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# BCCI Exempt from RTI Act — CIC Upholds Ruling on Absence of Substantial Government Funding

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# BCCI Exempt from RTI Act — CIC Upholds Ruling on Absence of Substantial Government Funding

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## WHY IN NEWS:

The **Central Information Commission (CIC)** upheld its ruling that the **Board of Control for Cricket in India (BCCI)** is **not a “public authority”** under the **Right to Information Act, 2005**, and therefore cannot be compelled to disclose information under RTI. The ruling, reaffirmed in May 2026, turned on the question of whether BCCI receives **“substantial financing”** from government — a key criterion under Section 2(h) of the RTI Act. This has renewed debate about accountability of powerful quasi-public bodies in India.

## WHAT IS A “PUBLIC AUTHORITY” UNDER RTI?

**(A) ESTABLISHED OR CONSTITUTED BY OR UNDER THE CONSTITUTION; (B) ESTABLISHED OR CONSTITUTED BY ANY OTHER LAW MADE BY PARLIAMENT; (C) ESTABLISHED OR CONSTITUTED BY ANY OTHER LAW MADE BY STATE LEGISLATURE; (D) ESTABLISHED OR CONSTITUTED BY NOTIFICATION ISSUED OR ORDER MADE BY THE APPROPRIATE GOVERNMENT — INCLUDING ANY:**

body owned, controlled, or substantially financed by funds provided directly or indirectly by the appropriate Government; or

non-Government organisation substantially financed by funds provided directly or indirectly by the appropriate Government.

The operative question for BCCI is whether it is **“substantially financed” by government funds** — directly or indirectly.

## BCCI’S ARGUMENT: NOT SUBSTANTIALLY FINANCED

BCCI’s core defence rests on the following:

ARGUMENT	DETAIL
<b>Private body</b>	BCCI is a society registered under the Tamil Nadu Societies Registration Act, 1975 — not established by any statute or government order
<b>Revenue sources</b>	BCCI earns primarily from broadcast rights, sponsorships, ticket sales, IPL media deals — not government grants
<b>Government land/stadia</b>	BCCI and its state associations use government-owned stadia at concessional rates or free of cost — but BCCI argues this is not “substantial financing”
<b>No government control</b>	BCCI’s elections and governance are conducted independently; government does not appoint its office-bearers

## CIC’S REASONING

The CIC, affirming its position, held that:

- 1 **“Substantially financed” has a high threshold** — merely getting free use of stadia or some indirect benefits does not cross the threshold of being “substantially financed.”
- 2 BCCI’s primary revenue is commercial and self-generated — not government-origin.
- 3 Even if some indirect government benefits accrue (stadia, tax exemptions historically), these do not make BCCI a public authority.
- 4 The CIC is bound by the **Supreme Court’s interpretation** in relevant precedents — and the courts have generally not treated BCCI as a public authority under RTI.

## KEY LEGAL PRECEDENTS

### Thalappalam Service Co-operative Bank Case (2013) — Supreme Court

The SC held that **“substantially financed”** under RTI must mean a body that receives a **“substantial” portion of its finances** from government — not just incidental or minimal government assistance. “Substantially” implies a **major or dominant** share of funding.

### BCCI v. Cricket Association of Bihar — SC (2015)

The Supreme Court, while not directly addressing RTI applicability, held that BCCI **performs public functions** (regulates cricket, selects national team, represents India in ICC) and therefore some public law obligations apply. However, this did not extend to RTI applicability per se.

## PIL on BCCI-RTI linkage

Multiple PILs have argued that since BCCI effectively holds a **monopoly** on cricket in India — a matter of “public trust” — and since it uses public infrastructure, it should be covered. Courts have not yet fully accepted this argument.

### THE BROADER ISSUE: SPORTS BODIES AND ACCOUNTABILITY

SPORTS BODY	RTI STATUS	RATIONALE
<b>BCCI</b>	<b>NOT covered</b>	Private society; not substantially financed by government
<b>Sports Authority of India (SAI)</b>	<b>COVERED</b>	Government body under Ministry of Youth Affairs & Sports
<b>Indian Olympic Association (IOA)</b>	<b>Grey area</b>	Receives government grants; RTI applicability contested
<b>National Sports Federations (NSFs)</b>	<b>Partially covered</b>	Those receiving substantial government grants via SAI/MYAS are covered; others not

### BCCI'S GOVERNANCE FRAMEWORK — LODHA COMMITTEE REFORMS

Though outside RTI's ambit, BCCI's governance was significantly reformed after the **Supreme Court's Justice R.M. Lodha Committee recommendations (2016)**:

REFORM	DETAIL
<b>One state, one vote</b>	Eliminated plural voting rights of large associations
<b>Age and tenure cap</b>	Office bearers: max 70 years age; max 3 terms (9 years) in any combination of BCCI and state association
<b>Cooling-off period</b>	Mandatory cooling-off after each tenure
<b>Electoral process</b>	Independent Electoral Officer
<b>Ombudsman</b>	Independent Ombudsman and Ethics Officer
<b>IPL Governing Council</b>	Separated from BCCI's main governance structure

The Lodha reforms were the SC's mechanism to inject accountability without bringing BCCI under RTI.

