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**STANDING COMMITTEE ON
INFORMATION TECHNOLOGY
(2006-07)**

FOURTEENTH LOK SABHA

**THE MINISTRY OF INFORMATION
AND BROADCASTING**

*[Action Taken by Government on the Recommendations/Observations
of the Committee contained in their Twenty-Fifth Report
(Thirteenth Lok Sabha) on 'Working of Prasar Bharati']*

THIRTY-EIGHTH REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2006/Agrahayana, 1928 (Saka)



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(Thirteenth Lok Sabha) on 'Working of Prasar Bharati']*

Presented to Lok Sabha on 18.12.2006

Laid in Rajya Sabha on 18.12.2006



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NEW DELHI

December, 2006/Agrahayana, 1928 (Saka)

C.I.T. No. 160

Price : Rs. 78.00

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Published under Rule 382 of the Rules of Procedure and Conduct of
Business in Lok Sabha (Eleventh Edition) and Printed by Indian Press,
Delhi-110 033.

CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE.....	(iii)
INTRODUCTION.....	(v) 1
CHAPTER I Report.....	16
CHAPTER II Recommendations/Observations which have been accepted by the Government.....	57
CHAPTER III Recommendations/Observations which the Committee do not desire to pursue in view of the replies of the Government.....	63
CHAPTER IV Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.....	65
CHAPTER V Recommendations/Observations in respect of which replies are interim in nature.....	66
ANNEXURES	
I. Minutes of the Fifth sitting of the Standing Committee on Information Technology (2006-07) held on 13.12.2006.....	68
II. Analysis of Action Taken by the Government on the Recommendations/Observations contained in the Twenty-Fifth Report (Thirteenth Lok Sabha) of the Committee.....	

COMPOSITION OF THE STANDING COMMITTEE ON
INFORMATION TECHNOLOGY
(2006-07)

Shri Nikhil Kumar—*Chairman*

MEMBERS

Lok Sabha

2. Shri Abdullakutty
3. Shri Nikhil Kumar Choudhary
4. Shri Sanjay Shamrao Dhotre
5. Smt. Jayaprada
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21. Vacant

Rajya Sabha

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(iv)

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SECRETARIAT

1. Shri M. Rajagopalan Nair — *Additional Secretary*
2. Shri P. Sreedharan — *Joint Secretary*
3. Shri Raj Shekhar Sharma — *Director*
4. Shri Cyril John — *Under Secretary*

INTRODUCTION

I, the Chairman Standing Committee on Information Technology (2006-07) having been authorised by the Committee to submit the Report on their behalf, present this Thirty-Eighth Report on action taken by Government on the Recommendations/Observations of the Committee contained in their Twenty-Fifth Report (Thirteenth Lok Sabha) on 'Working of Prasar Bharati' pertaining to the Ministry of Information and Broadcasting.

2. The Twenty-Fifth Report (Thirteenth Lok Sabha) was presented to the Lok Sabha on 13 August, 2001 and laid on the Table of Rajya Sabha on the same day. The Ministry furnished updated Action Taken Notes on the Recommendations/Observations contained in the Report on 27 November, 2006.

3. The Thirty-Eighth Report was considered and adopted by the Committee at their sitting held on 13 December, 2006.

4. For facility of reference and convenience, the Recommendations/Observations of the Committee have been printed in bold letters in the body of the Report.

5. An analysis of Action Taken by Government on the Recommendations/Observations contained in the Twenty-Fifth Report (Thirteenth Lok Sabha) of the Committee is given at Annexure-II.

NEW DELHI;
13 December, 2006

22 Agrahayana, 1928 (Saka)

NIKHIL KUMAR,
Chairman,
Standing Committee on Information
Technology.

CHAPTER I

REPORT

This Report of the Standing Committee on Information Technology deals with action taken by Government on the recommendations/ observations of the Committee contained in their Twenty-Fifth Report (Thirteenth Lok Sabha) on 'Working of Prasar Bharati' pertaining to the Ministry of Information and Broadcasting

2. The Twenty-Fifth Report was presented to Lok Sabha on 13 August, 2001 and was laid on the Table of Rajya Sabha on 16.08.2001. It contained 32 recommendations/observations.

3. Action Taken Notes in respect of all the recommendations/ observations contained in the Report have been received and categorised as under:

(i) Recommendations/observations which have been accepted by the Government:

Para Nos: 10, 16, 19, 51-58, 69, 79, 82, 83, 92, 95, 98, 103, 104, 107, 108 and 114-116

Total : 25
Chapter-II

(ii) Recommendations/observations which the Committee do not desire to pursue in view of the reply of the Government:

Para Nos: 68, 71, 78, 89 and 113

Total : 05
Chapter-III

(iii) Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:

Para Nos: 70 and 72

Total : 02
Chapter-IV

(iv) Recommendations/observations in respect of which replies are of interim nature:

Para Nos: Nil

Total : Nil

Chapter-V

4. **The Committee trust that utmost importance would be given to the implementation of the recommendations/observations accepted by the Government. In cases, where it is not possible for the Ministry to implement the recommendations in letter and spirit for any reason, the matter should be reported to the Committee with reasons for non-implementation. The Committee further desire that Action Taken Notes on the recommendations/observations contained in Chapter-I of this Report should be furnished to them at an early date.**

5. **In this context, it may be mentioned here that the Committee have selected the subject, "The role of Prasar Bharati and its future status" for examination during the current year and have accorded top priority to the subject keeping in view the pivotal role that Prasar Bharati, as a public service broadcaster, is expected to play in determining the direction and thrust of broadcasting in the country. The examination of the subject is expected to cover a number of vital issues connected with the role and working of Prasar Bharati. However, this report is confined to action taken by Government on some of the recommendations contained in their 25th Report (Thirteenth Lok Sabha) on "Working of Prasar Bharati".**

A. Time slot allotted to private producers by DD Kendra, Kolkata

Recommendation (Para No. 51)

6. **Commenting on certain disquieting aspects connected with the allotment of slots to private producers by DD Kendra, Kolkata,**

the Committee had made the following observations/recommendations:—

“The examination of the time slot allotted by Prasar Bharati to private producers at DD Kendra, Kolkata has brought out many disquieting aspects as detailed in the following paragraphs which require urgent corrective action on the part of Prasar Bharati Board and the Ministry.

- (i) A private producer has been able to monopolise Doordarshan-I and Doordarshan-7 to the extent of 26% and 70% respectively to the total programmes telecast at Kolkata. A private company-Rainbow Productions owned by Shri Ramesh Gandhi secured 8 programmes on these channels from Kolkata Doordarshan/Directorate at Delhi namely, ‘Khas Khabar’, ‘Janmabhoomi’, ‘Suprabhat’, ‘Aaj Ke’, ‘Mukhomukhi’ ‘Kankanjali’ ‘Ferrighat’ and feature film programmes of nine hours duration daily, many of these programmes have repeat telecast also;
- (ii) As the inquiry into the allegations has revealed, it could not have been without the connivance and active collusion of the Doordarshan officials with ulterior motives. The Committee is surprised that although enquiry has already established involvement of 14 officers of the Prasar Bharati no action, has yet been taken to punish the guilty or against the private producer whose role is required to be probed in depth;
- (iii) M/s Rainbow Productions Private Limited had filed a court case against Kolkata Doordarshan Kendra against the decision of Prasar Bharati to discontinue the programme “Khas Khabar”. The Committee views that the justification offered by the Government representative for withdrawal of the appeal filed by Doordarshan on the plea that the litigation was not reaching its logical end and that on revenue consideration outside the court settlement was reached with the producer of “Khas Khabar” (Rainbow Productions), is all by way of after thought and not at all convincing. In view of the fact that programme is repeated

four times a day and also taking note of the view of the CEO Prasar Bharati that it is an aberration and also considering the other information gathered by it, the Committee holds the view that the programme "Khas Khabar" which is a news bulletin based on hard daily news rather a current affairs programme was deliberately allowed in clear violation of the policy decision of Prasar Bharati Board taken on 11 March, 1999 that private producers will not be permitted to produce the telecast news programmes on National or Regional Channels of Doordarshan. Instead of complying with the decision of the Prasar Bharati Board and the views expressed by this Committee during the evidence taken on 5 September, 2000, the Prasar Bharati by way of an act of defiance increased the duration of the programme 'Khas Khabar' w.e.f. 18 September, 2000. The inept handling of the issue since termination notice issued for the programme "Khas Khabar" and "Mukhomukhi" w.e.f. 16 October, 2000 and sudden withdrawal of the case and the basis for outside settlement, raised many eyebrows and requires to be investigated. In the correspondence and in the affidavits filed before the High Court/Supreme Court the Prasar Bharati has significantly taken the wholly erroneous plea that the programme was a 'news based current affairs programme' and not a "News Bulletin" till March, 1999;

- (iv) The officer dealing with the legal matters who was aware of the facts of the case initially deliberately avoided appearance before the Committee without any convincing reason and when he subsequently attended, took up the strange but significant attitude of passing on responsibility to others.
- (v) In allotment of time slots for various programmes the Prasar Bharati has given more weightage to the commercial aspect as admitted by the DDG (F&V) in his note that it would be prudent to accept the additional revenue offered by the producer of "Khas Khabar" which was very high, and they should unnecessarily not lose the same especially when

Prasar Bharati was not having a strong case in the High Court because of inconsistencies in their (Prasar Bharati) approach to deal with the programme.

- (vi) Even though news programmes are not awarded to private producers, 'Khas Khabar' which was a hard news based programme by the Ministry's own reckoning, was allowed in the garb of news based current affairs programme and its frequency and time increased from 15 to 20 minutes obviously with ulterior motives.
- (vii) A serious mischief was played by the producer of the programme 'Khas Khabar' in its telecast on 21 November, 2000 by describing the State of Jammu & Kashmir, which is an integral part of India, as 'India occupied Kashmir'. The Committee desires a proper inquiry to be conducted on this issue as it cannot be described merely as an innocuous error. The Committee apprehends that there is every possibility of recurrence of such mischief if the Prasar Bharati does not review its policy and enforce strictly the regulation relating to private producers.
- (viii) Ministry of I&B had Prasar Bharati have not conducted any proper inquiry as promised to the Committee into the whose episode of awarding of Doordarshan slots to private producers particularly into the irregularities made in awarding of various slots to Rainbow Productions Pvt. Ltd. The Committee is constrained to observe that even though the former CEO expressed concern and held the view that no private producer should be allowed to produce and telecast news on national or regional Channels and that the 'Khas Khabar' had ceased to be a 'news and current affairs programme' and acquired the character of a 'news bulletin', (thus fallen in the prohibited category which was to be discontinued forthwith) no effective step has been taken to discontinue private news telecast 'Khas Khabar' on Doordarshan. Nor any

action has been taken against the delinquent officials who favoured a private producer at the cost of public exchequer. Not only a meagre fee was collected from the said private producer by misclassification of programme, he was also favoured by not collecting bank guarantees of the appropriate amount.

- (ix) A single (private) producer was awarded 11 time slots of programmes for telecast from DD-1 and DD-II *i.e.* Doordarshan and DD Bangla Channel and that no fair procedure was adopted since other producers were not given any opportunity to compete which resulted in a monopoly of the Doordarshan Bangla Channel by a single private producer. Some of the proposals for programmes were directly entertained by the Doordarshan Directorate in utter violation of established procedure which resulted in award of time slot on a single bid. The Committee also regrets to note that the then CEO Prasar Bharati did not take any action in the matter as promised to the Committee during evidence. The Committee cannot but express its deep concern about the conduct of various officials of Prasar Bharati acting more for the benefit of one private producer thereby violating the conduct rules and damaging the interests of the nation. The Committee strongly recommends to Prasar Bharati Board/ Ministry of Information & Broadcasting to look into all such alleged irregularities and take stern action as per relevant rules.(x) Prasar Bharati management favoured the private producer at the cost of exchequer in utter violation of rules by accepting Bank Guarantees of inadequate amounts for the programmes telecast by him. In the case of 'Janmabhoomi' Bank Guarantee required as per guidelines was to be of Rs. 54 lakh, but the guarantee given is of Rs. 60,000/- only. In the case of 'Khas Khabar' no bank guarantee has been taken though he was required to furnish the same for Rs.13 lakh. Similarly for 'Kankanjali' Bank Guarantee of Rs.40,000 was accepted against the requirement of Rs.2 lakh. It is thus a case of blatant favouritism which cannot be without any consider-

ation.”

