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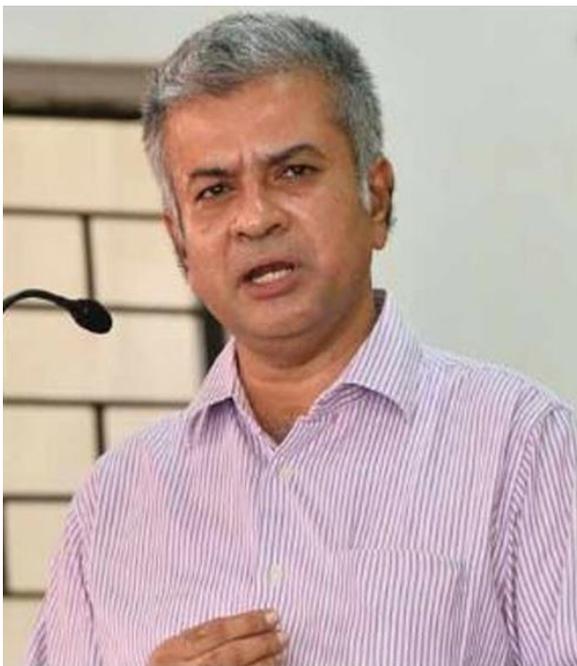
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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you



NAVIGATING THE CONVOLUTION OF INDIAN SPORTS LAW: CHALLENGES AND OPPORTUNITIES

AUTHORED BY - MS. KAVYA* & MS. MEGHNA R. ANAND**

Abstract

In the Indian context, the development and commercialization of sports have been marked by complexity and fragmentation, leading to several challenges. Sports in India have a rich history, with games such as chess, archery, wrestling, and polo being played for recreation in ancient times. However, it was during British rule that sports began to take on a more organized and professional form. The concept of sports is governed under various legislations like Indian contract act when it comes to agreements between companies & sportsmen, trademark and broadcasting rights under Intellectual Property Rights, establishment of employer employee relation, Right to form association, and various rights of a labour under labour law, whereas competition law ensures that governing bodies do not misuse their dominant position or restrict free competition. This article also studies on Dispute Resolution & Role of Arbitration in Dispute Resolution. It also discusses on various Authorities under Sports Law and challenges faced in the field.

Keywords: Sports, Arbitration, Authorities, Dispute Resolution, Association.

1. Introduction

Sports play an integral role in shaping the cultural and social fabric of India, a country known for its rich history, diversity, and love for physical activity. From ancient games like Kabaddi and Kho-Kho to modern sports like cricket and hockey, India has a long-standing tradition of both indigenous and international sports. Over the centuries, sports have evolved, significantly influenced by cultural practices, colonial history, and global interactions. As India moved through its colonial period, sports gained prominence through the introduction of British games, while retaining its traditional forms. Post-independence, the nation's commitment to fostering athletic excellence has grown, with India achieving remarkable milestones in various global sporting arenas.

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This article delves into the history of sports in India, tracing its roots from ancient times, through the colonial era, and into the post-independence period. It highlights key events and achievements that have shaped the sporting landscape, offering insight into how sports became a significant aspect of Indian identity. Furthermore, the article examines the legal framework governing sports in India, including labor laws, intellectual property rights, competition regulations, and the contract laws that affect athletes and sports organizations. It also sheds light on the efforts made by authorities and institutions such as the Sports Authority of India (SAI) and the Indian Olympic Association (IOA) to promote and develop sports at all levels. Also emphasises, the role of arbitration in resolving sports-related disputes is discussed, understanding the importance of efficient mechanisms in the evolving world of sports law. Finally, it analyses the issues and challenges faced in effective implementation of sports law.

