

DECISION OF THE AIFF DISCIPLINARY OF COMMITTEE

Under Article 71 of AIFF Disciplinary Code, 2021

Dated: 07.03.2023

Quorum:

Mr. Vaibhav Gaggar, Chairperson;
Mr. Aniruddha Jairam, Deputy Chairperson;
Mr. Prahalad Bhat, Member;
Mr. Soumitra Bose, Member;
Mr. Brahmanand Shankhwalkar, Member.

(Majority Opinion by Mr. Vaibhav Gaggar, Mr. Aniruddha Jairam, Mr. Prahalad Bhat, Mr. Soumitra Bose;
Dissenting Opinion by Mr. Brahmanand Shankhwalkar.)

Sub: Protest report lodged by Kerala Blasters FC (hereinafter referred as “KBFC”) dated 04.03.2023 with respect to the referring standards on display during Hero Indian Super League (hereinafter referred as “ISL”) match no. 111 being playoff match against Bengaluru FC (hereinafter referred as “BFC”) played on 03.03.2023.

1. The present case emanates from a “protest” submitted by the KBFC Team Manager to the Match Commissioner, AIFF with respect to a free kick being allowed by the Referee, Mr. Crystal John, in ISL Match no. 111 being playoff match between KBFC and BFC played on 03.03.2023.
2. Admittedly, the KBFC filed its initial protest within two hours of the completion of the said match. Further, they also filed a Protest Report dated 04.03.2023,



with this Committee, along with the payment of an amount of Rs. 20,000/-, whereby they have protested against the conduct of the referee; and the refereeing standards in the said Match.

3. The gravamen of the accusation/protest made by the KBFC appears to be that “the Referee allowed a player from the BFC to take a free-kick without blowing a whistle.” The relevant extract of the Protest Report alleging the same has been reproduced herein below:

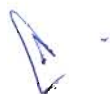
“2. With respect to the protest reported yesterday, we request you to note the following sequence of events –

a. Mr. John awarded a free-kick to Bengaluru FC (“BFC”) around the 95th minute mark in the first half of extra-time. There was a gap of approximately half a minute between the time that the foul leading to the free-kick was called and the goal was scored;

b. On being awarded the free-kick, the BFC players then picked up and placed the ball to take the free-kick. During this time, our player Mr. Adrian Luna stood over the ball to ensure that no quick free-kick could be taken by BFC while our goalkeeper was in the process of setting up the defensive wall;

c. Mr. John then used his spray to mark the position of the ball, indicating that the KBFC players should form a defensive wall and signals to Mr. Luna to move away from the ball to allow the free-kick to be taken;

d. At this point, without any indication to our players, Mr. John permits BFC to take a quick free-kick resulting in a goal. However, it appears that Mr. John did converse with Mr. Sunil Chhetri from BFC, and permitted Mr. Chhetri to take the free-kick as per his preference. Mr. Chhetri’s statement in this regard is a matter of public record (available here - Sunil Chhetri On The Free Kick Against Kerala Blasters – YouTube). There was no whistle blown either to allow the BFC player to take the free-quick.



e. To the Club, the abovementioned sequence of events represents that there is a clear contradiction in the actions of Mr. John. As evident in the video below, Mr. John directs Mr. Luna to move further away from the ball and Mr. Chhetri. If the referee is allowing a quick free-kick, why is he simultaneously directing the defending player to move away and thereby preventing the defending player from blocking such quick free-kick. If the referee has directed the defending player to move back from the ball, it is a clear indication to the defending team that they are being allowed to set up wall.”

