

No.F.8-11/2011-SP-III
Government of India
Ministry of Youth Affairs and Sports
(Department of Sports)

Shastri Bhavan, New Delhi

Dated 14th October, 2011

To,

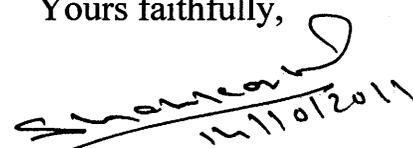
The Presidents and
The Secretary Generals of
Indian Olympic Association and
all recognized National Sports Federations including

Sir/Madam,

I am directed to forward herewith a copy of the revised 'Draft of proposed National Sports Legislation' for your comments and suggestion. The comments/suggestions may please be furnished within 15 day from its publication i.e. 14.10.2011 to the Joint Secretary (Sports), Ministry of Youth Affairs and Sports, Government of India, Room No.504 "B" Shastri Bhavan, New Delhi-110001 or at email : js-sports@nic.in.

Thanking you,

Yours faithfully,


14/10/2011
(Shankar Lal)

Under Secretary to the Government of India

Encl: As above.

DRAFT OF THE PROPOSED NATIONAL SPORTS LEGISLATION

As on 14.10.2011

	THE NATIONAL SPORTS DEVELOPMENT BILL, 2011	
	A	
	BILL	
	<i>To provide for development of sports in India, coordination of national teams for participation in international events, fair and transparent functioning of autonomous sports bodies and welfare measures for sportspersons, promote ethical practices in sports (including elimination of doping practices, fraud of age and sexual harassment of women in sports), to constitute and to establish a Sports Dispute Settlement and Appellate Tribunal to hear appeals and adjudicate disputes relating to sports and for matters connected therewith or incidental thereto.</i>	
	WHEREAS the United Nations in its resolution 58/5 adopted by the General Assembly on the third day November, 2003 recognises sport as a means to promote education, health, development and peace;	
	AND WHEREAS the International Convention adopted on the nineteenth day of October, 2005 at Paris provided for action against doping in sports and India ratified the said Convention on the tenth day of September, 2007;	
	AND WHEREAS the aforesaid convention provides that public authorities and the organisations responsible for sports have complementary responsibilities to prevent and combat doping in sport, notably to ensure the proper conduct, on the basis of the principle of fair play of sports events and to protect the health of those who take part in them;	
	AND WHEREAS it is considered necessary to give effect to the said resolution and to the aforesaid Convention.	
	BE it enacted by the Parliament in the Sixty-second Year of the Republic of India as follows:—	
	CHAPTER I	
	PRELIMINARY	
	1. (1) This Act may be called the National Sports Development	Short title, extent and commencement.

	Act, 2011.	
	(2) It extends to the whole of India.	
	(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for coming into force different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.	
Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) “athlete” means a sportsperson who meets the eligibility criteria for participation in a national or international athletic competition;	
	(b) “Athletic Advisory Council” means a council consisting of athletes who have represented India at an international athletic competition;	
	(c) “athletic competition” means any sport competition in which athletes compete;	
	(d) “Appellate Sports Tribunal” means the Sports Dispute Settlement and Appellate Tribunal established under section 25;	
	(e) “coach” means and includes any person involved with development of skills of an athlete for the sport;	
	(f) “executive body” means a group of elected Office Bearers, nominees of the Athletic Advisory Council who collectively manage and control the affairs of a National Sports Federation or the National Olympic Committee, by whatever name such body may be called;	
	(g) “eminent athlete” means a sportsperson,— (i) who has been conferred with national or international honours in sports for his outstanding contribution in sports; and (ii) who has represented India for not less than three years in international athletic competitions;	
	(h) "General Body" means the body of all voting and non-voting members of a National Sports Federation or the	

	National Olympic Committee;	
	(i) “Indian Olympic Association” means the National Olympic Committee recognized by the International Olympic Committee;	21 of 1860.
	(j) “International Olympic Committee” means the governing body for the Olympic Games;	
	(k) “International Federation” means,--	
	i. a federation recognised by the International Olympic Committee in respect of an Olympic sport; and	
	ii. in respect of non-Olympic sports, a federation which regulates the sport at international level;	
	(l) “Indigenous sports” means sports which have originated in India;	
	(m) “National Anti-Doping Agency” means the apex body to implement anti-doping measures in India;	21 of 1860.
	(n) “national championship” means the annual championship for a sport discipline organised by a National Sports Federation;	
	(o) “National Dope Testing Laboratory” means the dope-testing laboratory set up by the Central Government and accredited by the World Anti-Doping Agency;	21 of 1860
	(p) “National Games” means the games organized biennially by the National Olympic Committee;	
	(q) “National Olympic Committee” means the multi-sport organisation in the country which is recognised as the National Olympic Committee by the International Olympic Committee;	
	(r) “National Sports Federation” means an organisation concerned with Sports, including Paralympic sports or Special Olympic sports organisation, and which has been granted certificate of registration as National Sports Federation under section 18;	
	(s) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;	
	(t) “Office Bearer” means any person who holds the office of President, Vice-President, Secretary General, Joint-Secretary	

