



## Sports law in India: A critical analysis of governance, regulation and emerging legal challenges

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### Abstract

Sports law in India has emerged as a rapidly developing field of legal study due to the increasing commercialization, institutionalization, and globalization of sports. The transformation of sports from a recreational activity into a multi-billion-dollar industry has generated complex legal issues concerning governance, athlete rights, contractual obligations, broadcasting rights, intellectual property, and doping, corruption, and dispute resolution. Although India does not possess a comprehensive codified sports law, the legal regulation of sports has evolved through constitutional principles, judicial precedents, government policies, administrative regulations, and international obligations. This paper critically examines the constitutional and institutional framework governing sports in India, the role of judicial intervention in sports administration, the commercialization of sports, and contemporary legal challenges such as match-fixing, doping, gender justice, and sports arbitration. The paper further evaluates the National Sports Development Code of India, 2011 and argues for the enactment of a comprehensive sports legislation to ensure transparency, accountability, athlete welfare, and professionalism in Indian sports governance.

Sports law in India is an emerging but still largely fragmented field, built from constitutional provisions, policy documents, general legislation and case law rather than a single comprehensive statute. This paper surveys the constitutional framework, key regulatory instruments, institutions, major substantive areas (governance, contracts, IP, doping, dispute resolution, match-fixing, broadcasting, player rights), and pressing reform needs in Indian sports law.

**Keywords:** Sports law, India, sports governance, athlete rights, constitutional framework, judicial intervention, commercialization of sports, sports contracts, broadcasting rights

### Introduction

Sports have become an integral component of modern society, transcending the boundaries of recreation and entertainment to emerge as a significant socio-economic and legal institution. In contemporary India, sports contribute substantially to national identity, international diplomacy, economic growth, public health, and youth development. The increasing popularity of professional sports leagues such as the Indian Premier League (IPL), Indian Super League (ISL), Pro Kabaddi League (PKL), and Premier Badminton League has transformed sports into a major commercial enterprise involving substantial investments, sponsorship arrangements, broadcasting agreements, and employment opportunities<sup>[1]</sup>.

The rapid commercialization and professionalization of sports have simultaneously increased the importance of legal regulation in sporting activities. Sports law now governs a wide variety of legal relationships involving athletes, clubs, sponsors, broadcasters, governing bodies, agents, spectators, and governmental authorities. Unlike jurisdictions such as the United States, Australia, and certain European nations, India does not possess a comprehensive legislation specifically regulating sports administration<sup>[1]</sup>. Instead, Indian sports law operates through a fragmented legal framework comprising constitutional provisions, judicial precedents, government policies, contractual principles, labour laws, intellectual property regulations, and international sports norms.

The growing significance of sports law in India is reflected in the increasing judicial scrutiny of sports federations, concerns regarding corruption and governance failures, disputes relating to broadcasting rights, allegations of match-fixing, anti-doping controversies, and issues concerning athlete welfare and gender justice<sup>[3]</sup>. The

judiciary has frequently intervened to ensure accountability and transparency in sports administration, particularly in relation to cricket governance and the functioning of sports federations.

Sports law is therefore not a singular branch of law but an interdisciplinary field incorporating constitutional law, contract law, criminal law, administrative law, labour law, media law, competition law, arbitration law, and intellectual property law<sup>[4]</sup>. The absence of a codified sports legislation has created inconsistencies and governance challenges, thereby necessitating comprehensive reforms to regulate sports administration effectively.

This paper critically analyses the development and current status of sports law in India. It examines the constitutional and institutional framework governing sports, evaluates the role of judicial intervention in sports governance, discusses the commercialization of sports and related legal issues, and analyses contemporary challenges such as corruption, doping, gender discrimination, and dispute resolution. The paper further argues that India urgently requires a modern and comprehensive sports law framework capable of ensuring integrity, professionalism, transparency, and athlete-centric governance.

### Meaning and Nature of Sports Law

Sports law refers to the collection of legal principles, judicial decisions, statutes, regulations, and contractual norms governing sporting activities and relationships arising within the sports industry. It is not a codified or standalone branch of law but rather a multidisciplinary field drawing from several traditional branches of legal study<sup>[5]</sup>.

Sports law encompasses a broad range of issues, including:

- Governance of sports federations and associations
- Athlete contracts and employment relations

- Sports broadcasting and media rights
- Sponsorship and endorsement agreements
- Intellectual property protection
- Match-fixing and corruption
- Doping and disciplinary proceedings
- Sports arbitration and dispute resolution
- Gender equality and athlete protection
- Taxation and competition law issues

The legal regulation of sports differs from ordinary commercial activities because sporting activities involve public interest, national representation, international obligations, and institutional autonomy. Sports organizations frequently exercise disciplinary and regulatory powers that directly affect the rights and careers of athletes. Consequently, legal accountability becomes essential to ensure fairness, transparency, and procedural justice.

