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BALANCING POWER AND PLAY: DECODING THE NATIONAL SPORTS GOVERNANCE ACT, 2025

~ *Ayushi Malhotra*

Introduction:

Though India has achieved remarkable success in sports on the world stage, the administration of sports in the country has been slower to catch up. The persistent lack of accountability in sports governance has repeatedly hindered the growth of potential athletes. As noted by Justice Bhat and Wakri, “Sports administration, the way it is run in India, through coteries, cabals, manipulations and intrigues, seems to discourage a vast majority of the population from devoting itself to athletics, shooting, judo, table tennis, gymnastics, soccer, boxing, fencing and the like.”¹

India’s sporting governance has evolved through various guidelines from 1975 to 2011, most notably the National Sports Development Code of 2011. Yet, these attempts were largely unsuccessful and had limited impact due to opposition from powerful administrators resistant to enforcement and transparency.² For example, the Indian Olympic Association (IOA) was disbanded in 2012 for allegations of corruption, in violation of the Olympic Charter. Similarly, Hockey India faced administrative backlash due to internal power struggles.³

These mismanagement incidents have repeatedly overlooked the capabilities and possibilities of the athletes. For instance, the Commonwealth Games (CWG) Scam in 2010, in which approximately ₹7,000 crore was embezzled from funds earmarked for the development of

¹ Qaiser Mohammad Ali, Why India’s Sports Administrators Hate To Adopt a National Sports Development Code, Outlook India (Feb. 7, 2024)

<https://www.outlookindia.com/sports/national-sports-governance-bill-2025>

² Prof. (Dr.) Subhrajit Chanda & Dr. Deevanshu Shrivastava, National Sports Governance Act, 2025: Reform or Reinforced Control?, Law School Policy Review (Sept. 5, 2025).

³ India Olympics Ban Lifted After New Officials Elected, BBC (Feb. 11, 2014)
<https://www.bbc.com/news/world-asia-india-26131471>

athletes, is arguably the largest scam in India, a country filled with scandals, and resulted in around only half of this amount being spent, an egregious act of fraud in sport in India.⁴The All India Football Federation (AIFF) was also suspended by FIFA in 2015 for repeatedly breaching FIFA Statutes and failing to establish compliance in sports governance. Once again, these facts highlight the urgent need to revisit policies and procedures.

In accordance with the instructions of the Hon'ble Supreme Court in the matter of the Board of Control for Cricket in India (BCCI), the Lodha Committee Reforms recommended the complete overhaul of Indian Cricket, including recommended severe penalties to organisations that did not demonstrate any serious effort to implement transparency and accountability in sports governance.⁵

The National Sports Governance Act, 2025: Background and Purpose

The National Sports Governance Act of 2025 stemmed from these problems of improper administration and seeks to produce a reform agenda for sport administration & governance in India that aims towards ethical conduct, athlete welfare, and institutional standards. In addition, India's growing aspiration, for instance, the chance to host the Olympics in 2036, led to the urge for a modern regulatory structure that aligned with international best practice. The athletes' welfare, fairer selection processes, and gender equity were largely treated as secondary to the politics of administration without a regulatory framework.⁶

The Act strives to balance the regulation of sports with the support and protection of athletes. Key provisions include the creation of National Sports Bodies (NSBs) and a National Sports Board, election monitoring, financial transparency, and safe sports policies. Together, these measures aim to enhance institutional authority while ensuring fairness, inclusion, and athlete-centric policies, reflecting a continued emphasis on the balance between power and play, a core theme of the Act.⁷

⁴ Commonwealth Games Scam, The Times of India (Feb. 7, 2020), <https://timesofindia.indiatimes.com/miscellaneous/commonwealth-games-scam/articleshow/56032112.cms>

⁵ 5 An Overview of the Lodha Committee," FreeLaw, 04 July 2022 <http://www.freelaw.in/legalarticles/An-Overview-of-the-Lodha-Committee>

⁶ Outlook Sports Desk, India's Sports Governance Bill to Be Tabled in Parliament-Here Are Key Talking Points, Outlook India (July 23, 2025) <https://www.outlookindia.com/sports/national-sports-governance-bill-2025-key-talking-points>

⁷ Marwah, Aeshita, Reforming the Rules of the Game: A Legal Analysis of the National Sports Governance Act, 2025, The IP Press (Sept. 12, 2025) <https://www.theippress.com/2025/09/12/reforming-the-rules-of-the-game-a-legal-analysis-of-the-national-sports-governance-act-2025>

Institutional Framework: National Sports Bodies and Autonomy

One prominent aspect of this legislation is the establishment of National Sports Bodies, i.e., the National Olympic Committee, the National Paralympic Committee, and a National Sports Federation for each sport. The federations themselves and their regional subdivisions are now officially governed by statute. The national bodies will be affiliated with their respective international federations and will also have local affiliates at the state and district levels.

The bodies are also required to establish specific committees to run their affairs, to follow a code of ethics prescribing how members, affiliates, athletes, coaches and sponsors are to conduct themselves, and to have a grievance redressal mechanism for complaints made by such persons. Centralisation gives the government the power to enforce ethical and administrative standards on these organisations, to prevent the irregular and unplanned approach to administration that characterises organisations like the IOA or Hockey India. There are improvements for athletes who may want to represent Canada in international competitions by linking the organisations to international federations, meaning that at least "the play" of sport can be evident.⁸

For example, Rule 27 of the Olympic Charter states that National Olympic Committees and their member federations must maintain their independence and be free from governmental or external pressures, whether political or legal. If procedural or structural safeguards are not in place, the NSB's power to revoke or dissolve federations could be abused, as was the case when the IOA was suspended in 2012 due to government interference and governance issues.

