

Sports Governance Bill Passes, Keeps BCCI Outside RTI Scope

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BCCI RTI Exemption Latest News

- The Rajya Sabha passed the National Sports Governance Bill, 2025, a day after its clearance in the Lok Sabha.
- Opposition leaders criticised the legislation, calling it an “extreme centralisation of sports administration”.
- They highlight that the bill grants the Board of Control for Cricket in India (BCCI) most favoured treatment by keeping it outside the scope of national laws like the Right to Information (RTI) Act.
- The Bill specifies that **only sports bodies receiving direct financial assistance from the government are deemed “public authorities” under the RTI Act**. Since the BCCI does not get such funding, it will remain excluded.
- Over the years, the BCCI has resisted inclusion under the RTI despite recommendations from the Supreme Court, the Law Commission of India, and the Central Information Commission to bring it under the transparency law.

RTI Exemption for BCCI in National Sports Governance Bill

- The National Sports Governance Bill seeks to recognise and regulate national sports bodies, aligning them with Olympic and Paralympic Charters and global best practices to improve transparency, accountability, and international collaboration opportunities.
- Initially, **Clause 15(2) of the Bill** defined a recognised sports organisation as a “public authority” under the RTI Act, making its operations — including team selection and contract awards — open to public scrutiny.
- This broad definition would have included the Board of Control for Cricket in India (BCCI).
- However, a **later amendment narrowed the definition** to only cover organisations receiving government grants or financial assistance, and even then, solely regarding the utilisation of those funds.
- This change excluded the BCCI — which does not take direct government funding — from RTI obligations, despite cricket’s impending inclusion in the Olympics and calls for greater transparency in the sport’s administration.

BCCI’s Stance and RTI Debate

- BCCI maintains that it is a private, autonomous body registered under the Tamil Nadu Societies Registration Act, 1975, and not a “public authority” under the RTI Act.
- It does not receive direct government funding, and is not classified as a sports federation under the Union Sports Ministry.

Judicial and Commission Recommendations

- Multiple judicial and quasi-judicial bodies have challenged BCCI’s stance.
- The **Law Commission of India’s 275th Report (2018)** recommended classifying the BCCI as a public authority.
- It cited indirect financial benefits such as tax exemptions exceeding ₹2,100 crore (1997–2007) and subsidised land allotments by state governments.

Supreme Court Observations

- In 2015, the **Supreme Court observed that BCCI performs “public functions”** — including selecting India’s national teams, using national symbols, and monopolising cricket with government concurrence.
- The **Justice R.M. Lodha Committee** called BCCI’s functioning a “closed door and back-room affair” and urged legislative inclusion under the RTI Act.

CIC’s Landmark Order and Legal Challenge

- In 2018, the Central Information Commission declared BCCI a “public authority” and directed it to create an RTI query mechanism.
- The BCCI challenged this order in the Madras High Court, which stayed its implementation, leaving the matter unresolved.

Implications of Bringing BCCI Under RTI

- If the BCCI were brought under the RTI Act, citizens could request comprehensive information about its operations — from team selection criteria and broadcasting contract details to infrastructure tenders, official appointments, and meeting minutes.
- This transparency would compel the board to justify decisions to the public, rather than only to its internal members.
- The Supreme Court, in its 2015 ruling, clarified that **while BCCI is not a state body, it is subject to writ jurisdiction under Article 226** of the Constitution because it performs public functions.
- This empowers High Courts to intervene when the board's actions are arbitrary or against public interest.

Source: IE | FP

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