Lancaster Park, Christchurch  
 24,25,26,27,28 February 1994 (5-day match)

Result: New Zealand won by 5 wickets  
 Pakistan wins the 3-Test series 2-1

Toss: New Zealand  
 Umpires: RS Dunne and KT Francis (SL)  
 Match Referee: R Subba Row (Eng)  
 Test Debuts: Atif Rauf (Pak).  
 Men of the Match: SA Thomson and BA Young  
 Man of the Series: Wasim Akram

**Close of Play:**

- Day 1: Pakistan 334/7 (Basit Ali 98\*, Akram Raza 27\*)
- Day 2: Pakistan 344, New Zealand 200, Pakistan 8/2 (Atif Rauf 3\*, Akram Raza 2\*)
- Day 3: Pakistan 179, New Zealand 9/0 (Young 3\*, Hartland 3\*)
- Day 4: New Zealand 277/4 (Young 115\*, Thomson 93\*)

Pakistan 1st innings		R	4	6
Saeed Anwar	c Young	b Doull	69	7 1
Aamer Sohail	c Hartland	b Doull	60	4 1
Atif Rauf	c Greatbatch	b Morrison	16	2 0
*Saleem Malik		b Hart	18	2 0
Basit Ali	c Hartland	b Pringle	103	9 3
Inzamam-ul-Haq	c Greatbatch	b Doull	5	1 0
+Rashid Latif	c Hartland	b Thomson	27	2 1
Wasim Akram	c Greatbatch	b Morrison	5	1 0
Akram Raza	not out		29	4 0
Waqar Younis	c Doull	b Morrison	2	0 0
Aamer Nazir		b Morrison	0	0 0
Extras	(lb 6, w 1, nb 3)		10	
Total	(all out, 97 overs)		344	

FoW: 1-125 (Saeed Anwar), 2-147 (Aamer Sohail), 3-169 (Atif Rauf),  
 4-195 (Saleem Malik), 5-206 (Inzamam-ul-Haq),  
 6-254 (Rashid Latif), 7-261 (Wasim Akram), 8-339 (Basit Ali),  
 9-344 (Waqar Younis), 10-344 (Aamer Nazir).

Bowling	O	M	R	W
Morrison	24	3	105	4 (1nb)
Doull	25	3	93	3 (2nb)
Pringle	33	6	83	1 (1w)
Hart	9	2	37	1
Thomson	6	0	20	1

New Zealand 1st innings				
BR Hartland	c Basit Ali	b Waqar Younis	3	
BA Young	lbw	b Aamer Nazir	38	
AH Jones	run out		81	
*KR Rutherford	c Inzamam-ul-Haq	b Waqar Younis	7	
MJ Greatbatch	lbw	b Wasim Akram	1	
SA Thomson	c Rashid Latif	b Waqar Younis	3	
+TE Blain	lbw	b Waqar Younis	0	
MN Hart		b Wasim Akram	6	
SB Doull	lbw	b Waqar Younis	17	
DK Morrison	not out		6	
C Pringle		b Waqar Younis	0	
Extras	(b 5, lb 9, nb 24)		38	
Total	(all out, 56 overs)		200	

FoW: 1-12 (Hartland), 2-109 (Young), 3-124 (Rutherford),  
 4-139 (Greatbatch), 5-147 (Thomson), 6-147 (Blain),  
 7-171 (Hart), 8-186 (Jones), 9-198 (Doull),  
 10-200 (Pringle).

Bowling	O	M	R	W
Wasim Akram	22	5	54	2
Waqar Younis	19	1	78	6
Aamer Nazir	15	2	54	1

Pakistan 2nd innings				
Saeed Anwar	c Blain	b Morrison	0	
Aamer Sohail	c Young	b Doull	3	
Atif Rauf	c Young	b Doull	9	
Akram Raza	st Blain	b Hart	26	
*Saleem Malik	c Pringle	b Morrison	23	
Basit Ali	run out		67	
Inzamam-ul-Haq	c sub (MA Qastings)	b Morrison	20	

+Rashid Latif	c & b Hart	3
Wasim Akram	b Hart	17
Waqar Younis	c Blain	10
Aamer Nazir	not out	0
Extras	(nb 1)	1
Total	(all out, 65.3 overs)	179

FoW: 1-0 (Saeed Anwar), 2-4 (Aamer Sohail), 3-26 (Atif Rauf),  
 4-53 (Akram Raza), 5-77 (Saleem Malik),  
 6-133 (Inzamam-ul-Haq), 7-152 (Basit Ali),  
 8-154 (Rashid Latif), 9-171 (Wasim Akram),  
 10-179 (Waqar Younis).

Bowling	O	M	R	W
Morrison	21.3	5	66	4 (1nb)
Pringle	17	3	41	0
Doull	5	0	13	2
Hart	18	5	47	3
Thomson	4	0	12	0

New Zealand 2nd innings (target: 324 runs)				
BA Young		b Wasim Akram		120
BR Hartland	c Inzamam-ul-Haq	b Wasim Akram		10
AH Jones	run out			26
*KR Rutherford	lbw	b Wasim Akram		13
MJ Greatbatch	c Inzamam-ul-Haq	b Waqar Younis		1
SA Thomson	not out			120
+TE Blain	not out			11
Extras	(lb 5, nb 18)			23
Total	(5 wickets, 107 overs)			324

DNB: MN Hart, SB Doull, DK Morrison, C Pringle.

FoW: 1-22 (Hartland), 2-76 (Jones), 3-119 (Rutherford),  
 4-133 (Greatbatch), 5-287 (Young).

Bowling	O	M	R	W
Wasim Akram	38	6	105	3 (12nb)
Waqar Younis	27	6	84	1 (3nb)
Aamer Nazir	16	0	59	0 (3nb)
Akram Raza	19	5	49	0
Aamer Sohail	2	1	5	0
Saleem Malik	4	1	13	0
Saeed Anwar	1	0	4	0

168. Moreover, regarding the 5<sup>th</sup> One-day Match at Christchurch, Rashid Latif has deposed that before the match, Salim Malik, the Captain of the Pakistan team, made a phone call to him and called him to his room. There, according to Rashid Latif, Malik offered him Rs 10 lacs for playing badly the following day, because, he said, the team had to lose as he, Malik, had struck a deal with some bookies. Further Latif deposed there were four other players present in the room, namely Waqar Younus, Inzamam-ul-Haq, Akram Raza and Basit Ali. Three of the four have denied this; Basit Ali was not available for comment on this particular

allegation. Basit had however stated earlier that he has never been involved in match-fixing.

169. According to Rashid Latif, on the day of the match when Rashid took a catch of the opener Bryan Young off Waqar Younis, Malik reprimanded him and reiterated that 'we have to lose the match'. In Rashid's opinion this match was lost deliberately and the two main culprits were Wasim Akram and Salim Malik. (It might be mentioned this is the same match which Ata ur Rehman says Wasim Akram had fixed with Ijaz Ahmed and Zafar Ali Jojo in Pakistan.). After looking at the video of this match it has been noticed that wides and no balls were given away freely by the bowlers as has been pointed out by Rashid Latif. Rashid also noticed that the bowling of Ata-ur-Rehman and others at crucial stages was not according to the field placing set by captain Salim Malik. Detail score card is as under:-

New Zealand v Pakistan, 1993/94, 5th One-day International  
Lancaster Park, Christchurch  
16 March 1994 (50-overs match)

Result: New Zealand won by 7 wickets  
Pakistan wins the 5-ODI series 3-1

Toss: New Zealand  
Umpires: BL Aldridge and CE King  
Match Referee: R Subba Row (Eng)  
Man of the Match: BR Hartland

Pakistan innings (50 overs maximum)		R	4	6
Saeed Anwar	c Hart	b Pringle	2	
Aamer Sohail	c Rutherford	b Morrison	1	
Inzamam-ul-Haq	c Young	b Pringle	4	
Asif Mujtaba		b Cairns	3	
*Saleem Malik	c Young	b Cairns	15	
Basit Ali	c Young	b Pringle	57	3 1
+Rashid Latif	c Parore	b Morrison	9	
Wasim Akram	c Parore	b Larsen	7	
Akram Raza	not out		23	
Waqar Younis	c Cairns	b Morrison	4	
Ata-ur-Rehman	not out		3	
Extras	(lb 6, w 8, nb 3)		17	
Total	(9 wickets, 50 overs)		145	

FoW: 1-3 (Aamer Sohail), 2-8 (Saeed Anwar), 3-17 (Inzamam-ul-Haq),  
 4-19 (Asif Mujtaba), 5-45 (Saleem Malik), 6-65 (Rashid Latif),  
 7-86 (Wasim Akram), 8-121 (Basit Ali), 9-136 (Waqar Younis).

Bowling	O	M	R	W
Morrison	10	2	20	3
Pringle	10	1	21	3
Cairns	10	0	36	2
Larsen	10	1	21	1
Hart	4	0	17	0
Thomson	6	0	24	0

New Zealand innings (target: 146 runs from 50 overs)				
BA Young	c Rashid Latif	b Waqar Younis		3
BR Hartland	not out			68
AH Jones	c Rashid Latif	b Waqar Younis		1
*KR Rutherford	c Akram Raza	b Ata-ur-Rehman		1
SA Thomson	not out			48
Extras	(lb 8, w 14, nb 3)			25
Total	(3 wickets, 34.1 overs)			146

DNB: CL Cairns, MN Hart, +AC Parore, GR Larsen, DK Morrison,  
 C Pringle.

