



# The Indian Journal for Research in Law and Management

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Editor-in-Chief – Prof. (Dr.) Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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## **CHANGING DIMENSIONS OF ALTERNATIVE DISPUTE RESOLUTION IN SPORTS LAW IN INDIA**

### **Introduction**

The terrain of sports legislation in India, which is closely knit into the nation's historical fabric, has faced several obstacles and disputes. From the ancient age of "Mohenjo Daro" until the colonial period, sports evolved substantially, resulting in an extensive array of events. However, as with any other arena, sports conflicts frequently occur via regular legal procedures, generating delays and preventing fast justice. The undeveloped jurisprudence concerning sports law in India worsens these difficulties, with the phrase "sports law" itself frequently criticised for its apparent lack of definition. Arbitration is seen to be one of the effective and faster way to resolve disputes around the globe. Dispute that concerns sports are common in all over the world, which sometimes affect the careers of the innocent player.

The study of sports law, or *lex sportiva*, has grown in popularity as a means of dealing with the complications that arise during the performance and execution of athletic activities. Sports law in India has undergone a transformation, seeking alternate channels for conflict resolution. It intersects with numerous legal fields such as competition law, labor law, and constitutional law.

This search for efficient settlement procedures has resulted in an increasing acceptance of Alternative Dispute settlement (ADR) techniques in sports law. The necessity for flexibility, secrecy, and accuracy in decision-making has prompted the sports world to consider arbitration as a potential answer. Arbitration, with its concentration on adjudicators who understand the complexities of the sport, presents a possible alternative to the traditional judicial system. However, the voyage of arbitration in the field of sports law in India isn't without difficulties.

As India struggles with the growing characteristics of alternative dispute resolution in sports law, this investigation seeks to chart the course of change by exploring the junction of foreign practices, judiciary interventions, and institutional changes. With the aim of promoting arbitration, India's

emerging sports legal environment is a reflection of its historical roots and a view into a future defined by the demand for quick, efficient, and specialised dispute settlement processes.

## **Sports Dispute Resolution in India**

The Indian government has done a magnificent job of pushing ADR, i.e. Alternative dispute resolution, as the chosen method of resolving disputes in sports. The central government's recent creation of the Sports Arbitration Centre of India SACI on September 26, 2021, represents a significant step forward in this endeavour. SACI's overarching objective is to assist in the swift and open settlement of conflicts within the Indian sports industry. Recognising the urgency of sports-related disputes, SACI works to provide the players with prompt justice and is dedicated to selecting highly qualified arbitrators with in-depth knowledge of national and international sports law.

This approach ensures seasoned experts settle disputes with in-depth knowledge of the sporting world. NSF National Sports Federation also kept an internal conflict resolution, which is quite effective for resolving small matters between teams; however, the lack of protection against biased has also compromised the process, and it is also evident that the resolution process requires a strong base for further enhancement of that internal committee.

An important step was taken by the Indian Olympic Association's creation of the Indian Court of Arbitration for Sports in 2011 under the leadership of Justice Dr A.R. Lakshmanan. This operated under the Draft Sports Tribunal of India Act 2010 and was tasked with settling sports-related issues. The National Sports Development Code 2011 was unveiled by the Ministry of Youth Affairs and Sports in that same year, and it is still applicable today. In addition to having explicit guidelines for resolving internal sporting conflicts, this legal world mandates NSF to conduct itself according to the Olympic Charter. The government has also put a plan in place regarding speedy resolution of conflicts. This includes establishing the Indian Court of Arbitration for Sports' internal dispute resolution procedure with NSFs and SACI. Furthermore, implementing regulatory frameworks like different guidelines demonstrates a solid commitment to creating an effective ADR system for sports.

## **International Perspective**

The global acceptance of ADR techniques is undeniable; since its establishment in Lausanne, Switzerland, in 1984, the Court of Arbitration for Sports (CAS) has emerged as a permanent authority in ADR approaches to resolving sports disputes. This acceptance of ADR techniques is evident worldwide. ADR, in recent years, CAS has developed its reputation for quickly resolving matters so that they can easily be handled under CAS. The Olympic charter enshrines CAS as the reliable forum for disputes about the games. Parties need to give their consent.

The USADA, i.e. The United States anti-doping agency, has a significant role in resolving a conflict and how CAS works. The UK needs to have proper legislation for sports conflict resolution. Instead, they depend on ADR, which is also good if we compare it to other countries. Still, some organisations are providing this service free of cost to safeguard the athletes' careers. Australia has also introduced the National Sports Tribunal Act of 2019, which encourages fair play in sports. International sports like ICC also use the ADR procedure, Fédération Internationale de Football Association (FIFA), i.e., the FIFA dispute resolution chamber functions under quasi-judicial tribunals. Plenty of countries have embraced the ADR for fair and peaceful play and are also committed to enhancing the efficiency of the ADR in sports.

## **Conclusion**

Finally, the growth of the sports sector necessitates adopting dispute-resolution procedures to safeguard the athlete's career. Accepting ADR offers a quick, economical, and private way to settle disagreements in the sports industry. If we see the older methods exist, i.e., NSFs or courts, it entails much time. ADR can assure fair decisions and expedite hearings by using successful models from other nations, which ultimately foster a climate conducive to athletes' success in maintaining the integrity of sports.