

DRAFT NATIONAL SPORTS DEVELOPMENT BILL, 2013

Draft National Sports Development Bill 2013 is placed in public domain for inviting comments/suggestions of general public and the stakeholders. Suggestions/comments may be sent within 21 days i.e., by 31st July 2013, preferably by email, to Shri Vivek Narayan, Director (Sports), Ministry of Youth Affairs & Sports, Room No. 517, 'C' Wing, New Delhi. Email id of Shri Vivek Narayan is vivek.narayan@nic.in.

	THE NATIONAL SPORTS DEVELOPMENT BILL, 2013	
	A	
	BILL	
	To provide for promotion and development of sports and welfare measures for sportspersons, promotion of ethical practices in sports (including elimination of doping practices, fraud of age and sexual harassment of women in sports, constituting and establishing bodies to deal with Sports Disputes, Ethics, Elections and Athletes representation and for matters connected therewith or incidental thereto.	
	WHEREAS the United Nations in its resolution 58/5 adopted by the General Assembly on the third day of 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 provides 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 in 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- fourth Year of the Republic of India as follows:—	
	CHAPTER I	
	PRELIMINARY	
Short title, extent and commencement	1. (1) This Act may be called the National Sports Development Act, 2013.	
	(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 of 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 person who participates in sports;	
	(b) “Athletes Commission” means a body of Athletes for National Sports Federations and National Olympic Committee constituted under section 38;	
	(c) “athletic competition” means any sport competition in which athletes compete;	
	(d) “Appellate Sports Tribunal” means the Appellate Tribunal established under section 27;	
	(e) “coach” means a person(s) engaged in imparting training to, and promotion of professional skills of an athlete;	

	(f) “election commission” means the commission formed under section 18;	
	(g) “ethics commission” means the commission formed under section 16;	
	(h) “eminent athlete” means an athlete who has either won an Olympic Medal, Asian Games Medal in the Olympic sports or a World Cup /World Championship medal or a Commonwealth Games Medal in Olympic or non Olympic sport;	
	(i) “executive body” means a group of elected Office Bearers and members including nominees of the Athletes Commission 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;	
	(j)“General Body” means the body of all voting members of a National Sports Federation or the National Olympic Committee or the Athletes Commission;	
21 of 1860.	(k) “Indian Olympic Association” means the National Olympic Committee recognised by the International Olympic Committee;	
	(l) “International Olympic Committee” means the Governing Body for the Olympic Games;	
	(m) “International Federation” means,—	
	(i) a federation recognised by the International Olympic Committee in respect of an Olympic sport; or	
	(ii) a federation which regulates the sport at international level in respect of non-Olympic sports;	
	(iii)any other federation which regulates any other sport internationally.	
	(n) “Indigenous sports” means sports which have originated in India;	
	(o) “National Anti-Doping Agency” means a society registered under the Societies Registration Act, 1860 and recognised as an agency by the Central Government to implement anti-doping measures for all sports in	

	India;	
	(p) “National championship” means the annual championship for a sport discipline organised by a National Sports Federation;	
	(q) “National Games” means the multi disciplinary games organised by the National Olympic Committee at the all India level;	
	(r) “National Olympic Committee” means the multi-sport organisation in the country which is recognised as the National Olympic Committee by the International Olympic Committee;	
	(s) “National Sports Federation” means an organisation in the country which is recognized by the International Federation of that sport and established for the promotion and development of any of the Sports, including Winter Olympics, Paralympic sports or Sports for hearing and visually impaired persons or Special Olympic sports; Provided that where a particular sport indigenous or otherwise does not have an International Federation, national sport federation shall mean the organization of the country recognized by the National Olympic Committee and/or the Government of India.	
	(t) “notification” means a notification published in the Official Gazette. The expression “notify” shall be construed accordingly;	
	(u) “Office Bearer” means any person who holds the office of President, Secretary General, Treasurer, or as defined in the constitution of the National Olympic Committee or the National Sports Federation;	
	(v) “officially recognised athletic competition” means an athletic competition recognised by the International Olympic Committee or International Federation or Commonwealth Games Federation or Olympic Council of Asia or National Olympic Committee or the National Sports Federation;	
	(w) “Olympics” means the games organised by the International Olympic Committee and generally known as “Summer Olympic	