	or any other nomenclature used to refer to these offices, in the executive body of the National Olympic Committee or the National Sports Federation;	
	(u) “officially recognised athletic competition” means an athletic competition recognised by the International Olympic Committee or International Federation or Commonwealth Games Federation or National Olympic Committee or National Sports Federation;	
	(v) “Olympic” means the games organized by the International Olympic Committee referred to as Summer or Winter Olympic Games;	
	(w) “Olympic Charter” means the Charter adopted by the International Olympic Committee for the purpose of advancing the Olympic movement;	
	(x) “Paralympic sports” means any sports where athletes with a physical disability compete;	
	(y) “prescribed” means prescribed by rules made under this Act;	
	(z) “public authority” means the authority as defined in section 4 of the Right to Information Act, 2005;	22 of 2005.
	(za) “Special Olympic sports” means the sports in which athletes with any mental disability compete;	
	(zb) “Sports” means the sports specified in the First Schedule;	
	(zc) “Sports Authority of India ” means the society registered under the Societies Registration Act, 1860 for promotion of excellence in sports and wholly controlled by the Central Government;	21 of 1860
	CHAPTER II DEVELOPMENT AND PROMOTION OF SPORTS BY THE CENTRAL GOVERNMENT	
Central Government to take certain measures for promotion and development of sports.	3(1) The Central Government may, by rules, provide for such measures as may be necessary for promotion and development of sports, and welfare of sportspersons including elimination of unethical practices in sports.	
	(2) Without prejudice to the generality of the provisions contained in sub-section (1), may prescribe such measures for all or any of the following, namely:-	
	(a) inclusion of Sports in the First Schedule;	
	(b) rules for constitution of the Athletic Advisory Council;	
	(c) dispute resolution and representation of athletes and other stakeholders in the governance and management of sports;	

	(d) prioritisation of Sports for the purpose of determining the quantum and scale of financial and other assistance to be provided to them;	
	(e) continuing education, healthcare, pension scheme, prevention of doping, prevention of sexual harassment and fraud of age,; and	
	(f) development and promotion of Paralympic sports and Special Olympic sports.	
Power to impose restrictions in national interest.	4. The Central Government, under extraordinary circumstances may, by an order in writing, impose reasonable restrictions in national interest on participation of the national team in international competitions.	
Exclusive rights of National Sports Federations to use certain words in its title.	5. No sports organisation other than the National Sports Federation registered under this Act for a particular sport shall have the right to use the expression “of India” or “Indian” or any equivalent expression in any other language in its title or in any athletic competition controlled by it in India or abroad for that sport.	
Prevention of foreign nationals from representing India in international athletic competitions involving representations of nations.	6. (1) The citizens of India shall be eligible to represent India in an international athletic competition.	
	(2) The Persons of Indian Origin or Overseas Citizens of India shall not be treated as citizens of India for the purposes of sub-section (1).	
	(3) The National Olympic Committee and the National Sports Federations shall comply with the provisions of this Act while selecting the national teams or individual athlete who represent India in international athletic competitions:	
	Provided that wherever rules of the International Federation or the rules and regulations of concerned event have a requirement different from the requirement of citizenship or nationality of any country for participation as its representative, then, the Person of Indian Origin or the Overseas Citizen of India may, with the prior approval of the Central Government, be allowed to represent the national team.	
	CHAPTER III	
	A. SPORTS AUTHORITY OF INDIA	
Duties and functions of Sports Authority of India.	7. (1) Subject to the provisions of this Act, and its financial capacity, the Sports Authority of India shall provide necessary infrastructure, equipment and manpower support to the National Sports Federations for the purposes of development of	

	sports in India and potential sportspersons of international calibre:—	
	(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Sports Authority of India shall perform all or any of the following functions, namely: -	
	(a) holding preparatory coaching camps for the national teams or individual athletes, including core probables, for participation in international competitions as approved by the Central Government;	
	(b) undertake measures to promote drug free sports and eliminate fraud of age, gender discrimination, sexual harassment of women in sports; and	
	(c) make recommendations to the Central Government in consultation with the National Sports Federation from time to time for promotion and development of sports.	
Submission of annual report to Central Government.	8. (1) The Sports Authority of India shall submit annually a detailed report to the Central Government for causing it to be laid before each House of Parliament.	
	(2) Every report under sub-section (1) shall contain—	
	(a) an audited annual financial statement;	
	(b) a comprehensive report of activities and achievements against its approved annual plan;	
	(c) measures taken for coach development;	
	(d) measures taken to promote indigenous sports;	
	(e) measures taken to create facilities for training of elite athletes;	
	(f) details of coaching camps held for preparation of national teams;	
	(g) performance of the activities by the Sports Authority of India including training of athletes and their inclusion in the national team; and	
	(h) details of suitable employment opportunities provided to sportspersons.	
	B.NATIONAL OLYMPIC COMMITTEE	
Duties and functions of National Olympic Committee.	9. (1) The Indian Olympic Association shall be the National Olympic Committee of India provided it maintains the recognition from the International Olympic Committee.	
	(2) The National Olympic Committee referred to in sub-section	

	(1) shall—	
	(a) function as the apex body performing functions and duties assigned to it under the Olympic Charter and in this Act;	
	(b) be responsible for all matters, including selection of athletes, their conduct and performance, pertaining to the participation of athletes from India in international sports event, subject to restrictions imposed, if any, by the Central Government under section 4;	
	(c) be responsible for all matters pertaining to bidding for the Olympic Games or Asian Games or Commonwealth Games or Afro-Asian Games or South Asian Games or any other such multi-sport event, as may be approved by the Central Government and comply with the conditions, if any, mentioned therein in the approval;	
	(d) provide for in-house mechanism for redressal of grievances in and amongst the National Sports Federations affiliated to it;	
	(e) be responsible for the conduct of National Games regularly at an interval of every two years;	
	(f) endeavor to secure availability of playing field and other amenities to athletes; and	
	(g) function as a public authority and comply with the requirements specified in the Right Information Act, 2005.	22 of 2005
Submission of annual report to Central Government.	10. (1) The National Olympic Committee shall submit annually a detailed report to the Central Government for causing it to be laid before each House of Parliament.	
	(2) Every report under sub-section (1) shall contain—	
	(a) audited annual financial statements;	
	(b) a comprehensive report of activities and achievements;	
	(c) measures taken to promote welfare of athletes;	
	(d) measures for elimination of doping in sports activities;	
	(e) measures taken to promote sports for all; and	
	(f) measures taken for effective, expeditious and time bound redressal of grievances in respect of sports.	
	C. NATIONAL SPORTS FEDERATIONS	
National Sports Federation.	11. A National Sports Federation shall be registered for each Sport and shall not be entitled to act as a National Sports Federation for any other Sport.	

