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THE JURISPRUDENCE OF THE DIGITAL FIELD: ADDRESSING ALGORITHMIC BIAS AND THE LEGAL LITERACY GAP IN THE EVOLUTION OF INDIAN SPORTS LAW

~ *Rishabh Pandey and Humza Kurlawala*

Abstract

The contemporary sporting landscape is undergoing a paradigm shift, transitioning from a purely physical contest to a data-driven digital ecosystem. This research paper explores the evolution of sports law through the lens of artificial intelligence (AI), data governance, and the emerging statutory framework in India. At the heart of this transformation is the ‘digital field’; a conceptual and legal space where biometric data, performance analytics, and algorithmic decision-making convergence occur. The analysis evaluates the *National Sports Governance Act (NSGA), 2025* and the *Digital Personal Data Protection (DPDP) Act, 2023*, assessing their efficacy in protecting athlete rights and providing access to justice. By identifying critical gaps in current regulations particularly regarding implicit coercion in data collection and the lack of specialized expertise in the newly established *National Sports Tribunal (NST)* this paper proposes a co-ownership model of data sovereignty. It argues that while India has moved from a non-binding executive code to a statutory regime, systematic reforms are required to address the power asymmetries between athletes and sporting institution. The report further examines the ethical dimension of AI-driven scouting, the dual loyalty trap forced by team physicians, and the environmental sustainability of the digital infrastructure supporting modern sports. The research identifies critical failures, such as the narrowing of RTI access under *Section 14(2)* of the *NSGA, 2025* and the static composition of adjudicatory bodies that lack sport specific technological expertise. Ultimately, the paper advocates for a ‘co-ownership model’ of data sovereignty and the enactment of an *Athlete Bill of Rights*. This ensures that India’s 2036 Olympic bid is supported by a legal framework that protects athletes as empowered stakeholders rather than mere data points

Keywords

Sports Law, Artificial Intelligence, National Sports Governance Act 2025, digital personal data protection act (DPDP), Athlete data sovereignty, biometric surveillance, National Sports Tribunal, Algorithmic Bias, Lex sportiva

1. Introduction

1.1. *The Evolution of Lex Sportiva*

Sports law has always been something of a legal chameleon. It is not a single, unitary body of law but rather a hybrid disciplines a patchwork of contract, tort, property, and administrative principles tailored to the unique world of athletic competition. For more than a century, the governing philosophy of this field was sporting autonomy. Under this model, private organization like the *International Olympic Committee (IOC)* and the *Board of Control for Cricket in India (BCCI)* operated as ‘private clubs’, largely immune to the interference of national courts. This era of lex sportiva prioritized the internal rules of the game over the general laws of the land. However, as we move through 2026, the very nature of the field has changed. We have entered the era of the digital field a conceptual and legal space where an athlete’s physiological signals, biomechanical efficiency, and cognitive states are harvested as raw material for algorithmic processing. The integration of AI in sports isn’t just a technical upgrade it is a minefield of algorithmic bias. Most models today are trained on historical databases that, frankly, just bake in existing societal inequalities. In India, if a scouting AI is fed data mostly from elite, urban academies, it is naturally going to undervalue raw talent from rural districts or marginalized communities’ kids whose metrics have literally never been captured by the system. This is not just a glitch, it is a structural crisis that threatens the constitutional mandate of equality under **ARTICLE 14**. we were watching sports law evolve from simple, association-based rules to these massive, tech-heavy statutory regimes. Historically, sports law was a bit of a hybrid part contract, part tort operating under the self-governed banner of lex sportiva. But the 21st century has moved the game to a digital field that goes way beyond the stadium. We were talking wearables, AI sensors, and smart fabrics creating a constant stream of biometric data.as this tech gets embedded into training the line between performance enhancement and invasive surveillance is getting dangerously blurry.

Indias journey here is unique we have gone from the Vedic roots of *Malla Yuddha* and Archery to a modern legal architecture that was basically a British import. For a long time, that amateur

model worked. But the commercial explosion of the IPL turned sport into a massive industry, making those old, informal rules totally obsolete. The catalyst of This research is simple technology is moving at an exponential rate AI scouting and injury prediction are now standard but the legal guard rails are barely crawling behind for decades, we relied on the *National Sports Development Code of 2011*, which was really just a bunch of guidelines without any real teeth. The *National Sports Government Act (NSGA) 2025* is a huge turning point, providing our first real statutory framework. At the same time, the Digital Personal Data Protection (DPDP) Act, 2023, changed the game for how athlete data is handled. The DPDP Act says the consent must be free and informed, in the context of professional sports, the power asymmetry between multibillion-dollar franchises and individual athletes suggests that informed consent may often be a theoretical construct rather than a practical reality. The 2025 IPL season showed us exactly where this is going robot dogs like *Champak* for tactical shots and AI system predicting auction values with scary accuracy If the National Sports Board relies on this biased algorithm for national selections, it institutionalizes a form of Digital casteism or geographic exclusion.¹ The law must therefore mandate algorithmic audits to ensure the scouting of AI is trained on diverse datasets that account for the grit and nontraditional techniques of India's rural talent pool.

