

CRITICAL ANALYSIS OF THE NATIONAL SPORTS GOVERNANCE ACT, 2025

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Abstract:

The National Sports Governance Act, 2025, marks a pivotal shift in India's sports administration by introducing a statutory framework to replace the non-binding National Sports Development Code of 2011. Aimed at enhancing transparency, accountability, and athlete welfare, the Act establishes structured governance for sports bodies, a National Sports Board, and a National Sports Tribunal. This article critically examines the Act's legal framework, analyzing its strengths in aligning with international standards and its potential weaknesses, including risks of centralized control and constitutional challenges. Through a detailed review, it offers suggestions to strengthen athlete autonomy, clarify jurisdictional overlaps, and ensure effective implementation. The analysis underscores the Act's transformative potential while highlighting areas needing refinement to achieve a balanced sports governance ecosystem.

Keywords: National Sports Governance Act, Sports law, Athlete welfare, Transparency, Accountability, National Sports Tribunal, Olympic Charter.

INTRODUCTION

Sports in India have long been a domain of immense potential, yet plagued by governance challenges such as opaque administration, lack of athlete representation, and frequent international sanctions. The National Sports Governance Act, 2025 (hereinafter "the Act"), enacted on August 18, 2025, represents India's first comprehensive statutory framework to regulate sports bodies, replacing the ad hoc National Sports Development Code of 2011. Promulgated with the vision of aligning Indian sports with global standards, such as those in the Olympic and Paralympic Charters, the Act seeks to promote transparency, ethical governance, and athlete welfare while preparing India for ambitions like hosting the 2036 Olympics.

The Act introduces legally binding criteria of openness, accountability, and inclusivity, marking the most comprehensive attempt to date to reform the structure, governance, and responsibility of sports organizations in India.

The Delhi High Court's involvement in the elections of the Wrestling Federation of India, the Supreme Court's ongoing supervision of BCCI reforms, and governance shortcomings that resulted in FIFA suspending the All India Football Federation in 2022 are some of the recurrent issues surrounding the Act. The regulation also comes after heated discussions about athlete welfare and gender fairness during the 2023 Jantar Mantar protests by women wrestlers. In addition, India's bold proposal to host the 2036 Olympics in Ahmedabad highlights the critical need for strong governance structures that can endure scrutiny from around the world.

This article critically evaluates the Act's legal framework, assessing its provisions against the backdrop of India's sports governance challenges. It examines the Act's structural reforms, including the establishment of national sports bodies, the National Sports Board (NSB), and the National Sports Tribunal. The analysis critiques the Act's balance between centralized oversight and organizational

autonomy, its approach to athlete protection, and potential legal vulnerabilities. Finally, it offers actionable suggestions to enhance the Act's efficacy and ensure a robust, athlete-centric sports ecosystem.

LEGAL FRAMEWORK

The Act establishes a comprehensive governance structure for Indian sports, addressing longstanding issues of mismanagement and lack of accountability. Its key provisions include:

Recognition and Organization of Sports Bodies: The Act requires each designated sport to have its own National Olympic Committee (NOC), National Paralympic Committee (NPC), and National and Regional Sports Federations. These bodies must affiliate with their respective international federations and adopt codes of ethics, grievance redressal mechanisms, and athlete representation committees.

Administrative Reforms: National sports bodies are required to have a general body, an executive committee (capped at 15 members, including at least two meritorious sportspersons and four women), and ethics and dispute resolution committees. Age limits (25–70 years, extendable to 75 under international rules) and term limits (three consecutive terms for key officeholders) are prescribed to prevent entrenched leadership.

National Sports Board (NSB): The NSB is tasked with regulating, monitoring, and recognizing sports organizations. It has powers to suspend or cancel recognition, investigate fund misuse, and appoint ad-hoc bodies if an organization loses international recognition. Only recognized bodies qualify for central government funding.

National Sports Tribunal: The Act establishes a tribunal to resolve sports-related disputes, aiming to reduce judicial interventions and provide an equitable grievance redressal mechanism.

Safe Sport Policy: The Act mandates athlete protection frameworks, particularly for women, persons with disabilities, and minors, addressing harassment and ensuring welfare measures.

Alignment with International Standards: The Act aligns Indian sports governance with the Olympic and Paralympic Charters, aiming to mitigate international sanctions like those faced by the Indian Olympic Association and Wrestling Federation of India.

These provisions collectively aim to create a transparent, accountable, and athlete-centric governance model, replacing the fragmented system previously governed by non-binding codes and judicial interventions.

