

Bill No. 96 of 2021

THE SPORTS BROADCASTING SIGNALS (MANDATORY SHARING
WITH PRASAR BHARATI) AMENDMENT
BILL, 2021

By

SHRI JAGDAMBIKA PAL, M.P.

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*further to amend Sports Broadcasting Signals (Mandatory Sharing with
Prasar Bharati) Act, 2007.*

BE it enacted by Parliament in the Seventy-second Year of the Republic of
India as follows:—

1. (1) This Act may be called the Sports Broadcasting Signals (Mandatory
Sharing with Prasar Bharati) Amendment Act, 2021.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government, may
by notification in the Official Gazette, appoint.

2. In section 3 of the Sports Broadcasting Signals (Mandatory Sharing
with Prasar Bharati) Act, 2007, for sub-section (1), the following sub-section
shall be substituted, namely:—

Amendment of
section 3.

“(1) No content rights owner or holder and no television or radio broadcasting service provider shall carry a live television broadcast on any cable or Direct-to-Home network or Internet Protocol Television (IPTV) or terrestrial network or radio commentary broadcast in India of sporting events of national importance unless,— 5

(i) it simultaneously shares the live broadcasting signal, without its advertisements, with the Prasar Bharati to enable them to re-transmit the same on its terrestrial networks and Direct-to-Home networks; and

(ii) it shares the transmission of the broadcasting channel on free to air basis with all cable, direct-to-home networks and terrestrial networks, 10 notwithstanding anything contained in any law for the time being in force,

in such manner and on such terms and conditions as may be specified.”

STATEMENT OF OBJECTS AND REASONS

The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007 was enacted by the Parliament with an objective to provide access to the largest number of listeners and viewers, on a free to air basis, of sporting events of national importance through mandatory sharing of sports broadcasting signals with Prasar Bharati, through Doordarshan channels. Sporting events of national importance contribute towards building national character and adds to common culture and identity of the country.

As per provisions of the above Act, the live feed received by Prasar Bharati from the content rights owners or holders is only for the purpose of re-transmission of the said signals on Doordarshan's own Terrestrial and DTH network (DD FreeDish) and not for Cable Operators/other networks. As such, the viewers, who do not have DD FreeDish or Doordarshan's terrestrial network, are either unable to watch these sporting events of national importance or are compelled to watch these sporting events on highly priced sports channel and thus, the very objective with which the Parliament had enacted the Act has been defeated.

It is recognized that the sports industry's major revenue accrues from sale of sports broadcasting rights and sports broadcasters should not be discouraged from investing in sports media rights. On the other hand, it is equally important to ensure that sporting events of national importance can be easily and freely accessed by vast majorities of people of the country.

Keeping both of these necessary conditions in view, the need is to provide a balance to further the interests of the public at large as well as the sports broadcasters by mandating the sharing of broadcasting signals of sports events of national importance by television and radio broadcasting service providers with all cable, Direct-to-Home networks and terrestrial networks.

At present, sub-section (1) of section 3 provides that the live broadcast on any cable or Direct-to-Home or radio commentary broadcast of sporting events of national importance shall not be carried by any content rights owner or service provider unless it mandatorily shares broadcasting signal with the Prasar Bharati. The Bill seeks to amend this sub-section with a view to provide that the live broadcast shall not be carried on Internet Protocol Television (IPTV) or terrestrial network/other networks also without mandatory sharing of broadcasting signal with Prasar Bharati. The amendment also puts a restriction on carrying live television Broadcast by the content rights owner or service provider without mandatorily sharing the broadcast channel of sporting events of national importance on free to air basis with all cable, Direct-to-Home networks and terrestrial networks.

Hence this Bill.

NEW DELHI;

JAGDAMBIKA PAL

February 23, 2021.

ANNEXURE

EXTRACTS FROM THE SPORTS BROADCASTING SIGNALS (MANDATORY SHARING
WITH PRASAR BHARATI)
ACT, 2007

(11 of 2007)

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CHAPTER II

MANDATORY SHARING OF SPORTS BROADCASTING SIGNALS
WITH PRASAR BHARATI

Mandatory sharing
of certain sports
broadcasting
signals.

“(1) No content rights owner or holder and no television or radio broadcasting service provider shall carry a live television broadcast on any cable or Direct-to-Home network or radio commentary broadcast in India of sporting events of national importance, unless it simultaneously shares the live broadcasting signal, without its advertisements, with the Prasara Bharati to enable them to re-transmit the same on its terrestrial networks and Direct-to-Home networks in such manner and on such terms and conditions as may be specified.”

(2) * * * *

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further to amend the Sports Broadcasting Signals (Mandatory Sharing with
Prasar Bharati) Act, 2007.

(Shri Jagdambika Pal, M.P.)