



Report

Unauthorised Sports Broadcasting: Unlocking Revenue from Commercial Establishments

May 2026

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Chapter 1 Introduction and Summary of Findings

Television is the second biggest contributor to India's media and entertainment (M&E) industry, comprising around 25 percent of the sector's total revenue.¹ Even as digital media gain wider audiences due to high internet penetration and availability of personal devices, television continues to remain one of the most powerful media for reaching the masses. This is evident in the case of high-engagement content, such as films and live sporting events, where television continues to serve as a shared, community-driven viewing experience in homes and in commercial spaces.

India's broadcasting sector operates under a convoluted, layered regulatory framework that governs both what is broadcast and how it is distributed and priced. This framework has not kept pace with the evolving economic realities of the sector, and critically, it also sits in tension with broadcasters' copyright. Under Sections 37 and 39A of the Copyright Act, 1957 (Copyright Act), broadcasters are granted exclusive Broadcast Reproduction Rights (BRR), which allows them to monetise their protected content. The most consequential violation of a broadcasters' copyright is Telecom Regulatory Authority of India's (TRAI) treatment of "commercial subscribers" through its various tariff orders.

Commercial subscribers are those establishments that publicly screen broadcasters' content to attract customers and drive revenue. TRAI's tariff orders define a commercial subscriber as an entity that charges customers *specifically* for access to television. This definition is narrow and divorced from commercial reality. In practice, establishments routinely attract patrons through indirect monetisation strategies such as discounted drinks, special menus, group bookings, and minimum billing, without explicitly charging a fee or ticket price.² TRAI's framework ignores this reality and excludes these establishments from the scope of commercial subscribership entirely, allowing them to screen broadcasters' high-value, copyrighted content without any licensing obligations or compensation to broadcasters.

Broadcasters are further restricted from negotiating licensing arrangements with commercial establishments, as all transactions must be routed through Distribution Platform Operators (DPOs), fragmenting the broadcaster's negotiating power and diluting their share of the value created. This oversight has allowed such establishments to commercially exploit broadcasters' copyrighted content without a license or compensation, often during premium marquee live sporting events that involve enormous rights investments. Broadcasters invest enormous sums to acquire sports media rights; for instance, during the 2022 auction of Indian Premier League (IPL) media rights, the broadcast and digital rights for the Indian subcontinent were sold to Star Sports and Viacom18 for ₹48,390 crores for a period of five years.³ Unlike most comparable jurisdictions, including the United States of America, United Kingdom, Australia, Canada, and Singapore, India does not allow market forces and copyright law to govern commercial broadcasting arrangements, leaving rights holders structurally disadvantaged.

To understand the scale at which commercial establishments across the country exploit this regulatory loophole, this report presents the findings of a survey conducted across 50 commercial establishments in Delhi, Mumbai, Bangalore, Kolkata and Hyderabad, timed around the IPL 2026 season. The survey was conducted in two stages across bars, restaurants and pubs in prominent malls and commercial areas across these cities and captures both pre- and during-IPL data from establishment managers as well as customers present during the screenings.

The findings are unambiguous and reveal the following:

- 1. The primary motive of establishments for screening major sporting events is to make commercial gains:** Commercial establishments offer screenings of major sporting events, such as the IPL, as part of their amenities, with the primary purpose of attracting customers and increasing revenues. The survey showed that around 66 percent of the managers during the pre-IPL season reported offering sports screenings to increase revenue.

2. **Commercial establishments succeed in deriving significant economic value from screening and promoting sporting events:** Survey findings reveal that the impact of screening the IPL was even better than expectations for almost all of the surveyed establishments. Close to half of the managers (44 percent) reported an increase in revenue of more than 30 percent. In the pre-IPL survey, only 30 percent of managers expected their revenue would increase more than 30 percent. Half of the surveyed establishments (50 percent) saw an increase in footfall of more than 30 percent versus in the pre-IPL survey where only 34 percent believed that footfall would increase by more than 30 percent. These reported increases in revenue and footfall are reinforced by the observed increases in average table spend and high-value transactions during IPL season.

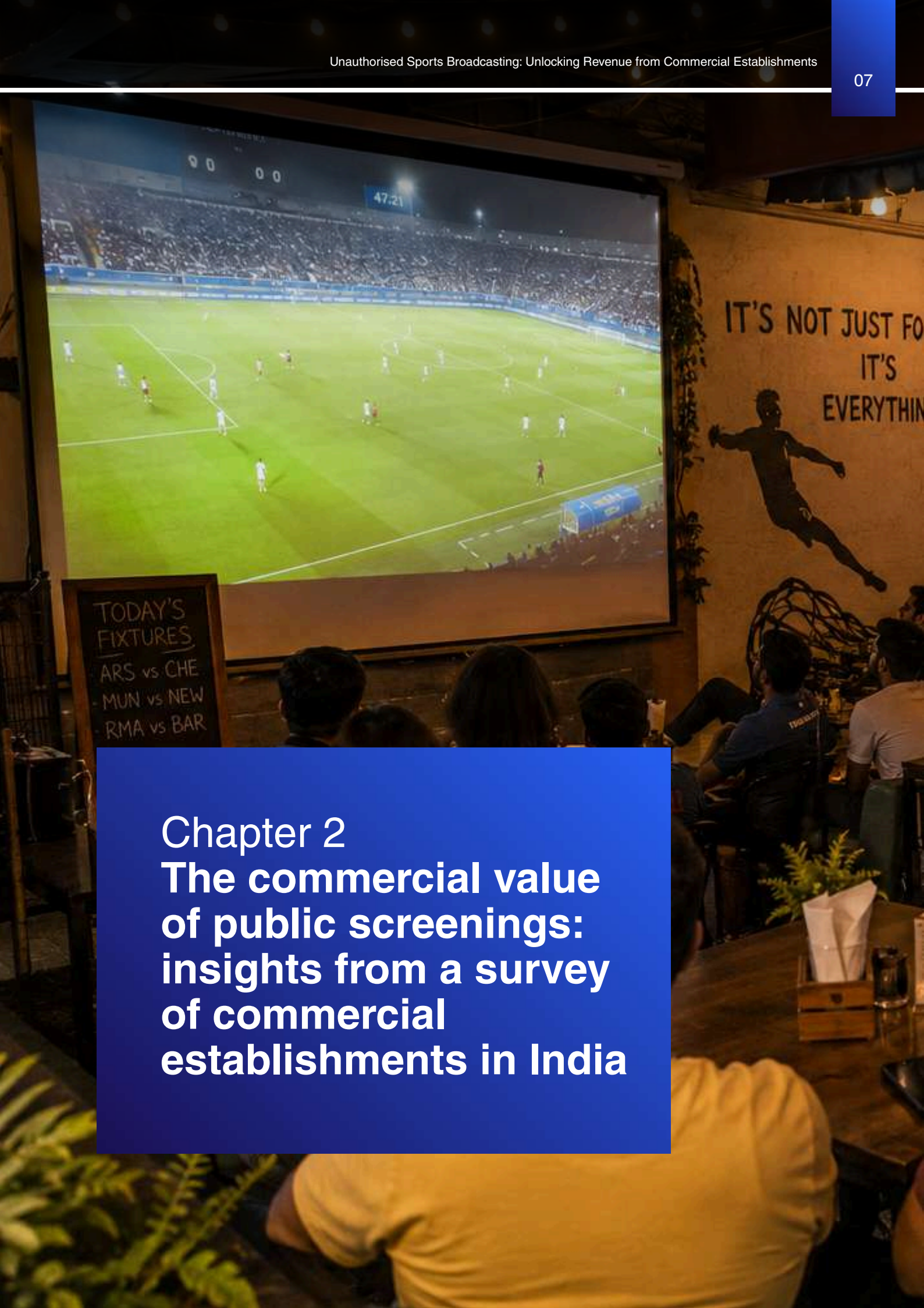
These two findings reveal that substantial commercial gain is being generated on the back of broadcasters' copyrighted content, with broadcasters receiving no share of that value. Broadcasters are effectively losing out on considerable revenue, which they could have reinvested in making new content or to incentivise creators.

3. **Customers actively seek out and visit establishments that provide screenings:** Customers surveyed at these establishments revealed that their presence, venue selection and consumption behaviour are directly linked to the availability of IPL screenings. IPL screenings are the primary footfall driver for these establishments, superseding factors such as location or the quality of the food. Around 69 percent of the customers were at the venue specifically because the IPL match was being screened and almost 88 percent of the customers reported that the IPL screening influenced their decision to visit the venue on that day. IPL screenings also influence customers to spend more time at these commercial establishments. The longer customers stay, the more likely they are to repeat purchases of food and drinks. IPL screenings also incentivise customers to visit and revisit establishments, signalling that gains from screenings are rather long-term. During the IPL season, almost 90 percent of the customers responded that they were likely to return to the venue for another match screening.

4. **Establishments use a combination of direct and indirect monetisation strategies:** Commercial establishments use a combination of direct and indirect monetisation strategies and in majority of instances, do not charge consumers specifically to watch screenings. Commercial establishment managers reported introducing a combination of promotional strategies including offers or discounts on drinks (52 percent), special IPL menus or combos (48 percent), minimum billing per table (14 percent), and match day events (10 percent). Only 12 percent of establishments levy cover charges/entry fees. Therefore, the results indicate that establishments have multiple forums to monetise screenings, while broadcasters have no flexibility to make bespoke/customised packages for their customers.

It is only equitable and consistent with the approach taken in most developed broadcasting markets globally that broadcasters are entitled to negotiate and enforce commercial licensing arrangements with such establishments. In order to close the loopholes that commercial establishments rely on to escape the status of 'commercial subscribers' and to allow broadcasters flexibility and autonomy in creating commercial packages, the report proposes the following:

- a. Reconcile tariff orders with copyright laws by replacing the tariff regime with a licensing framework. The licensing framework will be underpinned by the Copyright Act, which vests broadcasters with BRR and the ability to provide their BRRs to commercial establishments.
- b. Enable tailored, proportionate licensing options for commercial establishments.
- c. Allow the Department for Promotion of Industry and Internal Trade (DPIIT) to oversee commercial subscribership issues as TRAI's remit is limited to regulating the technical and economic aspects of broadcasting. The DPIIT possesses institutional knowledge and subject matter expertise for addressing the nuanced nature of intellectual property rightsholdings in the media and entertainment sector.



Chapter 2
The commercial value of public screenings: insights from a survey of commercial establishments in India

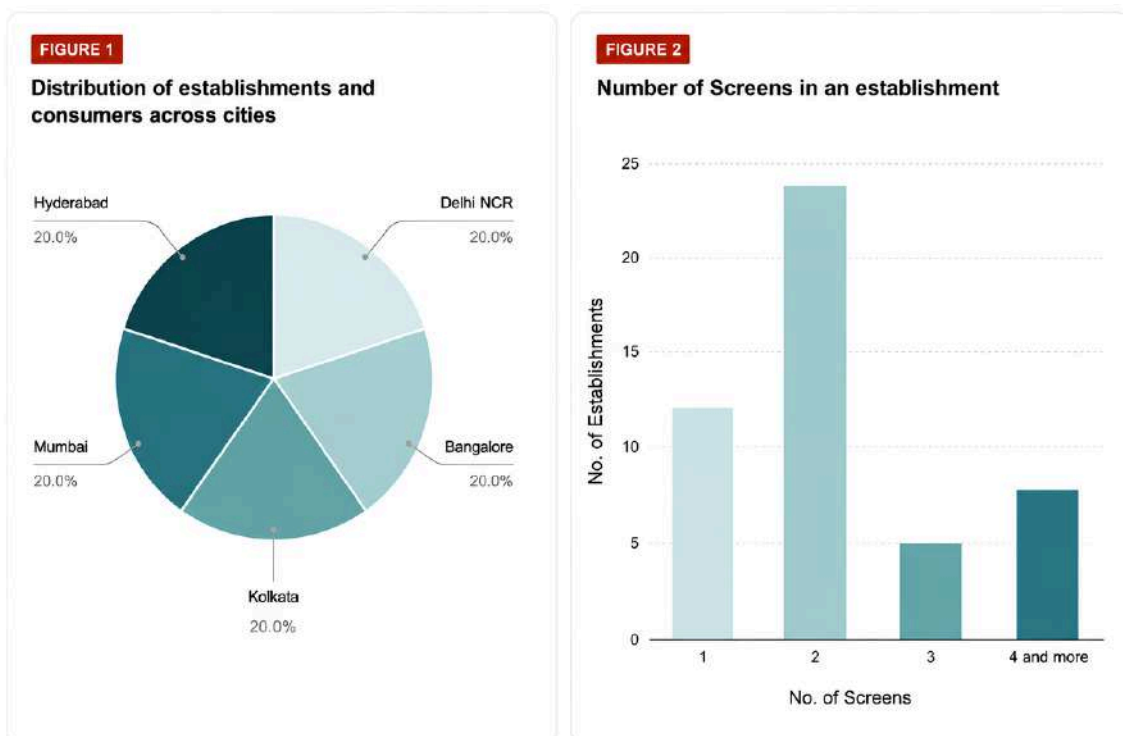
In 2023, research found that coverage by Sky Sports alone had generated an additional £ 1.1 billion in revenue for British pubs.⁴ Survey findings have also revealed the significant value that both owners and consumers attach to live sport screenings at licensed commercial establishments in the UK.⁵ The Indian context is no different. Commercial establishments across the country have developed an effective and widespread practice of monetising sporting events throughout the calendar year, taking advantage of the mass appeal of live sport to drive footfall, increase consumer spend, and build sustained customer loyalty.⁶

Despite the evident scale and economic significance of this practice, the absence of a comprehensive empirical study has thus far made it impossible to fully understand or quantify the extent to which such monetisation occurs, the behavioural patterns it generates, and the broader implications it carries for rights holders and broadcasters. This chapter addresses this gap by drawing on data from an original survey of commercial establishments in India during the screening and monetisation of a marquee sporting event.

