

Consultation Report

Draft National Sports Governance Bill 2024



Authored by: Atharva Joshi, Mallika Dandekar & Vagda Galhotra

Civis



Table Of Contents

Introduction	3	Summary of Responses and In-depth Interview	10
Executive Summary	4	Key Findings: Social Media Analysis	17
Key Recommendations	5	Conclusion	19
Consultation Methodology	8		



Introduction

The Ministry of Youth Affairs & Sports has proposed the Draft National Sports Governance Bill, 2024 with the aim to reform sports governance in India.

The draft bill sets up new regulatory systems for the sports ecosystem in the country. It seeks to establish a Sports Regulatory Board of India, or SRBI, to oversee sports bodies in the country, by enforcing ethical standards and aligning their practices with international norms on them. The SRBI will also ensure athlete safety, enforce the Protection of Women from Sexual Harassment Act, and mandate grievance redressal within sports bodies, promoting fair, inclusive, and transparent sports administration.

It also sets up other governing bodies like the National Sports Federation, National Olympics Committee for the promotion and development of sport. The draft bill also mandates athlete representation through commissions, and increases standards for transparency in elections and financial disclosures. For better management of disputes, a Sports Tribunal will be set up, limiting civil court involvement.

The Ministry opened the draft bill for public consultation and inputs on October 10, 2024. As an organization working to facilitate the public consultation process, Civis gathered feedback by providing a platform for stakeholders to share their thoughts and recommendations.

The consultation engaged a diverse range of participants through multiple channels: Civis' WhatsApp chatbot, online consultation platform, an in-depth interview with an expert in the sports domain, as well as an analysis of the conversations of the issues on social media.

These efforts ensured that the voices of those most affected by the draft bill were heard, allowing for a data-driven and inclusive approach to gathering recommendations on it.

This report presents a compilation of the key concerns and suggestions gathered during the consultation, reflecting the perspectives of individuals and experts. The findings offer valuable insights into what stakeholders appreciate in the draft bill and where they see opportunities for improvement.



Executive Summary

This report summarises Civis' consultation efforts to gather feedback on the Draft National Sports Governance Bill 2024, which aims to overhaul sports governance in India through a newly proposed Sports Regulatory Board of India (SRBI) and measures to promote transparency, ethical practices, and athlete representation.

The consultation engaged participants across multiple channels to ensure comprehensive and diverse inputs. Civis facilitated responses on its platform, collected insights through a WhatsApp chatbot, and conducted an in-depth interview with an expert in sports governance.

In total, Civis gathered:

- **Platform and WhatsApp chatbot responses: 59**
- **In-depth interview with a former sports secretary: 1**
- **Social media analysis including**
 - **111 Twitter posts,**
 - **93 LinkedIn posts, and**
 - **11 sports articles**
 - **5 Youtube Videos**

The feedback highlighted critical areas such as SRBI's authority, transparent athlete selection, and improved grassroots support.

Key recommendations included clearer mandates for the SRBI, a simplified dispute resolution process, and robust anti-corruption measures. Respondents expressed strong support for the bill's goals but emphasized the need for independent governance and an inclusive sports framework.

This consultation underscores the importance of fostering an accountable, inclusive, and transparent sports governance system responsive to the diverse needs of India's sports community.



Key Recommendations

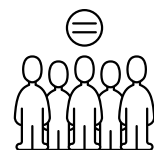


Overseeing Governance and Leadership:

Term limits should be set to prevent prolonged leadership and enable fresh perspectives. Other recommendations include the need for independent audits for transparency in finances and operations, along with strict conflict-of-interest rules.

Athlete Representation and Gender Parity:

Allocation of a minimum budget for Athletes Commissions within the National Olympic Committee (NOC), National Paralympic Committee (NPC), and National Sports Federations (NSFs). Within these commissions, 50% female representation must be necessary under the NOC and NPC.



Transparent and Inclusive Selection Process for Athletes

Standardizing eligibility criteria across all levels (local, district, state) to make it uniform and fair for all athletes. Selection processes must be made inclusive, to support talent development at every level.