This report dives into the tension between these new laws and AI. We have *the National Sports Board and the National Sports Tribunal (NSB) and (NST)* now, but there are concerns that the static composition of the National Sports Tribunal (NST) may lack the specialized technological and sport specific expertise required to adjudicate complex digital disputes We also have to face the Orwellian risk when every heartbeat and sleep pattern is recorded an athlete's body just becomes a data point in a \$193 million market². It is a consent paradox an athlete consents in their contract but if they refuse to wear a tracker they are getting dropped. Period. By looking at international best practices and the technicalities of the DPDP Act, I am arguing that we need a dedicated Athlete Bill of Rights. Without it the NSB and big franchises hold all the cards we need a model of data sovereignty where athletes actually own their biometric signatures. In the 2025 season, we saw 'digital twins' and sensors monitoring neuromuscular fatigue in real time teams say it is for injury prevention but it turns biology into a financial liability. If an AI predicts a 20% drop in a bowler's ligament health the data might

¹ Lakhina, T. (2025, May 6). Meet 'Champak': IPL's viral robot dog that's winning hearts and redefining broadcast innovation. The Times of India

² Market Research Future. (2024). India sports analytics market research report

be hidden from the player but used by the team to bench them or tank their auction value. Ultimately, algorithmic bias is a wall standing in the way of democratizing Indian sports. Most AI models are trained in urban centers with clean data; this creates a rural data desert. A wrestler from a village *akhada* might have elite power but because they don't fit the biochemical curve of an urban-trained model, they get ignored. Legally, that's a breach of Article 14. We have to bridge this gap between technology and justice to ensure the digital field empowers athletes instead of just exploiting them.

1.2. *The Emergence of the Digital Field*

As the sporting arena transitions into a data-driven ecosystem, the traditional boundaries of sports law are being tested. This paper proposes the term *Lex Digitalis* to define the new legal frontier where the rights of the athlete are mediated through algorithmic processing and digital surveillance. Unlike the older *Lex Sportiva*, which focused on administrative autonomy, *Lex Digitalis* necessitates a statutory framework centered on data protection and algorithmic accountability. This digital field represents a conceptual space where an athlete's physiological signals and performance metrics are harvested, necessitating a shift from sporting autonomy to digital sovereignty.

Objectives

- To analyze the statutory impact of the National Sports Governance Act 2025 on the institutional autonomy of National Sports Federations in India.
- To evaluate the efficacy of the Digital Personal Data Protection Act 2023 in safeguarding the sensitive biometric and health data of professional athletes.
- To identify the systematic gaps in the National Sports Tribunal's dispute resolution framework, particularly regarding technological and AI-related grievances.
- To discuss the proposed 'Co-ownership Model of Data Sovereignty' that balances the commercial interests of franchises with the privacy rights of athletes.
- To frame a comprehensive Athlete Bill of Rights that addresses the ethical challenges of algorithmic bias and implicit coercion in sports contracts.

2. Methodology

2.1. Research Design

This paper adopts a hybrid research methodology, combining a doctrinal analysis of statutory instruments such as the National Sports Governance Act, 2025 with qualitative empirical

research. This approach allows for a comprehensive understanding of the intersection between sports law, data privacy, and athlete's rights in India.

2.2. Sampling and Data Collection

The study utilized purposive sampling to ensure the data reflects high level professional insights, from diverse socio-economic backgrounds. Primary data was gathered through semi-structured interviews with a cohort of elite stakeholders, including:

- i. An Olympian and International Combat Sports Athletes.
- ii. Technical experts and coaches specializing in Mixed Martial Arts(MMA), Long Jump, and Track events.
- iii. A Cross-Section of Athletes representing both traditional rural backgrounds and modern urban training systems.

A structured framework comprising eight core questions was employed, focusing on critical themes data sovereignty, transparency, equity, governance, and legal literacy. This sampling strategy was designed to capture the ground reality of how biometric surveillance and digital selection tools impact athletes at different stages of their careers.

2.3. Thematic Analysis

The empirical data gathered from These interviews highlights a legal vacuum where athletic performance is prioritized over fundamental digital rights. Below is the analysis categorized by legal themes.

Theme	Insights from Experts
The Digital Divide	Strong agreement that relying on apps/videos tests for selection disadvantageous rural athletes. High-definition cameras cannot measure Jigar (courage) or raw talent found in akharas.
Biometric Privacy	While urban / pro athletes are aware that coaches see their data there is zero transparency regarding the secondary use or long-term storage of heart rate and GPS data.
Trust in Medical Staff	Athletes are conflicted the team physician is often viewed as a Quality Control Inspector for the club rather than a confidential healer.

Legal Literacy	A critical gap exists. Most athletes sign contracts without reading them. The experts suggested right workshops in hinglish and regional languages as a preventive measure
Board Governance	Merit athletes in federation are often seen as decoration with no real executive power to change rules which remain in the hands of babus (officials)

Table 1: Thematic Analysis of Expert Interviews on Digital Rights and Governance

The first insight noted that wearing a tracker is seen as discipline and athletes fear being dropped if they refuse. Under **Section 6** of the *DPDP Act 2023* consent must be free specific informed and unconditional however the power imbalance in professional sports where a federation controls an athletes career renders this consent legally questionable.

If an athlete feels they must agree to biometric tracking to maintain their spot on the team, the consent is coerced, not free, potentially violating the *DPDP Act*. *The need for several critical legal, ethical, and structural interventions in the evolving Indian sports landscape is as follows:*

2.3.1. Indian Wrestling Subject [Interview on Data transparency]³. This meeting topic was focused on the intersection of athlete rights and institutional transparency which analysed ground level enforcement gap in a sport where traditional coaching is often clash with modernity this testimony provides evidence of how athletes are unaware of their rights under any act particularly concerning how their performance used by federations.