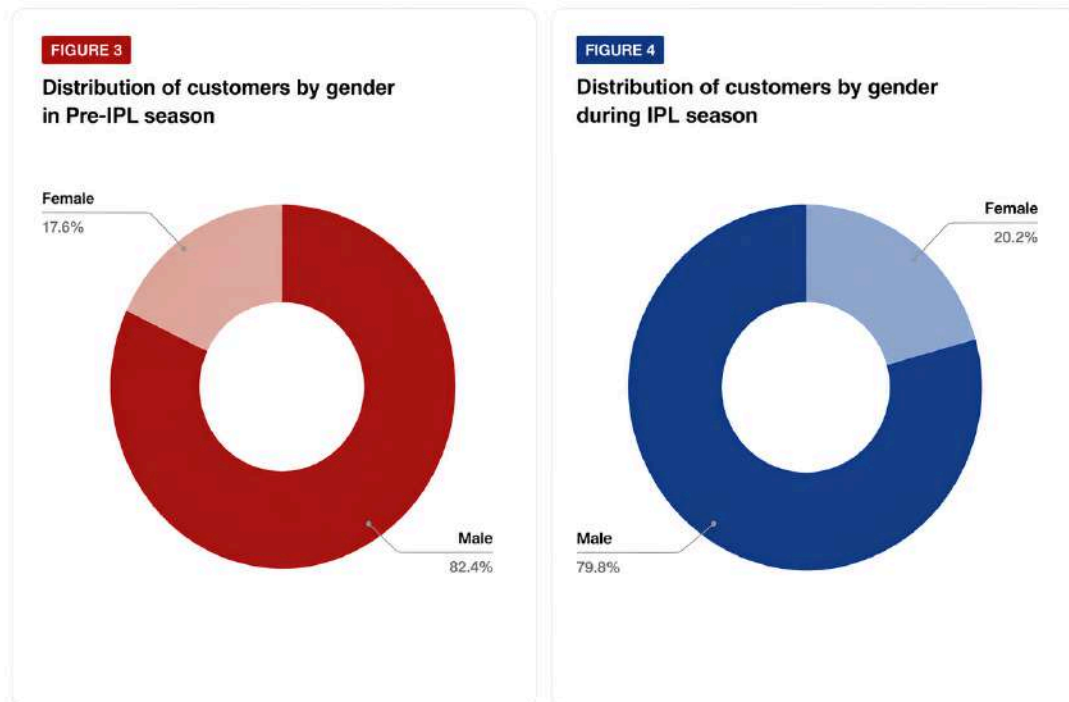
A. Sample Characteristics and Survey Design

The IPL is a professional Twenty20 (T20) cricket league in India, held annually between March and May. The IPL tournament consistently ranks among the most watched sporting events globally, making it an ideal setting to understand how commercial establishments in India capitalise on sporting events to make commercial gains.

The survey was administered as a two-stage survey of 50 commercial establishments across Delhi, Mumbai, Bangalore, Kolkata and Hyderabad. To ensure comparability, the same establishments were surveyed in both phases. Phase 1 was completed during the week before IPL 2026 started and phase 2 during the first two weeks of the IPL. The bars, pubs and restaurants chosen were located within prominent malls and high-footfall commercial areas in these cities, with equal representation across the cities (Figure 1). All surveyed establishments regularly offered live screenings as part of their commercial offerings, with permanently deployed screening infrastructure ranging from 1 to 10 screens per outlet, and an average of two screens per establishment (Figure 2). They also planned to offer/offered live screenings of the IPL 2026 season.



The survey was designed to capture the behaviours and perceptions of both establishment managers and consumers with respect to screening the IPL. Thus, in each phase, the survey sample included 50 managers and ~ 250 customers. The customer sample was predominantly male, with around 80 percent of the respondents identifying as male and around 20 percent identifying as female (Figure 3). This demographic was consistent across both phases of the survey, suggesting that this gender distribution is reflective of the broader and habitual patronage patterns of these establishments.



B. Screening with a commercial motive

India's broadcasting sector operates under a legacy regulatory regime characterised by prescriptive price controls and extensive channel packaging regulation, which have significantly limited broadcasters' monetisation flexibility. Studies examining the current regulatory framework under TRAI have highlighted concerns that the existing regime distorts pricing, revenue-sharing arrangements, and distribution incentives, ultimately affecting broadcaster sustainability and long-term consumer welfare.⁷ Extensive economic regulation, restrictions on sports broadcasting, and persistent piracy-related concerns have primarily collectively created a highly restrictive operating environment for broadcasters.

A key unresolved issue within TRAI's framework is the distinction between 'ordinary subscribers' (like a household) and 'commercial subscribers', which are establishments that use television broadcasting, either as a business offering or on their premises. TRAI has not meaningfully distinguished between a private household and a commercial establishment screening broadcast content to paying customers. A commercial subscriber is currently defined only as an entity that charges customers specifically for watching televised content, ignoring indirect monetisation through minimum billing, event-based offers or promotional pricing. As a result, broadcasters are constrained in their ability to independently license, price or package television services for commercial use, limiting their ability to monetise a significant revenue stream and develop tailored commercial offerings suited for public viewing environments.

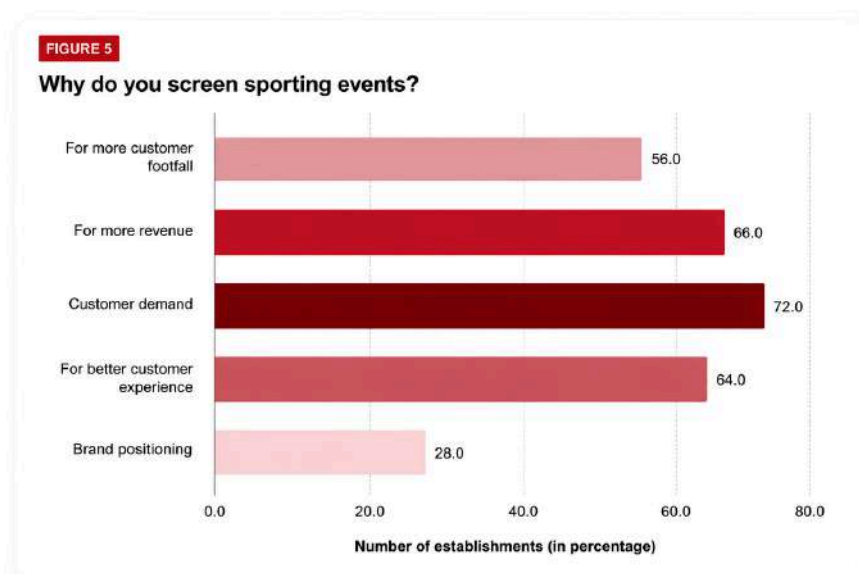
TRAI's Tariff Orders - Fragmented Framework for Commercial Subscribers

Since 2006, TRAI has issued seven tariff orders (analysed under ANNEXURE 1) each of which were amended multiple times, producing a complex and often contradictory framework. Rather than progressively clarifying commercial subscriber obligations, successive orders have narrowed the definition and further constrained broadcasters' rights:

1. **2006** - The categories of 'commercial subscribers' and 'ordinary subscribers' were first introduced. The distinction was based on the place of use of the broadcasting signal - if it was used in a commercial establishment for the benefit of its customers, the establishment would qualify as a commercial subscriber. Additionally, a ceiling rate was prescribed for tariffs.⁸
2. **November 2006** - The tariff order provided that the rates for hotels rated 3 stars or higher, heritage hotels, etc., would be determined on a mutual basis by all parties involved. All other commercial subscribers would be charged the same as ordinary subscribers.⁹
3. **2014 and 2015** - Commercial subscribers were now limited to only those who charged customers specifically for the provision of television. Broadcasters were prohibited from entering into direct agreements with subscribers, including commercial subscribers.¹⁰ Instead, broadcasters were to enter into a tripartite agreement with DPOs and commercial establishments. Additionally, there was to be total forbearance with respect to tariffs.¹¹

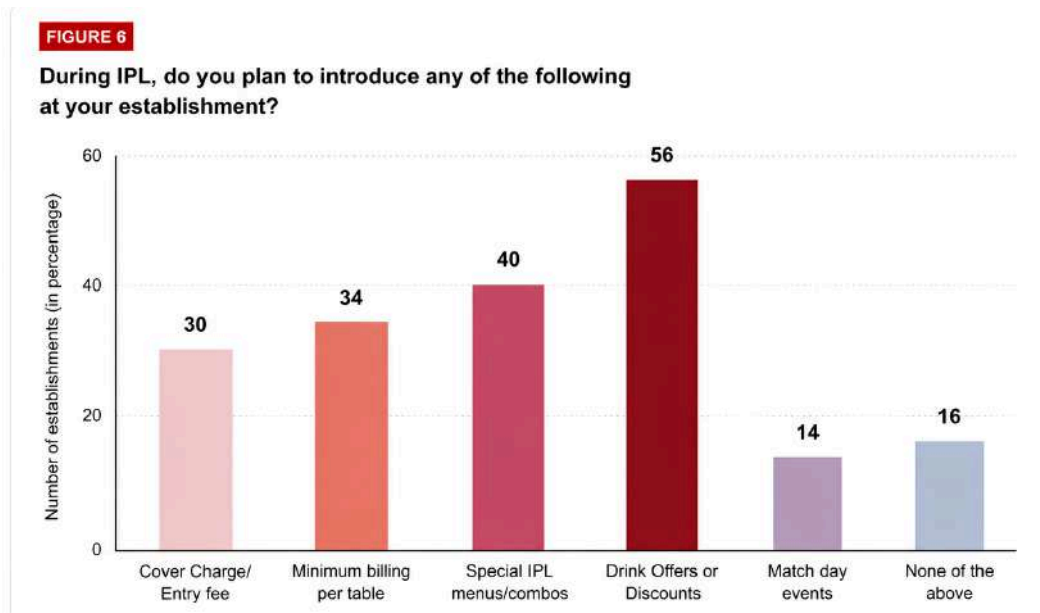
The survey results, as discussed below, clearly indicate how the primary motive of establishments for screening licensed content is to make commercial gains. Most importantly, it shows how the current tariff regime results in significant value erosion for broadcasters as they are not able to monetise their intellectual property to the fullest extent possible.

A subscriber who screens content with the primary objective of making commercial gains is no longer passively consuming content but using it as a commercial input. Commercial establishments offer screenings of major sporting events, such as the IPL, as part of their amenities, with the primary purpose of attracting customers and increasing revenues. As the survey shows, around 66 percent of the managers during the pre-IPL season reported offering sports screenings to increase revenue. Around 72 percent of the managers reported it was owing to consumer demand, 64 percent believed it improved consumer experience and 56 percent said it was to increase footfall (Figure 5). Addressing consumer demand, improving consumer experience and increasing footfall, directly translates into higher revenues for these establishments.



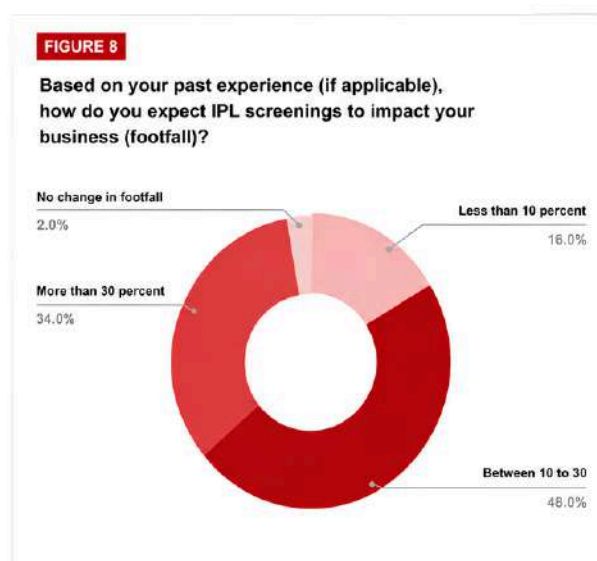
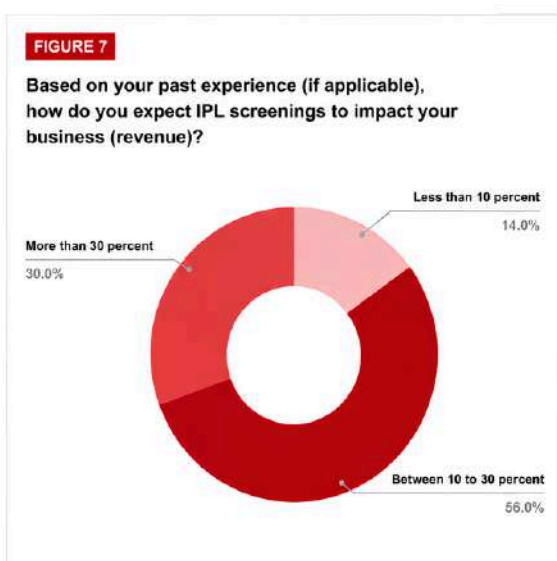
Note: 50 managers participated in the survey conducted in the Pre-IPL season. This was a multi-select question; respondents could choose more than one option, so percentages do not sum to 100 percent.

