

April 14<sup>th</sup>, 2025

Shri Mansukh Mandaviya  
Cabinet Minister,  
Ministry of Youth Affairs and Sports (MYAS)  
SP-III Section, Department of Sports  
Hall No. 103, Stairs 1  
Jawaharlal Nehru Stadium  
Lodhi Road, New Delhi 110003

Re: Submission of comments on the Draft National Code Against Age Fraud in Sports 2025.

Respected Shri Mandaviya:

We extend our sincere gratitude to the Ministry of Youth Affairs and Sports (MYAS) for introducing the Draft National Code Against Age Fraud in Sports (NCAAFS) 2025 (Code), which is an important initiative to demonstrate a commitment towards enhancing integrity, fairness and transparency in Indian sports. This progressive step will not only help protect the spirit of healthy competition but also safeguard the aspirations of genuine young athletes by ensuring a level playing field across all sporting disciplines.

We thank your good offices for allowing us to make our submissions concerning the draft Code.

To briefly introduce ourselves, AM Sports Law and Management Co. is a fully dedicated sports and gaming law and advisory practice with offices in New Delhi & Mumbai. For over a decade, we have been working with clients in the sports & gaming industry, at all stages, from strategy development, advisory and contract negotiations to league management and representation of stakeholders (athletes/teams/federations) before various authorities/fora and we understand the need for strengthening the sporting culture in India to achieve excellence in sports. Our founder, Ms. Aahna Mehrotra, *inter alia*, has been the youngest member to serve as the Vice Chairperson of the National Anti-Doping Disciplinary Tribunal; is a mentor at the SIGAWomen Global Mentorship Program; and was amongst the 200 experts involved, from all over the world (and amongst the only 2 from India), to contribute and review the first ever Global Report on Corruption in Sport published by the UNODC.

A. **PRELIMINARY SUBMISSIONS VIS-À-VIS INTERNATIONAL BEST PRACTICES**

1. At the outset, we acknowledge and appreciate that the Code introduces a comprehensive set of measures specifically designed to address the longstanding issue of age fraud in sports. These provisions are not only rooted in international best practices but also demonstrate a forward-thinking and technology-driven approach. Accordingly, it is deemed imperative to first do a comparative analysis of the salient features of the Code with practices abroad:
  - a. **Creation of a Centralized Athlete Database:** The Code mandates the establishment of a centralized database for athlete registration and identity management. This is a significant and progressive move, aligning with global standards such as FIFA's Connect ID System. By ensuring that every athlete is assigned a unique and traceable identity that persists throughout their sporting career will greatly enhance transparency, prevent duplication or falsification of records, and aid in long-term athlete monitoring.

- b. **Implementation of Bone Age Assessment Protocols:** The requirement for Bone Age Assessments in the Code reflects inspiration from the Chinese Football Association's robust Age Verification Policy. The use of MRI and X-ray assessments, particularly among youth athletes, adds a layer of scientific scrutiny to claims of age and eligibility. Such provisions shall enable objective, evidence-based use of methods in detecting discrepancies and upholding fairness in age-group competitions.
- c. **Incorporation of Medical and Scientific Testing Standards:** In addition to the foregoing, the Code adopts a multi-faceted testing approach that includes both medical and scientific parameters to verify age. This methodology reflects a commitment to precision and integrity, drawing from globally accepted standards such as the IOC Medical Code and the advanced protocols employed by other sports regulatory bodies, including those in China. Such integration of science-backed procedures shall ensure that age verification is not left to arbitrary determinations but is supported by credible and replicable processes.
- d. **Establishment of a Whistleblower Mechanism:** In a move that strengthens the enforcement ecosystem, the Code introduces a formal whistleblower mechanism. This mechanism is modeled on successful international frameworks such as the World Anti-Doping Agency's (WADA) Whistleblower Policy. It is designed to encourage individuals to report suspected cases of age fraud while ensuring their confidentiality and protection. This provision shall ensure that the Code recognizes global integrity standards and the crucial role that insider information can play in upholding compliance.
- e. **Introduction of Digital Identity Verification through QR-Enabled ID Cards:** A particularly noteworthy and technologically advanced feature is the issuance of ID cards embedded with QR codes for athletes. This measure reinforces the importance of secure, tamper-proof, and instantly verifiable identity credentials. The initiative mirrors best practices adopted in countries like Australia (myGovID) and Indonesia (e-KTP), where digital identity verification plays a critical role in public administration and service delivery. In the context of sports, this ensures that athlete identities can be verified swiftly and reliably across various touchpoints.

