



COMPETITION COMMISSION OF INDIA

Case No. 10 of 2024

In Re:

Elite Pro Basketball Private Limited
431 B Wing, Orchid Road Mall, Survey No.169,
Royal Palm, Goregaon East, Mumbai – 400065

Informant

And

Basketball Federation of India
9th Floor, 27, Kasturba Gandhi Marg,
Connaught Place, New Delhi-110001

Opposite Party

CORAM

Ms. Ravneet Kaur
Chairperson

Ms. Sweta Kakkad
Member

Mr. Deepak Anurag
Member



Direction for investigation under Section 26(1) of the Competition Act, 2002

1. The present Information has been filed by Elite Pro Basketball Private Limited (**'Informant'**) under Section 19(1)(a) of the Competition Act, 2002 (**'Act'**) alleging contravention of the provisions of Sections 3 and 4 of the Act by Basketball Federation of India (**'BFI'**/ **'OP'**).
2. The Informant is a limited liability company registered in India under the Companies Act, 2013, having its registered office in Goregaon East, Mumbai. The Informant is stated to be working primarily with the objective of developing and promoting the sport of basketball in India and regularly engages with basketball players, coaches and other stakeholders, both in India and abroad.
3. The BFI is stated to be the National Sports Federation (**'NSF'**) for the sport of basketball in India and is recognized as such by the Ministry of Youth Affairs and Sports, Government of India (**'MYAS'**).
4. The Informant stated that it proposed to launch India's only professional 5x5 basketball league namely, the Elite Pro Basketball League (**'EPBL'**) comprising of 16 franchise teams, with each team set to consist of a maximum number of 15 players. The Informant executed agreements with approximately 160 players.
5. It is stated that the Informant engaged in verbal discussions with officials of the BFI on 24.01.2022 and communicated its intention of launching and operating the EPBL in India. The Informant duly sought the BFI's sanction/approval for conducting the EPBL and expressed its willingness to provide its best assistance and cooperation at all times.
6. Subsequently, the Informant, *vide* its letter dated 03.03.2022, intimated the BFI about its proposal regarding the launch of the EPBL in India and sought the support of the BFI in respect of the same. Through the said letter, the Informant offered to provide BFI with the



rules, regulations and other relevant documents of EPBL and expressed its continued willingness to be of any assistance to the BFI in this regard. However, the Informant did not receive any response from BFI.

7. On 13.05.2022, the Informant conducted try-outs for the selection of players for the EPBL at the Kotla Vijaya Bhaskara Reddy Indoor Stadium in Hyderabad. However, following the try-outs, the Informant's attention was drawn to a news article posted on the website of the 'The Hindu', wherein, a senior official of the BFI stated that the Informant had neither approached it nor sought its permission in conducting EPBL.
8. The Informant, thereafter, wrote a second letter of intimation to the BFI on 19.05.2022, wherein it pointed out the error on part of BFI's senior official, and reiterated its proposal to launch the EPBL, seeking BFI's co-operation and support. The BFI failed to acknowledge or respond to the second letter sent by the Informant.
9. The Informant had scheduled further try-outs for the EPBL from 08.10.2022 till 10.10.2022 at the Sathyabama University in Chennai ('**University**'). However, prior to the commencement of the try-outs, on 08.10.2022, Mr. Aadhav Arjuna, Vice-President of BFI and the President of the Tamil Nadu Basketball Association ('**TNBA**') which is an affiliated member state unit of the BFI, is stated to have threatened the Informant's personnel and arbitrarily ordered the University's Sports Director not to make the University stadium available to the Informant or risk being banned from any basketball activities conducted by the TNBA. As such, the try-outs were abruptly brought to a halt.
10. Following the abovementioned incident, and on the same day, the Informant sent a letter to the TNBA, informing them about conducting try-outs at the University and respectfully sought their co-operation in respect of the same. However, no response to the said letter was received from the TNBA. Owing to the threats issued by the TNBA, the Informant was forced to conduct the try-outs at a different venue.



11. The Informant stated that one of the players signed by it for the EPBL approached the Informant on 26.11.2022 in respect of the 72nd Senior National Basketball Championship (**'72nd Senior Championship'**), being held in Udaipur. The Informant was informed that the BFI made it mandatory for all players participating in the 72nd Senior Championship to provide a confirmation to their respective coaches/team managers that they had neither signed any agreements nor were associated with any championships/leagues which did not have BFI's authorization or approval. In fact, the player informed that the coaches/managers of each participating team had to submit a signed letter to that effect, addressed to the Secretary General of the BFI. According to the format of the said letter, if such undertaking was found to be false, then the concerned participating team would be barred from competing in the 72nd Senior Championship or any other championships conducted by the BFI in future.

