November 14, 2025

Hon'ble Shri Mansukh Mandaviya
Cabinet Minister
Ministry of Youth Affairs and Sports
Hall No. 103, Jawaharlal Nehru Stadium
Lodhi Road, New Delhi
Email: rules-nsga2025@sports.gov.in

Re: Submission of comments on the Draft Rules released on October 15, 2025 under the National Sports Governance Act, 2025.

Respected Shri Mandaviya,

We extend our sincere appreciation to the Ministry of Youth Affairs and Sports ("**MYAS**") for releasing the Draft National Sports Governance (National Sports Tribunal) Rules, 2025 ("**Tribunal Rules**"), Draft National Sports Governance (National Sports Bodies) Rules ("**Sports Bodies Rules**") and the Draft National Sports Governance (National Sports Board) Rules ("**Board Rules**") framed under the National Sports Governance Act, 2025 ("**Act**"). This marks a landmark step towards establishing a specialised, independent, and credible dispute-resolution mechanism for the sports sector in India, one that strengthens institutional integrity, enhances access to justice for athletes and stakeholders, and reinforces the principles of fairness, transparency, and accountability within sports administration. By delineating the constitution of the National Sports Tribunal, setting governance standards for National Sports Bodies, and outlining the functioning of the National Sports Board, the 3 draft rules demonstrate a strong policy intent to professionalise and harmonise India's sports regulatory landscape.

We thank your good offices for providing an opportunity to submit our comments and recommendations on the draft Rules.

To briefly introduce ourselves, AM Sports Law & Management Co. is a leading sports and gaming law practice with offices in New Delhi and Mumbai, providing end-to-end legal, regulatory, and policy support across the sports, esports, and online gaming sectors. For over a decade, we have represented clients in matters relating to sports governance, athlete disciplinary, selection and anti-doping issues, franchise and league structuring, content monetisation, and media rights. We have also contributed extensively to industry thought leadership through publications on developments in the sports sector, key judgments, policy reforms, online gaming regulation, data privacy, and esports integrity.

Overall, the Act along with the Tribunal Rules, Sports Bodies Rules, and Board Rules reflect a forward-looking and globally benchmarked approach to ensuring transparency, fairness, and consistency in sports administration and dispute adjudication across the country's expanding sporting ecosystem.

In response to the draft rules, we have collated our suggestions hereinbelow for the Tribunal Rules, the Sports Bodies Rules and the Board Rules as follows:

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A. SUGGESTIONS FOR THE TRIBUNAL RULES

1. Jurisdiction of the National Sports Tribunal

As per the current framework, Section 17 of the Act contemplates "independent, speedy, effective and cost-efficient disposal of sports-related disputes" by the National Sports Tribunal ("**NST**") and Section 22 of the Act further provides for the transfer of all cases falling within the scope of the Act – where a National Sports Body is a party and such matters are pending before a District Court or High Court - to the NST. In contrast, Section 20 of the Act delineates the specific circumstances under which the NST's jurisdiction shall be excluded.

While the Act establishes a broad framework for the functioning of the NST, certain gaps persist in the current Tribunal Rules that may create uncertainty regarding the scope of its jurisdiction, particularly due to the absence of a clear definition or categorization of "*sports-related disputes*". To ensure clarity and avoid potential jurisdictional challenges, it is imperative that the Tribunal Rules explicitly identify the categories of disputes over which the NST may exercise jurisdiction, consistent with the objectives of the Act and the powers conferred on the NST under Rule 26 of the Tribunal Rules.