In the pre-IPL season, managers reported plans to introduce a combination of promotional strategies to attract more customers and monetise the IPL screening. Most establishments planned promotions around the food and drinks they offered, with 56 percent of the managers reporting plans to introduce offers or discounts on drinks and 40 percent planning special IPL menus or combos. However, managers also reported plans to introduce direct monetisation strategies, with around 34 percent reporting plans to introduce minimum billing per table and 30 percent reporting plans to include minimum billing per table and 30 percent reporting plans to introduce cover charges/entry fees. Around 14 percent of the managers also reported plans to introduce match day events (Figure 6).



Note: 50 managers participated in the survey conducted in the Pre-IPL season. This was a multi-select question; respondents could choose more than one option, so percentages do not sum to 100 percent.

Based on their previous experiences screening sporting events, almost all managers believed that screening the IPL would impact their business positively, both in terms of revenue and footfall. Owing to the screening of the IPL, 30 percent of the managers believed that their revenue would increase by more than 30 percent, 56 percent believed it would increase between 10 and 30 percent and 14 percent believed it would increase by less than 10 percent (Figure 7). On the other hand, 34 percent believed it would increase footfall by more than 30 percent, 48 percent believed it would increase between 10 and 30 percent and 16 percent believed that it would increase by less than 10 percent (Figure 8).



Note : 50 managers participated in the survey conducted in the Pre-IPL season.

Figures 5, 6, 7 and 8 together reveal that the primary motive of establishments in screening marquee sporting events like the IPL is to make commercial gains. Majority of the managers were confident that screening the IPL could increase the revenue of their establishments directly and indirectly. Anticipating the potential to make such gains, establishments also planned multiple promotions around the IPL, including direct monetisation strategies like cover charges and minimum billing per table.

Insights from this section collectively demonstrate that establishments do not offer sports screenings as a mere courtesy offering for customers but rather, deploy them as a commercial input. This practice dilutes a broadcaster's exclusive right over their offerings – their copyright. Copyright entitles broadcasters to derive financial benefits from the publication, adaptation, licensing or translation of their works, and also decide who can use it and for what purpose.

In the case of sports broadcasting, copyright is not based on the original work but on a derivative work – i.e., others' performance. The protection accorded to broadcasters in such a scenario is limited and must be upheld adequately. By acquiring media rights, broadcasters obtain the license from the copyright owner – the sports governing bodies, to broadcast and re-broadcast games. These rights are acquired after significant investment and over time a need was felt to protect these exclusive rights.

Section 37 of the Copyright Act seeks to protect BRR. These rights are special protections that disallow others from copying, rebroadcasting or using broadcasts for profit without permission from the main broadcaster. These are associated rights and operate independently from any copyright in the underlying broadcasted content. In addition to securing the right to telecast a live sporting event, the broadcaster also acquires the reproduction right of such broadcast, independent of any copyright in the match (commentary or the musical elements included). Another broadcaster who simultaneously retransmits that broadcast without the authorised broadcaster's permission infringes the right granted under Section 37 — even if it has separately licensed all the underlying content being broadcasted.

These BRR are crucial to safeguard broadcasters' investments. An absence of intellectual rights protections can erase the monetary incentive of investing in creating original works or acquiring licenses to make them available. Infringement of intellectual property rights leads to losses for the rightsholder; reduces the public exchequer's tax revenue; presents pirated content as a cheaper alternative to original content, undercutting legitimate content; and distorts markets to create unfair competition. Additionally, an inability to profit from their intellectual property can deter broadcasters from investing time, effort and resources in creating a work. It can also discourage investors from injecting capital into the creative ecosystem, thereby reducing the resources available to fund new projects and compensate talent and technicians. Thus, it is essential to ensure that rightsholders remain the sole beneficiaries of their works, to enable them to draw or control the commercial benefits emanating from them.

However, commercial, unauthorised broadcasts of sports events by establishments violates BRR and thereby weakens the principle of copyright itself. This can also be extended to commercial establishments that capitalise on broadcasts of sporting events by making them available for patrons and customers in their restaurants, pubs or other locations, by selling tickets, applying cover charges or discounts or creating special menus and other attractive offerings. In such a scenario, sports events are not being passively viewed, but are being commercially exploited as a business asset. The live sports broadcast itself becomes a central driver of revenue generation.

A detailed analysis of the negative consequences of unauthorised commercial exploitation of a broadcasters' copyright is detailed under ANNEXURE 2.

C. Value Erosion for Broadcasters

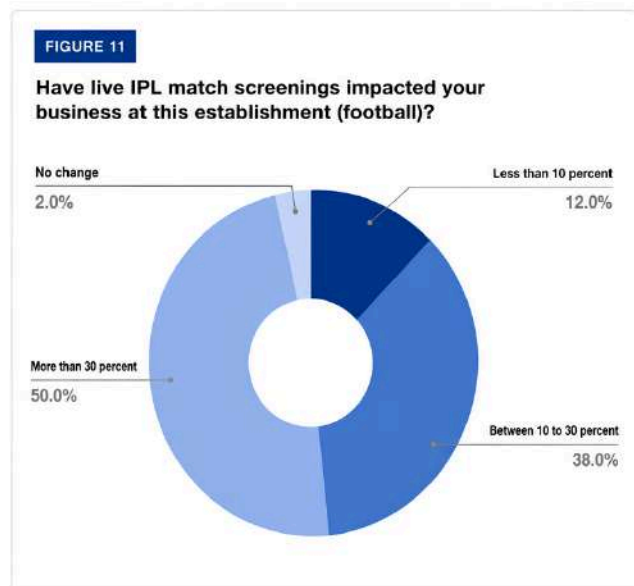
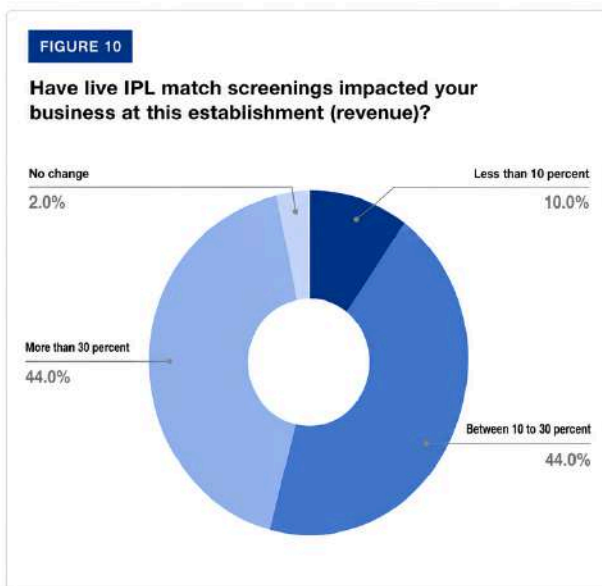
Historical overregulation of the economic aspects of broadcasting have weakened the sector, and broadcasters operate under significant constraints that reduce monetisation opportunities. They also leak and lose money at various stages of the value chain, further reducing incentives. For example, a study on the regulatory design of the broadcasting sector found that even though broadcasters drive consumer demand through content creation, DPOs ultimately capture 80 percent of the Average Revenue Per User (ARPU).¹² These losses are missed opportunities that can enable broadcasters to invest in innovating and enhancing consumer experience. In the case of sports broadcasting in particular, broadcasters' investments benefit not just themselves or the consumers, but also the sporting ecosystem at large, by creating second order benefits (Figure 9).

FIGURE 9 How does broadcasting benefit the sporting ecosystem?



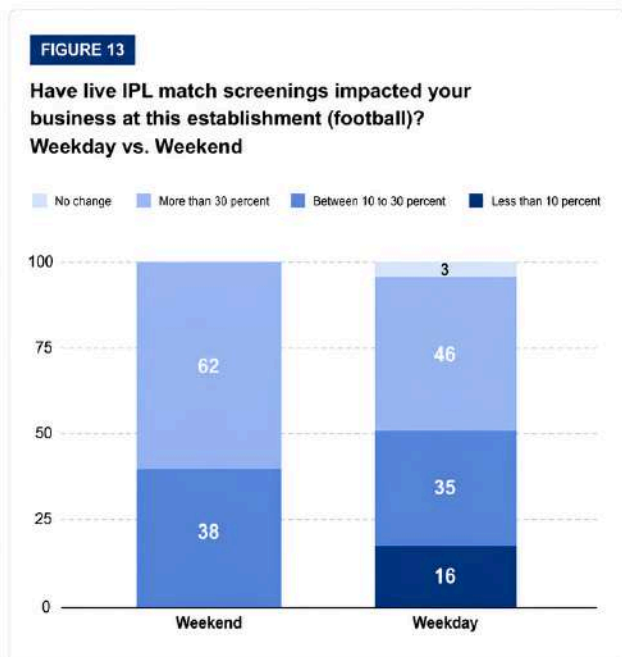
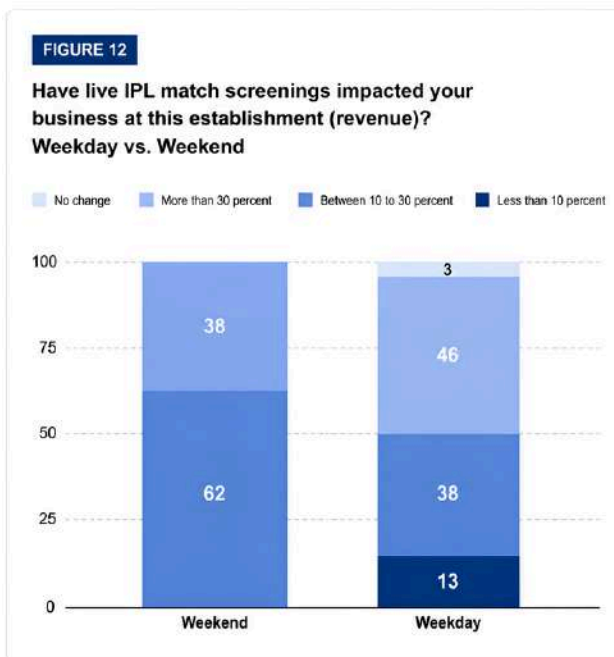
Note : For more details on sports broadcasting's benefits to the ecosystem, see ANNEXURE 3

These benefits get diluted when sports broadcasters are not allowed to capitalise on their exclusive copyright. On the back of broadcasters' investments, commercial establishments succeed in deriving significant and quantifiable economic value from screening and promoting sporting events. Survey findings reveal that the impact of screening the IPL was even better than expectations for almost all of the surveyed establishments. Close to half of the managers (44 percent) reported an increase in revenue of more than 30 percent, another 44 reported an increase between 10 and 30 percent and around 10 percent reported an increase of less than 10 percent (Figure 10). This is corroborated by reported increases in footfall as well. Half of the surveyed establishments (50 percent) saw an increase in footfall of more than 30 percent, 36 percent saw an increase in footfall between 10 and 30 percent, and 12 percent saw an increase in footfall of less than 12 percent (Figure 11).