FoW: 1-26 (Young), 2-34 (Jones), 3-45 (Rutherford).

Bowling	O	M	R	W
Wasim Akram	6.3	0	17	0
Waqar Younis	8.1	1	33	2
Ata-ur-Rehman	9	0	44	1
Aamer Sohail	4	0	18	0
Akram Raza	3.3	0	14	0
Saleem Malik	3	0	12	0

(Ata-ur-Rehman, in his first statement, had said that Wasim Akram had paid him Rs. One Lac to bowl badly in the same match and that Wasim had told Ata that the said match had been fixed by Salim Malik and Ijaz Ahmad.)

#### **ALLEGATION TWO: SINGER CUP IN SRI LANKA.**

170. From New Zealand the Pakistan team's next tour was to Sri Lanka in 1994-95. Malik was retained as captain and Pakistan won the Test series as well as the One-day series against Sri Lanka. After a 15 day gap Pakistan participated in the Singer Trophy in which India, Sri Lanka and Australia also took part.

171. During this break Malik made a trip to Pakistan. Malik has stated that he came back because his son was ill. The management reports that Malik stated he had a

wedding to attend. Rashid Latif has alleged that Malik came back to Pakistan to make a deal with bookies. Moreover, Malik has stated that he went to Islamabad while Rashid Latif stated that Malik did in fact come to Lahore. Rashid says he knows so, as he helped arrange the seats and, when Malik lost his luggage, to deal with that matter too.

172. Saleem Pervez, in his statement says he paid Salim Malik (along with Mushtaq Ahmed) a sum of US\$100,000 to drop the Pakistan v Australia game, the second game of the Singer Trophy. He was also cross-examined at great lengths by Salim Malik's Counsel and he came out with further details regarding one Mr. Aftab Butt, a bookie travelling with him. He also stated that they stayed at the 'Taj' and also at the 'Oberoi' in Sri Lanka and that they had met Mushtaq Ahmad three days or so prior to their departure at Shalimar Hotel, Lahore, where the deal was struck. There were however some material inconsistencies in Saleem Pervez' statements as regards who carried the money and where the deal was struck according to Malik's counsel.

Detailed scorecard is as follows:-

Singer World Series, 1994/95, 2nd Match  
Australia v Pakistan  
Sinhalese Sports Club Ground, Colombo  
7 September 1994 (50-overs match)

Result: Australia won by 28 runs  
Points: Australia 2, Pakistan 0

Toss: Pakistan  
Umpires: BC Cooray and WAU Wickremasinghe  
TV Umpire: I Anandappa

Match Referee: CW Smith (WI)  
 Man of the Match: SK Warne

Australia innings (50 overs maximum)		R	M	B	4	6
*MA Taylor	lbw	b Wasim Akram	8	49	26	0 0
MJ Slater	c Asif Mujtaba	b Wasim Akram	4	20	12	0 0
DC Boon		b Akram Raza	19	50	48	3 0
ME Waugh	st Rashid Latif	b Mushtaq Ahmed	23	66	36	1 0
SR Waugh	c Rashid Latif	b Mushtaq Ahmed	1	5	8	0 0
MG Bevan	c Mushtaq Ahmed	b Saleem Malik	37	78	73	1 0
+IA Healy	not out		30	86	55	0 0
SK Warne		b Wasim Akram	30	38	40	0 0
CJ McDermott	not out		2	5	3	0 0
Extras	(b 7, lb 9, w 9)			25		
Total	(7 wickets, 50 overs)			179		

DNB: GD McGrath, TBA May.

FoW: 1-11 (Slater), 2-34 (Taylor), 3-48 (Boon), 4-49 (SR Waugh),  
 5-85 (ME Waugh), 6-128 (Bevan), 7-174 (Warne).

Bowling	O	M	R	W
Wasim Akram	10	2	24	3 (4w)
Waqar Younis	8	2	43	0
Mushtaq Ahmed	10	1	34	2 (4w)
Akram Raza	10	1	26	1
Aamer Sohail	7	0	17	0
Saleem Malik	5	0	19	1 (1w)

Pakistan innings (target: 180 runs from 50 overs)		R	M	B	4	6
Saeed Anwar	c McGrath	b SR Waugh	46	130	78	5 1
Aamer Sohail		b McGrath	0	8	4	0 0
Inzamam-ul-Haq	st Healy	b Warne	29	90	69	4 0
Basit Ali		c & b Warne	0	19	13	0 0
*Saleem Malik	c Taylor	b SR Waugh	22	84	51	1 0
+Rashid Latif	c Taylor	b SR Waugh	7	15	19	0 0
Wasim Akram		b McGrath	16	43	33	1 0
Akram Raza	c Healy	b McDermott	10	26	19	0 0
Waqar Younis	c Slater	b Warne	2	17	9	0 0
Mushtaq Ahmed	not out		2	10	3	0 0
Asif Mujtaba	not out		1	4	7	0 0
Extras	(b 2, lb 5, w 6, nb 3)			16		
Total	(9 wickets, 50 overs)			151		

FoW: 1-2 (Aamer Sohail), 2-77 (Inzamam-ul-Haq), 3-83 (Basit Ali),  
 4-94 (Rashid Latif), 5-124 (Wasim Akram), 6-129 (Saeed Anwar),  
 7-129 (Saleem Malik), 8-147 (Waqar Younis), 9-150 (Akram Raza).

Bowling	O	M	R	W
McDermott	10	2	21	1 (1w, 1nb)
McGrath	10	3	25	2 (3w)
May	10	0	53	0
Warne	10	1	29	3 (2w, 2nb)
SR Waugh	10	1	16	3

Saeed Anwar retired hurt on 43\* from 80/2 to 124/5 (cramp, resumed with a runner)

173. Rashid Latif said that Saeed Anwar had informed him that Salim Malik had asked Anwar to play badly in Sri Lanka. He had also told him not to disclose the existence of the offer to Rashid Latif. Saeed Anwar has denied this.

174. Saeed Anwar got 46 off 78 balls hitting 5 fours and one six. This was a low scoring game and Pakistan needed just 179 for victory. Anwar retired hurt after message(s) from the Captain were taken in by the 12<sup>th</sup> man and resumed at number 6. (The scorecard reads: Saeed Anwar retired hurt on 43\* from 80/2 to 124/5 (cramp, resumed with a runner.))

175. Manager Intikhab Alam says that after that match, when the team went to the hotel, he received a call from a caller who did not divulge his name but stated that he had lost Rs 40 lacs and that four to five players had sold themselves. He called Malik, Waqar Younis and Basit Ali to his room. While Malik and Waqar denied match-fixing, Basit said he had been involved.

176. Basit had scored 0 off 13 balls and had no contribution as a fielder either.

177. Intikhab also said that Asif Iqbal had informed him that the bookies had lost 40 lacs and wanted to recover that amount. He said he thought Asif may have

spoken to Malik and subsequently Malik and Intikhab had a discussion about this matter.

178. (Incidentally, this is the same match that Mark Waugh and Shane Warne have admitted to accepting money from an Indian bookie, 'John', to give weather and pitch information.)

179. Aftab Butt has been sought for corroboration, but until now his attendance despite the Commission's best efforts, has not been possible.

**ALLEGATION THREE: THE HOME SERIES AGAINST AUSTRALIA**

180. After the Sri Lanka tour the Pakistan team played in a home series against Australia in Autumn 1994.

181. Shane Warne has deposed that on the Pakistan tour in September, 1994, he was called by Malik to his room in the hotel and was offered US\$ 200,000 to throw away the first Karachi Test by getting another bowler, Tim May to bowl badly with him. He told Malik to get lost. Warne then went back to the room and told May of the incident. May's response to Malik's offer was the same.

182. For the Rawalpindi One-day Match, Mark Waugh has stated that at a Presidential function he was offered

a bribe to arrange with four or five other players to throw the match for US \$200,000. At that time Shane Warne was standing next to Waugh, within earshot. Shane Warne has confirmed that towards the end of October, 1994 at the Presidential function, he heard Salim Malik offering bribe to Mark Waugh for the One Day match at Rawalpindi.

183. Both of the above incidents were reported the players to Mark Taylor, their Captain who informed the Australian officials on tour with them, Bob Simpson, the Coach and Colin Eggar, the manager. (Mark Taylor confirmed this when he appeared before the Commission in Lahore in 1998.)

184. In February, 1995, they were asked to make a short summary of the incident. Then in Antigua, West Indies, on the 9<sup>th</sup> of April 1995, Warne and Waugh made statutory declarations detailing the above. These affidavits after some time were passed by the ICC to the Pakistan Cricket Board, and thereafter this Commission. This was after the news of the allegations broke in an Australian newspaper, after Rashid Latif had first made his allegations public.

185. Mark Waugh on the tour of Pakistan in 1998 made a personal appearance before the Commission of Inquiry with his Captain, Mark Taylor in Lahore and repeated

the same allegation. Taylor and Waugh were also cross-examined.

186. However, later the news broke that Mark Waugh and Shane Warne themselves had earlier on the tour of Sri Lanka been involved with a bookie, John. This had not been disclosed to the Commission and seemed to affect the Australians' credibility. Therefore, on the request of the ACB, representatives of the Commission went to Australia to cross-examine Warne and Waugh. Details of the cross-examination have been noted above.

187. Briefly, it was confirmed by Warne and Waugh that their dealings with John had been only for weather and pitch information. Mr. Michael Shatin QC added in court that Mr. Salim Malik had never confronted Mark Waugh or Shane Warne regarding these allegations, although they had met several times after the incident. Why not, if Malik was not guilty?

