

**GOVERNMENT OF INDIA  
MINISTRY OF YOUTH AFFAIRS AND SPORTS  
(DEPARTMENT OF SPORTS)**

**LOK SABHA**

**STARRED QUESTION NO. 39  
TO BE ANSWERED ON 26.04.2016**

**Promotion of Cricket**

**+\*39. SHRI A.T. NANA PATIL:**

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

- (a) whether the Government is satisfied with the performance of Indian Cricket Team at various international events and if so, the details thereof;**
- (b) whether the Government has proposed any scheme for promoting cricket at grassroot level including rural areas and non-metro cities and providing training to the young sportspersons;**
- (c) if so, the details thereof; and**
- (d) the steps taken by the Government for preparing the essential basic infrastructure in order to promote cricket at ground level and also in rural areas non-metro cities in the country?**

**ANSWER**

**THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR YOUTH AFFAIRS  
AND SPORTS  
(SHRI SARBANANDA SONOWAL)**

**(a) to (d) A statement is laid on the Table of the House.**

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO.39 FOR REPLY ON 26-04-2016 ASKED BY SHRI A.T. NANA PATIL REGARDING PROMOTION OF CRICKET.**

**(a) Madam, Board of Control for Cricket in India (BCCI) has informed that the performance of the Indian Cricket Team has been consistent at the international level. The Indian Cricket Team is ranked 2<sup>nd</sup> in Test Cricket, 3<sup>rd</sup> in One Day Cricket and 1<sup>st</sup> in T20 Cricket. The Women's Cricket Team is ranked 4<sup>th</sup> in the World. The India U-19 Cricket Team finished Runners-up in the ICC U-19 World Cup held in February, 2016. Indian Men's Cricket Team won Asia T20 Cricket Cup in February/March, 2016 in Bangladesh and lost in the Semi Finals in the International Cricket Council (ICC) World T20 played in India in March/April, 2016.**

**(b) to (d) 'Sports' is a state subject. It is primarily the responsibility of the State Governments to create basis sports infrastructure for promotion of various sports and games including cricket in rural areas/non-metro cities of the country. However, BCCI has informed that they have developed excellent playing facilities and academies all over India out of their own resources and India now has some of the best International Stadiums in the world. The ICC has recognized BCCI as the apex body for promotion of Cricket in India. It has been informed by BCCI that their strength is the promotion and development at the grassroots level and they have the best domestic Junior Cricket Structure in the World which is evident from the fact that every year, new faces have been seen making their mark in International Cricket. BCCI is focused on the promotion and development of cricket in the North Eastern States through various schemes approved by the Board.**

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**NOTES FOR SUPPLEMENTARY IN RESPECT OF THE LOK SABHA STARRED QUESTION NO.39 FOR REPLY ON 26-04-2016 ASKED BY SHRI A.T. NANA PATIL REGARDING PROMOTION OF CRICKET.**

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**NOTES FOR SUPPLEMENTARY IN RESPECT OF THE LOK SABHA STARRED QUESTION NO.39 FOR REPLY ON 26-04-2016 ASKED BY SHRI A.T. NANA PATIL REGARDING PROMOTION OF CRICKET.**

**Thrust of the Question:-**

The question seeks to know whether Government is satisfied with the performance of Indian Cricket Team at various international events and whether the Government has proposed any scheme for promoting cricket at grassroot level including rural areas and non-metro cities and providing training to the young sportspersons. Further, the steps taken by the Government for preparing the essential basic infrastructure in order to promote cricket at ground level and also in rural areas non-metro cities in the country.

**Reply of the Question:-**

In reply to the question, it is stated as under:-

Madam, Board of Control for Cricket in India (BCCI) has informed that the performance of the Indian Cricket Team has been consistent at the international level. The Indian Cricket Team is ranked 2<sup>nd</sup> in Test Cricket, 3<sup>rd</sup> in One Day Cricket and 1<sup>st</sup> in T20 Cricket. The Women's Cricket Team is ranked 4<sup>th</sup> in the World. The India U-19 Cricket Team finished Runners-up in the ICC U-19 World Cup held in February, 2016. Indian Men's Cricket Team won Asia T20 Cricket Cup in February/March, 2016 in Bangladesh and lost in the Semi Finals in the International Cricket Council (ICC) World T20 played in India in March/April, 2016.

'Sports' is a state subject. It is primarily the responsibility of State Government for creation of basis sports infrastructure for promotion of various sports and games including cricket in rural areas/non-metro cities of the country. However, BCCI has informed that they have developed excellent playing facilities and academies all over India out of their own resources and India now some of the best International Stadiums in the world. The ICC has recognized BCCI as the apex body for promotion of Cricket in India. It has been informed by BCCI that their strength is the promotion and development at the grassroot level and they have best domestic Junior Cricket Structure in the World which is evident from the fact that every year new faces have been seen making their mark in International Cricket. BCCI is focused on the promotion and development of cricket in the North Eastern States through various schemes approved by the Board.

