

F.No.8-17/2009-SP-III
Government of India
Ministry of Youth Affairs and Sports

Dated: 17th May, 2010
New Delhi

To,

1. President of Indian Olympic Association/ all recognized National Sports Federations
2. The Secretary General/General Secretary/Secretary of Indian Olympic Association/ all National Sports Federations

Subject: Compliance to the Government guidelines on good governance in the context of 'Basic Universal Principles of Good Governance of the Olympic and Sports Movement'

Sir,

I am directed to refer to the notice, posted on the website of the Indian Olympic Association (IOA), regarding separate meetings of the Executive Council and the Special General Assembly, scheduled to be held on the 18th of May 2010, at the Olympic Bhawan in New Delhi.

2. The above occasion, provides an opportune moment for the IOA and the National Sports Federations (NSFs) to deliberate on issues relating to compliance of the 2001 Government guidelines on good governance; including those relating to tenure limits, in respect of office bearers, and age limit for all members, (as modified vide this Ministry's circular no. 8-17/ 2009-SP III dated 01.05.2010), as well as democratic elections, including athletes' representation, on management of sports bodies, with full voting rights.

3. The above matter gains immediate relevance, in the light of the Public Interest Litigation, being heard by the Bench of the Hon'ble Chief Justice of the Delhi High Court; and the recent reference, on the tenure matter, made to International Olympic Committee (IOC), by the IOC member from India, who is also Secretary General of IOA. The IOC's response to it, and the Government's stand on it, has been duly posted, on the Ministry's website, for the information of all stakeholders, including the general public, as sports lie in the public domain, and sports governance is a public function, which involves both public and national interest.

4. This matter also derives urgency, in the light of the recommendations made at the IOC Seminar on 'Basic Universal Principles of Good Governance of the Olympic and Sport Movement', held in February 2008, which was attended by 170 participants from National Olympic Committees (NOCs), International Sports Federations (IFs) and their respective associations, as well as IOC members and senior IOC staff. These recommendations were further endorsed, at the XIII Olympic Congress, held in October 2009. The consensus that emerged at both the forums was that good governance was essential, if sports movement was to justify and claim autonomy. It was resolved that all members of the Olympic Movement should adopt, as their minimum standards, the Basic Universal Principles of Good Governance of the Olympic and Sports Movement, as proposed by the IOC.

5. Some of the core principles, enunciated in the Basic Universal Principles of Good Governance of the Olympic and Sports Movement include:

- Elections to sports bodies should be governed by clear, transparent, and fair rules (which in our view, should include, a clean electoral roll, known to the public in advance; an independent returning officer; and secret ballot)
- Adequate procedural regulations must exist to ensure there is no conflict of interests
- The terms of office, should be of limited duration, in order to allow, renewal of office bearers on a regular basis; and give access to new candidates
- Cooperation, coordination and consultation with government to preserve autonomy

6. It may be noted, that the 2001 guidelines issued by this Ministry (including the 1975 tenure regulations as modified on May 1st 2010), are fully in accordance with the recommendations of the IOC and the Olympic Congress. Government is happy to note, that the recent concerns expressed unanimously by Parliament, the Courts as well as the general public and media, on the need to ensure good governance in sporting bodies, has been equally echoed by the IOC as well as the Olympic Congress. It may be pertinent to state, that the liberalization of the tenure limit, allowing 12 years maximum tenure for the President, as opposed to 8 years earlier, was done to bring our guidelines in alignment with the norms adopted by the IOC in 1999, which represent the best international practices.

7. The Resolution passed by the XIII Olympic Congress, also underlines the essentiality of athletes' involvement in decision making, with full voting rights; and establishment of grievance redressal mechanism for athletes. As you are aware, these requirements form an integral part of the Government guidelines (initially notified in 1975, and modified in 1997 and 2001). But unfortunately, the majority of NSFs, including IOA, are yet to fully implement these basic principles of good governance.

8. It is noted, that a large number of NOCs, IFs, and their associated bodies have already adopted all or many of the good governance principles stated above. It is, therefore, the earnest expectation of the Government of India, that the IOA and the NSFs,

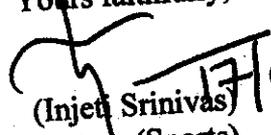
will follow the recommendations of the IOC and the Olympic Congress on good governance, and will comply with the guidelines prescribed by the Government of India, which are in alignment with the principles endorsed by the IOC and the Olympic Congress.

9. The Government hopes, that the IOA and their associates, will not disappoint the country, by falling short of what is rightfully expected of them. They should keep in mind, the observations made by the Hon'ble Delhi High Court in CWP 7868 of 2005, that the Government guidelines to national sporting bodies are legal, valid and enforceable; and not in violation of the Olympic Charter. They should also take note of the sentiments expressed by Members of Parliament, from all Parties, in the Rajya Sabha debate on 22.04.2010, supporting the age and tenure limits. Above all, they should take note, of the aspirations and expectations of the people of India, who want their national sports bodies to be at the forefront of good governance in the Olympic and Sports Movement, in the 21st century.

10. It is requested, that this communication be circulated to the members of the Executive Council and the General Assembly of IOA, for thorough deliberations and appropriate decisions, as deemed fit. IOA may like to intimate its stand to the Hon'ble Delhi High Court, which is hearing this matter on the 19th instant. IOA should also apprise this Ministry, which is bound by the directions of Parliament, Courts, and public opinion, of its decisions on the matter.

11. Please note that the above communication has been copied to the IOC, which is at present seized of the entire matter; and posted on the Ministry's website for the information of all stakeholders, including the general public.

Yours faithfully,


(Injeti Srinivas)
Joint Secretary (Sports)
Government of India