7. The Ministry in their updated action taken reply furnished on 27.11.2006 have stated as follows:-

“(i), (iii), (vii) and (ix): Prasar Bharati decided to reduce the approved period of telecast of the programmes Janmabhoomi, Khas Khabor and Suprabhat. It was further decided to terminate the programme Mukho Mukhi and two out of four bulletin of Khas Khabar. Accordingly, notices were issued to the producer by DDK Calcutta on 29.9.2000. M/s Rainbow Productions approached the Calcutta High Court through a Writ Petition and got stay order against the notices issued by DDK Calcutta. The Hon’ble High Court gave its final verdict in the main case and, *vide* its order dated 14.2.2001, quashed all the notices dated 29th September 2000 issued by the Director DDK, Calcutta. However, the Court gave liberty to Prasar Bharati to take further action in the matter strictly in terms of the agreement. On the advice of the Additional solicitor General, appeal duly vetted by the ASG has been filed in Calcutta High Court before the Division Bench on 19.3.2001 in respect of Khas Khabor and 21.3.2001 for Janmabhoomi and Suprabhat and Mukho Mukhi and simultaneously notices were issued under Clause 22 of the Agreements to the producers on 20.3.2001. The Producer filed a Writ Petition against these notices before the single bench of Calcutta High Court who ordered on 30.3.2001 to maintain the status quo. Director, Doordarshan Kendra, Calcutta filed an appeal against this order before the Division Bench on 10.4.2001 in respect of Khas Khabor, Janmabhoomi, Suprabhat, and Mukho Mukhi on 17.4.2001. The matter came up for hearing before the Court on 23.4.2001 and the appeal was admitted and the Division Bench directed the appellant to file paper book within three weeks. On 9th May, 2001, another appeal was filed by Prasar Bharati before the Division Bench against the order dated 30th March, 2001. It was admitted, with direction to file paper book. It was further directed that both the appeals will be heard analogously. As the agreements for ‘Khas Khabor’ were

nearing their end by March, 2003, M/s Rainbow Productions filed a writ petition, on which the High Court passed interim order for maintaining status quo regarding telecast on 'Khas Khabar' for 8 weeks and on 5.2.2003 the interim order was extended till further orders by the Court. A vacation petition for this was filed by DDK, Kolkata on 02.09.2003. On 18.9.2003 the Kolkata High Court ordered M/s Rainbow Productions Ltd. to pay arrears as admitted by them in 3 installments. Subsequently, they were asked to make payment of current dues on regular basis. Since they failed to make the requisite payment as per the Court's directive, the programme was stopped with effect from 1.11.2004. Meanwhile, M/s Aarambh Advt. & Mktg. had filed a writ petition in Kolkata High Court, in which the Court on 9.10.2002 ordered status quo regarding all the programmes being released by the agency. Serial 'Janambhoomi' came to its end after its extended period of 1300 days of telecast, on 29.8.2003, but other programmes released by the agency continued to be telecast on the basis of this stay order, for which the agency had stopped paying the dues. Eventually, a comprehensive vacating petition was filed by DDK, Kolkata against this stay order on 21.5.2004, in which the Court ordered payment of current dues on regular basis, for default on which Prasar Bharati was free to take appropriate action. Since the agency failed to clear the dues, all the programmes of the agency other than 'Khas Khabar', namely, Aleya, Short, Jhankar and Mukho Mukhi were taken off the air with effect from 14.7.2004. The Prasar Bharati Board has decided not to allow telecast of any "News" programme produced by the outside agency and which are similar to "Khas Khabar" in any channel of Doordarshan's network. The process for recovery of all the dues from the agency has been initiated. All the programmes of M/s Rainbow Production as well as programmes released by M/s Aarambh Advtg. & Mktg. Ltd. have been taken off from DD-1/DD-7.

(ii) & (viii) : The Preliminary Enquiry Report submitted by Sh. S.C. Tewari, former Director (BP&L), M/o I&B regarding the irregularities committed in sanctioning of programmes for DDK, Kolkata was examined by DG:DD and they had forwarded proposals against 14 officers involved in the matter regarding initiation of disciplinary proceedings against them for the lapses committed by them. These 14 proposals were examined in detail in the Ministry in consultation with DG:DD and Central Vigilance Commission. Out of these 14 cases, 4 cases have been closed, in one case CVC have advised for closure, in 5 cases Government's displeasure has been issued, in one case CVC have advised for conveying of Govt.'s displeasure and in one case regular Departmental Proceedings for major penalty were initiated on 28.11.2003 that have been concluded with the imposition of penalty of 10% cut-in-pension for two years on 20.9.2006. In remaining 2 cases major penalty has been recommended and these cases are in different stages of progress.

(iv) : necessary action was taken against the officer who had been looking after the legal Cell of DDK, Kolkata during the relevant period. He was placed under suspension *vide* Directorate General, Doordarshan's Order dated 30.9.2003. However, the High Court stayed Directorate's Order dated 30.9.2003 and by virtue of this Order, the Officer joined duty on 28.12.2003. Subsequently, he retired from service on superannuation on 31.12.2003.

(v) & (vi) : Necessary action has already been taken by Prasar Bharati in this regard, and responsibility has been fixed on two officers for withdrawing the petition pending before the High Court and for taking a decision to increase the duration and periodicity of the programme Khas Khabar. The explanation of both the officers in this regard has not been found satisfactory by Prasar Bharati, which has recommended to the Ministry of I&B for initiation of

disciplinary proceedings against them. Against one Officer, Regular Departmental Proceedings for Major Penalty were initiated against him. The same have been concluded with the imposition of penalty of 10% cut-in-pension for two years on 20.9.2006 and in respect of the other officer, the Cadre Controlling Authority *i.e.* DOP&T, have initiated RDA for major penalty against him.

(x) : Preliminary Enquiry Report submitted by Sh. S.C. Tewari, former Director (BP&L), M/o I&B has brought out the fact that required bank guarantee has not been collected in case of programmes Khas Khabar, Janmabhoomi and Kanakanjali and fixed responsibility on one officer for alleged lapse. The explanation of the officer in this regard has not been found satisfactory by Prasar Bharati, which has recommended to the Ministry of I&B for initiation of disciplinary proceedings against him. CVC's advice for closure of the case in respect of the allegations mentioned in this para has since been received. The said advice is under examination in this Ministry."

8. The Committee note with concern that it was after prolonged litigation that DD Kendra, Kolkata had taken off from DD-1 and DD-7 the programmes produced by M/s Rainbow Productions Pvt. Ltd. and M/s Aarambh Advertising & Marketing Ltd. Although the Kolkata High Court had ordered on 18th September, 2003 that M/s Rainbow Productions should pay the arrears to DDK, Kolkata in three instalments and subsequent payments on a regular basis, the producer has not complied with the Court verdict. It is also distressing to note that M/s Aarambh Advertising & Marketing Ltd. had also turned defaulter in payment of dues to the DD Kendra. Despite the default in payments, their programmes continued to be telecast by the DD Kendra till 1st November, 2004 and 14th July 2004 respectively. The reply furnished by Government in this regard merely states that the process of recovery of all the dues from the agency has been initiated without spelling out the efforts made and the progress achieved

in this regard. The lack of efforts on the part of DD Kendra, Kolkata for recovery of the dues despite the laxity and non-cooperative attitude on the part of the producers, speaks volumes about the working of Prasar Bharati and its officers responsible for the recovery. The Committee disapprove the callous approach on the part of the officials in pursuing the case despite the Court verdict and the Committee's strictures in the strongest possible terms. They desire that the matter be dealt with more firmly and stringent measures be initiated for speedy recovery of the dues from the private producers and the Committee be apprised of the outcome at the earliest.

9. The Committee also take a serious note that in spite of the Inquiry Report having identified 14 officers involved in the irregularities committed in sanctioning of programmes by DD Kendra, Kolkata, the penalties imposed were not of major nature and even in the two cases where major penalties were imposed, those are reported to be in different stages of progress. Similar is the case with one of the two officers who were responsible for withdrawing the petition pending before the High Court against M/s Rainbow Productions Pvt.Ltd. and for taking the decision to increase the duration and periodicity of the programme, 'Khas Khabar'. Undue delay in meeting out punishment to the guilty is bound to abet employees of Prasar Bharati to resort to similar attempts of favoritism and unfair practices. The Committee, therefore, reiterate their earlier recommendation and desire that stern and speedy action be taken against the officer found guilty and they be apprised of the action taken in this regard.

B. Marketing Structure in Prasar Bharati

Recommendation (Para No. 69)

10. Commenting on the marketing structure in Prasar Bharati, the Committee had in their earlier report recommended as follows:—

“The Committee is perturbed to find that marketing network of Prasar Bharati is so weak (as admitted by CEO also) that during last one year it could earn the revenue of Rs.11 crore only from prime time slot-1900 hours to 2100 hours for which

a foreign company has offered Rs. 59 crore *i.e.* Rs. 48 crore above the revenue earned by Prasar Bharati. It has been explained that producers are indulging in undercutting of each other. The Committee is not fully convinced by this explanation and would like Prasar Bharati to look into it in detail to ensure that there was no malpractice indulged in marketing of time slot. The Committee further recommends that Prasar Bharati should tone up its marketing efforts to garner at least the proportionate revenue potential of the market if not the dominant share. Prasar Bharati which has modern equipment installed in its studios should be capable of producing programmes of superior quality. The Corporation needs to modify and strengthen its own marketing strategy.

11. The Ministry in their updated action taken reply dated 27.11.2006 stated as follows:—

“Prasar Bharati could not market its own programmes on prime time because Prasar Bharati did not own its content/ programmes. They were and are shown on sponsorship basis where the Producer is given the time slot on payment of a telecast fee. The rights of the programme after the telecast return to the Producer. Since different Producers were sponsoring programmes, there is competition among them in the market and in resultant undercutting to sell their own programme only. However, Prasar Bharati has now started its own marketing offices at Mumbai and Chennai and would be expanded to other cities also. Prasar Bharati has also initiated steps to own content by commissioning classic literary works to be made into teleserials by eminent Producer/Directors. In order to ensure that undercutting of rates is avoided, in the middle of programme, Doordarshan has kept to itself one minute of commercial time per half an hour which is marketed directly. Strengthening of marketing set up is taken up in a phased manner. The Metro Channel has been replaced by the 24 hours news channel DD News from

3rd November, 2003.”

12. The Committee note with satisfaction that Prasar Bharati has now started its own Marketing Offices at Mumbai and Chennai and is in the process of expanding the network to other cities also. In order to discourage undercutting of rates in the middle of programmes, Doordarshan has also kept to itself one minute of commercial time per half an hour which is marketed directly. The need for strengthening the marketing set up in Prasar Bharati with a view to improve the distribution of Doordarshan channels and earning better revenue has been stressed repeatedly and needs to be addressed on priority basis. Needless to say that what has been done in this direction is not adequate in view of the growing competitive environment in the electronic media. The Committee desire to be apprised of the specific steps taken by Prasar Bharati for strengthening its marketing infrastructure and stepping up of the marketing initiatives.

C. Rules/Guidelines for selection of programmes

Recommendation (Para No. 70 & 72)

13. Stressing the need for Prasar Bharati to formulate its own tendering process, the Committee had recommended in their earlier Report as follows:—

“The Committee is not convinced by the reasoning advanced by Prasar Bharati for accepting single bid tender for time slot 2100 hrs. to 2200 hrs. The Committee is at a loss to understand that a Corporation like Prasar Bharati, entrusted with the responsibility of informing and enlightening the people inside and outside the country, should be guided by the rules adopted in the CPWD when it comes to such sensitive issues like awarding of programmes. Prasar Bharati should have made attempts to attract more competitors to ensure a fair and transparent action. The Corporation also needs to modify its tendering process and make copies of the same available to this Committee for its perusal.”

14. The Committee had further recommended as follows:—

“The Committee notes that time slots will be made available for telecasting the programmes produced by Channel Nine network Australia PTY Ltd. for a total of six hours at the consideration of Rs. 122 crore. The Committee feels that allotting everyday six hours’ slot to a private company is a serious matter involving far reaching consequences. The Committee is not convinced that all such matters were considered before taking the decision. Though the Committee is not against private participation it recommends that the Corporation should adopt a clear and firm policy on this aspect by taking the views of expert bodies and public representatives and should lay down suitable guidelines to ensure transparency and telecast of suitable programmes consistent with the objectives of Prasar Bharati.”

15. The Ministry in their updated action taken reply dated 27.11.2006 have stated as follows:—

“Prasar Bharati does not have any rules of its own for inviting tenders/bids. Prasar Bharati was guided by the CPWD rules since CPWD is also a Department of the Central Government which executes all its jobs through award of contracts under bids. The procedural commonalities are taken as base as per the requirements of Doordarshan. The process of inviting bids and processing them were conducted in a fair and most transparent manner to attract maximum competitors. On the first occasion, there was no response for the prime time slots when a minimum floor price was fixed. The bids were again invited without floor price and also widely publicized on TV, Radio, and newspapers. But only three bidders participated in the bids for the prime time. The bids amount quoted by the bidders was found to be lower than even the telecast fee. Therefore, bids were rejected with the approval of Prasar Bharati Board.”

16. The Ministry in their action taken reply further stated as

follows:—

“Though the duration of telecast is 6 hours a day, the actual telecast is only for 3 hours daily which was repeated for 3 hours the following day, on non prime time. We will ensure transparency. The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.”