2. History of Sports in India

India, a country steeped in history, tradition, and culture, has always been a center for various forms of activity, particularly in the realm of sports. The history of sports in India stretches back to the 4th Century BCE, with traditional games like Kho-Kho and Kabaddi emerging during that time. The ancient city of Dholavira in Kutch, Gujarat, was the world's oldest terraced arena, which was constructed around 3000 BCE, offering proof of the importance of sports in early Indian civilization. The great texts like *Ramayana*¹ and *Mahabharata*² also, mentions about the chariot racing³, horsemanship⁴, military tactics, wrestling, weight lifting⁵, gada mudugar⁶, vahla⁷, martial arts and archery⁸ as outdoor activities of the era. Even indoor

¹ 'Srimad Valmiki Ramayana is an epic poem of India which narrates the journey of Virtue to annihilate vice. Sri Rama is the Hero and *aayana* His journey. We in India believe that Sri Rama lived in *Treta Yug*, millennia BC and we are presently concerned with what Srimad Valmiki Ramayana tells us, rather than when it was told.' - Valmiki Ramayana < Valmiki Ramayana > Accessed 27 January 2025

² 'The *Mahabharata* is an ancient Indian epic where the main story revolves around two branches of a family - the Pandavas and Kauravas - who, in the Kurukshetra War, battle for the throne of Hastinapura' – Anindita Basu 'Mahabharata' (25 August 2016) < <https://www.worldhistory.org/Mahabharata/> > Accessed 27 January 2025

³ In the ancient world, a popular form of contest between small, two-wheeled vehicles drawn by two-, four-, or six-horse teams

⁴ The art of riding, handling and training horses

⁵ Stone Lifting

⁶ It is believed that God's had super natural powers and were sent with weapons, Gada is weapon of Lord Hanuman. Gada mudgar is used by practitioners and athletes for building upper body strength during various sports and fitness activities.

⁷ Javelin

⁸ Archery is the sport, practice, or skill of using a bow to shoot arrows.

games, like pasha⁹, chaturanga¹⁰ and shantranj¹¹, trace their roots to ancient Indian sports¹²

2.1. Sports during the Colonial Period

The arrival of British colonists in India brought a transformative shift to the country's sporting landscape. With their passion for organized sports, the British founded the first cricket club in India in 1792, significantly popularizing the sport across the nation.

While cricket quickly became the dominant sport, other games such as football, tennis, and golf began to take root. The establishment of the Calcutta Football Club in 1872 marked the dawn of organized football in India. The British influence was evident in the formalization of rules and the structure of these sports, drawing Indian athletes into global competitions. Additionally, the British adapted many indigenous Indian games, creating new forms, with badminton being one of the most notable examples.

The British introduced the game of tennis in India and All India Tennis Association was established in the year 1920. Badminton, Billiards and Snooker were introduced. In 1885, the first hockey club was established in Calcutta. The 1895 Beighton Cup took place in Calcutta, with Bombay organizing the 1895 Agha Khan tournament.¹³

As Indians embraced British sports, they also maintained their rich sporting traditions. Kushti¹⁴, or traditional Indian wrestling, continued to flourish and eventually made its mark in the Olympics. Kabaddi¹⁵, a high-energy contact sport that demands both agility and strength, gained widespread popularity in villages throughout the country. Other activities like Ataya

⁹ *Pachisi* is a cross and circle board game that originated in Ancient India. It is described in the ancient text Mahabharata under the name of "Pasha".

¹⁰ Chaturanga is an old Indian two-player board game that was invented at least 1,500 years ago and is believed to be the earliest predecessor of the game of chess.

¹¹ Shatranj is an old form of chess, as played in the Sasanian Empire. Its origins lie in the Indian game of chaturanga.