2.3.2. National Gold Medallist in Long Jump State-level, coaching specializing in talent identification and biomechanics in track and field.⁴ This meet was completely focused on urban academy, their bias and talent identification. Here, athlete's experience supports our Algorithmic Justice dimension. His testimony likely addresses how automated scouting or data driven selection favours athletes from elite, tech-heavy urban academies. This creates a normative framework argument for ensuring AI doesn't entrench existing socio-economic biases in Indian athletics.

2.3.3. Elite combat athlete trained under Coach Chaitanya Gavali National MMA Champion with global competitive experience.⁵

³ Interview with Anonymous Indian Olympian Wrestler, in Mumbai, India (Feb. 15, 2026)

⁴ Interview with Raman Mishra, Athletics Coach, Sports Authority of India (SAI), Maharashtra State (12/03/2026)

⁵ Interview with Aditya Bhosale, National MMA Champion and Karate Black Belt, in Mumbai (08/03/2026).

Meeting with him was focused on how Contribution to the Digital Sovereignty analysis, specifically focusing on the ethical implications of biometric tracking and the necessity of informed consent for professional athletes. Biometric tracking privacy in professional Mixed Martial Arts. As a high-level combat athlete, Bhosle's testimony is central to your Digital Sovereignty argument. He likely provides the coercive reality perspective where fighters feel they must submit to 24/7 biometric monitoring (heart rate, sleep, recovery) to keep their contracts, often without clear informed consent or Lex Digitalis protections.

2.3.4. Pro fighter⁶ and Amateur fighter⁷ (Professional and Amateur MMA Fighters)
National-level medallist with a 19-2 competitive record Matrix Fight Night (MFN) featured athlete; and Professional combat athlete National Muay Thai Champion trained at Tiger Muay Thai (Thailand) Representative of India at the Asia Championships multidisciplinary champion in Boxing and Kickboxing

Meeting with them focused on Group discussion on team physicians and Legal Literacy. This duo highlights the Integrity of the Person and the Legal Literacy Gap. The Physician Role They likely discuss the conflict of interest where team doctors answer to the promotion/team rather than the athlete's long-term health. Legal Literacy Their contrast between professional and amateur experiences likely proves your point about the total collapse of legal awareness once athletes return from international hubs to the domestic Indian circuit. Offered critical insights into the Legal Literacy Gap, contrasting high levels of data monitoring in international hubs (Thailand) with the lack of data protection awareness in the Indian domestic circuit. Provided testimony on the Power Imbalance in athlete contracts highlighting how rising stars in the Indian MMA scene often sign opaque agreements without understanding their rights under the DPDP Act 2023.

3. Literature Review

The intersection of technology and sports law has generated a significant body of academic and professional literature. This review categorizes existing research to identify prevailing themes and critical regulatory voids.

⁶ Interview with Prashant Jha, National Muay Thai Champion and Pro MMA Fighter, in Mumbai (08/03/2026).

⁷ Interview with Harsh Jha, Amateur-Pro MMA Athlete and Boxing/Kickboxing Champion (08/03/2026).

Primary focus is on technification of sports and its impact on performance and commercialization. Scholars have extensively documented how AI and data analytics have moved beyond simple statistics into revolutionary applications such as injury prediction, load optimization, and real time tactical analysis. There is also growing focus on data sovereignty, a concept originally derived from indigenous data governance, which suggest that individuals should retain authority over information tied to their bodily identity. Furthermore, the transition of Indian sports governance from executive guidelines to statutory law has been a central theme in recent legal analysis, highlighting the shift toward centralized oversight and institutional reforms.

3.1. *From Data to Decisions: Safeguarding Athletes in the Age of AI, Nathan Elmer (2025)*⁸

Elmer examines the rapid integration of AI in professional leagues like the NFL and MLB, focusing on the Digital Athlete initiative (a partnership with Amazon web services) which uses AI to create a virtual representation of players body to predict injury. He argues that the US lacks a federal regulatory framework to protect athletes from the misuse of their biometric data and advocates for GDPR like standards and that data is no longer just stats (like home runs) it is biological intellectual property. This study provides the theoretical foundation for Athlete Data Sovereignty and allows for a comparative analysis of how the Indian DPDP Act measures up against global privacy standards.

Elmer identifies implicit coercion the idea that athletes cannot truly refuse data tracking without risking their careers. This paper builds on this by examining how Indian contract law (*Section 27* of the contract Act) can be used to void take it or leave it biometric clauses. *Section 27* voids agreements that restrains anyone from exercising a lawful profession trade, business. A major argument is that there is no comprehensive US federal law governing the collection and use of biometric data by private employers, leaving athletes exposed, as described in the paper.

3.2. *Justice Off the Field, Manjushree P. and Dr. Kalicharan M.L. (2024)*⁹

This research analyzes how legal procedures and Alternative Dispute Resolution (ADR) contribute to the development of the Indian sports ecosystem. It highlights the historical

⁸ Elmer, Nathan, FROM DATA TO DECISIONS: SAFEGUARDING ATHLETES IN THE AGE OF AI (2025). SLU Law Journal Online. 130.