#### **ALLEGATION FOUR: THE SOUTH AFRICA TOUR**

188. After the Australia tour in 1994-95, Pakistan's next assignment was to South Africa for the Mandela Trophy involving New Zealand, South Africa and Sri Lanka. They won five of the six qualifying round games and

entered the final against South Africa. Both matches were lost under controversial circumstances.

189. There was an open dispute within the team about the decision of the toss. Since the matches were day/night games and the lights in Johannesburg were not conducive to batting second, Rashid Latif the vice-captain had strongly recommended that if Malik won the toss Pakistan should bat first. Both times Malik won the toss and put the opposition in and Pakistan lost two finals matches. In cricketing terms the toss in a day/night game is crucial as it is easier to bat first in natural daylight than under the shadows of floodlights. Even Wisden notes that Malik made "the puzzling decision to field first". It was also puzzling why having batted first and lost in the 1<sup>st</sup> final, Malik repeated the mistake two days later in the second match as well.

190. Basit Ali says that as suspicion was rife that the matches were fixed, Intikhab asked every player to take an oath on the emulet that they would play the match honestly. Malik said he would inspect the ground and then take the oath. Before he came back into the dressing room he went for the toss, elected to put South Africa in to bat and then asked to take the oath by which time it was too late. (South African captain Hansie Cronje made a statement that he was quite

surprised to be asked to bat first. Pakistan again lost that match.)

191. It was after this tour that Rashid Latif says he announced his retirement because the main reason was that team members were indulging in match-fixing.

192. Salim Malik had figures of 4-0-22-0 (over 5 runs an over) and was run out for 19 runs after staying at the wicket for 26 balls.

193. As earlier stated even Wisden says that after Malik "made the puzzling decision to field first.' It further notes that 'From 193 for 4 they had lost their last six wickets for 22 including three run outs.'

194. To sum up: First Malik was run out for 19 off 26. Then Aamir Sohail, who had scored 71 from 74 balls, was run out when batting with Ijaz Ahmed. Finally Rashid Latif (17 off 31 balls) was run out when batting with Wasim Akram who scored 12 runs off 26 balls.

195. In the second final, two days later Malik again made a controversial decision to let South Africa bat first. Wisden says: "Again, Salim Malik asked South Africa to bat, creating divisions in Pakistan's dressing room."

**ALLEGATION FIVE: GENERAL ALLEGATIONS**

196. Copies of Cheques for Salim Malik were handed in by Rashid Latif, drawn by one Caesar Fernanades in favor of Salim Malik.

197. Aaqib Javed in his statement said that Salim Malik along with Wasim Akram was one of the main players involved in match-fixing.

198. Pakistan captain Imran Khan said that the first time he heard of match-fixing was in a domestic game which involved Habib Bank. The captain was Salim Malik.

199. Javed Miandad said that the domestic game Imran spoke about involved five Habib Bank players namely Salim Malik, Ijaz Ahmed, Nadeem Ghouri, Akram Raza and Naveed Anjum.

**FINDINGS, REASONS AND RECOMMENDATIONS AGAINST SALIM MALIK**

200. As regards allegation ONE on its own, there is insufficient evidence about the last Test match. All the evidence that is available is primarily opinion and based on personal suspicion more than anything. Counter to this opinion there is the opinion of other

commentators on the match who said that Pakistan did not bowl badly at all (So how come the two Ws bowled so badly today? The answer is simple. They didn't bowl badly at all - in fact they bowled very well, particularly early on - CricketInfo), it was just that New Zealand batted out of their skins.

201. However, in the matter of the fifth one-day match, also at Christchurch, there is stronger evidence. The Commission is minded to believe Rashid Latif's testimony. However, Rashid's testimony is unsupported by any other evidence. Three other people who Rashid said were in the room when an offer was made to him have denied Rashid's statement. Therefore against four denials (Malik plus these three), this commission finds it difficult to convict Salim Malik on Rashid Latif's testimony alone.

202. Looking at the match can one say that the match was fixed? There is a chance that it was. But, that it was, cannot be said to the requisite standard of proof. The performance of the team was sub-par. There were misfields and there were wides. The batting collapsed. But then again that is the Pakistan team. The fact is that looking at the match one cannot reach any conclusion with certainty that match was fixed, though much can be said otherwise.

203. As regards allegation TWO alone, the Singer Trophy, the statement of Saleem Pervez has a lot of weight. It is acknowledged by many e.g. Rashid Latif that he was seen mixing with the players. Pervez is named as a gambler on the Ehtesaab Bureau report too. He has categorically stated that he had paid Salim Malik and Mushtaq Ahmad a sum of US\$ 100,000 in Sri Lanka for the match of Pakistan against Australia in September, 1994 in Singer Trophy. It is, no doubt, true and admitted by Saleem Pervez that he has some criminal record and that had even been involved in a murder case but that does not mean that the man is lying. Cross-examination of Saleem Pervez however has cast some doubt on the testimony as there appear to be some discrepancies as to where the match was fixed and who carried the money. However, this commission on the whole believes Salim Pervez.

204. Corroboration of Salim Pervez can be sought from Mr. Aftab Butt, the person Pervez says he allegedly took with him to deliver the money. A statement from Aftab Butt could not be taken. He is being chased up. Allegation TWO, therefore stands for the time being. It will be addressed in the supplementary report that will shortly follow this Report.

205. As regards allegation THREE alone, having carefully gone through the statements of Mark Waugh and Shane

Warne, this Commission comes to the conclusion that they have not fabricated their statements against Salim Malik. The cross-examination by the counsels has not been able to break the testimony that had been made by these players in Australia. Their version of events is believable. The 'John' factor does not do too much damage to Warne and Waugh's credibility. It does not absolve Salim Malik of the charges as the Australians made the Report to their authorities soon enough. That the news surfaced much later is not suspicious as Malik's counsel suggested. This commission is of the same opinion as Javed Burki when he says that the only reason the Australians leaked the allegations to the press was that Rashid Latif had already let the cat out of the bag.

206. This commission finds Salim Malik guilty of attempting to fix the Test-match that Shane Warne has stated Malik made him and Tim May an offer for. Shane Warne's testimony has withstood cross-examination and Tim May has indirectly corroborated that the offer was made, or at least directly corroborated that it was rejected on his behalf when Warne called Malik from their room.

207. Further, as regards the offer for the Rawalpindi One-day match, this Commission finds there to be sufficient evidence to convict Salim Malik of match-fixing. Salim Malik made an offer to Mark Waugh

according to Waugh. Warne overheard this. Waugh accuses, Warne corroborates. This Commission therefore holds Malik guilty of attempting to fix the First Test Match.

208. As regards allegation FOUR, batting first in the finals and including Akram Raza instead of Kabir Khan, the tour report supports Salim Malik in that all of this is the Captain's prerogative. Intikhab Alam says that the team supported Salim Malik. While, it is clear that all was not well on that tour. However, in absence of stronger evidence, this Commission cannot hold that those finals were fixed.

209. Generally, there have been a lot of general allegations against Malik. Everyone seems to name him as the main culprit in match-fixing. Imran Khan, Javed Miandad, his own coaches, managers, and fellow players. Most crucially, Malik's own vice-captain quit and alleged match-fixing against him. Rashid Latif's allegation are very weighty against Malik. The cheques however are not of great probative value as they could have been given to Malik for any number of reasons. However, if all the allegations are taken together, in totality, Malik is clearly guilty for the lesser level of punishments too, of bringing the name of the team into disrepute. The lesser punishments would have been

applied to Malik if he had not already been convicted at the higher level.

210. So, in light of the presence of evidence to support allegation THREE, this Commission recommends that a life ban be imposed on Salim Malik and he be not allowed to play cricket at any level, whether for Pakistan or at the domestic level. He should not be allowed to even associate himself with any cricketing affairs as he may be able to influence the new generation. This includes coaching, managerial offices and selection committees. It is also recommended that other suitable action whether in the form of criminal proceedings or otherwise be taken against Salim Malik. Moreover, an account of his finances needs to be taken and he should be fined Rs. 10 lac.

### **MUSHTAQ AHMED**

211. Former Pakistan player Saleem Pervez appeared before the Commission of Inquiry and stated that he had paid Mushtaq Ahmed (and Salim Malik) a sum of US\$ 100,000. This was for fixing a match in Sri Lanka against Australia for the Singer Trophy in 1994.

The scorecard for that Singer Trophy match shows that Mushtaq Ahmed gave away 34 runs in 10 overs, took two wickets giving away four wides. He remained not out scoring 2 off 3 balls before the 50 overs were completed. (Full scorecard in appendix:)

212. It was interesting that when Mushtaq Ahmed appeared before this commission, he seemed to know already which match we were going to ask him about. And he blurted out, 'I was OK in that match.'

213. Former Pakistan team coach Javed Miandad said in his statement that Mushtaq had confessed to him that he had a one time involvement in match-fixing.

214. Mr. Javed Burki has also stated that Mushtaq and Malik were often seen at a Khalid Gitty's, a bookie's residence. He added that Mr. Naeem Gulzar can confirm this. However, when Mr. Gulzar appeared he named Malik

and Ijaz as likely culprits in match-fixing but stated he did not have any proof. He did not deny or confirm Mr. Burki's allegations.