¹² From Ancient Roots to Modern Glory: India's Sports Story (16 October 2023) < <https://centreforsports.in/from-ancient-roots-to-modern-glory-indias-sports-story/> > Accessed 27 January 2025

¹³ Dr. Shyam Sundar Rath 'Evolution of Modern Indian Sports, National Sports Policy, National Sports Development Code, Olympic Games and other International Sporting Events' < <https://yas.nic.in/sites/default/files/history-of-sports.pdf> > Accessed 27 January 2025

¹⁴ Wrestling

¹⁵ A game played between two teams of seven players, in which individuals take turns to chase and try to touch members of the opposing team without being captured by them

Patya¹⁶, Boat racing, Lathi khela¹⁷, Dands and Baithaks¹⁸, Yogic exercises¹⁹, Lezim²⁰ etc also has been the par of Indian indigenous sports. These indigenous sports, deeply embedded in India's cultural fabric, embodied the true essence of the nation's sporting identity.²¹

2.2. Sports during Pre-Independence Era

The Indian Olympic association was formed in the year 1927. Indian Olympic Association, the sports organizing body of the nation, brought the concept of the National Games to promote the development of sports and of the Olympic movement in India, and was responsible for host city selection

2.3. Sports during Post-Independence Era

After independence in the year Lucknow host the National Games in the year 1948. India has witnessed numerous historic sporting achievements over the decades. In 1958, Lila Ram became the first Indian wrestler to win a gold medal at the Commonwealth Games. Track and field athlete Milkha Singh came close to securing a medal at the 1960 Olympics, breaking the 400m record but missing out on bronze by just 0.1 second. In 1975, India clinched its first Hockey World Cup with a 2-1 victory over Pakistan in Malaysia. Prakash Padukone made history in 1980 as the first Indian to win the All England Badminton Title. India hosted the Asian Games for the second time in 1982 and, in 1983, won its first cricket World Cup by defeating the West Indies. In 1986, P.T. Usha triumphed with one silver and four gold medals at the Seoul Asian Games, while Leander Paes secured a bronze medal in the 1996 Atlanta Olympics. Mahesh Bhupathi became the first Indian to win a Grand Slam title in 1997 by winning the French Open mixed doubles, and in 2000, Viswanathan Anand became the first Indian to win the FIDE World Chess Championship. In 2008, Abhinav Bindra made history by winning India's first individual gold medal at the Olympics in the men's 10m air rifle shooting event. P.V. Sindhu achieved remarkable success in 2016, earning a bronze medal at the Olympics and becoming the first Indian woman to win two individual Olympic medals. After

¹⁶ The game of militant chase

¹⁷ A traditional Bengali Martial Art

¹⁸ Dands are jackknifing push-ups and bethaks are comparable to Western-style deep knee bends. Two different exercises, but together they constitute the core wrestling vyayam regimen

¹⁹ A practice that connects the body, breath, and mind

²⁰ A dynamic physical exercise and drill as a sports dance. It is a folk dance form, from the state of Maharashtra in India

²¹ Supra Note. 13, P- 04

a 41-year wait, the Indian men's hockey team finally secured an Olympic bronze in 2021, Gukesh in 2024 for chess marking another significant milestone in India's sporting journey.²²

3. Legal Regime for Sports in India

3.1. Labour Law & Sports

Sports have entered into a commercialization phase where it is witnessed that Sportsperson work with various sports institutions. Eventually when work happens for consideration it is understood that there shall be an employer and employee liability attracting the provisions of labour law. However it is challenging to make such determination without a straight jacket formula. But in certain instances courts have given their verdict based on labour law. One such case is, *Ratilal B. Ravji Vs. Tata Sports Club & Another*²³. In this case, the question that came before the Bombay High Court was whether sports club come under the definition of the term 'industry' under the Industrial Disputes Act, 1947.

Industry means "*Any business, trade, undertaking, manufacturing, or calling of employees and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen.*"²⁴

The Court relied on Dominant Nature Test²⁵ and identified the fact that the club runs on its own rules and regulations which attracts the definition 'industry'.

Any disparity amongst sportsperson and the administrator can be settled largely through collective bargaining mechanism. Sportspersons also shall have the right to form association²⁶ as enshrined under Indian Constitution which is also facilitated under Trade Unions Act, 1926²⁷.