Together, these salient features reflect the Code's underlying objective: to bring about systemic reform through the integration of technology, scientific rigor, and procedural safeguards, thereby protecting the integrity of sport and promoting a culture of honesty and fair play.

2. **Positioning India as a Global Leader in Anti-Age Fraud Governance:** It is also pertinent to highlight that most countries across the world do not have a single, consolidated national law or code specifically addressing age fraud in sports. Rather, such issues are typically managed through a fragmented set of regulations that include state-level laws, internal policies of sports federations, and ad hoc guidelines issued by local authorities. This often results in inconsistent enforcement and limited accountability.

In drafting this unified and comprehensive Code, India is taking a pioneering step. By establishing a national framework to regulate and combat age fraud systematically, the country is not only aligning itself with the most progressive international practices but also setting a benchmark for other nations to follow. This initiative places India at the forefront of governance reform in sport, and reflects a clear commitment to institutional integrity, athlete welfare, and the credibility of competitive structures at all levels.

## B. OUR SUGGESTIONS

While we commend the comprehensive and forward-looking approach adopted in the draft Code, as outlined hereinabove, we believe there are certain areas where enhancements can be made to further strengthen its effectiveness. In this regard, we have collated our suggestions hereinbelow with a view to contributing towards making the Code the best possible version of itself.

### 1. Role of National Sports Federations (Section 4.3.1)

The Code mandates all recognized National Sports Federations (NSFs) to adopt the Code, either directly or by reference, in their governing documents, constitutions and competition rules. However, the section neither specifies a **timeframe for adoption**, nor outlines any **penalties for non-compliance**. This may lead to delayed or inconsistent adoption of the Code by NSFs.

*We suggest that the section should explicitly state that all recognized NSFs must adopt and integrate the Code into their governing documents, constitutions, and competition rules within six (6) months (suggestive) from the date of the Code's implementation. Furthermore, to ensure compliance, the section should define clear penalties for non-compliance, such as suspension of government funding, ineligibility for hosting competitions, and disqualification from receiving assistance under government schemes. Establishing specific timelines and imposing consequences for non-compliance will create a sense of urgency and ensure timely and uniform adoption of the Code across all NSFs.*

### 2. Role of Integrity Officer/Compliance Officer (Section 4.3.3)

The Code requires NSFs to appoint an **Integrity/Compliance Officer** for every competition or sporting event to ensure compliance with the Code. However, the section does not define the **qualification criteria** for the position or provide a **clear scope of responsibilities**. Without defined qualifications and duties, there is a risk that the appointed officer may lack the expertise required to monitor and enforce compliance effectively.

*To strengthen this provision, we suggest that the section should mandate that the appointed officer must possess relevant experience in sports governance, compliance management, or legal expertise, and undergo mandatory training on the Code's framework. Additionally, the Integrity/Compliance Officer's responsibilities should be explicitly outlined to include conducting pre-event document verification, monitoring age compliance during competitions, reporting violations to MYAS within 72 hours of detection, and ensuring periodic audits of compliance measures. Defining these qualifications and responsibilities will ensure that the appointed officers are adequately equipped to uphold the principles of the Code.*