4. In light of the abovesaid factual narration stated in the Protest Report, the KBFC has sought the following two reliefs:

“A. Take strict action against Mr. Crystal John and prevent him from refereeing in ISL matches in future; and

B. Overturn the result of the Match and order that the Match be replayed to ensure a fair result.”

5. Furthermore, vide a letter dated 05.03.2023, the KBFC had also sought an oral hearing before this Committee in light of the abovesaid Protest report. In view of the same, this Committee has heard the submissions of the KBFC, the BFC, the Referee as well as the Chief Refereeing Officer (hereinafter referred to as the “CRO”), Mr. Trevor Kettle.
6. Mr. Karolis Skinlys, Mr. Adrian Luna, Mr. Raja Rizwan, Mr. Srinu Jala and Mr. Eshwar Ramchandran from the KBFC appeared before this Committee and submitted that this Committee has jurisdiction to entertain the present protest in terms of Rule 1.4 of the Hero ISL 2022-23 Rules (hereinafter referred to as the “League Rules”), read with Rules 7.2.2, 7.2.4 and Article 70.5 of the Disciplinary Code, 2021.



7. Thereafter, the KBFC submitted that under Law 13.3 of the Laws of the Game, a member of the defending team may, under threat of a caution (i.e., a yellow card), prevent a free kick from being taken quickly by the attacking team. They argued that the Referee denied Mr. Luna from undertaking the abovesaid action and allowed a player from the BFC to take a free kick during the Match, which allegedly accorded an advantage to the attacking team, i.e., BFC.
8. Mr. Srinivas, Mr. Karan and Mr. Pranav were present on behalf of the BFC in the hearing, whereby they submitted that it was for the Hon'ble Committee to consider whether it has the jurisdiction to entertain the present protest report, however, they submitted that there was the free-kick taken by their player, was in no manner, violative of any rules and regulations, and thus, was not illegal.
9. This Committee has also heard the submissions of the Referee, Mr. Crystal John. He submitted that he asked the player from BFC if he wanted the Referee to blow the whistle before taking the free kick, to which he candidly responded in the negative. Thereafter, the Referee informed the defending team, i.e., KBFC to move/step back, multiple times, whereafter the player from BFC took the free kick. He further submitted that there is no rule which directs a Referee to blow a whistle before a player takes a free-kick, and that these are simply management techniques; and that he had acted in accordance with the laws of the game.
10. Furthermore, this Committee has also heard the submission of the CRO, who has submitted that in view of the IFAB Practical Guidelines:
 - i. A whistle is NOT required to restart play from most free-kicks, and



- ii. If the Referee wants the players to wait for the whistle before restarting play, the referee must clearly inform the attacking player(s) to wait for the whistle.

11. The CRO has further submitted in his report dated 04.03.2023 that the conduct of Mr. Luna during the play clearly indicates that there was no confusion regarding the fact that the player from BFC was going to take a free-kick. The relevant extract of his report is reproduced herein below:

“After the initial free-kick was awarded a KBFC player kicked the ball away from the vicinity of the incident and the Match Referee used the vanishing spray to indicate the position of the free kick only. At no time did he imply that the free kick would be taken on the whistle and he even took up a position to the left and slightly behind of the free kick position to allow the kick to be taken; there was no formality to step out the 10 yard distance for the defending wall. Indeed, during the scenario the Match Referee asked the attacking free-kick taker if 10 yards was wanted who confirmed that it wasn't on 2 occasions. In addition, the Match Referee also encouraged the encroaching defending player close to the ball to retreat; this communication is also evidenced by all the other match officials who heard the communications spoken between the Match Referee and the players involved. Had the Match Referee indicated that the free-kick was to be taken on the whistle it would have been very reasonable to expect for the encroaching KBFC player to have retreated but he did not; indeed he attempted to stop the free kick on 2 occasions, therefore, there appeared to be no confusion on his behalf being closest to the incident that the free kick would be allowed to be taken.”



12. In view of the abovesaid facts and circumstances, and the submissions of the parties, at the very outset, this Committee ought to consider whether the present Protest is maintainable in lights of the various rules and regulations.

