



**2ND RGNUL SPORTS AND ENTERTAINMENT LAW NATIONAL MEDIATION COMPETITION
06-08 MARCH 2020**

FINALS*

BACKGROUND INFORMATION

Ashish Surana is a former cricketer who represented the Indian National Cricket Team at the senior level making a total of 111 international appearances across Tests and One-Day-Internationals. He made his debut in the year 1987, scored 5 centuries and retired in the year 1996 with his last international appearance coming against South Africa. Since the year 2002, Ashish has been working as a cricket commentator and has featured in almost every Indian home series since the year 2009 which includes bilateral and multilateral series. Further, he has been a regular feature at all franchise-based tournaments and has been a lead commentator at the last three editions of the ICC Cricket World Cup.

Meteorite Sports Limited (“MSL”) is an Indian media conglomerate which is headquartered in Mumbai, Maharashtra. It has a network of 60 channels in eight different languages, reaching out to 9 out of 10 cable and satellite TV homes in India. The network reaches approximately 790 million viewers a month across India and more than 100 countries. MSL on an average, generates more than 30,000 hours of content every year.

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DISPUTE FACTS

In the month of June 2019, MSL were awarded the broadcast rights for the highly anticipated Cricket Fantastic League (“CFL”) by the Board of Control for Cricket in India which is the governing body for the sport of cricket in India. The CFL was a premier franchise-based cricket tournament that combined the nation’s top cricketing talent in a league-format tournament where each innings would be 100 deliveries long. The CFL began in the year 2018 and the third edition of the tournament had just been launched and was slated to begin in the month of January 2020.

Upon receiving the broadcast rights for the tournament, MSL began to make various arrangements as they were accustomed to doing when winning the broadcast rights for a major tournament. One of the important preparations involved creating a roster of commentators for the duration of the tournament who would take charge of various matches in pairs and in rotation. Considering the various venues and the hectic schedule that was involved in the CFL, it was essential to finalize the roster of commentators as soon as possible.

Mr. Ashish Surana was one of the first few people to be contacted in relation to commentary duties for the CFL as he was regarded now to be a seasoned commentator in the sport despite his uninspiring career as a cricketer. Mr. Surana consented almost immediately as he had grown quite fond of the tournament and its lightning-quick format. The format, he felt, inspired a new level of excitement and suspense which made the task even more challenging for a commentator.

MSL signed a standard term agreement with all the commentators as was the norm for most franchise-based tournaments. The terms of the agreement outlined the broad duties of the commentator along with basic guidelines for keeping the commentary clean and free of all bias, prejudice, moral insensitivity and other external influences. Additionally, a schedule of payment was also established as per which the consideration was required to be paid to the commentators for their services to the broadcast.

The CFL kicked off in the first week of January and continued to deliver gripping, intense contests between highly competitive teams in the tournament. Behind the scenes, the chief broadcasters worked tirelessly to maintain cohesion amongst the various moving parts that were involved in organizing the competition. This included coordinating between the OTT teams, scheduling commentators, organizing ground teams and so on.

In the last week of January, the roster of commentators which included Mr. Ashish Surana, were expecting to get their first installment of consideration under the agreement they had signed with MSL but to their surprise, the payments had been withheld. Many commentators including Mr. Surana made attempts to communicate with the chief executives at MSL with regards to the impending payment, but they were unable to make any headway and instead received emails that there were certain “technical difficulties” that were being attempted to be resolved.

In the first week of February, Mr. Ashish Surana was commentating an exciting game between the Travancore Tornados and the Awadh Armadillos along with Mr. Amogh Awasthi and Ms. Gautami Mittal. The chasing team has brought the game incredibly close to a successful finish, but their marquee batsman seemed to be struggling to get the ball away. Mr. Ashish Surana chose this moment to cheekily comment, *“Perhaps the batsman, like our broadcaster, is going through some technical difficulties and we hope it will be resolved soon.”*

The other commentators chuckled at the snarky comments whose reference remained obvious to all people who were involved in the organization of the CFL. The executives at MSL however, took note of these comments and the following day, Mr. Ashish Surana was sent a notice of termination of contract by MSL for violating the rules of conduct for commentators and grossly causing tarnishing the reputation of MSL. Mr. Surana in response, threatened to sue MSL for violation of payment terms under the same contract which led both parties to the brink of an extended legal battle.

Sensing the need for resolution, the BCCI suggested that the parties attempt to mediate the dispute in order to seamlessly conclude and wrap up the tournament.