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NATIONAL SPORTS GOVERNANCE ACT, 2025: REFORM OR REINFORCED CONTROL?



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The National Sports Governance Act, 2025, India's first statutory framework for sports governance, replaces the 2011 Code with binding law. While promising transparency and reform, it centralises power, risks curbing athlete autonomy and invites constitutional challenges. This piece evaluates its structures, gaps, and implications for India's 2036 Olympic ambitions.

The National Sports Governance Act, 2025

(<https://yas.gov.in/sites/default/files/National%20Sports%20Governance%20Act%2C%202025.pdf>) ("the Act") constitutes arguably the boldest statutory initiative in sports governance in India since Independence. Hailed as a historic moment, the Act replaces the National Sports Development Code, 2011 (<https://yas.nic.in/sites/default/files/File918.compressed.pdf>), a previously non-binding framework, with a legally enforceable statute. It aims to bring in statutory powers, reform associations, increase transparency, and establish new dispute resolution mechanisms. However, underneath this reformative narrative exists an underlying tension between democratisation and centralisation, athlete empowerment and bureaucratic type-control, and autonomy and accountability.

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sports-policy-central-government-initiatives-and-efforts-to-promote-sports-and-games-in-the) and its revised 2001 version (<https://yas.gov.in/sites/default/files/National%20Sports%20Policy%202001.pdf>) set ambitious targets to promote excellence and mass participation but had no statutory support. The Draft National Sports Development Bill 2011 (<https://ficci.in/public/storage/SEDocument/20178/Draft-National-Sports-Development-Bill-2011.pdf>) sought to codify governance standards such as age and tenure restrictions, athlete representation, and RTI compliance. However, it encountered opposition from federations and political forces, and could not be passed as a law. There was no legislation in place to govern the board, and its affairs were conducted in compliance with the 2011 Code. The Code was a part of the executive agenda to conform to International Olympic Committee (“IOC”) practices, have age and tenure caps, and implement a pre-determined electoral process. However, the non-binding nature of the Code made its enforcement weak and subject to repeated judicial interventions. In this scenario of ambiguity, the Delhi High Court emerged (<https://indiankanoon.org/doc/167695616/>) as a prominent sports dispute resolution forum, rendering the legislative vacuum open to scrutiny.

In this context, the 2025 Act, which is the first parliamentary law in India to comprehensively regulate sports governance, gains significance. The Bill was introduced in Lok Sabha in July 2025 (<https://prsindia.org/billtrack/the-national-sports-governance-bill-2025>) and hurriedly passed in mid-August amidst protests and disruption (<https://www.thehindu.com/news/national/parliament-passes-national-sports-bill-after-extensive-discussion/article69924520.ece>) in Parliament. Hence, there was virtually no space for meaningful discussion. Such a curtailed legislative process is contrary to the very participatory spirit the Act purports to embody.

It is true that stakeholder consultation was certainly present in the drafting of this bill. However, despite over 700 responses (<https://economictimes.indiatimes.com/news/sports/timeline-of-a-national-sports-governance-bill-how-indias-landmark-sports-bill-took-shape/articleshow/123261342.cms?from=mdr>) given by athletes, National Sports Federations (‘NSF’), state associations, and civic bodies purportedly being “received and incorporated into the bill”, the precise manner in which the incorporation of this input was done remains unclear. This democratic deficit risks weakening the legitimacy of the reform, echoing previous criticisms made regarding top-down attempts at codification.

The long title of the Act reads: “An Act to provide for the development of sports in India, the promotion of transparency and for prevention of sporting frauds, including betting, in the country.” As India seeks to bid for the 2036 Olympics, the Act has been formed in order to meet global standards in sports and governance. Yet, a quick look at its provisions

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This piece argues that the Act in its current form represents a half-built bridge. It does so by first, examining the Act's institutional architecture. Second, it analyses transparency provisions and exposes critical gaps in athlete protection. Third, by assessing constitutional tensions, it highlights potential legal vulnerabilities. Fourth, it proposes athlete-centric amendments including a comprehensive Bill of Rights and balanced oversight mechanisms. Finally, it concludes, evaluating implications for India's 2036 Olympics bid and recommending a participatory governance framework that ensures genuine reform over bureaucratic control.

