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Tradition Over Compassion: Supreme Court Order Paves the Way for Bovine Sports in India

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Key Developments
June 2023

Welcome to the June edition of 'Inform: Sports Law' publication. We endeavour to provide a synopsis of key developments in sports, esports, and gaming laws in India, as well as to engage with stakeholders in these fields.

Highlight Story

SC Upholds State Amendments Allowing Bovine Sports - Jallikattu, Bullock Cart Race and Kambala

In an order dated May 18, 2023, a five-judge bench of the Supreme Court upheld the amendments passed by the state legislatures of Tamil Nadu, Maharashtra and Karnataka, which sought to legitimise bovine sports, Jallikattu, Bullock Cart Race and Kambala, respectively. The court held that the state amendments were "valid legislations" and not violative of the provisions of the Constitution.

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Updates

Indian Umpire Charged with Offences under the ICC Anti-Corruption Code

Through a press release dated May 22, 2023, the International Cricket Council (ICC) announced that the umpire, Jatin Kashyap, has been charged with offences under the council's Anti-Corruption Code in relation to an investigation conducted into international matches last year. Kashyap has been charged under Articles 2.4.6 and 2.4.7 of the Code for his non-cooperation with the Anti-Corruption Unit's (ACU) investigation into possible corrupt conduct under the Code and for causing obstruction or delay in such an investigation.

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NHRC Issues Notice to Sports Ministry for Lack of Internal Complaints Committee under POSH Act

On May 11, 2023, the National Human Rights Commission (NHRC) issued notices to the Ministry of Youth Affairs and Sports, the Sports Authority of India (SAI), the Board of Control for Cricket in India (BCCI), the Wrestling Federation of India (WFI) and other National Sports Federations for not having an Internal Complaints Committee (ICC) or properly functional ICCs as required under the law.

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UEFA Football Board Recommends Amendments to Handball Rules

In its inaugural meeting, the Football Board of the Union of European Football Associations (UEFA) discussed various matters, including player behaviour, handball rule, etc. and suggested changes in the handball rules for the next season. The UEFA was urged to clarify in the guidelines for the next season that if the ball is previously deflected from the player's body and, in particular, when the ball's direction isn't towards the goal, the same does not constitute a handball offence.

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Juventus Enters into Plea Deal with Italian Football Federation in Salary Maneuver Case

The Juventus Football Club has entered into a plea deal with the Federazione Italiana Giuoco Calcio (FIGC) in relation to the four-month salary reduction agreements executed with players during the pandemic. Acknowledging the settlements proposed, the Disciplinary Section of the National Federal Tribunal imposed sanctions against Juventus and seven of its executives in accordance with the same.

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Regional Sports Club Request for Building Tax Exemption Rejected

Recently, the Kerala State Government rejected the Regional Sports Club (RSC) application requesting building tax exemption. After perusing the necessary documents and considering details such as membership fee, number of members, rent collected for accommodation provided, etc., the state government concluded that RSC is not entitled to tax exemption. Rejecting its application and claims, the state revenue department ordered the RSC to pay tax to the tune of Rs. 60 lakhs.

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Ad-hoc Committee Formed by IOA Assumes Control of WFI Office

The two-member ad-hoc committee constituted by the Indian Olympic Association (IOA) has taken control of the Wrestling Federation of India (WFI) office. The committee comprising Bhupender Singh Bajwa, IOA's Executive Council Member and Suma Shirur, IOA's Sportsperson of Outstanding Merit, was set up on April 27, 2023, for managing the federation's affairs, including the selection and participation of sportspersons in international events.

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ITIA Charges Simona Halep with Another Doping Offence

The International Tennis Integrity Agency (ITIA) released a statement on May 19, 2023, confirming that the former World No.1 women's tennis, Simona Halep, was charged with another doping offence. Halep was earlier provisionally suspended as her dope test came positive for the prohibited substance, Roxadustat, at the US Open in August 20221. This provisional suspension rendered her ineligible to take part in any of the sanctioned tennis events organised by the governing bodies for the sport of tennis.

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Case Laws

Former Judge of Karnataka HC Appointed as BFI Administrator

Through common order dated May 2, 2023, the Delhi High Court appointed the former judge of the Karnataka High Court, Justice P Krishna Bhat as an administrator of the Basketball Federation of India (BFI) with immediate effect. The administrator is tasked with conducting the BFI elections as per the provisions of the National Sports Development Code of India, 2011 and the Model Election Guidelines (MEG).

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Justice L Nageswara Rao Entrusted with Task of Finalising AIFF Constitution

Through an order dated May 2, 2023, the Supreme Court entrusted the former Apex Court Judge, Justice L Nageswara Rao with the responsibility of considering the draft AIFF constitution and finalizing the same after taking into account the objections of the concerned stakeholders. The court has asked for a comprehensive report by July 31, 2023.

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SAI Directed to Set Up Selection Committee to Pick the Indian Karate Team for Competing in Asian Games

In an order dated May 18, 2023, the Delhi High Court directed the Sports Authority of India (SAI) to set up a selection committee to pick the Karate sportspersons to represent India in the 19th Asian Games scheduled to be held in Hangzhou, China in September-October 2023.

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