There are a number of international examples that illustrate this caution. In 2010, the IOC suspended Kuwait's Olympic Committee, also for political interference; Pakistan was subsequently warned that its Olympic Committee would meet a similar suspension in 2014 under the same rationale. In Canada, we still see politically appointed or retired bureaucrats holding leadership roles in many of the major sports federations, generally without any accounting for training in the technical aspects of those sports. These include the Chautala family in boxing and table tennis, or Vijay Kumar Malhotra in archery. Thus, while the

⁸ The National Sports Governance Bill, 2025, PRS India
<https://prsindia.org/billtrack/the-national-sports-governance-bill-2025>

oversight of the NSB is necessary, unchecked concentrations of power and insufficient transparency can dilute independence and credibility.

Electoral Reforms and Financial Accountability

The Act creates a National Sports Election Panel to ensure consistency in the election processes across sports federations. However, the inclusion of recommendations by the Central Government for appointing members of the panel raises the risk of turning what should be an independent, unbiased group into a potentially politicised body. A collegium-style process comprising retired judges, highly regarded athletes, and representatives from the National Sports Board could limit executive authority while ensuring transparency, fairness, and institutional balance.

Another factor of importance to the Act is financial accountability. The act stipulates that federations that have gained recognised status must have proper books of accounts and provide independent audits, all in accordance with the Act, and be able to show their use of funds satisfies performance indicators. This section of the Act was designed to tackle decades of unaccountability in expenditure and the misuse of funds in sport governance at local, territorial, or national levels. For example, the Comptroller and Auditor General (CAG) has pointed to repeated expenditure irregularities on behalf of national federations and state sporting associations in expenditure patterns (i.e., travel claims were increased and funds earmarked for athlete development or other sport purposes were used for other purposes). This section of the Act is intended to ensure that cross-government funding should include accountability of linking compliance with audited performance indicators to professionalise management and eliminate rent-seeking behaviour; however, these accountability standards for financial governance will only add to the impact of reform if they are proactively enforced and made publicly accountable. If not, federations will continue to operate unaccountably, directly opposed to the aims of the reform.

Dispute Resolution and Athlete Welfare

The disputes relating to governance, electoral matters, and recognition matters will be handled through the National Sports Tribunal (NST), which will also assist in avoiding or lowering the number of disputes that need resolution in the High Court. The NST will comprise a retired Supreme or High Court judge together with two other people with suitable experience. This will be a new position replacing the Deputy President position from the old NTS model, and the Tribunal will be given powers to act with quasi-judicial functions. However, the NST will

not be completely independent as the executive will appoint members from of its own. Moreover, there will be no clear relationship defined between the NST and the Court of Arbitration for Sport (CAS). This ambiguity over jurisdiction may make it confusing for athletes as to where to seek resolution for dispute settlement and impact the Tribunal's effectiveness.

The Act is a step forward in that it includes provisions for affordable sports and welfare protections for athletes. Moreover, it includes protections for gender inclusiveness, harassment protections, and health-related protections. Though it still does not include many important aspects that are integral to a comprehensive Athlete Bill of Rights, namely, mental health programming, protections in relation to contracts, career transitional support, and rights relating to the athlete's personal image, data use, and performance. Due to the lack of these rights, athletes will continue to be vulnerable, and any proposed transparency provisions are unlikely to help. For example, numerous international examples indicate relatively strong commitments to creating enforceable protections that benefit athletes, including the Larry Nassar situation in the U.S. gymnastics and the Safe Sport Framework in Canada.

Constitutional and Legal Challenges

The National Sports Governance Act of 2025 could be challenged on the constitutionality of federalism and autonomy. While Entry 33 of List II (State List) expressly states that the states are to have jurisdiction over sports, the Union will rely on Entry 10 relating to international treaties and Entry 13 of List I, both of which give jurisdiction to enact laws, and Entry 97 of Article 248 (residuary powers/use of the word "and"), to uphold its regulation of national and international governing bodies of sports. However, this level of centralisation will violate or infringe on the autonomy of the states. Federations could also argue that unregulated interference constitutes a violation of their right to associate under Article 19(1)(c).⁹In *Zee Telefilms v. Union of India* (2005) the Supreme Court recognised the BCCI's independence from government control as paramount, even though BCCI was performing a public function, on the basis that independence and impartiality were essential to the integrity of a sport. The National Sports Tribunal could face similar challenges, but appointing a challenge would require an argument like the one recognised in *L. Chandra Kumar v. Union of India* (1997),

⁹ Constitution of India, art. 19(1)(c).

¹⁰perhaps, which recognised Judicial Review as a remedy to excessive concentration of a tribunal's power.

Conclusion: Towards an Accountable, Transparent, and Athlete-Centric Framework

The National Sports Governance Act, 2025, is a landmark initiative in India's effort to reform and modernise sports administration, indicative of its aspirations to be a global sporting power. However, it is a work in progress--ambitious but still a work in progress. It relies on being updated to secure athlete rights, respect federation independence, and encourage participatory governance; otherwise, it could reproduce the same inefficiencies it sought to eradicate.

With India's attempt to host the 2036 Olympics, sincerity in reform and transparency are essential to establishing international credibility. If brought about inclusively, the Act could provide a basis for athlete-driven governance and possibly a higher global standing for India; if this does not happen, we could see the Act become another instrument of bureaucratic control. The choice will be the essence of what direction India's sport will head towards under its aspirations to be a dependable host nation.¹¹

¹⁰ L. Chandra Kumar v. Union of India, (1997) 3 SCC 261

¹¹ Prof. (Dr.) Subhrajit Chanda & Dr. Deevanshu Shrivastava, National Sports Governance Act, 2025: Reform or Reinforced Control?, Law School Policy Review (Sept. 5, 2025).