

A MADHYA PRADESH TRIATHLON ASSOCIATION THROUGH ITS
SECRETARY AND ANR. ETC.

v.

INDIAN TRIATHLON FEDERATION AND ORS. ETC.

NOVEMBER 8, 1996

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[K. RAMASWAMY AND G.B. PATTANAİK, JJ.]

Sports:

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Indian Olympic Association Rules:

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*Rule XIX—Disputes in National Sports Federations/Associations/
State Olympic Associations affiliated to Indian Olympic Association—
Settlement of—Before this Court parties agreed to settle their disputes in
terms of Rule XIX—Held, in view of the decision of the Indian Olympic
Association taken on 29.11.1995 in its Annual General Meeting, the
President of the I.O.A. is directed to follow the procedure prescribed in
Rule XIX and appoint an Arbitration Board in terms thereof.*

CIVIL ORIGINAL JURISDICTION : Transfer Petition (C) Nos.
239-252 of 1996 Etc.

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Under Section 25 of the Code of Civil Procedure.

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R.K. Jain, Kapil Sibal, C.S. Vaidyanathan, M.N. Krishnamani, R.P.
Bhat, Manoj Goel, Ms. Abha R. Sharma, Brij Bhushan, Ranjit Kumar,
Ms. Anu Mohla, R.S. Massey, S.A. Syed, Pankaj Kalra, Rakesh Khanna,
Vineet Kumar, Manoj Saxena, Irshad Ahmed, T. Raja and Ashok Mathur
for the appearing parties.

The following Order of the Court was delivered :

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It is rather unfortunate and we feel that every Indian citizen would
feel ashamed of the fact that not even one sports-person out of the huge
population of 94 crores could find a place in the victory stand in the
Olympic Games 1996 held at Atlanta. Instead, all these Associations are
busy in the court proceedings and spending their spirit on the litigation

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instead of inculcating spirit of sports in the track and field. These cases

are some instances of the deplorable state of affairs. But, it is heartening to note that all of them have agreed for the settlement of the disputes in terms of Rule XIX of the Indian Olympic Association Rules which reads as under: A

“Settlement of Disputes/Conflicts in the National Sports Federations/State Olympic Associations.” B

- (i) All National Sports Federations/Associations/State Olympic Associations affiliated to I.O.A. shall include in their Constitution a provision that the Federations/Associations would have all unresolved disputes settled by the I.O.A., and their Members shall voluntarily surrender their right of seeking redress in any Court of Law. C
- (ii) Every Member shall be deemed to continue its membership of the I.O.A. on the specific condition that it voluntarily surrenders its right of seeking redress in any Court of Law. D
- (iii) All unresolved disputes arising within the National Sports Federations/Associations/State Olympic Association affiliated to the IOA, shall be referred by the Federations/Associations to the IOA for settlement by the IOA. For this purpose, the IOA Executive Council, on the recommendation of the President IOA, shall recommend 9 names to the disputing parties, to select one name, in consultation with the president IOA, which is acceptable to both the parties. The Arbitration proceedings shall be completed within the period specified by the IOA Executive Council. President IOA, based on the circumstances of the case, has the authority to extend, or vary, the period. E
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- (iv) In the event of an unresolved dispute within an affiliated Unit of the IOA, which is referred to the IOA by a Member, and which affects normal working of the Unit, or prevents preparation and training of the sport/team under the charge of the Unit for purposes of International representation/competition, the IOA Executive Council will constitute an ad-hoc body from within the Members of the General Assembly, as may be necessary until the dispute within the Unit is resolved. G
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- A (v) All disputes between National Sports Federations/Associations and the IOA, or within the IOA itself, will be dealt with in the same manner as laid down in (iii) above.

In furtherance thereof the Annual General Body meeting of IOA held on November 29, 1995 decided as under:

- B *"Dispute in Federations/Olympic Associations.*

- C Regarding the disputes in Indian Triathlon Federation, Uttar Pradesh Olympic Association and J & K Olympic Association Dr. B. Sivanthi Adityan stated that he would appoint a two or three member Committee which will be requested to submit its report before the next Executive-Council meeting of the IOA.

Decision:

- D The president, IOA, is to constitute a two or three member committee to look into all aspect of disputes and submit its recommendations for the consideration of the Executive Council, IOA.

- E In the light of the above decision, we direct the President of IOA to follow the procedure prescribed in Rule XIX referred to herein before, in particular clauses (i), (ii) and (iii) and appoint an Arbitration Board in terms thereof.

- F The Transfer Petitions are accordingly disposed of. All the suits are transferred to the Arbitration Board. No. costs.

- G In view of the order passed by us on 4.11.1996, Shri Ranjit Kumar, learned counsel has appeared for all the respondents though he states that he did not receive any instruction from any one of them. He acted merely on directions of this Court.

R.P.

Petitions disposed of.