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## “Sports and Law in India”

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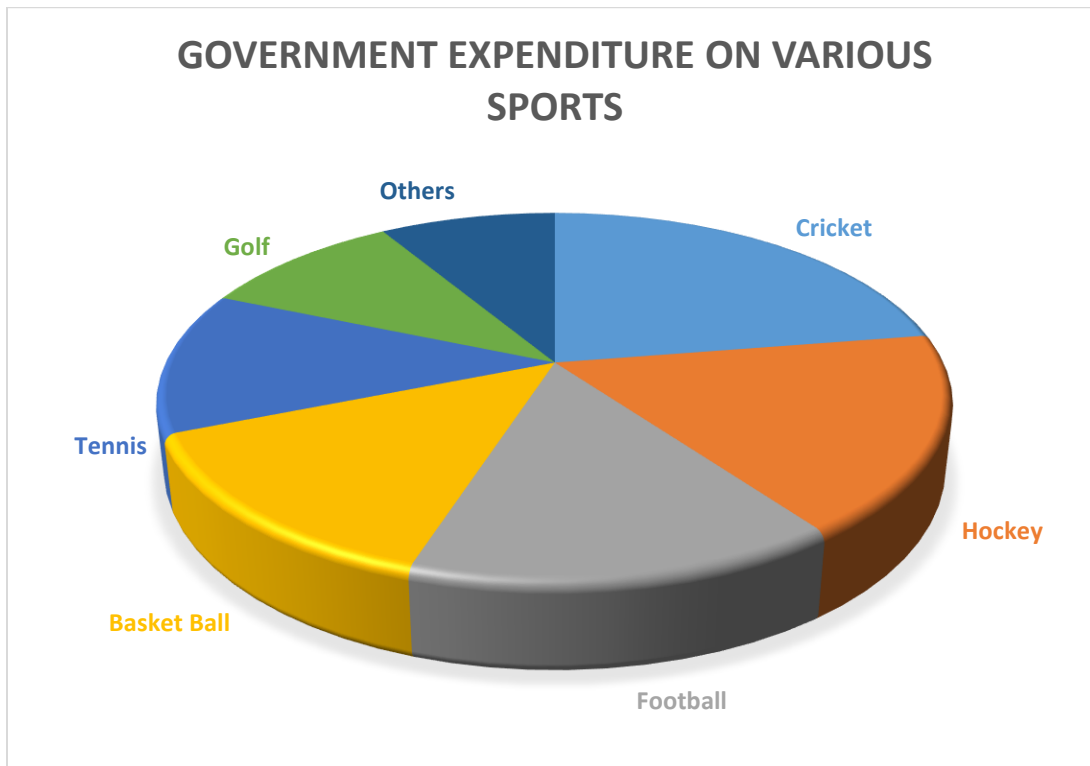
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### ABSTRACT

In modern India sports has become integral part of our life. Sports is an activity involving physical, mental activities and skills. Now a days sports has become integral part of our life. Spectators and players are earning lots of profit. The share of sports in GDP\_(GROSS DOMESTIC PRODUCT) of India has also been increasing at high rate. With the growth in sports, there is also growth in disputes related to it with requires strict rules and regulation to regulate sports. So government of India has set up various sports authority for proper functioning of sports in India. Data of government expenditure on various categories of sports are as follows - highest expenditure on cricket followed by hockey, football and other sports.

**KEYWORDS:** Harassment, Broadcasting, Ethical, Official\_gazette, Modernizing, Violations, Arbitration.

## 1. INTRODUCTION



### SPORTS LAW –

Sports law is the law applicable on various fields of sports and physical education and it lay down rules and regulation related to sports. Sports law governs cases of injury, harassment , drugs related to sports and various other malpractices related to sports .There is no national or state legislature for regulating sports in India, but later with the increase in sports , government has set up various authorities governing sports in India such as National Sports Policy<sup>1</sup> , Sports law and welfare Association of India , Sports Authority of India and Broadcasting Signals Act.

## 2. NATIONAL SPORTS POLICY 2001

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<sup>1</sup> First National Sport Policy was implemented in 1984 .