**FINDINGS, REASONS & RECOMMENDATIONS:**

215. While this Commission is minded to accept the testimony of Saleem Pervez after he managed to withstand cross-examination (taking note of the inconsistencies raised by Mr. Azmat Saeed in Pervez's statements), it is difficult to believe after looking at Mushtaq's figures, that he was trying to throw away the match. His performance in the context of the match was better than most. If one were to compare this with the performance of others then it appears difficult to hold that Mushtaq was involved in match-fixing, not giving his best. The two wickets he took were of the Waugh twins. This raises some doubt in my mind that Mushtaq was involved. There is, of course, a possibility that if Mushtaq was involved in match-fixing, he could well have used someone else to bowl or bat badly. However, there is no evidence to this effect.

216. There is of course as earlier mentioned one source of strong corroboration that may be checked for support of Saleem Pervez's testimony and that is Mr. Aftab Butt. Mr. Butt will be examined soon and a

supplementary report will be made following up shortly on the heels of this Report.

217. While this Commission cannot for the time being make a finding of guilt to the requisite standard because, in fairness to Musthaq, Mr. Butt needs to be examined, there are sufficient grounds to cast strong doubt on Mushtaq Ahmad. He has brought the name of the Pakistan team into disrepute with *inter alia* associating with gamblers. This Commission therefore recommends that Mushtaq Ahmed be censured, kept under close watch and be not given any office of responsibility (selection or captaincy) in the team or on the board. Furthermore, he should be fined Rs. 3 lac.

218. Final findings against Mushtaq on the charge of match-fixing will soon follow in the Supplementary statement.

## **WASIM AKRAM**

219. Wasim Akram has been the captain of the Pakistan team in several stints from 1993 till the present.

### **ALLEGATION ONE: INVOLVEMENT IN ATTEMPTING TO FIX THE CHRISTCHURCH MATCH**

220. In his statement before this commission of inquiry Ata-ur-Rehman had alleged that Wasim Akram had paid him a sum of Rs 100,000 to bowl badly in a match in New Zealand, in Christchurch in 1993-94. He said Akram had in fact promised him Rs 200,000 but paid him half the amount promising to pay the rest later if Ata continued to cooperate. He said Akram had told him that Ijaz Ahmed had fixed the game with Zafar Alias Jojo in Pakistan.

221. Ata-ur-Rehman subsequently again appeared before the Commission and stated that while he was in Newcastle, England, Wasim Akram had asked him to see his solicitors and sign a new affidavit (in response to Aamir Sohail's affidavit). This affidavit was contradictory to the previous one. He says he signed this second affidavit under coercion and threats from Wasim Akram that he has a lot of contacts in Pakistan

and would get him fixed if he did not give the second affidavit. Wasim Akram provided a ticket to Ata to travel to London. The ticket was produced and the ticket, according to Ata, was charged to Akram's credit card. Counsel for Wasim Akram has accepted that the ticket was on Akram's credit card.

222. Ata-ur-Rehman was subsequently recalled on the request of Wasim Akram for cross-examination. He appeared before the Commission on the 3<sup>rd</sup> of September, 1999. While being subjected to cross examination he did a complete about-turn and went back on the earlier statement. He categorically stated that he had earlier given a false statement in which he had involved Wasim Akram. He said he had made the said statement under some misunderstanding. He was immediately put on ECL (Exit Control List) and subsequently issued with a notice for perjury.

223. Later, when Ata-ur-Rehman appeared before this Commission again, to be issued a show-cause notice for perjury, he stated that he had in fact been induced by Aamir Sohail to make a statement against Wasim Akram and that the affidavit was also given at his instance. He however reiterated that Wasim Akram had supplied him with a ticket for travelling from Newcastle to London and that that ticket was charged to Wasim Akram's credit card.

224. In view of Ata-ur-Rehman's volte-face, corroboration was sought in support of his earlier or later affidavit. In support of the earlier affidavit, three sources presented themselves:

- (a) One was Imran Khan. Imran Khan had earlier stated in his statement that the only knowledge he had of match-fixing was of when Ata had told him that Wasim had paid him to throw the Christchurch match. Ata told him this after the news about the first affidavit had broken in the papers. Ata accepted this too.
- (b) The second source of corroboration was Rashid Latif. Mr. Latif states in this Christchurch match Wasim Akram had declared himself unfit before the Pakistanis took the field. He was holding his shoulder as if in pain even before the first ball was bowled. He only bowled six overs and did not even complete his spell. According to Latif, no balls and wides were bowled deliberately by Wasim Akram and on at least two occasions the balls were bowled so wide that the wicket keeper could not get to it and the opposition got eight wides at a crucial time in the game. These runs were given away at a time when the weather was turning nasty and with rain imminent the Pakistani bowlers could have saved the match but they were bowling in such a hurry that the run rate was accelerated and NZ won the

game. In one-day cricket bowlers never bowl bouncers as they can give away too many runs but the Pakistani bowlers deliberately bowled bouncers. In Rashid's opinion, as he had a clear view from his place behind the stumps, Wasim (and Salim Malik) were the main culprits for Pakistan's loss.

The scorecard shows that the Pakistani bowlers gave away 25 extras. (lb8, w14, nb3). Twenty five extras means not only 25 bonus runs for the opposition but 17 no balls and wides total means they had a gift of 17 extra deliveries to score runs off. The detailed score card is as follows:-

New Zealand v Pakistan, 1993/94, 5th One-day International  
Lancaster Park, Christchurch  
16 March 1994 (50-overs match)

Result: New Zealand won by 7 wickets  
Pakistan wins the 5-ODI series 3-1

Toss: New Zealand  
Umpires: BL Aldridge and CE King  
Match Referee: S Subba Jow (Eng)  
Man of the Match: BR Hartland

Pakistan innings (50 overs maximum)			
Saeed Anwar	c Hart	b Pringle	2
Aamer Sohail	c Rutherford	b Morrison	1
Inzamam-ul-Haq	c Young	b Pringle	4
Asif Mujtaba		b Cairns	3
*Saleem Malik	c Young	b Cairns	15
Basit Ali	c Young	b Pringle	57
+Rashid Latif	c Parore	b Morrison	9
Wasim Akram	c Parore	b Larsen	7
Akram Raza	not out		23
Waqar Younis	c Cairns	b Morrison	4
Ata-ur-Rehman	not out		3
Extras	(lb 6, w 8, nb 3)		17
Total	(9 wickets, 50 overs)		145

FoW: 1-3 (Aamer Sohail), 2-8 (Saeed Anwar), 3-17 (Inzamam-ul-Haq), 4-19 (Asif Mujtaba), 5-45 (Saleem Malik), 6-65 (Rashid Latif), 7-86 (Wasim Akram), 8-121 (Basit Ali), 9-136 (Waqar Younis).

Bowling	O	M	R	W
Morrison	10	2	20	3
Pringle	10	1	21	3
Cairns	10	0	36	2
Larsen	10	1	21	1
Hart	4	0	17	0
Thomson	6	0	24	0

New Zealand innings (target: 146 runs from 50 overs)  
BA Young c Rashid Latif b Waqar Younis

BR Hartland	not out	68	
AH Jones	c Rashid Latif	b Waqar Younis	1
*KR Rutherford	c Akram Raza	b Ata-ur-Rehman	1
SA Thomson	not out		48
Extras	(lb 8, w 14, nb 3)		25
Total	(3 wickets, 34.1 overs)		146

DNB: CL Cairns, MN Hart, +AC Parore, GR Larsen, DK Morrison,  
C Pringle.

FoW: 1-26 (Young), 2-34 (Jones), 3-45 (Rutherford).

Bowling	O	M	R	W
Wasim Akram	6.3	0	17	0
Waqar Younis	8.1	1	33	2
Ata-ur-Rehman	9	0	44	1
Aamer Sohail	4	0	18	0
Akram Raza	3.3	0	14	0
Saleem Malik	3	0	12	0

(c) The third source was the Rashid Latif and Ata conversation on tape. Ata has denied that the voice on the tape was his.

225. Still on the Christchurch match, Pakistan coach Intikhab Alam when asked in court, said that Akram had been fit for that game. However, he stated that at the time the match did not appear to his to have been fixed.

226. Rashid Latif on Akram's injury, said that Akram was feigning injury as he had been rubbing his shoulder even prior to the start of the New Zealand batting.

**ALLEGATION TWO: WITHDRAWAL FROM THE WORLD CUP 1996  
QUARTERFINAL.**

227. In the Bangalore quarter final against India during the 1996 World Cup, Wasim Akram decided at the last minute not to play the match. This according to vice-captain Aamir Sohail was fatal to the outcome of the

game as he was asked to captain the side five minutes before the toss.

228. In cross examination Wasim Akram said he was injured. In his statement before this honorable court strike bowler Waqar Younis said that it was not the normal practice for injured players to travel with the team.
229. Team physiotherapist Dan Keisel in his statement in court said that Wasim was allowed to travel to Bangalore because the injury was minor. He said when he examined him in Bangalore the day before the match Wasim was sure that he would be fit to play, keeping in view the importance of the game.
230. Aamir Sohail stated that Wasim had told him he was fit and will be playing even the night before. But at the last instant on the day of the match, he said he could not play.

**ALLEGATION THREE: TAMPERING WITH THE BATTING ORDER TO FIX MATCHES IN THE INDEPENDENCE CUP AND AT SHARJAH**

231. Former captain Majid Khan, ex-Chief Executive of the Pakistan Cricket Board has said that during the 1997 Independence Cup in Lahore Wasim Akram as captain deliberately did not send in form players to bat at crucial times and consistently promoted himself in the batting order. When confronted with this Wasim,

admitted his mistake and, although he was the captain, said that he did not know who the in form players were. A month later in a Sharjah tournament, the Singer Champions Trophy 1997-98, Wasim repeated the same mistake despite being admonished by the coach Haroon Rasheed and the Chief Executive, Majid Khan. Majid says that when he went to Sharjah briefly and spoke to the coach Haroon Rasheed, his reply was that the team could not win matches if the captain did not want to win them.