Investments in Coaching and Sports Science::

Respondents an increase in funding for coaches, teachers, and nutritionists to ensure quality athlete development. An avenue suggested in dedicating CSR funds for sports, especially for underutilized areas like sports science and training infrastructure.



Setting up a Sports Ethics Commission:

Within the new governing bodies, setting up Ethics Commissions with a majority of members holding qualifications in ethics or social fields, along with sports lawyers athletes.

Grassroots Development:

Increasing grassroots engagement by placing physical education teachers in government schools and offering resources to low-income communities. Additionally, building awareness of sports programs by making all related information publicly accessible under the Right to Information (RTI) Act.



Protection and Grievance Redressal for Athletes:

Improve the coordination between the Ministry of Health and Family Welfare and the disability department, ensuring that frontline workers like ASHA workers and CMOs are well-informed about new rules and assessment guidelines. Some recommendations advocate for reducing the dispute resolution process from five tiers to two, with disputes handled first by a national tribunal and then by the Supreme Court, to prevent delays and athlete frustration.

Leveraging Existing State Governance Stuctures:

Experiences of states with existing sports acts, such as Rajasthan and Kerala, can be studied to develop effective frameworks for other states, noting that state-level involvement is crucial for comprehensive reform.





New Sports Strategy and Innovation:

Creating innovation and creative solutions sports education and management that breaks away from outdated practices, fostering a dynamic approach to sports growth across India.

Limits on Governance Positions:

Excluding active politicians from sports leadership roles, favouring professionals with 15-20 years of experience in sports administration, ensuring limited political interference in the sports governance mechanism.

Stakeholders recommend the Sports Regulatory Board and key governing bodies be led by experienced professionals rather than political appointees, highlighting that only those with a strong background in sports governance should hold such positions





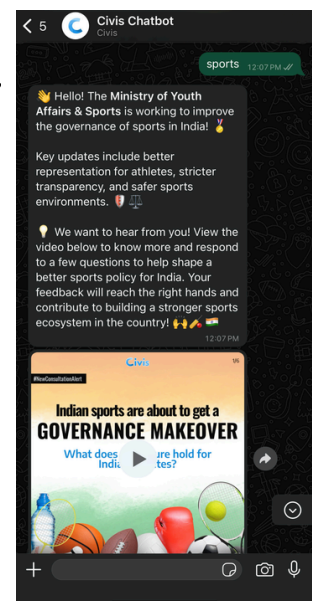
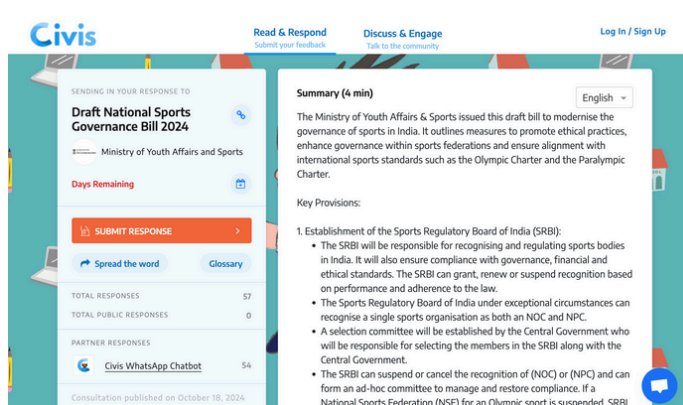
Consultation Methodology

The consultation on the Draft National Sports Governance Bill, 2024, was designed to engage a wide range of stakeholders, ensuring that diverse voices were heard and considered in the feedback process. Civis employed a multi-channel approach to gather input, utilising digital platforms, social media outreach, and direct engagement with stakeholders.

Summarization, Dissemination, and Response Collection

Civis initiated the consultation process by summarising the draft bill and creating outreach collateral to inform stakeholders about the proposed changes. These materials were disseminated across multiple platforms, allowing for comprehensive engagement, including Civis' online platform 'civis.vote' and a WhatsApp chatbot. The chatbot was broadcasted to stakeholders have previously engaged with consultations on sports and youth affairs.