13. The KBFC has relied on the Rule 1.4 of the Rules to submit that all persons participating in an ISL Match shall be bound by these Rules, and shall also be bound by the Laws of the Game and the AIFF rules and Regulations. Thereafter, the KBFC has also placed reliance on Rules 7.2.2 and 7.2.4 to submit that all refereeing matters as well as matters concerning the Match officials shall be dealt with by this Committee in accordance with the Code or any other applicable regulations. The relevant provisions have been reproduced herein below:

“1.4 Scope and Effect of these Rules:

These Rules shall apply to all persons participating in the Hero ISL (whether by way of owning and / or operating a Club, playing in a Match, acting as a Team Official or Match Official or otherwise acting in connection with the League) and/or any ancillary activities organized by the League. Any person subject to these Rules shall be bound by and comply with the following in relation to the Hero ISL:

1.4.1 the Laws of the Game;

1.4.2 the Regulations including these Rules;

1.4.3 the AIFF Statutes and AIFF Regulations; and

1.4.4 the statutes and regulations of AFC and FIFA;

These Rules shall become effective upon its publication by the League, and shall be applicable from such effective date throughout the Season and the entire Off Season, unless superseded earlier by the Rules published for the next edition of the Hero ISL (wherein during the Off Season, certain provisions contained in these Rules may be superseded by League Directives until superseded by the Rules published for the next edition of the Hero ISL.)



7.2 Jurisdictional Arrangements for Disciplinary action:

7.2.1.

7.2.2. *In the event of any breach of the Regulations, which also gives rise to an alleged breach of the AIFF Disciplinary Code and/or AIFF Code of Ethics vis-à-vis the Hero ISL (as agreed between AIFF and the League), the League having consulted with the AIFF, and basis the action taken by AIFF, may take further action solely in cases where such breach also adversely impacts the commercial interest and/or the reputation of the League. In doing so, the League, based on the decision taken by the AIFF Disciplinary Committee/ AIFF Ethics Committee, may impose sanctions in addition to those imposed by the AIFF Disciplinary Committee/AIFF Ethics Committee if it deems it necessary only to the extent of the adverse impact caused to the commercial interest and/or the reputation of the League. For clarity, appeal against such additional sanction, if any, shall lie only with the ISL Appeal Commission;*

7.2.3

7.2.4 *Besides the above, all Refereeing Matters as well as all matters concerning the Match Officials (unless specified otherwise) shall be dealt with by the AIFF in accordance with the AIFF Disciplinary Code or other applicable regulations. Provided that, in the event any Refereeing Matter and/or matters concerning Match Officials also adversely impacts the commercial interest and/or the reputation of the League, the League may on its own, after notice to the AIFF, take cognizance of such matter and take appropriate action only to the extent of the adverse impact as mentioned hereinabove. For clarity, such action by the League shall be*

regardless of whether the AIFF has taken action or not (after consulting the AIFF about the same).

14. Thereafter, the KBFC has also placed reliance on Article 70.5 of the Code to submit that the provisions of the Code relating to protests against a referee's decision that was an obvious violation of a rule will be applicable. The relevant provision is reproduced herein below:

"70.5. The provisions of this Code relating to protests against Match results affected by a Referee's decision that was an obvious violation of a rule remain applicable."

15. However, the KBFC has failed to note that Rule 7.7.5 of the League Rules clearly states that no protests against a referee's decision regarding facts connected with play will be maintainable, since such decisions of the Referee are final. The relevant provision is reproduced herein below:

"7.7.5 No protests may be made about the referee's decisions regarding facts connected with play, such decisions being final."

16. Furthermore, this Committee is of the view that the KBFC has placed selective reliance on Article 70.5 of the Code. However, a comprehensive and holistic reading of Article 70 clearly evinces that a Referee's decision is binding and final, and it is only in very limited circumstances, i.e., an obvious error such as mistaking the identity of the person penalised, that this Committee can intervene. The relevant provision is reproduced herein below:

"70. Referee

70.1. Decisions taken by the Referee on the field of play are final and generally may not be reviewed by the judicial bodies.



70.2. *In certain circumstances, the jurisdiction of the AIFF Disciplinary Committee may be enlivened (cf. Article 74).*

70.3. *In cases where a decision by the Referee involves an obvious error (such as mistaking the identity of the person penalised), the judicial bodies may only review the disciplinary consequences of that decision. In cases of mistaken identity, disciplinary proceedings may, in accordance with this Code, be opened only against the person who was actually at fault.*

70.4. *A protest against a caution or a sending-off from the field of play after two (2) cautions is admissible only if the Referee's error was to mistake the identity of the player.*

70.5. *The provisions of this Code relating to protests against Match results affected by a Referee's decision that was an obvious violation of a rule remain applicable."*

17. Therefore, in view of Article 70 of the Code read with Rule 7.7.5 of the League Rules, this Committee is of the view that the present Protest is not maintainable.