3.2. IPR and Sports

Intellectual Property (IP) law plays a significant role in the sports industry by safeguarding various aspects such as sporting events, sports brands, and related innovations. IP rights span

²² *Id.*

²³ *Ratilal B. Ravji v. Tata Sports Club & Another* (1998) (1)BOMCR417

²⁴ Industrial Disputes Act, 1947, Section 2(j)

²⁵ In cases where a combination of activities involves both exempt and non-exempt elements and engages employees across the entire undertaking, the nature of the predominant department determines whether the whole undertaking qualifies as an "industry." Given in *Bangalore Water Supply & Sewerage Board v. A. Rajappa* (Bangalore Water Supply Case) 1978 AIR 548, 1978 SCR (3) 207

²⁶ Indian Constitution, Art. 19(1) (c)

²⁷ Trade Unions Act, 1926, Section 2(h)

multiple sectors within the sports field, each offering unique protections. Copyrights, for example, are crucial for broadcasters²⁸, who invest substantial resources to secure the rights to broadcast sporting events, ensuring fans worldwide can enjoy the games. Patents²⁹ drive innovation and technological progress, resulting in the creation of new sporting devices. Trademarks, on the other hand, protect the reputation and goodwill of sports brands, distinguishing them in the marketplace³⁰. Additionally, design rights safeguard the aesthetic value of sports products.

Take a sports bag, for example: it may be protected by multiple forms of IP. A copyright could cover the audiovisual elements used by broadcasters to promote the bag. A trademark would secure the brand's reputation, differentiating it from other similar products. Design law would protect the bag's visual appearance, while a patent might cover any technological innovations that enhance its functionality.³¹

3.3. Competition Act and Sports

With the growth of sports, various governing bodies have emerged to oversee different sports at both the national and international levels. For instance, in India, cricket is governed by the Board of Control for Cricket in India (BCCI), while the All-India Chess Federation (AICF) oversees chess. On the global stage, FIFA governs football, and the International Cricket Council (ICC) oversees international cricket.

Sports worldwide tend to follow a hierarchical or pyramid-like governance structure, where the organizations at the top hold all the power and authority to regulate how the sport operates. These top governing bodies have the final say in decisions, and any team or player who defies their rules could face severe consequences, such as hefty fines or suspensions. However, this pyramid-like structure is a key factor contributing to anti-competitive practices within these organizations. Their immense power often leads them to prevent other entities from participating in the sport, maintaining tight control over the competition and limiting opportunities for outside involvement.

²⁸ Copyright (Amendment) Act, 1994 Section 37

²⁹ Patent Act, 1970 Section 2(1) (m)

³⁰ Trademarks Act, 1999 Section 2(zb)

³¹ Shivani Singh 'Role of Intellectual Property Rights Law in Sports Sector', < <https://blog.ipleaders.in/role-intellectual-property-rights-law-sports-sector/> > Accessed on 28 January, 2025

Before Competition Act, 2002, India had the Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act), which primarily focused on curbing monopolistic practices. However, the MRTP Act was somewhat outdated, as it did not fully address the evolving competitive landscape. The Competition Act was introduced to fill this gap, with its main objectives being to "prevent practices having an adverse effect on competition, promote and sustain competition in markets, protect consumer interests, and ensure freedom of trade."

In India, the Competition Commission of India (CCI) is responsible for enforcing the provisions of the Competition Act. CCI's role is to ensure fair competition in the economy, providing a 'level playing field' for producers and ensuring that markets function in the best interests of consumers. The following provisions are often invoked to regulate competition in India. Prohibition of anti-competitive agreements related to the production, supply, distribution, storage, acquisition, or control of goods and services that negatively affect competition³². The abuse of dominant market positions through practices like unfair purchase conditions, discriminatory pricing, denial of market access, and tying agreements³³.

Despite being relatively new, the Competition Act has made significant strides in regulating competition. The CCI has issued rulings in key cases where organizations have abused their dominant positions, engaged in business conspiracies, cartelization, and bid-rigging, effectively addressing these anti-competitive practices.³⁴

The ICL (Indian Cricket League) Case³⁵

In this case, the Indian Cricket League (ICL) filed a petition against the Board of Control for Cricket in India (BCCI), accusing the BCCI of abusing its dominant position in the market, as outlined under Section 4 of the Competition Act. When ICL entered the Indian cricket market, the BCCI saw it as a direct competitor and used its power to impose various restrictions on anyone associated with ICL. These restrictions included banning players, instructing affiliated organizations to sever ties with ICL-related players, denying access to cricket infrastructure, and disqualifying anyone supporting ICL from receiving advertising and broadcasting rights.