Duties and functions of National Sports Federation in certain matters.	12. Every National Sports Federation shall—	
	(a) constitute an Athletic Advisory Council within a period of six months from the date of registration or from the date of coming into force of this Act, if already registered or deemed to be registered;	
	(b) endeavor to secure availability of playing field and other amenities to athletes;	
	(c) make efforts to promote and develop sport all over India spread of the sport;	
	(d) provide for in house mechanism for redressal of grievances for which it is registered;	
	(e) announce, publicize and display on the website the calendar for annual national championships in all categories of Sports for which it is registered, on or before the 31 st day of December of the preceding year; and	
	(f) function as a public authority and comply with the requirements specified in the Right Information Act, 2005.	22 of 2005
Preparation of report and making it public.	13. Every National Sports Federation shall, every year before the 31 st December, publish on its website-	
	(i) its audited annual financial statements;	
	(ii) a comprehensive report of its activities and achievements, particularly with reference to aims and objects mentioned in its memorandum of association or articles of association or bye-laws, as the case may be, and obligations enumerated in this section;	
	(iii) measures taken for effective and time bound redressal of grievances, especially in respect of the athletes; and	
	(iii) measures taken for promotion of sports for all, excellence in sports, welfare of athletes, elimination of corruption doping, fraud of age and sexual harassment of women in sports.	
Certain rights of National Sports Federation.	14. The National Sports Federation alone shall be eligible to—	
	(a) use the expression “of India” or “Indian” or any equivalent in any other language in its title or in any athletic competition controlled by it;	
	(b) represent or purport to represent itself as the National Sports Federation for the sport and represent India in the International Federation;	
	(c) regulate the sport for which it is registered in India;	

	(d) receive, direct or indirect, financial assistance and other forms of support and assistance from the Central Government;	
	(e) select and nominate the national team which shall represent India in international athletic competition for the sport;	
	(f) bid for and host with the prior approval of the Central Government any officially recognised international athletic competition in India subject to the conditions, as may be specified in the approval;	
	(g) organise or conduct any officially recognised sport event, including annual national championship for the sport; and	
	(h) discharge such other functions and duties as may be required by the International Federation.	
	CHAPTER IV ELIMINATION OF UNETHICAL PRACTICES IN SPORTS (INCLUDING ELIMINATION OF DOPING, FRAUD OF AGE AND SEXUAL HARASSMENT)	
	A. ANTI-DOPING MEASURES.	
National Anti-Doping Agency.	15. (1) The National Anti-Doping Agency shall function as the apex body to implement anti-doping measures in sports in India and its code as amended from time to time shall be applicable and binding upon all National Sports Federation and the National Olympic Committee. Provided where the International Federation is not subject to rules/code of the World Anti-Doping Agency or part thereof then the National Anti-Doping Agency shall not administer the rules/code or part thereof as the case may be of WADA for that sport.	
	(2) The Central Government shall provide financial and other assistance to the National Anti-Doping Agency for proper discharge of its functions.	
	(3) The Central Government shall display on its website the anti-doping measures taken by it and details of financial assistance given by it.	
	(4) It shall be the duty of all National Sports Federations, the National Olympic Committee, the Sports Authority of India and other sports bodies and officials and support personnel including coaches, trainers or physiotherapists to prevent doping in sports.	
	B. PREVENTION OF FRAUD OF AGE	
Prevention of wrong disclosure of age by	16. (1) The Central Government may, by notification, make	

sports persons.	rules, for prevention of wrong disclosure of age by an athlete, guardian, coach, trainer or physiotherapist.	
	(2) It shall be the duty of all National Sports Federations, National Olympic Committee, Sports Authority of India and other sports bodies and officials including coaches, guardians, trainers, and physiotherapists, to prevent wrong disclosure of age by a sportsperson.	
	(3) The funding or extent thereof by the Government shall depend upon the compliance with the guidelines set out in sub-section (1).	
	C. PREVENTION OF SEXUAL HARASSMENT IN SPORTS	
Prevention of sexual harassment of women in sport.	17. (1) It shall be the duty of every National Sports Federation, the National Olympic Committee, the Sports Authority of India and other sports bodies to prevent sexual harassment in sports and to ensure their safety and wellbeing.	
	(2) For the purpose of sub-section (1), all National Sports Federations, the National Olympic Committee, the Sports Authority of India and other sports bodies shall adopt or undertake the following measures, namely:-	
	(a) notify, publish and circulate, regulations and guidelines for the safety and well being of all involved in Sports;	
	(b) prescribe rules and issue necessary instructions and orders, for the adherence of the judgment of courts and rules made by the Central Government to prohibit sexual harassment at workplace, for Sports;	
	(c) appropriate systems to ensure healthy relationship between coach and players, especially when they are of different gender;	
	(d) provide for sufficient number of women members in the coaching and support staff for every women's team;	
	(e) provide appropriate conditions for women in respect of work, leisure, health and hygiene;	
	(f) provide reasonable assistance to the affected person and initiate action in law, where sexual harassment occurs as a result of an act or omission by any third party or outsider.	
	(g) to set up a complaint mechanism for redressal of the complaints made by the victim and to ensure time bound disposal of such complaints;	
	(h) to set-up a complaints committee headed by a woman, a special counsellor or other support service, whilst	