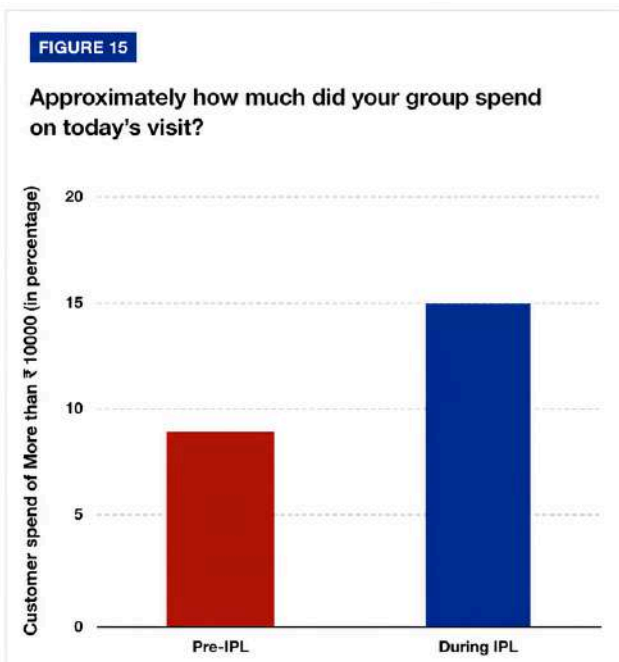
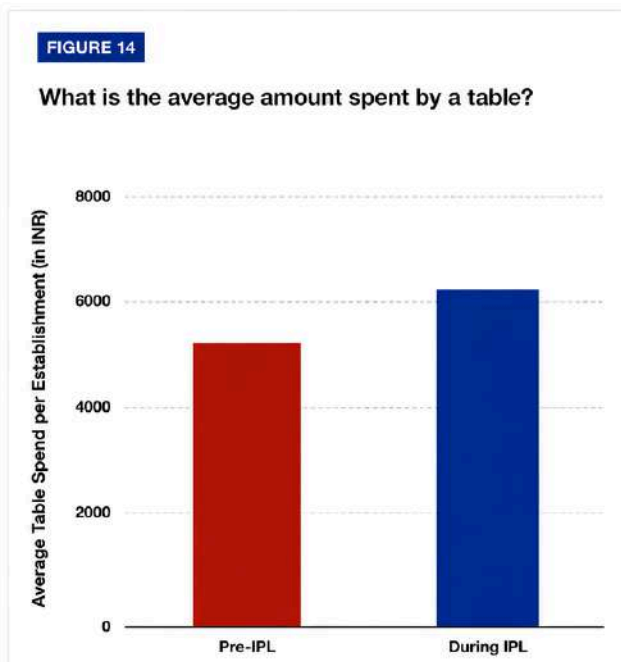
Note : 50 managers interviewed in the Pre-IPL season were re-interviewed in the IPL season.

IPL screenings also help drive revenue and footfall on conventionally slow evenings like weekdays. Most surveyed establishments reported significant increases in revenue and footfall on weekdays as well as weekends. On weekdays, 46 percent of the establishments reported an increase in revenue of over 30 percent, 38 percent reported increases between 10 and 30 percent and 13 percent reported increases of less than 10 percent (Figure 12). Establishments also reported increases in footfall, 46 percent saw an increase in footfall of over 30 percent, 35 percent saw an increase between 10 and 30 percent and 16 percent saw an increase of less than 10 percent (Figure 13).



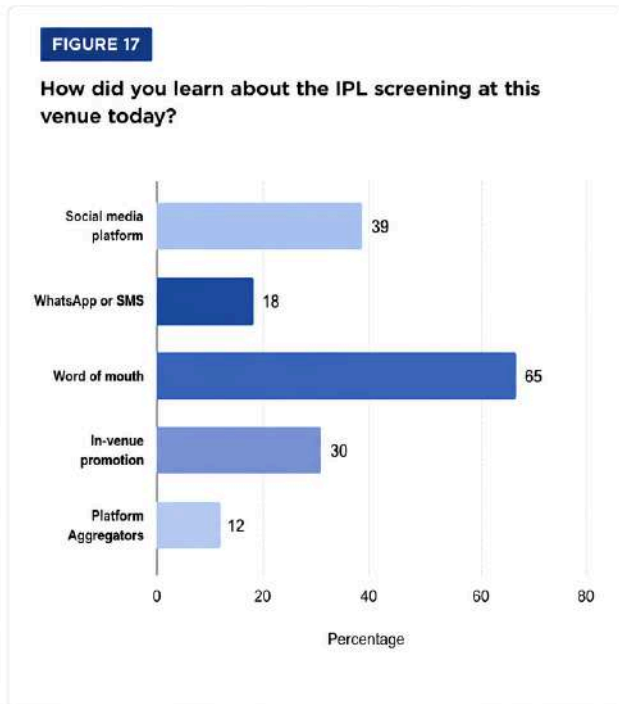
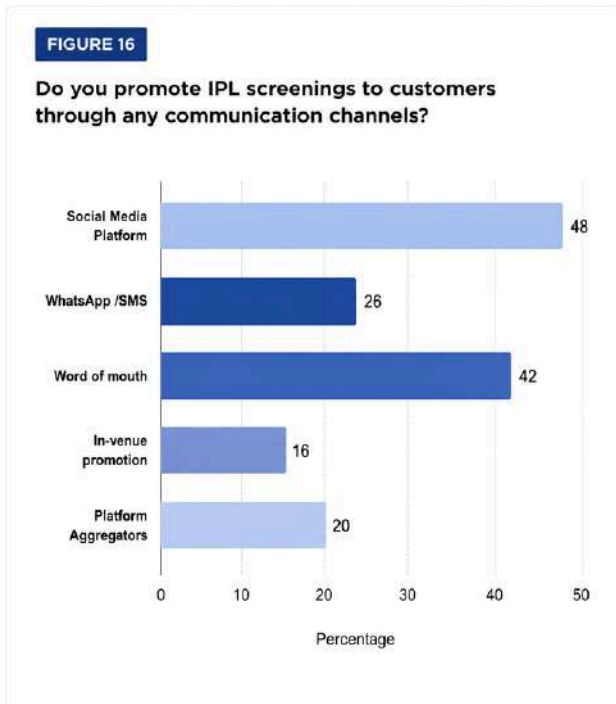
Note : 50 managers re-interviewed in the IPL season, responses separated by weekend vs weekday.

These reported increases in revenue and footfall are reinforced by the observed increases in average table spend and high-value transactions during IPL season. The average table spend reported by managers increased by at least 10 percent (a conservative lower estimate) and high value transactions (total bill exceeding ₹10,000) reported by customers increased by 5 percent (Figure 14 and 15). These directly signal a greater willingness to spend by customers during the IPL screening.



Note: Figure 14 records responses from the same 50 managers pre and during IPL season. Figure 15 records responses from ~250 customers pre and during IPL season.

To effectively monetise sporting events like the IPL, commercial establishments actively promote these screenings to inform and attract more customers. Most surveyed establishments relied on social media platforms (32 percent) and word of mouth (28 percent) as their two main channels of communication for promotions (Figure 16). Customer responses show that these promotional choices are remarkably effective.



Note : 50 managers interviewed in the Pre-IPL season were re-interviewed in the IPL season. 252 customers were interviewed in the IPL season. This was a multi-select question for customers; respondents could choose more than one option, so percentages do not sum to 100 percent.

Customers reveal that word of mouth (65 percent) and social media platforms (39 percent) were the two most effective channels in learning about IPL screenings at these establishments (Figure 17). The overwhelming prevalence of word of mouth as the primary communication channel is a strong testament to the inherent appeal and perceived value of IPL screenings among customers. The bundled offering of screenings, food, and drinks creates a proposition attractive enough to be actively shared and recommended within social circles.

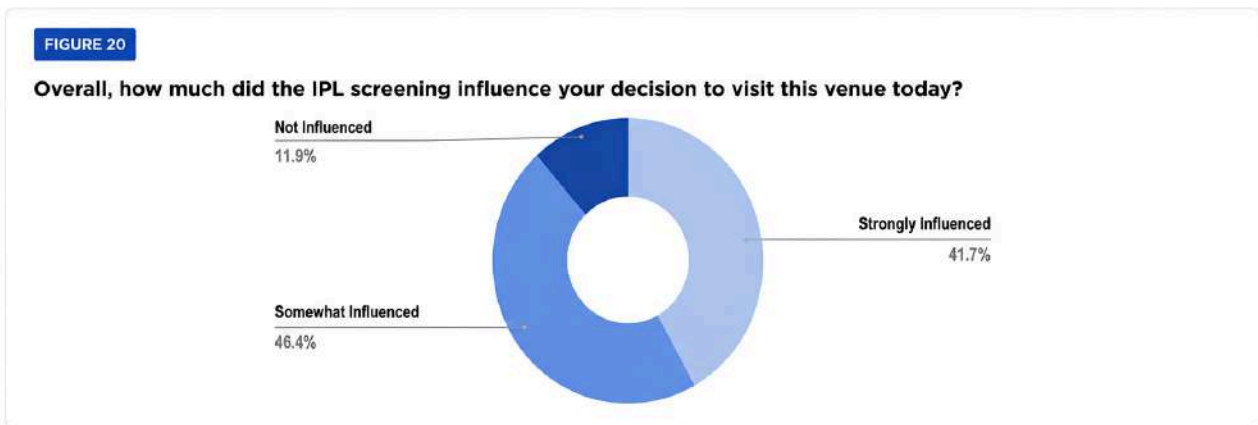
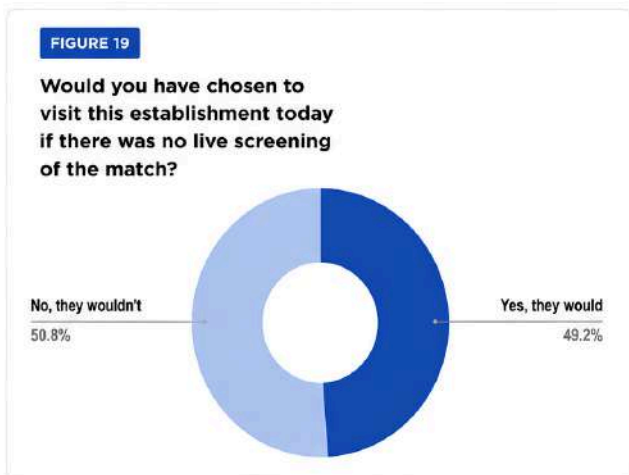
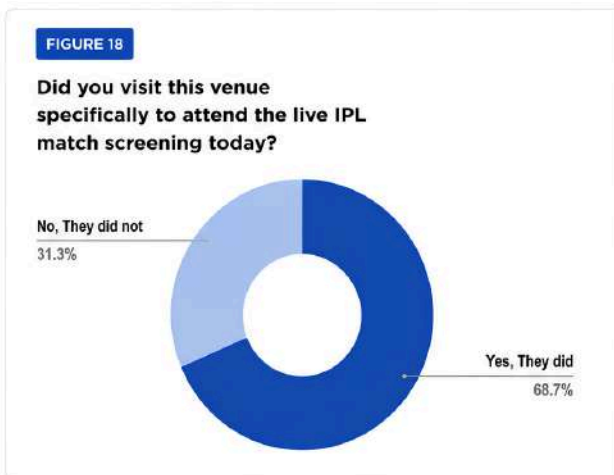
This section clearly highlights how commercial establishments are able to derive significant and quantifiable economic benefits from screening sporting events. Parallely, both section B and C shed light on the serious value erosion for broadcasters. Broadcasters are effectively losing out on considerable revenue which they could have reinvested into making new content or to incentivise creators.

Sports broadcasting is subject to a varied set of regulatory challenges, such as uplinking constraints, mandatory sharing requirements, and piracy, that weaken a broadcaster's incentive to make sports properties available to the public. For instance, the 2022 Guidelines for Uplinking and Downlinking of Satellite Television Channels require broadcasters to pay a fee of ₹1 lakh per channel per day for the live telecast of an event, thereby bringing all live sports broadcasts within its scope.¹³ This requirement was first introduced by the MIB in 2017 without a consultation exercise.¹⁴ Additionally, sports broadcasters must self-register at least 15 days before the first day of a live event to obtain permission to broadcast it. Sports broadcasting is inherently dynamic and depends on seamless coordination among multiple stakeholders, beginning with the scheduling of matches themselves. These stringent procedural requirements, therefore, make sports broadcasting a significantly more inflexible endeavour.

The lack of clarity about the status of commercial subscribers further compounds these issue, diluting sports broadcasters' copyright and enabling unrelated parties to benefit from their investments. For broadcasters, the acquisition of sports media rights means an exclusive right to broadcast key sporting events live or sell their footage to other media outlets. Broadcasters acquire exclusive TV rights to show live matches, tournaments, and highlights, ensuring they can attract mass audiences and maximise advertising and subscription revenue. It enables them to safeguard their costly investments in televising sporting events, recognise and reward the entrepreneurial efforts and contribution of broadcasters to diffusion of information and culture. Thus, it is key to preserve the value of broadcasting rights for rightsholders and broadcasters alike.