17. **The Committee regret to note that despite their recommendation that Prasar Bharati should frame its own rules/ guidelines for inviting bids and processing and awarding contracts in view of the fact that the nature of bids and award of contracts by Prasar Bharati are entirely different from that of CPWD, whose rules are currently being followed by the Corporation, Prasar Bharati has not initiated any action in this regard. The Committee are also not satisfied with the reply furnished by Government to their earlier recommendation to formulate suitable guidelines for ensuring transparent and quality selection and telecast of programmes. While the procedural commonalities in the CPWD rules could be retained, it is imperative on the part of Prasar Bharati that more compatible guidelines are formulated for its own purpose keeping in view the unique nature of the bids invited and the contracts awarded. The existence of specific rules would enable Prasar Bharati to invite and process the bids in a more fair and transparent manner and strengthen its arms while dealing with the question of deposit of security, of termination of contracts and recovery of dues, penalties, etc. The Committee, therefore, are of the considered opinion that Prasar Bharati should draw up its own rules for inviting bids and processing and awarding contracts with a view to ensuring that the entire process is smooth, transparent and efficient. They, therefore, reiterate their earlier recommendations and desire that Prasar Bharati should frame its own rules for the purpose and the Committee be kept apprised of the steps taken in this regard.**

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Para No. 10)

The Committee finds that Government has failed to implement Prasar Bharati Act enacted in 1990 in letter and spirit. Though the Act was passed by the Parliament in 1990, it came into force as late as in 1997. Many provisions of the Act like constitution of Prasar Bharati Board consisting of 15 Members representing various interests has not been done till date simply for the reasons that there has been inordinate delay in formulating rules governing conditions of service of Chairman and Members of the Board, and in settling the issues of salary and perks of the Chairman and Chief Executive Member of the Board. Further, formulation of rules for recruitment of Member Personnel, Member Finance, Director Generals of AIR and Doordarshan who have to be on the Prasar Bharati Board, was delayed unusually which is to say the least totally surprising. There have been four attempts to amend the Act by the successive Governments since its enforcement through ordinances which lapsed. There was also confusion because of the Constitution of the Review Committee also by the Government. Although the Attorney General of India had clarified that Prasar Bharati Act remains in full force and operative despite the lapses of the ordinances, the Ministry failed to constitute the Board which is a matter of grave concern. As a result of unexplained inaction on the part of Government, there are now only two part-time Members on the Prasar Bharati Board who alongwith two nominees of the Ministry are "running" its affairs. The way two non-official members were retired in 1999 inspite of many vacancies on the Board appears to be intriguing and has not been explained to the satisfaction of the Committee. The Committee takes a serious view of the fact that the posts of Chairman, four part time Members, DG (AIR) and DG (DD)

are lying vacant since June 1998, May 1998, November 1999, August 1998 and June, 1999 respectively and that the Government has not appointed even the posted Member (Finance), Member (Personnel) and the two representatives of the employees. Moreover, the function of the Chief Executive Officer is being looked after by an officer of the rank of Additional Secretary/Special Secretary on *ad hoc* basis and no regular CEO has been posted. The casual approach of the Government in the matter is evident from the fact that the Selection Committee was not approached for the last one year (till 10 November, 2000) when the subject was taken up for examination by this Committee and the finalisation of terms and conditions of appointment has been delayed on one pretext or another. The Committee strongly recommends that the process of filling up of vacancies in the Prasar Bharati Board be expedited as the truncated Board hardly can function effectively and is incapable of taking urgent and vital decisions also in the interest of Prasar Bharati and can hardly be considered as an authority as contemplated by the Act.

Action Taken by the Government

The composition of Prasar Bharati Board, at present, is as follows:

S.No.	Name	Post
1	2	3
1.	Shri M.V. Kamath	Chairman
2.	Shri Brijeshwar Singh	Chief Executive Officer Additional charge on <i>ad-hoc</i> basis
3.	Shri M.L. Mehta	Part-Time Member
4.	Shri R.N. Bisaria	Part-Time Member
5.	Ms. Chitra Mudgal	Part-Time Member
6.	Shri L.D. Mandloi, Current Duty Charge of Director	Ex-Officio Member

General, Doordarshan

1	2	3
7.	Shri Brijeshwar Singh, Director General, All India Radio	Ex-Officio Member
8.	Sh. Pradeep Singh Additional Secretary, Ministry of I&B	Representative of Ministry of I&B

Action taken to fill up the vacancies

Presently Six positions in the Prasar Bharati Board are vacant. Out of these, recommendations of the Selection Committee headed by the Vice-President of India in respect of three Part-time Members are awaited. Proposals for filling up the vacant post of Member (Personnel) and Member (Finance) has been forwarded to Vice-President Secretariat. Recommendations of the Selection Committee are expected. Additional charge of Chief Executive Officer, Prasar Bharati has been given to the Director General, All India Radio with the approval of Appointment Committee of Cabinet. Selection for Director General of Doordarshan is in process in Prasar Bharati Secretariat. Besides, there are two vacancies pertaining to the representatives of the employees. Since all the employees of erstwhile AIR & DD continue to be Government servants, the election of the representatives cannot be held, till their services are transferred to Prasar Bharati, in accordance with the provisions of Prasar Bharati Act. In addition to above action is being taken to filling up the post of Chief Executive Officer on regular basis.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-BC-IV dated 27.11.2006]

Recommendation (Para No. 16)

The Committee finds that the Review Committee on Prasar Bharati Board has made certain recommendations on status, rights and functions (duties) of the Prasar Bharati Board. It has been informed that the Government has not yet taken any decision on the same. The Committee is unable to see any reason for the proposed exclusion of

the representatives of employees, Member (Finance), Member (Personnel), DG (AIR) and DG (DD), from the Prasar Bharati Board. The Committee trusts that the Government will take a final view on the recommendations of the Review Committee only after exhaustive consultation with this Committee and the Consultative Committee attached to the Ministry of I & B and Prasar Bharati in the overall interest of the Organisation.

Action Taken by the Government

The recommendations of the Review Committee have wide ranging ramifications including amending the Prasar Bharati Act. While Review Committee's Report on Prasar Bharati was under examination of the Ministry, a Group of Ministers (GoM) has been constituted to examine various issues pertaining to the functioning of Prasar Bharati. Currently there is no change in the composition of the Board, which is as was in the original Act. Member (Finance), Member (Personnel), DG (AIR) and DG (DD) and two representatives of the employees are members of the Board. As far as non-representation of two employees in the Prasar Bharati Board is concerned, it is again submitted that since all the employees of erstwhile AIR & DD continue to be Government Servants, the election of the representatives cannot be held, till their services are transferred to Prasar Bharati, in accordance with the provisions of Prasar Bharati Act.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Objectives of Prasar Bharati

Recommendation (Para No. 19)

The Committee notes with concern that Prasar Bharati has been telecasting educational programmes for 18 per cent of its total telecast time and spends 46 per cent time on programmes on entertainment and 35 per cent on information. The programmes on entertainment earn revenue for the Corporation. However, the Committee is of the opinion that Prasar Bharati should give more weightage to education and information programmes and thus fulfill its obligation as a public

service broadcaster. There is need to balance the role of Prasar Bharati as a public broadcaster and revenue earner. Excessive emphasis on revenue generation disregarding its role as a public broadcaster will be contrary to its avowed objectives. The Committee desires that a proper balance should be maintained in telecast of programmes so that Prasar Bharati plays its role as a public broadcaster consistent with the necessity of raising adequate resources without affecting the quality of programmes.

Action Taken by the Government

EDUCATIONAL TELECAST ON DOORDARSHAN

As a public service broadcaster, Doordarshan has been promoting telecast of Educational programmes on its channel and create a learning society by telecast formal and informal educational programmes along with other relevant enrichment programmes useful for the common viewers.

With an aim to increase the reach of educational telecast 'Gyan Darshan'—a Educational satellite channel — was launched by Ministry of Information & Broadcasting on 26th January, 2000 in collaboration with Ministry of Human Resource Development and Indira Gandhi National Open University. Presently, Gyan Darshan has a 24 hours telecast. Following programmes are simultaneously telecast on DD-I (National Network) as follows:—

For Senior Secondary School Students

Programmes produced by Central Institute of Educational Technology (CIET), and the National Open School, Ministry of Human Resource Development.

Telecast timings :

5.00 a.m. to 5.30 a.m. (daily) (National Network)

10.00 a.m. to 10.30 a.m. (Monday to Friday) (NCERT) (National Network)

Higher Educational Programmes (Country-wise classroom)

Programmes sourced by University Grants Commission/Consortium for Educational Communication, Ministry of Human Resource Development.

Telecast timings : 5.30 a.m. to 6.00 a.m. (daily)

Distance Education Programmes

Curriculum — based programme on various courses conducted and sourced by the Indira Gandhi National Open University.

Telecast timings : 6.00 a.m. to 6.30 a.m. (daily)

Primary Education Programmes

Programmes produced by State Institute of Education Technology/Central Institute for Educational Technology are telecast by Doordarshan Kendra, Bhubaneswar.

Telecast timings: 10.00 a.m. to 10.30 a.m. (Monday to Friday) on Regional DD – 1 and RLSS.

Literacy Mission and Adult Educational Programme

The Development Communication Division Cell of the Directorate has completed a campaign on National Literacy Mission by telecasting spots on National Literacy Mission from Regional Kendras of Doordarshan – Bhubaneswar, Patna, Ranchi, Raipur, Lucknow, Guwahati and Kendras of North East States. Currently, also the sports are being telecast on National News.

Spots on Sarva Shiksha Abhiyan are being telecast from 17 Doordarshan Kendras *viz.* Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Kolkata, Chennai, Hyderabad, Jaipur, Jalandhar, Lucknow, Mumbai, Raipur, Ranchi, Jammu, Thiruvananthapuram, Delhi and Hissar.

Doordarshan has undertaken a restructuring exercise of its programming on DD – National Channel with a view to meeting its mandate as a Public Service Broadcaster and also ensure that it is in a position to generate revenue to gradually become self-

supporting in the present broadcasting scenario.

As of now, DD – 1 is telecasting various kinds of informative programmes for different groups of viewers. These like social value systems, dynamics of scientific temper, information technology, environmental issues, sense of discipline, myths relating to superstition etc. are included in programme content to make them informative while providing entertainment.

Prasar Bharati offers a bouquet of channels which cater to the needs of viewers across the country through National as well as Regional services. These channels provide educational, informative and entertaining programmes.

- On National Network of DD-1, educative, informative and entertaining programmes are designed in such a manner that viewers get all kinds of wholesome programmes. Out of 18-1/2 hours' terrestrial transmission, 13-1/2 hours are on National and 5 hours on Regional platform.
- On Regional platform, 50 per cent of programmes are educative and informative.
- The Metro channel which was earlier known as DD-2, was meant for entertainment. It was converted into a 24 hours news channel DD-News with effect from 3.11.2003.
- DD-Bharati is a cultural channel and it telecast nearly 25.1 per cent programmes on education.

Even for a public broadcaster, entertainment programmes rare necessary to attract the viewers to the channel. If the content is overburdened with information and education programmes, the viewership may be adversely affected. If viewers do not come to the channel, the entire effort of putting informative and educative programmes on air may be lost. Keeping this in view, Prasar Bharati has strived to strike a proper balance between entertainment, education and information in its content.

Being a public broadcaster, Prasar Bharati plays significant role very distinct from other channels bringing together diverse cultural, religious and other social and political events which are

our country's essential aspects. As far as Prasar Bharati is concerned, the main objectives are followed in letter and spirit as per its mandate.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-BC-IV dated 27.11.2006]

Recommendation Para No. 51

The examination of the time slot allotted by Prasar Bharati to private producers at DD Kendra, Kolkata has brought out many disquieting aspects as detailed in the following paragraphs which require urgent corrective action on the part of Prasar Bharati Board and the Ministry.

