



COURSE MANUAL

Name of the Elective Course:
Legal Aspects of OTT Platforms

Course Code:

Name of the responsible Faculty Instructor:
Prof. Ashaawari Datta Chaudhuri

**Spring 2026
(AY2025-26)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, ***Legal Aspects of OTT Platforms***, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **Legal Aspects of OTT Platforms**

Course Code: **NA**

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **4 Credits**

Level: **Both UG AND PG**

Medium of Instruction: **English**

Pre-requisites (if applicable): Intellectual property rights, celebrity laws, data protection, privacy.

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators:

This course would not be ideated if not for my esteemed colleagues at National University of Singapore to help structure this course, Jindal Global Law School, Prof Dr. Dipika Jain for allowing me to teach this course, Prof Dr. Dayanand Pandey of JSBF for this opportunity and contributions.

2. Course Description

This elective course provides a comprehensive understanding of the legal and regulatory framework governing 'Over the Top' platforms in India. The entertainment landscape has become dynamic with different mediums of providing content. OTT platforms have provided a parallel avenue for creators to provide new cinematographic works for audiences. The concerns over censorship and privacy are important to discuss as there could be related issues pertaining to regulations of OTT. The New Media Ethics Code 2021 has introduced several changes in how media, journalism, news and entertainment platforms are being regulated. This elective provides a substantive discussion on how regulations may be shaped for OTT platforms. Students will gain insights into how platforms like Netflix, Amazon Prime, Disney+ Hotstar, SonyLIV, Zee5, JioCinema, and regional services have transformed the Indian media landscape. The course also critically examines issues of digital rights, censorship, consumer behavior, and the future of streaming in India's diverse and multilingual society. It covers the rise of digital streaming, the business models of global and Indian platforms, regulatory frameworks, cultural impact, and future challenges. Students will engage with case studies, policy debates, and practical exercises to critically understand OTT as a site of law, media, and technology.

This course will cover the legal aspects specifically focusing on entertainment law with relation to broadcasting rights, regulations, basics of copyright law as well as issues on data privacy and protection. This will then move on to studying and analyzing The New Media Ethics Code 2021 which have been drafted for OTT platforms. The Digital India 2023 draft bill that was tabled towards replacing the IT Act 2000 will also be discussed. It covers a Ethics Code 2021 and provisions of the IT act 2000 and in real-life scenarios, such as major landmark judgements that shape the foundation of this medium. This course will also dive into intellectual property rights protection, celebrity laws, and teach students how to draft various contracts under entertainment laws. The elective will also address issues of cultural dimensions of OTT- representation and impact as well as audience behavior and digital consumption patterns. The Digital Personal Data Protection Act 2023 will address privacy concerns of OTT platforms as well as digital profiling and data collection. The issues of the future of OTT legislation and localization of content as well as cross border interactions of culture shall be the focal theme for discussion towards the end keeping students thinking about how entertainment will look like in coming years.

3. Course Aims

This course aims to teach students about OTT platforms and the legislation behind the same. It will initiate discussion related to OTT regulation, privacy, censorship concerns among others. This course aims to understand the foundational viewpoint of entertainment laws and celebrity rights. It will provide an overview of the streaming platform space and see how it is engaging with cultural ideologies while providing a freer space for discussion and representation.

4. Teaching Methodology

The course will be taught across the semester using slides as a teaching aid and not the sole source for information. Bare acts and handouts will be provided along with readings as well as case studies.

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/Activities
1. Understanding basic legal principles and foundations of intellectual property law especially copyright laws, broadcasting rights and reproduction rights focusing mostly on entertainment laws.	25%	Teaching with the help of bare acts and slides and using hypotheticals. Learning through case studies and understanding concepts using bare acts and landmark judgements/precedents	Research paper: 25 marks
2. Understanding the legal regulations pertaining to media and OTT and understand how there is a development of self-regulation.	25%		Contract drafting: 20 marks
3. Understanding issues of privacy and censorship and the need for regulation of OTT.	25%		Midterm: 20 marks
4. Reflecting on the future of OTT and entertainment in India keeping in mind cultural inclusivity, representation, technological development.	25%		Class participation: 5 marks

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “I” grade. If an “I” grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Research paper	25 marks	Students are assessed on creativity, originality, cohesive arguments, analysis and structure. Proper format, flow of ideas with evidence. Uniform citation and non-AI based writing.