Accordingly, based on the above, we recommend that a section be added in the Tribunal Rules which stipulated the jurisdiction of the NST in the Tribunal Rules following manner:

Jurisdiction of the National Sports Tribunal

1. *The Tribunal shall have original and appellate jurisdiction over all sports-related disputes, including but not limited to those relating to:*
   - *(a) governance, elections, membership, recognition, and functioning of National Sports Bodies;*
   - *(b) participation, eligibility, selection, disciplinary sanctions, safeguarding, and athlete-related matters;*
   - *(c) disputes arising out of contracts related to sports events, including employment, player transfers (**except football**), franchise relationships, sponsorship agreements, broadcasting rights, merchandising and event management;*
     *[**Kindly note**, football follows an international structure wherein disputes relating to players go to the AIFF Player Status Committee and thereafter there is an appellate panel. While section 20 of the Act makes a broad exception, this position must be clarified in the rules formed by the Tribunal].*
   - *(d) commercial and financial irregularities within organizations in the business of sport;*
   - *(e) integrity violations including corruption, manipulation of competitions, betting offences, and other breaches of integrity codes;*
   - *(f) safeguarding and harassment cases, including sexual harassment, bullying, and abuse;*
     *[**Kindly note**, in case of sexual harassment since POSH Act has a dispute resolution mechanism with ICC or LCC and report being submitted to a district officer, this must be explicitly excluded or included from the scope].*
   - *(g) appeals from decisions of internal Sports Dispute Resolution Committees, Ethics Committees or Athletes Committees;*
   - *(h) any matter which requires the application of sports-specific rules or regulations.*

*[**Kindly note**, if such a provision is inserted, it must be made compulsory for the relevant stakeholders to incorporate in their bye-laws / contracts, reference mechanism to the sports tribunal.]*

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2. *The Tribunal may also hear disputes referred by mutual consent of parties, or pursuant to the statutes, rules, or regulations of sports bodies or agreements including clauses mandating mediation, arbitration, or adjudication by the Tribunal.*

3. *The Tribunal may assume jurisdiction over safeguarding, integrity, corruption, match-manipulation, financial impropriety, or systemic governance matters where the relevant National Sports Body has failed to act within prescribed timelines or has acted in violation of natural justice.*

   Provided the jurisdiction of the Tribunal shall not extend to matters exclusively governed by statutory authorities under other laws.

2. Procedure, Adjudicatory Process, Enforcement and Appeals

Section 17(9) of the Act stipulates that the NST shall formulate its own procedure for the conduct of its business, including the timelines to be followed for the disposal of matters. However, the Tribunal Rules presently do not operationalize this requirement nor provide any framework or guidance on the procedure to be adopted by the NST.

From a legal and governance standpoint, this omission creates uncertainty around due process, timeliness, and enforceability, all of which are essential for maintaining institutional credibility and ensuring access to effective and timely justice for athletes, sports bodies and other stakeholders.

We suggest that to align with the mandate of Section 17(9) of the Act, the Tribunal Rules should mention that the NST shall need to publish and notify, detailed "Rules of Procedure and Practice" within 6 months of being formed which would contain a detailed manual on the procedure, adjudicatory process, enforcement of orders and the process of appeals. Further, the document should take into consideration the increasingly international character of sports disputes, and therefore it is advisable that the same provide guidance on the interaction between the NST's jurisdiction and international dispute resolution mechanisms, such as the Court of Arbitration for Sport ("CAS") and clarify how overlapping or concurrent jurisdictions are to be handled, whether priority is accorded to domestic adjudication, and how recognition or enforcement of international arbitral awards may be coordinated in conformity with Indian law and India's obligations under international sports governance frameworks.

Alternatively, the Tribunal Rules could expressly incorporate or annex a detailed "Rules of Procedure and Practice" and direct the NST to adopt and publish such procedural rules immediately upon its constitution.

3. Removal and Accountability Mechanism for Chairperson and Members

While the Tribunal Rules lay down the qualifications, appointment process, and terms of office of the Chairperson and Members, they do not address the procedure or grounds for their removal in the event of non-compliance with the requirements stipulated under the Tribunal Rules or the Act.