	Games” or “Winter Olympic Games”;	
	(x) “Olympic Charter” means the Charter adopted by the International Olympic Committee for the purpose of advancing the Olympic movement;	
	(y) “Paralympic sports” means any sports where athletes with a physical disability compete;	
	(z) “prescribed” means prescribed by rules made under this Act;	
22 of 2005.	(za) “public authority” means the authority as defined in clause (h) of section 2 of the Right to Information Act, 2005;	
	(zb) “Special Olympic sports” means the sports in which athletes with any mental disability participate;	
	(zc) “sports” means the sports specified in the Schedule I;	
21 of 1860	(zd) “Sports Authority of India ” means the society registered under the Societies Registration Act, 1860 for promotion of excellence in sports;	
	(ze) “Sports for hearing impaired persons” means the sports as defined by the International Committee of Sports for the Deaf in which hearing impaired athletes participate.	
	(zf) “Sports for visually impaired persons” means the sports as defined by the International Blind Sports Federation in which visually impaired athletes participate.	
	CHAPTER II DEVELOPMENT AND PROMOTION OF SPORTS	
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, welfare and interest of the sportspersons and elimination of unethical and unfair practices in sports and any other measure necessary in public interest and in consonance with the Olympic Charter.	
	(2) Without prejudice to the generality of the provisions contained in sub-section (1), such measures may provide for all or any of the following, namely:—	
	(a) inclusion and exclusion of Sports in the Schedule I;	

	(b) representation of athletes and other stakeholders in the governance and management of sports;	
	(c) classification of sports for the purpose of determining the quantum and scale of financial and other assistance to be provided to them;	
	(d) education, healthcare and pension for athletes;	
	(e) prevention of doping, sexual harassment, fraud relating to age of athletes; and	
	(f) development and promotion of Olympics sports, Paralympic sports, Special Olympic sports and Sports for hearing and visually impaired persons.	
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 or participation of an individual in the activities of a national federation or National Olympic Committee.	
Exclusive rights of National Sports Federations to use certain words in its title.	5. No sports organisation other than the National Olympic Committee and/or National Sports Federation under this Act for a particular sport shall have the right to use the expression “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.	
Prohibition of foreign nationals from representing India in international athletic competition	6. (1) Only the citizens of India shall be eligible to represent India in any international athletic competition.	

s involving representations of nations.		
	(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):	
57 of 1955.		
	(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 athletes who represent India in international athletic competitions.	
	B.NATIONAL OLYMPIC COMMITTEE	
Duties and functions of National Olympic Committee.	7. (1) The Indian Olympic Association shall be the National Olympic Committee of India if it obtains the recognition as the National Olympic Committee of India from the International Olympic Committee and continues to be as such.	
	(2) The National Olympic Committee referred to in sub-section (1) shall—	
	(a) function as the apex body and perform functions and duties assigned to it under the Olympic Charter;	
	(b) be responsible for all round development of Olympic sports, including selection of athletes, for their participation from India in multi-sport events as well as their conduct and performance in such events;	
	(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, with prior approval of the Central Government and comply with the conditions, if any, mentioned therein in the approval;	
	(d) provide for a free, fair, expeditious and transparent 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 at regular intervals ;	
	(f) constitute an Athletes Commission for National Olympic Committee in accordance with the provisions of section 38;	
	(g) endeavor to secure availability of playing fields, sports equipment and other amenities to athletes; and	
	(h) perform its duties and discharge its functions as a public authority in accordance with the provisions of section 37.	
Submission of annual report to Central Government .	8. (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 such details as may be prescribed.	
	C. NATIONAL SPORTS FEDERATIONS	
National Sports Federation.	9. All National Sports Federation shall have to comply with Chapter IV and Chapter IX of this Act.	
Duties and functions of National Sports Federation in certain matters.	10. Every accredited National Sports Federation shall—	
	(a) constitute an Athletes Commission, in respect of each sport for which it is the National Sports Federation under this Act, in accordance with the provisions of section 38;	
	(b) endeavor to secure availability of playing fields, sports equipment and other amenities to athletes;	
	(c) make efforts to promote and develop the sport all over India;	
	(d) provide for a free, fair, expeditious and transparent in house mechanism for redressal of grievances of athletes, support personnel, and other entities associated with that sport;	
	(e) perform its duties and discharge its functions as a public authority in accordance with the provisions of section 37.	