18. Furthermore, so far as the KBFC's allegation to the extent that the Referee acted in violation of the IFAB Laws of the Game is concerned, Rule 13 of the IFAB Laws of the Game only states that the ball must be stationary and until the ball is in play, all opponents must maintain a distance of 10 yards from it. Also, the practical guidelines for Match Officials prescribed by the IFAB clearly state that the whistle is NOT needed to restart play from most free-kick. The relevant provisions are reproduced herein below:

"Law 13: Free Kicks

13.3 Offences and sanctions



If, when a free kick is taken, an opponent is closer to the ball than the required distance, the kick is retaken unless the advantage can be applied; but if a player takes a free kick quickly and an opponent who is less than 9.15 m (10 yds) from the ball intercepts it, the referee allows play to continue. However, an opponent who deliberately prevents a free kick being taken quickly must be cautioned for delaying the restart of play.

If, when a free kick is taken, an attacking team player is less than 1 m (1 yd) from a 'wall' formed by three or more defending team players, an indirect free kick is awarded.

If, when a free kick is taken by the defending team inside its penalty area, any opponents are inside the penalty area because they did not have time to leave, the referee allows play to continue. If an opponent who is in the penalty area when the free kick is taken, or enters the penalty area before the ball is in play, touches or challenges for the ball before it is in play, the free kick is retaken.

If, after the ball is in play, the kicker touches the ball again before it has touched another player, an indirect free kick is awarded; if the kicker commits a handball offence:

- a direct free kick is awarded*
- a penalty kick is awarded if the offence occurred inside the kicker's penalty area unless the kicker was the goalkeeper in which case an indirect free kick is awarded*

IFAB Guidelines for match officials:

Body language, communication and whistle

1. Whistle:



The whistle is needed to:

- *start play (first and second half of normal play and extra time), after a goal*
- *stop play:*
- *for a free kick or penalty kick*
- *if the match is suspended or abandoned*
- *at the end of each half*
- *restart play for:*
- *free kicks when the appropriate distance is required*
- *penalty kicks*
- *restart play after it has been stopped for a:*
- *caution or sending-off*
- *injury*
- *substitution*

The whistle is NOT needed to:

- *stop play for a clear:*
- *goal kick, corner kick, throw-in or goal*
- *restart play from:*
- *most free kicks, and a goal kick, corner kick, throw-in or dropped ball*

A whistle which is used too frequently/unnecessarily will have less impact when it is needed.

If the referee wants the player(s) to wait for the whistle before restarting play

(e.g. when ensuring that defending players are 9.15m (10 yd) from the ball at a free kick) the referee must clearly inform the attacking player(s) to wait for the whistle.

If the referee blows the whistle in error and play stops, play is restarted with a dropped ball.”



19. Furthermore, the observations made by the CRO in his Report also suggest that there was no confusion regarding the fact that the player from BFC was going to take a free-kick, even though the Referee did not blow a whistle, since Mr. Luna tried to block the free kick on not one, but two occasions. Therefore, the Referee was not in violation of any Rule either.

20. In light of the abovementioned discussion, this Committee, by a majority opinion, is of the view that the present Protest is not maintainable in law, as the conjoint, comprehensive and holistic reading of the League Rules and the Code clearly provide that no protest can be entertained against a Referee's decisions, since the said decisions are final and binding. Furthermore, the facts of the present case depict that the incident does not even fall within the exception carved out in Article 70. 5 of the Code. Thus, the present Protest letter/ report/ petition is dismissed.

A handwritten signature in blue ink that reads "Gaggar" with a horizontal line underneath it.

Mr. Vaibhav Gaggar

Chairperson (For the majority opinion)