12. It is stated that the Informant released the player rosters for the EPBL on its social media handle on 19.12.2022. Some of the players participating in the EPBL whose names were so released, were slated to compete in another league namely, the Indian National Basketball League (**'INBL'**), which is stated to be the only private league in India, officially recognized and endorsed by the BFI. Shortly after the release of the player rosters for the EPBL, BFI's Secretary General, through the Chief Operating Officer (**'COO'**) of the INBL, sought clarifications from players participating in the INBL about their status of signing with *'an unauthorized league'*. In respect of the same, the players received a WhatsApp message from the COO of the INBL, on 21.12.2022, requiring the players to mandatorily produce signed letters containing a clarification as to whether they had signed with an unauthorized league or not.

13. It is stated that the BFI released an Invitation for Expression of Interest (**'EOI Invitation'**) on 26.12.2022, purportedly with a view to collaborate with entities desirous of operating and managing a professional basketball league in India. It is alleged that the EOI Invitation was, a mere facade and a deceitful attempt by the BFI to mask its misconduct, thereby enabling it to effectively negate any accusations that may be made against it for failing to support the conduct of the EPBL. It is further alleged that the EOI Invitation appears to



have been released by the BFI after it perceived the growing popularity of the EPBL in the Indian basketball community as a potential threat to any future professional league that the BFI may have planned to organize, or as competition to the BFI-recognized INBL.

14. The Informant made a detailed representation dated 10.06.2023 to the BFI's Administrator, requesting to take cognizance of the BFI's actions and granting the Informant necessary approval for conducting the EPBL. However, the Informant did not receive any acknowledgment or response to the representation from the BFI's Administrator.
15. As per the Information, around mid-July 2023, the Informant received a call from newly elected President of the BFI, Mr. Aadhav Arjuna to discuss the Informant's plans and a potential partnership with the BFI. Subsequently, the Informant attended a physical meeting on 08.08.2023 in Chennai. However, as stated, the meeting did not result in any positive outcome since extortionate amounts were sought from the Informant in order for it to partner with BFI and receive any license to conduct leagues. As per the Informant, at various instances during the meeting, the BFI indicated that the money would primarily be utilized for the purpose of setting up training academies, with no monetary incentive for the Informant as such. It is further alleged that the BFI's intent was not to genuinely explore a viable financial proposal, but rather to use the meeting as a pretext to unreasonably deny and prevent the Informant's legitimate efforts to conduct the EPBL.
16. Thereafter, the Informant once again issued a letter dated 22.08.2023 to the new administration of BFI, intimating them about its intention of launching the EPBL and the progress made so far. However, BFI yet again failed to respond to the said letter, displaying behaviour akin to instances under previous administration of BFI.
17. It is stated that on 09.09.2023, the Informant sent a letter to the BFI, intimating them about a 3x3 promotional event being organized by it, titled 'Elite Pro 3x3 League' ('EP3L'). *Vide* the above-mentioned letter, the Informant clarified that the EP3L is not a league, but merely a three-day promotional event to be conducted from 29.09.2023 till 01.10.2023 at



the Noida Indoor Stadium in Noida, Uttar Pradesh. The Informant also sought BFI's support and cooperation in respect of the same. The Informant received a response from the BFI dated 09.09.2023 on 10.09.2023, wherein it denied the Informant permission to conduct EP3L and directed it to inform the players of EP3L's cancellation. BFI also informed the Informant that any league or even a promotional event would require the execution of a Memorandum of Understanding ('**MoU**'), in order for the organizer to receive BFI's backing.