Preparation of report and making it public.	11. Every National Sports Federation shall, before the end of every year, publish on its website on or before 1 st January of the following year details as may be prescribed.	
Certain rights of National Sports Federation.	12. The National Sports Federation alone shall be eligible to—	
	(a) use the expression “India” or “Indian” or any equivalent expression 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 recognized for India;	
	(d) select and nominate the national team which shall represent India in international athletic competitions for the sport;	
	(e) 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;	
	(f) organize or conduct any sport event, including annual national championship for the sport; and	
	(g) discharge such other functions and duties for the development of the sport, as may be required by the International Federation.	
	CHAPTER IV ELIMINATION OF UNETHICAL PRACTICES IN SPORTS (INCLUDING ELIMINATION OF DOPING, FRAUD OF AGE, SEXUAL HARASSMENT OF ATHLETES, VIOLATION OF CODE OF ETHICS)	
	A. ANTI-DOPING MEASURES.	
National Anti-Doping Agency.	13. (1) The National Anti-Doping Agency shall function as the apex body to implement anti-doping measures in sports in India and its rules as amended from time to time shall be applicable and binding upon all National Sports Federations and the National Olympic Committee.	
	Provided that until such rules are made, the rules, made by the Government of India , published in the Official Gazette, shall be deemed to be the rules governing anti-doping measures under this Act.	
	Provided further that, the National Anti-Doping Agency shall not	

	administer such rules or code or part thereof, as the case may be, of the World Anti-Doping Agency for that sport to which the International Federation is not subject to.	
	(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, team doctors, team managers, physiotherapists, to prevent doping in sports.	
	B. PREVENTION OF FRAUD OF AGE	
Prevention of wrong disclosure of age by sports persons.	14. (1) The Central Government may prescribe rules, for prevention of wrong disclosure of age by an athlete, guardian, coach, trainer or other support personnel.	
	(2) It shall be the responsibility of all National Sports Federations to prevent wrong disclosure of age by an athlete of the national core group and the National Sports Federations shall be facilitated in this regard by the Sports Authority of India.	
	C. PREVENTION OF SEXUAL HARASSMENT IN SPORTS	
Prevention of sexual harassment in sport.	15. (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.	
	(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 measures , namely:-	
	(a) notify, publish and circulate, guidelines for the safety and well being of all involved in Sports;	
	(b) establish appropriate systems to ensure healthy relationship between coach and athletes;	

	(c) provide for sufficient number of women members in the coaching and support staff for every woman athlete or team of women athletes;	
	(d) provide appropriate conditions for women in respect of work, leisure, health and hygiene;	
	(e) provide reasonable assistance to the adversely affected athlete, where sexual harassment occurs as a result of an act or omission by any third party and initiate appropriate legal action against such third party;	
	(f) to set up a complaints committee for redressal of the complaints in a time bound manner so as to comply with the guidelines laid down by the Supreme Court or the mandate of any other enactment:	
	Provided that, to prevent the possibility of any undue pressure or influence from within the organisation, the complaints committee shall have an independent member either from a non-governmental organisation or other body/person, 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 in sports.	
	(4) The Central Government may make rules prohibiting sexual harassment in sports and provide for appropriate penalties.	
	D. CODE OF ETHICS	
	16) There shall be an Ethics Commission for enforcing the Code of Ethics in India as may be prescribed. 2) The Code of Ethics shall be in accordance with the Code of Ethics of the IOC and in consonance with the laws and principles enshrined in the Constitution of India.	

	<p>3) The Ethics Commission shall comprise of nine members appointed as prescribed.</p> <p>4) The three judicial members of the Ethics Commission shall be appointed by the National Olympic Committee in consultation with the Chief Justice of India or his nominee judge.</p> <p>5) The three eminent athletes of the Ethics Commission shall be nominated by the Athletes Commission for appointment by the National Olympic Committee.</p> <p>6) The other three members of the Ethics Commission shall be nominated by the President of the National Olympic Committee, who are not the members of the executive body of the NOC or the NSFs, for appointment by the National Olympic Committee.</p> <p>7) The Ethics Commission shall sit in benches of three members.</p> <p>8) The bench stipulated in subsection 7 shall comprise of one member each from the categories prescribed in subsection 4, 5 and 6.</p> <p>9) The bench of the Ethics Commission shall be presided over by the judicial member as per subsection 4.</p> <p>10) The term of the members of the Ethics Commission shall be for 4 years from the date of appointment or attainment of the age of 70 years whichever is earlier.</p> <p>11) No member shall be appointed for more than one term or 4 years.</p> <p>12) No member of the Ethics Commission after serving as a member, shall be entitled to seek any position and/or benefit in the NOC or in any NSF.</p> <p>13) No member of the Ethics Commission shall be removed by the National Olympic Committee without concurrence of the Appellate Sports Tribunal.</p>	
	<p>17 Any person/body aggrieved by the decision of the Ethics Commission shall be entitled to prefer an appeal to the Appellate Sports Tribunal.</p>	
	<p>CHAPTER V</p> <p>ELECTION COMMISSION</p>	