- (i) A private producer has been able to monopolise Doordarshan-I and Doordarshan-7 to the extent of 26% and 70% respectively of the total programmes telecast at Kolkata. A private company-Rainbow Productions owned by Shri Ramesh Gandhi secured 8 programmes on these channels from Kolkata Doordarshan/Directorate at Delhi namely, 'Khas Khabar', 'Janmabhoomi', 'Suprabhat', 'Aaj Ke', 'Mukhomukhi' 'Kankanjali' 'Ferrighat' and feature film programmes of nine hours duration daily. Many of these programmes have repeat telecast also;
- (ii) As the inquiry into the allegations has revealed, it could not have been without the connivance and active collusion of the Doordarshan officials with ulterior motives. The Committee is surprised that although enquiry has already established involvement of 14 officers of the Prasar Bharati no action, has yet been taken to punish the guilty or against the private producer whose role is required to be probed in-depth;
- (iii) M/s Rainbow Productions Private Limited had filed a court case against Kolkata Doordarshan Kendra against the decision of Prasar Bharati to discontinue the programme "Khas Khabar". The Committee views that the justification offered by the Government representative for withdrawal of

the appeal filed by Doordarshan on the plea that the litigation was not reaching its logical end and that on revenue consideration outside the court settlement was reached with the producer of "Khas Khabar" (Rainbow Productions), is all by way of after thought and not at all convincing. In view of the fact that programme is repeated four times a day and also taking note of the view of the CEO Prasar Bharati that it is an aberration and also considering the other information gathered by it, the Committee holds the view that the programme "Khas Khabar" which is a news bulletin based on hard daily news rather a current affairs programme was deliberately allowed in clear violation of the policy decision of Prasar Bharati Board taken on 11 March, 1999 that private producers will not be permitted to produce and telecast news programmes on National or Regional Channels of doordarshan. Instead of complying with the decision of the Prasar Bharati Board and the views expressed by this Committee during the evidence taken on 5 September, 2000, the Prasar Bharati by way of an act of defiance increased the duration the programme 'Khas Khabar' w.e.f. 18 September, 2000. The inept handling of the issue since termination notice issued for the programme "Khas Khabar" and "Mukho Mukhi" w . e . f . 16 October, 2000 and sudden withdrawal of the case and the basis for outside settlement, raised many eyebrows and requires to be investigated. In the correspondence and in the affidavits filed before the High Court/Supreme Court the Prasar Bharati has significantly taken the wholly erroneous plea that the programme was a 'news based current affairs programme' and not a "News Bulletin" till March, 1999;

- (iv) The officer dealing with the legal matters who was aware of the facts of the case initially deliberately avoided appearance before the Committee without any convincing reason and when he subsequently attended, took up the strange but significant attitude of passing on responsibility to others.

- (v) In allotment of time slots for various programmes the Prasar Bharati has given more weightage to the commercial aspect as admitted by the DDG (FV) in his note that it would be prudent to accept the additional revenue offered by the producer of "Khas Khabar" which was very high, and they should unnecessarily not lose the same especially when Prasar Bharati was not having a strong case in the High Court because of inconsistencies in their (Prasar Bharati) approach to deal with the programme;
- (vi) Even though news programmes are not awarded to private producers, 'Khas Khabar' which was a hard news based programme by the Ministry's own reckoning, was allowed in the garb of news based current affairs programme and its frequency and time increased from 15 to 20 minutes obviously with ulterior motives.
- (vii) A serious mischief was played by the producer of the programme 'Khas Khabar' in its telecast on 21 November, 2000 by describing the State of Jammu & Kashmir, which is an integral part of India, as 'India occupied Kashmir'. The Committee desires a proper inquiry to be conducted on this issue as it cannot be described merely as an innocuous error. The Committee apprehends that there is every possibility of recurrence of such mischief if the Prasar Bharati does not review its policy and enforce strictly the regulation relating to private producers.
- (viii) Ministry of I&B and Prasar Bharati have not conducted any proper inquiry as promised to the Committee into the whole episode of awarding of Doordarshan slots to private producers particularly into the irregularities made in awarding of various slots to Rainbow Productions Pvt. Ltd. The Committee is constrained to observe that even though the former CEO expressed concern and held the view that no private producer should be allowed to produce and telecast news on national or regional Channels and that the 'Khas Khabar' had ceased to be a 'news and current affairs programme' and

acquired the character of a 'News Bulletin', (thus fallen in the prohibited category which was to be discontinued forthwith) no effective step has been taken to discontinue private news telecast 'Khas Khabar' on Doordarshan. Nor any action has been taken against the delinquent officials who favoured a private producer at the cost of public exchequer. Not only a meagre fee was collected from the said private producer by misclassification of programme, he was also favoured by not collecting bank guarantees of the appropriate amount.

- (ix) A single (private) producer was awarded 11 time slots of programmes for telecast from DD-I and DD-II i.e. Doordarshan and DD Bangla Channel and that no fair procedure was adopted since other producers were not given any opportunity to compete which resulted in a monopoly of the Doordarshan Bangla Channel by a single private producer. Some of the proposals for programmes were directly entertained by the Doordarshan directorate in utter violation of established procedure which resulted in award of time slot on a single bid. The Committee also regrets to note that the then CEO Prasar Bharati did not take any action in the matter as promised to the Committee during evidence. The Committee cannot but express its deep concern about the conduct of various officials of Prasar Bharati acting more for the benefit of one private producer thereby violating the conduct rules and damaging the interests of the nation. The Committee strongly recommends to Prasar Bharati Board/ Ministry of Information & Broadcasting to look into all such alleged irregularities and take stern action as per relevant rules.
- (x) Prasar Bharati management favoured the private producer at the cost of exchequer in utter violation of rules by accepting Bank Guarantees of inadequate amounts for the programmes telecast by him. In the case of 'Janmabhoomi'

Bank Guarantee required as per guidelines was to be of Rs.54 lakh, but the guarantee given is of Rs. 60,000/- only. In the case of 'Khas Khabar' no bank guarantee has been taken though he was required to furnish the same for Rs.13 lakh. Similarly for 'Kankanjali' Bank Guarantee of Rs.40,000 was accepted against the requirement of Rs.2 lakh. It is thus a case of blatant favoritism which cannot be without any consideration.

Action Taken by the Government

(i), (iii), (vii) and (ix) Prasar Bharati decided to reduce the approved period of telecast of the programmes Janmabhoomi, Khas Khabar and Suprabhat. It was further decided to terminate the programme Mukho Mukhi and two out of four bulletin of Khas Khabar. A c c o r d i n g l y , notices were issued to the producer by DDK Calcutta on 29.9.2000. M/s Rainbow Productions approached the Calcutta High Court through a Writ Petition and got stay order against the notices issued by DDK Calcutta. The Hon'ble High Court gave its final verdict in the main case and, *vide* its order dated 14.2.2001, quashed all the notices dated 29th September 2000 issued by the Director, DDK Calcutta. However, the Court gave liberty to Prasar Bharati to take further action in the matter strictly in terms of the agreement. On the advice of the Additional Solicitor General, appeal duly vetted by the ASG has been filed in Calcutta High Court before the Division Bench on 19.3.2001 in respect of Khas Khabar and 21.3.2001 for Janmabhoomi and Suprabhat and Mukho Mukhi and simultaneously notices were issued under Clause 22 of the Agreements to the producers on 20.3.2001. The producer filed a Writ Petition against these notices before the single Bench of Calcutta High Court who ordered on 30.3.2001 to maintain the *status quo*. Director Doordarshan Kendra, Calcutta filed an appeal against this order before the Division Bench on 10.4.2001 in respect of Khas Khabar, Janmabhoomi, Suprabhat, and Mukho Mukhi on 17.4.2001. The matter came up for hearing before the Court on 23.4.2001 and the appeal was admitted and the Division Bench directed the appellant to file paper book within three weeks. On 9th May, 2001,

another appeal was filed by Prasar Bharati before the Division Bench against the order dated 30th March, 2001. It was admitted, with direction to file paper book. It was further directed that both the appeals will be heard analogously. As the agreements for 'Khas Khabar' were nearing their end by March, 2003, M/s Rainbow Productions filed a writ petition, on which the High Court passed interim order for maintaining *status quo* regarding telecast of 'Khas Khabar' for 8 weeks and on

5.2.2003 the interim order was extended till further orders by the Court. A vacation petition for this was filed by DDK, Kolkata on 02.09.2003. On 18.9.2003. the Kolkata High Court ordered M/s Rainbow Productions Ltd. to pay arrears as admitted by them in 3 installments. Subsequently, they were asked to make payment of current dues on regular basis. Since they failed to make the requisite payment as per the Court's directive, the programme was stopped with effect from 1.11.2004.

Meanwhile, M/s Aarambh Advt. & Mktg. had filed a writ petition in Kolkata High Court, in which the Court on 9.10.2002 ordered *status quo* regarding all the programmes being released by the agency. Serial 'Janmabhoomi' came to its end after its extended period of 1300 days of telecast, on 29.8.2003 but other programmes released by the agency continued to be telecast on the basis of this stay order, for which the agency had stopped paying the dues. Eventually, a comprehensive vacating petition was filed by DDK, Kolkata against this stay order on 21.5.2004, in which the Court ordered payment of current dues on regular basis, for default of which Prasar Bharati was free to take appropriate action. Since the agency failed to clear the dues, all the programmes of the agency other than 'Khas Khabar', namely, Aleya, Short, Jhankar and Mukho Mukhi were taken off the air with effect from 14.7.2004. The Prasar Bharati Board has decided not to allow telecast of any "News" programme produced by the outside agency and which are similar to "Khas Khabar" in any channel of Doordarshan's network. The process for recovery of all the dues from the agency has been initiated. All the programmes of M/s Rainbow Production as well as programmes released by M/s Aarambh Advtg. & Mktg. Ltd. have been taken off from DD-1/DD-7.

(ii) & (viii) : The Preliminary Enquiry Report submitted by Sh. S.C. Tewari, former Director (BP&L), M/o I&B regarding the irregularities committed in sanctioning of programmes for DDK, Kolkata was examined by DG:DD and they had forwarded proposals against 14 officers involved in the matter regarding initiation of disciplinary proceedings against them for the lapses committed by them. These 14 proposals were examined in details in the Ministry in consultation with DG:DD and Central Vigilance Commission. Out of these 14 cases, 4 cases have been closed, in one case CVC have advised for closure in 5 cases Government's Displeasure has been issued, in one case CVC have advised for conveying of Govt.'s Displeasure and in one case regular Departmental Proceedings for major Penalty were initiated on 28.11.2003 that have been concluded with the imposition of penalty of 10% cut-in-pension for two years on 20.9.2006. In remaining 2 cases m a j o r penalty has been recommended and these cases are in different stages of progress.

(iv) Necessary action was taken against the officer who had been looking after the Legal Cell of DDK, Kolkata during the relevant period. He was placed under suspension *vide* Directorate General, Doordarshan's Order dated 30.9.2003. However, the High Court stayed Directorate's Order dated 30.9.2003 and by virtue of this Order, the Officer joined duty on 28.12.2003. Subsequently, he retired from service on superannuation on 31.12.2003.

(v) & (vi) Necessary action has already been taken by Prasar Bharati in this regard, and responsibility has been fixed on two officers for withdrawing the petition pending before the High Court and for taking a decision to increase the duration and periodicity of the programme *Khas Khabar*. The explanation of both the officers in this regard has not been found satisfactory by Prasar Bharati, which has recommended to the Ministry of I&B for initiation of disciplinary proceedings against them. Against one Officer, Regular Departmental Proceedings for Major Penalty were initiated against him. The same have been concluded with the imposition of penalty of 10% cut-in-pension for two years on 20.9.2006 and in respect of the other officer,

the Cadre Controlling Authority *i.e.* DOP&T, have initiated RDA for major Penalty against him.

(x) The Preliminary Enquiry Report submitted by Sh. S.C. Tewari, former Director (BP&L), M/o I&B has brought out the fact that required bank guarantee has not been collected in case of programmes Khas Khabar, Janmabhumi and Kanakanjali and fixed responsibility on one officer for alleged lapse. The explanation of the officer in this regard has not been found satisfactory by Prasar Bharati, which has recommended to the Ministry of I&B for initiation of disciplinary proceedings against him. CVC's advice for closure of the case in respect of the allegations mentioned in this para has since been received. The said advice is under examination in this Ministry.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27.11.2006]

Comments of the Committee

(Please *see* Paragraph No.8 and 9 of Chapter I)

Recommendation Para No. 52

The Committee recommends that Prasar Bharati should review its policy pertaining to award of Doordarshan slots to private producers and selection of various types of programmes for telecast on Doordarshan Channels. It needs to take special care in awarding the telecast of programmes based on news and current affairs and should strictly comply with the decision of Prasar Bharati Board taken on 11 March, 1999 not to permit the private producers to produce and telecast news bulletins on national and regional channels of Doordarshan. Prasar Bharati should stop forthwith the telecasting of 'Khas Khabar' and other programmes of similar kind through Doordarshan slots in order to preserve its status of a national broadcaster and should take effective steps to contest the proceedings initiated by Rainbow Productions.

Action Taken by the Government

'Khas Khabar' has been taken off air with effect from 1.11.2004.