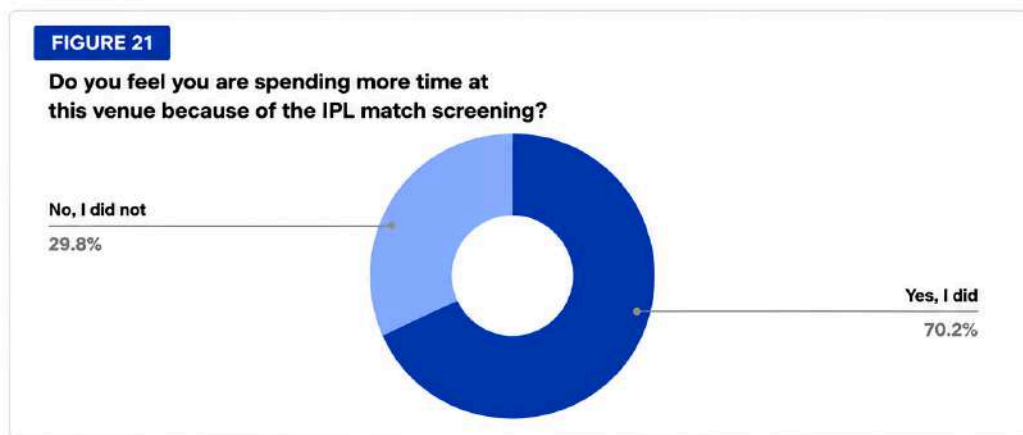
D. Customer Behaviour

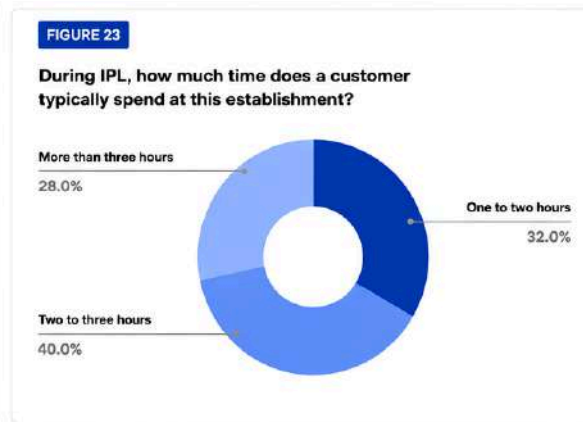
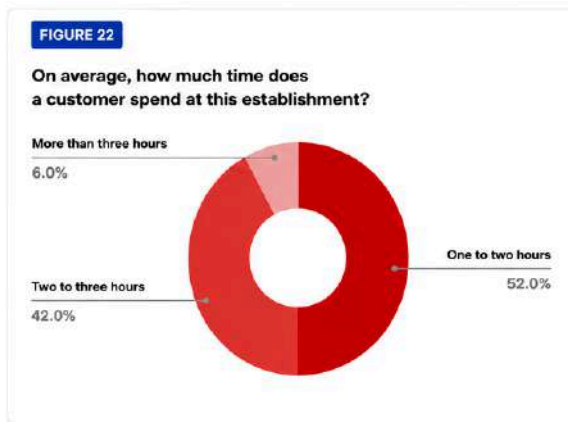
Customers surveyed at these establishments reveal that their presence, venue selection and consumption behaviour are directly linked to the availability of IPL screenings. IPL screenings are the primary footfall driver for these establishments, superseding factors such as location or the quality of the food. Around 69 percent of the customers were at the venue specifically because the IPL match was being screened (Figure 18). Half of the customers (around 51 percent) would not have visited the establishment on that day if the IPL match was not screened (Figure 19). Almost 88 percent of the customers reported that the IPL screening influenced their decision to visit the venue on that day, with 42 percent reporting that they were strongly influenced (Figure 20).



Note: 252 customers were interviewed in the IPL season.

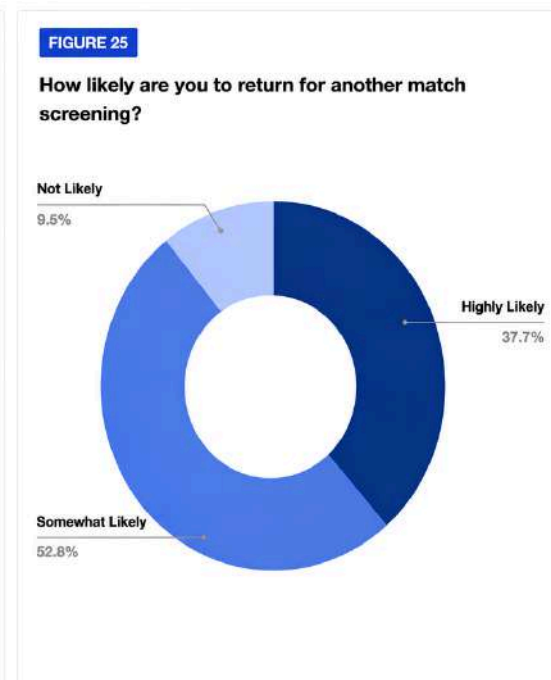
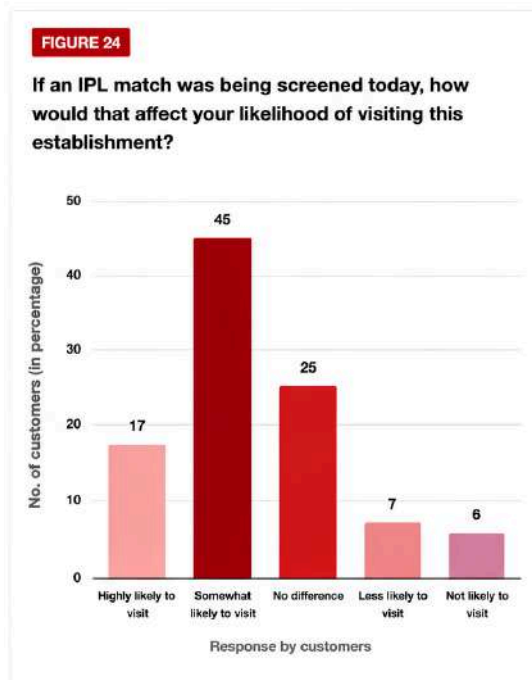
IPL screenings also influence customers to spend more time at these commercial establishments. The longer customers stay, the more likely they are to repeat purchases of food and drinks. Around 70 percent of the customers reported that they felt they were spending more time at the venue because of the IPL screening (Figure 21). This is corroborated by insights from managers as well. Managers reporting that average time spent by a consumer at the establishment was more than 3 hours increased from merely 6 percent to 28 percent during the IPL season. Those spending 1-2 hours reduced from 52 percent to 32 percent during the IPL season, while those spending around two to three hours remained relatively the same from around 42 percent to 40 percent during the IPL season (Figure 22 and 23).





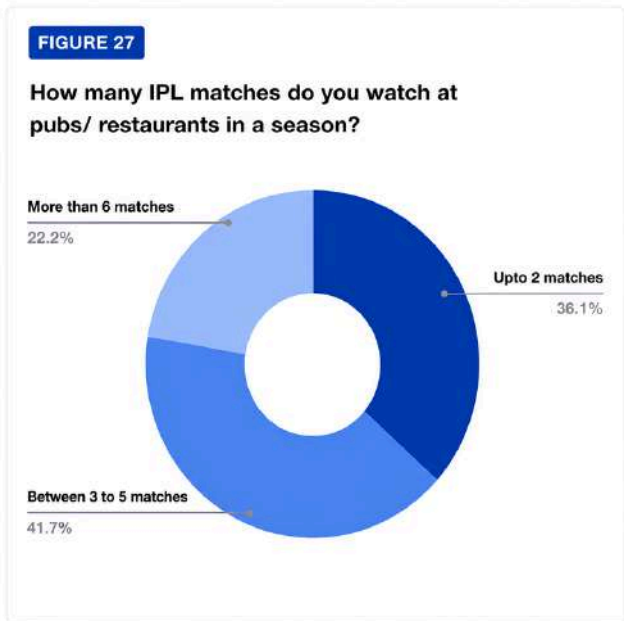
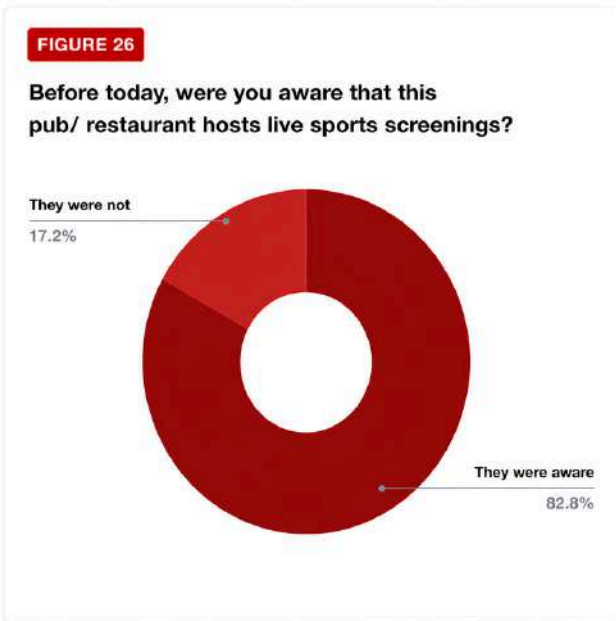
Note : 50 managers interviewed in the Pre-IPL season were re-interviewed in the IPL season. 252 customers were interviewed in the IPL season

IPL screenings also incentivise customers to visit and revisit establishments, signalling that gains from screenings are rather long-term. In the pre-IPL season, the majority of the customers (62 percent) said they were likely to visit the establishment if there was a match being screened that day. 17 percent of the customers responded they were highly likely to visit and 45 percent of the customers said they were somewhat likely to visit if there was a match being screened that day (Figure 24). During the IPL season, almost 90 percent of the customers responded that they were likely to return to the venue for another match screening. Almost 38 percent of the customers said they were highly likely to, while 52 percent said they would be somewhat likely to return to the venue for a match screening (Figure 25).



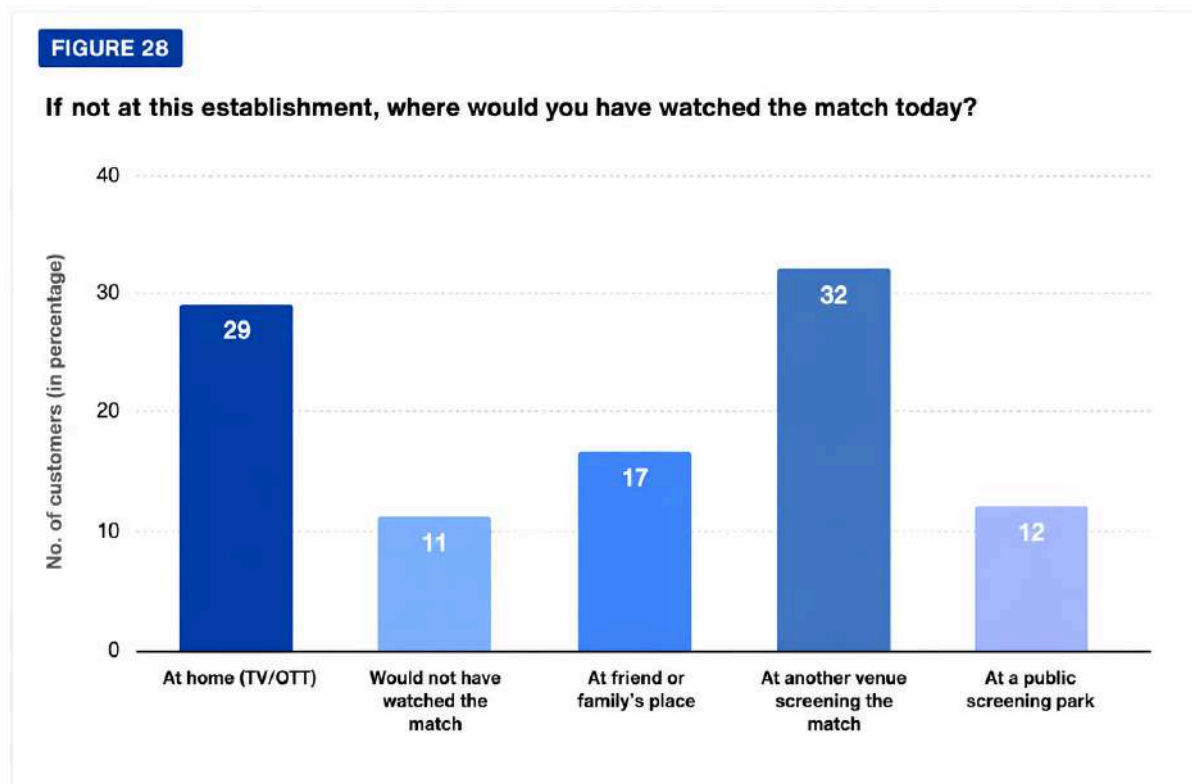
Note : 250 customers were interviewed in the pre-IPL season and 252 customers were interviewed in the IPL season.

Over time, the sustained screenings of sporting events has helped these establishments build meaningful brand recognition around these screenings. On the customer side, it has also progressively normalised a culture of watching matches at bars and restaurants. Almost 83 percent of the customers who visited the establishment during the pre-IPL season were aware that the venue hosted live sports screenings (Figure 26). During the IPL season, an overwhelming majority of the customers reported that they would watch three or more matches at similar venues in a season. Specifically, around 22 percent of the customers reported they would watch more than 6 matches at such establishments in a season, around 42 percent reported 3-5 matches, while 37 percent were likely to watch up to two matches (Figure 27).



Note : 250 customers were interviewed in the pre-IPL season and 252 customers were interviewed in the IPL season.

Customer responses also reveal that live viewership at these establishments are based on the value of the match itself. Almost 90 percent of the customers would have watched the match that day, be it at another venue, a public screening park or at home. Specifically, 32 percent of the customers would have sought out another establishment to watch the match, 17 percent were likely to watch it at a friend or family’s place, while 12 percent would have watched it at a public screening park (Figure 28). These 62 percent also reflect the value that customers place on these match screenings as a group experience.