	<p>18) 1) There shall be a Sports Election Commission of India for conducting the free and fair elections to NOC, NSFs and Athletes Commission as prescribed.</p> <p>2) The Sports Election Commission shall consist of Sport Election Commissioner and two other members.</p> <p>3) The Sport Election Commissioner and the two members shall be appointed by a three member body consisting of the NOC President, the Sports Minister and the Chairperson of Athlete Commission of NOC from the panel of names drawn up by the Selection Committee as per prescribed norms.</p> <p>4) (a) The term of Sports Election Commissioner and members shall be for four years from the date of appointment or attainment of age of 70 years, whichever is earlier;</p> <p>(b) No Sports Election Commissioner or member after serving as a member of the Sports Election Commission shall be entitled to seek any position and/or benefit in the NOC or in any NSF.</p> <p>5) The Sports Election Commissioner or any member of Sports Election Commission shall not be removed from the position once appointed for the four year term by the three member body as per subsection (3) without consulting the Chief Election Commissioner of India as prescribed.</p> <p>19 Any person/body aggrieved by the decision of the Election Commission shall be entitled to prefer an appeal to the Appellate Sports Tribunal.</p>	
	<p>CHAPTER VI</p> <p>RECOGNITION AND ACCREDITATION OF NATIONAL SPORT FEDERATION</p>	
<p>Accreditation of National Sports Federations.</p>	<p>20.(1)The Central Government may, by notification specify, the period, on expiry of which, no body or association of persons shall function as a</p>	

	National Sports Federation in respect of a sport unless it is recognized by the International Federation for the concerned sport.	
	Provided that a National Sports Federation which has been granted accreditation by the Central Government in the year immediately preceding the year of the commencement of this Act shall be deemed to have been accredited under this Act subject to compliance of all other provisions under this Act.	
	(2) The Central Government shall not grant certificate of accreditation to more than one National Sports Federation for each sport specified in the Schedule I.	
	Explanation.—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 wherever applicable) for which it has obtained the recognition or certificate of accreditation.	
	(3) Every application for certificate of accreditation 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 grant a certificate of accreditation of a National Sports Federation if it satisfies the conditions provided in section 22.	
	(5) No National Sport Federation unless it is accredited shall be entitled to receive financial assistance (whether direct or indirect) and other forms of support and assistance from the Central Government.	
Deemed accreditation.	21. If an application for accreditation under section 20 has not been disposed of within a period of ninety days from the date of its receipt, the certificate of accreditation would, be deemed to have been granted.	
Eligibility criteria for Accreditation as National Sports Federation.	22. (1) The National Sports Federation shall fulfill the following eligibility criteria for obtaining the certificate of accreditation, namely: -	
21 of 1860. 1 of 1956. 2 of 1882.	(a) it shall be a society registered under the Societies Registration Act, 1860 or any other State law or the Companies Act, 1956 or a trust created under the Indian Trusts Act, 1882 with the sole object of the development of that sport;	

	(a) it shall ensure that its constitution incorporates all standards of good governance and ethics in accordance with the principles as enshrined in Code of Ethics and make such amendments in its rules and bye laws as may be necessitated due to such incorporation;	
	(b) it shall have an in-house grievance redressal mechanism for redressal of grievances relating to efficient functioning, election of Office Bearers, 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 at all times an affiliation with the National Olympic Committee and the International Federation for Olympic Sports and of the International Federation for non-Olympic Sports:	
	Provided that this clause will not apply for a sport which is neither an Olympic Sport nor has an International Federation.	
	(d) it shall have such State and other affiliates as prescribed;	
38 of 1949.	(e) it shall 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;	
	(f) it should have held an annual National Championships for age groups as prescribed;	
	(g) it shall provide in its bye-laws or memorandum of association or articles of association or trust deed in respect of all matters provided under this Act subject to the provisions contained in the sub-sections (1) and (6) of Section 24; (h) it shall adhere to the conditions which may be prescribed in consonance with the IOC Charter.	
Grant of certificate of accreditation.	23. (1) On receipt of an application under section 20, the Central Government shall verify the credentials and activities of the applicant with reference to the eligibility criteria for determining its suitability for being accredited as a National Sports Federation under this Act and pass an order for the grant such an accreditation or for any further clarification that may be required for verification.	