Institutional Architecture: Innovation or Over-Centralisation?

The Act marks a transformatory shift in India's sporting governance landscape. By establishing bodies like the National Sports Board ('NSB'), National Sports Tribunal ('NST'), and National Sports Election Panel, the Act aims to bring transparency, accountability, and efficiency into a system that has been long bogged down by entrenched interests and inefficient functioning. However, according significant power to these state-supported institutions raises plenty of legitimate concerns.

National Sports Board (NSB)

The NSB is vested with sweeping authority: recognition and derecognition of federations, financial oversight, compliance monitoring, and regulatory supervision. While this may address chronic mismanagement, it risks turning NSFs into administrative extensions of the state. Its undefined powers to suspend or dissolve federations undermines the principle of autonomy embedded in Rule 27 of the Olympic Charter (<https://stillmed.olympics.com/media/Documents/International-Olympic-Committee/IOC-Publications/EN-Olympic-Charter.pdf>). Rule 27 stipulates that National Olympic Committees as well as their affiliated federations "must preserve their autonomy and resist all pressures of any kind, including but not limited to political, legal, religious or economic pressures". In this case, a federation's status can be unilaterally revoked by the NSB, which is especially problematic because there are no clear procedural safeguards in place, such as transparent suspension criteria or an independent appeals mechanism. As a result of this, decisions made by the NSB become more susceptible to political interference.

International precedents underscore this risk. The IOC suspended Kuwait in 2010 (https://www.espn.in/olympics/story/_/id/13981586/ioc-ban-kuwait-government-interference) and almost suspended Pakistan in 2014 (<https://www.insidethegames.biz/articles/1021186/pakistan-avoid-olympic-suspension-but-warned-by-ioc-situation-is-being-monitored#:~:text=Pakistan%20have%20avoided%20suspension%20from,in%20its%20running%20C2%A9POA>) for governmental interference, barring athletes from competing under their national flag. In December 2012, India too was

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Association ('IOA'). As a result of this, the participation of Indian Olympians under the national flag was put in jeopardy. It continued this way until May 2013 when the IOA finally amended the constitution and provided adequate assurances to the IOC on restored autonomy. Moreover, on the domestic front, executive overreach continues to be a problem, resulting in issues such as nepotism and corruption. Political appointees and retired bureaucrats hold leadership positions across major sports bodies, despite the fact that they lack the technical expertise required for their respective sports. Some examples include (<https://www.ijamtes.org/gallery/315%20jan%2019ijamte%20-%20cw.pdf>) the Chautala family in boxing and table tennis, Vijay Kumar Malhotra in archery, and a number of Congress politicians in tennis and judo. Thus, India must learn from these past events and be cautious not to jeopardise its international credibility.

National Sports Tribunal (NST)

The NST is composed of a retired Supreme Court Judge or a High Court Chief Justice and two experts. It has jurisdiction over governance disputes, elections, and recognition issues (excluding doping, which is regulated under the National Anti-Doping Act 2022 (https://prsindia.org/files/bills_acts/acts_parliament/2022/The%20National%20Anti%20Doping%20Act%202022.pdf)).

This appears to significantly reduce dependence on High Court interventions. Yet, its independence is questionable due to strong executive influence over appointments. Moreover, its relationship with the Court of Arbitration for Sport ('CAS') remains undefined. CAS jurisprudence, notably in *Meca-Medina v Commission* (<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62004CJ0519>), emphasises the need for harmonisation between domestic adjudication and international norms. The potential for any sort of clashes between NST rulings and CAS obligations may leave athletes facing jurisdictional limbo due to a lack of clarity.

National Sports Election Panel

The Act introduces an Election Panel to oversee NSF elections in order to curb entrenched leadership and nepotism. While this is progressive in theory, the risk of politicisation remains if officers are not insulated from government influence. This could invite further disputes instead of depoliticising elections. To address this, a collegium composed of individuals such as retired judges, eminent sportspeople, and NSB-nominated representatives could be tasked with nominating the Election Panel. This would limit unethical executive discretion that would otherwise exist if the Central Government was tasked with this as given in the Act.