³² Competition Act, 2002 Section 3

³³ *Id.* Section 4

³⁴ Amitoj Singh Chadha 'Role of Competition Law in Sports in India' (2022) < <https://www.g-spr.com/post/role-of-competition-law-in-sports-in-india> > Accessed on 30 January 2025

³⁵ *Pan India Infra Projects Pvt Ltd v Board of Control for Cricket in India* (BCCI) (Competition Commission of India Case No 91 of 2013)

Additionally, BCCI blocked ICL's access to key stadiums under its control, making it nearly impossible for ICL to organize its tournament due to the lack of available venues. In response to these anti-competitive actions, the Competition Commission of India (CCI) launched an investigation. The CCI concluded that BCCI had abused its dominant position in the market by engaging in practices that restricted market access for competitors, as specified under Section 4(2) of the Competition Act.

3.4. Contract Act and Sports

A sports contract is a formal agreement that outlines the terms and conditions between two or more parties, such as athletes, teams, or agencies. The contract must meet several key criteria to be valid under sports law³⁶.

Types of Sports Contracts:

1. **Appearance Contract:** This is an agreement where athletes commit to attending public events or functions in exchange for a specified fee. The terms, such as the event details and compensation, are clearly outlined.
2. **Agency Contract:** A sports agency contract establishes a relationship between an athlete and a sports agency. The agent manages various aspects of the athlete's career, such as endorsements and sponsorships.
3. **Indemnity Contract:** Often known as insurance agreements, these contracts are crucial for athletes who are at risk of injury. They provide financial protection in case of accidents or physical harm.
4. **Standard Player Contract:** This is an agreement between a player and a sports club, where the player agrees to represent the team under specified terms, including salary, performance expectations, and duration.
5. **Endorsement Contract:** These contracts involve athletes endorsing products or services for private sponsors, allowing the sponsor to use the athlete's image or name for promotional purposes.

³⁶ Janani A, 'A Role of Contracts in Sports Law in India' (2023) 1(2) ILE Fortnightly Review 1-3, APIS-3920-0035, ISBN 978-81-964391-3-2.

6. In summary, sports contracts are vital in formalizing the professional relationships and obligations of athletes, teams, and agencies, ensuring that all parties are protected and their agreements are legally binding.³⁷

Issues in Sports Law

1. **Sports Injuries and Liability:** One of the major issues in sports law is the responsibility for player injuries, which can have long-lasting effects. When a player is representing a club or team, the organization is responsible for ensuring the player's safety and well-being. Clubs must take proactive measures to address player health and safety during training and competition.
2. **Employment Issues:** Employment opportunities for athletes remain a significant concern in sports. Many players face challenges securing stable employment within the industry. Governments should take steps to enforce regulations and hold organizations accountable for providing fair employment opportunities for athletes.
3. **Harassment in Sports:** Harassment is an increasingly common issue in the sports world. This includes both **sexual harassment** and issues related to **player seniority**. Female athletes, in particular, are often subject to harassment by male coaches or senior players. To combat this, governments must implement stronger laws and impose severe penalties for any form of harassment to ensure a safe and respectful environment for all participants.³⁸

3.5. National Sports Policy, 1984

The National Sports Policy was initially introduced in 1984 to establish a structured framework for promoting sports in India. It was revised in 2001 and further updated in 2011 to address the evolving needs and challenges of the sports landscape. The policy's primary objectives include increasing sports participation, improving infrastructure, and enhancing India's performance in international sports events.