18. It is stated that neither was the Informant informed of the aforementioned requirement nor do the relevant rules and regulations of the BFI stipulate any such requirement to be fulfilled. Further, BFI's response also stated that the Informant was to submit a 'roadmap presentation', pursuant to the discussions held on 08.08.2023, which it had failed to provide. It is alleged that the reasons stated for prohibiting the Informant from conducting the EP3L were merely a pretense, with BFI simply seeking payment of unreasonable sums from the Informant and prohibiting it from conducting the EPBL or EP3L upon its failure to yield to BFI's arbitrary demands.
19. The Informant stated that the BFI released a circular dated 26.09.2023, urging players to specifically refrain from participating in the EP3L. In particular, the circular stated *inter alia* that the EP3L is an unauthorized tournament being organized by 'vested interests', and the same poses significant threats to the players' interests. The letter also declared that the BFI would take stringent action against those engaging in such unauthorized activities. Moreover, *vide* the said circular, the BFI also urged schools, colleges and universities not to support or permit their students to partake in tournaments organized by the Informant.
20. The Informant further stated that BFI published an Invitation for Proposal ('**Invitation**') on 06.02.2024, wherein it solicited proposals from entities to establish various categories of basketball leagues in India, including a professional 5x5 national-level league. It is stated that the Invitation lacks substantive specifications and merely requests for comprehensive proposals from entities. It is also stated that the Invitation falls short of the detailed expectations one would anticipate from a NSF of its stature. As per the Informant, the absence of specificity demonstrates that the Invitation is merely a procedural formality,



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rather than a genuine effort by the BFI to establish a professional league and promote competitive and inclusive sports management practices.

21. It is stated that despite having reservations regarding the Invitation as already detailed above, the Informant proceeded to submit its EOI on 26.02.2024 to collaborate with the BFI and conduct a national men's basketball league on a non-exclusive basis.
22. The Informant alleged that the BFI has imposed unreasonable, unfair and arbitrary restrictions on basketball players in India by preventing them from participating in any leagues/events/championships other than those organized under the aegis of the BFI. In particular, the threats issued by the BFI in the form of potential disqualification from prestigious events and lifetime bans from its tournaments by mere reason of players being associated or having entered into agreements with unauthorized leagues (which is also on account of the BFI deliberately withholding their approval/sanction) has effectively denied players the opportunity to participate in leagues of their own choice. On account of BFI's actions, the players were being restrained from even participating in promotional tournaments such as the EP3L. The imposition of such restrictions by the BFI amount to restraints in the nature of exclusive distribution and refusal to deal, as contemplated under Sections 3(4)(c) and 3(4)(d) of the Act.
23. The Informant has stated that the BFI exercises absolute control over basketball and basketball players in India who do not possess any bargaining power and are bound to comply with all restrictions imposed upon them by the BFI. Therefore, it is clear that the BFI enjoys a dominant position in the '*market for services of basketball players in India.*' It is also alleged that the BFI's actions have resulted in restricting the services of basketball players under Section 4(2)(b)(i), and have also caused denial of market access to other organizers of basketball leagues/events such as the Informant in contravention of Section 4(2)(c) of the Act. The BFI has thus abused its dominant position within the meaning of Section 4(1) of the Act.



24. The Informant has *inter alia* sought for initiating investigation into the matter, imposition of maximum penalty on BFI in terms of Section 27(b) of the Act, issuance of direction to BFI to cease and desist from indulging in anti-competitive conduct and not to take any disciplinary action against any player who have signed any agreement with championships/leagues such as the EPBL and ancillary events, not authorized or approved by the BFI.
25. The Commission considered the Information in its ordinary meeting held on 21.08.2024 and decided to seek certain clarifications along with comments on the Information from the BFI. After being granted several extensions, BFI filed its response on 23.07.2025.
26. After considering the Information and response filed by the BFI in its ordinary meeting held on 01.10.2025, the Commission decided to pass an appropriate order in due course.
27. The Commission has perused the material available on record and notes that the primary allegation raised by the Informant is that the BFI has failed to provide the required sanction/approval sought by the Informant for conducting private basketball tournaments such as the EPBL and/or promotional events such as the EP3L and issued restrictions on basketball players in terms of their participation in leagues not sanctioned/approved by the BFI. The Informant has alleged that the conduct on part of the BFI is in violation of Sections 4(2)(b)(i), 4(2)(c), 3(4)(c) and 3(4)(d) of the Act.
28. The Commission notes that the thrust of the definition of the term 'enterprise' under Section 2(h) of the Act is on the economic nature of the activities discharged by the entities concerned. It is immaterial whether such economic activities were undertaken for profit making/commercial purpose or for philanthropic purpose. The BFI generates income from various sources which include but may not be limited to income from admission charges levied on member units, registration charges levied on players and for the organization of national-level tournaments as well as income received from donors or sponsors from time to time. In view of the above, the Commission notes that the BFI is an 'enterprise' within the meaning of Section 2(h) of the Act.