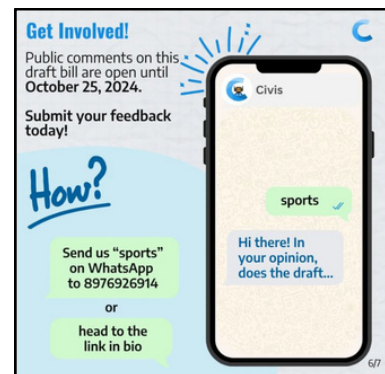
Stakeholders could respond to the draft bill's provisions using these digital tools too, making the process of comprehension and feedback collection simple, intuitive and at their fingertips.



Social Media & Community Outreach

The outreach strategy was strengthened by leveraging social media and community networks. Civis published a consultation bulletin over LinkedIn and email, which provided detailed information about the draft bill and invited stakeholders to participate in the consultation.

To broaden engagement, an informative post was shared on Instagram, LinkedIn and Twitter, summarising key aspects of the draft bill.





Summary of Responses

Civis gathered feedback on the Draft National Sports Governance Bill, 2024 using a multi-channel approach. Across these channels, two modes of response gathering were also used: a quantitative survey on the provisions of the draft bill, along with qualitative free text-responses that could range from concerns or feedback on the draft bill, to new suggestions and recommendations by the respondents.

A total of 60 responses were gathered from the following sources:

1. Civis' Consultation Platform
2. Civis' WhatsApp chatbot
3. In-Depth Interview with Shri J. C. Mohanty, Former Sports Secretary of Government of Rajasthan

The respondents were asked a variety of questions to gather their perspectives on the draft bill.

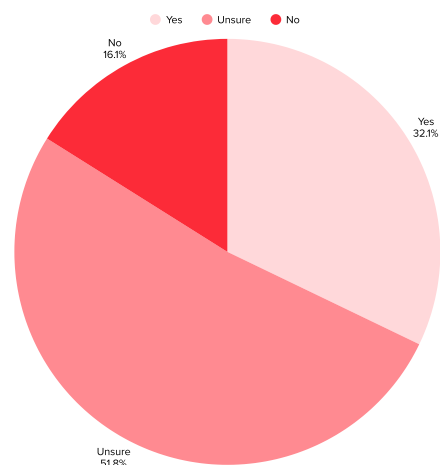
These quantitative questions focused on key aspects of the draft bill, including the need for a Sports Regulatory Board of India and its potential impact, the provisions on annual reports of sports bodies and transparency, and lastly, the effect of the potential Appellate Sports Tribunals set up by the draft bill on fairness and dispute resolution.

Apart from quantitative questions, the respondents also provided additional insights and suggestions based on their personal experiences and expertise in the field of sports governance.

Quantitative Analysis: Civis' Chatbot and Platform

Do you believe the creation of a Sports Regulatory Board of India (SRBI) will effectively improve transparency and governance in Indian sports?

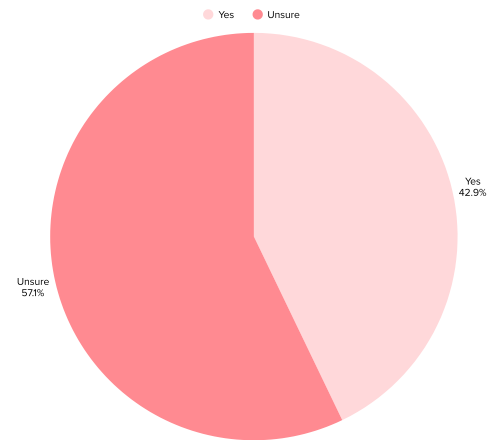
Respondents overwhelmingly felt unsure about the newly recommended regulatory body and its impact on transparency in the sports governance framework. Over a third of respondents agreed that the SRBI could increase transparency in governance, while a minority disagreed.





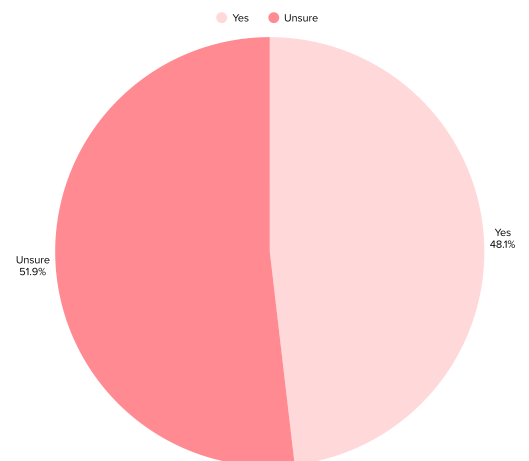
Do you believe that requiring sports bodies to publish annual reports will enhance transparency in governance?

