

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 28<sup>H</sup> NOVEMBER, 2014

**Bill No. XXXV of 2014**

THE COMPUSLORY PHYSICAL FITNESS OF CHILDREN THROUGH  
SPORTS IN SCHOOLS AND DEVELOPMENT OF SPORTS  
INFRASTRUCTURE BILL, 2014

A

BILL

*to promote sports education and physical fitness for an all-round development of children in the country and to develop international standard sports infrastructure in the country, by making sports a compulsory regular subject in schools and providing equal opportunity and incentives to sportspersons across the country and for all matters concerned therewith and incidental thereto.*

WHEREAS the Memorandum of Understanding between India and Netherlands signed in New Delhi on the Thirtieth day of January, 2014 recognises that India aims to create a lasting legacy with the development of sports infrastructure for promoting sports, education and allied areas along with India's ambition to host global sports events in the future:

AND WHEREAS the United Nations, in its resolution 58/6 adopted by the General Assembly and sponsored by India, on the third day of November, 2003, recognises sport as means to build a peaceful and better world and increased implementation of projects for development through sport:

AND WHEREAS the United Nations in its resolution 58/5 adopted by the General Assembly on the third day of November, 2003 recognises sport as a means to promote education, health, development and peace:

AND WHEREAS it is considered necessary to give effect to the said resolution.

BE it enacted by the Parliament in the Sixty-fifth Year of the Republic of India as follows:—

Short title,  
extent and  
commencement.

**1.** (1) This Act be called the Compulsory Physical Fitness of Children through sports in Schools and Development of sports Infrastructure Act, 2014.

(2) It extends to the whole of India. 5

(3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for coming into force of different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions.

**2.** In this Act, unless the context otherwise requires,— 10

(a) "Appropriate Government" means in the case of a State, the Government of the State, and in other cases, the Central Government;

(b) "Coach" means and includes any person involved with development of skills of an athlete for the sport;

(c) "Notification" means a notification published in the Official Gazette and the expression "notify" shall be construed accordingly; 15

(d) "Physical Fitness" means optimal state of physical, mental health and well-being to be able to cope with daily needs and the ability to perform ones daily tasks efficiently; and

(e) "Sports" means the sports specified in the Schedule. 20

Sports and  
Physical  
Fitness as a  
regular Subject  
in Schools.

**3. From such date, as the Central Government may, in consultation with the State Government, by notification in the Official Gazette Specify, training in Sports and Physical Fitness shall be imparted as a compulsory subject in all schools and there shall be endeavour to develop infrastructure of international standard along with over-all development of student by providing equal opportunities in sports to all Sportspersons, create awareness, reduce stress and develop skill in sports as a whole in the country to achieve excellence in the international arena.** 25

Mandatory  
Capacity and  
Awareness  
Building  
Programs.

**4. The appropriate Government shall ensure Capacity and Awareness building programs in sports through physical education that may include orientation on national cadets, scouts and guides, sports training and competitive sports along with demonstrations or workshops to guide students and help in building awareness about sports.** 30

Guidelines to  
be followed by  
Schools.

**5.** The appropriate Government shall issue guidelines to be followed by each school to,—

(a) treat sports as a regular subject as a part of the curriculum in school, with separate theory and practical training for the students' mental well-being and Physical fitness; 35

(b) make evaluation of the subject through continuous grading and examinations so that the subject has equal weight-age as other academic subjects;

(c) mandatorily include the result of the subject as part of the regular mark-sheet obtained by the students in school; 40

(d) mandatorily allocate a minimum number of hours in a months, for the training to be imparted to students from sixth to twelfth;

(e) allow students to choose from various sports with accredited coaches and coaching facilities:

*Provided, that schools may choose to offer separate sports to students, depending on their infrastructure and accessibility to sports infrastructure.*

5       **6.** The appropriate Government shall ensure that schools shall have special provisions for physically challenged students to,—

Speical Provisions for Physically Challenged Students.

(i) engage them into games and less-physically involving sporting activities like Chess and Carrom.

10       (ii) arrange for special assistance programs in each school for those physically challenged students who fail in the module or course:

*Provided that the special assistance program for physically challenged students shall be scheduled before or after regular school hours, to support the students to gain insights and strive to bring each student on the same platform as against failing them in the module.*

15       **7. (1)** The appropriate Government shall take measure to ensure that the necessary sports infrastructure is provided or arrangements to avail such infrastructure is made in all schools which do not possess sufficient sports infrastructure to facilitate the training by,—

Adequate access to sports infrastructure.

