

**GOVERNMENT OF INDIA  
YOUTH AFFAIRS AND SPORTS  
LOK SABHA**

UNSTARRED QUESTION NO:826  
ANSWERED ON:02.03.2010  
INCLUSION OF SPORTS IN CONCURRENT LIST  
Tewari Shri Manish

**Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:**

- (a) whether the proposal to shift subject `sports` from the State list to the Concurrent List of the Seventh Schedule to the Constitution of India, has been abandoned;
- (b) if so, the details thereof;
- (c) whether the Union Government held consultations with various State Governments on the said issue;
- (d) if so, the response of each State Government thereto;
- (e) whether the Government proposes to hold wider consultations/open house discussions with sports personalities/ associations/civil society in the matter;
- (f) if so, the details thereof;
- (g) the terms of reference on which the Ministry of Sports sought the opinion of the Attorney General of India on the said issue;
- (h) whether all the relevant material on this subject was made available to the Law Ministry/ Attorney General before his opinion was sought on this issue; and
- (i) if so, the details thereof?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI PRATIK PRAKASHBAPU PATIL)

- (a) & (b): Yes, Madam. The motion for withdrawal of the Constitution (Sixty-First Amendment) Bill, 1988, pending since 24.11.1988, was moved by Minister for Youth Affairs and Sports in Rajya Sabha on 03.12.2009 and the motion was withdrawn by the leave of the House.
- (c) & (d): Since the proposal involved transfer of 'Sports' from the State List to the Concurrent List, it required to be ratified by the legislature of not less than half of the States by resolution to that effect passed by those legislatures before the Bill seeking provision for such amendment is presented to the President of India for assent. The proposal was discussed in the Conference of State Sports Ministers in September 1983 and at the All Political Parties' Meetings in 1996, 1997, 1998 and 1999. The Ministry had also written to all the Chief Ministers seeking their support, but the required support could not be obtained. Therefore, the Government decided to withdraw the Bill.
- (e) No, Madam.
- (f) The question does not arise.
- (g) to (i): The primary reason for proposing the transfer of 'sports' from the State List to the Concurrent List was to cater to the need of regulating activities and functioning of National Sports Federations/Associations. When the States' favourable response for the proposed Amendment Bill was not forthcoming, the Ministry of Youth Affairs and Sports made a self-contained reference to Ministry of Law & Justice in November, 2006 whether Union Government can enact a law regulating activities of the sports bodies involved in multi-state sporting activities under the Entry 97 of the List-I (Union List), which gives residuary powers to the Parliament to enact a law on any other matter not enumerated in List-II (State List) or List-III (Concurrent List) including any tax not included in either of those Lists.

Attorney General of India opined that the Parliament is competent to make law on the subject under powers conferred upon it under Entry 97 of List-I read with Article 248 of the Constitution of India, as no State has the powers to enact laws for the efficient conduct of sporting events that involve multi-state activities, or All India sporting events; and / or international sports activities and enactment of this nature would not infringe upon the States' power in promoting sports, thereby implying that there would be no direct conflict or repugnance with State Laws on sports, if any.