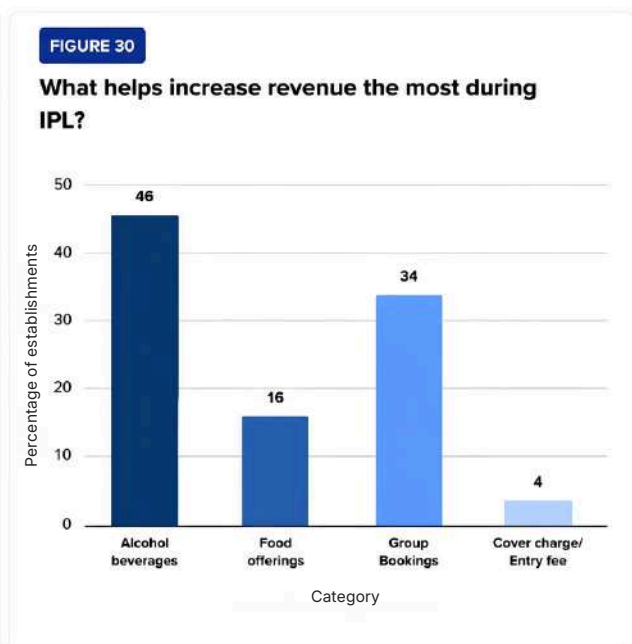
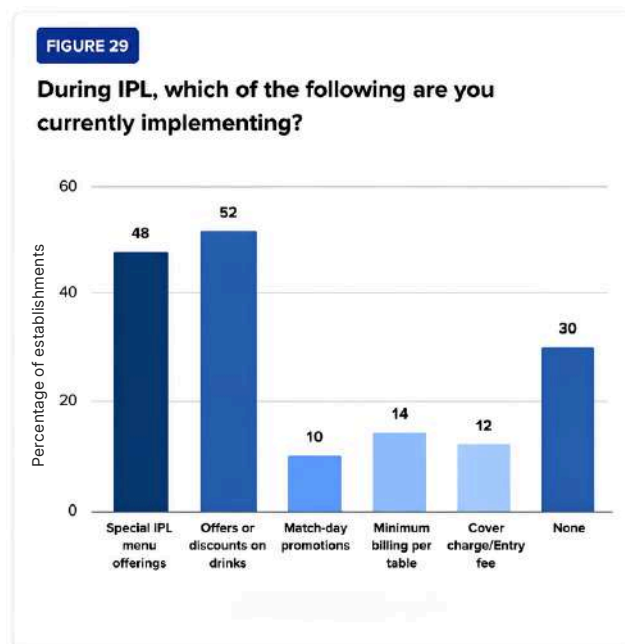


Note : 252 customers were interviewed in the IPL season.

This section clearly demonstrates how customer behaviour is directly attributable to the screenings being offered. The value that consumers attach to these screenings is far from trivial. Customers were more likely to not visit the venue in the absence of the screening. This a clear indication that establishments are not merely enhancing customer experience with these screenings but rather, actively generating revenue and footfall that would otherwise not exist. The next section highlights how establishments have multiple avenues to profit off the back of copyrighted broadcast content, while broadcasters rarely do.

E. Flexibility on offers and packages

In the IPL season, managers reported introducing a combination of promotional strategies including offers or discounts on drinks (52 percent), special IPL menus or combos (48 percent), minimum billing per table (14 percent), cover charges/entry fees (12 percent) and match day events (10 percent) (Figure 29). Most establishments (42 percent) reported that alcoholic beverages were the biggest driver of their revenue during the IPL season (Figure 30). This clearly justifies the most common choice among establishments to give offers/discounts on drinks during IPL. Establishments also reported that group bookings (34 percent), food offerings (16 percent) and cover charges (4 percent) were main drivers of revenue.



Note : 50 managers interviewed in the Pre-IPL season were re-interviewed in the IPL season.

Figures 29 and 30 show that charging separate tickets for IPL screening is not the only nor prime monetisation strategy that establishments adopt. In fact, the sheer variety of promotions planned around the IPL is testament to the plethora of options available to these establishments to monetise on IPL screenings. Therefore, restricting commercial subscribers to merely those who charge for the screening separately is simply incorrect. As this section highlights, establishments have multiple forums to monetise screenings, while broadcasters have no flexibility to make bespoke/customised packages for their customers.

As the survey findings above have indicated, the unauthorised broadcasting of sports events by commercial establishments is detrimental to the broadcasting industry. There is a need for an urgent solution that can stem the revenue leakage.



Chapter 3 Conclusion and Recommendations

TRAI's tariff orders are neither cognisant of the nuances the sports broadcasting sector operates in, nor do they account for its multiple benefits - leading to a complete mismatch between the commercial realities in the sports broadcasting value chain.

The tariff orders' definition of a 'commercial subscriber' is limited to establishments that specifically charge money for the provision of television services. These establishments are the only ones obligated to compensate a broadcaster. However, as evidenced in the survey, not all commercial establishments charged consumers to attend IPL screenings. More often than not, they generated significant revenue by attracting customers through discounts and offers. For instance, the survey found that commercial establishment managers introduced a combination of promotional strategies including offers or discounts on drinks (52 percent), special IPL menus or combos (48 percent), match day events (10 percent) and minimum billing per table (14 percent). Only 12 percent reported cover charges/entry fees. Thus, commercial establishments are able to capitalise on a broadcaster's investment by exploiting a loophole, without any financial accountability.

TRAI's treatment of 'commercial subscribers' through its tariff orders circumscribe broadcasters within an outdated distribution framework that will not keep pace with consumer demand. It also limits broadcasters from freely negotiating with commercial establishments one-on-one. As per the current framework, broadcasters, commercial subscribers and DPOs must enter into a tripartite agreement. This arrangement allows DPOs to become key players in the negotiation process, ultimately reducing broadcasters' negotiating leverage. In such a scenario, DPOs are able to gain a share of revenue without making any extra investments. Broadcasters lose out on a higher chunk of revenue, as the extra revenue generated by commercial subscribers due to sports broadcasts is eventually split three ways. While this practice overcomplicates a process that should be bilateral in the first place, its operational feasibility is also suspect. This is further evidenced by the fact that there is no publicly available evidence of a tripartite agreement being signed between these three members of the value chain. This has led to the widespread, unregulated practice of live screenings in commercial establishments. In such a scenario, the current mechanism is failing to inspire stakeholders' (such as broadcasters') confidence as a system that is set out to protect and uphold their interests. Therefore, TRAI's tariff orders on the commercial subscribership issue have become redundant today, and need an urgent relook.

As discussed in the preceding chapter, establishments routinely monetise live sports screenings through indirect means, either through event-themed menus, minimum billing per table, drinks promotions, etc., without any explicit charge for viewing. Under TRAI's narrow definition, these establishments escape classification as commercial subscribers entirely, screening high-value copyrighted content without any licensing obligation. The cumulative effect of this framework is a structural leakage of revenue for broadcasters. When commercial establishments screen such protected content without a license, they free-ride on these investments. This regulatory oversight also has significant downstream consequences beyond broadcasters alone. For sporting bodies such as the BCCI, broadcast rights revenues are a primary funding source for grassroots sports development. Eroding the value of these rights weakens the entire content creation and distribution ecosystem.

India as a Global Outlier

In the majority of the analysed countries such as Australia, Canada, Singapore (for detailed analysis, please see ANNEXURE 5) broadcasting laws do not explicitly distinguish between ordinary and commercial subscribers. The USA also states no such distinction in general but regulates agreements in specific environments like Multiple Tenant Environments (MTEs), which can include commercial premises.¹⁵ The UK stands out for its legal requirement for a TV license,

which applies to both ordinary and commercial viewers. This indirectly impacts commercial establishments offering live TV services.¹⁶ South Africa also requires a business television license for commercial establishments.¹⁷

Even without a legal distinction between commercial/residential subscribers, market practice often results in different service packages and pricing for commercial subscribers. For example, in Australia, Foxtel offers specific packages for various businesses like hotels and licensed venues.¹⁸ Similarly, in the USA, providers like DIRECTV¹⁹ and Comcast have separate business offerings tailored for different commercial needs.²⁰

India's prescriptive tariff regime is an exception, not the norm. It prevents the very market-driven flexibility that enables broadcasters elsewhere to recover value from commercial offerings and consumption.

It is only equitable and consistent with the approach taken in most developed broadcasting markets globally that broadcasters are entitled to negotiate and enforce commercial licensing arrangements with such establishments. In order to close the loopholes that commercial establishments rely on to escape the status of 'commercial subscribers' and to allow broadcasters flexibility and autonomy in creating commercial packages the report proposes the following:

1. Reconcile tariff orders with copyright laws by replacing the tariff regime with a licensing framework

The tariff order-led framework has haphazardly evolved over two decades, marked by litigation and repeated consultative exercises. The end result is a patchwork of regulation that has created regulatory uncertainty and a market that is in constant flux. The convoluted approach of the tariff orders themselves has compounded the confusion around the issue. As discussed in previous chapters, the concept of a 'commercial subscriber' is not common in other jurisdictions. On the contrary, regulations have either required commercial establishments or domestic households to obtain specific licenses to watch TV or, alternatively, have left it entirely to broadcasters to create business packages.

Therefore, it is time to rethink the tariff regime and replace it with a licensing framework that not only gives broadcasters the flexibility to create tailored packages for commercial establishments but also enables them to enter into agreements directly with such establishments. As discussed in the previous chapters, BRR is an exclusive right of broadcasters. The tariff order regime is at odds with these rights and therefore must be reconciled with existing copyright laws.

2. Suggested model for public viewing licensing

- a. **License underpinned by the Copyright Act:** In order to allow for the broadcaster's monetisation of copyrighted assets, a model of **public viewing licensing** is recommended, drawing from the provisions under the Copyright Act. Section 30 of the Copyright Act states that the owner of a copyright in any work can grant any **interest** in the copyright by way of licence. Section 39A specifies that the licensing provided under Section 30 is also applicable to BRR, which means that broadcasters can share their BRR with commercial establishments by way of license. The license can specify the revenue sharing mechanism, the period for which commercial establishments can

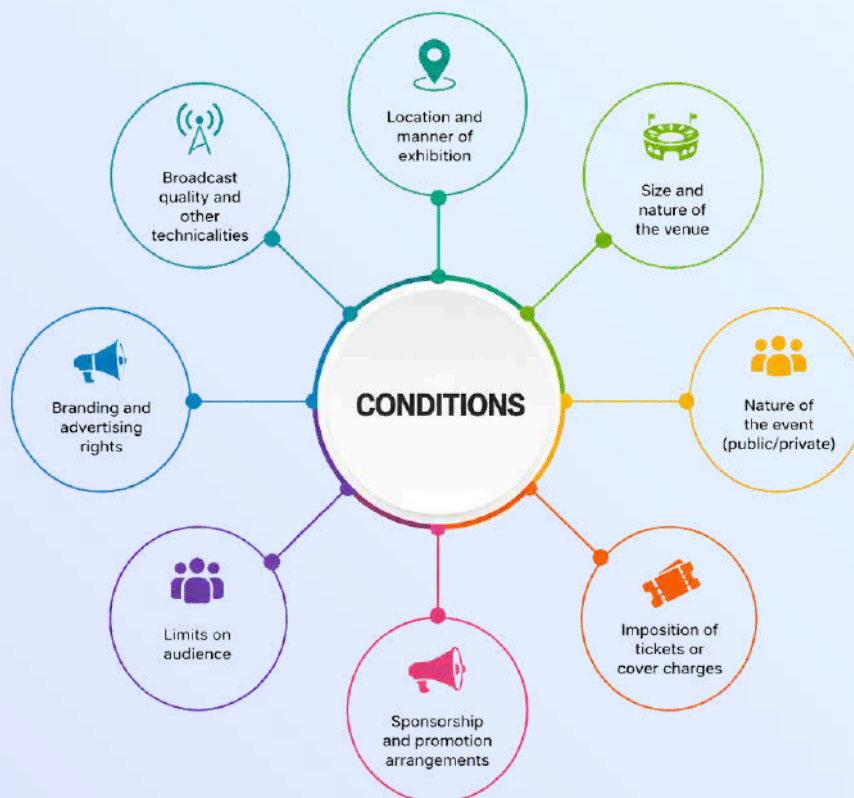
screen the broadcaster’s content and any other conditions that will foster a regime that balances the interest of all stakeholders, including broadcasters. This will also help preserve the premium value of sports media rights, uphold the intrinsic principles behind grant of copyright, set clear guardrails for permissible and impermissible use of sports feeds and create a certain framework that accounts for ground-level realities.

Utility of a Public Viewing License

As per Section 30 of the Copyright Act, owners of copyright can grant any interest in the right by license in writing or via an authorised agent. This includes holders of BRR as well, due to Section 39A’s extension of Section 30 provisions onto such rightsholders ultimately implying that broadcasters can also enter into licensing agreements to authorise the broadcasting or re-broadcasting of sports programmes and events.