CRITICAL ANALYSIS

The Act represents a significant leap toward professionalizing Indian sports governance, but its provisions warrant critical scrutiny to assess their efficacy and potential pitfalls.

STRENGTHS

Statutory Backing and Transparency: By replacing the non-binding 2011 Code with a legislative framework, the Act provides enforceable rules, reducing reliance on ad hoc guidelines and court orders. The mandated codes of ethics and grievance mechanisms enhance transparency and accountability.

Athlete-Centric Provisions: The inclusion of athlete representation in executive committees and the Safe Sport Policy are progressive steps. The focus on protecting vulnerable groups addresses critical issues like harassment, which have historically plagued Indian sports.

Global Alignment: The Act's conformity to international charters enhances India's standing internationally and may reduce the possibility of suspensions by organizations such as the International Olympic Committee.

Dispute Resolution: By providing a specialized forum for conflict resolution, the National Sports Tribunal reduces the load on courts and guarantees quicker, sport-specific remedies.

WEAKNESSES

Centralized Control: The NSB's extensive powers to regulate, suspend, or dissolve sports bodies risk over-centralization. This could undermine the autonomy of National Sports Federations (NSFs), potentially leading to bureaucratic inefficiencies or political interference.

Constitutional Vulnerabilities: The Act's centralized framework may invite constitutional challenges, particularly under Article 19(1)(c) of the Indian Constitution, which guarantees the right to form associations. Restrictions on NSFs' autonomy could be seen as infringing this right.

Ambiguity in Implementation: The Act lacks clarity on the operational mechanisms of the NSB and Tribunal, such as funding, staffing, and jurisdictional boundaries. This ambiguity could lead to implementation gaps, as seen in prior sports governance reforms.

Limited Athlete Autonomy: While the Act mandates athlete representation, it does not sufficiently empower athletes in decision-making processes. The executive committee's structure may still favor administrators over athletes, limiting the latter's influence.

Jurisdictional Overlaps: The Act does not clearly delineate the roles of the NSB, Tribunal, and existing bodies like the Sports Authority of India (SAI). This could lead to overlapping responsibilities and administrative conflicts.

BROADER IMPLICATIONS

The Act's success hinges on its ability to balance governance reforms with organizational autonomy. While it addresses critical issues like transparency and athlete welfare, its centralized approach risks stifling the independence of sports bodies, potentially deterring private investment and innovation. Moreover, the Act's reliance on government oversight may not fully address the cultural and systemic issues embedded in Indian sports administration, such as favoritism or regional disparities.

SUGGESTIONS

To strengthen the Act and ensure its effective implementation, the following measures are proposed:

1. **Enhance Athlete Empowerment:** Increase athlete representation in executive committees to at least 30% and grant them voting rights in key decisions to ensure their voices shape governance.
2. **Clarify Jurisdictional Roles:** Define clear boundaries between the NSB, Tribunal, and SAI through detailed regulations to prevent overlaps and ensure seamless coordination.
3. **Decentralize Oversight:** Limit the NSB's powers to advisory and monitoring roles, allowing NSFs greater autonomy while maintaining accountability through regular audits and compliance reports.
4. **Strengthen Implementation Mechanisms:** Establish dedicated funding and staffing models for the NSB and Tribunal, with transparent recruitment processes to ensure competence and impartiality.
5. **Incorporate Feedback Mechanisms:** Create a platform for athletes, coaches, and stakeholders to provide input on the Act's implementation, ensuring continuous improvement and responsiveness to grassroots needs.
6. **Safeguard Constitutional Compliance:** Introduce safeguards to ensure the Act aligns with constitutional protections, such as consulting NSFs before major regulatory decisions to respect their associational rights.
7. **Leverage Technology:** Use digital platforms for transparent fund allocation, performance monitoring, and grievance redressal to enhance efficiency and accessibility.

CONCLUSION

The National Sports Governance Act, 2025, is a landmark reform that promises to transform India's sports ecosystem by introducing a statutory framework for transparency, accountability, and athlete welfare. Its alignment with international standards and establishment of the National Sports Tribunal are commendable steps toward professionalizing sports governance. However, challenges such as centralized control, potential constitutional conflicts, and implementation ambiguities must be addressed to realize its full potential. By enhancing athlete empowerment, clarifying jurisdictional roles, and decentralizing oversight, the Act can foster a balanced and inclusive sports governance model. As India aspires to become a global sporting powerhouse, the Act's success will depend on its ability to adapt to stakeholder needs and uphold the principles of fairness and autonomy.

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