### 3. Responsibilities of Other Bodies (Section 4.5)

Section 4.5 outlines the responsibilities of various entities, including Sports Control Boards, NGOs, NSPOs, educational institutions, and public/private agencies, in ensuring compliance with the Code. However, the language used in this section is overly broad and lacks specificity regarding the exact roles and obligations of these bodies. For instance, the responsibilities of NGOs and NSPOs are vaguely mentioned as "raising awareness about the consequences of age fraud" and "advocating for the rights of marginalized athletes," without defining measurable

outcomes or specifying how these efforts will be monitored. Similarly, educational institutions and sports academies are tasked with verifying athletes' ages and embedding fair practices in inter-school and collegiate competitions, but no mechanism is provided to ensure uniform compliance or address non-compliance. Moreover, the role of public/private agencies in promoting transparency through sponsorships and event management initiatives is mentioned without establishing a clear accountability framework or penalties for non-adherence.

*To strengthen this section, we suggest that it be closely aligned with the education policy to ensure that mechanisms for preventing age fraud are integrated at the foundational level. A key concern is that age manipulation often occurs not solely for sports-related advantages but at the point of initial school admissions, where the rigidity of admission policies (in terms of age criteria for a particular class) may inadvertently incentivize misrepresentation of age. The Code should mandate that educational institutions implement stringent verification protocols at the time of admission. Additionally, NGOs and NSPOs should be required to submit periodic reports detailing awareness campaigns and advocacy efforts, while public/private agencies should be subject to random compliance checks with defined penalties for non-compliance. Establishing a robust monitoring framework that includes clear roles, measurable objectives, and consequences for non-adherence will ensure that these entities contribute meaningfully to the Code's objectives, enhancing transparency and accountability in the implementation process.*

#### **4. Incorporation of Blockchain Technology (Section 4.5.4)**

Section 4.5.4, Point 3, mentions that public/private agencies must work on developing advanced technologies based on AI or blockchain for secure age verification processes. However, the section does not specify the type of blockchain technology to be employed, which is a critical omission given the varying degrees of transparency, security and control offered by different blockchain models.

*To ensure that the blockchain-based solution aligns with the objectives of secure and reliable age verification, we suggest that this section should explicitly state that a permissioned, non-anonymous blockchain should be used. A permissioned blockchain ensures that only authorized entities can participate in the network, enhancing data security and preventing unauthorized access or tampering. Moreover, a non-anonymous framework maintains accountability by associating every transaction or modification with identifiable entities, thereby promoting transparency and traceability. Defining these parameters will not only fortify the integrity of the verification process but also mitigate potential risks associated with the misuse or compromise of sensitive athlete data.*

#### **5. Centralized Database (Section 5.3)**

Section 5.3 proposes the creation of a centralized database portal managed by the Sports Authority of India (SAI) to store verified data of athletes, linked to the National Sports Repository System (NSRS). While the intent to maintain a secure and reliable record of age verification is commendable, the section does not mention some key aspects of data management, security protocols and access controls. It merely mentions compliance with the *Digital Personal Data Protection Act, 2023* (DPDP Act) and its associated Rules but does not define data retention periods, protocols for updating athlete records or mechanisms. Additionally, the section fails to specify who will have access to the database, under what conditions, and how data breaches or unauthorized alterations will be addressed.



*To ensure that the centralized database functions effectively and adheres to both the best international practices and the DPDP Act, we suggest that this section must include detailed provisions on several critical aspects. First, it should define clear data retention periods, specifying how long athlete records will be maintained and the process for secure deletion once the retention period expires, in accordance with the principle of data minimization. Second, explicit consent protocols must be established to ensure that athletes (or their guardians in the case of minors) are informed about the purpose, scope, and duration of data collection and processing. Third, robust encryption standards should be mandated to protect sensitive personal data, along with secure access controls that define who can access the data, under what conditions, and with what level of authorization. Fourth, the section should mandate regular audits and periodic reviews of the database to assess compliance with data protection regulations and ensure the security of the system. Fifth, the section must explicitly recognize athletes' rights to access, amend, and request the deletion of their personal data in accordance with the principles of the DPDP Act, ensuring that athletes (or their guardians) have the ability to review and rectify inaccuracies or withdraw their data when necessary. Sixth, clear protocols for responding to data breaches, including notification timelines and remedial measures, should be established. Finally, penalties for unauthorized access, data tampering, and negligence in data handling should be prescribed to maintain accountability. Incorporating these safeguards will enhance the integrity and reliability of the database, ensuring that the objectives of the Code are met effectively while protecting sensitive athlete data.*

