

**OUTSIDE PRODUCTION—  
DOORDARSHAN**

**MINISTRY OF INFORMATION AND  
BROADCASTING**

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**PUBLIC ACCOUNTS  
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**TENTH LOK SABHA**



LOK SABHA SECRETARIAT  
NEW DELHI

**FIFTY-SEVENTH REPORT**  
**PUBLIC ACCOUNTS COMMITTEE**  
**(1993-94)**

**(TENTH LOK SABHA)**

**OUTSIDE PRODUCTION — DOORDARSHAN**

**MINISTRY OF INFORMATION AND BROADCASTING**



*Presented to Lok Sabha on 4.3.1994*  
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**LOK SABHA SECRETARIAT**  
**NEW DELHI**

*February, 1994 / Magha, 1915 (Saka)*

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### PART II\*

Minutes of the sittings of Public Accounts Committee held on 27.1.1993, 15.2.1993 and 24.1.1994

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\*Not printed (one cyclostyled copy laid on the Table of the House and five copies placed in Parliament Library)

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(1993-94)

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## INTRODUCTION

1. The Chairman of the Public Accounts Committee do present on their behalf this 57th Report of the Committee on Paragraph 5 of the Report of the C&AG of India for the year ended 31 March, 1990, No. 13 of 1991, Union Government (Civil) relating to Outside Production—Doordarshan.

2. The Report of the C&AG of India for the year ended 31 March, 1990, No. 13 of 1991, Union Government, Civil was laid on the Table of the House on 7 August, 1991.

3. In this Report the Committee have found several short-comings relating to the production of commissioned programmes in Doordarshan by outside producers. The inadequacies/short-comings were, absence of planning regarding programme requirements, absence of procedure in the selection/empanelment of producers, defects in the costing techniques, delay in production, delay in telecast of programmes, incorrect procedure adopted in respect of security deposit and deduction of income-tax at source, sharing of copyrights with the producers, absence of guidelines/instructions to regulate the administration of the scheme and above all, lack of control of the Ministry over Doordarshan in this regard. The Ministry of Information and Broadcasting have admitted the shortcomings. The Committee have recommended that the Ministry should undertake a comprehensive review of the scheme in the light of the shortcomings and take appropriate corrective/remedial measures with a view to ensuring that the in-house talents are exploited to the maximum and the outside production is undertaken in a manner so as to achieve the underlined objectives behind the scheme within the laid down guidelines/policies.

4. The Report of the Committee has also revealed several individual instances of irregularities in the programmes produced by outside producers under the commissioned programmes. The Committee have deplored that the laxity on the part of the authorities resulted in delay, extra expenditure, accommodation to the producers at the cost of the exchequer and several other irregularities. They have recommended that all those cases should be thoroughly inquired into the responsibility fixed for the lapses.

5. The Committee have been surprised to find that the proforma accounts of Doordarshan have not been finalised since the years 1977-78 onwards. Rejecting the reasons advanced by the Ministry in this regard, the Committee have opined that the officers in the Ministry and Doordarshan who were responsible for the maintenance and overseeing of these accounts were negligent in their duties and that responsibilities should

be fixed for the lapses. They have recommended that the Ministry of I & B should in consultation with the Comptroller and Auditor General of India find out ways and means of maintenance of the proforma accounts up to date.

6. The Committee (1992-93) examined the Audit Paragraph at their sittings held on 27 January, 1993 and 15 February, 1993.

7. The Committee (1993-94) considered and finalised the Report at their sitting held on 24 January, 1994. Minutes of the sitting form Part II\* of the Report.

8. For facility of reference and convenience the observations and recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in Appendix III of the Report.

9. The Committee place on record their appreciation of the commendable work done by the Public Accounts Committee (1992-93) in taking evidence and obtaining information for the Report.

10. The Committee express their thanks to the officers of the Ministry of Information & Broadcasting and Directorate of Doordarshan for the cooperation extended by them in furnishing information and tendering evidence before the Committee.

11. The Committee also place on record their appreciation of the assistance rendered to them in the matter by the office of the Comptroller & Auditor General of India.

NEW DELHI;  
February 1, 1994  

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Magha 12, 1915 (Saka)

BHAGWAN SHANKAR RAWAT,  
Chairman,  
Public Accounts Committee.



## REPORT

This Report is based on paragraph 5 of the Report of the C&AG of India for the year ended 31 March, 1990, No. 13 of 1991, Union Government—Civil relating to Outside Production—Doordarshan which is appended at Appendix I to the Report.