⁹ Justice Off the Field: The Role of Legal Mechanisms in Indian Sports Growth. (2025). International Journal of Environmental Sciences, 249-262.

reliance on civil courts for sports disputes. It provides a historical bridge between the non-binding 2011 code and the statutory 2025 Act, as a set of executive guidelines that lacked teeth. Since it wasn't a statute, sports federations often circumvented it through internal bylaws. The authors note that generalist judges often lack sporting context. This paper proposes that the National Sports Tribunal must move away from its current static model toward an ad-hoc expert panel model to ensure sport-specific justice, MManjushree and Kalicharan argue that "generalist judges" often lack the **lex sportiva** (the law of sports) context. They treat sports bodies like any other administrative department, failing to account for the time-sensitive nature of an athlete's career.

3.3. The Quest for Harmonization in Anti-Doping: An Indian Perspective, S. star (2022)¹⁰

Star critiques the fragmented nature of Indian sports regulation before the 2025 reforms, specifically nothing the lack of procedural fairness in first-instance anti-doping hearings. is essential for understanding the governance gap that the NSGA 2025 aims to fill. Star identifies a lack of independence in federation-run panels. This paper explores whether the NSGA 2025's National Sports Board solves this or simply replaces federation control with ministry control. Star's work is vital because it documents the pre-reform chaos of Indian sports, allowing you to measure whether the new Act actually solves old problems or merely rebrands them. his supports your argument that the **National Sports Development Code (2011)** was insufficient because it lacked the "teeth" to force federations to be impartial. The harmonization star seeks the tribunal must be insulated from *both* federation and ministry influence.

3.4. Intersection of sports, Tech and Law, Chanakya Medepalli (2025)¹¹

Medepalli examines the USD 442.4 million sports tech industry in India, focusing on the DPDP Act's application to biometric data. This provides the statistical weight for the technification of the IPL.

He identifies a regulatory gap in cross border data transfers for athletes. This research proposes the creation of a Digital Safe harbor for Indian athletes training abroad. Medepalli argues that the current legal framework struggles to keep pace with the commercial intensity of the sports-tech sector. This research utilizes Medahalli's economic analysis to

¹⁰ Star, S. The quest for harmonisation in anti-doping: an Indian perspective. *Int Sports Law J* 23, 44–63 (2023).

¹¹ Medepalli, Chanakya, Intersection of Sports, Tech and Law Focusing on the Consent Mechanisms and Data Privacy (June 13, 2025). Available at SSRN.

justify the urgent need for specialized legal safeguards, as the sheer scale of investment in sports-tech creates a power imbalance that traditional privacy protocols are currently ill-equipped to manage.

3.5. Algorithmic Bias and Discrimination in India, Dharish David et al. (2026)¹²

This recent article explores how AI systems in India can perpetuate biases related to caste, gender, and regional identity due to skewed training data. In sports, this translates to scouting AI's that might undervalue rural athletes because their data wasn't captured.

The authors suggest Algorithmic Audits. This paper proposes that the NSB must mandate proactive Performance Equity tests for any AI tool used for talent identification. India can bridge the legal literacy gap and ensure its 2036 Olympic bid is defined not just by athletic prowess but by a pioneering jurisprudence that treats the athlete as an empowered stakeholder and the true sovereign of their digital destiny

3.6. Addressing Legal Gaps, Athlete Data Sovereignty (PMC, 2025)¹³

The study by Kwon JW published in *Frontiers in Sports and Active Living*, is a cornerstone the debate from general privacy to the specific concept of athlete data sovereignty it provides scholarly weight needed. This study defines Performance Data as a unique category that exist only because the athlete performs, yet they are excluded from its monetization athletes generate the data on basis of the modern sports technology but they are yet remain largely excluded from decision making about its use this absence of legal clarity creates contradiction. It supports the co-ownership Model proposed in this paper.

The paper notes that ownership of digital traces is currently undefined in privacy law. This research proposes an amendment to define Athlete Performance Data as the intellectual property of the athlete.

4. Defining Modern Sports Law

Sports law is Hybrid, not a single book of rules

¹² David, D., Rajeshwari, B., and S., T. (2026). Algorithmic Bias and Discrimination in India: A Looming Crisis. *Journal of Development Policy and Practice*, 11(1), 81-104.

¹³ Kwon JW. Athlete data sovereignty: addressing the legal and policy gaps in sports technology. *Front Sports Act Living*. 2025 Dec 15; 7:1742484. Doi: 10.3389/fspor.2025.1742484. PMID: 41473025; PMCID: PMC12745375.

Lex sportiva: These are private rules of the game (FIFA, IOC, BCCI). They are internal and often avoid courtrooms.

Lex Ludica: These are the Laws of the land like the Indian contract Act or the DPDP Act that step in when things get serious.

These both are known to be Private Constitutional Order

The digital field has made these two clashes. When a team uses a robot dog or AI sensors to track a player, is that a rule of the game (performance) or an employment privacy issue (law)?