## **I. BACKGROUND :**

The development and promotion of various disciplines of sports including selection of players, holding of tournaments, etc. is the responsibility of the relevant National Sports Federations (NSFs) concerned which are autonomous in their functioning and the Government does not interfere in their day to day functioning.

## **II. SCHEME OF ASSISTANCE TO NATIONAL SPORTS FEDERATIONS -**

Sports and games have been widely recognized as an essential ingredient of Human Resource Development. The Government of India attaches considerable importance to development of sports in general and achieving excellence in the Olympics and other international events in particular. It has been the endeavor of the Government to streamline the procedures for effective coordination among various agencies involved in promotion of sports and extend required infrastructure, training and other facilities to the sportspersons for achieving excellence in the international events.

Over the years a number of NSFs have come up for development of specific games/sports disciplines. The Government of India in achieving its objectives has actively supported these Federations.

## **III. OBJECTIVE OF THE GUIDELINES FOR ASSISTING NSFs-**

The objective of these Guidelines is three fold:

- (i) Firstly to define the areas of responsibility of the various agencies involved in the promotion and development of sports.
- (ii) Secondly, to identify NSFs eligible for coverage under these guidelines, to set priorities, and to detail the procedures to be followed by the Federations, to avail of Government sponsorship and assistance.
- (iii) Thirdly, to state the conditions for eligibility which the Government will insist upon while releasing grants to Sports Federations.

## **IV. ROLE OF NATIONAL SPORTS FEDERATIONS**

NSFs shall be responsible and accountable for the overall management, direction, control, regulation, promotion, development and sponsorship of the discipline for which they are recognized by the concerned International Federation. They will be expected to discharge these responsibilities in consonance with the principles laid down in the Olympic Charter or in the charter of the Indian Olympic Association or the relevant International Federation, as the case may be.

## **V. RECOGNITION OF SPORTS FEDERATIONS/ASSOCIATION**

Sports Federations seeking recognition will have to apply to the Ministry as per the guidelines for Grant of recognition as National Sports Federations. While considering the proposals of recognition, the Ministry is guided by the following:

- The current legal status of the Organisation
- Recognition by the International and Asian Federation

- Recognition by the IOA
- Its undisputed status as an Apex Body in India
- Its all India spread
- The role and contribution of the organization in promoting and developing Sports in India
- Its internal financial and management practices and standards
- Its electoral practices
- Its protection and promotion of players interests and welfare

## **VI. BACKGROUND ON BCCI**

The Government of India deals with the Board of Control for Cricket in India (BCCI) which control organized cricket in the country at state, zonal, national and international level.

In the context of the Sports Bodies, dealing with a question whether the BCCI is amenable to judicial scrutiny under the Writ Jurisdiction under Art 32 of the Constitution of India, as a 'public authority', a Constitution Bench comprising Five Judges of Supreme Court of India in Zee Telefilms Ltd. Vs. Union of India has indicated that BCCI is performing the functions akin to State and is amenable under writ jurisdiction under Article 226 of the Constitution.

In this case Government took a stand that BCCI is deemed to be recognized as a official body (NSF) governing cricket in India.

Hon'ble Supreme Court in the case ruled as under:-

"Be that as it may, it cannot be denied that the Board does discharge some duties like the selection of an Indian Cricket team, controlling the activities of the players and other involved in the game of cricket. These activities can be said to be akin to public duties of State function and there is any violation of any constitutional or statutory obligation or rights of other citizens, the aggrieved party may not have a relief by way of a petition under Article 32. But that does not mean that the violator of such right would go scot-free merely because it or he is not a State. Under the Indian jurisprudence there is always a just remedy for the violation of a right of a citizen. Though the remedy under Article 32 is not available, an aggrieved party can always seek a remedy under the ordinary course of law or by way of a writ petition under Article 226 of the Constitution, which is much wider than Article 32.

The Government of India from 2010 has started a system of grant of annual recognition of National Sports Federation. The BCCI has submitted the requisite information. The Government informed the BCCI that the annual recognition is a necessary prerequisite for BCCI to function as the National Sports Federation for the control and regulation of Cricket in India and avail themselves of benefits/concessions from the Government of India including the status of a charitable trust devoted to the promotion and development of Cricket in India. BCCI thereafter submitted some documents sought by the Ministry which were not complete. Therefore, they were again requested to furnish the required documents/information which has not been submitted by BCCI so far.

## **VII. Right to Information Act, 2005. (RTI Act)**

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 from the Government as Public Authority under Section 2(h) of the RTI, 2005.

There are major court rulings for treating the National Sports Federations as public authorities, especially in view of the state-like function 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.

Apart from 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.

The matter regarding BCCI being a Public Authority in terms of section 2(h) of the RTI Act is under consideration of Central Information Commission and the Ministry has given its comments in a written statement to CIC (**Annexure-I**).

CIC issued Notice for hearing the matter on 25.7.2013. However the same has been stayed by Hon'ble MADRAS HIGH COURT vide its order dated 24.7.2013 (**Annexure-II**).