A majority of the respondents are unsure about the mandate of publication of annual reports enhancing transparency. Slightly over 40% of them believe it will have a positive impact. No respondents thought of this as a netgative provision,



Do you believe the Appellate Sports Tribunal will enhance fairness and efficiency in handling disputes?

Respondents were closely tied between whether they believed a new Appellate Sports Tribunal would aid fairness in resolving sporting disputes nationally. While slightly over half the respondents were npt sure of its impact, the rest believed such a body could be a positive addition to our sports governance framework.





In-Depth Interview with Shri JC Mohanty

Date and Time: October 21, 2024 at 2 PM

Location: Virtual

To provide a richer and practically informed perspective on sports governance and the draft bill, Civis conducted an In-Depth Interview with Shri J. C. Mohanty, Former Sports Secretary of Government of Rajasthan for a decade, from 2007 to 2017

The interview focused on his experiences in the sports governance domain and legislative action, his comments on the draft bill and its specific provisions, particularly, the creation of new regulatory bodies, dispute resolution mechanism as well as his recommendations moving forward.

Q1: What do you think about the Draft National Sports Governance Bill 2024?

The draft National Sports Governance Bill 2024 is a welcome initiative and the part of the Ministry of Youth Affairs and Sports to establish institutional capacity and prudential standards for the governance of Sports Federations and also to establish measures for resolution of sports related disputes.

This would certainly initiate serious discussion on various aspects of sports administration and encourage the States to introduce legal measures and institutions for these objectives. Nevertheless, there are certain fundamental issues regarding structure, function and process relevant for various provisions in the draft bill.

Q2. What are some of the overall issues with the bill?

The preamble of the draft bill includes subjects like promotion of sports, welfare measures for sports persons, ethical practices, institutional capacity for the government and Sports Federation, regulation of sports, resolution of disputes, etc that are very important. However, it has to be realised that the root cause of many of these problems is the gross unethical practice of formation of fictitious local and district level sports bodies.

The pyramid of the structure of Sports Associations & Federation includes four levels. They are the local, district, state and the national level. It is of fundamental importance that only genuine primary local clubs or sports bodies are included and registered at the district level. It has been found that ghost or fictitious local level clubs are registered for the purpose of manipulating the election to the district sports association.

For example, Swimming Associations at the district level have been formed even though not a single swimming pool exists in the district. Similarly, fictitious lawn tennis district associations have been formed where there is not a single lawn tennis court. If the foundation of a district sports association is defective and suffers from manipulation, then such malaise moves upward infecting upper levels of the pyramid resulting in manipulated State level and finally national level Sports Federation. Therefore, it is very important to include the subject of “registration of primary sports bodies” in the preamble.

Q3. In your view, why have previous legislative attempts on the subject failed?

Sports is a State subject in the Constitution of India (entry 33 under the State List). A number of attempts made by the Union Government in the past on the subjects included in this draft bill have failed because States have not been able to work together with the Government of India. The irony is that the National and State Federations in a number of sports have become very powerful with mighty vested interest of persons who are not sports persons or stakeholders in sports. They have successfully prevented any statutory regulation.

It is common knowledge that there is a huge asymmetry between the power of the government officials in charge of sports and the sports office bearers of the sports federations at the district, state and national levels. The state governments are unable to come up with any act or rules because the state level sports bodies get recognition from the National Sports Federation as per the guidelines of the National Federation.

Only Kerala and Rajasthan have Sports Acts in India enacted in 2001 & 2005 respectively. These acts have the primary purpose of recognition and regulation of Sports Associations at the State and district levels. However, the legal provisions in these acts are limited to the Sports bodies at local, district and state level only. Along with the proposed national bill, the existing state Laws should also be circulated. The experience of these States in regulating the sports bodies and to resolve the disputes should be studied carefully.