(i) facilitating free access to Sports Authority of India infrastructure in the divisional and district sports complex;

20       (ii) making necessary transport arrangements for students to avail the nearest facility accompanied by at least one school sports staff personnel in accordance with the strength of students in school;

(2) Every school and respective school board shall maintain a record of students availing sports infrastructure with a view to determine aid, assistance or funds to the respective schools.

25       (3) Every divisional or district sports office or the place where the schools are availing the facilities shall maintain a record for consideration by the appropriate Government while granting funds for the upgradation of the divisional or district sports infrastructure facilities.

30       **8.** The appropriate Government shall regulate the selection of sportspersons for international and national events by selecting who qualify the standard selection criteria, in relation to international parameters and norms as benchmark provided that the appropriate Government may authorise the Sports Authority of India for regulating the selection under this section.

Selection procedure for international and national sporting events.

35       **9.** The appropriate Government shall take necessary measures to spread awareness about sports education, including the right use of sports medicines, regulations on anti-doping and other malpractices along with incentivising and promoting sports as a serious profession.

Promoting sports as a profession and creating awareness about antidoping regulation.

40       **10. (1) The appropriate Government, by notification in the Official Gazette, shall mandate that any new infrastructure to be built in the country to be in accordance with international norms and guidelines as set by the International Olympic Committee for the development of Sports infrastructure by,—**

Development of Sports infrastructure according to international parameters.

(a) building both soft and hard infrastructure by taking international standards as benchmarks for the purpose of easing the accessibility to infrastructure for Sports and games by Sportspersons;

45       (b) commissioning sports infrastructure in Divisional, State and National Level, in rural and urban parts of the country; and

**(c) commissioning the construction of separate infrastructural facilities for both men and women in each sporting facility, like toilets and changing rooms etc.**

**(2) The appropriate Government shall ensure to provide at least minimum basic sports infrastructural facilities at the grassroots level, like in villages and small towns to encourage sportspersons.**

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**(3) The appropriate Government shall invest in the scaling up of the quality of infrastructure at major towns and regional centres.**

Incentives to and promotion of Sportspersons.

**11.** The appropriate Government shall frame guidelines to promote talent and give incentives to students and sportspersons who represent the country and bring laurels at the national and international level, by—

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(a) rescheduling of examinations, compensation of attendance and granting credits or by providing equitable credit system where in extra credits and grades shall be given to ensure that the students do not lose out or refrain from taking up sports at an extra-meritorious level; and

(b) providing job opportunities, preference for government loans, concession on travel fares and minimum financial benefits.

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Public Sector undertakings to promote and Support Sportspersons.

**12. (1)** The appropriate Government, shall ensure that Government owned or Public Sector Undertaking Companies take responsibility for supporting talent and promising sportspersons who have achieved State, National and International accolades by,—

mandating a quota for employment and funding expenses for meeting sports expenditure in the requirement of equipments and medical aid for sportspersons;

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(2) All such Govt.owned or PSU companies as mentioned in clause (2) shall provide sports by allowing, not just their employees and sportspersons, but even the general public and schools to avail their sports infrastructural facilities.

Penalty.

**13.** The appropriate Govt. shall decrease the audit grants and aids to a school if that school fails to comply with any of the provisions of this Act.

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Central Government to provide funds.

**14.** The Central Government, shall from time to time provide, after due appropriation made by the Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act.

Power to remove difficulty.

**15.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government, in consultation with State Governments, may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of any difficulty.

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Power to make rules.

**16.** The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

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THE SCHEDULE

[See Section 2C]

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Sl. No.	Name of Sport
1.	Aero Sports
2.	Archery
3.	Athletics
4.	Atya Patya
5.	Aquatics
6.	Badminton
7.	Ball Badminton
8.	Baseball
9.	Basketball
10.	Billiards and Snooker
11.	Bridge
12.	Body Building
13.	Boxing
14.	Carrom
15.	Chess
16.	Cricket
17.	Cycling
18.	Cycle Polo
19.	Equestrian
20.	Fencing
21.	Football
22.	Golf
23.	Gymnastics
24.	Handball
25.	Hockey
26.	Ice Hockey
27.	Judo
28.	Kabbadi
29.	Kayaking and Canoeing
30.	Karate Do
31.	Kho-Kho
32.	Korfball
33.	Mallakhamb
34.	Mind Sports