The synthesis of the provided research material indicates that the primary agenda of this study is to analyze the shift from Lex Sportiva to Lex Digitalis (private, self-regulated sports law and a technology driven statutory framework)¹⁴

This agenda encompasses four critical topics:

4.1. Administrative Reform: Evaluating the efficacy of the National Sports Governance Act 2025 in India as a template for statutory intervention in sports governance, particularly in its attempt to balance state oversight with the autonomy of sports bodies in preparation for mega events like the 2026 Olympics.¹⁵

4.2. Digital Sovereignty: investigating the legal and ethical necessity for a co-ownership model of biometric data, contrasting the protections offered by emerging data privacy acts against the coercive realities of professional sports environment ¹⁶

4.3. Algorithmic justice: Assessing the role of AI in democratizing talent identification versus its potential to entrench existing biases and proposing a normative framework for fairness in automated scouting.

4.4. Integrity of the person: Addressing the erosion of medical independence and the right to privacy in the 24/7 monitoring era using universal declaration of player rights as lens to critique current team physician models and player management power dynamics.

¹⁴ Rishabh Pandey, The Jurisprudence of the Digital Field: Analysing the Shift from Lex Sportiva to Lex Digitalis, [Thakur Ramnarayan Collage of Law/Research Cell], 7 (2026).

¹⁵ Government of India: The National Sports Governance Act (NSGA), 2025.

¹⁶ Government of India: The Digital Personal Data Protection (DPDP) Act, 2023.

The Problem: India has new laws the NSGA 2025 and the DPDPA Act but they can't realistically refuse biometric tracking without risking their career. Furthermore, the National Sports Tribunal is a static body that may lack deep, sport-specific knowledge required to handle complex AI disputes.

The Question: Do these new statutory frameworks provide real access to justice for athletes, or do they just give the govt more central control while ignoring the ethical risk of AI?

5. The statutory framework: India's New Legal Backbone

5.1. National Sports Governance Act (NSGA), 2025:

The enactment of the National Sports Governance Act (NSGA) on August 18, 2025, represents the single most significant shift in the history of Indian sports law. This is a massive pivot for Indian sports; it essentially transitions India from a suggestive governance model for decades; the sector was governed by executive instructions the 2011 code which the supreme court repeatedly noted carried no statutory force. This lack of teeth led to the regulatory limbo where federations could ignore age and tenure limits without fear of legal consequence.

The NSGA 2025 changes this by introducing Mandatory Recognition (*Section 3*). For the first time, only recognized National Sports Bodies (NSB) can use the name India or conduct national trials. This is a powerful legal gateway. However, this analysis reveals a critical tension: the Act risks replacing private mismanagement with public over control. The national sports board, established under *Section 5*, is entirely appointed by the central government. While it promises transparency, its power to suspend or dissolve federations (*Section 11*) is so sweeping that it could be used as an emergency tool for political ends. A critical loophole emerges in *Section 14(2)*, which significantly narrows RTI access. Crucially, the version of the bill passed in July 2025 differed from the final Act. The final version treats only federations receiving government grants as public authorities only regarding the use of those specific funds. This potentially shields self-funded bodies like the BCCI from full transparency requirements.

This Act is a watershed. It finally moves India away from the regulatory limbo of the 2011 code.

- The Board (NSB): A central body with the power to recognize federations. Without this statutory seal, a body can't even use the name India.

- The Tribunal (NST): A specialized forum to replace civil courts. It is meant to be focused on bureaucracy and not enough on sports.
- The RTI Twist: surprisingly, the 2025 Act narrowed the scope of the right to information. Now, only federations getting government grants are public authorities, and only for that specific funding.
- Safe sports policy mandatory safeguards against harassment and abuse which has never been a major pain point in Indian wrestling and other sports recently.

A potential blind spot identified by critics is that while the act fixes governance it still doesn't fully address grassroots participation or the human rights aspect of sports for rural population

5.2. *Digital Personal Data Protection (DPDP) Act, 2023:*

The digital field is fueled by data. In India, the sports analytics market is projected to grow from USD 193.7 million in 2025 to over USD 1.8 billion by 2035. This explosion is governed by the DPDP Act under 2025 Rules, sports organizations are data fiduciaries. They are required to provide clear notice and obtain informed consent before tracking a player's biometric data. However, in the high-stakes environment of professional sports, consent is often a theoretical concept. This research identifies the consent paradox: if a player refuses to wear a GPS tracker or a sleep monitor, they are often labeled as not a team or uncommitted, leading to their exclusion from the starting lineup. This is implicit coercion. The current DPDP framework does not sufficiently account for the power asymmetries in professional sports. Argue that biometric data processing in sport must be subject to a purpose limitation guardrail: data collected for injury prevention must never be repurposed for contract negotiations or salary devaluation.

5.3. International Standards and the Bill of Rights Movement:

The evolution of modern sports law is increasingly influenced by international human rights products/instruments. The World Players Association Universal Declaration of Player Rights (UDPR) serves as the benchmark for this movement, asserting that athlete rights are human rights.

5.4. The Universal Declaration of Player Rights (UDPR):

The UDPR, developed by over 100 player associations, is grounded in the UN Guiding principles on Business and Human Rights. It emphasizes that the autonomy or specific of sport cannot be used as the shield to ignore the fundamental rights of athletes as workers and citizens.

