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# A CONTEMPORARY ANALYSIS OF SPORTS ARBITRATION IN INDIA

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## ABSTRACT

This paper presents a comprehensive and nuanced analysis of sports arbitration in India, delving into the contemporary landscape, the challenges it faces, and the potential avenues for improvement. Sports arbitration serves as a pivotal mechanism for resolving disputes within the Indian sporting ecosystem, and this study aims to illuminate the existing framework while proposing recommendations to enhance its efficacy. The research commences by scrutinizing the current scenario of the sports industry in India and the potential it holds. Furthermore, it explores the working of international sports arbitration institutions. The study identifies a pressing need for an improved dispute resolution mechanism in Indian sports, drawing upon the global triumphs of the Court of Arbitration for Sport (CAS) as testament to the efficacy of alternative dispute resolution mechanisms. Sports arbitration in India encompasses a wide range of disputes, including contractual disagreements, disciplinary matters, anti-doping violations, sponsorship disputes, match-fixing allegations, and more. It requires specialized expertise to navigate the complexities of sports law and provide fair resolutions in a rapidly evolving sporting landscape. It underscores the paramount significance of lucid and comprehensive arbitration guidelines, encompassing meticulous arbitrator selection and appointment grounded in expertise in sports law and arbitration. Moreover, the paper accentuates the profound importance of transparent procedural rules governing sports arbitrations, encompassing factors such as judicious seat and venue selection, well-defined timelines for evidence submission, thoughtfully structured hearing formats, and the language employed during arbitration proceedings. The paper concludes by suggesting the exploration of opportunities for Indian sports stakeholders to access esteemed international arbitration institutions such as CAS to resolve intricate and high-profile sports disputes. It underscores the imperative of establishing a robust monitoring and evaluation mechanism to assess the performance and efficiency of the arbitration system, while concurrently fostering research endeavors and

academic collaborations in the realm of sports arbitration. In summary, this contemporary analysis furnishes invaluable insights into the current state of sports arbitration in India and proffers pragmatic recommendations to fortify the system, fostering an environment characterized by fairness, efficiency, and transparency in the resolution of sports disputes.

## Introduction

Sports have a history that goes back at least 3,000 years. It was the Ancient Greeks who formally introduced sports with the first Olympics recorded in 776 BCE in Olympia. Sports has always been part of our society in one form or the other. Sports is an essential of human development. Sports provides good health, social interaction and healthy competition. The Indian sports industry has seen a major transformation and was valued at around Rs.15,766 Crores in 2023.<sup>1</sup> Sports has gained importance as it is a major contributor to the country's GDP. Sport events like Olympics and various world cups are used to showcase the nations' might. Sporting events became a tool for countries to show their might. Mussolini utilized the FIFA World Cup to demonstrate Italy's dominance. Two years later, Hitler employed a similar tactic at the 1936 Summer Olympics. At the same time, it also helps in maintaining ties with nation. For instance the cricket diplomacy between India and Pakistan offered another illustration of successful sport diplomacy. Following the Soviet invasion of Afghanistan in 1987, with both the countries troops still massed in a tense border confrontation. General Zia ul-Haq, Pakistan's president at the time, attended a test cricket match between India and Pakistan in Jaipur—a visit that apparently helped cool a flare-up in tensions caused by Soviet pressure on India.<sup>2</sup>

The commercialization of sports has also increased giving rise to various leagues such as Indian Premier League, I-league, Indian Super League, Pro Kabbadi League, Pro Wrestling League, Hockey India League, World Kabbadi League, Premier Badminton League and many more. The commercialization has resulted in betterment of sports in India, even though India's most famous league i.e. Indian Premier League has created a sensation. But still it is not as big as other league like National Football League, major Baseball League in US, Premier League in England and National Hockey League in US and Canada in terms of revenue generated by

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<sup>1</sup> Jiamin (2024) *India Sports Sponsorship Report 2024*, GroupM. Available at: <https://www.groupm.com/india-sports-sponsorship-report-2024/> (Accessed: 01 April 2024).