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29. Upon perusal of the allegations raised by the Informant, the Commission notes that the present case is related to violation of Sections 3 and 4 of the Act. The Commission notes that to analyse the case under Section 4 of the Act, the first requirement is to delineate the relevant market as per Section 2(r) of the Act which comprises of the relevant product market and the relevant geographic market in terms of Section 2(t) and 2(s) of the Act, respectively. After delineation of the relevant market, the next step is to assess the dominance of the BFI in the relevant market so delineated, in terms of the factors enumerated under Section 19(4) of the Act. Once the dominance of the BFI is established, the final step is to analyse the allegations pertaining to abuse of dominance in terms of Section 4 of the Act.
30. The Commission notes that the Informant has stated that the relevant product market may be identified based on 2 broad issues *i.e.*, a) the conduct of the BFI to prevent/foreclose the market for private leagues such as the EPBL and/or promotional events such as the EP3L by unduly withholding approval/sanction, and b) imposition of arbitrary, unfair and restrictive conditions on basketball players in terms of their participation in leagues not sanctioned/approved by the BFI. Accordingly, the Informant delineated 2 relevant markets: (i) *'the market for organization of professional basketball leagues/events in India'*, and (ii) *'the market for services of basketball players in India.'* Notwithstanding the averments made by the Informant, the Commission has also examined the issue of relevant market independently.
31. The Commission notes that the BFI is the governing and controlling body of basketball in India. It is responsible for the development and promotion of the game of basketball in India. The BFI is stated to be managing all the national-level basketball operations in India and is involved in organizing training camps, national tournaments, and preparing Indian teams for both men's and women's international competitions in various age categories. The BFI is also associated with the International Basketball Federation (**'FIBA'**), an association of national organizations which governs the sport of basketball worldwide.
32. Keeping in view the nature of allegations and considering the fact that the sport of basketball is not substitutable by any other sport in all aspects, the Commission delineates



the relevant product market as ‘*market for organization of basketball leagues/events/tournaments.*’ Further, in any basketball leagues/events/tournaments, players from any part of the country may participate, thus the relevant geographic market may be taken as ‘*whole of India.*’ Accordingly, the Commission delineated the relevant market as ‘*market for organization of basketball leagues/events/tournaments in India.*’

33. On the issue of dominance of the BFI in the delineated relevant market, the Informant has stated that the BFI is the sole national-level federation which governs the sport of basketball in India. The Informant also stated that by virtue of its affiliation to FIBA and further affiliation to FIBA Asia, the BFI is the only body recognized by the MYAS as the NSF for the sport of basketball in India and thereby, duly authorized to undertake activities that are aimed at the development and growth of basketball in India at all levels.
34. The Commission also notes that, as stated by the Informant, Article 9 of the FIBA General Statutes, national member federations must “*maintain full control and governance of basketball in their country, including without limitation, control over their national competitions*”. Thus, it *prima facie* appears that the BFI being the sole NSF for basketball is vested not only with the authority to conduct national and international basketball tournaments/events but also sanctioning or disapproving proposals for organizing basketball events, which makes it the *de facto* regulator of basketball in India.
35. In view of the above, the Commission notes that the BFI exercises major control over basketball and basketball players, along with the organization of leagues/events/tournaments in India, and hence enjoy a dominant position in the relevant market of ‘*market for organization of basketball leagues/events/tournaments in India.*’
36. Now, the Commission proceeds to analyse the issue of abuse of dominance by the BFI. With regard to violation of Section 4(2)(b)(i) of the Act, the Commission notes the allegation that the BFI has intentionally and effectively infringed upon the freedom of players to freely choose which tournaments/leagues they wish to participate in. In this regard, the Commission notes that the BFI, through a circular dated 26.09.2023 titled as



“warning against unauthorised basketball tournaments conducted by vested interests” stated that players, referees and coaches should exclusively partake in tournaments officially sanctioned by the BFI and participation in unauthorised events will be met with stringent action.

37. The Commission notes that the BFI in its response dated 24.05.2025 stated:

“With respect of circular dated 26.09.2023 it is submitted that such instructions were issued with the objective of ensuring that national players do not enter into private agreements for leagues which clash with national and international events. Leagues which are affiliated with BFI are conducted in a manner that players do not need to forgo national commitments, however such control cannot be exercised with unaffiliated leagues and hence, it is in with this objective in mind and in the interest of the development of the sport nationally that such decision had been taken. Pertinently, however, BFI recognizes the need to offer national players a choice in which private leagues they seek to participate and hence, the executive committee is in the process of devising a policy which will permit its players to participate in unaffiliated private leagues with certain conditions.”