232. Wasim Akram had consistently promoted himself in the batting order above the in form players thereby making the target difficult for Pakistan to achieve. He persisted in sending out of form batsmen in the top order positions. He again went above Azhar Mahmood and in an important Sharjah game scored 4 off 19 balls and Pakistan lost the match despite being in a comfortable position. Detailed score card is as follows:-

#### PAKISTAN v. ENGLAND (5<sup>th</sup> Match)

Played at Sharjah CA Stadium on December 15, 1997 (day/night)  
 Toss: England                      Debutants: NIL  
 Umpires: S.A. Bucknor (WI) & K.T. Francis (SL); c.j. Mitchley (TV Reply)  
 ICC Referee: P.J.B. Burge (Aus)  
 Result: England won by 8 runs      Award: Manzoor Akhtar (Pakistan)

#### England

A.D. Brown c Moin Khan b Saqlain Mushtaq	41
A.J. Stewar b Manzoor Akhtar	47
N.V. Knight b Manzoor Akhtar	18
G.A. Hick b Manzoor Akhtar	40
G.P. Thorpe run out	3
*A.J. Hollioake c Shahid Afridi b Manzoor Akhtar	17
M.A. Ealham c & b Saqlain Mushtaq	6
D.R. Brown not out	18
M.V. Fleming c & b Saqlain Mushtaq	0
R.D.B. Croft c Ijaz Ahmed b Saqlain Mushtaq	6

D.W. Headly not out	6
EXTRAS (b 1, lb 4, w 7, nb 1)	13
TOTAL : For 9 wkts in 50 overs	<b>215</b>

*Fall of Wickets:* 71, 108, 121, 129, 168, 180, 185, 185, 203

Wasim Akram 6-1-34-0; Azhar Mahmood 7-1-31-0, Saqlain Mushtaq 10-1-26-4; Mushtaq Ahmed 10-0-45-0; Manzoor Akhtar 10-0-50-4; Shahid Afridi 7-0-26-0.

#### Pakistan

Aamar Sohail c Rutherford b Morrison	1
Shahid Afridi b D.R. Brown	0
Saeed Anwar b Croft	54
Ijaz Ahmad c Croft b Ealham	41
Akhtar Sarfraz b Croft	20
Manzoor Akhtar run out	44
Moin Khan c Knight b Fleming	10
*Wasim Akram c D.R. Brown b Hollioake	4
Azhar Mahmood c Stewar b Hollioake	12
Saqlain Mushtaq run out	9
Mushtaq Ahmad not out	0
EXTRAS (lb 5, w 5, nb 2)	12
TOTAL: all out in 49 overs	<b>207</b>

1, 5, 99, 99, 134, 152, 177, 185, 207.

D.R. Brown 5-0-29-1; Headly 8-0-33-1; Ealham 10-1-39-1; Croft 10-1-39-2; Hollioake 10-0-35-2; Fleming 6-0-27-1.

#### **ALLEGATION FOUR: GENERAL ALLEGATIONS**

233. Aaqib Javed in his statement said that Wasim Akram had threatened to keep him out of the team so long as he was captain. This transpired after Aaqib had been instructed to contact Saleem Pervez, accept a sum of Rs 40 lacs and a vehicle in order to join the team the Sri Lanka. Aaqib said he declined after which Akram said Aaqib would never play. Aaqib did not play for Pakistan till Wasim Akram was not available for the captaincy.

234. In his statement Aaqib named Malik and Akram as two of the main persons of match-fixing.

235. Former captain Javed Miandad said that during his captaincy he had been informed by Idress (Cadbury), who is the brother of alleged bookie Hanif Cadbury, that Wasim Akram, Waqar Younis and another player whose name he could not remember was on his brother's books.

236. In the Singer Trophy final, Rashid also mentions that Wasim Akram was reprimanded by coach Intikhab Alam for using his mobile phone in the dressing room when mobiles were not to be switched on as per the rules of the Pakistan Cricket Board. He stated that he had heard Wasim say of a match that 'he did not know' implying that Wasim did not know whether that match was fixed or not.

237. The other players who had mobile phones, a time when they were not so common, were Malik and Younis. Intikhab says the Pakistan Cricket Board management had arrived at the conclusion a long time ago that these mobiles were used by players to maintain contact with the bookies.

**FINDINGS, REASONS & RECOMMENDATIONS.**

238. The first allegation was *prima facie* the strongest against Wasim Akram. However, having considered the entire evidence, on record, this commission has come to the conclusion that Ata-ur-Rehman in view of his retraction from his earlier statement and various subsequent statements cannot be believed with any degree of certainty. His statement cannot be made the basis of holding Wasim Akram guilty of the offence of match-fixing. Ata's first story was that compelling that if Ata-ur-Rehman had not retracted from his earlier statement and if his statement had stood the test of cross-examination, then perhaps this commission might have held Wasim Akram guilty of fixing the Christchurch one-day match. But in the present scenario, this is not possible.

239. The three possible sources of corroboration that seemed have offered themselves too are too weak to prove the charge or support one of Ata's stories. The sources are as follows:

- (i) What Ata told Imran Khan about Wasim making Ata an offer was not contemporaneous; it was not after the New Zealand tour. Ata told Imran Khan after the news broke in the papers. Ata could well have been lying to Imran Khan after the news broke in the papers to support his story, to save face, or for any number of reasons.

(ii) Rashid Latif's statement against Wasim Akram. It is just his personal opinion. While this Commission gives Rashid Latif's testimony a lot of weight generally, in this instance the facts do not really support his assertions. 6.3 overs for 17 runs may be magnificent bowling (even in the context of a low scoring match.) Moreover, the Commission has to take into consideration Rashid's state of mind during that match. Rashid had been just offered money by the Captain. He may well have been a tad paranoid. This possibility of paranoia must be taken account of.

(iii) The taped of the conversation between Ata-ur-Rehman and Rashid Latif cannot provide good, independent corroboration as Ata once more may well have been lying to Rashid Latif. Further, for the reasons earlier stated the tapes cannot be taken as anything other than weak corroboration.

240. Use of a cellular phone and a reprimand for it cannot result in guilt. A phone is not an incriminating object.

241. As regards the sub-allegation that Akram was feigning injury, it can be said that there is no proof either

way. Rashid and Intikhab only give personal opinions. Akram could well have injured himself during the Pakistan inning. Even Wisden seemed to note that the injury was authentic.

242. Most crucially, as regards allegation one, the Aamir Sohail factor was introduced into the matters by Ata-ur-Rehman, the 'Aamir Sohail factor' being the allegation that Aamir Sohail induced Ata to make the statement against Wasim Akram. While this commission is minded to disbelieve anything Ata-ur-Rehman says in light of the number of times he has changed his statement, it must still consider whether Aamir Sohail could have influenced Ata's into making a false first affidavit. Even if it appears unlikely, there is a chance that Aamir Sohail did. This introduces some doubt in my mind about Ata's first affidavit.

243. Aamir Sohail by his subsequent actions ironically seems to clear Wasim Akram. When Sohail later became the captain of the Pakistan team, he played Wasim under him. Even recently Sohail agreed to play under the man he said is likely to be crooked. In all of this Aamir Sohail gives some credence to Ata's statements that Aamir Sohail put him up to making the first affidavit and that it was false. Moreover, it needs be noted that when Aamir Sohail appeared initially before this Commission he was the Captain of

Pakistan and had nothing substantial to say. This was despite his making a lot of allegations in the press. Even Ata-ur-Rehman talks of this in his taped conversation with Rashid Latif. Thereafter, once he had left the Captaincy he came back on 19.12.98 to the court with several allegations. All of this damages Aamir Sohail's credibility and gives some credence to Ata's second statement.

244. As regards allegation one on its own, this commission is left with no option but to hold Wasim Akram not guilty of the charge of match-fixing. This the Commission does so only by giving Wasim Akram the benefit of the doubt. This is done on the ground of insufficient evidence. Wasim is barely saved through Ata-ur-Rehman's discrediting himself and Aamir Sohail's actions.

245. As regards allegation two on its own, in light of Dr. Dan Keisel and Intikhab Alam's statement, Wasim Akram cannot be said to have been feigning injury. Therefore he is cleared.

246. As regards allegation three on its own, of tampering with the batting order to fix the match, it has been said that Wasim was trying to take responsibility by going in himself, a risk that failed. This commission

is willing to give the benefit of the doubt to Wasim Akram.

247. As regards general allegations, although Rashid Latif has made allegations against him but the same have not been substantiated with any evidence. Likewise the statement of Javed Miandad or that for matter Ms. Fareshteh Gati-Aslam or Majid Khan is not sufficient for arriving at a finding of guilt.

248. Although Aaqib Javed's statement too does not hold some weight as all Aqib said was that someone allegedly delivered Wasim's threat. As such this is strictly hearsay and inadmissible.

249. In favor of Akram, there is the evidence of police inquiries made into the kidnapping of his father. The two inquiries have revealed that the kidnapping did not concern match-fixing or gambling.