## RIGHT TO INFORMATION ACT, 2005 — KEY PROVISIONS

PROVISION	DETAIL
<b>Section 2(h)</b>	Defines “public authority” — the cornerstone of RTI applicability
<b>Section 2(j)</b>	Defines “right to information” — includes right to inspect documents, take notes, obtain certified copies
<b>Section 4</b>	Proactive disclosure obligations — public authorities must publish information suo motu
<b>Section 6</b>	Application procedure — any citizen can file RTI with PIO
<b>Section 7</b>	Time limit: 30 days (48 hours for life/liberty matters)
<b>Section 8</b>	Exemptions — security, sovereignty, privacy, Cabinet papers, third-party commercial info
<b>Section 19</b>	Appeal to First Appellate Authority (within organisation), then to CIC/SIC
<b>Section 20</b>	Penalty for PIO: ₹250/day up to ₹25,000; disciplinary action

## CENTRAL INFORMATION COMMISSION (CIC)

PARAMETER	DETAIL
Established	Under RTI Act, 2005
Head	<b>Chief Information Commissioner (CIC)</b>
Members	Information Commissioners (max 10)
Jurisdiction	Central government departments, bodies, and PIOs under them
Appointment	By President on recommendation of PM-led committee (PM, Leader of Opposition, PM-nominee Cabinet minister)
Tenure	3 years or 65 years of age, whichever is earlier; non-renewable
Powers	Quasi-judicial; can impose penalty, order disclosure, recommend disciplinary action

## UPSC RELEVANCE

### GS Paper 2 — Governance and Polity

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- **RTI Act 2005:** Section 2(h) — definition of public authority; “substantial financing” criterion
- **CIC:** composition, powers, jurisdiction, appellate structure
- **Accountability of quasi-public bodies:** sports bodies, cooperatives, PSU subsidiaries, trusts
- **Lodha Committee reforms:** SC-mandated governance changes in BCCI — alternative accountability without RTI
- **Judicial interpretation:** SC on “substantially financed” — Thalappalam case

**Mains Question (GS2):** “The exclusion of BCCI from the ambit of the Right to Information Act, 2005 raises fundamental questions about the accountability of powerful non-governmental bodies that exercise quasi-public functions. Critically examine.” (250 words)

**Keywords:** BCCI, RTI Act 2005, Section 2(h), public authority, substantially financed, CIC, Central Information Commission, Lodha Committee, Thalappalam case, Sports Authority of India.

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*Sources: Drishti IAS, The Hindu, PIB*

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## ★ FACTS CORNER — KNOWLEDGEPEDIA

### BCCI AND RTI ACT:

BCCI is NOT a “public authority” under RTI Act, 2005 — CIC ruling upheld May 2026

Reason: Not “substantially financed” by government funds (primary revenue = broadcast rights, IPL, sponsorships)

BCCI is registered under: Tamil Nadu Societies Registration Act, 1975

Government benefits BCCI receives: concessional use of stadia — not deemed “substantial financing”

### RTI ACT 2005 — SECTION 2(H):

Defines “public authority”: bodies established by Constitution, law, government order, OR owned/controlled/substantially financed by government

Key test: “Substantially financed” — must be a major/dominant portion of funding (SC: Thalappalam 2013)

### CENTRAL INFORMATION COMMISSION (CIC):

Established under RTI Act 2005

Headed by Chief Information Commissioner (CIC)

Appointed by President on recommendation of PM-led committee

Tenure: 3 years or 65 years of age (non-renewable)

Quasi-judicial body; can impose penalty of ₹250/day (max ₹25,000) on PIO

### LODHA COMMITTEE REFORMS (2016):

SC-mandated governance reforms for BCCI

One state one vote; age cap 70 years; max 3 terms (9 years) in any combination; cooling-off period; Independent Ombudsman

Alternative accountability mechanism since RTI does not apply

### THALAPPALAM CO-OP BANK CASE (SC, 2013):

“Substantially financed” = major/dominant share of finances from government

Incidental government benefits do not make a body a “public authority” under RTI

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