	(2) In the event of a dispute or discrepancy in respect of an application for grant of accreditation, including disputes pertaining to the management or eligibility of a National Sports Federation, the aggrieved applicant shall refer the matter to the Appellate Sports Tribunal within a period of sixty days of such dispute or discrepancy having been brought to its notice.	
	(3) Any member of the General Body aggrieved by any dispute or discrepancy in the internal management of the National Sports Federation may within sixty days of such dispute or discrepancy, refer the matter with respect to an application for grant of accreditation, to the Appellate Sports Tribunal.	
Validity of grant of certificate of accreditation.	<p>24. The certificate of accreditation once issued shall continue to be in force for a period of four years from the date of accreditation until suspended or cancelled by the order of the Central Government and ratified or rescinded by the Appellate Sports Tribunal within thirty days of the receipt of any reference seeking suspension/cancellation.</p> <p>Provided that an application for renewal for accreditation shall be granted by the Government within thirty days provided the provisions of the Act are complied with.</p>	
Suspension or cancellation of accreditation.	25. The Appellate Sports Tribunal may, on the receipt of a reference by the an aggrieved member of the General Body or a reference made by the Central Government under section 24, suspend or cancel the recognition or certificate of accreditation of a National Sports Federation granted under sub-section (1) of section 23 or impose penalty as per the provision of this Act, if,—	
	(a) the concerned National Sports Federation has been suspended or it has been disaffiliated or derecognized by the concerned International Federation or the National Olympic Committee, as the case may be;	
	(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 or any competent authority under any State law under which the National Sports Federation was registered, has removed the name of the National Sport Federation from its register or has	

	cancelled its registration or the trust under which it was created had been dissolved;	
	(d) the certificate of registration has been obtained by misrepresentation of material information or by fraudulent means;	
	(e) the concerned National Sports Federation has failed to hold elections for the executive body as provided in its memorandum of association or articles of association or bye-laws or has committed gross irregularities in the election procedures;	
	(f) the concerned National Sports Federation has failed to publish its annual audited accounts;	
	(g) the concerned National Sports Federation has misused or unauthorisedly diverted the Government assistance;	
	(h) the concerned National Sports Federation has failed to abide by the requirements specified in section 26;	
	(i) the concerned National Sports Federations has violated the eligibility criteria or the terms and conditions of accreditation;	
	(j) the concerned National Sports Federation has violated any of the provisions of this Act or the rules made thereunder:	
	Provided that the certificate of accreditation suspended on the ground mentioned under clause (a) shall extend to the period of suspension or dis-affiliation or de-recognition of the concerned National Sports Federation by the concerned International Federation or National Olympic Committee and for such further period as the Appellate Sports Tribunal may consider necessary:	
	Provided further that the period of suspension of accreditation under clauses (b),(d) to (j) shall not exceed a period of six months:	
	Provided also that the Appellate Sports Tribunal may after recording the reasons therefore extend the period of suspension of certificate of accreditation to a further period of six months, but the total period of suspension of certificate of accreditation shall not exceed one year:	
	Provided also that no accreditation shall be suspended or cancelled unless the concerned National Sports Federation has been given a reasonable opportunity of being heard.	
	CHAPTER VII	

	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.	26. (1) Notwithstanding anything contained in any other law for the time being in force, every National Sports Federation within one year of accreditation under this Act and the National Olympic Committee within one year from the commencement of this Act, shall in their 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 their governance and the conduct of their 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 executive board/committee/council of 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 his 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 Commission shall be included in the decision making process of the executive body and sub-committees of every National Sports Federation and the National Olympic Committee;	
	Provided that until the Athletes Commission is constituted under section 38,—	
	(i) the National Olympic Committee shall have the power to nominate athletes on its executive body and on the executive bodies of the National Sports Federations affiliated to it; and	
	(ii) the National Sports Federations not affiliated to the National Olympic Committee shall nominate athletes on their own boards.	