<sup>2</sup> Richard M. Weintraub, PAKISTAN'S ZIA VISITS INDIA FOR "CRICKET DIPLOMACY", The Washington Post, February 21, 1984.

them<sup>3</sup>. This actually shows that there is still lots of scope for growth in Indian sports industry. Given the population of India, India will play a key role in changing trends in sports. Cricket is worshipped in India. The British introduced cricket but India gave a better team. Sports is important and its disputes resolution is equally important.

Sports law is considered as an amalgamation of various law. But due to rapid growth in the industry sport law has emerged as a separate specialization. Sports arbitration is a way to resolve disputes in an expedient, cheap and fair manner. Sports arbitration is the solution to solving the disputes in a manner which would help save a lot of money and time. ADR in sports will deliver award which are reasonable. Sports arbitration is a new field as India has only recently set up SAIC in 2021. Arbitration will be beneficial for both the client and legal fraternity as it will provide an ecosystem in which disputes whether commercial, contractual, administrative, quasi criminal or any other could be resolved before an arbitrator who has both legal knowledge as well has an understanding about the sports. The award would be delivered in a timely manner. It will minimize the cost of the parties. In addition confidentiality will be provided. But it comes with its own set of challenges as sports arbitration is not familiar term. It needs to be given due importance if we want to stop an impediment in the development of Sports in India.

### **Why Arbitration?**

As per the old saying, where there is money to be combat about there are problems to emerge; The high stakes involved makes the parties to not only take precaution in forming contracts, but if by any chance a dispute arises, they want their disputes to be resolved with greater efficiency and minimal cost. Hence the use of arbitration to resolve disputes in sports is the way forward. Arbitration in sports is a rapidly developing field and has gained its prominence. Arbitration provides a better choice than litigation as sports players have a career which is usually short lived. It assists in providing sports enthusiasts with prompt justice and shields them from the strenuous and prolonged legal process, which results in harming their careers. Litigation is unfavorable due to issues like appearing for hearings regularly and the amount of commitment involved. In courts there are **numerous amount of cases pending** due to which justice is delivered over a long period of time. International organisations are incorporating

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<sup>3</sup>Raul, Raul and Editor Top professional sports leagues by revenue, HowMuch. Available at: <https://howmuch.net/articles/sports-leagues-by-revenue> (Accessed: 01 April 2024).

arbitration as a means of dispute resolution into their established procedures. So when persons, who have in depth knowledge of the rules and regulations of the particular sport are selected and even the arbitrator with prior experience in sports law cases makes the process of delivering justice way easier.

Arbitration may be either ad hoc or institutional. In ad hoc arbitration, the parties choose the arbitrator as per their own choice; in institutional arbitration, a body specified in the agreement provides arbitration services to ensure a smooth arbitration proceeding. ADR provides for a unitary method of dispute resolution, which results in Speed, Expertise, Privacy, and Preservation of goodwill and Enforceability. It involves notably lesser cost than litigation. Generally, in a sport dispute the party on the one side is an organisation or a sports club, which has huge amount of funds readily available so it gives a chances for sport person to fight for their rights as it is cost effective.

But before we talk about the sports arbitration in India, let us first get an insight about the major institution of sports arbitration in the world.

## **ICAS**

The ICAS was created in 1994 to reduce the influence of the International Olympic Committee (IOC) on the CAS following the Gundel decision.

In Gundel, the Swiss Supreme Court had stated that CAS would not be considered as a genuine arbitration forum if one of the parties to a dispute can influence the composition panel members hearing the case. Back then, the IOC appointed all the individuals appearing on the CAS list of arbitrators, from which panel members are mandatorily to be appointed. The ICAS's primary goal is to "protect the independence of CAS and promote the resolution of sports-related disputes through arbitration," as outlined in the CAS Code.<sup>4</sup>

The ICAS main responsibility is for the administration and financing of the CAS (Article S2 CAS Code).

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<sup>4</sup> Gundel vs FEI, ATF 119 II 271

## **CAS**

CAS comprises two arbitration divisions:

- (i) The Appeals Arbitration Division,
- (ii) The Ordinary Arbitration Division

An arbitration before the CAS broadly follows the same stages as a commercial arbitration, viz-notice of arbitration and response; appointment of the tribunal; statement of claim and defence, exchange of evidence; final hearing; rendering of the award and enforcement.