	adhering to the principle of maintenance of confidentiality:	
	Provided further that, to prevent the possibility of any undue pressure or influence from within the organisation, the complaints committee shall involve an independent person either from a non-governmental organisation or other body, as the case may be, who is familiar with the issues of sexual harassment.	
	(3) Without prejudice to the foregoing provisions, the Central Government may specify certain other acts which may constitute sexual harassment.	
	(4) The Central Government in consultation with the concerned authorities may make rules prohibiting sexual harassment and provide for appropriate penalties.	
	CHAPTER V REGISTRATION OF NATIONAL SPORTS FEDERATIONS	
Registration of National Sports Federations.	18. (1) On the expiry of a period of one year from the commencement of this Act or such further period as the Central Government, by notification specify in this behalf, no body or association of persons shall function as a National Sports Federation in respect of a sport unless it has obtained a certificate of registration from the Central Government under this Act:	
	Provided that a National Sports Federation which has been granted recognition by the Central Government in the year immediately preceding the year of the commencement of this Act shall be deemed to have been registered under this Act subject to compliance with all other provisions under this Act.	
	(2) The Central Government shall not grant certificate of registration to more than one National Sports Federation for each sport specified in the First Schedule.	
	<i>Explanation.</i> —For the purposes of this section, each National Sports Federation in respect of a particular sport shall regulate all disciplines of that sport (including for men and women, and for all age groups) for which it has obtained the certificate of registration.	
	(3) Every application for certificate of registration under this section shall be made in such form and in such manner and accompanied by such fee as may be prescribed.	
	(4) The Central Government shall have no discretion to reject an application for registration of a National Sports Federation if it satisfies the conditions provided in section 20.	

	(5) Every application made under sub-section (3) shall be accompanied by a copy of the memorandum of association or articles of association or bye-laws, as the case may be, of the federation and also a copy of the relevant documents, if any, relating to the constitution of the federation, indicating there on the following , namely:—	
	(a) the governing body of such federation, its constitution and powers of management and the manner in which its business is to be transacted;	
	(b) the powers and duties of the Office Bearers of the federation;	
	(c) the admission into the federation of various class of members, the qualifications of members, and the exclusion, suspension, expulsion and re-admission of members there from or therein to.	
	(d) any other matter as may be prescribed.	
Deemed registration	19. If an application has not been decided within thirty days from the date of receipt, the registration shall be deemed to have been granted.	
Eligibility criteria for Registration as National Sports Federation.	20. (1) The National Sports Federation shall fulfill the following eligibility criteria for obtaining the certificate of registration, namely: -	
	(a) it shall be a society registered under the Societies Registration Act, 1860 or a company incorporated under section 25 of the Companies Act, 1956 or a trust created under Indian Trusts Act, 1882 with the sole object of the development of that sport;	21 of 1860. 1 of 1956. 2 of 1882.
	(b) it shall have an in-house grievance redressal mechanism for redressal of grievance relating to efficient functioning, election of Office Bearers, truly representative character of the general body, protection of interest of athletes, promotion of the sport, maintenance and audit of accounts, moving of no confidence resolutions and connected internal management matters;	
	(c) it shall have an affiliation with the National Olympic Committee or the International Federation;	
	(d) have an all India presence with State affiliates;	
	(e) should have maintained proper accounts and other relevant records audited annually by a chartered accountant defined in clause (b) of sub-section (1) of	

	section 2 of the Chartered Accountants Act, 1949;	38 of 1949.
	(f) should have held at least two annual National Championships for specified age group at the senior, junior and sub-junior levels;	
	(g) shall provide in its bye-laws or memorandum of association or articles of association in respect of all matters provided under this Act.	
Grant of certificate of registration.	21. (1), On receipt of an application under section 18, the Central Government shall verify the credentials and activities of the applicant with reference to the eligibility criteria for determining its suitability for being registered as a National Sports Federation under this Act.	
	(2) The Central Government shall, grant such certificate of registration to the applicant upon the fulfillment of the requirements under section 18.	
	(3) In the event of a dispute or discrepancy with respect of application or grant of registration, including disputes pertaining to the management or eligibility of a National Sports Federation, Central Government or any other concerned person having an interest in the sport shall refer the matter to the Appellate Sports Tribunal within a period of sixty days of such dispute or discrepancy having been brought to the notice of the Central Government.	
Validity of grant of certificate of registration.	22. The certificate of registration once issued shall continue to be in force until suspended or cancelled by the order of the Appellate Sports Tribunal.	
Suspension or cancellation of registration.	23. (1) The Appellate Sports Tribunal shall, on an application/referral made by the Central Government or by any concerned person having an interest in sport suspend or cancel the registration of a National Sports Federation or impose penalty as per the provision of this Act, if a National Sports Federation is attracting one or more grounds specified in sub-section (2).	
	(2) A reference under sub-section (1) may be made on any one or more of the following grounds, namely:—	
	(a) that concerned National Sports Federation has been suspended or it has been disaffiliated/derecognized by the concerned International Federation or the National Olympic Committee;	
	(b) the concerned Registrar of Societies or Registrar of Companies has reported gross irregularities in internal functioning of a National Sports Federation;	
	(c) the concerned Registrar of Societies or Registrar of Companies has removed the name of the National Sport Federation from its register or has cancelled its	

	registration;	
	(d) that the certificate of registration has been obtained by misrepresentation of material information or by fraudulent means;	
	(e) that the concerned National Sports Federation has failed to hold elections for Office Bearers as provided in its memorandum of association or articles of association or bye-laws or has committed gross irregularities in the election procedures;	
	(f) failed to submit annual audited accounts;	
	(g) the concerned National Sports Federation has misused or unauthorisedly diverted the Government assistance, so found by the Appellate Sports Tribunal;	
	(h) that the concerned National Sports Federation has failed to abide by the requirements specified in section 24;	
	(i) the concerned National Sports Federations has violated the eligibility criteria or the terms and condition of registration;	
	(j) the concerned National Sports Federation has violated any of the provisions of this Act or the rules made thereunder.	
	(3) Whenever the Appellate Sports Tribunal is satisfied that the National Sports Federation has been suspended under clause (a) of sub-section (2), it shall pass an order suspending the registration of the National Sports Federation, for the period the suspension by the concerned Asian or International Federation is in force.	
	4) If the Appellate Sports Tribunal is satisfied that the National Sports Federation has violated any of the provisions of sub-section (b) to (j), it may suspend its registration for a period not exceeding six months; Provided that if the ground of suspension is not rectified and a further period is required for rectification of contravention it may extend the period of suspension, from time to time but in total such period of suspension shall not exceed one year.	
	Provided that no registration shall be suspended or cancelled unless the concerned National Sports Federation has been given a reasonable opportunity of being heard.	
	CHAPTER VI	
	MEMORANDUM OR ARTICLES OF ASSOCIATION OR BYE-LAWS OF THE	