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The Act seeks to enhance transparency by deeming recognised sports federations as public authorities under the Right to Information Act 2005 (https://www.indiacode.nic.in/bitstream/123456789/19840/1/right_yo_information_act.pdf). Complementing these reforms are statutory audits, restrictions on insignia usage (“India”, “National”), and mandatory compliance frameworks, all of which represent positive strides made towards ensuring transparency and accountability.

However, without enforceable athletes’ rights, transparency remains superficial. The Act does not codify a comprehensive Athlete Bill of Rights, and misses several concerns. These include contractual protections against exploitative agreements, insurance and welfare guarantees, safeguards for mental health and safe sports, career transition support, rights over biometric and performance data of athletes, image and publicity rights protections, and transparency in national team selections.

Despite the rhetoric of transparency, the Act fails to enshrine an athlete-first mentality as it falls significantly short of providing enforceable rights for the individuals it aims to protect. Concerns such as cases of sexual harassment, mental health and contractual exploitation have not been addressed properly. To remedy this, India can learn from global experiences that may offer valuable lessons in promoting and protecting athlete welfare. For instance, the Larry Nassar sexual harassment scandal (https://www.moran.senate.gov/public/_cache/files/c/2/c232725e-b717-4ec8-913e-845ffe0837e6/FCC5DFDE2005A2EACF5A9A25FF76D538.2019.07.30-the-courage-of-survivors--a-call-to-action-olympics-investigation-report-final.pdf) in US gymnastics, which led to sweeping congressional reforms, highlighted the dangers of neglecting athlete welfare. Furthermore, in *NCAA v. Alston* (https://www.supremecourt.gov/opinions/20pdf/20-512_gfbh.pdf), a landmark case on athlete compensation, the US Supreme Court illustrated how courts can redefine athlete rights in cases when legislatures are slow to act. The examples of the EU Athletes’ Charter of Player Rights (<https://fifpro.org/en/supporting-players/competitions-innovation-and-growth/player-performance-data/charter-of-player-data-rights-launched-for-professional-footballers>) and Canada’s Safe Sport Framework (<https://www.canada.ca/en/canadian-heritage/services/safety-integrity-ethics-sport/sport-integrity-framework.html>), too, can be looked at when it comes to legislations that explicitly enshrine athlete entitlements.

India’s Act, on the other hand, targets federations rather than athletes, and leaves out an opening to include a provision for enforceable rights that could have altered the landscape of governance. This omission perpetuates a governance-first, athlete-second approach to sports policy which is ultimately destined to prove problematic.

Constitutional and Legal Tensions

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“Sports” as a state subject. However, the Courts have held (<http://www.ili.ac.in/pdf/19sum24.pdf>) that the Union has the power to govern national and international sports through residuary powers under Article 248. (<http://www.ili.ac.in/pdf/19sum24.pdf>) They have done this by making use of Entry 97 of List I (“Any other matter not enumerated in List II or List III”), Entry 10 (“Foreign affairs; all matters which bring the Union into relation with any foreign country”), and Entry 13 (“Participation in international conferences, associations and other bodies and implementing of decisions made thereat”). Thus, the Act’s sweeping centralisation risks infringing upon state autonomy.

Second, there may be an Article 19(1)(c) issue under freedom of association. Federations may argue that excessive state control violates their right to self-govern. The Supreme Court in *Zee Telefilms v Union of India* (<https://indiankanoon.org/doc/404603/>) recognised BCCI’s autonomy despite its public functions. It was noted by the Court that even though BCCI performed public functions such as organizing and governing cricket in India, it was neither a statutory body, nor was it under the government’s control or financing. According to the Court, the BCCI was a private association of individuals managing the sport. Thus, it had a legitimate expectation of autonomy in governance, the dilution of which through excessive state control or government interference would undermine its proper functioning and integrity.