The only distinctive aspects of the CAS Ordinary Procedure are that the arbitrators must be selected from the CAS List (Article R38 CAS Code), that Swiss law is applicable to the merits "by default", i.e. absence of a choice of law by the parties (Article R45 CAS Code), and that the arbitration costs are significantly lower compared to those of the main institutions active in commercial arbitration.

### **CAS appeals proceedings**

The rules applicable to CAS appeals proceedings are mentioned in Article R47 of the CAS Code. CAS appeals arbitration is a *de novo* procedure, meaning that the arbitral tribunal has "full power to review the facts and the law" (as per Article R57 CAS Code), even when the lower body was itself an arbitral tribunal. CAS appeals proceedings are punctuated by short (and generally strict) deadlines. This is particularly true of the time limit to appeal the relevant decision, as the CAS will not hear an appeal that is out of time.

### **CAS Ad Hoc Division(s)**

There are situations where time is of essence and hence there is a requirement for an expedited procedure which will allow for the timely adjudication of a sports dispute and such a resolution through provisional measures will be effective. The most obvious example are the disputes that might arise during a mega event like the Olympics and which are extremely time-sensitive. As they often affect the athletes' right to participate in the event and given the intrinsically inflexible nature of the schedule of competitions, the dispute must be resolved within the shortest possible time frame to avoid disrupting the event. Starting with the 1996 Summer

Olympic Games in Atlanta, the IOC has requested the CAS to constitute an ad hoc division of a selected number of arbitrators who will go on site and be available to adjudicate disputes according to a much expedited arbitration procedure. Since then, a so-called CAS ad hoc division has been put in place for every Olympic Games (both the winter and the summer games), and the same 'device' was extended to other mega events like the Commonwealth Games (since 2014), the Asian Games (since 2014), the FIFA World Cup (since 2006) and the UEFA European Championship (since 2012). For every such event the ICAS enacts a specific edition of the Ad Hoc CAS Rules and selects the CAS arbitrators who will be dispatched on site.<sup>5</sup>

## **BAT**

The BAT, formerly known as the FIBA (Federation Internationale de Basketball Amateur) Arbitral Tribunal or FAT, was established in 2006 with the primary objective of effectively and affordably resolving disputes in the basketball world. A remarkable total of 1904 arbitration requests have been filed<sup>6</sup>, which highlights the impressive efficiency of BAT.

BAT arbitrators are appointed by the President to hear cases on a rotational basis. All BAT cases are handled by a Sole Arbitrator selected from a closed list of BAT arbitrators. Generally, BAT cases involve only one exchange of written submissions. However, BAT arbitrators possess the authority to issue procedural orders, including those related to the production of additional evidence or the parties' responses to specific questions. This approach ensures expeditious proceedings and enables arbitrators to concentrate on the salient issues of each case. As a general practice, BAT arbitrators make decisions *ex aequo et bono*.

The Arbitrator decides the dispute *ex aequo et bono*, which grants the arbitrator flexibility in determining the matter. However, the arbitrator is not authorized to decide *ex aequo et bono* if the parties have selected a specific rule of law and explicitly stated it in the agreement. Alternatively, in the absence of such a choice, the arbitrator retains discretionary power. In both scenarios, the parties are responsible for establishing the content of the applicable rules of

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<sup>5</sup> Lévy, L. and Polkinghorne, M. (2017) *Expedited procedures in international arbitration*. [99-100] Paris, France: International Chamber of Commerce.

<sup>6</sup> *Statistics for FIBA Website 2007-2022*, <https://www.fiba.basketball/bat-statistics-2022.pdf>

law. If the contents of the applicable rules of law have not been defined, Swiss law shall be applied.