	NATIONAL OLYMPIC COMMITTEE AND THE NATIONAL SPORTS FEDERATION TO CONTAIN CERTAIN PROVISIONS	
Certain provisions to be incorporated in memorandum of association or articles of association or bye-laws of National Olympic Committee and National Sports Federations.	24. (1) Notwithstanding anything contained in any other Act for the time being in force and without prejudice to the provisions of this Act, every National Sports Federation and the National Olympic Committee within one year from the commencement of this Act, shall in its constitution and the memorandum of association or articles of association or bye-laws or rules, as the case may be, make the following provisions if not provided for, with respect to its governance and the conduct of its affairs, namely:—	
	(a) an Office Bearer of the National Sports Federation or the National Olympic Committee shall retire on attaining the age of seventy years:	
	Provided that in the event of an Office Bearer also holding a post in the International Federation, the age limit may be extended for the duration of the term as the holder of a post in the International Federation if his continuance in the International Federation is conditional upon him being an Office Bearer in the National Olympic Committee or the National Sports Federation, as the case may be;	
	(b) the election of the executive body of the National Sports Federation and the National Olympic Committee shall be conducted in a fair and transparent manner at least once in every four years in accordance with the code of elections as may be prescribed;	
	(c) the athletes nominated by the Athletes Advisory Council shall be included in the decision making process of the executive body of every National Sports Federation or the National Olympic Committee:	
	Provided that until an Athletic Advisory Council is constituted, the Indian Olympic Association or the National Sports Federation for the non-Olympic sport shall have the power to nominate athletes to the executive body of the National Sports Federation and the National Olympic Committee;	
	(d) the membership and voting rights in the executive body held by the nominated athletes from the Athletic Advisory Council shall not be less than twenty-five per cent of the total membership and the voting rights of the executive body representing the National Sports Federation or the National Olympic Committee as the case may be;	
	(e) the membership of women in the National Olympic	

	Committee and the National Sports Federation shall be at least ten per cent of its total membership in such National Olympic Committee and National Sports Federation;	
	(f) the eligibility criteria for every candidate contesting an election for the National Sports Federation and the National Olympic Committee shall be the following:	
	(i) he shall be a citizen of India;	
	(ii) he should not have been convicted by any court for any offence involving moral turpitude ;	
	(iii) he has not been declared insolvent;	
	(iv) he shall not of age greater than the age specified by the National Olympic Committee or the National Sports Federation at the time of contesting the election and should not be more than seventy years during the elected tenure;	
	(v) he shall obtain previous sanction from the Government if he is a Government servant and be allowed to hold office for a maximum term of four years or for one term, whichever is less;	
	(vi) he should not have served as an Office Bearer on the executive body of the National Sports Federation or National Olympic Committee for more than two consecutive terms of office each term not exceeding four years:	
	Provided that an Office Bearer, who has held the office as such for two consecutive terms, (each term not exceeding four years), shall be eligible to hold such office after cooling off period of four years from the date on which he vacated the second term:	
	Provided further that this clause shall not apply to any election for the office of President, for which there is no cooling off period;	
	(vii) he shall not be eligible to re-contest for the post of President on completion of twelve years or three terms of office of four years each in that office with or without any break;	
	(2) An Office Bearer shall be suspended from holding the office immediately upon his conviction by a court of law for an offence involving moral turpitude;	
	(3) A Minister in charge of department of sports in the Central Government or any other official of the department of sports in the Central Government or any officer of the Sports Authority of India shall not be eligible to contest for any elected post in the National Olympic Committee or a National Sports Federation until the expiry of five years from the date of	

	relinquishing the charge as such a Minister or retirement or relinquishing of charge by the officials, as the case may be;	
	(4) In case the memorandum of association or article of association or bye-laws or rules, as the case may be, of the National Sports Federation or the National Olympic Committee contains on the date of the commencement of this Act, any provision contrary to the provision of this Act or the rules made thereunder, it shall, within one year from such commencement, amend its memorandum of association or article of association or bye-laws or rules, as the case may be, so as to make it in conformity with the provision of this Act or the rules made thereunder.	
	(5) An Office Bearer of a National Sports Federation shall not be eligible to concurrently hold the post of an Office Bearer in any other National Sports Federation, except the National Olympic Committee where the term served in the National Sport Federation shall not be included in the computation of limitation of tenure;	
	(6) An Office Bearer of a National Sports Federation who has completed one term shall not be eligible to contest for the post of an Office Bearer in another National Sports Federation without meeting the cooling-off period requirement of four years.	
	(7) Every amendment in the memorandum of association or articles of association or bye-laws or rules of a National Sports Federation or the National Olympic Committee so as to bring such amendment in conformity with provisions of sub-sections (1) to (5) shall be passed by a special resolution and before coming into force it shall have to be approved and registered by the Registrar of Companies or the Registrar of Societies, as the case may be.	
	CHAPTER VII	
	SPORTS DISPUTE SETTLEMENT AND APPELLATE TRIBUNAL	
Establishment of Sports Dispute Settlement and Appellate Sports Tribunal.	25. (1) The Central Government shall, by notification, establish an Appellate Sports Tribunal to be known as the Sports Dispute Settlement and Appellate Tribunal to—	
	(a) adjudicate any dispute—	
	(i) amongst Office Bearers or members in the National Olympic Committee;	
	(ii) between the National Olympic Committee and National Sports Federation;	
	(iii) amongst Office Bearers or members of a National Sports Federation;	