Prasar Bharati Board has decided not to allow telecast of any 'News' programme produced by outside agency and which are similar to 'Khas Khabar' in any channel of Doordarshan's Network. In pursuance of this decision some sponsored news and current affairs programmes produced by outside agency and telecast on some Doordarshan Kendras, were denied extension and no such new programme is being considered.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27.11.2006]

Recommendation Para No. 53

The Committee notes that the officials of Prasar Bharati at the level of the Directorate as well the Kolkata Doordarshan Kendra, in various communications with the producer and before the courts deliberately described the programme 'Khas Khabar' as a news based current affairs programme. The Committee notes with concern that even the senior level officials of Prasar Bharati ignored their duty to the nation since they pleaded for accepting the additional (high) revenue offered by the producer of 'Khas Khabar' in violation of the norms. The Committee expresses serious concern on the ways of functioning of Prasar Bharati as admitted by the then DDG (F & V) in his note dated 15 November, 1999 that Prasar Bharati did not have a very strong case on 'Khas Khabar' in the Kolkata High Court because of the inconsistencies in the approach of the Prasar Bharati in dealing with the programme. The Committee regrets to note that instead of taking recourse to due process of law in dealing with the case, the Prasar Bharati requested the producer of 'Khas Khabar' to withdraw the petition pending before the High Court and compromised the interests of the Doordarshan and allowed the private, producer-Rainbow Productions to reap profits at the expense of Doordarshan.

Action Taken by the Government

Necessary action has already been taken by Prasar Bharati in this regard and responsibility has been fixed on two officers for withdrawing the petition pending before the High Court and for taking a decision to increase the duration and periodicity of the programme Khas Khabar. The explanation of both the officers in this regard has

not been found satisfactory by Prasar Bharati, which has recommended to the Ministry of I&B for initiation of disciplinary proceedings against them. The major penalty proceedings were initiated against one officer. The disciplinary proceedings have been concluded on 20.9.2006 with the imposition of penalty of 10% cut-in-pension for two years. The other officer involved has also been chargesheeted by DOP&T, The Cadre Controlling Authority in respect of the alleged officer, who have initiated RDA for major penalty against him.

In order to ensure that procedural lapses do not recur in future and to avoid a single producer getting assigned large chunks of air time in future, the concept of Channel Guardians is put in practice. Senior officers from the Directorate have been designated as Channel Guardians for one or two regional channel/kendras to inspect and supervise their functioning and to look after their requirements with the objective of increasing their efficiency. They are required to visit their designated channels/kendras at least once every month the visit being at times, unannounced *i.e.* surprise visit.

The visit/inspection shall, *inter-alia*, cover the following aspects:—

- (i) Suitability of the FPC with reference to the identified requirements of the region and those of the competing channels;
- (ii) Revenue generation with reference to targets, previous years performance and future potential;
- (iii) In-house production activity and utilisation of Kendra's capabilities with reference to the manpower and equipments;
- (iv) Arrangements and commercial opportunities that could be exploited out of the Library, Archives and Programmed Exchange;
- (v) Ensure coordination and cooperation between various wings of the Kendra;
- (vi) Future plans/strategy of the Kendra;
- (vii) Any other matter of interest.

Channel/Kendra Guardians furnish their inspection report-cum-recommendations to the DG within the first week of the succeeding month. They will also monitor the follow up action taken on their recommendations by the concerned wing at the Headquarters.

No news bulletin is being given on sponsorship basis. However, current affairs based magazine programme will be taken up on sponsorship on the National Channel. This has been decided in consultation with CEO.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27.11.2006]

Recommendation (Para No. 54)

The Committee views seriously the infrastructure and equipment of SRFTI was allowed to be used by private producers for production of programmes. The Committee desires an inquiry be conducted into the matter and proper procedure evolved to prevent misuse of public assets in future.

Action Taken by the Government

The matter regarding using facilities and equipment of SRFTI for commercial programmem production was brought to the notice of the Minister by students of SRFTI who made a complaint on 14.2.2000. A report was sought from the SRFTI on the allegations contained in the complaint. From the report and additional comments furnished by other members of the Faculty and Administration of SRFTI as well as Governing Council's deliberations available in the Ministry, it was observed that the idea of hiring out of the equipment was presented before the Governing Council on 16.8.1998 and accepted, in principle. The idea was supported from the point of view of generating revenue from equipment in their idle time so that the Institute could be over all benefited.

At the instance of the Chairman, SRFTI, the Dean had prepared a detailed scheme on 28.1.2000 laying down rentals for using equipment and this had been approved by the Director, but, however, not brought before the Governing Council for a decision. SRFTI started allowing

these facilities of the Institute to be used from July, 1999 when only an in principle approval of the Governing Council existed for the same. Meanwhile, the hiring of the equipment took place on the following three occasions:—

- (i) Hiring out of equipment by Shri Gautam Ghose for his own production from 26.7.1999 to 3.8.1999.
- (ii) Hiring out of equipment by M/s. Rainbow Productions of Shri Ramesh Gandhi, Member of the Governing Council from 28.1.2000 to 7.2.2000.
- (iii) Use of equipment by M/s. Aparna Sen on 30.7.1999 (However, since SRFTI had reported that this activity is a part of an experiment).

The final bills for these were settled on 10.5.2000 and 1.6.2000, respectively, by Shri Gautam Ghose and Shri Ramesh Chandra. The Ministry had also in the meantime directed the Institute to recover the money for use of the equipment.

Subsequently, *vide* Officer Order dated 14.2.000 issued SRFTI, hiring out of equipment has been stopped in the Institute. The Governing Council in its meeting held on 4.9.2000, directed the Institute to maintain the present status-quo regarding hiring out of equipment by the Institute to outsiders and to take it up only after a detailed scheme of hiring out based on infrastructure and staff available, academic interests of the students and fixing of standard tariff is approved by the Governing Council.

Based on CBI's report and CVC's advice, Government's displeasure has been conveyed to the former Direction, SRFTI.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-BC-IV dated 27.11.2006]

Recommendation Para No. 55

Prasar Bharati granted indiscriminate extensions to some programmes produced by private producers as in case of 'Kanakanjali' where previously granted 260 episodes were converted to 260 weekly

episodes of five parts each resulting into 1300 episodes. The Committee views that the permission to grant such large number of episodes in one go was neither warranted nor advisable nor it could be permitted without active collusion of concerned officials. Besides, it has resulted in denial of fair opportunities to other producers. Here, the Committee also notes that the guidelines issued on 19 November, 1998 to restrict the powers of Directors of Doordarshan Kendras' to sanction a maximum of 26 episodes were clearly violated. Similar irregularities have taken place in case of granting of episodes for 260 weeks in case of 'Janmabhumi'. The Committee is also seriously concerned with the fact that some news based programmes including 'Aaj Ke' and 'Khas Khabar' which in fact are 'News Bulletins' (for which telecast fee rate is Rs.18000 per ten seconds) are being treated as news based current affairs programmes thereby resulting in huge revenue loss to Doordarshan. The slot for telecast of daily Bengali Feature Film was allotted allegedly to the lowest bidder resulting in further revenue loss to Doordarshan. Besides, the Committee is also concerned to note that the slot for telecasting of 'Suprobhat' was allotted to the Rainbow Productions without giving opportunity to other producers to compete resulting in revenue loss to Prasar Bharati and denial of opportunity to others.

Action Taken by the Government

The Preliminary Enquiry Report submitted by Sh.S.C. Tewari, former Director (BP&L), M/o I&B regarding the irregularities committed in sanctioning of programmes for DDK, Kolkata was examined by DG:DD and they had forwarded proposals against 14 officers involved in the matter regarding initiation of disciplinary proceedings against them for the lapses committed by them. These 14 proposals were examined in details in the Ministry in consultation with DG:DD and Central Vigilance Commission. Out of these 14 cases, 4 cases have been closed, in one case CVC have advised for closure in 5 cases Government's Displeasure has been issued, in one case CVC have advised for conveying of Govt.'s Displeasure and in one case regular Departmental Proceedings for major Penalty were initiated on 28.11.2003 that have been concluded with the imposition of penalty of

10% cut-in-pension for two years on 20.9.2006. In remaining 2 cases major penalty has been recommended and these cases are in different stages of progress.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Recommendation Para No. 56

The Committee views these irregularities seriously and desires an indepth and thorough inquiry be conducted urgently by an independent agency preferably by CBI to ensure that all those who indulged in malpractices are dealt with severely.

Action Taken by the Government

The Director, DDK Kolkata has informed that Dr. Upen Biswas, Director CBI, Eastern Region alongwith four officials visited DDK Kolkata on 20.2.2001 for secret verification of files relating to programmes allocated to M/s Rainbow Productions, Kolkata and its associates M/s Aarambh Advertising and Marketing Pvt. Ltd. Subsequently, a seven member team headed by Sh. Prasar, SP, CBI, Kolkata visited DDK Kolkata on 23.2.2001 and seized the files relating to programmes of Janmabhoomi, Khas Khabar, Suprabhat, Mukho Mukhi, Kanakanjali, Aaj Ke, Bengali Feature Film etc. CBI, Kolkata has again contacted the Director, DDK Kolkata for some specific information relating to these programmes on 13.3.2001. CBI has registered a preliminary inquiry on 22.3.2001 against Sh. D. Mukherjee, programme Executive and other officials of DDK Kolkata for showing u n d u e favour to M/s Rainbow Productions while approving various programmes. CBI officials have visited DG:DD recently to collect some relevant documents. CBI have registered the following cases in connection with irregularities committed in sanctioning of various programmes at DDK, Kolkata:

- (I) **RC-19(A)/2001 - Kol dated 08.06.2001** — This case has been registered by CBI in respect of irregularities committed in awarding of marketing rights i.e. right to sell Free

Commercial Time in respect of Sunday Bengali Feature Film to a private company. On receipt of S.P.'s Report from CBI, sanction for prosecution has been issued against two officers by this Ministry. DOP&T have also issued sanction for prosecution against two officers, being their Cadre Controlling Authority. As regards initiation of disciplinary action against the other officials, "Govt.'s Displeasure" has been communicated to two officers and major penalty proceedings have been initiated against another official.

(II) RC-23(A)/2001-Kol dated 08.06.2001 — This case has been registered by CBI in respect of irregularities committed in the matter of telecast of Daily Bengali Feature Film. On receipt of S.P.'s Report from CBI, Sanction for Prosecution against two officials have been issued by their respective disciplinary authorities. As regards Regular Departmental Action recommended against four officers, chargesheets for major penalty have been issued against two officials by this Ministry and against two officials of DG:DD Departmental Inquiry is in progress against all the officers.

(III) PE-03(A)/2001-Cal — CBI had registered a Preliminary Enquiry against Sh.D. Mukherjee, PEX (Retd.) and other officials of DDK, Kolkata. On completion of inquiry, CBI have registered the following Regular Cases:

Case Number	:	Programme
RC-24(A)/2003-Kol		
Dated 30.6.2003	:	Janmabhumi
RC-25(A)/2003-Kol		
Dated 30.6.2003	:	Aaj Ke
RC-26(A)/2003-Kol		
Dated 30.6.2003	:	Khas Khabor

Investigation reports in these cases have since been received from the CBI.

RC-25(A)/2003-Kol has been closed in pursuance of CBI's recommendations and in consultation with CVC with the approval

of competent authority.

In RC-24(A)/2003-Kol, in pursuance of CBI's recommendations and CVC's advice, sanctions for prosecution have been issued against two officers by this Ministry. In respect of other two officers, DOP&T is the competent authority to accord Sanction for prosecution.

RC-26(A)/2003-Kol, In pursuance of CBI's recommendations and CVC's advice, sanction for prosecution have been issued against two officers by this Ministry.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-BC-IV dated 27.11.2006]

Recommendation Para No. 57

The Committee finds from the materials produced an evidence tendered that in various cases financial irregularities have taken place resulting in heavy losses to Prasar Bharati, as in some cases private agencies like Rainbow Productions were allowed to avoid payment of an outstanding sum of Rs.3 crore for 2 years. The same concern was permitted to change their agents to avoid being debarred and moreover they did not submit Bank Guarantee of the appropriate amount in time. It requires to be investigated how the DDK Kolkata conveniently overlooked the instructions contained in Circular No.66 relating to prior permission of DD commercial service. The former CEO had taken a serious note of these irregularities when pointed out by the Committee in evidence and had promised to personally investigate the same and take necessary action. The Committee regrets to note that so far no action appears to have been taken in this regard. The Committee trusts that Ministry of I&B would take deterrent action against persons found guilty for the alleged irregularities.

Action Taken by the Government

Regarding the policy pertaining to award of DD slot to private producers and selection of various types of programmes telecast on DD Channels, Prasar Bharati has taken necessary action and policy governing acquisition of programmes from outside producers both in sponsorship and commissioned categories are in place now. Revised

guidelines for sponsorship of programmes and for acquisition of programmes have been issued by Prasar Bharati to ensure transparency, fairness and objectivity.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Recommendation Para No. 58

The Committee takes a serious note of the fact that Prasar Bharati did not invite bids to award time slots to private producers. The Board entertained programmes received directly from the producers in case of 'Suprabhat' and 'Mukho Mukhi'. It smacks of favouring a particular producer and denial of competitive opportunities to others at the cost of exchequer without any valid justification. In most of the cases awarding of slots (selection of programmes) was done by a local committee. The important work of selection of programmes was left to the whims of a handful of Doordarshan officials constituting the so called local committee which violated the well established procedure of inviting bids. The Committee strongly recommends the Prasar Bharati to look into this and issue detailed guidelines to adopt a comprehensive and fair bidding system for award of programme/slot to ensure justice and maximise revenue realisation to Prasar Bharati.