	<p>(d) the membership and voting rights of the nominee athletes from the athletes commission in the executive body shall be two, each representing a gender. The total strength of the athletes in the executive body shall not be less than twenty five percent exclusive of those who are elected by the General Body.</p> <p>Provided if through the electoral process a total strength of the athletes does not constitute twenty five percent of the executive body, the athlete commission shall nominate the additional eminent athlete members, to the executive body to constitute twenty five percent who shall have the same membership and voting rights as other members of the executive body.</p> <p>Provided further that the athletes coming through the General Body of the National Sport Federation who have participated in Olympics, Asian Games, World Cup/Championship, Commonwealth Games or atleast three national championships conducted by the National Sport Federation shall be counted towards the twenty five percent representation of the athletes.</p> <p>In case an athlete(s) fulfilling the definition of eminent athlete is not available in a particular sport, the athletes commission of the National Olympic Committee shall nominate one or more persons to constitute twenty percent of the athletes' representation.</p>	
	<p>(e) the membership in the General Body of the National Olympic Committee and the National Sports Federations shall accord with gender equality to ensure that the representation of any gender is not less than ten percent. of the total membership in such National Olympic Committee and National Sports Federations;</p>	
	<p>(f) the eligibility criteria for every candidate contesting an election for an office bearer of for the National Sports Federation and the National Olympic Committee shall be the following:—</p>	
	<p>(i) he shall be a citizen of India;</p>	
	<p>(ii) he should not have had charges framed under section 228 of the Criminal Procedure Code against him/her for any offence involving a punishment for more than three years;</p>	
	<p>(iii) he should not been declared of unsound mind;</p>	
	<p>(iv) he shall not exceed the age specified by the National</p>	

	Olympic Committee or the National Sports Federation at the time of contesting the election and should not hold office after attaining the age of seventy years;	
	(v) he shall obtain previous sanction from the Government if he is a Government servant and be allowed to hold office for a maximum period of four years;	
	(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 a period of four years from the date on which he completed the second term:	
	Provided further that this clause shall not apply to any election for the office of the President;	
	(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 debarred from holding the office in the National Olympic Committee or National Sport Federation immediately upon his conviction by a court of law and sentence for a period of two or more years of imprisonment for a period of six years from the date of conviction or for a period of six years after completion of sentence whichever is later.	
	(3) A Minister(whether as a Cabinet Minister or Minister of State or Deputy Minister) in the Ministry or department of sports in the Central Government and any other official of the department of sports in the Central Government or any official of the Sports Authority of India shall not be eligible to contest for any elective 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 Minister or retirement or relinquishing of charge by the officials, as the case may be;	
	(4) 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;	
	(5) 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 unless a period of four years has elapsed from the date he vacated his office.	
	(6) 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 there under, the National Sports Federation within one year of registration under this Act and the National Olympic Committee within one year of commencement of this Act, shall amend their memorandaof association or articles 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.	
21 of 1860. 1 of 1956. 2 of 1882.	(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 be registered or recorded in accordance with the provisions of the Societies Registration Act, 1860 or a State law under which the National Sports Federation is registered or the Companies Act, 1956 or the Indian Trust Act, 1882, as the case may be.	
	CHAPTER VIII	
	SPORTS DISPUTE SETTLEMENT AND APPELLATE TRIBUNAL	
Establishment of Sports Dispute Settlement and Appellate Sports Tribunal	<p>27. (1) The Central Government shall, by notification, establish an Appellate Sports Tribunal.</p> <p>(2) The Central government shall also prescribe:</p> <p>a) the composition of the Tribunal and its benches;</p> <p>b) the manner of selection, qualifications and term of the members of the Tribunal;</p> <p>c) the expeditious procedure to be followed by the Tribunal;</p>	

	<p>d) the matters and places in relation to which the Tribunal shall exercise jurisdiction;</p> <p>e) all other matters pertaining to the administration of the Tribunal including the composition of the benches, staff, removal and resignation of members.</p>	
	<p>28. The selection of the Appellate Sports Tribunal shall be made by the Government on recommendations of the selection committee consisting of:</p> <p>a) the Chief Justice of India or his nominee judge-Chairperson;</p> <p>b) Secretary, Department of Sports- Member ex-officio;</p> <p>c) President, National Olympic Committee or his nominee.</p>	
Exclusion of jurisdiction of Court of Arbitration for Sports	<p>29. The Appellate Sports Tribunal shall not adjudicate,-</p>	
	<p>(a) any matter or disputes or conflicts arising during the Olympic Games, Commonwealth Games, Asian Games or during other similar events organized by the International Federations in respect of which the Court of Arbitration for Sports established in Lausanne, Switzerland has the exclusive jurisdiction; and</p>	
	<p>(b) doping related disputes, where the anti-doping panels constituted under the anti-doping code of National Anti-Doping Agency have exclusive jurisdiction.</p>	
Members, etc., to be public servants. 45 of 1860.	<p>30. The 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.</p>	
Transfer of pending cases.	<p>31. (1) All civil cases in which National Sports Federations or the National Olympic Committee 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.</p>	
	<p>(2) Any case pending before a High Court except under article 226 or under 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.</p>	