A resolution on national sports policy was led down by the both the house of the parliament. National sports policy was amended in 2001. the government has announced new sports policy to encourage and to conduct international and national events of sports Now it has two objectives – broadbasing of sports and achieving excellence in sports not only at national level but also at international level. It promotes sports activities and physical education more effectively. Development of infrastructure, training and development of coach, resource mobilization of sports, high quality of sports equipment and many other aspects related to sports are cover under this policy. It include sports in concurrent list <sup>2</sup> of the constitution of the India. There are thirteen sports event which are included in high priority list – athletics, badminton, boxing , football , tennis , hockey , volleyball , weight-lifting and many more .

### **SPORTS AUTHORITY OF INDIA <sup>3</sup>**

It is a apex national sports body <sup>4</sup> establish in 1982. Its headquarter is Jawaharlal Nehru Stadium, Delhi. Its aim is to development of sports in India. It has 10 Regionals centers , 56 sports training centers , 20 special area games for sports development . Two institutes that is Netaji Subhas National Institutes of sports at Punjab, Lakshmibai National college of physical education at Kerala conducting research courses and certificate to PHD level courses. With the development of sports, many new institutes are coming up for its widespread.

### **SPORTS LAW AND WELFARE ASSOCIATION IN INDIA –**

It is non-profitable and professional organization. Its aim is to understand, advancement and ethical practice of sports law in India. This association give consultancy on various matters like intellectual property, general sports law, disputes of sports in court and many other matters. Its aim is to promote physical education, Olympic, providing forum for lawyers in sports, online advocation on disputes of sports, etc.

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<sup>2</sup> List in which both central and state can make law .

<sup>3</sup> It is non-profitable , professional and national organisation .

<sup>4</sup> Established by Ministry of Youth affairs .

### SPORTS BROADCASTING SIGNALS ACT 2007<sup>5</sup> –

This act contain seven sections –

**Section 1** – Short title will come in force on the date of their publication in official gazette<sup>6</sup>.

**Section 2** – Right owner or holder means a period for his holding the broadcast right in respect of a sporting event of national importance .

**Section 3** – Sharing of sports broadcasting signals with Prasar Bharti<sup>7</sup> .

**Section 4** – Sharing of advertisement revenue .

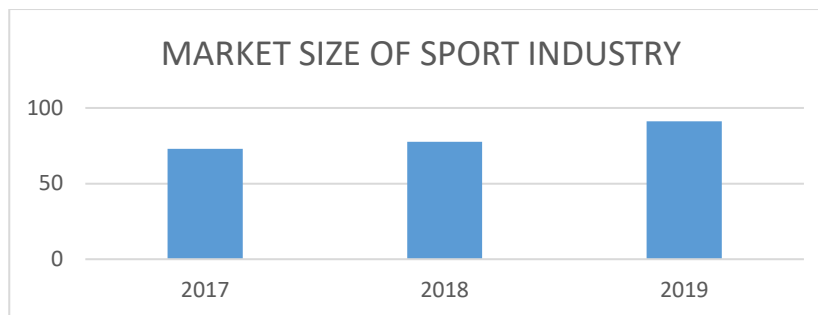
**Section 5** – Responsibility of television or radio channel broadcasting sports events .

**Section 6** – Manner of declaration of sports events of national importance .

**Section 7** – Liability of television or radio broadcasting , to provide right in certain cases of violations .

This act share broadcast signals in case of sport event of national importance and direct to home network on term and condition as may be specified .

### **3. MARKET SIZE OF SPORTS INDUSTRY IN BILLION INDIAN RUPEES**



### **ARBITRATION IN SPORTS –**

As we know disputes arises in every field of career. Similarly, in sports if disputes arises, than people can go to the court. Firstly, we know that court take years of time to solve the disputes and sportsman have short time of career so they feel difficulty and secondly judges of court

<sup>5</sup> Mandatory Sharing with Prasar Bharat.

<sup>6</sup> Official journal or Newspaper.

<sup>7</sup> Largest Broadcasting Agency.

does not have knowledge regarding particular sports. So, there is need to establish INDIAN COURT OF ARBITRATION<sup>8</sup> FOR SPORTS.

### **INDIAN COURT OF ARBITRATION FOR SPORTS**

Indian court of arbitration for sports<sup>9</sup> was established in 2011 under the chairmanship Dr. AR. Lakshmanan. It consists of eight retired judges who are highly distinguished and highly experienced in judiciary. ICAS provides alternative dispute resolution (ADR) to solve disputes regarding sports. This body gives quick decision of dispute on time. It is better than civil court as judges do not have knowledge about specified field of sports to give fair judgment and civil courts take lots of time to settle the disputes. There is also INTERNATIONAL COURT OF ARBITRATION FOR SPORTS<sup>10</sup> who take up disputes of national spectators and sportsman. Apart from this institution there are various domestic arbitration tribunals have also been set up to deal with sports disputes.