BAT proceedings are conducted via email right from the initiation of filing the request for Arbitration.<sup>7</sup> Moreover, English serves as the working language of BAT. Upon the completion of one round of submissions, no further hearings should be convened, and the arbitrator holds the authority to schedule a hearing at their discretion following consultation with the involved parties.<sup>8</sup> The arbitrator is obligated to deliver the award within six weeks subsequent to the conclusion of the arbitral proceedings or settlement of any outstanding costs advance, whichever occurs last.<sup>9</sup> The BAT Rules have established a ceiling on the amount of contribution towards a party's reasonable legal fees and other expenses in order to govern party costs. In cases where the dispute's value does not exceed €100,000, only the operative part of the award, i.e., the ruling without the reasons, is issued.

Similar to CAS, one of the most advantageous aspects of BAT arbitration is the relatively uncomplicated enforcement process. Under the FIBA Internal Regulations, parties failing to honor a BAT award can face sanctions.<sup>10</sup> These sanctions are fines, withdrawal of FIBA licenses, prohibition on international player transfers, exclusion from participation in international events, and prohibition on the registration of new players. BAT awards shall be deemed to have been made at the seat of the BAT and shall be final and binding upon communication of the award to the parties via email or any other electronic means. In cases where delivery of the award to a party (or a third-party appointed under Article 6.4) is not possible, the award is deemed final and binding for that party upon publication on the FIBA website, provided that the party was duly notified of the arbitration and the appointment of the arbitrator. Although this development is innovative and valuable in the realm of basketball arbitration, its success is heavily reliant on the internal enforcement mechanisms within BAT arbitration. Indeed, as mentioned earlier, FIBA can ensure that once a party is "notified," sanctions can be employed to guarantee compliance with the award. Lastly, BAT awards are not confidential unless ordered so by the arbitrator or its President. BAT publishes awards on the FIBA website after their issuance, making them easily accessible.<sup>11</sup> This transparency is

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<sup>7</sup> Basketball Arbitral Tribunal Arbitration Rules, Article 6.1

<sup>8</sup> Basketball Arbitral Tribunal Arbitration Rules, Article 13.1

<sup>9</sup> Basketball Arbitral Tribunal Arbitration Rules, Article 16.3

<sup>10</sup> Basketball Arbitral Tribunal Arbitration Rules, Articles 3-335 to 3-337

<sup>11</sup> Basketball Arbitral Tribunal Arbitration Rules, Article 16.4

undoubtedly advantageous and can be adjusted appropriately to address confidentiality concerns.

### **WIPO Arbitration and Mediation Centre:**

The WIPO Arbitration and Mediation Centre facilitates Alternative Dispute Resolution (ADR) procedures in domain name disputes, in compliance with the ICANN Uniform Domain Name Dispute Resolution Policy. It is administered by the Arbitration and Mediation Center of the World Intellectual Property Organization (WIPO Center), which operates as a specialized office within the United Nations, located in Geneva, Switzerland. The WIPO Arbitration and Mediation Center played a key role in formulating the UDRP Policy and Rules while serving as a technical advisor to the ICANN drafting committee.

The primary advantage of this procedure is that it typically offers a faster and more cost-effective means of resolving disputes related to the registration and use of internet domain names (often referred to as "electronic trademarks") compared to traditional litigation. Additionally, the proceedings are considerably less formal than court proceedings. Moreover, the decision-makers possess expertise in various areas such as international trademark law, domain name issues, e-commerce, the internet, and ADR.<sup>12</sup>

The WIPO Arbitration and Mediation Center provides a comprehensive range of ADR services, including arbitration, mediation, and expert determination. These services extend beyond intellectual property (IP) disputes to cover non-IP cases as well. In the context of sports disputes, the center handles settlement of domain name disputes related to sports, patent license disputes involving sports goods, arbitration of broadcast rights distribution agreement disputes, and more.

One of the initial domain name cases handled by WIPO involved the World Wrestling Federation and the domain name [www.worldwrestlingfederation.com](http://www.worldwrestlingfederation.com). Another notable case involved the renowned sports brand NIKE and the issue concerned the registration of the domain name 'nike.net.'<sup>13</sup> WIPO has also provided protection for sports event names. For example, FIFA, the global governing body for football, successfully challenged the use of its

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<sup>12</sup> Ian Blackshaw, ADR and sport: Settling disputes through the Court of Arbitration for Sport, the FIFA dispute resolution chamber, and the WIPO Arbitration & Mediation Center, Marquette Law Scholarly Commons. Available at: <http://scholarship.law.marquette.edu/sportslaw/vol24/iss1/2> (Accessed: 01 April 2024).

