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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11817/2015 & CM No.31393/2015

SUDHIR TEWATIA AND ANR Petitioner
Through: Ms. Ruchika Singh Thakur,
Adv.

versus

UNION OF INDIA AND ANR Respondent
Through: Mrs. Bharathi Raju, CGSC
for R-1.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **10.10.2017**

1. This writ petition makes a grievance that certain over-age players have been permitted to participate in the Badminton Tournaments in the year 2005. The petitioners are also seeking directions to the respondents to adopt TW3 test method for correct age detection.

2. A counter affidavit stands filed by the respondent No.1 wherein it is stated that the Ministry of Youth Affairs & Sports, Union of India has formulated and issued a National Code Against Age Fraud in Sports ('NCAAFS') to all the recognized National Sports Federations (NSFs), Director (Sports) of all States and Union Territories and Sports Control Boards of Central

Government and Public Sector Undertakings vide letter No.F.32-18/2009-SP.III dated 19th March, 2010. The Code provides for a mandatory medical examination on the first occasion for any sportsperson participating in an age restricted competition and issuing an I-Card which remains valid for participation in subsequent events. This Sports Code, like competition rules, forms part of the sports rules governing the conditions under which the sport is played and all recognized National Sports Federations (NSFs) would have to be NCAAFS compliant by adopting this Code as part of the rules governing the concerned sport.

3. The Union of India has further informed that in March, 2015, the Director General, Sports Authority of India has reiterated the above to all recognized National Sports Federations to strictly follow the guidelines issued by the Ministry of Youth Affairs & Sports under NCAAFs.

4. The respondent No.2 has also filed a counter affidavit stating that it has been using the prescribed scientific methods to ascertain the correct age of the players participating in competitions and tournaments and that being the apex body to regulate the sport of badminton in India, it has been functioning as per the directions given by the Sports Authority of India and has implemented NCAAFS for fulfilling its objectives in true spirit.

5. The counter affidavit further states that the guidelines have been communicated to the State Associations affiliated to Badminton Association of India vide communication dated 4th

September, 2015 whereby it has been directed that the said guidelines are to be strictly complied with in full spirit during the admission procedure of candidates.

6. In view of the above, it would appear that the prayers made in the writ petition are satisfied.

The writ petition as well as pending application are consequently disposed of.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 10, 2017/pmc