Action Taken by the Government

Prasar Bharati reviewed the award of time slots to Producers of 'Superabhat' and 'Mukho Mukhi' as per commercial terms and conditions. Accordingly, notices were issued to M/s Rainbow Productions Pvt. Ltd. to discontinue the telecast of daily serials 'Mukho Mukhi' *w.e.f.* 16.10.2000. The producer of daily serial 'Superabhat' was also given notice to restrict the serial to 260 days with the last episode to be telecasts on 15.10.2001. Copies of the communications dated 29.9.2000 issued by DDK, Kolkata in this regard are enclosed as **Annexure - I.**

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

BID/TENDER**Recommendation Para No. 69**

Committee is perturbed to find that marketing network of Prasar Bharati is so weak (as admitted by CEO also) that during last one year it could earn the revenue of Rs.11 crore only from prime time slot 1900 hrs. to 2100 hrs. for which a foreign company has offered Rs.59 crore *i.e.* Rs.48 crore above the revenue earned by Prasar Bharati. It has been explained that producers are indulging in undercutting of each other. The Committee is not fully convinced by this explanation and would like Prasar Bharati to look into it in detail to ensure that there was no malpractice indulged in marketing of time slot. The Committee further recommends that Prasar Bharati should tone up its marketing efforts to garner at least the proportionate revenue potential of the market if not the dominant share. Prasar Bharati which has modern equipment installed in its studios should be capable of producing programmes of superior quality. The Corporation needs to modify and strengthen its own marketing strategy.

Action Taken by the Government

Prasar Bharati could not market its own programmes on prime time because Prasar Bharati did not own its content/programmes. They were and are shown on sponsorship basis where the Producer is given the time slot on payment of a telecast fee. The rights of the programmes after the telecast return to the Producer. Since different Producers were sponsoring programmes, there is competition among them in the market and in resultant undercutting to sell their own programme only. However, Prasar Bharati has now started its own marketing offices at Mumbai and Chennai and would be expanded to other cities also. Prasar Bharati has also initiated steps to own content by commissioning classic literary works to be made into teleserials by eminent Producers/Directors. In order to ensure that undercutting of rates is avoided, in the middle of programme, Doordarshan has kept to itself one minute of commercial time per half an hour which is marketed directly. Strengthening of marketing set up is taken up in a phased

manner.

The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Comments of the Committee

(Please *see* Paragraph No.12 of Chapter I)

Recommendation Para No. 79

The Committee strongly deprecates the absence of the senior officials of the Ministry from the meetings of the Committee. Instead of asking the officers responsible for the mistake in drafting minutes of PRP meeting to be present before the Committee and taking them to task, for grave blunder, as was the commitment made by the CEO before the Committee, a purported corrigendum was issued to the minutes of the meeting of PRP without any authority and without calling even the meeting of that Committee, and giving a totally different version after six months of that meeting the purported corrigendum was issued by way of interpolation and as after thought. The Committee feels unconvinced with the alleged version and is unable to accept the same. The Committee desires the Ministry to take suitable action against the officers responsible for such unauthorised interpolation. Evidently, it was a mischief and not misunderstanding.

Action Taken by the Government

Concerned officers have been warned to be careful in future. Doordarshan regrets the lapse.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Informative/News based programmes:

Recommendation Para No. 82

The Committee appreciates the step taken by Prasar Bharati in

starting a separate channel for telecasting news and current affairs programmes. However, the Committee observes that precious news time is wasted in showing Doordarshan Logo, Background music and other unnecessary scenes with every news headlines which have no relevance with news. The Committee also finds that there is ample scope to improve live expert interview/views programme and make the news bulletins vibrant with showing live action and visuals. As such, the Committee recommends that Prasar Bharati should improve its news bulletins further by avoiding wastage of precious time on screening avoidable scenes.

Action Taken by the Government

Universally showing of Logo, playing of music etc. are considered necessary for identification of a TV Channel. Suggestion of the Committee for improving news bulletins is noted for necessary action. It may be mentioned that Doordarshan News is continuously endeavouring to improve news bulletins with better live expert interviews/views, live action and visuals etc.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Recommendation Para No. 83

The Committee expresses its concern that viewership of such a vital channel is very insignificant. All necessary measures to increase the viewership besides providing necessary facilities to cable operators for down linking and screening the channel and bringing the same under the mass carrier obligation clause of Cable Television Network (Regulation) Act be taken expeditiously with a view to popularise the news channel.

Action Taken by the Government

Improving the viewership of DD-News Channel is an ongoing process. As per the Cable Television Regulation Act, it is mandatory for all cable operators to carry DD-News Channel in the prime band and non-compliance of the same can invite prosecution. This directive is scrolled on the screen of DD-News Channel for information of cable operators and viewers. Whenever violation of the directive is brought

to our notice, the same is promptly sent to the concerned district administration for taking necessary corrective measures. The DD-News Channel is available terrestrially to half of the country's population. Its reach has considerably expand with the introduction of Doordarshan's direct to home service DD Direct + as a viewer without cable connection and out of terrestrial reach of channel, are now able to have access to this channel along with 32 other Doordarshan and private channels and 12 channels of All India Radio, with the help of a set top box. DD-News Channel remains the most watched New Channel in the country in all homes.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

International Challen (DD World) :

Recommendation Para No. 92

The Committee notes that International Channels of Doordarshan is disseminating pertinent information on Indian cultural values and traditions and projecting image of the country abroad. However, the Committee regrets that these Channels are not being managed imaginatively and so far no formal survey has been conducted to assess the expectations of the NRIs and foreign viewers from the DD International Channel. The Committee recommends that a survey be conducted and necessary steps taken to meet the genuine expectations of the viewers and also improve quality, contents and reach of the transmissions.

Action Taken by the Government

DD-India has an agreement with M/s 1021497 Ontario Inc. for its distribution in the territory of Canada. Two more Agencies *viz.* M/s South Asian Family Entertainment and Dr. Hemanth Patel have also been shorlisted for the distribution of DD-India, DD-News, DD-Punjabi and DD-Bangla in USA.

Doordarshan India has recently called for tenders from reputed Agencies to conduct a study on the impact and reach to DD-India channels in USA, UK and Middle East countries.

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Uplinking :

Recommendation Para No. 95

The Committee notes with concern that certain foreign companies are telecasting uncensored programmes by uplinking from outside the country without subjecting themselves to regulation of Indian broadcasting laws which is also resulting in revenue loss to the country. The Committee trusts that such companies would be brought within the purview of Broadcasting laws by permitting them to uplink from India. The Committee desires that adoption of legislative measure to establish a Broadcasting Regulatory Authority which can effectively control uncensored programmes be expedited.

Action Taken by the Government

I. The Government had called for the comments and opinion of the stakeholders and general public by posting a consultation Note as well as the Draft of the Broadcasting Services Regulation Bill, which *inter-alia* provides for establishment of a Broadcasting Regulatory Authority of India. The comments received from the various organizations/quarters are under examination in so far as Broadcasting Services Regulation Bill is concerned.

II. Government has further amended the uplinking guidelines and consolidated into one set of guidelines. These guidelines titled as Guidelines for Uplinking from India have been notified on 2.12.2005, in supersession of all previous guidelines. Some of the salient changes made in the uplinking guidelines are given as below:—

- (i) Apart from FDI, FII/NRI investment within the overall limit of 26% has been permitted.
- (ii) In addition to "C" Band, uplinking in Ku Band has also been allowed.
- (iii) For live coverage of National and International events, all companies having TV broadcasting rights of these events,

are required to share their feed with Prasar Bharati under a revenue sharing formula.

- (iv) Foreign News Channels/Agencies can be permitted temporary uplinking permission up to one year through a pre-designated teleport under certain conditions.
- (v) A processing/permission fee for all applicants has been introduced.

Incidentally, it also deserves to be mentioned that Ministry of Information and Broadcasting has for the first time formulated policy guidelines for downlinking all satellite television channels downlinked/received/transmitted and re-transmitted in India for public viewing. Consequently, no person/entity shall downlink a channel, which has not been registered by the Ministry of Information and Broadcasting under these guidelines. Henceforth, all persons/entities providing Television Satellite Broadcasting Services (TV Channels) uplinked from other countries to viewers in India as well as any entity desirous of providing such a Television Satellite Broadcasting Service (TV Channel), receivable in India for public viewership, shall be required to obtain permission from Ministry of Information and Broadcasting, in accordance with the terms & conditions prescribed under these guidelines. These guidelines were issued on 11.11.2005. The guidelines require, *inter-alia*, that the entity applying for permission for downlinking a channel, uplinked from abroad, (*i.e.* Applicant Company), must be a company registered in India under the Indian Companies Act, 1956, irrespective of its equity structure, foreign ownership or management control; the applicant company must have a commercial presence in India with its principal place of business in India; the applicant company must either own the channel it wants to downlink for public viewing, or must enjoy, for the territory of India, exclusive marketing/distribution rights for the same, inclusive of the rights to the advertising and subscription revenues for the channel and must submit adequate proof at the time of application; In case the applicant company has exclusive marketing/distribution rights, it should also have the authority to conclude contracts on behalf of the channel for advertisements, subscription and programme

content; The applicant company must provide names and details of all the Directors of the Company and key executives such as CEO, CFO, and Head of Marketing etc. to get their national security clearance. Both Uplinking & Downlinking Guidelines have been placed on the Ministry's website (<http://www.mib.nic.in>).

[Ministry of Information and Broadcasting O.M. No.18/10/2001-
BC-IV dated 27.11.2006]

Advertisement code and Programme code:

Recommendation Para No. 98

The Committee is of the view that suitable arrangements should be made by Prasar Bharati to scrutinise the quality and content of programmes, including advertisements, so that they maintain basic standard. The Committee recommends that guidelines in this regard be laid down clearly and followed strictly.

Action Taken by the Government

All programmes are previewed by an in-house committee to ensure high standards of quality and content. Prasar Bharati has recently issued revised guidelines which ensure quality even at the selection stage and they are followed strictly. All commercial advertisements are governed by the Code for Commercial Advertising which is strictly adhered to. Advertisements are also previewed to ensure conformity to the code, prior to the telecast.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-
BC-IV dated 27-11-2006]

**Financial self sufficiency
(Revenue Earning)**

Recommendation (Para No. 103)

The Committee agrees to the necessity of in-house generation of revenue as suggested by Planning Commission and Ministry of Finance besides attaching importance to the view that the Corporation should not excessively depend upon market mechanism for its financial

needs. It should be independent and distinct from the Government to play the role of a public broadcaster in the true sense. In view of the above, the Committee appreciates that Prasar Bharati should strive to attain financial self-sufficiency in due course and its functioning should not be influenced by the Government.

Recommendation (Para No. 104)

The Committee also endorses the idea of Prasar Bharati to raise revenue by adopting measures that do not affect the quality of its programmes, and also to earn revenue by leasing out its infrastructure on rental basis to private organizations since its vast infrastructure built at enormous cost is not utilised optimally. However, it should be allowed only after framing the detailed guidelines taking into account the fair compensation for use of costly infrastructure and equipments by outsiders. It should also be ensured that in house production does not suffer on this account and there should not be any scope for malpractice detrimental to the interest of Prasar Bharati. The Committee further recommends the setting up of a Marketing Division and a Strategic Planning Division to streamline and strengthen its functioning and for increasing revenue collection.

Action Taken by the Government

Prasar Bharati has set up AIR Resources in Akashwani Bhawan, Parliament Street, New Delhi with an objective to generate revenue by undertaking profitable ventures in the field of broadcasting and communications. AIR Resources aims towards becoming the national and global provider of broadcast transmission, infrastructure and related services.

For working out the license fee for the infrastructure to be allowed for use by Private/Government Broadcasters, guidelines have been obtained from the Department of Expenditure, Ministry of Finance. The guidelines are used to work out the license fee for the infrastructure.

While allowing the other broadcasters to use Prasar Bharati's infrastructure utmost care is taken to ensure that in house production does not suffer and it also does not affect the quality of programmes.

While on the one hand Prasar Bharati is fulfilling its prime mandate of a Public Service Broadcaster yet on the other hand, is making all out efforts to augment revenue generation. This is being done by way of planned, strategic and aggressive marketing and also by producing customized programmes. Setting up of Marketing Division in different parts of the country is a step in this direction. At present, Prasar Bharati has Marketing Division at Mumbai, Chennai, Bangalore, Hyderabad, Delhi, Kolkata Thiruvananthapuram, Guwahati and Kochi.

