

Player Mobility vs. Domestic Prosperity: Rethinking Contract and Transfer Regulations for Indian Footballers in the ISL era

Atharva Dipak Abhyankar
Law, Symbiosis Law School, Nagpur

Abstract:

The Indian Super League (ISL), now consolidated as the top division of the Indian Football pyramid, offers multi-year contracts and hefty salaries which are high by Asia and Pacific standards. Contractual security, however, has not translated into higher competitiveness of Indian footballers. There is negligible presence of Indian footballers in European leagues which have higher standards of football while the Indian National Team ranking remains stagnated at 90-110. This paper examines the barriers to player mobility in the existing regulatory framework in India, Europe and the world along with contractual challenges in existing ISL athlete contracts. The paper focuses on the notion that existing legal and regulatory framework incentivises players to prioritise domestic financial security over higher level sporting development abroad. It analyses All India Football Federation (AIFF) and FIFA's regulations on Player Status and Transfer of Players in coherence with European work permits and non-EU quota rules, and India's Nationality and Overseas Citizen of India (OCI) rules and regulations.

The paper aims to identify contractual hurdles in player contracts in ISL that disincentivize seeking higher competitiveness abroad and argues that long-term, well-paid domestic contracts and limited mobility-friendly clauses combined with regulatory challenges aforementioned creates a bubble which stunts the growth of budding footballing talents in the country. The paper concludes by proposing a set of reforms including model release or loan clauses for young players, incentives that AIFF could offer for overseas placement and a pathway to balance financial stability of a player with a steady career progression which exceeds the milestones set by Indian players in the past.