	(iv) amongst two or more National Sports Federations or between a National Sports Federation and any other authority;	
	(v) amongst athletes and/or sports personnel and/or technical officials or others and the National Olympic Committee or National Sports Federation;	
	(vi) between sponsors and the National Olympic Committee or National Sports Federation;	
	(vii) Disputes or reference arising out of or in relation to sections 21 and 23 of the Act; or	
	(viii) any other sports related dispute;	
	(b) adjudicate and impose penalty under provisions of this Act.	
Application for settlement of disputes and appeals to Appellate Sports Tribunal	26(1) Any person or body aggrieved by direction, decision or order by the Central Government or the National Olympic Committee or National Sports Federation may prefer an appeal to the Appellate Sports Tribunal.	
	(2) Every appeal under sub-section (1) shall be preferred within a period of thirty days from the date on which a copy of the direction, decision or order is received by aggrieved person or body and it shall be in such form, verified in such manner and be accompanied by such fee as may be prescribed:	
	Provided that the Appellate Sports Tribunal may entertain any appeal after the expiry of thirty days if it is satisfied that there was sufficient cause for not filing the appeal within such period.	
	(3) On receipt of an application or an appeal under sub-section (1), the Appellate Sports Tribunal may, after giving the parties to the dispute or the appeal, as the case may be, an opportunity of being heard, pass such orders thereon as it deems appropriate.	
	(4) The Appellate Sports Tribunal shall send a copy of every order to the parties to the dispute, as early as possible.	
	(5) The application or the appeal made under sub-section (1) shall be dealt with by the Appellate Sports Tribunal as expeditiously as possible and endeavour shall be made by it to dispose off the application or appeal finally within thirty days from the date of receipt of the application or appeal, as the case may be:	
	Provided that where any such application or appeal could not be disposed of within the said period of thirty days, the Appellate Sports Tribunal shall record its reasons in writing for not disposing of the application or appeal within the said period and in any event dispose of the application/appeal within ninety days of the receipt of such application/appeal.	

	(6) The Appellate Sports Tribunal may, for the purpose of examining the legality or propriety or correctness of any dispute made in any application under sub-section (1), on its own motion or otherwise, call for the records relevant to disposing of such applications or appeal and make such orders as it thinks fit.	
Procedure in situation of exigency	27. So far as a dispute concerns an on-field dispute or concerns an immediately forthcoming competition/tournament/league relating to the eligibility/disqualification of a player, such a dispute shall be disposed off by the Appellate Sports Tribunal within the period of 48 hours from the receipt of the application/referral/appeal.	
Exclusion of jurisdiction of Court of Arbitration for Sports	28. The jurisdiction of Appellate Sports Tribunal shall be excluded for disputes or conflicts arising during the Olympic Games, Commonwealth Games or during other similar events organized by the International Federations where the Court of Arbitration for Sports established in Lausanne, Switzerland has the exclusive jurisdiction.	
Composition of Appellate Sports Tribunal.	29. (1) The Appellate Sports Tribunal shall consist of a Chairperson and not more than two other members to be appointed, by notification, by the Central Government.	
	(2) Subject to the provisions of this Act, –	
	(a) a Bench may be constituted by the Chairperson of the Appellate Sports Tribunal with one or two Members of such Appellate Sports Tribunal as the Chairperson may deem fit;	
	(b) the jurisdiction of the Appellate Sports Tribunal may be exercised by the Benches thereof;	
	(c) the Benches of the Appellate Sports Tribunal shall ordinarily sit at New Delhi and at such other places as the Central Government may, in consultation with the Chairperson of the Appellate Sports Tribunal, notify;	
	(d) the Central Government shall notify the areas in relation to which each Bench of the Appellate Sports Tribunal may exercise its jurisdiction.	
	(3) Notwithstanding anything contained in sub-section (2), the Chairperson of the Appellate Sports Tribunal may transfer a Member of such Appellate Sports Tribunal from one Bench to another Bench.	
	(4) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member of the Appellate Sports Tribunal that the case or matter is of such a nature that it ought to be heard by a Bench consisting of two Members, the	

	case or matter may be transferred by the Chairperson to such Bench as the Chairperson may deem fit.	
	Provided that an eminent athlete, sports science specialist or a person with knowledge on doping may be invited by the Chairperson to assist the panel if he considers that matter is of such a nature that it would require the assistance of such a person.	
Selection Committee.	30. (1) The selection of the Chairperson and other Members of the Appellate Sports Tribunal shall be made by the Central Government on the recommendations of the selection committee consisting of—	
	(a) the Chief Justice of India or his nominee — Chairperson;	
	(b) Secretary, Department of Sports –Member <i>ex-officio</i> ;	
	(c) Secretary, in the Ministry of Law and Justice- Member <i>ex-officio</i> ;	
	(d) Secretary, Department of Personnel and Training- Member <i>ex-officio</i> ; and	
	(e) Secretary General, National Olympic Committee or his nominee- Member <i>ex-officio</i> .	
Qualifications for appointment of Chairperson and Members.	31. A person shall not be qualified for appointment as the Chairperson or a Member of the Appellate Sports Tribunal unless he is,—	
	(a) in the case of Chairperson, is or has been a Judge of the Supreme Court or a Chief-Justice of a High Court; and	
	(b) in the case of Members, is or has been a Judge of a High Court.	
Term of office.	32. The Chairperson and every other Member of the Appellate Sports Tribunal shall hold office for a term not exceeding three years from the date on which he enters upon his office:	
	Provided that no Chairperson or other Member shall hold office as such after he has attained the age of seventy years.	
Terms and conditions of service.	33. The salaries and allowances payable to and other conditions of service of the Chairperson and other Members of the Appellate Sports Tribunal shall be such as may be prescribed:	
	Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or a Member of the Appellate Sports Tribunal shall be varied to his	