In such a scenario, broadcasters will also be empowered to grant public viewing licenses as they are the exclusive authority to decide upon the manner by which their broadcasted content can be re-broadcasted or utilised commercially. Broadcasters can leverage this right to require commercial establishments such as restaurants and pubs to seek permissions and fulfil defined conditions before they publicly screen live sporting events to enhance footfall and offer curated, chargeable experiences. Typically, by way of a public viewing license, a broadcaster may be able to control the following:

Figure 31: Conditions a public viewing license can help negotiate



By negotiating on these conditions, a broadcaster will be able to monetise and derive benefit from the downstream commercial value created via third-party broadcasting of live sporting events. These licenses can create lawful pathways for businesses to commercially use broadcasts, by fairly compensating rightsholders. It will also have the following benefits:

1. Enabling broadcasters to retain control, thereby protecting the premium value of sports media rights
2. Creating a clear and certain legal and commercial framework around what constitutes permissible commercial use
3. Offering tiered licensing models to commercial establishments, based on venue size, audience size, event scale or other specifics
4. Strengthening enforcement by creating a clear distinction between authorised and unauthorised venues. This will allow for identification of establishments broadcasting sports events without authorisation, and broadcasters will be able to take legal action accordingly.

Public viewing licenses for sports broadcasting are not an unheard of concept in India and have been granted by courts, in cases where unauthorised broadcasts of IPL games were restrained. Another way public viewing license-style agreements have come up in India is by way of deals between theatres such as PVR Inox and sports broadcasters such as JioStar to showcase cricket matches in cinema theatres. [Detailed examples are provided in ANNEXURE 4]

b. Tailored, proportionate licensing options: A more autonomous regime will allow broadcasters the flexibility to create a proportionate licensing structure, according to the requirements of commercial establishments. The license can factor in considerations such as the size of the establishment, frequency of public screenings and sports-focused events to offer different licensing and tariff tiers to establishments, instead of a blanket license. These tailored packages will enable smaller venues to host sports screenings without overbearing, fixed costs. Flexible licensing arrangements will also allow broadcasters to fairly capitalise on their investments. They can offer licenses in bands that are proportionate with the particular rights' acquisition cost and consumer demand surrounding the property.

The BRR licensing regime can replicate the music licensing framework. For instance, entities like the Phonographic Performance Limited (PPL), which grant licenses for playing music in commercial venues, offer tiered licenses with differential tariff rates based on factors such as:²¹

- The mode of playing copyrighted music – whether the music is being played as a part of events such as a sports event or an award show or if it is being played as background music. Active consumption triggers greater tariff rates, while passive, background consumption is offered at comparatively slower rates.
- Even in the case of background music, tariff rates differ according to the venue, such as bars, restaurants, shops, gyms, malls, aircrafts, factories etc.
- There is further tiering based on the specifications of the venue. At a bar, for instance, rates will differ on the basis of factors such as the city, the size of the venue, whether people are dancing and requesting songs, etc.
- PPL also levies additional charges over and above the base licensing fee, in cases where establishments impose cover charges, admission fees, entry fee or any other fees.²²

The PPL licensing regime is an industry standard that has become a success story in practice. Another similar body, the Indian Performing Right Society (IPRS), also issues licenses for performing rights and collects royalties on behalf of musicians. It collected ₹700 crores for the 2024-25 fiscal year, which was used to compensate musicians for the commercial use of their copyrighted works.²³ Thus, introducing a similar regime for broadcasters will be an evidence-based solution that will uphold their copyright. ANNEXURE 6 discusses music licensing and how stakeholders in the music industry have successfully enforced licensing requirements.

c. Awareness campaigns: To give effect to this licensing regime, broadcasters must invest in organising country-wide, sustained awareness campaigns focused on the consequences of copyright infringement and piracy and the need for public viewing licenses. This way, they can position a public viewing license as a legitimate framework to also inform consumers of the need for establishments to show authorised broadcasts. Such efforts will also make commercial establishments aware of their legal obligations, the commercial use of broadcast content, and the consequences of unauthorised screenings. Greater regulatory clarity and stakeholder awareness would also help improve compliance and facilitate a smoother transition towards a formal commercial licensing ecosystem.

3. DPIIT to oversee commercial subscribership issues:

TRAI's remit is limited to regulating the technical and economic aspects of broadcasting. This regulatory ambit has been reinforced by the Supreme Court in *Star India Private Limited v. Department of Industrial Policy and Promotion & Ors.*²⁴ Further, as per the Government of India (Allocation of Business Rules), 1961, content-related matters are overseen by the Ministry of Information and Broadcasting (MIB) and intellectual property issues fall within the purview of the Department for Promotion of Industry and Internal Trade (DPIIT).²⁵

Given the nuanced nature of intellectual property rightsholdings in the media and entertainment sector, regulatory oversight in this area requires institutional knowledge and subject matter expertise, which DPIIT possesses. TRAI is not institutionally equipped to frame policy on such issues. In such a scenario, it would be beneficial for industry if future regulatory intervention and policy design is undertaken with the oversight of DPIIT rather than through expansive or ambiguous regulatory interpretations by TRAI alone. Such an approach will foster a more predictable, proportionate and legally certain regulatory framework.

4. New template for sports broadcasting rights negotiation:

The proviso to Section 39A of the Copyright Act requires a copyright owner's consent prior to the grant of any license for reproduction. This provision can provide the foundation for a more balanced and participatory licensing regime proposed above, by ensuring the involvement of all relevant stakeholders and incorporating industry realities into the regulatory process.

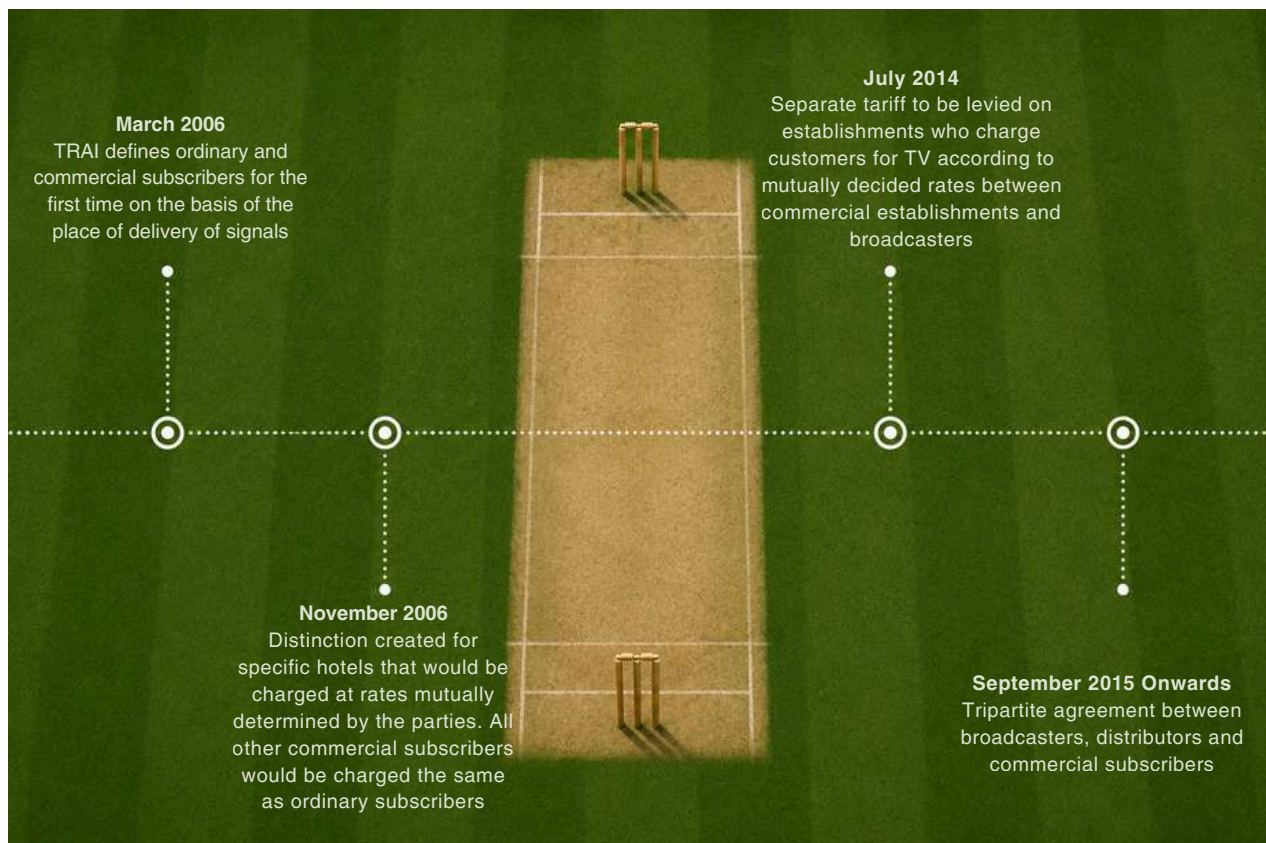
Collaboration with sports federations or boards, which hold rights over sports content, would lend greater legitimacy and practical effectiveness to the licensing process. Such a process will also support overall sports development, which is carried out by these bodies. Under the present framework, broadcasters' losses translate into diminished monetisation opportunities and further losses for sports governing bodies – adversely impacting downstream investments in the sports sector. A collaborative framework involving both broadcasters and sports bodies would additionally strengthen enforcement against unauthorised use of sports broadcasts. Their combined institutional capacity and market presence would facilitate the identification of infringing establishments and support more effective legal action. Thus, sports bodies have a strong commercial and developmental interest in supporting the creation of a balanced licensing regime alongside broadcasters.



ANNEXURES

ANNEXURE 1

Analysis of TRAI's tariff orders on commercial subscribers



Timeline of TRAI Tariff Orders

TRAI regulates tariffs for ordinary and commercial subscribers through tariff orders. So far, seven tariff orders have been issued by TRAI, which have been amended²⁶ numerous times, creating a complex framework.

A. 2006 - Distinction based on the place of use of signals

The distinction between ordinary and commercial subscribers was introduced for the first time in March 2006 by the Telecommunication (Broadcasting and Cable) Services (Second) Tariff (Fourth Amendment) Order.²⁷

The 2006 order defined an 'ordinary cable subscriber' as any person who receives broadcasting service from a cable operator and uses the same for his/her domestic purposes. It defined a 'commercial cable subscriber' as 'any person, other than a multi-system operator or a cable operator, who receives broadcasting service at a place indicated by him to a broadcaster, multi-system operator or cable operator... and uses such signals for the benefit of his clients, customers... having access to such place.' Therefore, there was a clear distinction being made on the basis of the place at which the signals were being received and used.

The explanatory note to the amendment recognised that the use of TV signals varied between an ordinary household, where it would be used for the benefit of family members, and commercial establishments, where it would be used for the benefit of customers or clients.

However, commercial subscribers could not be charged at market rates - their charges were also protected by TRAI with a ceiling rate. The ceiling rate was set to the rate charged on March 1, 2006, beyond which charges could not be levied. The agency to whom the charges were to be paid by the commercial subscriber - be it the broadcaster, MSO or cable operator - was to be decided mutually among the parties.²⁸

A.1. November 2006 - Classification for hotels

In November 2006, after a series of consultations, TRAI, in the Telecommunication (Broadcasting and Cable) Services (Second) Tariff (Seventh Amendment) Order, created a distinction in the application of the commercial subscribers provisions to a certain category of establishments.²⁹

The tariff order provided that for hotels with a rating of three stars and above, heritage hotels, or other hotels/inns etc. having 50 or more rooms, the charges would be mutually determined by the parties involved. All other commercial subscribers and ordinary subscribers would be charged at the rate in effect on December 26, 2003.

The order also prescribed that in those cases where the broadcaster was directly providing services to establishments, channels had to be provided on an ala carte basis. Restrictions were also placed on the MRP for bouquets, too.³⁰

Significantly, the tariff amendment order also provided that whenever a commercial cable TV subscriber belonging to either of the two categories uses the programme of a broadcaster for **public viewing by fifty or more persons on the occasion of special events at a place registered under the Entertainment Tax Act, the tariff will have to be mutually decided between the parties concerned.**

B. 2014 - Distinction based on the charge on customers

However, this separate classification led to litigation by hotels and broadcasters and the Supreme Court directed the TRAI to relook at the distinction between commercial and ordinary subscribers. In July 2014, TRAI came out with two tariff orders that created the following structure for commercial subscribers³¹:

- a. Commercial establishments that did not levy a specific charge for providing television content to customers or guests, and instead offered it as part of their amenities, were to be treated as ordinary subscribers and charged on a per television set basis.
- b. All commercial subscribers were required to obtain television services only from DPOs, including MSOs, LCOs, DTH, IPTV, and HITS operators.
- c. Broadcasters were effectively prohibited from entering into direct agreements with subscribers, including commercial subscribers. Instead, broadcasters could distribute signals only through DPOs.
- d. For commercial establishments that specifically charge customers or guests for access to television content, the supply of signals would be at a tariff to be mutually agreed upon between the broadcaster and the commercial subscriber.

The tariff orders were challenged by IBDF before the Telecom Disputes Settlement and Appellate Tribunal (TDSAT)³² and by Star India before the High Court of Delhi.³³ While the TDSAT ordered in favour of IBDF and quashed the tariff orders, TRAI appealed to the Supreme Court, and the case is pending to date.