In India, sports law has gained prominence primarily due to the commercialization of cricket and the increasing participation of private entities in sports management<sup>[6]</sup>. The expansion of sports broadcasting markets and sponsorship industries has also intensified the legal dimensions of sports governance.

### **Constitutional Framework Governing Sports in India**

Under the Seventh Schedule, “sports” appears in Entry 33 of the State List, which means primary legislative competence lies with state legislatures. This federal design has resulted in uneven state-level regulation and limited central legislative intervention, though centrally sponsored schemes and model guidelines attempt harmonization. Sports are included under Entry 33 of the State List in the Seventh Schedule, which deals with theatres, dramatic performances, cinemas, entertainment, amusements, and sports.<sup>7</sup> accordingly, state governments possess legislative competence over sports-related matters.

The Union has nonetheless shaped sports governance through its executive power, issuing the National Sports Policy (various versions) and, importantly, the National Sports Development Code of India 2011 (Sports Code), which prescribes governance norms for national sports federations (NSFs) and the Indian Olympic Association (IOA). Attempts were made in 2017 to move sports to the Concurrent List to enable clearer central legislation, but these have not yet materialized into a constitutional amendment.

The Constitution of India does not expressly recognize sports as a separate constitutional subject. However, despite sports being a State subject, the Union Government exercises substantial influence through policy formulation, funding mechanisms, international representation, and regulatory oversight. The constitutional framework governing sports is further strengthened through several fundamental rights and judicial principles.

### **Article 14: Equality before Law**

Article 14 guarantees equality before law and equal protection of laws. Sports federations and authorities are expected to ensure fairness, transparency, and non-discrimination in athlete selection, disciplinary proceedings, and administrative decisions. Arbitrary exclusion or discriminatory treatment within sports administration may violate constitutional guarantees under Article 14.

### **Article 19(1) (g): Freedom to Practice Profession**

Professional athletes derive constitutional protection under Article 19(1) (g), which guarantees the freedom to practice any profession or occupation. Participation in sports as a profession has become increasingly recognized in India due to the commercialization of sporting activities and the growth of professional leagues.

### **Article 21: Right to Life and Dignity**

The Supreme Court has interpreted Article 21 broadly to include dignity, livelihood, and safe working conditions. Athlete welfare, protection from harassment, access to fair disciplinary procedures, and mental health support may therefore fall within the broader ambit of Article 21 protections.

### **Judicial Review under Articles 32 and 226**

Indian courts have consistently exercised judicial review over sports federations performing public functions. Although many sports organizations are registered as private associations, their public character and monopoly over sporting activities have subjected them to constitutional scrutiny<sup>[8]</sup>.

The constitutional framework thus forms the basis for judicial intervention in sports governance and athlete protection.

### **Evolution of Sports Law in India**

#### **Early Development of Sports Administration**

During the colonial period, sports administration in India was primarily managed by voluntary associations, clubs, and educational institutions. Cricket, hockey, football, and athletics gained popularity under British influence, leading to the formation of various sports bodies.

After independence, the Indian government gradually recognized sports as an important instrument for national development and international representation. However, sports administration remained largely unregulated and dependent upon autonomous federations.

#### **National Sports Policy, 1984**

The National Sports Policy of 1984 represented the first organized governmental initiative aimed at promoting sports development in India. The policy emphasized infrastructure creation, coaching facilities, scientific training, and international competitiveness.

#### **National Sports Policy, 2001**

The National Sports Policy, 2001 introduced a broader framework for sports governance and development<sup>[9]</sup>. The policy aimed to:

- Promote excellence in sports
- Encourage participation at grassroots levels
- Improve sports infrastructure
- Strengthen coaching and training facilities
- Encourage private sector participation
- Enhance international performance
- The policy recognized the growing commercial and social importance of sports in India.

#### **National Sports Development Code of India, 2011**

The National Sports Development Code of India, 2011 represented a major step towards regulating sports

governance in India. The Sports Code consolidated various governmental instructions, circulars, and guidelines relating to National Sports Federations (NSFs).

The Sports Code consolidates various earlier circulars and guidelines, laying down norms on recognition, elections, tenure, age limits, transparency and dispute resolution for NSFs and IOA. It aims to enforce good governance by requiring democratic elections, term limits for office-bearers, financial audits and compliance with anti-doping and ethical standards as a condition for government recognition and funding.