#### **6. Amnesty Program (Section 5.5.1)**

The Code proposes a one-time amnesty program that allows existing athletes to self-declare their correct age within six (6) months of the Code's implementation. However, the section does not provide incentives for self-disclosure or specify the consequences for failing to utilize this opportunity. Without these provisions, athletes may be reluctant to voluntarily disclose discrepancies.

*We suggest that to encourage genuine self-disclosure, the section should offer exemption from penalties for athletes who voluntarily declare age discrepancies during the amnesty period and allow them to resume competition in the appropriate age category after undergoing a performance review. Conversely, athletes who fail to utilize the amnesty program should be subject to mandatory age verification and may face penalties for any discrepancies detected thereafter. Including these incentives and consequences will promote greater participation in the amnesty program and facilitate a smooth transition to compliance.*

#### **7. Uniformity in Medical and Scientific Testing (Section 7.1.1 - 7.3.3)**

The medical examination framework outlines the use of the **TW3 method and AI-based technologies** for age determination but does not specify **when MRI should be used or who is authorized to order such tests**. This lack of clarity may lead to inconsistent application of testing protocols.

*To provide greater clarity, we suggest that the section should state that MRI should be mandatorily conducted in cases where discrepancies arise during initial verification, and only qualified medical panels notified by MYAS may authorize such tests. Establishing clear criteria for the use of MRI ensures that decisions to escalate verification processes are based on objective and standardized parameters.*

## 8. Penalties for Athletes (Section 8.1.1 and 8.1.2)

The Code imposes a **two-year ban** for the first violation and a **permanent ban** for the second violation. However, the penalties do not differentiate between **minor and adult athletes**, which may result in disproportionately harsh consequences for younger athletes (who are usually the target) and are at a higher risk of being misled or coerced into committing age fraud.

*We suggest that the Code should adopt a more nuanced and graduated penalty framework, particularly when addressing violations involving age fraud by athletes of different age groups. In doing so, the Code may draw inspiration from the Juvenile Justice (Care and Protection of Children) Act, 2015, which is founded on the principle of reformatory justice and recognizes that children in conflict with the law should be given an opportunity for rehabilitation and reintegration into society. Accordingly, we propose that athletes above the age of 18 should face a two-year ban for a first-time violation and athletes below the age of 18 should face a one-year suspension, coupled with mandatory participation in an age integrity awareness program aimed at education and prevention. Further, in the case of repeat violations, athletes above 18 should be subject to permanent bans, given the seriousness and wilful nature of repeat misconduct, however, juvenile athletes should be referred to rehabilitation programs or counselling, rather than subjected to punitive lifelong consequences. This is in keeping with the rehabilitative and reform-oriented framework embodied in the Juvenile Justice Act, which distinguishes between adult offenders and juveniles and focuses on age-appropriate responses. This differentiated and tiered approach acknowledges the need for strong deterrents to protect the integrity of sport, while simultaneously affording younger athletes the opportunity to reform and re-engage responsibly with the sporting ecosystem.*

## 9. Penalties for Coaches and Officials of the NSFs (Section 8.2)

Section 8.2 focuses exclusively on coaches and officials of National Sports Federations (NSFs), outlining penalties for facilitating or concealing age fraud, but it leaves critical gaps that could hinder effective enforcement. It fails to address scenarios where a sport does not have a registered NSF or where coaches and officials operate through private academies, non-NSF affiliated organizations, or independent training centers. Without extending the scope of these provisions beyond NSFs, there is a risk that violators operating outside the NSF framework may escape scrutiny and accountability.

