

## THE IPL-ICL SPAT: TIME TO REVISIT THROUGH THE LENSES OF ANTI-TRUST LAW

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### ABSTRACT

*Cricket has become a phenomenon in the sub-continent. India too has witnessed the wave of sports commercialization especially with regard to cricket.*

*The BCCI is the supreme governing body that administers the functioning of cricket in India. In fact it is a private body registered under the Tamil Nadu Societies Act. It is the (financial) clout that BCCI enjoys in the sub-continent that it rakes in profits, in thousands of crores, every year from sponsors. With the advent of Indian Premier League (IPL), BCCI has entirely corporatized the game of cricket in India. But with the commencement of the ICL (Indian Cricket League) an effort has been made to disrupt the monopoly status of the BCCI and the T20 format is, now, not without its share of market resistance and politics among the rival governing bodies of cricket administrators. However, the existing, and in fact, the biggest market player i.e. the BCCI, continues to have & enjoy market clout or dominance to influence competition among leagues, players and broadcasters and regulate the activities of cricket professionals.*

*The central idea of this paper is to highlight the anti-competitive issues relating to cricket in India. Emphasis has also been made upon the aspects of sport operations by the BCCI that are inherently anti-competitive with the Competition Act, 2002 with regard to the status of dominant position that the BCCI enjoys and tends to abuse. The paper begins by analyzing the functional mechanism of BCCI. Then it goes on to argue that since BCCI enjoys de-facto monopoly status and the same is conferred to it by the State so its functions are amenable to writ jurisdiction. The paper also aims to define the economic analysis of sports as well as the cartel nature of the Indian Premier League. It will then compare the anti-competitive effects of BCCI under the essential facility doctrine. Then, the paper attempts to highlight the essential points of intersection between cricket and competition law in the Indian scenario with regard to the following aspects: Competition between leagues, amenability to writ jurisdiction, essential facility doctrine, and abuse of dominant position. Lastly, the paper attempts to emphasize on the importance of integration of sports in competition policies and the competition regulation of professional sports.*

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