The legality and binding nature of the Sports Code have been litigated, but the Delhi High Court has held that NSFs and IOA must comply fully with its provisions as a precondition for governmental recognition. Compliance, however, remains patchy: many bodies resist age and tenure limits and resist disclosure obligations, leading to continuing judicial monitoring.

The Code introduced reforms concerning:

- Democratic elections in sports bodies
- Age and tenure limits for office bearers
- Financial transparency and accountability
- Athlete participation in administration

### **Recognition and derecognition of federations**

The Sports Code sought to address governance failures, corruption, nepotism, and political interference within sports administration.

Institutional Framework Governing Sports in India are:

#### **▪ Ministry of Youth Affairs and Sports**

The Ministry of Youth Affairs and Sports acts as the central governmental authority responsible for sports policy formulation, funding, international coordination, and recognition of sports federations.

#### **▪ Sports Authority of India (SAI)**

The Sports Authority of India was established in 1984 to promote sports infrastructure and athlete training. SAI manages national coaching programs, talent identification schemes, sports academies, and international preparation programs.

#### **▪ Indian Olympic Association (IOA)**

The Indian Olympic Association serves as the apex body responsible for India's participation in Olympic and international sporting events. It coordinates with international sports organizations and supervises affiliated federations.

#### **▪ National Sports Federations (NSFs)**

National Sports Federations regulate specific sporting disciplines in India. They organize tournaments, establish selection criteria, oversee athlete training, and represent India in international competitions.

#### **▪ National Anti-Doping Agency (NADA)**

The National Anti-Doping Agency enforces anti-doping regulations consistent with the World Anti-Doping Agency (WADA) Code and conducts investigations relating to prohibited substances and practices.

### **Judicial Contribution to Sports Law**

The Indian judiciary has played a transformative role in shaping sports governance and accountability.

#### **▪ Zee Telefilms Ltd. v. Union of India<sup>[11]</sup>**

In this landmark case, the Supreme Court examined whether the Board of Control for Cricket in India (BCCI) could be considered "State" under Article 12 of the Constitution. The Court held that BCCI was not "State" within Article 12. However, the Court clarified that bodies discharging public functions could still be subjected to judicial review under Article 226.

This judgment remains significant because it recognized the public importance of sports governance despite the private structure of sports associations.

#### **▪ Board of Control for Cricket in India v. Cricket Association of Bihar<sup>[12]</sup>**

This case emerged from allegations of betting and match-fixing during the IPL scandal. The Supreme Court appointed the Lodha Committee to recommend governance reforms within the BCCI. The Lodha Committee recommended:

- Age and tenure limits for office bearers
- Conflict-of-interest regulations
- Financial transparency
- Professional management structures
- One-state-one-vote system

The judgment significantly altered cricket governance and strengthened accountability mechanisms within Indian sports administration.

#### **▪ Indian Olympic Association v. Union of India**

The Delhi High Court upheld the binding nature of the National Sports Development Code, 2011 upon recognized sports federations receiving governmental assistance<sup>[13]</sup>.

#### **▪ Rajasthan Equestrian Association v. Union of India**

The Delhi High Court reiterated the importance of transparency and compliance with governance standards under the Sports Code<sup>[14]</sup>.

### **Commercialization of Sports and Legal Challenges Broadcasting Rights**

Broadcasting rights constitute one of the most valuable commercial assets in modern sports. Sports broadcasting generates enormous revenue through television rights, digital streaming agreements, sponsorships, and advertising.

### **Legal disputes relating to broadcasting rights frequently involve**

- Licensing agreements
- Revenue-sharing arrangements
- Competition law issues
- Exclusive media rights
- Digital streaming disputes

The IPL broadcasting market has particularly transformed the financial structure of Indian sports.

Professional athletes and sports organizations enter endorsement contracts with brands and corporations. Such agreements involve legal issues concerning:

- Breach of contract
- Morality clauses
- Image rights
- Exclusivity arrangements
- Trademark protection

Athlete endorsements have become an important component of sports commercialization.

### **Intellectual Property Rights in Sports**

Intellectual property protection is essential for safeguarding team names, logos, merchandise, and broadcasting content, and event titles. Trademark law and copyright law are extensively used to prevent unauthorized commercial exploitation.

### **Match-Fixing, Betting, and Corruption**

Corruption poses one of the greatest threats to the integrity of sports in India. Match-fixing and illegal betting undermine public confidence and damage the credibility of sporting competitions.

The IPL betting scandal exposed serious governance failures and conflicts of interest within cricket administration.<sup>15</sup> Despite repeated controversies, India still lacks a comprehensive legislation specifically criminalizing sporting fraud.

The proposed Prevention of Sporting Fraud Bill, 2013 sought to criminalize match manipulation and corruption in sports, but it has not yet been enacted.