	disadvantage after appointment.	
Vacancies.	34. If, for any reason other than temporary absence, any vacancy occurs in the office of the Chairperson or a Member of the Appellate Sports Tribunal, the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Appellate Sports Tribunal from the stage at which the vacancy is filled.	
Removal and resignation.	35. (1) The Central Government may remove from office, the Chairperson or any other Member of the Appellate Sports Tribunal, who-	
	(a) has been adjudged an insolvent;	
	(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or	
	(c) has become physically or mentally incapable of acting as the Chairperson or a Member; or	
	(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a Member; or	
	(e) has so abused his position as to render his continuation in office prejudicial to the public interest.	
	(2) Notwithstanding anything contained in sub-section (1), the Chairperson or a Member of the Appellate Sports Tribunal shall not be removed from his office on the ground specified in clause (b), (c), (d) or clause (e) of that sub-section unless the Chief Justice of India on a reference being made to him in this behalf by the Central Government, has, on an enquiry, held, in accordance with such procedure as he may specify in this behalf, reported that the Chairperson or a Member ought on such ground or grounds to be removed.	
	(3) The Central Government may not suspend from office, the Chairperson or a Member of the Appellate Sports Tribunal in respect of whom a reference has been made to the Supreme Court under sub-section (2), until the Central Government has passed an order on receipt of the report of the Supreme Court on such reference.	
	(4) The Chairperson and Members of the Appellate Sports Tribunal may, by notice in writing under their hand addressed to the Central Government, resign their office.	
Staff of Appellate Sports Tribunal.	36. (1) The Central Government shall provide the Appellate Sports Tribunal with such officers, employees and infrastructure as it may deem fit.	

	(2) The officers and employees of the Appellate Sports Tribunal shall discharge their duties under the general superintendence and directions of the Chairperson.	
	(3) The salaries and allowances and other conditions of service of such officers and employees of the Appellate Sports Tribunal shall be such as may be prescribed and shall be met by the Central Government.	
Distribution of business amongst Benches.	37. Where Benches are constituted, the Chairperson of the Appellate Sports Tribunal may, from time to time, by notification, make provisions as to the distribution of the business of the Appellate Sports Tribunal amongst the Benches and also provide for the matters which may be dealt with by each Bench.	
Power of Chairperson to transfer cases.	38. On the application of any of the parties and after notice to the parties, and after hearing such of them as he may desire to be heard, or on his own motion without such notice, the Chairperson of the Appellate Sports Tribunal may transfer any case pending before one Bench, for disposal, to any other Bench or to himself.	
Decision to be by majority.	39. If the Members of a Bench consisting of two Members differ in opinion on any point, they shall state the point or points on which they differ, and make a reference to the Chairperson of the Appellate Sports Tribunal who shall hear the point or points himself and such point or points shall be decided according to the opinion of the majority who have heard the case, including those who first heard it.	
Members etc. to be public servants.	40. The Chairperson, Members and other officers and employees of the Appellate Sports Tribunal shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.	45 of 1860.
Transfer of pending cases.	41. (1) All civil cases in which National Sports Federation or the Indian Olympic Association has been impleaded as party and pending adjudication before any court or authority (other than High Court or Supreme Court) immediately before the date of establishment of the Appellate Sports Tribunal, shall, on such establishment, stand transferred to the Appellate Sports Tribunal.	
	(2) Any case pending before a High Court except under article 226 and/or article 227 of the Constitution, in which the National Sports Federation or the National Olympic Committee is a party and pending for adjudication, may, with the leave of such High Court, be transferred to the Appellate Sports Tribunal.	
	(3) The matters transferred to the Appellate Sports Tribunal under sub-section (1) and (2), maybe heard and adjudicated	

	from the stage at which such dispute was pending in court or authority, as the case may be or hear the matter afresh if it deems so appropriate.	
Bar on jurisdiction of a civil court.	42. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Appellate Sports Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.	
Procedure and powers of Appellate Sports Tribunal.	43. (1) The Appellate Sports Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure 1908, but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Appellate Sports Tribunal shall have powers to regulate its own procedure for expeditious disposal of cases.	5 of 1908.
	(2) The Appellate Sports Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:-	5 of 1908.
	(a) summoning and enforcing the attendance of any person and examining him on oath;	
	(b) requiring the discovery and production of documents;	
	(c) receiving evidence on affidavits;	
	(d) subject to provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or a copy of such record or document, from any office;	1 of 1872.
	(e) issuing commissions for the examination of witnesses or documents;	
	(f) reviewing its decisions;	
	(g) dismissing an application for default or deciding it, ex parte;	
	(h) setting aside any order of dismissal of any application for default or any order passed by it, ex parte; and	
	(i) any other matter which may be prescribed.	
	(3) Every proceeding before the Appellate Sports Tribunal shall be deemed to be judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196 of the Indian Penal Code and the Appellate Sports Tribunal shall be deemed to be a civil court for the purpose of section 195 and Chapter XXVI of the Code of Criminal Procedure 1973.	45 of 1860. 2 of 1974.

Right to legal representation.	44. The applicant or an appellant may either appear in person or authorise legal practitioners or any of its officer to represent his or its case before the Appellate Sports Tribunal.	
	<i>Explanation.</i> —For the purpose of this section “legal practitioner” means an advocate, vakil or an attorney of any High Court and includes a pleader in practice.	
Appeal to Supreme Court.	45. (1) Notwithstanding anything contained in the Code of Civil Procedure, 1908 or in any other law, an appeal shall lie against any order, not being an interlocutory order, of the Appellate Sports Tribunal to the Supreme Court on one or more of the grounds specified in section 100 of that Code.	
	(2) No appeal shall lie against any decision or order made by the Appellate Sports Tribunal with the consent of the parties.	
	(3) Every appeal under this section shall be preferred within a period of thirty days from the date of the decision or order appealed against:	
	Provided that the Supreme Court may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.	
Orders passed by Appellate Sports Tribunal to be executable as a decree.	46. (1) An order passed by the Appellate Sports Tribunal under this Act shall be executable by the Appellate Sports Tribunal as a decree of civil court, and for this purpose, the Appellate Sports Tribunal shall have all the powers of a civil court.	
	(2) Notwithstanding anything contained in sub-section (1), the Appellate Sports Tribunal may transmit any order made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court.	
	CHAPTER VIII EXCLUSION OF RIGHT TO INFORMATION ACT, 2005	
Exclusion of certain information to Right to Information Act as applicable to sports bodies.	47 (1) The National Olympic Committee, National Sports Federation, Sports Authority of India and other bodies dealing with sports referred to in this Act, shall be deemed to be “Public Authorities” as defined under the Right to Information Act, 2005; (2) Notwithstanding anything contained in sub-clause (1) any body which has received an application seeking information under the Right to Information Act, may refuse to provide information on any of the following grounds in addition to the grounds available in the Right to Information Act, 2005 namely:	