	(3) The matters transferred to the Appellate Sports Tribunal under subsection (1), may be heard and adjudicated from the stage at which such dispute was pending in the court or the authority, as the case may be or hear the matter afresh if it so deems appropriate.	
Bar on jurisdiction of a civil court.	32. 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.	
Powers of Appellate Sports Tribunal 5 of 1908.	33. (1) 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, for :-	
	(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;	
1 of 1872.	(d) call for any public record or document or a copy of such record or document, from any office, subject to the provisions of section 123 and 124 of the Indian Evidence Act, 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.	
45 of 1860.	(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	

2 of 1974.	Procedure 1973.	
Appeal to Supreme Court.	34. (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 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 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.	35. (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.	
	36 The Government shall remove from the office the member of the Appellate Sports Tribunal who- <ul style="list-style-type: none"> a) has become physically or mentally incapable of acting as a member; b) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or c) has so abused his position as to render his continuation in office prejudicial to public interest. <p>2) Notwithstanding anything contained in subsection (1), any member of the Appellate Sports Tribunal shall not be removed from his office on the grounds specified unless the Chief Justice of India or his nominee judge, on a reference being made to him in this behalf by the Government, has on enquiry held, in accordance with such procedure as he may specify in this behalf, approved the removal.</p>	

	CHAPTER IX APPLICABILITY OF RIGHT TO INFORMATION ACT, 2005	
National Olympic Committee and National Sports Federations deemed to be public authorities except respect of certain matters. 22 of 2005.	37 (1) The National Olympic Committee and the National Sports Federations shall be deemed to be public authorities as defined in clause (h) of section 2 of the Right to Information Act, 2005 and perform their duties and discharge their functions as such under that Act.	
	(2) Notwithstanding anything contained in the RTI Act 2005, the National Olympic Committee and the National Sports Federation shall not be deemed to be public authorities in respect of the following matters, namely:-	
	(a) selection, appointment or exclusion of an athlete, coach, trainer or physiotherapist for participation in an athletic competition;	
	(b) quality of performance of an athlete at athletic competitions;	
	(c) injuries suffered by an athlete;	
	(d) medical health and fitness of an athlete;	
	(e) the whereabouts of an athlete;	
	(f) test results and information that are treated as confidential under the National Anti-Doping Agency Code; and	
	(g) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party.	
	CHAPTER X ATHLETES COMMISSION	

<p>Constitution of Athletes Commission for National Sports Federations and National Olympic Committee</p>	<p>38. Every National Sport Federation and National Olympic Committee in respect of each Sport shall, within six months of coming into force of this Act, constitute an Athletes Commission for the National Sports Federation consisting of members and to perform the duties and discharge its functions as defined under this Chapter.</p>	
<p>Composition of Athletes Commission for National Sports Federations and National Olympic Committee</p>	<p>39. The Athletes Commission in respect of each National Sports Federation and National Olympic Committee shall consist of elected members:</p> <ul style="list-style-type: none"> i) at least 7 members, so as to ensure that every discipline of the concerned sport as the case may be, is represented in the said Athletes Commission; ii) For Olympic Sports and National Olympic Committee, preference will be given to Olympians (including Para-Olympians and Winter Olympians) who have competed in any of the last 4 Olympic Games. <p>(3) If Olympic Athletes are not available in a sport or the sport is non-Olympic, preference will be given to Athletes who have taken part in any of the last 4 editions of Asian Games.</p> <p>(4) If athletes or sport do not meet the above two criteria, athletes who has competed and have been placed in the top 10 in last 4 years in Open/Senior National Championships will qualify.</p> <p>(5) Minimum percentage of Women will be as per IOC quota for Women in its Athletes Commission.</p> <p>Provided further that when the number of athletes qualifying in a sport, are less than seven then all such athletes shall constitute the Athletes Commission.</p>	
<p>Election of Athletes Commission</p>	<p>40. The Athletes Commission of National Sport Federation and National Olympic Committee shall be elected as follows:</p> <p>(1) Election shall be held at the same year as the election of the executive body/council of the respective National Sport Federation or the National Olympic Committee, with the same tenure as of the Office Bearer of the respective National Sport Federation or the National Olympic Committee</p>	