In 2011, the Ministry of Youth Affairs and Sports introduced the National Sports Development Code (commonly known as the Sports Code) to bring greater efficiency to sports administration in India. The Sports Code was designed to enhance transparency, accountability, and

³⁷ *Id.*

³⁸ *Id.*

governance within sports federations and associations. It outlines specific eligibility criteria for officials, sets limits on age and tenure, and requires regular elections for office-bearers of National Sports Federations (NSFs), aiming to reduce bureaucratic interference and promote better management within sports organizations.³⁹

3.6. National Sports Policy, 2024

The National Sports Policy 2024 envisions "Sports for Nation Building – Harnessing the Power of Sports for the Nation's Holistic Development." Its primary goal is to strengthen the sports culture and ecosystem, from grassroots to the national level, aiming to achieve excellence in sports on the global stage. The policy also seeks to leverage sports for economic growth, use it as a tool for social development, and promote sports as a movement for the health and well-being of the people.

The successful implementation of the policy involves a collaborative effort between the Union Government and State Governments. The Union Government is responsible for developing national policies, providing financial and operational support, establishing regulatory standards, and offering advisory guidance. Additionally, it facilitates major events and creates frameworks that shape the direction of sports development at the national level. On the other hand, State Governments play a crucial role in implementing these national policies locally, managing regional sports infrastructure, organizing grassroots programs, and providing additional financial support. They also monitor progress, adapt the policies to address regional needs, and ensure effective implementation. This partnership ensures the effective execution and regional adaptation of national sports policies.

To achieve the vision outlined in the policy, several key objectives are highlighted:

1. Establish inclusive sports programs for all participation levels, from grassroots to elite athletes.
2. Organize sports competitions and leagues at various levels to create a competitive structure.
3. Implement physical literacy initiatives to foster a culture of sports and physical activity.

³⁹ Aishwarya Agarwal 'Sports Law in India: An Overview' 2024, Lawbhoomi < Sports Law in India: An Overview > Accessed on 02 February 2025

4. Develop a robust system for talent identification and development to nurture future champions.
5. Ensure equitable access to sports infrastructure nationwide.
6. Provide athlete-centric support systems for the holistic development of sportspersons.
7. Promote the use of sports science, medicine, and innovation to enhance performance and well-being.
8. Strengthen governance and institutional frameworks within the sports sector.
9. Overhaul funding mechanisms to ensure the sustainable growth of sports.
10. Drive economic growth through sports-related industries and activities.
11. Use sports as a tool for social development and inclusion.
12. Establish sports as a viable career option for youth.
13. Encourage mass participation in sports and fitness activities to build a healthier nation.
14. Develop systems to reward and recognize both champion and retired athletes.
15. Create guidelines for educational institutions to foster a sporting culture and serve as feeder systems for talent development.

These initiatives aim to build a holistic sports ecosystem that benefits individuals, communities, and the nation as a whole.⁴⁰

4. Sports Authorities in India

4.1. Sports Authority of India (SAI):

It was established in the year 1984. The Sports Authority of India (SAI) plays a pivotal role in supporting and nurturing young talent by providing essential infrastructure, equipment, coaching facilities, and opportunities for competition exposure to ensure their holistic development. It offers comprehensive information on various sports-related courses, schemes, programs, and policies designed to benefit athletes. Additionally, details regarding SAI training centers, the trainees enrolled, and employment opportunities within the sports sector are made available to the public.⁴¹

⁴⁰ National Sports Policy 2024 < National Sports Policy 2022 in English and Hindi.pdf > Accessed 02 February, 2025

⁴¹ Government Website of Sports Authority of India < Website of Sports Authority of India| National Portal of India > Accessed on 02 February 2025

4.2. National Sports Federations (NSFs):

National Sports Federations (NSFs) are autonomous bodies that govern specific sports in India. They are responsible for selecting athletes, organizing tournaments, and promoting their respective sports. It promotes the core principles of sports at a national level within the broader sports framework. NSFOIs are dedicated to the growth and development of athletes, while also supporting both sport for all initiatives and high-performance sports across the country.⁴²