<sup>13</sup> Nike, Inc. v. William Coleman WIPO Case No. D2000-1120



trademark "WORLD CUP" in thirteen domain websites, which contained copyrighted content from FIFA's official website.<sup>14</sup>

## **Scope**

The different types of agreements provide a comprehensive overview of the contractual relationships involved in the sports industry and the disputes that can arise from these relationships. The commercial disputes in the sports industry vary depending on the specific contractual arrangements between the parties involved.

In India, sports are regulated and developed at the national level by autonomous organizations known as National Sports Federations (NSFs), such as the Board of Control for Cricket in India (BCCI) and the All India Football Federation. These NSFs administer sports activities in India and have the sole authority to sanction any sports events. Many Indian leagues, including the Premier Badminton League (PBL), Indian Super League (ISL), and Indian Premier League (IPL), are organized with the support of private organizations. However, not all leagues turn out to be profitable, leading to financial difficulties and complications among the parties involved. An example of this is the PBL, which initially started as the "Indian Badminton League." Sporty Solutions Private Limited had entered into a contract with the Badminton Association of India (BAI) to organize the tournament. However, due to financial losses, BAI demanded a bank guarantee as a condition for organizing future seasons. The contract was terminated when Sporty Solutions failed to provide the required bank guarantee.

Broadcasting rights play a significant role in generating revenues for sports events. The BCCI, for instance, holds a monopoly over the broadcasting rights for cricket matches in India, resulting in substantial revenues from these rights. As companies are willing to invest substantial amounts of money in advertising, the broadcasting rights have become increasingly important. Consequently, any disputes related to these rights or arising from them involve high stakes and require prompt resolution.

Players in most leagues are paid by their respective teams, often through player auctions. Therefore, contractual irregularities in player contracts can be another area where disputes may

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<sup>14</sup> ISL Worldwide and The Federation Internationale de Football Association v. Netplus Communication, D2001-0097.

arise, involving substantial amounts of money.

Sponsorships represent one of the primary sources of revenue for sports events. With the extensive viewership of commercial leagues and sports events, brands see them as highly lucrative target audiences. Disputes under sponsorship agreements often pertain to renewal rights or first right of refusal. There are also ancillary contractual arrangements related to such sponsorship agreements that can give rise to disputes.

In India, stadiums are typically owned by the government or the NSFs or state sports federations (SSFs) responsible for organizing specific sports. However, in commercial leagues, teams often require the use of these stadiums for training purposes and to generate revenue through ticket sales. Consequently, teams may enter into agreements with the stadium owners to license the use of the stadium. For example, the Maharashtra Cricket Association (MCA) sold naming rights and granted a license to Sahara to use the MCA Stadium to host matches for the Pune Franchise. When Sahara allegedly defaulted on payment, the MCA covered Sahara Group's name on the stadium with a black cloth. Sahara approached the Bombay High Court, and through a Section 9 application under the Act, an order was passed directing the MCA not to obstruct the use of the stadium or the display of Sahara's name until the parties reached an amicable settlement. Eventually, a sole arbitrator was appointed to resolve the dispute.

Fantasy gaming apps like Dream11, MPL, and My Team 11 operate on the premise that fans assemble a virtual team from a list of real players whom they believe will excel in upcoming real-life games. Although these apps have received legal status as games of skill, they still face various problems, particularly in states like Orissa, Andhra Pradesh, Karnataka, Tamil Nadu, Kerala, and Telangana<sup>15</sup> where online betting apps, including Dream11 have been a constraint on the online gambling. Since these apps use the actual leagues' brands and data, they enter into contracts to obtain the rights to use the brand and data.