A single window facility for all the channels of All India Radio and Doordarshan, Marketing Divisions cater to all the needs of advertising. With the continuous and concrete efforts of these divisions, All India Radio has been able to break its previous records by earning overall revenue of Rs. 268.83 crores in the financial year 2005-06.

Doordarshan infrastructure facilities like studios, satellite uplinks, DSND units and OB vans are already available on rental basis to outside agencies. The rate card has recently been rationalized to make it more attractive.

Recently, a scheme for revenue generation through scroll of local commercials has been started at 10 LPTs, on an experimental basis. Marketing Division has been established at Delhi, Kolkata, Mumbai, Chennai, Hyderabad, Bangalore and Trivandrum.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27-11-2006]

Utilisation of Prasar Bharati Infrastructure

Recommendation (Para No. 107)

The Committee regrets to note that infrastructure built with investment of crores of rupees from the public exchequer for production of programmes at various DD Kendras like Shimla, Shantiniketan and Patna are lying unused. The Committee is perturbed to note that Patna studio recorded only 8.15 hours programme in a month, while only field work is being done at Shimla, Jalpaiguri and Shantiniketan.

Similarly, at various other important places infrastructure has been utilized merely for a few hours in a month which is grossly inadequate *vis-a-vis*, the facilities installed there, resulting in wastage of huge public funds. The Committee is not convinced at all with the explanation that major centres are overstaffed and the smaller ones under staffed which can only be termed as mismanagement, neglect of planning and lack of foresight on the part of Prasar Bharati. The Committee strongly recommends that required steps like redeployment and tapping the local talent etc. be initiated promptly.

Action Taken by the Government

In response to the Committee's recommendations, instructions have been issued to facilitate Kendras like Patna to increase recording hours in the studio and also for expediting the process of construction/ installation for recording purpose in respect of Kendras such as Shimla, Jalpaiguri & Shantiniketan. As gathered from these Kendras, the ENG coverage outside studio premises is now being done and editing, etc. being managed at the temporary set-up at the Kendras. Adequate staff has been deployed at all studios by re-deployment. Efforts are also being made to achieve an optimum utilization of studios.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27-11-2006]

Recommendation (Para No. 108)

The Committee is aware of the misutilisation of Government infrastructure by private producers at various places in connivance with Doordarshan staff. It has been receiving complaints to that effect quite often. In one of the complaints names of officials working for production of programmes of a private producer who is connected with Calcutta DDK have been given. The Committee had passed on those complaints to CEO Prasar Bharati and Secretary I & B. In view of these facts the reasoning that employees are not permitted to undertake private job does not carry on conviction and is clearly by way of after thoughts. The Ministry does not seem to be concerned. The Committee recommends that Prasar Bharati should strengthen and streamline its supervisory/inspecting machinery, conduct surprise checks and submit

a detailed note to the Committee about its findings and necessary steps taken to remedy the malady.

Action Taken by the Government

Vigilance Section of DG : Doordarshan has conducted several surprise checks in inspections of commercial wing, Doordarshan News and several programme sections of Doordarshan Channels. In these raids/surprise checks several irregularities have come to the notice in processing of proposals alongwith processing fee. Action has been initiated including suspension of officials and the finance wing of Doordarshan is conducting the further inquiry. The Chief Vigilance Officer, Prasar Bharati in order to strengthen and streamline the vigilance units of both Doordarshan and AIR has conducted a study of vigilance unit of various public organizations such as VSNL, NTPC and BHEL etc. In his concept paper, he has suggested a special Anti-corruption unit for inspecting machinery/surprise checks. This unit will have flying squads. The use of information technology is also mooted so that several checklists can be made available on web site of vigilance in order to make information readily available.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV dated 27-11-2006]

Recommendation (Para No. 114)

This requires to be investigated and stern action taken against the producer of the programme. Again, Prasar Bharati has installed VLPTs in the area which are unmanned and incapable of transmitting the programmes with clarity to the remote and hilly areas. The Committee views that the explanation given to those problems/deficiencies that the transmitter was not working due to non-supply of electricity, the capacity of production infrastructure was not being tapped fully due to unwillingness of staff to go there and work and that the VLPTs were installed to overcome the shortage of staff, are not convincing at all. The Committee is seriously concerned with the problems of North-East and have already made several strong recommendations on various deficiencies observed in North-Eastern States. The Committee is constrained to observe that no concrete action

is taken on the recommendations. Therefore, the Committee reiterates that Prasar Bharati should take urgent measures to overcome the difficulties/deficiencies in the broadcasting/telecasting services in that area and bring the people of the area in the mainstream who feel alienated and neglected, because of lack of responsive attitude on the part of the Government.

Action Taken by the Government

Phase-I of special NE package was approved in Jan., 02 at a cost of Rs. 46.52 crores. Following schemes of Doordarshan approved as part of Ph.-I of Special package have already been implemented:—

- (i) Cable headends in uncovered villages of 8 NE States (160 No.)—all 160 cable headends installed.
- (ii) Upgradation of 1KW HPTs (DD1) at Shillong, Imphal, Aizawl, Itanagar & Kohima to 10KW HPTs—all the HPTs (5 No.) commissioned.
- (iii) Earth stations at Shillong & Aizawl—both the Earth stations commissioned.
- (iv) Satellite video phones—procured & in use.

Special package (Ph.-II) for improvement and expansion of Doordarshan services in NE region and Island territories has been approved by the Government in May, 2006. The schemes approved under Ph.-II of Special package are as under:—

(a) NE states

2 NE channels

25000 DTH receive units with TV sets (to be provided in uncovered areas of NE States)

HPT, Kokrajhar

Maintenance centres—2 No.

DSNG units—6 No.

Aug. of OB & post production facilities at 3 capital stations.

(b) A&N Islands

HPTs, Port Blair (DD1 & DD News)

New VLPTs (DD1)—10 No.

New VLPTs (DD2)—6 No.

Upgradation of existing VPLTs (DD1)—6 No.

Upgradation of LPT, Car Nicobar (DD1)

New LPT (DD2) Car Nicobar

Maintenance centre—1 No.

Aug. of Port Blair Studio

10 channel C band uplink

1000 C band receive units with TV sets

DSNG for Port Blair

(c) Lakshadweep Islands

New VPLTs (DD2)—6 No.

Upgradation of existing VLPTs—9 No.

Action for implementation of the above package is in progress & the package is expected to be fully implemented by 2008-09. Financial sanctions for all the schemes included in the package have been issued. Tenders for DTH receive units have been received & are under process. Tenders for TV sets, DSNG units, VLPTs & 10 channel C band uplink have been invited.

Phase-I & Phase-II of the special package approved by the Government for improvement and expansion of AIR services in the North-East including Sikkim and Island Territories is given below.

(3) Phase-I

Phase-I was approved in Jan., 2003 at a cost of Rs. 24.8 crore.

This proposal includes 6 projects *i.e.* 10 KW FM Transmitters at Port Blair, Itanagar and Kohima and upgradation of existing uplinking facilities to digital system at Itanagar, Kohima and Guwahati. These projects have been completed except 10 KW FM Transmitter project at Kohima where an interim set up has been provided. Installation of permanent set up is also in progress and will be completed during this year.

(4) Phase-II

Approval of Phase-II of NE Package in respect of All India Radio at a cost of 143.32 crore has since been received in the last week of May, 2006. AIR Proposals approved under Ph-II include:—

1. 19 new FM stations
2. Addl. Channels with FM Tr. at Silchar (5 KW) & Gangtok (10 KW)
3. DSNG/MSS terminals
4. Chinsura-1000 KW MW Tr. (Replacement)
5. Kavaratti-10 KW MW Tr. (Replacement of 1 KW)
6. 100 low power unmanned FM transmitters (100 W)

New sites are to be acquired for the 19 new FM stations & 10 KW MW Transmitter proposed at Kavaratti with the help of the State governments. Site surveys are being conducted and sites for some of the locations like Bomdila, Changlang, Khonsa, Goalpara, Tuipang, Chemphai, Udaipur & Nutan Bazar have been tentatively finalized & demand notes for cost of sites are being got expedited from the State governments.

Procurement of equipment has already been initiated & specifications are under finalization for most of the equipments.

For the proposed 100 Watt FM transmitters, more than 100 places have been identified in consultation with the respective State governments. Finalisation of suitable sites for locating these transmitters is in progress.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-
BC-IV dated 27.11.2006]

Recommendation Para No. 115

The Committee strongly recommends recruitment of the local people who are familiar with the geography and culture of the area and hopefully and present authentic information in programmes. The Committee also hopes that the Government will take suitable measures to overcome reluctance of staff to be posted in North East.

Action Taken by the Government

Government of India has provided for grant of special incentives to the employees posted in the North-Eastern Region. Provisions for these benefits are already contained in the Fundamental Rules/ Supplementary Rules, LTC Rules etc. Prasar Bharati continues to follow these rules.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-
BC-IV dated 27.11.2006]

Recommendation Para No. 116

The 50 K.W. Transmitter should be upgraded at the earliest and step taken to overcome the erratic power supply so that transmission may reach the remote border areas. Urgent action should be taken to attend to the problems of VLPTs and wherever possible faulty VLPTs should be replaced with LPTs which have higher range and are less fault prone. The senior officers should make surprise visits to the area to tone up the administrative machinery.

Para 116 of Twenty Fifth Report of Standing Committee on Information Technology (13th Lok Sabha)

Action Taken by the Government

At present, there are 369 VLPTs in Doordarshan network. Most of these transmitters are located in remote and hilly areas for providing coverage to small pockets of population. These are unmanned transmitters and run on solar supply. Power supply at some transmitters has also been provided. Maintenance requirements of these transmitters are catered to by the Maintenance centres, which are located away from the VLPTs. In case of any breakdown it takes some time for the fault to be attended to, as the staff is rushed from the nearby maintenance centre.

VLPTs are unmanned installations whereas LPTs are manned installations. In case, VLPTs are replaced by LPTs, there would be requirement of additional staff. Already there is acute shortage of staff in Doordarshan Network. Doordarshan does not propose to replace the

Annexure "J" to the writ petition
being : copy of the notice dated
29th September, 2000.

PRASAR BHARTI

(BROADCASTING CORPORATION OF INDIA)

Doordarshan Kendra : Calcutta

Ref. No. DDK/CAL/SPONS./5-41/2000

Dated
29.09.2000

To

M/s. Rainbow Production Pvt. Ltd.,
Navina Cinema Building (4th Floor),
85A, Prince Anwarshah Road,
Calcutta-700 033

Sub : Daily Serial 'Mukha Mukhi' (sponsored) being telecast
at 09.50 p.m. on DD-7.

Dear Sir,

In view of Doordarshan's transmission priority a decision has
been taken to discontinue to telecast of your above programme 'Mukha
Mukhi' being telecast from 9.30 p.m. to 10.20 p.m. w.e.f. 16th Oct.
2000.

Please treat this as notice of termination in terms of the Agreement
dated 30.1.2000.

It will be highly appreciated if you please arrange to the
outstanding dues already intimated to you, most urgently.

The receipt of this communication may please be acknowledged.

Yours faithfully.

sd/-
for Director

Annexure "J" to the writ petition
being : copy of the notice dated
29th September, 2000.

PRASAR BHARTI

(BROADCASTING CORPORATION OF INDIA)

Doordarshan Kendra : Calcutta

Ref. No. DDR/CAL/SPONS./

Dated 29.09.2000

To

M/s. Rainbow Production Pvt. Ltd.
Navina Cinema Building (4th Floor),
85A, Prince Anwarshah Road,
Calcutta-700 033

Sub : Sponsored programme 'Suprabhat' being telecast at
06.55 a.m. on DD-7.

Dear Sir,

The undersigned is desired to inform you that in view of the Doordarshan's transmission priority, it has been decided to telecast your daily serial Suprabhat for 260 day (Two hundred sixty) of telecast, ending on 15th October, 2001.

You are accordingly requested to collect the revised memorandum of agreement effective from 16th October, 2000 from this kendra.

Please confirm your acceptance and furnish the signed agreement required for the above telecast, most urgently.

Kindly acknowledge the receipt of this communication.

Yours faithfully.

sd/-
for Director

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT

Sale of Air Time slots on Doordarshan Metro

Recommendation Para No. 68

Committee finds that Commercial earnings of Doordarshan Metro Channel was continuously declining in the later part of 1990s. Revenue realisation had come down from Rs. 100 crore to Rs. 50 crore in 1999. On the other hand, earnings of private Hindi Channels had increased from Rs. 200 crore to Rs. 400 crore during this period. On commercial considerations Prasar Bharati sold its prime time slots from 1900 hrs. to 2100 hrs. and from 2100 hrs. to 2200 hrs. for Rs. 59 crore and Rs. 62.5 crore respectively for one year to a company, in which Channel Nine Network Australia PTY Ltd. has substantial stake. It is ironical that a company with substantial foreign stake will produce entertainment programmes in Hindi for Indian viewers.