	<p>(2) Every Athlete taking part in the Open/Senior Nationals of the particular National Sport Federation in that year shall be eligible to vote for National Sport Federation Athletes Commission. Each athlete will have one vote.</p> <p>Provided that in the event the Open/Senior Nationals are not being conducted regularly, athletes who have taken part in the international competition shall be eligible to vote.</p> <p>(3) The electoral college of the National Olympic Committee's Athletes Commission, shall comprise of Chairpersons of the National Sport Federation Athletes Commission of each National Sport Federation affiliated with the National Olympic Committee or their nominee.</p> <p>Provided that each such Chairperson of the National Sport Federation Athletes Commission shall have one vote.</p> <p>(4) All elected members to the Athletes Commission of the National Sport Federation will elect one of their members as the Chairperson for the said tenure.</p> <p>(5) Election for the Athletes Commission will be conducted by the Election Commission.</p> <p>Provided further that the members of the National Olympic Committee's Athletes Commission shall amongst themselves, elect their own Chairmanperson and other members for the said tenure as per subsection (1),</p> <p>Provided further that the election for the National Olympic Committee's Athletes Commission shall be conducted by the Election Commission.</p>	
<p>Appointment of Athletes on Executive Committee and other Committees in National Sports Federation and National Olympic</p>	<p>41. The Chairperson of the Athletes Commission will be the nominated person on the Executive Committee of the respective National Sports Federation or the National Olympic Committee.</p> <p>(2) The Chairperson of the Athletes Commission shall further appoint an athlete to the Executive Committee of the gender other than the</p>	

Committee	<p>chairperson.</p> <p>(3) The Chairperson of the Athletes Commission will appoint Athletes of the Commission in committees/sub-committees of the National Sport Federation or National Olympic Committee wherever possible unless stated otherwise in the constitution of the National Sport Federation or National Olympic Committee.</p> <p>Provided that the athletes nominated to the selection committee of the National Sport Federation should not have participated in the national or international competition in the previous two years.</p>	
Procedure and Duties of Athletes Commission	<p>42. (1) The procedure of the administration of the Athletes Commission shall be as prescribed.</p> <p>(2) Athletes Commission will advice the National Sport Federation and National Olympic Committee on the need of the athletes on the following:</p> <ol style="list-style-type: none"> 1) Development; 2) Training and competition schedules; 3) Athletes grievances; 4) Selection and Technical Criteria; 5) Logistical and administration support; and 6) Athlete support beyond competitive sports career. 	
	<p>CHAPTER X</p> <p>OFFENCES AND PENALTIES</p>	
Penalty for wilful failure to comply with orders of Appellate Sports Tribunal.	<p>43. (1) Any athlete or any other person who wilfully fails to comply with the order of the Appellate Sports Tribunal, 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 which such default continues.</p> <p>(2) In case it is found by the Appellate Sports Tribunal that an application before it was frivolous or malafide it shall be open to the Tribunal to impose a fine of not less than ten thousand and not exceeding one lakh rupees.</p>	

	(3) It shall be open to the Tribunal to award costs of litigation to a party.	
Penalty for sexual harassment.	44. 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 has been found guilty of 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:	
	CHAPTER XI	
	MISCELLANEOUS	
Crediting sums realised by way of penalties to Consolidated Fund of India.	45. All sums realised by way of penalties under this Act shall be credited to the Consolidated Fund of India.	
Protection of action taken in good faith.	46. No suit, prosecution or other legal proceeding shall lie against any person or authority 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 Schedule.	47. 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 the Schedule of this Act, and thereupon the Schedule shall be deemed to be amended accordingly.	
Power to make rules.	48. (1) The Central Government may, by notification in the Official Gazette, make rules, for carrying out the provisions of this Act.	
	(2) Every rule 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 notification or both Houses agree that the rule or notification should not be made, the rule 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 notification.	
Power to remove difficulties.	49. (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 SCHEDULE I

[See Section 3 (2) (a)]

S.No.	Name of Sport
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1. Aero Sports
2. Archery
3. Athletics
4. AtyaPatya
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. Soft Ball
 47. Soft Tennis Ball
 48. Special Olympic Sports
 49. Sports for deaf persons
 50. Squash Rackets
 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 (Skiing and Snowboarding)
 63. Wrestling (Free Style and Greco Roman)
 64. Wrestling (Indian Style)
 65. Wushu
 66. Yachting
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