*We suggest that to address these gaps, the section should explicitly cover all coaches, officials, and academies involved in athlete training and competition, regardless of their affiliation with an NSF. The responsibility for monitoring and enforcing penalties in non-NSF contexts should be delegated to the Sports Authority of India (SAI) or another designated regulatory body.*

## 10. Whistleblower Mechanism (Section 8.4)

Section 8.4, which outlines the Whistleblower Mechanism, introduces a platform established by MYAS for stakeholders to report instances of age fraud, but it lacks critical details that are essential for ensuring the safety and effectiveness of the mechanism. While it mentions that whistleblower identities will remain confidential unless required by law, it does not specify the safeguards or security protocols that will be employed to protect whistleblower identities and prevent retaliation. There is no mention of encryption standards, data access controls, or procedures to ensure that only authorized personnel can access sensitive information.

Furthermore, the section does not elaborate on the consequences for breaches of confidentiality or provide a framework for addressing whistleblower retaliation, leaving potential whistleblowers vulnerable and deterring them from coming forward.

*To strengthen this provision, we suggest that this section should specify the technological and procedural safeguards that will be employed to protect the identity of whistleblowers, including encrypted communication channels, secure data storage, and restricted access to whistleblower information. It should also mandate the establishment of a grievance redressal mechanism to address any concerns regarding the mishandling of whistleblower data and to protect whistleblowers from retaliation. Additionally, the section should include provisions for conducting periodic audits to assess the effectiveness of the confidentiality measures and ensure strict adherence to established protocols. Incorporating these details will instill greater confidence among stakeholders, ensuring that the whistleblower mechanism functions as a secure and reliable avenue for reporting violations.*

#### 11. Monitoring and Compliance Framework (Section 10)

The Code mandates that NSFs and the SAI submit **biannual compliance reports** to MYAS. However, the section does not include **penalties for non-compliance**.

*To enhance the effectiveness of the monitoring mechanism, we suggest that the section introduces penalties for non-compliance such as suspension of government assistance and financial support. Moreover, NSFs and SAI should be required to rectify any discrepancies within 90 days (suggestive), failing which stricter action may be taken.*

#### 12. Additional Suggestions to Strengthen the Code

- a. **Mandatory Annual Training for NSFs and Compliance/Integrity Officers:** To ensure that NSFs and Compliance/Integrity Officers stay updated on evolving age verification protocols and best practices, we suggest that the Code should introduce **mandatory annual training and certification programs**. These programs should cover topics such as legal aspects, technological advancements, and ethical considerations related to age fraud prevention.
- b. **Incorporation of Blockchain for Enhanced Security:** To prevent data manipulation and ensure the immutability of age verification records, we suggest that the Code should explore **the use of blockchain technology** for securely storing athlete data. Blockchain's decentralized nature provides a higher level of security and transparency, reducing the risk of data tampering.
- c. **Inclusion of Public Awareness and Education Campaigns:** To promote ethical practices and discourage age fraud, we suggest that the Code should mandate **awareness campaigns targeting athletes, parents and coaches**. These campaigns should educate stakeholders about the risks associated with age fraud, the consequences of violations and the importance of ethical conduct in sports.
- d. **Periodic Review and Update of the Code:** Given the dynamic nature of sports governance and technological advancements, we suggest that the Code should include a **provision for periodic review and revision every three (3) years** to ensure continued relevance and

effectiveness. Periodic reviews will allow for timely incorporation of emerging best practices and technological innovations.

Thanking you.

Yours sincerely,

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



*Aahna Mehrotra & Riya Rajkumar Sharma*