38. Based on the above, the Commission is of the *prima facie* view that the circular dated 26.09.2023 and response of the BFI strengthens the allegations of the Informant that BFI’s actions have the effect of limiting/restricting the provision of services of basketball players, referees, and coaches to participate in non-BFI sanctioned events like the EPBL, which appears to be in contravention of Section 4(2)(b)(i) of the Act.

39. With regard to violation of Section 4(2)(c) of the Act, the Commission notes that as per the allegations, BFI, through its affiliated State associations, has overtly prevented the Informant from launching the EPBL. It is also alleged that on 08.10.2022, the Vice-President of the BFI and the President of the TNBA which is an affiliated member state



unit of BFI, issued threats to the Informant's personnel at the Sathyabama University in Chennai and prevented the Informant from conducting try-outs for EPBL at the said venue.

40. The Commission further notes as per the Information, on 09.09.2023, the Informant sent a letter to the BFI, intimating about a 3x3 promotional event being organized by it for which the Informant also sought BFI's support and cooperation.
41. In this regard, the Commission has perused BFI's response to the aforementioned letter, in which it denied the Informant permission to conduct the 3x3 League and requested that the Informant withdraw all letters sent by it in this regard. It is noted that by the said letter, the event of 3x3 League was cancelled by the BFI. The BFI also informed that any league or even a promotional event would require the execution of a MoU in order for the organizer to receive BFI's backing. Thus, the Commission is of the *prima facie* view that the BFI has denied market access to organizers of basketball events/leagues such as the Informant, thereby abusing its dominant position in terms of Section 4(2)(c) of the Act.
42. With regard to violation of Section 3 of the Act, the Commission notes that according to Rule XXI of the BFI Constitution, every player is required to be registered annually with the affiliated unit of the Federation under whose jurisdiction he/she has been in continuous residence for a period of not less than 6 months preceding the date of his/her registration. The Commission also observes that certain clauses in the BFI Constitution *prima facie* implies its power in controlling the players' participation in national and international events.
43. The Commission notes that BFI, through its circular dated 26.09.2023, stated that players, referees and coaches should exclusively partake in tournaments officially sanctioned by it and participation in unauthorised events will be met with stringent action against those who engage in events which do not have authorization of the BFI. This *prima facie* appears to deny the players, the opportunity to participate in leagues of their own choice



and coercing participants to exclusively engage with BFI-authorized tournaments which amounts to forcing exclusive distribution agreement, thereby *prima facie* contravening the provisions of Section 3(4)(c) of the Act.

44. The Commission also notes that the BFI has refused to authorize or recognize events organized by third parties like the Informant, without providing justification or a transparent policy for such denial, which *prima facie* constitutes a refusal to deal under Section (3)(4)(d) of the Act.
45. In view of the foregoing, the Commission is of the opinion that there exists a *prima facie* case which requires an investigation by the Director General ('DG'), to determine whether the same has resulted in contravention of the provisions of Sections 4(2)(b)(i), 4(2)(c), and 3(4)(c) and 3(4)(d) of the Act, as detailed in this order.
46. Accordingly, the Commission directs the DG to cause an investigation to be made into the matter under the provisions of Section 26(1) of the Act. The Commission also directs the DG to complete the investigation and submit the investigation report within a period of 60 days from the receipt of this order.
47. It is made clear that, if during the course of the investigation, the DG comes across anti-competitive conduct of any other entity in addition to those mentioned in the Information, the DG shall be at liberty to investigate the same.
48. The DG is also directed to investigate the role of the persons/officers who were in-charge of, and were responsible for the conduct of the businesses of the parties at the time the alleged contravention was committed as well as person/officers with whose consent or connivance the alleged contravention was committed, in terms of the provisions of Section 48 of the Act.
49. Nothing stated in this order shall tantamount to a final expression of opinion on the merits of the case and the DG shall conduct the investigation without being swayed in any manner whatsoever by the observations made herein.



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50. The Secretary is directed to send a copy of this order alongwith the material available on record to the DG forthwith.

**Sd/-
(Ravneet Kaur)
Chairperson**

**Sd/-
(Sweta Kakkad)
Member**

**Sd/-
(Deepak Anurag)
Member**

**New Delhi
Date: 25.11.2025**