Law Commission on BCCI

Why in news?

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The Law Commission of India has recommended some changes with regard to BCCI.

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What are the recommendations?

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- **Public body** - Board of Control for Cricket in India (BCCI) should be declared a public body.
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- The cricket board, as an entity, is permitted by the state to represent the country at the international stage.
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- The ICC (International Cricket Council) recognises BCCI as the 'official' body representing India.
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- It exercises 'state-like' powers in the regulation of cricket.
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- Given these, it should logically come under the definition of 'state.'
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- **RTI** - It should be brought under RTI Act's purview for scrutiny by any citizen.
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- The board and all its member cricket associations should be brought under the Right to Information law regime.
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- **NSF** - The BCCI virtually acts as a National Sports Federation (NSF).
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- Thus, the Ministry of Youth Affairs & Sports website should explicitly mention BCCI in the list of NSFs.
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- This would automatically bring it within the purview of the RTI Act.
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What is the need?

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- **Functions** - The BCCI is a private body that needs no financial help from the government.
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- The SC also ruled in 2005 that the BCCI could not be termed an instrumentality of the ‘State’ under Article 12.
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- However, subsequent developments have increasingly implied the public character of BCCI's functioning.
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- **Rights** - The board’s monopolistic activities, directly and indirectly, affect the fundamental rights of stakeholders.
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- These include citizens, players, and other functionaries.
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- A private citizen should be able to move the highest court against the BCCI for any violation of fundamental rights.
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- **Concerns** - The board is currently veiled from public scrutiny.
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- It enjoys an environment of opacity and non-accountability.
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- There are concerns of corruption and other forms of malpractices in the board.
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- It affects the general public's opinion on one of the most popular sports played in India.
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- It has thus been felt for quite some time to make BCCI more transparent and accountable.
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What is the way forward?

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- The central government should consider seriously the recommendation of the Law Commission.

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- The Supreme Court’s intervention led to the constitution of the Justice R.M. Lodha Committee some time back.
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- It recommended sweeping reforms in the board’s structure and the rules governing its administration.
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- Implementing these reforms at both national and State levels could impart greater transparency in BCCI's functioning.
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- It could lead to an overhaul of cricket administration in India and restore faith in the board and the sport.
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Source: The Hindu

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