Lastly, judicial review of the NST decisions will be debated. The NST’s decisions, though appealable to the Supreme Court, may be challenged for excessive concentration of quasi-judicial power. For example, in the case of *L. Chandra Kumar v. Union of India* (<https://indiankanoon.org/doc/1152518/>), the clauses in Articles 323A(2)(d) and 323B(3)(d) of the Constitution (and corresponding provisions in the Administrative Tribunals Act, 1985) were struck down by the Supreme Court to the extent they attempted to oust the High Courts’ and Supreme Court’s writ jurisdiction over tribunal decisions. This was done to prevent an impermissibly excessive concentration of adjudicatory power in these administrative tribunals. However, precedents involving other tribunals, like the National Green Tribunal whose suo-motu jurisdiction (<https://www.scobserver.in/reports/municipal-corporation-of-bombay-v-ankita-sinha-suo-moto-powers-of-the-national-green-tribunal/>) was upheld depict a fundamentally different judicial interpretation, may work in favour of the NST. Thus, the NST is at a crossroads in this regard, with its constitutionality possibly being subject to conflicting judicial interpretations, something which may very well jeopardise its long-term stability as a legitimate institution.

However, in *BCCI v Cricket Association of Bihar* (<https://indiankanoon.org/doc/101366341/>), it is important to note that the Court emphasised the necessity of governance reform in sport but did not go

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The Road Ahead: Reform through Amendment

The Act should be regarded as the beginning of a new era of sports governance reform in India. Key reforms may include firstly, an Athletes' Bill of Rights. This would safeguard players and give them enforceable rights. As a starting point, fairness in contractual matters would be one of the rights guaranteed by this legislation. This would be done through the implementation of robust safeguards that work to prevent one-sided or coercive agreements with federations and clubs. Second, the right to physical and mental wellbeing would also be covered under the Athlete Bill of Rights. Here, sports authorities would be required to develop, maintain and provide access to health services, counselling, and rehabilitation facilities. Finally, the recognition of image and publicity rights would also be made enforceable, preventing athletes from being forced to completely give up their well-deserved earnings from these sources to federations. Taken together, these safeguards would work to transform athletes' legal status from mere performers to genuine stakeholders who possess enforceable rights.

Then, the concentrated powers of NSBs must also be scrutinised and checked to a great extent. Under the current framework, the authority to grant or withdraw recognition, membership, or sanctions can easily be exercised, that too with insufficient transparency. This alarmingly ends up leaving room for arbitrariness and political interference which largely undermines the object of these bodies. A neutral oversight mechanism to avoid whimsical de-recognition or suspension of federations is, thus, essential to curb these problems.

Next, grassroots integration is essential. The sporting governance structure must also focus on the fundamentals of talent development and expand to include grassroots levels of the sporting pyramid. Effective reform would need to involve expanding governance beyond federations to schools, universities, and state level bodies.

Alignment of the NST's decision-making procedure with CAS jurisprudence in order is necessary to avoid uncertainty and confrontation. To assist with this, world class training programs for tribunal members in sports law and dispute resolution can be implemented. This would go a long way in improving the tribunal's operation and integrate CAS principles more effectively.

Lastly, decentralisation and partnership is needed with a system of governance which is facilitative instead of being authoritative. For this, more decision-making autonomy can be imparted to state-level bodies and local associations. This would essentially allow governance to stay connected to grassroots requirements while simultaneously remaining accountable to national standards.

Furthermore, promoting public-private partnerships could also help

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Conclusion: A Half-Built Bridge

There is no denying that the National Sports Governance Act, 2025 is a landmark legislation. It represents India's wish to reform and modernise the governance of sport and to position itself as a serious player on the global sporting stage. But it is also a half-built bridge: aspirational yet incomplete, progressive yet ponderous. It would risk replicating some of the very inertia it is supposed to displace, unless it is revised to reinforce athlete rights, protect federation autonomy, and build in participatory process.

The Act needs to be seen in the backdrop of India's hope to host the 2036 Summer Olympics. At the IOC, believable governance reform is a prerequisite for credibility. The Act has the feel of statutory weight, but it is in danger of being considered as a bureaucratic capture instead of a reform. If foreign observers consider the Act as one of state overreach, it may not serve India's case very well. On the other hand, if it is allowed with a sense of participation and correction, the Act may make a stronger case for India's appearance as a responsible host.

India now stands at a critical juncture: to take this Act as a launching pad for athlete-centric governance or let it solidify into yet another tool of the state. The decision will not just determine the course of India's domestic sporting ecosystem, but also its credibility as a global sports power in the making.

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