4.3. Indian Olympic Association (IOA):

The Indian Olympic Association (IOA) was founded in 1927, with Sir Dorabji Tata as the inaugural President and Dr. A.G. Noehren as the Secretary General. It is registered as a non-profit organization under the Societies Registration Act of 1860. As a member of both the International Olympic Committee (IOC) and the Olympic Council of Asia (OCA), the primary mission of the IOA is to develop, promote, and safeguard the Olympic Movement in India. In addition to facilitating participation in the Games, the IOA has launched various initiatives in collaboration with multiple stakeholders to advance sports education and Olympic studies. The IOA's membership includes National Sports Federations (NSFs), State Olympic Associations, IOC Members, and other select multi-sport organizations. In line with the Olympic Charter, membership for NSFs primarily comprises organizations that govern sports included in the programs of the Summer Olympic Games, Winter Olympic Games, Asian Games, and Commonwealth Games.

The Indian Olympic Association (IOA) is the governing body for the Olympic Movement and the Commonwealth Games in India. As a member of the International Olympic Committee (IOC), Commonwealth Games Federation (CGF), Olympic Council of Asia (OCA), and the Association of National Olympic Committees (ANOC), the IOA plays a crucial role in sports governance and the welfare of athletes in the country. The IOA is responsible for overseeing the participation of Indian athletes and teams in major international multi-sport events, including the Olympic Games, Commonwealth Games, Asian Games, and other competitions under the jurisdiction of the IOC, CGF, OCA, and ANOC. It is officially recognized by the Ministry of Youth Affairs and Sports.⁴³

⁴² National Sports Federation of India < National Sports Federation of India | Nsfoi > Accessed on 02 February 2025

⁴³ Indian Olympic Association < [Indian Olympic Association](http://www.ioa.org.in). > Accessed on 03 February, 2025

5. Arbitration in Sports Dispute Resolution: Its Role and Significance

Sports-related disputes are common in India, encompassing issues such as contract disagreements, doping violations, and disciplinary actions. To effectively resolve these disputes and avoid protracted court proceedings, arbitration has emerged as the preferred method.

5.1. Arbitration in Sports:

Arbitration is a form of alternative dispute resolution (ADR) that resolves conflicts outside of the traditional court system. Governed by the Arbitration and Conciliation Act, 1996, arbitration in India offers a faster and more specialized approach compared to conventional litigation. This makes it particularly well-suited for addressing issues like player contracts, sponsorship agreements, and doping violations.

5.2. Sports Arbitration Centre of India (SACI):

To address the need for a dedicated body to handle sports-related disputes, the Ministry of Law and Justice, in collaboration with the Ministry of Youth Affairs and Sports, established the Sports Arbitration Centre of India (SACI) in 2012. SACI's mission is to offer efficient and impartial dispute resolution services, particularly for matters involving player contracts, sponsorship issues, or conflicts between sports federations. This specialized institution ensures that sports disputes are resolved in a timely and fair manner.⁴⁴

6. Issues & Challenges in Sports Law

Corruption and Match-Fixing: Corruption in Indian sports, particularly match-fixing in cricket and other popular sports, remains a major challenge. Although laws like the Prevention of Corruption Act, 1988 address corruption in public sectors, there is no dedicated legislation to tackle corruption within sports. While the Maharashtra Control of Organised Crime Act (MCOCA) has been employed to combat match-fixing scandals, there is a pressing need for more comprehensive laws specifically aimed at curbing corruption in the sports sector.

Doping: Doping scandals have marred the reputation of Indian sports. Despite the efforts of the National Anti-Doping Agency (NADA) and adherence to World Anti-Doping Agency (WADA) standards, doping remains a persistent problem, with numerous Indian athletes

⁴⁴ Supra note. 31

testing positive for banned substances in recent years. To address this issue more effectively, there is a need for stricter enforcement, alongside enhanced education and awareness programs for athletes.

Player Rights and Exploitation: Many athletes, especially those in less mainstream sports, face exploitation in terms of wages, working conditions, and access to quality training facilities. Additionally, female athletes continue to face significant challenges, including sexual harassment and unequal pay. A more robust legal framework is needed to protect the rights of athletes, including stronger labor laws and protections against exploitation, especially for women in sports.