C. 2015 - Existing tripartite agreement framework

In September 2015, TRAI issued the Telecommunication (Broadcasting and Cable) Services (Second) Tariff (Fifteenth Amendment) Order, 2015, which serves as the basis for the existing system for commercial subscribers.

The order defined a commercial subscriber as a subscriber who causes the signals of TV channels to be heard or seen by any person for a specific sum of money to be paid by such person. Ordinary subscribers are those who are not commercial subscribers.

A broadcaster may enter into a tripartite agreement with the distributors of TV channels and the commercial subscribers for the supply of TV channel signals to the commercial subscribers. Any tripartite agreement entered into shall be filed with the TRAI by the broadcaster within 30 days of its entry into such agreement.³⁴ With respect to tariffs, the broadcaster can specify the ala carte rate for each channel to the distributor and also offer all its pay channels as part of a bouquet consisting of pay channels or both pay and free-to-air channels and specify the rate for each such bouquet of channels offered by it.



ANNEXURE 2

Consequences of Unauthorised Commercial Exploitation of a Broadcaster's Exclusive Rights

Unauthorised commercial exploitation of sports broadcasts by establishments poses the following risks, creating an urgent need for regulatory clarity and controls to curb it:

- **Dilution of the principle of copyright itself:** Violations of BRR risk diluting the foundation of copyright law itself. Intellectual property rights operate on the fundamental premise that rightsholders must be in total control to monetise the use of their protected works. Normalising unauthorised use can undermine contractual certainty in licensing markets and weaken exclusivity, creating distrust within industry.
- **Revenue loss and erosion of commercial value:** Unauthorised re-transmission or public exhibition can undermine the broadcaster's ability to monetise exclusive rights that are acquired at substantial cost. For context, during the 2022 auction of IPL media rights, the broadcast and digital rights for the Indian subcontinent were sold to Star Sports and Viacom18 for ₹48,390 crores for a period of five years.³⁵ These rights derive value from exclusivity and scarcity of availability and if third parties can freely reproduce or retransmit such signals, subscription revenues, advertising revenues and licensing opportunities can decline.
- **Reduced incentive to invest in sports rights:** Weak enforcement of BRR can create uncertainty around monetisation and can discourage broadcasters from making large investments in sports properties in the future.
- **Devaluation of media rights, which can harm the ecosystem:** Sports leagues, teams and federations rely heavily on broadcasting revenues. Unauthorised retransmission can reduce the value of media rights deals, thereby affecting athlete salaries, grassroots development, league expansion and sports infrastructure.
- **Market distortion due to free riders:** Unauthorised re-transmitters unfairly capitalise on the broadcaster's investments in securing the live footage. Broadcasters invest in packaging the sports content attractively, by utilising high-quality camera infrastructure; adding graphics, commentary and other features; and undertaking efficient distribution and marketing. Allowing free-riding on these investments by commercial establishments risks creating an uneven playing field by benefitting unauthorised actors who do not contribute to the underlying rights ecosystem.

ANNEXURE 3

What are the downstream benefits of sports broadcasting for the sporting ecosystem?

Efficient sports broadcasting drives TV demand and viewership, providing broadcasters with a significant return on investment. It also benefits the sporting ecosystem in the country at large in the following ways:

- **Helps improve sporting administration and develop the ecosystem:** Media rights allow money to be pumped back into the system to develop sports in the country. Governing bodies can leverage this money to invest in talent scouting, coaching, overall athlete development, and the improvement of sporting infrastructure, such as stadiums. For example, the Indian cricket administrator, the BCCI, makes most of its earnings from the sale of broadcasting and digital rights. This has allowed the BCCI to initiate welfare measures such as increased pension for umpires and cricketers, and the institution of an incentive scheme to encourage young players to take up test cricket.³⁶
- **Enables the popularisation of sport, creating direct business benefits:** In 2025, 692 million people watched sports content on linear TV in India, consuming about 1,374 billion minutes.³⁷ Technology has allowed broadcasters to heighten consumer experience by offering high-quality content, via superior picture quality through high-end cameras; specialised camera angles, real-time statistics and graphics; and tailored, personalised offerings. These attractions ensure sustained interest in sports and open up newer revenue streams, such as sports tourism and merchandise sales.
- **Grants indigenous sports a new breath of life:** Sports broadcasting helps draw international attention to indigenous sports, renewing interest and participation in otherwise dying cultures. In 2025, *Kabaddi* was the second most watched sport in the country.³⁸ The sport's popularity has grown immensely over time, owing to broadcasting of the *Pro-Kabaddi League*. The league has allowed many players to take up the sport full time, by taking a rustic game and converting it into a hit television product.³⁹ The growing fandom has helped broadcasters generate over ₹100 crore in ad revenue from the property, which is pumped back into making the league more lucrative for players and consumers, thereby creating a symbiotic relationship.⁴⁰
- **Attracts domestic and foreign investment:** As explained above, broadcasting helps attract and sustain interest in sports. This draws domestic and foreign investment, mainly in the form of advertising, due to the enhanced visibility of brands. Live sports broadcasting connects businesses with end-consumers and plays an important role in generating economic growth for brands. Loyal fanbases and high-entertainment value created via broadcasting make investments in sports resilient, even during economic downturns.⁴¹ In 2022, the Kingdom of Saudi Arabia's Saudi Tourism Authority became an official sponsor for the year's IPL season, with the country's state-owned company Aramco also sponsoring two key awards – the purple and orange caps.⁴² These investments are proof of the value efficient sports broadcasting creates.

Thus, sports broadcasters actively propel a dynamic cycle of innovation and development that benefits all stakeholders in the sporting ecosystem. In such a scenario, it is key that the regulatory bottlenecks that limit its efficiency be resolved at the earliest, to reduce friction and foster a holistic sporting culture in the country. This can be achieved by granting sports broadcasters the freedom to capitalise on their investments in their intellectual property – in this case, the sports property they have bought rights to.

ANNEXURE 4

Examples of public viewing-style licenses previously adopted in India

Case Study: High Court of Bombay restrains unlicensed IPL telecast in restaurant

A public viewing license for sports content is not a completely unheard of concept in India. In 2010, the High Court of Bombay restrained Shabri Chinese Restaurant in Thane from showcasing IPL games without obtaining a license from DGS Distribution and E-Solutions (DGSDEPL), the exclusive rightsholder for marketing the league in public places and commercial establishments such as bars, restaurants and malls in Mumbai and Thane at the time.⁴³

The restaurant had advertised itself as a venue where patrons could watch IPL matches for ₹100 per head, thus commercially benefitting from the games by marketing them as a unique selling point (USP) for dining there. DGSDEPL contended that such unauthorised broadcast will lead to a loss of ₹1 lakh. The Court directed the restaurant and all other establishments which intended to publicly showcase the tournament to first secure a license from the DGSDEPL.⁴⁴

While DGSDEPL was not a pureplay broadcaster that had invested in media rights, it was still the exclusive marketer of the tournament – a right that the Court acknowledged and upheld. It is critical to extend this judicial interpretation to sports broadcasting and institute public viewing licenses to create a more balanced and proportionate ecosystem.

Case Study: ICC Men's World Cup in PVR Inox Theatres – An example of public viewing licenses in action?

In February 2026, JioStar secured rights to become the official broadcaster of the ICC Men's T20 World Cup 2026. The broadcaster entered into an agreement with multiplex company PVR Inox, which enabled fans to enjoy cricket matches in theatres across the country.⁴⁵ Over 300 screens showcased the India vs. Pakistan clash, the most marquee of all games in the tournament, with ticket prices starting from ₹99. The two companies have previously also partnered for the ICC Champions Trophy 2025. This partnership allowed fans a stadium-like, communal experience, while enabling PVR to maximise footfall and diversify its content mix from film programming. While the exact terms of the deal negotiated between PVR and JioStar and its commercials are not publicly available, it likely produced significant benefits for JioStar as well, including:

- Leveraging the opportunity to promote its high-quality broadcast and enhance fan engagement and subscriber conversion.
- Generating marketing buzz and evoking a sentiment of 'FOMO' around marquee games.
- Boosting customer satisfaction by elevating their experience from an at-home consumption activity to an experience delivered on large screens, with superior surround sound, comfortable seating and a selection of gourmet snacks and beverages.
- Increasing value for advertisers by making ads available in a more immersive environment to captive viewers, leading to additional sponsor integrations.
- Enabling the conversion of sports properties into cross-platform entertainment ecosystems and allowing for experimentation with hybrid live-event monetisation.

Thus, the arrangement led to key second-order benefits, allowing the broadcaster to capitalise on its intellectual property freely. The deal also served as a signal that there is potential in exploring public viewing licenses to allow commercial exploitation of properties a broadcaster has exclusive rights to, without erasing the broadcaster's participation or negotiating power.

ANNEXURE 5**Distinction between ordinary and commercial subscribers in global broadcasting laws**

Country and regulator	Are TV prices regulated?	Does the law distinguish between ordinary and commercial subscribers?	Market practice
Australia (Regulated by the Australian Communications and Media Authority)	No.	No. The Broadcasting Services Act of 1992 does not have such a provision. ⁴⁶	Foxtel ⁴⁷ (Australian pay television company that operates cable television, direct broadcast satellite television, and IPTV streaming services) specifies different packages for different businesses: hotels, small businesses, licensed venues, hospitals, etc., over and above resident subscribers. It also offers a Venues subscription ⁴⁸ for screening live sports in licensed commercial establishments.
USA (Federal Communications Commission)	No.	No.	DIRECTV FOR BUSINESS offers live TV and pay-per-view services to businesses, including senior living, bars, hospitals, hotels, restaurants, etc. ⁴⁹ This is differentiated from their offering for residential packages. Comcast for business, with separate offerings for businesses. ⁵⁰ (cable tv) Spectrum (Cable TV- fiber based network) offers business packs. ⁵¹
Canada (Canadian Radio-television and Telecommunications Commission)	No.	No.	Bell offers personal and business satellite TV options. ⁵² Similar services are provided by Videotron ⁵³ , Comwave ⁵⁴ (IPTV) etc.
United Kingdom (Ofcom)	No.	Yes. You require a TV license in the UK to watch or record live TV on any channel or service. Cost for TV licenses for homes and commercial establishments differ. Licensing requirements will also differ according to the business and the number of TVs on the premises.	Sky for Business- Live Sport. ⁵⁵
Singapore (IMDA)	No.	No. The broadcasting act does not show such a distinction. ⁵⁶	Singtel has personal and business plans. ⁵⁷
South Africa (ICASA)	No.	There are separate TV licenses for individuals and businesses. A business television licence is compulsory for every TV set used in business or commercial activities, or on premises occupied for business purposes. ⁵⁸	Starsat specifies that it has separate installation services for residential complexes and businesses. ⁵⁹

ANNEXURE 6

Could replicating the music industry's model be the best way forward?

The music industry functions efficiently on the back of robust licensing models. As per Section 14(a)(iii) of the Copyright Act, the owner of copyright in a musical work has the exclusive right to “communicate the work to the public”. This right is over the underlying music composition and lyrics. Further, Section 14(e)(iii) stated that the owner of copyright in a sound recording has the exclusive right to “communicate the sound recording to the public”. This means that a record label that owns the sound recording copyright can therefore prevent or licence the broadcast of a song even after the composer has separately licenced the musical composition. When a song is played in a commercial establishment like a restaurant or a pub, the sound recording, and the underlying musical and literary work are both used. This implies that a commercial establishment must seek licenses for both these categories. The Supreme Court confirmed this dual license requirement in *Indian Performing Right Society Ltd v. Eastern India Motion Picture Association*.⁶⁰ The absence of either of the two licenses will playing music in commercial establishments can result in civil and criminal penalties in accordance with the provisions of the Copyright Act.

Musicians, music labels and other stakeholders routinely enforce these requirements by seeking legal action against unauthorised use. For example, in 2025, the High Court of Bombay upheld copyright in sound recordings by restraining restaurants from using them without license, in *Phonographic Performance Limited (PPL) v. Trinetra Venture & Ors.*⁶¹ PPL, which manages public performance rights for sound recordings, initiated legal action against restaurant chains, claiming that they were publicly playing sound recordings that PPL has exclusive rights to, without obtaining requisite licenses under Section 30 of the Copyright Act. PPL alleged that it has the exclusive rights to license public performance of certain songs, acquired basis assignment deeds and exclusive licensing agreements signed with music labels. The Court ruled in favour of PPL, and granted an injunction restraining the defendants from publicly performing or communicating sound recordings PPL has rights over, without obtaining a valid public performance license.

By way of a public viewing license, broadcasters will be able to reap similar benefits as music labels and other stakeholders of the music industry. Songs and other music is typically consumed passively in restaurants and other commercial establishments but still necessitates compensation of rightsholders. On the other hand, unauthorised broadcasting of sporting events is presented as a USP to attract more patrons and establishments reap direct commercial benefits as sports fans fill their venues to enjoy a communal, immersive experience. The report presents evidence that public display of sporting events directly influences individuals' decisions to visit a commercial establishment. This makes it essential for the broadcasting industry to follow in the footsteps of the music industry and uphold their sacrosanct BRR.

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