Action Taken by the Government

It is submitted that though M/s Channel Nine Network Australia PTY Ltd., were awarded the contract for telecast of programme on DD-Metro, they were not producing any programmes on their own but were outsourcing the programmes from reputed Indian production houses, as per the requirements of DD-Metro. These production houses had earlier worked for various channels of Doordarshan. Some of the producers who worked for M/s Channel Nine were M/s Balaji Telefilms, M/s Numero Uno, M/s Cinevista Communications, M/s Firework Productions, M/s Softline, M/s Nimbut, M/s UTV, M/s B.A.G. F i l m s , M/s B.R. Films, M/s Siddhant Cinevision etc. M/s Channel Nine

Network Australia PTY. Ltd. had a full dedicated team for marketing which could procure good marketing support for the programmes since they understood nuances of production modalities.

Other leading Satellite Channels like Star and Sony are also basically foreign channels catering to the entertainment needs of Indian audience, they are also sourcing the programme from those producers who provided the software to M/s Channel 9. Doordarshan had the final editorial authority and it is a fact that revenues of DD Metro were steadily declining prior to the financial year 2000-2001. In 1996-97, DD Metro revenues stood at Rs.102.74 crore which declined to Rs.93.79 crore in 1997-98 and Rs.7351 crore in 1998-99 in 1999-2000 it further came down Rs.46.18 crore. A major reason for this decline was the rising growth of cable and satellite homes. As per available market data, there were 9.30 million C&S homes in June 1995 which rose to 11 million in December 1996. In June 1998 this figure went to 14.4 million. In December, 1999 it crossed 20 million and as per the market estimates it is now around 40 million. Because of steady growth of cable and satellite homes, the market which had earlier been virtually monopolized by DD, gradually started getting more and more fragmented. Because of this, the revenue share of DD started falling.

So far as selling of prime time slots from 7.00 PM to 10.00 PM for an amount of Rs.121.5 crore in one year to M/s Channel Nine Network is concerned, the decision cannot be faulted from commercial point of view. After terminating the contract DD's revenue has come down.

The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.

(Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV, dated 27.11.2006)

Recommendation Para No. 71

The Committee is unable to appreciate the justification to sell out important time slots to foreign/private companies on the plea that the

agreement would be restricted to a period of only one year on a performance test. Moreover, the policy of Prasar Bharati to do Prime Time programming primarily on commercial and market consideration does not conform to the mandate given to it. Since prime time is most important slot, the Committee desires that prime time programming should conform to the mandate of Prasar Bharati as a Public Service Broadcaster instead of being solely guided by commercial and market considerations.

Action Taken by the Government

The profile of Metro Channel is purely entertainment and it stands in direct competition with other Satellite Channels like Star, Zee and Sony. The revenue generated through entertainment programmes on DD-2 is used for Subsidizing Public Service Broadcast in National Channel where the focus is on Education & Information which are in the nature of Public Utility Services. Prime time revenue is used for Public Service Broadcasting.

The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV, dated 27.11.2006]

Programmes Review and Planning (PRP) Committee

Recommendation Para No. 78

The Committee takes a serious note of the casual approach of Prasar Bharati in posting key officials like DG (AIR) and DG (DD) and the manner in which such important matters are discussed and recorded. The minutes of Programmes Review and Planning (PRP) meeting held on 8 March, 2000 has allegedly wrongly recorded that there would be no posts of DG (AIR) and DG (DD). It is strange that the alleged mistake was not detected by anyone and the same came to light six months later on 5 September, 2000 when this Committee pointed it out. The Committee views it as a strange phenomenon that the Secretary, I&B and CEO, Prasar Bharati were not even aware of

the existence of the PRP Committee in Prasar Bharati until the issue was raised in the meeting of the Committee. The minutes referred to above give rise to the reasonable doubt about the real/intention of Prasar Bharati with regard to the filling of the posts of DG (AIR) and DG (DD) which are lying vacant for 3 years. The Committee is unable to accept simplistic if not naive, explanation about the so-called mistake and is of the view that the Ministry minutes should not only categorically disclose its decision but should also take early steps to fill up the important posts.

Action Taken by the Government

Director General of AIR is in position. Selection for Director General, Doordarshan is in process in Prasar Bharati Secretariat.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV, dated 27.11.2006]

Gyandarshan Channel:

Recommendation Para No. 89

The Committee notes with satisfaction that Prasar Bharati recognising the significance of increased educational and informative programmes has started an exclusive channel by the name of "Gyandarshan" which is broadcasting UGC programmes and other educative/informative programmes in the morning. However, the Committee finds that people at large are not even aware of the existence of such a channel, since it is a satellite channel and cable operators are unwilling to screen the same. Besides, the Committee also observes that duration of programmes (two and half hours) is grossly inadequate. The Committee, therefore, strongly recommends that "Gyandarshan" channel be converted into a terrestrial channel to make it available to the people directly without involvement of Cable Operators. The Government should also take all necessary steps expeditiously to popularise it, increase the duration and improve the quality of its contents. Prasar Bharati requires to render more active contribution in coordination with Ministry of Human Resource Development, since spread of education is one of the important

component of its statutory mandate. The Committee also notes that production, broadcast and telecast of programmes on the themes involving health care, family welfare, social welfare and population control should receive greater thrust in the interest of the society and the country at large.

Action Taken by the Government

Gyan Darshan is a 24 hour satellite channel. Doordarshan has only provided a transponder on the satellite to the HRD Ministry. EMPC of INDIRA GANDHI NATIONAL OPEN UNIVERSITY is the coordinator for contents on this channel received from diverse sources. Therefore a decision to make this a terrestrial channel will need to be taken by that Ministry. Doordarshan continues to provide a 2 hour window to this channel in the terrestrial mode.

Apart from Gyandarshan programmes, Doordarshan is telecasting other educational programmes on various subjects Doordarshan is telecasting other educational programmes on various subjects, including the following:—

- (a) Environmental issues
- (b) Health and Family Welfare Programmes
- (c) Adult Literacy
- (d) Non-formal Education
- (e) History, Culture and Heritage
- (f) Women Issues

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-
BC-IV, dated 27.11.2006]

Broadcasting Services in the North-East

Recommendation Para No. 113

The Committee notes with serious concern that sensitive North-

Eastern States, which are facing serious insurgency problem, are not being paid due attention by Prasar Bharati, since even in Kohima, the capital of Nagaland, only four Doordarshan officials were in position producing 58 minutes programme in a week, as 72 posts have been abolished in 1996 and 31 posts are lying vacant. The Committee is perturbed at the casual and negligent attitude of Doordarshan, as in a TV programme telecast at 1.30 p.m. to 2.00 p.m. on the North East, the demographic scenes were shown from some other place while commentary was made for another place from the same footage which amounts to disinformation and playing with the sentiments of the local people.

Action Taken by the Government

It is true that a good number of posts have been lying vacant in all Kendras and position at DDK Kohima is much better. However the available officers and staff are producing programmes to meet daily software requirement for two hours transmission, 6.00 PM to 8.00 PM from Monday to Friday. To supplement the in-house production, the Kendra also commissioned local producers for producing programmes on health, agriculture, social welfare, music, art & culture, folk music & dance, education, water supply minor irrigation etc. and also cover important events taking place within the State of Nagaland.

It is also a fact that the available staff in the Kendra with the help of outside producers are meeting the daily programmes requirements for the two hours transmission.

Regarding the programme telecast between 1.30 PM to 2.00 PM all the cassettes of all the programmes telecast over Doordarshan on Sundays between 1.30 p.m. to 2.00 p.m. during the months of May, June, July 2000 have been checked. Nowhere has Tripura been either written in the script or mentioned in the commentary. It was also not found that visuals of a particular state were shown while mention of another state was being made.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-
BC-IV, dated 27.11.2006]

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Recommendation Para No. 70

The Committee is not convinced by the reasoning advanced by Prasar Bharati for accepting single bid tender for time slot 2100 hrs. to 2200 hrs. The Committee is at a loss to understand that a Corporation like Prasar Bharati, entrusted with the responsibility of informing and enlightening the people inside and outside the country, should be guided by the rules adopted in the CPWD when it comes to such sensitive issues like awarding of programmes. Prasar Bharati should have made attempts to attract more competitors to ensure a fair and transparent action. The Corporation also needs to modify its tendering process and make copies of the same available to this Committee for its perusal.

Action Taken by the Government

Prasar Bharati does not have any rules of its own for inviting tenders/bids. Prasar Bharati was guided by the CPWD rules since CPWD is also a Department of the Central Government which executes all its jobs through award of contracts under bids. The procedural commonalities are taken as base as per the requirements of Doordarshan. The process of inviting bids and processing them were conducted in a fair and most transparent manner to attract maximum competitors. On the first occasion, there was no response for the prime time slots when a minimum floor price was fixed. The bids were again invited without floor price and also widely publicized on TV, Radio and newspapers. But only three bidders participated in the bids for the prime time. The bids amount quoted by the bidders was found to be lower than even

the telecast fee. Therefore, bids were rejected with the approval of Prasar Bharati Board.

The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV, dated 27.11.2006]

Comments of the Committee

(Please *see* Paragraph No. 17 of Chapter I)

Recommendation Para No. 72

The Committee notes that time slots will be made available for telecasting the programmes produced by Channel Nine Network Australia PTY Ltd. for a total of six hours at the consideration of Rs. 122 crore. The Committee feels that allotting everyday six hours' slot to a private company is a serious matter involving far reaching consequences. The Committee is not convinced that all such matters were considered before taking the decision. Though the Committee is not against private participation it recommends that the Corporation should adopt a clear and firm policy on this aspect by taking the views of expert bodies and public representatives and should lay down suitable guidelines to ensure transparency and telecast of suitable programmes consistent with the objectives of Prasar Bharati.

Action Taken by the Government

Though the duration of telecast is 6 hours a day, the actual telecast is only for 3 hours daily which was repeated for 3 hours the following day, on non prime time. We will ensure transparency.

The Metro Channel has been replaced by the 24 hours news channel DD News from 3rd November, 2003.

[Ministry of Information and Broadcasting O.M. No. 18/10/2001-BC-IV, dated 27.11.2006]

Comments of the Committee

(Please *see* Paragraph No. 17 of Chapter I)

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH
REPLIES OF GOVERNMENT ARE INTERIM IN NATURE

-NIL-

NEW DELHI;
13 December, 2006

22 Agrahayana, 1928 (Saka)

NIKHIL KUMAR,
Chairman,
Standing Committee on Information
Technology.

ANNEXURE I

MINUTES OF THE FIFTH SITTING OF THE STANDING
COMMITTEE ON INFORMATION TECHNOLOGY
(2006-2007)

The Committee sat on Wednesday, the 13th December, 2006 from 1500 hours to 1615 hours in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Nikhil Kumar — *Chairman*

MEMBERS

Lok Sabha

2. Shri Nikhil Kumar Choudhary
3. Shri Sanjay Shamrao Dhotre
4. Shri Sohan Potai
5. Shri Tathagat Satpathy

Rajya Sabha

6. Shri Vijay J. Darda
7. Shri Praveen Rashtrapal
8. Shri A. Vijayaragahavan
9. Shri Shyam Benegal

SECRETARIAT

1. Shri P. Sreedharan — *Joint Secretary*
2. Shri Raj Shekher Sharma — *Director*
3. Shri Cyril John — *Under Secretary*

2. At the outset, the Chairman welcomed the Members to the sitting of the Committee. The Committee then took up for consideration the following Draft Reports and adopted the same with some modification:—

(i) *** *** *** *** ***

(ii) Draft Report on Action Taken by the Government on the Recommendations/Observations of the Committee contained in their Twenty-Fifth Report (Thirteenth Lok Sabha) on 'Working of Prasar Bharati' pertaining to Ministry of Information & Broadcasting.

(iii) *** *** *** *** ***

3. The Committee, then, authorised the Chairman to finalise and present the above mentioned Reports to the House on a date and time convenient to him.

The Committee then adjourned.

ANNEXURE II

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE
TWENTY-FIFTH REPORT (THIRTEENTH LOK SABHA)

[Vide Paragraph No. 5 of Introduction]

- (i) Recommendations/Observations which have been accepted by the Government::

Paragraph Nos. : 10, 16, 19, 51-58, 69, 79, 82, 83, 92, 95, 98, 103,
104, 107, 108 and 114-116

Total : 25

Percentage : 78.12%

- (ii) Recommendations/Observations which the Committee do not desire to pursue in view of the replies of the Government:

Paragraph Nos. : 68, 71, 78, 89 and 113

Total : 05

Percentage : 15.62%

- (iii) Recommendations/Observations in respect of which the replies of the Government have not been accepted by the Committee and which require reiteration:

Paragraph Nos. : 70 and 72

Total : 02

Percentage : 6.25%

- (iv) Recommendations/Observations in respect of which the replies are of interim nature:

Paragraph No. : Nil

Total : Nil

Percentage : Nil