In order to ensure institutional integrity and safeguard against potential misuse or arbitrariness, it is essential that the Rules expressly provide for:

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(a) Grounds for removal, such as proven misconduct, incapacity, conflict of interest, or violation of statutory obligations; and
(b) A transparent inquiry process, outlining who may initiate proceedings (e.g., the National Sports Board or the Central Government), how the allegations are to be examined, and the right of the concerned individual to be heard; and
(c) Oversight and checks, such as consultation with or recommendation by an authority, before any removal is finalized.

This framework would align the Tribunal Rules with best practices followed by quasi-judicial and regulatory bodies in India and reinforce the principles of independence, accountability and fairness.

It is therefore recommended that an explicit "Removal and Accountability" section be incorporated under the Tribunal Rules, to clearly delineate the process for suspension, inquiry, and removal of the Chairperson or Members. This will ensure consistency with the legislative intent of the Act and uphold public confidence in the NST's impartiality and credibility.

B. SUGGESTIONS FOR THE SPORTS BODIES RULES

1. Risk of Conflict with International Federation Statutes / IOC & IF Autonomy Requirements

The Act and subsequently the Sports Bodies Rules vest considerable authority in the Central Government and the proposed National Sports Board for:
(a) Recognition, registration, suspension, or withdrawal of recognition of National Sports Bodies (Rules 6–8);
(b) Approval of constitutions, elections, and governance structures of these bodies (Rules 3–5); and
(c) Oversight of compliance and financial reporting.

The International Olympic Committee (IOC) Charter (Rule 27 and Bye-law 1.5) explicitly requires National Olympic Committees (NOCs) and National Federations to be free from external interference—particularly from governments or public authorities. Many International Federations (IFs), such as FIFA, FIBA, and World Athletics, contain similar clauses prohibiting governmental influence over membership, leadership elections, or decision-making.

We suggest that the Sports Bodies Rules should incorporate autonomy-protection clauses, explicitly affirming the autonomy of National Sports Bodies will be respected in accordance with IOC and IF statutes.

2. Representation of Sportspersons of Outstanding Merit (SOM) *(Rules 3 and 4 read with Section 4 of the Act)*

As per Rule 5 read with Schedule I of the Sports Bodies Rules, an individual may be included in the roster of Sportspersons of Outstanding Merit ("**SOM**") only if they are an Indian citizen of sound mind, have attained the age of 25 years and have retired from competitive sports for at least one year prior to such inclusion.

The current framework excludes active athletes from representation, which is inconsistent with global best practices and the principles of athlete-centric governance. The Olympic Charter

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expressly recognises the participation of active athletes as a core value of the Olympic Movement, ensuring that their voices are represented in governance and decision-making. Comparable jurisdictions such as the United States and the United Kingdom mandate athlete representation within their respective governing bodies i.e. the U.S. Olympic and Paralympic Committee (USOPC) and the British Olympic Association (BOA), both of which include current athletes on their boards and policy committees. Furthermore, reference may also be drawn to Rule 21 of the Olympic Charter, which establishes the IOC Athletes' Commission to ensure athlete representation at all levels of governance.

Accordingly, we recommend that the eligibility criteria for SOM representation be broadened to include active athletes, subject to appropriate conflict-of-interest safeguards, thereby aligning the Sports Bodies Rules with international standards of athlete engagement and participatory governance.

3. **Disqualification Criteria** *(Rule 11)*

Under Rule 11 of the Sports Bodies Rules, disqualification from membership of the Executive Committee or General Body is currently limited to instances of insolvency, criminal conviction, or being subject to an ethics committee ban.

Current disqualifications for committee membership are limited to insolvency, criminal conviction and bans by an ethics committee.

In order to align with international governance standards and ensure the integrity of sports administration, we suggest that additional disqualification grounds should be introduced. Specifically, the following should be included:

(a) Persons currently serving sanctions or ineligible under WADA or NADA codes for anti-doping rule violations;

(b) Persons found guilty of age falsification, manipulation of competition, or financial impropriety in sports administration; and

(c) Persons having a direct conflict of interest with the concerned National Sports Body or its affiliates.