In addition to the aforementioned disputes, there are also disputes related to anti-doping and disciplinary matters. To promote fair play, the use of substances that artificially enhance athletes' performance are prohibited. In addressing this issue, India is a signatory to the International Convention against Doping in Sport 2005, a UNESCO Convention. The World

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<sup>15</sup>Kaur, J. (2022) Karnataka HC revokes FIR filed against Dream11 cofounders, Inc42 Media. Available at: <https://inc42.com/buzz/karnataka-hc-revokes-fir-filed-against-dream11-cofounders/> (Accessed: 01 April 2024).

Anti-Doping Code 2015 contains a set of mandatory rules that prohibit the use of several substances. The World Anti-Doping Agency (WADA) is the apex body responsible for administering the code.<sup>16</sup>

### **Way Forward**

There is significant potential for the resolution of sports-related disputes, making it an area where legal professionals can employ their creativity. Arbitration offers a cost-effective and efficient means of resolving these disputes. It is important to recognize the possibilities that arbitration in sports can bring. In 1984, the government took initiatives by introducing the National Sports Policy, but these policies need to encompass a broader range of sports areas. Initially, the focus was on promoting sports through extracurricular activities in schools. However, the policy was later revised in 2001 to prioritize competition in international sports events.

India has made progress by establishing the Indian Court of Arbitration for Sports (ICAS) in 2011, with Dr. A.K. Lakshmanan as its chairman. However, based on available newspaper data and other information, it is unclear whether the ICAS is currently functional. There is a lack of clarity regarding conducted hearings, specific rules and regulations, and any decisions rendered by the board in the past 3-4 years. Since the initial announcement of the board's formation in 2011, no significant steps have been taken to establish it. On September 26, 2021, the Sports Arbitration Centre of India (SACI) was inaugurated in Gujarat through a collaboration between SE Trans Stadia Pvt Ltd and the Ministry of Law and Justice. Kiren Rijiju emphasized the positive impact of SACI, stating, "The SACI will have a far-reaching impact on India's sports sector by settling disputes and addressing concerns in a fast, transparent, and accountable manner." However, more needs to be done to strengthen sports arbitration in India, as these institutions have not yet demonstrated significant results. Government intervention is necessary to enhance the existing institutions or establish new ones that can yield tangible outcomes.

India has not fully utilized its untapped resource, its population, which exceeds 1.4 billion people. Despite its potential, India's performance in international events has been disappointing. The main problem lies within the system. Players face daily challenges such as

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<sup>16</sup> 20201203 - sport arbitration - an indian overview - singularity. Available at: [https://singularitylegal.com/public/20201203\\_-\\_Sport\\_Arbitration\\_-\\_An\\_Indian\\_Overview\\_Singularity\\_Publication1.pdf](https://singularitylegal.com/public/20201203_-_Sport_Arbitration_-_An_Indian_Overview_Singularity_Publication1.pdf) (Accessed: 31 March 2024).

limited access to proper infrastructure, sexual and mental harassment, inadequate training facilities and coaches, subpar equipment, and insufficient boarding and lodging options. The selection process for sports teams is also highly competitive, leading to malpractices in the selection procedure. There is a lack of support system for athletes, coaches, and staff within the system. Disputes arise, and often due to political pressure or financial constraints, individuals refrain from seeking justice. A major issue in India is the government's control over sports organizations like SAI (Sports Authority of India) and BCCI (Board of Control for Cricket in India). Political pressure often leads to bias and inconsistencies in the system. Recently, Brij Bhusan Singh, the former president of WFI (Wrestling Federation of India), was accused of sexual harassment by wrestlers, but no substantive action has been taken thus far. The case is currently pending before the court. Instances of performance-enhancing drug use have also been discovered, and sometimes players are wrongfully accused of doping. Players require prompt resolution of these disputes, as their sporting careers are time-sensitive, and delays in judgment can result in missed opportunities for future events.

India needs a dedicated sports law that reflects the powers of Parliament and State Legislatures, as provided under Entry 33 of the State List in the Indian Constitution. Currently, there is no national or state legislation specifically regulating sports in India. Instead, national and provincial sports bodies, clubs, associations, and societies are generally established as autonomous non-profit private entities under society laws to regulate sports in the country.