### **4. WOMEN PARTICIPATION IN SPORTS –**

Currently women participation in sports has been rapidly increasing. The government collaborates with different sports associations to organize sports events successfully. Despite growing interest and participation of women in sports but women percentage of participation is still low. Only 25% of women participate in sport compared to 43% of male which is extremely low percentage.

**The reasons behind low participation of women are –**

- 1- Low physical and mental strength of women.
- 2- Domestic responsibilities and obligation to women.
- 3- Inadequate knowledge related to sports.
- 4- Inadequate promotion and awareness of sports among women.
- 5- Some culture and religious and custom prevent women from participation in sports.

**To increase the participation of women following objectives are laid down –**

- 1- Increase awareness among women.
- 2- Encourage women to take active interest in sports.

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<sup>8</sup> Settling dispute without litigation.

<sup>9</sup> It is Tribunal (Quasi – Judicial body).

<sup>10</sup> Court is located in New York City.

- 3- To give maximum priority to physical health and education to women.
- 4- Providing safe and supportive environment to women.
- 5- To give equal opportunities to both men and women in sports.
- 6- To encourage and promote female leadership.

## **5. GOVERNMENT SCHEMES TO PROMOTE SPORTS IN INDIA**

The union ministry of youth affairs and sports place an important role in promoting sports in India. Major sports schemes laid down by the government are as follows -

### **KHELO INDIA SCHEME –**

The khelo India scheme was launched by government in year 2016. This program aims to achieve mass participation of male and female in sports and promotion of excellence in sports. This program merged in 3 schemes – National sports talent search scheme, urban sports infrastructure scheme and Rajiv Gandhi khel Abhiyan. The scheme strive to promote sports to all.

### **FIT INDIA MOVEMENT –**

PM NARENDRA MODI started this scheme on 29 august on the occasion of national sports day. This scheme aim is to promote fitness among Indians through sports.

### **NATIONAL SPORTS DEVELOPMENT FUND-**

NATIONAL SPORTS DEVELOPMENT FUND was formed in November in 1998. The fund was established to administer funds for sports activities, competitions, tournament, and infrastructures of sports. The sports ministry has recently granted Rs 35 crore for this fund.

### **SPORTS TALENT SEARCH PORTAL –**

This scheme was launched in 2017 to sport the best talent among the youths of India. On this portal youth can upload their achievements. Applicants who qualified all the stages are shortlisted to take part in sports authority of India.

### **NATIONAL SPORT AWARD SCHEME-**

Government of India every year acknowledges and honors high sports personality with awards like Rajiv Gandhi Khel Rattan, Dhyanchand awards and Arjuna awards for their contribution and achievements in different fields in sports.

#### **SPORTS AND GAMES FOR THE PERSONS WITH DISABILITIES SCHEMES –**

Government has set up various schools and the institute to provide training to disabled people in various fields of sports.

#### **HIGH LEVEL COMMITTEE TO ADDRESS WOMEN GRIVANCES OF SPORTS PERSONS –**

On occasion of international women day, the union ministry of youth affairs and sports has set up a committee in 2017 to hear the cases of women disputes related to sports.

### **6. SUGGESTIONS & CONCLUSIONS**

Though the sports in India is flourishing in India but there is no proper or codified law and legislation for sports. The National Sports Policy was set up to provide support to sportspersons, but it however does not provide legal support in all matters. There is need for equal right and protection among sportspersons irrespective of facts whether they are star players or not. With the growing need and demand for the sports there is need for the proper and codified rules and regulation in sports to stop corruption and malpractices in sports.

With the increase in sports in India, there is need to increase the sports authority for regulating sports in India. With flourishing sports and sportsman, there is need for sports to flourish in India. Now sports have become important part of our life and government should regulate the sports to stop malfunctioning of it and should make attempt to improve the environment of the sports. Sports law should be added in law curriculum and should be taught in schools and colleges. Sports is a subject of national pride, government should regulate it. If sports will welfare than India will also be one welfare path. As India is modernizing, it is also the time to modernize our law by amending them.

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