Corruption within sports federations further includes:

- Financial irregularities
- Electoral manipulation
- Abuse of power
- Nepotism and favouritism

These governance deficiencies weaken institutional credibility and athlete confidence.

### **Doping and Athlete Regulation**

Doping violates the principles of fair competition and athlete integrity. India follows the World Anti-Doping Agency (WADA) Code through the National Anti-Doping Agency (NADA).

Anti-doping regulation involves:

- Drug testing procedures
- Investigation of violations
- Athlete hearings
- Disciplinary sanctions

### **Appeals and arbitration**

Indian athletes have repeatedly faced disciplinary proceedings relating to prohibited substances. The increasing number of doping cases demonstrates the importance of procedural fairness, athlete education, and scientific testing mechanisms.

### **Gender Justice and Athlete Protection**

Gender justice has emerged as a critical issue in Indian sports governance. Allegations of sexual harassment, institutional abuse, and discrimination have exposed serious deficiencies within sports administration. Sports organizations are legally obligated to comply with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. However, implementation remains inconsistent across sports institutions.

Recent controversies involving wrestling authorities and sports administrators highlighted the urgent need for:

- Independent grievance redressal mechanisms
- Safe sporting environments
- Athlete's mental health support

- Gender-sensitive governance structures
- Protection against harassment and discrimination

### **Sports Arbitration and Dispute Resolution**

Sports disputes require specialized and speedy adjudication because delays may adversely affect athlete careers, tournament schedules, and contractual obligations.

Sports disputes in India are generally resolved through:

- Internal disciplinary bodies
- Arbitration clauses in contracts
- Civil courts and writ petitions
- International arbitration before the Court of Arbitration for Sport (CAS)

India presently lacks an independent sports tribunal exclusively dedicated to sports disputes. The establishment of specialized sports arbitration institutions could improve efficiency, consistency, and expertise in sports adjudication.

### **Challenges in Indian Sports Governance**

Indian sports governance continues to face several structural and institutional challenges. India does not possess a unified sports law statute regulating governance, dispute resolution, athlete rights, and accountability.

Political influence within sports federations undermines professionalism, autonomy, and democratic functioning.

Several sports bodies continue to suffer from corruption, financial irregularities, nepotism, and lack of accountability.

Athlete welfare systems relating to mental health, harassment protection, insurance, and contractual security remain inadequate.

The absence of specialized sports tribunals results in prolonged litigation before ordinary courts.

Despite commercial growth in elite sports, grassroots infrastructure and athlete development remain insufficient in many regions of India.

### **Need for Comprehensive Sports Law Reform**

India urgently requires a comprehensive legislative framework regulating sports governance and athlete protection. Such legislation should include:

- Transparent governance standards
- Independent ethics and integrity commissions
- Athlete rights and welfare protections
- Anti-corruption and anti-match-fixing provisions
- Gender justice and safe sport mechanisms
- Financial accountability measures
- Independent sports arbitration institutions

The establishment of an independent sports regulatory authority could strengthen institutional accountability and ensure compliance with governance standards.

Comprehensive reform is essential not merely for administrative efficiency but also for preserving the integrity and credibility of Indian sports.

### **Conclusion**

Sports law in India has evolved considerably through judicial intervention, policy initiatives, commercialization, and international sporting participation. Although India lacks a codified sports legislation, constitutional principles, judicial precedents, and administrative regulations collectively govern the sports ecosystem.

The increasing commercialization of sports has generated complex legal issues concerning governance, broadcasting

rights, corruption, doping, athlete welfare, and dispute resolution. Judicial activism has played a crucial role in promoting transparency and accountability, particularly in cricket administration and sports federation governance.

However, governance failures, political interference, corruption, weak athlete protection mechanisms, and absence of specialized dispute resolution systems continue to undermine Indian sports administration. The growing importance of sports in India's social and economic landscape makes comprehensive legal reform both necessary and inevitable.

A modern, transparent, and athlete-centric sports law framework is essential to ensure integrity, professionalism, gender justice, accountability, and global competitiveness within Indian sports governance.

Sports law in India has evolved from a virtually non-existent domain to a complex matrix of constitutional norms, executive codes, general statutes and judicially enforced governance standards. Yet the absence of a dedicated sports statute, uneven implementation of the Sports Code, and gaps in areas such as athlete rights and sporting fraud leave the system fragile and heavily dependent on court-driven reforms.

For India to match its growing sporting aspirations and commercial stakes, legal reform must move beyond ad-hoc responses to scandals toward a coherent legislative framework that balances autonomy of sports bodies with accountability, protects athletes, and aligns domestic law with international best practices.

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