The Government of India and State governments should definitely step in to reform the present scenario in sports administration in the country. It is common knowledge that almost all the sports Federation have been hijacked by political persons who are not stakeholders. They have no idea of the rules and regulations. Their only objective is to manipulate the elections at district, state and national level and get elected. The sports persons have been marginalised and have no say in sports administration. This is certainly a very sorry state of affairs.

Q4. What are some of the key issues plaguing sports bodies today?

Embezzlement of funds, lack of transparency, complete absence of ethics have become common features of most of the sports organisations.

The Government of India and state governments invest enormous amounts of funds to create sports infrastructure and the Federation has almost no contribution for this. The tragedy is that the Sports Federations utilise the infrastructure, yet do not allow any regulation from the government. Because of political clout, they have been able to successfully prevent what they call 'unwarranted interference of the government' and violation of Olympic spirit. The statute should have some provision for mandatory contribution of the sports federations to create infrastructure facilities.

Although cricket is not an Olympic sport, the cricket control board has become a hotbed for political struggle and controversy. The Lodha Committee has given a number of recommendations which are relevant to all State federations. Hence, all those recommendations should be studied and incorporated for all other sports wherever applicable. In fact, Justice Lodha is one of the few judges who have deep understanding of the sports organisations and hence his opinion and suggestion would be invaluable before finalising the draft bill.

Q5. What is your view on the newly established Sports Regulatory Board of India? Do you think it will improve sports governance in India?

The National Olympic Committee, National Sports Federation, Regional Sports Federation, need to be recognised by the Sports Regulatory Board that is chaired by the sports secretary. The Sports Regulatory Board has been given enormous responsibilities in the draft bill. However, the constitution of the board is such that it's a very weak body of government officials who do not seem to be having the capability or stature to discharge the functions assigned to them.

With Secretary Sports, DG, SAI, VC NSU etc. as members, the sports regulatory board of India would become a colossus with feet of clay. Sports Secretary certainly occupies the most prominent position in the sports ministry and plays a key role for the development and management of sports, But he has limited time and therefore he would certainly not be able to perform all functions assigned to him in the draft bill including semi judicial work in the sports appellate tribunal.

Sports Federations are headed by political people of the level of cabinet ministers of government of India, ministers, persons related to chief ministers and powerful members of Parliament, et cetera. Hence it may not be advisable to entrust such onerous responsibility to the proposed SRB.

In Rajasthan, the task of recognition and registration of sports bodies and associations at the district level has been left to the Registrar of Societies. who has statutory powers to register societies and cooperative bodies. They have the expertise and experience on this subject, and there are clearly defined appellate procedures. Election commission of India also has a well oiled procedure for recognition of political parties. Registrar of Companies is a similar statutory body. Sports department lacks such experience. Hence it would be wise to identify suitable existing statutory organisations and give this responsibility to other bodies.

It has also to be admitted that sports is not a priority for the Government of India. The post of Sports Secretary is seen as a punishment posting for IAS officers and few officers have shown enthusiasm to promote sports. Similar is the case with the persons in charge of national Institute of sports and other bodies. They do not have credibility among the sports persons. In any case , given the political clout of the sports Federations , they have not been effective in any way to regulate the activities or prevent the unethical practices so far. The state Sports Secretaries have not been given any role in SRBI (Sports Regulatory Board of India).

Sports secretaries of the state government have much experience. It may be considered to associate the Sports Secretaries of states by rotation or even consider including retired Sports Secretaries of Union or State Governments who have worked for more than three years in sports departments in the States.

It is well known that the Sports secretaries in Government of India have very small tenure, and their frequent transfer will definitely affect the efficiency of the board.

Sports Regulatory Board should have members having fixed tenure : Central and State, electricity regulatory commission, National Green Tribunal, National and State information commission are statutory bodies having members selected by a systematic process having tenure of at least three years up to the age of 65. This is a normal practice in the government of India, Hence a Regulatory Board with experienced retired or serving persons should be constituted so that it has both a certain amount of autonomy and stability.

Q6. What are your thoughts on the proposed structure for the Appellate Sports Tribunal?