Relevant articles of the UDPR for the Digital Field include:

Article 11: the right to private life, privacy, and protection in relation to personal data

Article 12: the right to have one's name, image, and performance protected, with commercial use requiring voluntary consent

Article 9: the right to a safe workplace and treatment by healthcare professionals with utmost integrity, where the player retains control over that treatment.¹⁷

Europe has been at the forefront of acting on these principles. The council of Europe's Macolin convention seeks to protect the integrity of sport from match fixing and manipulation, while the EU is increasingly using its internal market laws to address governance failures. In contrast, the United States relies more heavily on private regulation through collective bargaining agreements and federal laws like the sports bribery Act, through it has not yet ratified international treaties like the Macolin convention.¹⁸

The path forward requires moving beyond elite coaching to comprehensive legal safeguarding. Taking a cue from the NYAY Sankalp Foundation's work in rural labour rights, the sports sector must adopt a mobile workshop model. This ensures that a fighter from a remote village who is not just physically prepared by their coach, but legally shielded by the state, ensuring their talent is nurtured in an environment of dignity and transparency.

The Interplay between statutory Mandates and professional liberty

While the National Sports Governance Act, 2025 provides the institutional framework, its enforcement must be balanced against the fundamental right to professional liberty. Under Section 27 of the Indian Contract Act, 1872, any agreements that restrains an individual from exercising a lawful profession is void. This statutory protection has been fortified by long line of judicial precedents.

¹⁷ World Players Association: Universal Declaration of Player Rights (UDPR), 2017. (Referenced for Articles 9, 11, and 12)

¹⁸ Council of Europe: Convention on the Manipulation of Sports Competitions (Macolin Convention), 2014.

For instance, in *percept D'Mark (India) Pvt Ltd. v. Zaheer Khan* (2006), the Supreme Court clarified that restrictive covenants extending beyond the contract period are legally enforceable. This is particularly relevant in the digital field as it prevents franchises from using proprietary biometric data to restrict an athlete's mobility post contract¹⁹. Similarly, the Delhi High Court in *Varun Tyagi v. Daffodil Software* (2025), reaffirmed that post employment non-compete clauses are void, ensuring that the Lex Digitalis framework does not become a tool for modern day industrial bondage.²⁰

6. Data Sovereignty, the Co-Ownership Model, and Athlete Bill of Rights

6.1. AI scouting and the crisis of performance equity.

When we look at the 2025 IPL season saw a breakthrough in generative AI for scouting. Teams are now using advanced machine learning to process vast datasets biochemical patterns, physiological indicators, and historical metrics to predict a player's career trajectory. While efficient, this introduce Algorithmic bias most AI models are trained on historical data that favors certain demographics. In the Indian context, if a scouting AI is trained primarily on data from urban academics, it will systematically undervalue the raw talent from rural districts or marginalized communities whose metrics are not in the system. This creates a looming crisis of structural discrimination, potentially violating the constitutional mandate of equality under Article 14. This research shows that without a formal ATHLETE BILL OF RIGHTS our move towards AI scouting could actually make Indian sports less equal as we know most AI models are trained on elite, urban academies where tech is already available this creates rural desert for data if NSB relies on these biased algorithms a talented wrestler in village might be ignored simply because they don't fit the curve of trained urban model.

6.2. The co-ownership Model moving from exploitation to equity.

The current contractual landscape is characterized by a profound power imbalance, wherein Franchises maintain significant bargaining power because they own the expensive sensors and the AI that process the data I have proposed into a co-ownership model of data sovereignty in which we need to recognize that performance data isn't just stats but it is a biological intellectual property. It only exists because of the athlete's physical effort so the law should trat the athlete as a primary owner of that digital footprint. In a high stakes

¹⁹ *Percept D'Mark (India) Pvt. Ltd. v. Zaheer Khan & Anr*, (2006) 4 SCC 227.

²⁰ *Varun Tyagi v. Daffodil Software Private Limited*, (2025) SCC OnLine Del 432.

locker room informed consent is often a theoretical concept. If a player refuses a tracker they risk being benched or dropped a co-ownership model would use **Section 27** of Indian Contract Act to ensure that these take it or leave it biometric clause are legal void if they restrain an athlete's right to work this paper proposes there should be a strict purpose limitation principle the secondary use of sensitive biometric data where we have to stop data creep. If a team collects heart rate data to prevent injuries, they should not be allowed to use that same data to drive down a player's price during auction negotiation without explicit separate permission.

6.3. Ethical Challenges: the dual loyalty trap.

The role of the team physician in modern sports creates a dual loyalty conflict, where the medical professional's duty to the athlete often competes with their contractual obligations to the franchise. In the Indian legal context, this ethical silo must be governed by the Indian Medical Council (professional conduct, Etiquette, and Ethics) regulations, 2002, and the National Medical Commission (NMC) Act, 2020. Under Regulation 7.14 of the 2002 Regulations, a physician is strictly prohibited from disclosing the secrets of a patient that have been entrusted to them in their professional capacity, except in specific legal circumstances or when there is a serious and identified risk to a specific person or community. This creates a statutory ethical silo that should, in theory, prevent team physicians from sharing sensitive biological data with coaches or management without the athlete's explicit, informed consent.

The National Medical Commission Act, 2020, reinforce high ethical standards in medical education and practice. When these instruments are read alongside the Digital Personal Data Protection Act, 2023, it becomes clear that informed consent for data sharing must be freely given and specific. Using an athlete's injury data to influence contract negotiations or selection trials without clear silos violates the fiduciary relationship established under Indian law.