250. However, once this commission looks at the allegations in their totality, this commission feels that all is not well here and that Wasim Akram is not above board. He has not co-operated with this Commission. It is only by giving Wasim Akram the benefit of the doubt after Ata-ur-Rehman changed his testimony in suspicious circumstances that he has not been found guilty of match-fixing. He cannot be said to be above

suspicion. It is, therefore, recommended that he be censured and be kept under strict vigilance and further probe be made either by the Government of Pakistan or by the Cricket Board into his assets acquired during his cricketing tenure and a comparison be made with his income. Furthermore, he should be fined Rs. 3 lac.

251. More importantly, it is further recommended that Wasim Akram be removed from captaincy of the national team. The captain of the national team should have a spotless character and be above suspicion. Wasim Akram seems to be too sullied to hold that office.

## **WAQAR YOUNIS**

### **ALLEGATION ONE: RECEIPT OF A CAR**

252. According to Aaqib Javed, Waqar Younis, among others received a car from Saleem Pervez. This was a Pajero car and he and one other player to Aaqib's knowledge received it. On Aaqib's insistence, Aaqib says Waqar then returned it.

### **ALLEGATION TWO: INVOLVEMENT IN ATTEMPT TO FIX THE CHRISTCHURCH MATCH**

253. Rashid Latif has stated that Waqar was one of the four who were in the room when Malik offered Rashid a bribe. Waqar along with two others has denied this.

### **ALLEGATION THREE: GENERAL ALLEGATIONS**

254. Former captain Javed Miandad said that during his captaincy he had been informed by Idress (Cadbury), who is the brother of alleged, now deceased, bookie Hanif Cadbury, that Waqar Younis, Wasim Akram and another player whose name he could not remember were on his brother's books.

255. Intikhab Alam says that after the Singer Trophy match against Australia in Sri Lanka, when the team went to

the hotel, he received a call from a caller who did not divulge his name. He stated that he had lost Rs 40 lacs and that four to five players had sold themselves. Intikhab thereafter called Waqar Younis, Salim Malik and Basit Ali to his room.

256. Intikhab Alam also says that when the Pakistan team lost the Mandela Trophy finals in South Africa in 1994-95, he received a call from an anonymous person who said that 7/8 players had been bought over and Waqar Younis was among those.

257. Rashid Latif mentions that Wasim Akram was reprimanded by manager Intikhab Alam for using his mobile phone in the dressing room in Sri Lanka when mobiles were not to be switched on as per the rules of the Pakistan Cricket Board. The other players who had mobile phones, a time when they were not so common, were Malik and Younis. Akram Raza also mentioned that Waqar had a mobile phone when asked of match-fixing.

#### **FINDINGS, REASONS & RECOMMENDATIONS**

258. As regards allegation one alone, the receipt of a car, Waqar has denied it. No other evidence has been forthcoming to support Aaqib's allegation, not from Aaqib nor from Saleem Pervez. Even if one car was received, it was returned. If Waqar had fixed match for the car, he was likely to have retained it.

Perhaps the car was just a lure and Waqar returned it.

With no evidence forthcoming, one cannot say. Since the allegedly received car was returned, the matter therefore needs not be further investigated.

259. As regards allegation two alone, fixing the Christchurch match, in light of denials by two of the three players allegedly present, this Commission cannot say that Waqar was involved in fixing the match. Furthermore, it is too great a jump for a person to say conclusively that just by the fact that an offer was made before a player to fix a match, the person who listened in was involved too.

260. As regards the general allegations, they are generally baseless. No evidence has been proffered to support them. The evidence against Waqar Younis is primarily hearsay (even then mostly from anonymous sources) and unsubstantiated. Possession of a cellular phone has no probative value unless it is alleged to have been used during a match to fix that match. As such they alone are insufficient to hold Waqar Younis guilty to the requisite standard.

261. However, all the allegations taken together warrant some action against Waqar Younis. Two of Waqar's own managers and someone reputed to be his friend, Aaqib Javed have alleged wrongdoing against him. These

appear sufficient grounds for recommending a censure.  
Moreover, that Waqar Younus should be kept under  
observation and investigated.

262. Further, during proceedings it was felt that Waqar Younus has been reluctant to help this commission and even when prompted was not fully forthcoming. It is therefore recommended that he be fined Rs. 1 lac.

**INZAMAM-UL-HAQ, AKRAM RAZA**

263. Rashid Latif has deposed that these two were among the four players who were present when Salim Malik made him an offer to throw the 5<sup>th</sup> One Day match at Christchurch against New Zealand. The implication is that they were involved to some extent in match-fixing.

264. While a place a lot of weight can be placed on Rashid Latif's testimony, in the absence of any other evidence and in light of denials from the co-accused, it is not possible to find them guilty of match-fixing. However, it is recommended that these players be warned, kept under observation and their finances be investigated.

265. Furthermore, when asked about the Christchurch match, the partial amnesia that these players seem to have developed was distressing. It is understandable that these players have played too many games (except for Akram Raza and Basit Ali) to recall all of them. Nevertheless, there have not been that many matches about which allegations of match-fixing have been made. It was interesting to see one of them remembered the weather of the match, but did not recall any other details. This commission believes that these players probably knew more than they revealed. For not being

forthcoming, these players too should be fined Rs. 1 lac each and they be kept under observation.

**BASIT ALI**

266. Intikhab Alam stated that when Pakistan played Australia in the Singer Trophy in Sri Lanka in 1993-94, they lost the game despite being in very good form. (This is the same match in which Saleem Pervez, in his statement says he paid Salim Malik (along with Mushtaq Ahmed) a sum of US\$100,000 to drop the game.) Intikhab Alam says that after that match, when the team went to the hotel, he received a call from a caller who did not divulge his name but stated that he had lost Rs 40 lacs and that four to five players had sold themselves. He called Malik, Waqar Younis and Basit Ali to his room. While Malik and Waqar denied match-fixing, Basit said he had been involved.

267. This is confirmed in Intikhab Alam's tour report for the South Africa/ Zimbabwe 1994-95:

'Basit Ali is the only player in the Pakistan team who have [sic] made a confession that he has been involved in betting, his retirement from cricket is just to save himself.'

268. There is also the matter of the taped conversation between Salim Malik and Basit Ali and Rashid Latif. In

it Basit complains to Salim that Wasim is here in town and he is putting allegations on me.

269. Basit Ali has been named as among those four players who were in the room when Rashid Latif was made an offer. Basit Ali was ill with Jaundice and therefore not available to confirm or deny this. Due to the deadline of the commission, this lead could not be followed.

270. Basit Ali denied having ever made a confession to Intikhab Alam. This plus the fact that Intikhab Alam was removed from the post of manager because of mismanagement and negligence in investigating the reports of match-fixing, there is insufficient evidence to find Basit Ali guilty of any sort of match-fixing.

271. Given that Basit retired and has distanced himself from Cricket, he is not even guilty of bringing the name of the Pakistan team into disrepute. This Commission therefore believes that no strong action needs to be taken against him. Basit has had the dignity and common sense to retire. He should be allowed to be, as long as he stays out of Cricket.

**ZAHID FAZAL**

272. Zahid Fazal was allegedly the carrier of a message to Saeed Anwar from Salim Malik to fix a match against Australia in the Singer Trophy in Sri Lanka. Indirectly, allegedly, he was involved in a fix. So he was called by the commission and under oath he denied that the message he took in contained anything suspicious. He said that the message he took in was to tell Saeed Anwar to take singles and not boundaries, and to try to bat out the whole match. He said he took the message in only once. This contradicts Saeed Anwar's statement that the message was sent to him repeatedly. However, that is appears to be nothing suspicious and such inconsistencies are to be expected for a match so long ago.

273. In the absence of any evidence against him, this commission finds Zahid Fazal not guilty of any match-fixing offence.

## **SAEED ANWAR**

274. In the Singer Trophy match against Australia, Saeed Anwar was sent a message by Salim Malik through Zahid Fazal. The allegation made by Aamir Sohail among others has been that the message was to get out or do something similar.

275. Saeed Anwar has denied that the message contained anything suspicious. He is supported in this by Zahid Fazal's testimony. Saeed himself in his supplementary statement has said that the message was to be careful. However, Saeed Anwar says he was surprised when he received the message repeatedly as he was batting well and was nearing his fifty.

276. Saeed Anwar thereafter developed cramps and retired hurt on 43\* from 80/2 to 124/5 when he resumed with a runner, only to be out on 46. All this was in the context of chasing a low score of 179 by Australia and Pakistan failing with one wicket in hand and at 151 when the overs ran out.

277. Javed Burki has stated that Saeed had confessed to him that the message indeed was to get out. And that Saeed has promised to give this in writing. However, Saeed had come back to him and said that he could not do

that as his brother had been threatened. Saeed has denied these as contents of the message, but has accepted that his brother was threatened.

278. The tapes handed in by Rashid Latif reveal that there was something Saeed Anwar was going to reveal, which Mr. Arif Abbassi knew, but he did not do so.

279. According to Aamir Sohail's statement, Saeed wanted to pay kaffara during the South Africa tour because of helping fix the above match. Saeed felt that he was out of form because of God's curse. It should be noted that South African tour was some time after the Singer Trophy match in which Saeed Anwar retired hurt for no apparent reason and came back to bat at no. 6 when it was impossible to win.

280. This is corroborated by Rameez Raja in his statement before the interim probe committee. The Probe Committee's Report reads:

'Saeed Anwar was also being accused of betting and he i.e. Saeed Anwar had also once in 1994-95 during the South African tour regretted before him to be a part of the conspiracy (of match-fixing) though he avoided his direct involvement in direct words.'