	<p>i. queries relating to selection, appointment or exclusion of an athlete, coach, trainer or physiotherapist for participation in an athletic competition;</p> <p>ii. queries relating to quality of performance of an athlete at athletic competitions;</p> <p>iii. queries relating to injuries suffered by an athlete;</p> <p>iv. queries relating to medical health and fitness of an athlete;</p> <p>v. queries relating to the whereabouts of an athlete; and</p> <p>vi. queries relating to test results and information that is confidential under the National Anti-Doping Agency Code.</p>	
	<p>CHAPTER IX OFFENCES AND PENALTIES</p>	
Penalty for wilful failure to comply with orders of Appellate Sports Tribunal.	48. If any person wilfully fails to comply with the order of the Appellate Sports Tribunal, he shall be punishable with fine which may extend to one lakh rupees and in case of a second or subsequent offence with fine which may extend to two lakh rupees and in the case of continuing contravention with additional fine which may extend to twenty thousand rupees for every day during such default continues.	
Penalty for sexual harassment.	49. Without prejudice to any provisions of law, judgment of court and rules made by the Central Government to prohibit sexual harassment, any person (including an Office Bearer of any sports federation or sports committee or a manager or a coach or an athlete) who is found indulging in sexual harassment, shall, be -	
	(a) debarred by the National Olympic Committee and National Sports Federations from participating in any existing or future sports event in any capacity, whether as an Office Bearer of any sports federation or sports committee or a manager or coach or athlete or otherwise:	
	Provided that no person shall be debarred unless such person has been given a reasonable opportunity of being heard.	
	(b) be liable to a penalty of not less than one lakh rupees, as may be adjudicated by the Appellate Sports Tribunal.	
	<p>CHAPTER X MISCELLANEOUS</p>	
Crediting sums realised by way of penalties to the National Sports	50. All sums realised by way of penalties under this Act shall be credited to the National Sports Development Fund Scheme, 1998.	

Development Fund Scheme.		
Protection of action taken in good faith.	51. No suit, prosecution or other legal proceeding shall lie against any authority under the Act for anything which has been done or intended to be done in good faith under this Act or the rules made hereunder.	
Power to amend Schedules.	52. The Central Government may, after consultation with the concerned National Olympic Committee or the National Sports Federation for non-Olympic sports or the Sports Authority of India, by notification, add to or otherwise amend any of the Schedules of this Act, and thereupon the Schedule shall be deemed to be amended accordingly.	
Power to make rules.	53. (1) The Government may, by notification in the Official Gazette, make rules, for carrying out the provisions of this Act.	
	(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—	
	(a) the manner of giving publicity of conducting annual national championship for the sport under clause (e) of section 12;	
	(b) the form and manner in which an application to be made and the fee which may accompany such application for certificate of registration under sub-section (3) of section 18;	
	(c) any other matter as may be prescribed under clause (d) of sub-section (5) of section 18;	
	(d) the code of elections for election of executive body under clause (b) of sub-section(1) of section 24;	
	(e) the form and manner of verification of an appeal and fee to be accompanied under sub-section (2) of section 26;	
	(f) the salaries and allowances payable to and the other conditions of service of the Chairperson and Members of the Appellate Sports Tribunal under section 33;	
	(g) the salaries and allowances payable to and the other conditions of service of the officers and employees of the Appellate Sports Tribunal under sub-section (3) of section 36;	
	(h) any other matter under clause (i) of sub-section (2) of section 43;	
	(i) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules.	
	(3) Every rule and every scheme made and every notification issued under this Act shall be laid as soon as may be, after it is made, before each House of Parliament, while it is in session	

	for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification in the rule or scheme or notification or both Houses agree that the rule or scheme or notification should not be made, the rule or scheme or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme or notification.	
Power to remove difficulties.	54. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:	
	Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.	
	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.	

THE FIRST SCHEDULE

[See Section 3 (2) (a)]

S.No.	Name of Sport
1.	Aero Sports
2.	Archery
3.	Athletics
4.	Atya Patya
5.	Aquatics
6.	Badminton
7.	Ball Badminton
8.	Baseball
9.	Basketball
10.	Billiards and Snooker
11.	Bridge
12.	BodyBuilding
13.	Boxing
14.	Carrom
15.	Chess
16.	Cricket
17.	Cycling
18.	Cycle Polo
19.	Equestrian
20.	Fencing
21.	Football
22.	Golf
23.	Gymnastics
24.	Handball
25.	Hockey
26.	Ice Hockey
27.	Judo
28.	Kabbadi
29.	Kayaking and Canoeing
30.	Karate Do
31.	KhoKho
32.	Korfball
33.	Mallakhamb
34.	Mind Sports
35.	Motor Sports
36.	Netball
37.	Paralympic sports

38. Polo
39. Powerlifting
40. Rowing
41. Roller Skating
42. Rugby
43. SepakTakraw
44. Shooting
45. Shooting Ball
46. Softball
47. Soft Tennis Ball
48. Special Olympic Sports
49. Sports for Deaf
50. Squash
51. Table Tennis
52. Taekwondo
53. Tennis
54. Tenni-koit
55. Tennis ball Cricket
56. Ten Pin Bowling
57. Triathlon
58. Throw ball
59. Tug of war
60. Volleyball
61. Weightlifting
62. Winter Games
63. Wrestling (Free style and Greco Roman)
64. Wrestling (Indian Style)
65. Wushu
66. Yachting