The Appellate Sports Tribunal should also have a constitution as said above. It would be extremely difficult for the Secretary of the department, Sports of Government of India to be present in the appellate proceedings. In addition to his onerous responsibilities both under this act and other administrative work. It would be therefore better to have a tribunal on the pattern of central electricity, regulatory authority CERC or NGC. For example, in the central administrative terminal under the Income Tax act or Companies act full-time members have been taken. Similar body could be constituted that would be more effective and have adequate time to discharge its functions.

Q7. What is your opinion on the Athletes Commission?

Providing a statutory platform for the athletes is one of the best features of the bill. Unfortunately, it has been commonly observed that the talented athletes lack administrative skill and experience and therefore are unable to discharge responsibility as Sports administrators. In this context it is very important that the retired athletes be given special training and orientation regarding the Sports laws and other related subjects so that they are qualified to involve themselves in the Sports Federation after their retirement.

In Rajasthan an idea was recommended by N.K. Jain Commission, that only such person should be eligible to contest for various offices in the state and district level federations who have represented district or school in games. Some minimum qualification in sports activity would go a long way in giving the athletes a chance to be a part of the sports administration. However, enabling them with skills to discharge their function is very very important. A provision may be kept that all the athletes who have been elected to the athlete's commission would be given training at the NIS, just as new entrants in the government service are given institutional training.

Q8. Do you think the proposed dispute resolution mechanism in the Bill will work?

The dispute resolution mechanism envisaged in the bill is quite comprehensive as far as the national level is concerned. Provision for Dispute resolution commission is there at the level of NOC, NPC, NSF, RSF and appellate sports tribunal. Final appellate body is the Supreme Court of India.

It means that if a local sports body has a grievance regarding its exclusion from the district level sports association or there is a dispute over the election of the office bearers of district level Sports association, the aggrieved party has first to go to the dispute resolution commission of the Regional Sports Federation. After that he could go to the national sports Federation or national Olympic committee level commissions. Even after that, if the resolution of the dispute doesn't take place, he could go to the appellate sports tribunal and then finally to the Supreme Court of India.

Hence, it is a lengthy 5 tier dispute resolution procedure. It would be useful to study the time taken at present for various disputes pending in the courts to be decided. There should be a maximum two tiers for dispute resolution.



In the Rajasthan Sports Act, the first hearing is done by the Sports secretary and the next hearing on appeal is done by the High Court. Usually, the disputes are settled at these levels. Similarly, at the national level only two forums should be available. That is the appellate tribunal and Supreme Court of India. Delay in resolution of disputes causes immense frustration to the players.

For example, the dispute over the election of office bearers to the Rajasthan Tennis session took nearly 6 years and the players could not take part in the national level competition and were deprived of sports efficiency certificates. The disputes in matters related to sports are not very complicated. If the provisions of this bill are followed, then the scope for the disputes will be very less. Therefore, the dispute resolution mechanism could be restricted to only 2 tiers.

Q9. Would you like to give any other suggestions to improve the state of sports governance in the country?

The role of the States is very important to bring about meaningful change in promotion of sports and institutional capacity building for this purpose. It would be very useful to study the experience of States who have Sports Act for the last 20 years.i.e Rajasthan Sports Act, 2005 and Kerala Sports Act 2001.

The Lodha committee report is very useful for reference. Dispute solution mechanisms should be crisp and time bound. Athletes should be given training and exposure to make them capable to discharge their role in sports administration. There should be clear scope for private sector and state government participation to promote sports. Odisha is an example where the state government promoted hockey and took it to the international level. Other States could be motivated to take up at least one game each.





Key Findings:

Social Media Analysis

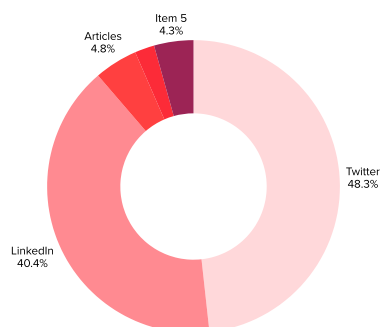
The introduction of the Draft National Sports Governance Bill 2024 has sparked significant interest and discussions across various platforms, including LinkedIn, Twitter, YouTube, as well as sports publications.