#### **VIII. Law on Unfair Practices in Sports**

Regarding Law to Ban Match Fixing and other unfair practices in sports a preliminary draft of the bill to prevent dishonesty in relation to National and International sporting events has been prepared by the Ministry of Law & Justice and they sought inputs from the Ministry of Youth affairs & Sports. Since, some of the issues need detailed deliberation and consultation among various Ministries/Departments of government of India and other stake holders, it would take some time for enactment of the said bill.

## **Possible Questions and suggested answers:**

### **1. What is the role of the National level Sports Associations/Federations vis-à-vis the Government in promotion of sports?**

**Reply:** The National level Sports Associations/Federations are responsible and accountable for the overall management, direction, control, regulation, promotion, development and sponsorship of the discipline for which they are recognized by the Government and the concerned International Sports Federations. Towards this, the recognized NSFs are supposed to take steps for broad basing and spotting of talent and grooming them for achieving excellence at national/international level. Most of the recognized NSFs undertake activities/programmes such as organization of national/international tournaments in the country, selection of sportspersons/teams and sending them for training and participation in international tournaments abroad, organization of training/coaching under renowned Indian and foreign coaches in consultation with the Sports Authority of India with requisite scientific and technical back up and procurement of equipment locally or through import required for training and participation in sport events etc.

The Government supplements the efforts of the recognized NSFs by providing financial assistance under the scheme of 'Assistance to National Sports Federations for the following items:

- Holding of national championships for sub-junior, junior and senior categories Organization of International tournaments in India
- Training and participation of sportspersons/teams in international tournaments abroad.
- Procurement of sports and sports science equipment from indigenous sources or through import
- Appointment of National Coach
- Engagement of foreign coaches/experts
- Reimbursement of salary of Assistance/Joint Secretaries of the NSFs.

### **2. Is Board of Control for Cricket in India (BCCI) recognized by the Government.**

**Reply:** BCCI has not been officially recognized by the Government. However, BCCI is the apex body for regulation of cricket at National Level and since International Cricket Council (ICC) recognizes as the National Federation responsible for promotion of Cricket in India, the team selected by BCCI is considered as Indian team. The Ministry of Sports grants 'NOC' to BCCI from sports angle for participation of Indian Cricket team for International event abroad and organizing International events in India at No Cost to Government subject to clearance from MEA/MHA.

### **3. Has Government provided any financial assistance to BCCI for promotion of cricket in India.**

**Reply:** BCCI never sought financial assistance from the Government.

**4. The Emblems and Names (Prevention of Improper Use) Act, 1950 prohibit the use of name which may suggest or to be calculated to suggest the patronage of the Government. Since name BCCI suggest the patronage of the Government, they should come under the RTI Act, 2005. What action has been taken by the Government to bring it under the RTI Act.**



**Reply:** The matter regarding BCCI being a Public Authority in terms of section 2(h) of the RTI Act, 2005 is under consideration of the Central Information Commission (CIC).

The Central Government does not extend any direct financial assistance to BCCI. But the Central Government has been granting concession in income tax, customs duty, etc to BCCI. The State Government also have provided land in many places of the country for cricket stadiums at concessional rates, much below the market prices. As such it can be very well be concluded that BCCI is getting substantial indirect funding from Government in the form of revenue forego. Further BCCI is performing the functions akin to State and also performing 'public duties' by selecting national team and representing India in International events.

In view of the above, the Ministry has given its comments in a written statement to CIC during 2011-2012.

**5. Has Government ever permitted BCCI for organizing Indian Premier League (IPL).**

**Reply:** The Ministry does not deal with IPL which is a T-20 domestic inter-city tournaments as the National team does not participate in the IPL. Neither BCCI has sought the approval of the Ministry nor the Ministry has given any approval for the IPL events till 2013. However, BCCI sought approval for organizing the IPL for the year 2014 and the Ministry has conveyed no objection from sports angle for organizing this event in 2014 at No cost to the Government subject to clearance of MEA/MHA.

**6. What action has been taken by the Government to curb match fixing, spot fixing, betting in the IPL.**

**Reply:** In the recent past, several controversies about Board of Control for Cricket in India (BCCI) were regarding allotment of franchisees, match fixing, betting etc reported in various sections of print and electronic media. Various agencies of the Government namely the Enforcement Directorate, Income Tax and Service Tax Department have conducted inquiries into the allegations of irregularities involving the BCCI in the country.

**7. Why Government is not taking over BCCI under their control as it is the duty of the Ministry of Youth Affairs & Sports to discharge his duties and obligations to perform games and sports activities in India and abroad.**

**Reply:** The Ministry cannot take over private bodies like BCCI who are registered with the relevant Registrar of Societies and autonomous in their functioning. Ministry has made National Sports Development Code, 2011 which inter-alia, only enables Ministry of Youth Affairs & Sports to withdraw recognition from National Sports Federation. In case of BCCI recognition has been granted.