6.4. Clinical solution

Implementing tech in sports creates unique moral traps that we must solve:

6.4.1. The dual loyalty physician trap: Team doctors are caught between the club and the athlete. The club wants to know if the player is worth the money but the athlete deserves privacy. Proposing ethical silos strict protocols where only essential health info is shared on a need-to-know basis.

6.4.2. Conflict of interest for Agents: A lawyer acting as an agent might represent three different players for the same position on the same team. This is a classic conflict under the Model Rules of professional conduct. Mandatory transparency forms that explicitly explain how a salary cap limits the agent’s ability to fight for everyone at once.

6.4.3. Algorithmic Bias: AI scouting tools trained on historical data can bake in old biases against rural athletes or specific ethnic groups. Demographic parity and performance Equity audits. AI system must be tested to ensure they are just as accurate for a wrestler in Haryana as they are for a cricketer in Mumbai.

7. Empowering the Digital Athlete: from compliance to data sovereignty

The current sporting landscape reveals a total collapse in legal literacy among Indian athletes specifically regarding their rights under the Digital Personal Data Protection Act 2023 and the National Sports Governance Act 2025. To make co ownership a reality the path forward must include comprehensive legal safeguarding by adopting a mobile workshop model inspired by rural labour rights initiatives the state can ensure that even a fighter from a remote village is legally shielded.

Pillar of Literacy	Educational Objective
Statutory Rights	Understanding the National Sports Tribunal (NST) and given grievance redressal mechanism
Digital Literacy	Awareness of how biometric and performance data are collected, processed and stored.
Safe Sport and Ethics	Recognizing what constitutes physical, psychological or sexual abuse and how to report it.
Contractual Equity	Understanding terms of service, image rights and restraint of trade clauses.

Table 2: Pillar of Legal Literacy for Athletes

Interviews with athletes in combat sports including Boxing, MMA, and Karate reveal a stark geographical divide in data awareness. While training in international hubs like Thailand for major events, athletes are acutely aware of being monitored by AI and Biometric sensors.

However, upon returning to India, there is a total collapse in legal literacy. Most athletes remain unaware that their performance data is protected under the DPDP Act 2023, nor do they understand the recourse available through specialized sports tribunals.

Despite the evolution of the National Sports Governance Act (NSGA) 2025, protection remain paper tigers because they lack ground level enforcement. this creates a power imbalance were

- Opaque Contracts: Athletes sign agreements with no clarity on payment schedules or termination clauses.
- Unregulated Data: personal biometric data is harvested without informed consent.
- Unequal Negotiation: without a critical mindset athletes view unfair rules as mandatory rather than negotiable.

To transform the current top-down control model into one of athlete empowerment, legal literacy must be reclassified as a core development support.

Current Initiative	Legal Requirement
SAI Digital Training	Performance Benchmarking
NSB Rules 2026	Mandatory Representation
Article 39A	Free Legal Aid

Table 3: Comparison of Current Sports Initiatives and Statutory Legal Requirements

8. Recommendation

to bridge the Legal Literacy gap mentioned in the interviews: the recommendations is as per This point of view person to person may differ.

1. Mandatory simplified clauses in athlete's contracts specifying exactly who owns the biometric data.
2. Federations must conduct workshops on the **DPDPACT** so athletes know they have the rights to erasure of their data after they leave a club.
3. Periodic audits of sports federations to ensure biometric data isn't being monetized or stored for 75 years.

4. To protect the dignity of the athletes while embracing the benefits of sports science, this research proposes a multi-tiered regulatory overhaul
5. Every national sports federation must be legally required to draft and display a data sovereignty charter.
6. The government should subsidize Digital Athletic Hubs in rural districts, ensuring that a talented athlete in a village has access to the same recording standards as an athlete in a Mumbai or Delhi academy.
7. The physician evaluator paradox must be resolved through clear ethical guidelines.
8. The team doctor must operate under a Dual reporting system while the coach needs to know if a player is fit or unfit the granular medical data must remain confidential between the doctor and the patient.
9. Athletes must have access to an independent medical ombudsman to resolve disputes when they feel they have been benched due to biased data interpretation.

Conclusion

In the end, the move from old school rules to a high-tech legal system in India while this represents a significant legislative milestone, it serves as a foundational step rather than a final solution. 2025 Act gives us a strong framework we have to be careful that it doesn't just trade private power for government over control. As AI starts picking the next generation of stars, we cannot let biased algorithm ignore a talented athlete just because they aren't from a big city academy. True progress means giving players a real Athlete Bill of rights so they actually own their own health and performance data to truly normalize Indian sports, the law must protect the dignity of every player from the professional MMA fighter to the wrestler in a village akhada ensuring they are treated equal not just data points for a machine to process. The shift from private club rules to a formal legal system in India is a massive step forward but despite these advancements, the regulatory framework remains incomplete and requires further refinement while the new 2025 Act gives us strong backbone for governance. To truly win, India must ensure that a kid from small village has the same legal protection and chance to be seen as a star in a big city academy only then our sports laws will truly serve the people they are meant to protect. As this research has demonstrated the intersection of the National sports Governance Act, 2025 has created a statutory frame work that is ambitious in theory but remains paper tiger in its ground level enforcement. The core of this crisis lies in the fact that while technology ranging from generative AI scouting in the IPL to biometric sensors in combat sport is evolving at a pace our judicial and ethical safeguards are still chain to a static 20th