We leveraged sophisticated data scraping techniques, our analysis has aggregated and meticulously examined a diverse array of opinions across **111 tweets from Twitter, 93 LinkedIn posts, 11 articles from prominent sports and governance publications, and 5 YouTube videos.**

The time period chosen for this analysis ranges from 1st March 2024 to 30th September 2024, focusing on not only the immediate reactions and concerns surrounding the draft bill, but also the sports ecosystem in general, around the time the bill was under consideration and published for comments, to provide a more holistic overview.

In our data collection efforts, we ensured a diverse set of stakeholders' inputs through their social media posts were being captured, to reflect their differing needs from the draft bill. The key stakeholder groups are:

- **Athletes:** Their feedback primarily focused on athlete representation and fair selection processes.
- **Sports Organizations:** They discussed the regulatory impact on their operations and governance reforms.
- **Governance Experts and Legal Advisors:** Provided critiques on the legal framework and compliance issues.
- **General Public:** Offered opinions on the inclusivity and transparency measures within the bill.





Key Concerns and Suggestions from Social Media

- **Athlete Representation in Governance:**

Athlete Representation being currently insufficient in key decision-making bodies, several posts recommended increasing their presence on governing boards, committees and councils.

- **Transparent Selection Processes:**

Processes for selections to key sporting events at the state and national levels need to be made more transparent to ensure merit-based selection and fairness.

- **Regulatory Mechanism for small sports organisations:**

While several users raised concerns about the regulatory burden and costs to comply with the requirements of the new draft bill for small sports organisations, solutions for the issue were suggested too.

Clearer guidelines and training and capacity building could be offered for small and new organisations to meet compliance standards. Additionally, separate guidelines and frameworks could be issued for smaller organisations.

- **Clashing jurisdictions of sporting bodies:**

To avoid overlapping areas of practice of the sporting bodies set up by the draft bill, clearer definitions on their mandates and boundaries could be provided. In case of such overlap, conflict resolution should be clearly set up.

- **Accountability of sporting bodies:**

Pointing out potential corruption in the sports governance bodies, users recommend strict anti-corruption measures and penalties for such breaches. In addition, audits of financial and operational activities of the bodies should be conducted independently.

- **Grassroots participation and cultivation of athletes:**

More inclusive platforms for grassroots participation of athletes in governance and local level management. Programs to hear athlete feedback nation-wide on programs can be implemented.

- **Regular public disclosures of sports governance decisions:**

Highlighting a greater need for transparency, recommendations for periodic disclosures on sports organisational activities, and consultations on upcoming sports policy decisions.



Conclusion

The consultation on the Draft National Sports Governance Bill 2024 has received valuable and diverse feedback from stakeholders, which highlights both support and concerns of certain parts of the draft bill.

Key points of the bill, such as the establishment of the Sports Regulatory Board of India (SRBI), enhanced athlete representation, transparent governance requirements, and the creation of a dispute resolution mechanism, were widely discussed and evaluated.

Key concerns raised include the need for stricter eligibility and anti-corruption rules, fair athlete representation, transparent selection processes, and stronger grassroots support. Suggestions on the other hand, included clearer mandates for sports bodies, capacity-building for smaller organisations, and a streamlined two-tier dispute resolution system to enhance efficiency and accountability in sports governance.

Through diverse methods of feedback collection, and representing a wide variety of stakeholder groups and interests, Civis' report looks to meaningfully aid the consultation process on the draft bill. The Ministry's efforts in creating a governance framework for sports, informed by the opinions of those most affected by it, shows a deep commitment to democratic lawmaking, and Civis hopes to provide value in simplifying this process and sharing the most relevant feedback.

Annexure A:

Platform & WhatsApp Responses



Thank you!

This report is produced and presented by Civic Innovation Foundation (registered as a Section 8, non-profit company under the Indian Companies Act), through its platform 'Civis', provides targeted stakeholder engagement services to governments.



+91-8976926914



Office No. 18, Bombay Mutual Chamber, Ambalal Doshi Marg, Kala Ghoda, Fort, Mumbai, Maharashtra 400001



www.civis.vote



antaraa.vasudev@civis.vote