281. In Saeed Anwar's favour, a lot of people have said he is clean. Even one of the tapes seems to support this.

282. In light of the above, this commission itself unable to find any compelling evidence to the requisite standard that Saeed Anwar was involved in match-fixing a particular match.

283. However, with the totality of evidence this commission does believe that Saeed Anwar has by his actions brought doubt onto himself. Further, this commission felt that Saeed Anwar was withholding some evidence from the Commission. In light of all of this it is recommended that Saeed Anwar be fined Rs. 1 lac and that he be kept under observation.

**IJAZ AHMAD**

284. Mr. Ata-ur-Rehman in his affidavit has stated that the match in Christ Church against New Zealand was fixed by Mr. Ijaz Ahmad and Zafar Ali alias Jojo. He had been told this by Wasim Akram.

285. Rashid Latif stated in his supplementary statement that just before he was made an offer by Salim Malik to throw the Christchurch one day, Salim was on the phone with someone called Ijaz. Rashid believed that this was Ijaz Ahmad but could not say for certain whether it was Ijaz Ahmad.

286. In his statement in court Mr. Intikhab Alam has mentioned Mr. Ijaz Ahmad, as one of the players involved in betting and match-fixing. Mr. Alam however gave no further evidence to support his allegation.

287. Ijaz was said to have associated with gamblers on tour. He has denied this.

288. According to Haroon Rashid, Ijaz was instrumental in slowing down the batting in the match against Sri Lanka in the Will Cup 1997/98 in Lahore. Ijaz made 94 off of 110 balls and Pakistan lost the match.

289. There is little evidence to support that Mr. Ijaz Ahmad is or was involved in match-fixing. Ata-ur-Rehman stands discredited and in any event his allegation is hearsay. Rashid Latif could not identify Ijaz Ahmad as being a culprit with certainty. The other allegations are without proof. Mr. Haroon Rashid's allegation is moreso. Anyone who scores 94 off of 110 balls on any sort of a wicket cannot be said to be fixing a match.

290. As such in lieu of evidence to the contrary, this Commission finds Ijaz Ahmad not guilty of match-fixing. No action needs to be taken against him other than that he, as has been recommended with other players, should present an account of his personal finances to the Board. He should also take care so as to not associate with bookies.

**ATA-UR-REHMAN**

291. Ata has *prima facie* perjured himself. Proceedings have been instituted against him separately.
292. On the charge of match-fixing, this Commission has Ata's confession which he has later recanted from. As against Ata that confession can still be believed. However, against the co-accused Wasim Akram, it is not admissible. By believing Ata-ur-Rehman's first affidavit, this Commission recommends a ban on him from international cricket for life.
293. In light of his perjury, it is further found that he has brought the name of the Pakistan team into disrepute. Therefore, Ata-ur-Rehman should also be fined Rs. 4 lac, twice the amount of money, he first claimed he took from Wasim Akram.

**SAQLAIN MUSHTAQ**

294. Haroon Rasheed has stated that Saqlain bowled suspiciously against India in the Karachi One Dayer as he gave away 16/17 runs to the tailenders in his last over to lose match.

295. Saqlain has explained that he could not grip the ball properly as the umpires had changed the ball and had given him a new ball albeit sanded down to bowl with. This Commission accepts his explanation. There is no evidence to cast doubt on Saqlain. In fact, Saqlain should consider it a perverse compliment that he is considered so good that each time he goes for runs in the death overs people think he must be doing it purposely.

### **THE TEAM AS A WHOLE**

296. Rashid Latif has stated in his statement that the whole team in New Zealand other than Asif Mujtaba and possibly Aamir Sohail was involved in match-fixing. In other matches too, different people have made allegations against a substantial part of the team. However, this commission finds no evidence to support this. Most of the allegations, beyond those against three or four individuals, appear conjecture or based on hearsay.

297. This commission finds a lot of truth in what Saeed Anwar said in one of Rashid Latif's tapes: 'Is waqt sab ko sab par shaq ho raha hai.' (At this moment everyone is suspecting everyone). Paranoia can account for a lot of what was said, for most of the allegations.

298. Various cricket experts like Imran Khan, Javed Miandad have stated that for a match to be fixed at least 5-7 players ought to be bought. As seen above, this commission could not find conclusive evidence against as many players, thus on the whole the team is cleared of blame.

299. The current team is in any event a largely new one, and one invested in youth. They are as yet unsullied. Care should be taken so as to ensure they remain so. To this end recommendations are made later in this Report.

**PART VI**

**OTHER OBSERVATIONS**

300. First and foremost, this Commission must acknowledge Mr. Rashid Latif, albeit with some reservation because, of *inter alia*, the tainted evidence he handed in. Nevertheless, his persistence in pursuing this matter needs to be appreciated. If he had not taken the steps he did, the Australians may well have not come forward openly and this Commission would not have been able to clear the air. To this end, as mentioned later, Rashid Latif be given immunity from offences arising out the tapping of phones, if the conversation therein produced was for use by this commission and was produced in an authentic form (see recommendations later).

301. It must be noted with great regret that a number of people were quite uncooperative and not forthcoming in these proceedings:

302. For one, this commission must take note of the counterproductive nature of those who promised much but had little or no evidence. Mr. Aamir Sohail needs to be pinpointed. He promised a lot in public, gave a lot of interviews but in court he came to be non-committal. If he had no evidence then he should have remained quiet about the matter. Later, he came up

with further allegations which he should have made in the first instance. Generally if people have no evidence, then they should not vilify people in public. Moreover, Aamir Sohail's case was sad as he by his later actions has effectively condoned the corruption that he had alleged and the people he had accused.

303. This commission felt a lot of the time that most of the people appearing before it were not telling the truth, or at least not that whole truth. Even more regretful was the attitude and statements of those who said they had not even heard of match-fixing. Some appeared tutored, while others seemed unwilling to blow the whistle. Mr. Waqar Younus, for one, initially said he had not even heard of anyone being involved in match-fixing. Inzamam-ul-Haq similarly seemed to suffer from amnesia. They both needed stern prompting to speak true and even then it is doubtful they spoke the whole truth. This commission understands that people feel a sense of loyalty towards players they have played with, but such a feeling is very misplaced. Corruption in any walk of life ought to be weeded out and by withholding information people do themselves and all around them a great disservice. Prompting should not be needed to tell the truth.

304. This commission must also take notice of the (in)action of Mr. Asif Iqbal. His name has been bandied around the most during this inquiry as being the first Pakistani involved in match-fixing and even now when allegations are made of gambling in Sharjah, his name features. The Ehtesaab Bureau also reports against him. Yet he has never came forward to clear his name. Asif Iqbal legally does not need to come forward and defend himself. But morally, he ought to have cleared the air.

305. The attitude of the Australian Cricket Board needs to be appreciated with some reservation. They initially did not present their players to Justice Ebrahim for cross-examination. That goes to their discredit. (They had to their credit however invited the Ebrahim inquiry to Australia.) However, since the tour of Pakistan and particularly the embarrassment of their players as regards their own involvement in bribery, the ACB has been very helpful. All expenses for the representatives of the Commission to go and be in Australia were paid by the ACB and all requests by way of protocol were entertained. The Australians fully accommodated the Commission in Australia and that has to be appreciated: they provided the sub-commission with a Court room, one right down to the picture of the Quaid, allowed the Pakistani court-dress code with gowns, and followed Pakistani evidence procedure.

306. However, it must be noted with regret that Mr. Waugh and Mr. Warne were initially not above board. They could have volunteered their involvement with bookies in confidence. This information was material as to why they were asked by Salim Malik to fix the Test Match. It appears that after Sri Lanka and dealings with John, the word was out in the gambling community that Warne and Waugh could possibly be bought. As such the green light was given for Salim Malik to approach them. That they declined Malik's offer goes to their credit. That they withheld this information from this Commission goes against them.

307. It is of great regret that the commission was prevented from inquiry into the World Cup through a notification dated 18<sup>th</sup> August, 1999 after having initially been given the green light through a notification on the 16<sup>th</sup> August, 1999. Questions about the team's performance in the final and against Bangladesh still linger and looking into that matter would have only helped clear up the air.

308. This Commission would like to extend its thanks to all concerned with the inquiry. Mr. Ali Sibtain Fazli as amicus curiae and his associates have been invaluable to the court. The counsels for the accused, Mr. Khwaja Tariq Raheem, Mr. Azmat Saeed and Mr. Tariq Shamim are

to be appreciated too for their efforts. Information sources such as CricketInfo, Wisden and articles by Mark Ray, Fareshteh Gati-Aslam, Donald Topley, Imtiaz Sipra etc. for reference and background were useful. Mr. Abdus-Salam Khawar, Additional Registrar High Court was tireless in his assistance. The concerns of the public at large are to be appreciated too. While for obvious reasons this commission has tried to stay away from the many letters it received regarding this inquiry, all of them were read by assistants who indicate that all of them deserve to be acknowledged. The amusing and encouraging ones need to be appreciated and the angry ones need to be told that Cricket is only a game and the players only human beings.

## PART VII

### RECOMMENDATIONS

309. In order to prevent match-fixing in the future it is recommended...
310. That the Captain of Pakistan Cricket team should be a person of impeccable character and not someone anyone can point a finger at. From the evidence recorded, it can be seen that the Captain is the key player to be bought to fix a match. Hence, this strong recommendation.
311. That similarly, the manager should be a person of impeccable character. A manager should realize that there are people on this earth who would lie even on oath. A manager needs to keep a stern hand with the players.
312. That all foreign tours should take along an independent third party, an ombudsman of sorts to deal with players complaints and indiscipline. Such a person could be the chairman of the PCB or his impartial nominee.