century model of administrative law. To move forward, India must lead by example we must move beyond mere compliance and toward a model of true Data Sovereignty. The proposed co-ownership model is not merely policy suggestion it is a moral and legal necessity to recognize an athlete performance data as their own Biological intellectual Property. This research argues for the immediate transformation of the national sports tribunal from a static bench of generalist judges into an ad hoc expert panel model only by integrating sports science , AI ethicist and medical ombudsmen into the adjudicatory process can we ensure that justice is an agile and technically informed as the athletes its serves we must also resolve the dual loyalty trap of team physician by creating ethical silos that prioritize the athletes right to medical privacy over a franchise commercial valuation. Ultimately the goal of this jurisprudence of the digital field is to ensure that technology serves athlete, not the other way around. As India prepares its 2036 Olympics bid our success should not be measured solely by medals we win but by the dignity, transparency, and legal protections we afford to the human beings who win them. We must ensure that a fighter from a remote village is not just physically prepared for the world stage but is legally shield only through systematic reforms, the evolution of Indian sports law can achieve its promise to provide a fair, equitable and transparent arena for next generation of champions.

Bibliography

Primary Source Material

- Interview with Anonymous Indian Olympian Wrestler, in Mumbai, India (Feb. 15, 2026)
- Interview with Raman Mishra, Athletics Coach, Sports Authority of India (SAI), Maharashtra State (12/03/2026)
- Interview with Aditya Bhosale, National MMA Champion and Karate Black Belt, in Mumbai (08/03/2026).
- Interview with Prashant Jha, National Muay Thai Champion and Pro MMA Fighter, in Mumbai (08/03/2026).
- Interview with Harsh Jha, Amateur-Pro MMA Athlete and Boxing/Kickboxing Champion (08/03/2026).

List of Papers

- Elmer, Nathan, "*FROM DATA TO DECISIONS: SAFEGUARDING ATHLETES IN THE AGE OF AI*" (2025). SLU Law Journal Online. 130.
- *Justice Off the Field: The Role of Legal Mechanisms in Indian Sports Growth.* (2025). International Journal of Environmental Sciences, 249-262.
- Star, S., *The Quest for Harmonisation in Anti-Doping: An Indian perspective.* Int Sports Law J 23, 44–63 (2023).
- Medepalli, Chanakya, *Intersection of Sports: Tech and Law Focusing on the Consent Mechanisms and Data Privacy* (June 13, 2025). Available at SSRN:
- David, D., Rajeshwari, B., and S., T. (2026): *Algorithmic Bias and Discrimination in India: A Looming Crisis.* Journal of Development Policy and Practice, 11(1), 81-104.
- Kwon JW., *Athlete Data Sovereignty: Addressing the Legal and Policy Gaps in Sports Technology.* Front Sports Act Living. 2025 Dec 15; 7:1742484.
[DOI:10.3389/fspor.2025.1742484. PMID: 41473025; PMCID: PMC12745375]

List of Statutes

- National Sports Governance Act (NSGA), 2025
- Digital Personal Data Protection (DPDP) Act, 2023
- International Standards and the Bill of Rights Movement
- The Universal Declaration of Player Rights (UDPR)
- The Constitution of India
- International Olympic Committee Athletes' Rights and Responsibilities Declaration
- Information Technology Rules, 2011
- National Sports Governance Bill, 2024 (Draft/proposed), Ministry of Youth Affairs, GOI

List of Reports

- Law Commission of India. Report no. 276: legal framework gambling and sports betting including cricket in India (for context on sports governance)

References

List of Papers

- Blackshaw, I.S. (2011). Sports Law springer Science and Business Media
- Gardiner, S., et al. (2012). Sports Law. Routledge.

- Majumdar, B. (2011). Sociology of Sports in India. Oxford University Press.
- Journal of sports law, policy and governance. the impact of wearable tech on the privacy Rights of Athletes: An Indian Perspective. (vol. 3, issue 2).

List of Statutes

- World Anti-Doping Agency: International Standard for the Protection of Privacy and Personal Information.
- Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.
- National Medical Commission Act, 2020.

List of Cases

- Justice K.S Puttaswamy (retd.) v. Union of India, (2017) 10 SCC 1
- Central Board of Secondary Education v. Aditya Bandopadhyay, (2011) 8 SCC 497 (regarding fiduciary relationship and data access)
- Sushil Kumar v. Union of India, W.P.(C) 5127/2016 (Delhi High Court case regarding the sanctity of selection trials vs federation autonomy)

List of Websites

- <https://www.meity.gov.in/documents/act-and-policies/digital-personal-data-protection-rules-2025-gDOxUjMtQWa?pageTitle=Digital-Personal-Data-Protection-Rules-2025>
- <https://dpdpa.com/dpdparules/rule23.html>
- <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2190655andreg=3andlang=2>
- <https://www.ahlawatassociates.com/blog/consent-requirements-under-the-digital-personal-data-protection-act-2023-and-digital-personal-data-protection-rules-2025>
- <https://www.scconline.com/blog/post/tag/national-sports-development-code-2011/>
- <https://www.marketresearchfuture.com/reports/india-sports-analytics-market-44614>
- <https://timesofindia.indiatimes.com/sports/cricket/ipl/top-stories/meet-champak-ipls-viral-robot-dog-thats-winning-hearts-and-redefining-broadcast-innovation/articleshow/120924940.cms>