Such additions would ensure that only individuals adhering to the highest ethical and professional standards are permitted to hold office, thereby reinforcing the credibility of sports governance institutions.

4. **Athletes, Ethics and Dispute-Resolution Committees** *(Rules 14 and 15)*

Rules 14 and 15 mandate that National Sports Bodies establish Athletes', Ethics, and Dispute Resolution Committees and align their functioning with international charters and model guidelines.

The current Rules do not prescribe the composition, powers, functions, or independence of these committees, which may lead to inconsistency and lack of autonomy.

To ensure effective functioning, we suggest that:

(a) Each committee's composition and tenure be prescribed (e.g., a minimum proportion of athlete representation, independent members and gender balance);

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(b) Each committee be granted operational independence from the Executive Committee of the National Sports Body to avoid conflicts of interest; and

(c) The decisions of such committees be made subject to appeal before the National Sports Tribunal and, where applicable, CAS, thereby providing a structured and credible dispute-resolution hierarchy consistent with international sports jurisprudence.

Such reforms would enhance transparency, athlete protection, and procedural fairness, while ensuring that domestic governance mechanisms are harmonised with international norms.

C. SUGGESTIONS FOR THE BOARD RULES

1. Lack of Clear Removal and Accountability Mechanisms

Rule 8 of the Board Rules outlines the grounds for removal of the Chairperson or a Member (including insolvency, conviction involving moral turpitude, incapacity, or acquisition of prejudicial interest) and provides an opportunity for representation. While this inclusion is a positive step towards ensuring accountability, the provision remains substantively incomplete.

The Rules do not define what evidentiary or procedural threshold of misconduct is required, or the process for inquiry, interim suspension, and appeal. Moreover, the absence of an independent oversight mechanism for example, consultation with or recommendation by an external authority, raises concerns of potential arbitrariness. Such ambiguity could enable unfounded removals, depending on administrative discretion, thereby possibly reducing institutional credibility and stakeholder confidence.

It is suggested that a standalone "Removal and Accountability" provision be incorporated (or Rule 8 be elaborated) to specify detailed grounds for removal, a clear, independent inquiry process, defined timelines for investigation and resolution, interim suspension powers (where necessary, pending inquiry) and a structured appeal or review mechanism.

This would align the Board Rules with best practices governing quasi-judicial and regulatory institutions, reinforcing principles of fairness, independence, and transparency.

2. Broad "Residue" and "Relaxation" Powers with Government

The Draft Rules confer two broad discretionary powers upon the Central Government:

(a) Residuary powers (Rule 12), under which any matter not expressly provided for in the Rules is referred to the Government for decision; and

(b) Power to Relax (Rule 20), enabling the Government to relax the application of any provision of the Rules in respect of the Chairperson, Members, officers, or employees of the Board.

While such provisions may be intended to ensure flexibility, in practice they vest unfettered discretion in the Central Government to interpret, modify, or override the framework without defined criteria or procedural safeguards. This not only risks compromising the functional independence of the Board but also undermines predictability and legal certainty, both of which are fundamental to effective governance. For a sector dependent on the participation of diverse stakeholders, including independent professionals, private leagues, and international bodies, such sweeping powers could deter confidence and raise apprehensions about government overreach.

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We suggest that the "Residue" and "Relaxation" powers should be circumscribed by clear thresholds and procedural transparency requirements. For instance:

(a) The Government's exercise of such powers should be accompanied by a written rationale;

(b) Stakeholders should be given advance notice and an opportunity for representation; and

(c) Any relaxation or decision under these provisions should be published in the public domain to ensure transparency and accountability.

These measures would preserve necessary administrative flexibility while maintaining the independence and credibility of the National Sports Board.

Thanking you.

Yours sincerely,

For and on behalf of AM Sports Law & Management Co.,

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Counsels
AM Sports Law & Management Co.

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