Lack of Infrastructure: Despite initiatives like the National Sports Policy and Khelo India, India still struggles with inadequate sports infrastructure. Rural areas and smaller cities often lack access to quality training facilities, which limits the development of grassroots sports and the overall growth of sporting talent in the country.

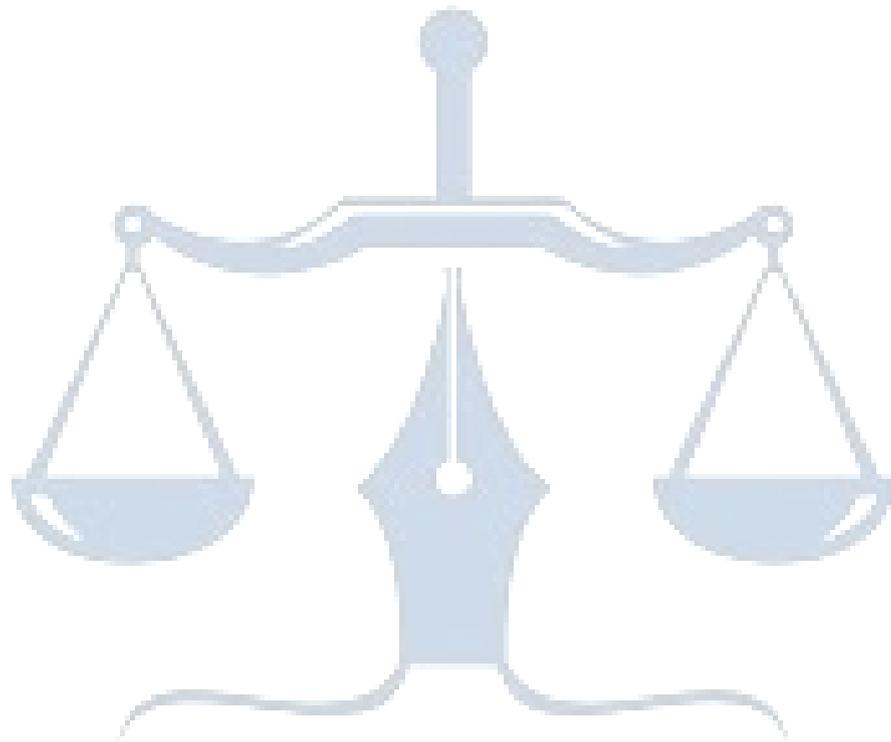
Inconsistent Implementation of the Sports Code: The Sports Code, introduced in 2011, aimed to bring about essential reforms in sports governance, transparency, and elections. However, many sports bodies in India continue to resist the full implementation of the code. The provisions for better governance and transparency are crucial for the effective functioning of sports organizations, but widespread non-compliance hampers progress. Without stricter enforcement and commitment to these reforms, the objectives of the Sports Code will remain largely unmet.⁴⁵

7. Conclusion

In conclusion, the evolution of sports in India reflects the country's rich cultural heritage, its colonial influences, and its modern-day aspirations. From traditional games to global sports, India has witnessed significant growth and success on the international stage, producing remarkable athletes and hosting major sporting events. However, the legal landscape surrounding sports in India is equally crucial to ensure fairness, protect intellectual property, and maintain competition. With the active involvement of governing bodies like the Sports Authority of India (SAI), National Sports Federations (NSFs), and the Indian Olympic

⁴⁵ *Id.*

Association (IOA), the country continues to build a strong sports ecosystem. As India progresses in its sports journey, the focus on comprehensive sports policies, athlete welfare, and legal frameworks for dispute resolution will play a pivotal role in shaping the future of sports in the nation. Though there is no proper legislation to govern sports as a whole, it attracts various other associated laws to address the grievances of sportspersons. Through continued investment in infrastructure, talent development, and legal reforms, India is poised to become a dominant force in the global sports arena.



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LEGAL