

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

UNSTARRED QUESTION NO:818  
ANSWERED ON:14.08.2012  
SPORTS ASSOCIATIONS UNDER RTI  
Ajay Kumar SHRI ;Choudhary Shri Bhudeo

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

- (a) whether the Government proposes to bring various sports associations/federations including the Board of Control for Cricket in India (BCCI) in the country under the ambit of the Right to Information Act, 2005;
- (b) if so, the response of the said sports associations and BCCI in this regard;
- (c) the time by which the sports associations/federations are likely to be brought under the ambit of the RTI Act; and
- (d) the steps taken/proposed to be taken by the Government to bring transparency and accountability in the functioning of sports federations and BCCI?

**Answer**

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN)

(a) to (c) The need for bringing National Sports Federations (NSFs) including BCCI under ambit of Right to Information Act, (RTI) 2005 has been voiced from time to time. Accordingly, Government in April, 2010 declared all the NSFs receiving grant of Rs.10.00 lakhs or more as Public Authority under Section 2(h) of the RTI, 2005. There are major court rulings for treating the National Sports Federation as a public authority, especially in view of the state-like functions discharged by them, such as selection of the national team and control and regulation of sports in the country, which also make them amenable to the writ jurisdiction of High Courts under Article 226 of the Constitution of India. Notwithstanding the above, the Government has proposed to bring all the National Sports Federations including BCCI under the RTI Act in the proposed National Sports Development Bill, with the provision of exclusion clause, protecting personal/confidential information relating to athletes.

(d) In order to bring transparency and accountability in the functioning of the national sports bodies including BCCI, Government has formulated a regulatory framework with the objective of promoting good governance among sports bodies. The Draft of the National Sports Bill has been placed in the public domain for pre-legislative stakeholders consultations, the salient features of which are as under :

(i) Central Government support for development and promotion of sports including financial & other support for preparation of National teams, athletes' welfare measures and promoting ethical practices in sports including elimination of doping practices, fraud in age and sexual harassment in sports, Rights and obligations of the Indian Olympic Association and National Sports Federations (including adoption of basic universal principles of good governance and professional management of sports).

(ii) Participation of athletes in the management/decision making of the concerned NSF and the Indian Olympic Association through the Athletes Advisory Council.

(iii) Duties and responsibilities of the Sports Authority of India and the Government of India, which have been clearly defined.

(iv) Mechanism for sports dispute settlement and establishment of a Dispute Settlement and Appellate Tribunal.

(v) Greater autonomy to National Sports Federations and dilution of control of Government over the National Sports Federations.

(vi) Bring National Sports Federations under Right to Information Act, 2005 with certain exclusion clauses for protecting personal/confidential information relating to athletes.

(vii) Specific provision has been inserted in the anti-doping clause to exclude the administering by the National Anti Doping Agency of those provisions of the World Anti Doping Agency Code to which the International Federation of the Sport is not subject.

(viii) A duty has been enjoined upon the coaches, guardians and other support personnel to prevent unethical practices in sports such as doping and fraud of age.

Specific provisions have also been made to ensure that National Sports Federation, the National Olympic Committee, the Sports Authority of India adopt or undertake measures not only to prohibit sexual harassment at workplace for sports but also provide appropriate conditions for women in respect of work, leisure, health and hygiene. Other measures have been provided for setting up a

complaint mechanism for redressal of complaints with a committee headed by a woman, or a special counselor, whilst adhering to the principle of confidentiality.

In addition, this Ministry has suggested modifications in the Ministry of Women and Child Development's proposed Notes for the Cabinet to further pursue the enactment of the Protection of Women against Sexual Harassment at Workplace Bill, 2010, that athlete be included as an employee since it covers a large segment of persons, and sports field as workplace for effective protection against sexual harassment on or of sports field.