Regulatory bodies such as the Board of Control for Cricket in India (BCCI) and the Indian Olympic Association enjoy a high degree of autonomy. The Ministry of Youth Affairs & Sports was established by the Indian government to develop infrastructure, excel in competitive events, and encourage the broadening of sports both nationally and internationally. The primary objective of India's 2001 National Sports Policy is to achieve sporting excellence at both the national and international levels. However, there is a clear need for an improved mechanism for resolving sports disputes.

The success of the Court of Arbitration for Sport (CAS) globally demonstrates the effectiveness of alternative dispute resolution mechanisms in resolving sports disputes internationally.

To enhance the arbitration process, clear and comprehensive guidelines should be developed regarding the selection and appointment of arbitrators. These guidelines should include defined

criteria for selecting arbitrators based on their prior experience and expertise in sports law and arbitration. The appointment process should be transparent to ensure parties have confidence in the neutrality and competence of the arbitrators, encouraging them to prefer arbitration.

The arbitration process should also establish procedural rules for conducting sports arbitrations, including determining the seat and venue, setting timelines for submitting evidence, conducting hearings, and rendering awards. It is preferable to adopt a virtual hearing format to increase cost-effectiveness and save time. Efforts should be made to encourage the use of technology. Rules should be drafted in a way that encourages foreign parties to use sports arbitration institutes in India and ensures the enforcement of awards for them.

Developing specialized training programs in sports law, arbitration techniques, and sports regulations is crucial to enhance knowledge in the field. These programs should be offered to aspiring sports arbitrators and provide ongoing professional development opportunities to keep them up to date with the latest developments in sports jurisprudence.

Transparency in the arbitration process is essential. Anonymized summaries or redacted versions of arbitration decisions should be published to promote transparency and allow parties involved in sports disputes to understand the reasoning behind arbitral awards. However, sensitive information and confidentiality should be protected, particularly in cases involving personal data or commercial secrets. Arbitrators handling anti-doping cases should possess a thorough understanding of the World Anti-Doping Code and related guidelines. Ensuring the availability of arbitrators with expertise in anti-doping regulations and procedures is vital for fair and informed decision-making in such cases. Promoting the exchange of knowledge, best practices, and experiences between Indian sports arbitration bodies and international counterparts is beneficial. Collaborative efforts can align domestic arbitration standards with international norms, resulting in consistency and harmonization in sports dispute resolution. Joint training programs, workshops, and seminars involving international arbitration experts should be organized to enhance the skills and expertise of Indian sports arbitrators.

Exploring options for Indian sports stakeholders to have access to international arbitration institutions like CAS for resolving complex and high-profile sports disputes is essential. Such access would ensure a fair and neutral forum for dispute resolution.

## **Conclusion**

In conclusion, this paper advocates for Indian sports stakeholders to actively explore the invaluable opportunities that lie in accessing esteemed international arbitration institutions, exemplified by the reputable Court of Arbitration for Sport (CAS), in order to effectively tackle intricate and high-profile sports disputes. By embracing the expertise and experience offered by such institutions, India can bolster its ability to deliver fair and impartial resolutions in complex cases that demand specialized knowledge of sports law and arbitration. Furthermore, the establishment of a robust monitoring and evaluation mechanism is of paramount importance, serving as a vital tool to assess the performance and efficiency of the sports arbitration system. Through systematic evaluation, stakeholders can identify areas of improvement, streamline procedures, and ensure the consistent delivery of justice in sports disputes. Simultaneously, fostering research endeavors and promoting academic collaborations within the realm of sports arbitration is crucial. By encouraging scholarly exploration and facilitating partnerships between academia and sports arbitration bodies, India can benefit from cutting-edge insights, innovative approaches, and the dissemination of knowledge that will elevate the overall standards of sports arbitration practice. In summary, by embracing international arbitration institutions, establishing a robust monitoring and evaluation mechanism, and fostering research and academic collaborations, India can fortify its sports arbitration framework. This will enhance the credibility, transparency, and effectiveness of the system, ultimately ensuring the efficient resolution of complex and high-profile sports disputes, and upholding the integrity and fair play in the Indian sporting arena.

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