Assessment	Weightage	Remarks
Contract drafting	20 marks	Teaching students how entertainment law contracts are drafted such as production agreements, director agreements etc
MID TERM	20 marks	During the semester, testing students on their abilities to identify problems and solve hypothetical questions.
Class participation	5 marks	Assessed throughout the semester on attendance, readings, overall demeanor, participation, conduct and activeness in class.
End Semester Examination	30 marks	In class open book examination.

Part III

Course/Class Policies

Cell Phones, Laptops and Similar Gadgets

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing

academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus

OTT platforms, broadcasting rights, intellectual property laws, copyright, digital, censorship, privacy, celebrity, performers rights, grievance redressal, streaming platforms, infringement.

Course Design and Overview (Weekly Plan)

Week	Topic and Description	Reading/Course Materials
(1-2)	Module 1: Introduction to OTT platforms and regulation <ul style="list-style-type: none">Evolution of entertainment laws in IndiaHistory of OTT and mediums of entertainment.How streaming platforms evolved and the models of entertainment.	<ul style="list-style-type: none">FICCI-EY (2023). <i>Indian Media & Entertainment Industry Report</i> – Market size, OTT revenues, regional content growth.PwC Global Entertainment & Media Outlook (2023-27) – India-specific OTT forecasts.TRAI Consultation Papers on OTT services (esp. 2015 and 2018) – Early regulatory perspective.Athique, Adrian & Parthasarathi, Vibodh (2018). <i>Platform Capitalism in India's Digital Economy</i> (Media International Australia).Athique, Adrian. <i>Digital Media and Society: An Introduction</i> – Background on OTT within digital ecosystems.Mehtha, Nalin (2022). <i>India on the Move: Streaming and Social Change</i> (chapters on Hotstar, Netflix, JioCinema).Netflix's Entry into India (2016) – Harvard Business School & IIM case studies available.

<p>(3-4)</p>	<p>Module 2: Intellectual Property and OTT</p> <ul style="list-style-type: none"> Copyright issues related to infringement of original content and cinematographic works Broadcasting rights Performers rights Licensing and adaptations Originals vs licensing and agreements with production houses. Piracy challenges (TamilRockers, Telegram leaks, etc.) Copyright law and OTT distribution rights Celebrity rights, personality rights, merchandising rights 	<ul style="list-style-type: none"> Copyright Act, 1957 (as amended 2012) <ul style="list-style-type: none"> Key provisions on <i>cinematograph films, sound recordings, digital distribution.</i> Sections on <i>rights of producers, licensing, infringement, fair dealing.</i> Information Technology Act, 2000 <ul style="list-style-type: none"> Provisions on <i>digital piracy, intermediary liability.</i> WIPO Internet Treaties (WCT, WPPT – India is a signatory). <ul style="list-style-type: none"> Digital rights management (DRM) obligations relevant to OTT. Cinematograph (Amendment) Bill, 2023 <ul style="list-style-type: none"> Strengthening anti-piracy enforcement (e.g., camcording offenses). Super Cassettes Industries Ltd. v. MySpace (2011) – Intermediary liability for copyrighted content online. Shreya Singhal v. Union of India (2015) – Not an IP case per se, but defines intermediary liability framework for platforms. Disney Enterprises v. KimCartoon & TamilRockers (2018–2022) – Delhi HC injunctions against piracy sites, directly relevant for OTT content protection. UTV Software Communication Ltd. v. 1337x.to (2019, Delhi HC) – Landmark judgment granting <i>dynamic injunctions</i> to block piracy sites. Viacom18 Media v. Ashok Kumar (2013) – Pre-release piracy injunctions. Warner Bros. Entertainment v. BSNL (2019) – Site-blocking orders against ISPs for pirated OTT/film content.
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(5-7)	<p>Module 3: Censorship vs Freedom of Speech</p> <ul style="list-style-type: none"> Supreme Court judgments and High Court interventions Free speech, morality, and state control 	<ul style="list-style-type: none"> The Constitution of India – Article 19(1)(a) & Article 19(2) (Freedom of Speech and its reasonable restrictions). Cinematograph Act, 1952 – Central to censorship in films (CBFC). IT Act, 2000 & IT (Intermediary Guidelines & Digital Media Ethics Code) Rules, 2021 – Basis of OTT regulation. Cable Television Networks (Regulation) Act, 1995 – Precursor framework for broadcast content regulation. Romesh Thapar v. State of Madras (1950) – Early case protecting free speech under Article 19. K.A. Abbas v. Union of India (1971) – Upheld film censorship but emphasized the importance of creative freedom. Shreya Singhal v. Union of India (2015) – Struck down Section 66A of the IT Act (a watershed moment for online free speech). Union of India v. K.M. Shankarappa (2000) – Reaffirmed limits on excessive censorship powers. Prakash Jha Productions v. Union of India (2011) – Dealt with state-imposed bans despite CBFC certification. F.A. Picture International v. Central Board of Film Certification (2005) – Judicial review of censorship decisions. <i>Tandav Web Series Case</i> (2021) – FIRs filed against Amazon Prime India for alleged “hurting religious sentiments.” <i>Sudhir Chaudhary v. Union of India</i> (pending) – Challenges to OTT regulations under 2021 IT Rules.
	<p>Module 4: Data Privacy and OTT</p>	<ul style="list-style-type: none"> Europe's General Data Protection Regulation - Handbook on European Data Protection Law (2018) (ii) India's conception of right to privacy- - Discussion of key legal cases in India: Kharak Singh v. The State of U.P. (1967), PUCL v. Union of India (1996), District Registrar and Collector, Hyderabad and another v. Canara Bank and another (2004) and Justice K.S. Puttaswamy (Retd.) & Anr.