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Sl. No.	Name of Sport
35.	Motor Sports
36.	Netball
37.	Paralympic Sports
38.	Polo
39.	Power-lifting
40.	Rowing
41.	Roller Skating
42.	Rugby
43.	Sepak Takraw
44.	Shooting
45.	Shooting Ball
46.	Soft Ball
47.	Soft Tennis Ball
48.	Special Olympic Sports
49.	Sports for deaf persons
50.	Squash Rackets
51.	Table Tennis
52.	Taekwondo
53.	Tennis
54.	Tenni-koit
55.	Tennis Ball Cricket
56.	Ten Pin Bowling
57.	Triathlon
58.	Throw Ball
59.	Tug of War
60.	Volleyball
61.	Weightlifting
62.	Winter Games (Skiing and Snowboarding)
63.	Wrestling (Free Style and Greco Roman)
64.	Wrestling (Indian Style)
65.	Wushu
66.	Yachting

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## STATEMENT OF OBJECTS AND REASONS

India is home to a billion plus population. However, our dismal performance at International sports like the Olympics, Asian Games and the Common Wealth Games make it evident that there is an absence of thrust in sports in the country. Clearly, our culture and attitude towards sports is a major deterrent towards improving sporting standards in our country. Promoting sportpersons while providing equal opportunity, incentives and access to sporting facilities is essential, however, changing the attitude of people and bringing seriousness about sports education and training in physical fitness is of utmost importance. Moreover, sporting activities are means of a holistic development for all, a potential tool for the physical and mental well-being of people by inculcating values of leadership, team-work, endurance, and focus along with bringing exposure, helping in skill development and increasing immunity towards various illnesses that in turn would increase the productivity of people and hence boost economic development throughout the country.

The United Nations recognises sport as a low-cost and high-impact tool in humanitarian development and peace-building efforts, the standard of which is increasingly being recognised. In India the prevalent scenario does not provide for students and sportpersons to excel in the arena of sports, leave alone emphasizing the importance of sports in physical fitness. Many schools across the country barely recognise the necessity of including sports in their schedule. The education system needs to be revamped to give sports an equal importance in the holistic upbringing of future flag-bearers of the country.

The lack of infrastructural facilities and training of international standards are major impediments in the process of development of sports in India. Moreover, considering Sports as a serious career option comes at the cost of education and job opportunities, falling attendance, grades and the struggle to earn a livelihood. Added to that is the cost and struggle to avail sporting facilities in various parts of the country. This shouldn't be used in excuse and deter the Government to wash their hands off the responsibility of providing for sporting facility, from the grassroots level, in villages and small towns to upgrade the quality of infrastructure at major towns and regional centres.

This Bill strives to give sports education and physical fitness a status at par with other academic subjects taught at schools and hence makes sports education a compulsory module in all schools across the country, the evaluation of which would be through continuous grading and examinations as is the case with other subjects. Moreover, the Bill lays guidelines for schools to arrange for special assistance programs for those who fair poorly in the evaluation of the sports module to monitor their progress and physical fitness. The Bill seeks to make guidelines for the building of such infrastructure to meet the benchmark of international parameters. This is a step towards promoting a culture of sports and making the facility easily accessible to all sportpersons.

Also, the Bill seeks to give incentives to those who excel in any field of sport by providing concessions and financial benefits, along with mandating all Public Sector Undertakings and Enterprises to provide compulsory quota for employment of sportpersons and make available their sporting infrastructure to all willing sportpersons in the country, as part of their social responsibility. Creating awareness about sports and physical fitness is imperative to empower sportpersons and student alike for their overall development, in order to harness the talent and potential of the youth and bring international acclaim to India.

Hence this Bill.

VIVEK GUPTA

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides sports and physical fitness education as a compulsory and regular subject in schools. Clause 4 of the Bill mandates capacity and awareness building programmes. Clause 6 allows for special provisions for physically challenged students to participate in sports. Clause 10 of the Bill lays down guidelines to be adhered to while commissioning sports infrastructure in the country to meet international standard. Clause 14 makes it obligatory for the Central Government to provide requisite funds for carrying out the purposes of this Bill. The Bill does involve expenditure towards building of infrastructure of international standards whenever it commissions the building of any such infrastructure after the enactment of the Act for Union Territory. The Bill will also involve expenditure towards infrastructural facilities and awareness programmes.

The Bill, therefore, if enacted, will involve expenditure which cannot be estimated right now from the Consolidated Fund of India.



#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 16 of the Bill gives power to the Central Government, in consultation with the State Governments, to make necessary rules for making rules, by notification in the Official Gazette for carrying out the purposes of the Bill. The rules will relate to matters of details only. The delegation of legislative power is of normal character.

RAJYA SABHA

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*(Shri Vivek Gupta, M.P.)*