313. That a new code of conduct should be introduced for the players. The ICC code of conduct needs to be tightened and more provisions need to be introduced, targeting specifically the threat of match-fixing. To this end, under the code, players should be stopped from associating with known bookies or people who are convicted of match-fixing and similar offences. Such terms should be made a pre-condition to employment by the PCB and should be incorporated into the players' contracts.

314. That a permanent Review Committee should be formed to look into *inter alia* allegations of the match-fixing in the future. It should consist of people independent of the Board. The members of the review committee should have a good knowledge of cricket and have clean records. The Committee may also have a member being a former judge of the High Court or the Supreme Court of Pakistan. At the end of tours such a committee should look into the performance of the team and allegations of irregularities if any. Whenever there are any allegations, whether of match-fixing, ball-tampering or any other misconduct, the match should be reviewed by the Committee and its report should be submitted to the board. Such a committee should be prompt in its disposal of the matters raised, as lingering over the matter only makes matters worse.

315. That, *inter alia*, in order to facilitate the review committee, it should be made mandatory on the Board to collect video recordings of all the matches that have been played by the team and stored in its library. Such video recordings should be free of advertisements as it is when these ads are being shown i.e. at fall of wickets and change of ends that suspicious interchanges are likely to occur. This latter point is particularly raised as the moment in the Christchurch one-dayer where Salim Malik allegedly is said to have been angry with Rashid Latif for taking a catch is cut out by an advertisements break.

316. That the Review Committee adopt the two sub-offences approach to match-fixing as used by this Commission. This would allow it to sideline or warn players well before they can damage to the good name of the team.

317. That the PCB should adopt a zero tolerance approach in this matter.

318. That Pakistani cricketers should declare their assets at the time they start their career and annually submit their asset forms to the Pakistan Cricket Board. This would ensure that their assets can be compared with their earnings and spendings. Such information may be kept confidential by the PCB. The Board should also compare these figures against

figures obtained through independent inquiries from the players' employers (Counties, Leagues, Banks, etc.)

319. That players be forbidden to speak to the press unless authorized though a clause in their contract like the one contained in the ACB contract. Only after all PCB avenues of recourse have been exhausted can a player be excused from going to the press. This restriction may be limited to controversial matters only if the Board is so minded.
320. That in conjunction to the ban on speaking to the press, the PCB should actively take to defending its players, present and past, and not allow anyone to defame them. The players are the PCB's true capital and it should recognize that.
321. That generally Pakistani Law needs a summary procedure for damages for defamation. Such a procedure would be a deterrent to baseless allegation and would provide satisfaction to the innocents accused.
322. That the ban on cellular phones and outside communication generally during matches should be strictly applied. Phones, if necessary, can be routed through the manager. Any breach of this regulation should be strictly taken note of.

323. That generally discipline of the team be strictly monitored and maintained. Allowing minor breaches to go unpunished leads to players taking liberties and bigger breaches follow.

324. That players be prepared for the possibility that they can be blackmailed. Gamblers try to lure them in with all sorts of offers. Offers of cars, women, etc. can all lead to blackmail if accepted. We have seen it happen to others. Pakistani players should not be left naïve and it should be the duty of the board to educate these players when they come into the team as to the dangers and temptations are to that are faced by them.

325. That the Pakistan Cricket Board should consider not sending Pakistan to venues which are reputed to be dens of bookies.

326. That this report should be released to the public. To give it wide publication this may also be released on the internet too. To this end a copy of the report is submitted on disk too (Microsoft Word format).

327. That the PCB increase the pay of its Cricketers and develop for them more avenues of income (some are suggested below). It has been noticed that the Cricket

Board is no longer a body which is running on grants by either the Federal government or by Federal Government institutions. The Board has of late become self-reliant and it is believed that the coffers of the Board are full. The Board after all generates money through the players and in all fairness the players deserve to receive more than they are presently receiving. An ACB cricketer earns in the region of US\$250,000 to US\$400,000 plus almost as much in endorsements on the side. Currently the PCB pays Pakistani cricketers around US\$70,000 a year. Pakistani players for all their talent are not as well-paid as their counterparts abroad. As long as they are underpaid the tendency to be bribed remains. However, it should also be stated that such increases should not be to as high a level as some other countries because the cost of living in Pakistan as regards to the other countries is much lower. An increase with an eye on the standard of living in Pakistan is the order of the day.

328. That there are other avenues for funds that can be tapped by cricketers or the PCB on their behalf. Memoirs, biographies, tour diaries, sale of autographs and memorabilia can provide cricketers with adequate secondary remuneration. Moreover, with chances of playing cricket abroad (County, League, etc.) and employment available locally for cricketers (banks,

etc.), this Commission finds it very painful to see that a cricketer would accept a bribe for instant money than avail any of the above noted opportunities for clean money.

329. That winning should be made more lucrative to players. To this end, further and more substantial win bonuses should be introduced. If players receive larger sums for playing well and winning tournaments, it would be an incentive to stay straight. No one is born corrupt or a match-fixer. This is especially so in the case of sportsmen. We have all heard of sportsman spirit and it is this spirit that needs to be inculcated into every child while he is developing his skills in the game. It is in this rationale and background that it is suggested that if players were to receive major sums of money for playing well in the form of win bonuses, the very temptation for an innocent sportsman of getting corrupt would in all probability be eliminated. This would, of course, be a scenario after all corrupt elements have been weeded out and punished.

330. That the pay structure of the PCB to its players be revised. Instead of being only based on seniority, when paying players, their performances, past and recent, should be worked into the pay-structure too. A player who fixes a match by getting a low score will

feel the affects in his pay packet. That might be another incentive to stay straight. The pay structure now is strange in that if Salim Malik came back to the team he would get more than say Shoaib Akhtar. This leads to dissatisfaction among the younger stars and raises the possibility of corruption.

331. That, witnesses should be reimbursed for all the expenses they have incurred in following up this matter.

332. That Rashid Latif be given immunity for the offence of tapping phones as long as such an offence was committed so as to assist this commission of inquiry and the tapes were produced before this commission in an unedited and authentic form. For the purpose of this immunity, there be a presumption that the tapes are authentic unless proven otherwise: the burden to prove them fakes lies on the parties alleging they are fake. Thereafter, fakes may well be acted upon.

333. That the Pakistan Government should investigate gambling in Pakistan. Gambling is against Islamic law, yet the extent to which it is carried out in Pakistan and tolerated was a revelation. The people named in the Ehtesaab Report and the ones captured during this inquiry need to be investigated and prosecuted.

334. That, the following avenues if the patron be so minded be investigated. *Inter alia*, for lack of time, these were not pursued.

- (a) A more thorough investigation into allegation of match-fixing in domestic matches.
- (b) Verification of all the Rashid Latif tapes, *inter alia* by confronting players with them. (Saeed Anwar, Javed Burki, Arif Abbassi, etc.)

335. That, it needs to be said to the general public, this matter now needs to be put to rest. When they react to losses, the Public should be more tolerant in its criticism and remember that cricket is still a game of chance and the players are indeed human still. The other team is there to play too and the Pakistan team is not that invincible, at least not all of the time, that if they lose or fail to come from behind there must be something amiss. Even some of the Pakistan team coaches need to take note of that. (Haroon Rasheed's allegation against Saqlain was ludicrous.)

336. That, to those disappointed with their fallen heroes, it be suggested that humans are fallible. Cricketers are only cricketers. Please maintain a sense of perspective when you react and criticize.

## **PART VIII**

### **CONCLUSION**

337. The allegation that the Pakistan team is as a whole is involved in match-fixing is just based on allegation, conjectures and surmises without there being positive proof. As a whole, the players of the Pakistan Cricket team are innocent.

338. However, there is clear evidence of match-fixing against Mr. Salim Malik. He should be banned for life from Cricket. Further an inquiry should be conducted into his assets and charges brought against him in a criminal court of law.

339. The evidence against Wasim Akram has not come up to the requisite level, primarily because of Ata-ur-Rehman's perjuring himself. This Commission is willing to give him the benefit of doubt. However, there has been some evidence to cast doubt on his integrity. As such, this Commission recommends that he be removed from the captaincy of the Pakistan Cricket Team and a person of impeccable character be appointed. Moreover, he should be censured, kept under watch and his finances should be investigated.

340. Ata-ur-Rehman is being proceeded against for perjury.

Further, it is recommended that he be banned from international cricket.

341. This commission recommends that PCB should enforce declaration of assets by all its players and, if necessary, initiate a probe into their accounts.

342. In addition to recommendation of other punishments, fines are recommended against the following players as follows (as explained earlier):

Salim Malik	Rs. 10 lac
Wasim Akram	Rs. 3 lac
Mushtaq Ahmad	Rs. 3 lac
Ata-ur-Rehman	Rs. 1 lac
Waqar Younis	Rs. 1 lac
Inzamam-ul-Haq	Rs. 1 lac
Akram Raza	Rs. 1 lac
Saeed Anwar	Rs. 1 lac

343. It may be recommended *inter alia* that a watch-dog Review Committee be formed to deal with future allegations if any. Further that all Pakistani cricket players should declare their assets at the time they start their career at the national level and annually submit their asset forms to the Pakistan Cricket Board. A zero tolerance approach be taken against match-fixing in the future and strict discipline generally be maintained.

(Justice Malik Muhammad Qayyum)  
Commission