		<ul style="list-style-type: none"> v. Union of India & Ors. (2015) • Discussion on the Draft Personal Data Protection Bill, 2019 • New York Times, 'How companies learn your secrets' (2012) • - Shohini Sengupta, 'The hidden cost of convenience' (2019), Pioneer • - Alessandro Acquisti and Jens Grossklags, 'What behavioral economics can teach us about privacy' (2006) <p>(ii) How to talk about Privacy? – the ABC of Privacy</p> <ul style="list-style-type: none"> • - Taxonomy of Privacy – see infographic • - Bhandari & Sane, 'Protecting citizens from the state post' <ul style="list-style-type: none"> • Puttaswamy: Analysing the privacy implications of the Justice Srikrishna committee report and the data protection bill, 2018, Socio-Legal Review, Vol 14, pp. 144-154
(8-11)	Module 5: Regulations under OTT	<ul style="list-style-type: none"> • Information Technology Act, 2000 – • Sections on intermediaries, liability, takedowns. • Amended rules for digital media.
	Module 6: Case Studies and Judicial Pronouncements <ul style="list-style-type: none"> • Notable OTT judgements • Judgements and commentary on OTT regulations • Judicial commentary on copyright issues as well as privacy rights. • Celebrity rights and OTT cases. 	<ul style="list-style-type: none"> • Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 – • Three-tier grievance redressal structure. • Obligations of publishers of online curated content. • Classification of content by age-rating. • Cinematograph Act, 1952 (as amended) – Contrast with CBFC film censorship. • Cable Television Networks (Regulation) Act, 1995 – Earlier model of broadcast regulation. • Ministry of I&B Guidelines (2020 & 2021) on OTT self-regulation. • Shreya Singhal v. Union of India (2015) – Section 66A struck down, key precedent for online speech. • Justice for Rights Foundation v. Union of India (2018, Delhi HC) – First major PIL seeking OTT regulation.

		<ul style="list-style-type: none"> • Amazon Prime's <i>Tandav</i> case (2021) – FIRs for religious offense, platform liability debated. • Sudhir Chaudhary v. Union of India (pending, 2021) – Challenges to IT Rules 2021. • UTV Software Communication v. 1337x.to (2019) – Site blocking & dynamic injunctions (piracy + regulatory overlap). • Udupa, Sahana. “Internet Regulation in India: Free Speech, OTT, and the Law” (<i>Media Asia</i>). • Athique, Adrian & Parthasarathi, Vibodh. “Digital Media Regulation in India: Between State and Market” (<i>EPW</i>). • Bhuwania, Anuj. <i>Courting the People – On regulation, censorship, and PIL culture</i>. • Raman, Bhairav Acharya. “Regulating Online Content in India” (<i>Carnegie India Policy Paper</i>). • PRS Legislative Research (2021 Brief). <i>Rules for Regulation of Digital Media</i>.
(11-13)	<p>Module 7: The Way forward</p> <ul style="list-style-type: none"> • Cultural referencing and representation • Globalisation vs localization streaming • Audience behaviour and consumption patterns. 	<ul style="list-style-type: none"> • Athique, Adrian & Parthasarathi, Vibodh (2019). <i>Digital Platforms and Cultural Production in India</i> (<i>Media International Australia</i>). <ul style="list-style-type: none"> ○ Explains how streaming reshapes cultural industries and regional production. • Sundaram, Ravi (2021). <i>The Cultural Politics of Streaming Media in India</i> (<i>South Asia: Journal of South Asian Studies</i>). <ul style="list-style-type: none"> ○ Examines the tension between global formats and local audiences. • Thussu, Daya Kishan (2020). <i>Internationalising Indian Media: OTT, Soft Power, and Representation</i>. <ul style="list-style-type: none"> ○ On India's OTT exports, Bollywood vs. regional industries. • Mehta, Nalin (2022). <i>The New Republic of Streaming India</i>. <ul style="list-style-type: none"> ○ Discusses IPL, Hotstar, Netflix, and the creation of new cultural narratives. • Ghosh, Shohini (2020). “Gender, Sexuality, and Streaming Content in India.” (<i>EPW</i>). <ul style="list-style-type: none"> ○ On LGBTQ+ representation in web series like <i>Made in Heaven</i> & <i>Sacred Games</i>. • Sharma, Jigna (2021). “Regional OTT and Localisation in India's Streaming Wars” (<i>International Journal of Communication</i>). • Netflix's Indian Originals (Delhi Crime, Sacred Games, Masaba Masaba) – debates on representation, gender, caste, and politics. • Amazon Prime's Regional Push (Panchayat, Suzhal, Family Man) – Hindi + Tamil/Telugu inclusivity. • Disney+ Hotstar and IPL – sports as cultural unifier.

		<ul style="list-style-type: none"> • Hoichoi (Bengali OTT), Aha (Telugu), Sun NXT (Tamil) – localisation strategies. • Queer Representation in OTT – Made in Heaven, Four More Shots Please, Gehraiyaan
13-14	REVISION WEEK	

Part VI Relevant Readings / Essential Readings

- **Athique, Adrian.** *Digital Media and Society: An Introduction* – Background on OTT within digital ecosystems.
- **Mehta, Nalin (2022).** *India on the Move: Streaming and Social Change* (chapters on Hotstar, Netflix, JioCinema).
- **Sundaram, Ravi (2021).** *The Cultural Politics of Streaming Media in India (South Asia:Journal of South Asian Studies)*.
- **Romesh Thapar v. State of Madras (1950)** – Early case protecting free speech under Article 19.
- **K.A. Abbas v. Union of India (1971)** – Upheld film censorship but emphasized the importance of creative freedom.
- **Shreya Singhal v. Union of India (2015)** – Struck down Section 66A of the IT Act (a watershed moment for online free speech).
- **Union of India v. K.M. Shankarappa (2000)** – Reaffirmed limits on excessive censorship powers.
- **Prakash Jha Productions v. Union of India (2011)** – Dealt with state-imposed bans despite CBFC certification.
- **F.A. Picture International v. Central Board of Film Certification (2005)**
- **Puttaswamy: Analysing the privacy implications of the Justice Srikrishna committee report and the data protection bill, 2018**, Socio-Legal Review, Vol 14, pp. 144-154
- **Amazon Prime's Tandav case (2021)** – FIRs for religious offense, platform liability debated.
- **Sudhir Chaudhary v. Union of India (pending, 2021)** – Challenges to IT Rules 2021.
- **UTV Software Communication v. 1337x.to (2019)** – Site blocking & dynamic injunctions (piracy + regulatory overlap).
- **Udupa, Sahana.** “Internet Regulation in India: Free Speech, OTT, and the Law” (*Media Asia*).