### Introductory

2. In addition to programmes produced in-house, Doordarshan also follows a system of assigning the production of programmes to outside producers. The programmes produced outside include those on centenaries and anniversaries, news and current affairs, sports, national integration, telefilms, teleplays, documentaries and serials on youth, environment, culture, development, science and technology etc.

3. The programmes produced by outside producers basically falls into two categories viz. commissioned programmes and sponsored programmes. The former is essentially a programme of Doordarshan except that after the approval of the conceptualisation and other essential parameters by Doordarshan, actual production is done by outside producers, known as Executive producers. In case of the latter, the producer invests his own money and Doordarshan only approves the programme offered by him.

4. Asked about the main objectives/advantages in assigning the production of programmes to outside producers instead of entrusting the jobs to agencies under Government or organisations controlled by Government, the Ministry of Information and Broadcasting in a note stated:

“The rapid expansion of Doordarshan and the immense diversity of its programme requirements make it necessary to supplement the inhouse effort of Doordarshan with that of the outside producers. It is also considered necessary to provide an outlet to the talent pool of young producers that has been built up in this country since the early eighties. Furthermore, this system encourages the production of programmes which may not be found attractive in the strict commercial sense but for which there is a distinct need in the larger interest of the society e.g. programmes which promote healthy socio-cultural values, life history of eminent national/international personalities, welfare of women, children and the weaker sections of the society.”

### *Procedure for awarding production of programmes to outside producers*

5. According to the Ministry of Information & Broadcasting earlier, the proposals for Commissioned Programmes in the Regional languages were

received at the various Kendras and the proposals in Hindi or English, for the National Network were received for processing at the Directorate. The proposals received in the Kendras for programmes in the regional languages were initially scrutinised by the Screening Committee of the Kendra under the Chairmanship of the Director of the Kendra. The proposals were, thereafter, sent to the Directorate for processing.

6. The proposals received from the Kendras in respect of Regional programmes along with proposals received by the Directorate for the National Network were scrutinised at various levels for their suitability to the medium with reference to their treatment and content, the competence of the Producer, Director, Technical crew etc. and the viability of the proposals in terms of the budget requested. Once a proposal was found to have the necessary potential for funding by Doordarshan, it was referred to the Costing Committee which met from time to time, under the Chairmanship of the Director General, Doordarshan. The Costing Committee consisting of senior officers of the concerned Wing of Programme, viz. Dy. Director General, Controller of Programmes, Deputy Controller of Programmes, Additional Director General (Admn.), Director (Finance) and a designated representative from the Ministry, discussed the proposals, accorded approval and sanctioned an appropriate budget.

7. The concerned Producers and the respective Doordarshan Kendra in whose Zone they resided were then apprised about the decision of the Costing Committee. An agreement is, thereafter signed between the outside producer and the Director of the Kendra spelling out the format, duration, number of episodes, time schedule, mode of payment. Thereafter, the Kendra, monitored the progress in stages and also released further instalments of the advance as per agreement.

8. Apprising the Committee of the system of processing of programmes the DG Doordarshan stated as follows:—

“Once the producer had submitted a proposal, it would be seen by an Assistant Controller of Programmes who knows the language, Deputy Controller of Programmes, Controller of Programmes, Deputy Director-General and finally it comes to the Director-General for concept approval. The first person who would go through the entire script, prepares a synopsis. But at all the levels, the script will be gone into before the Director-General gives the concept approval. Only after the concept has been cleared by the Director-General, it will go to the Costing Committee.”

### *Financial Outlay*

9. The budget allocation and actual expenditure (both Plan and non-Plan) on programmes made by outside producers during 1985-86 to 1989-90 were as follows:

Financial Year	Budget allocation	Amount expended (in lakhs)	Excess of Shortfalls
1985-86	40.00	40.00	—
1986-87	600.00	231.35	61% (Approx. shortfall)
1987-88	528.95	853.44	61% (Approx. excess)
1988-89	1023.90	2190.77	114% (Approx. excess)
1989-90	2753.16	2276.23	17% (Approx. shortfall)

10. It will be seen from the above that as against the budget allocation of Rs. 4946.01 lakhs, the expenditure incurred during the period 1985-86 to 1989-90 on programmes made by outside producers was Rs. 5,591.79 lakhs.

11. According to the Ministry the reasons for the excess expenditure incurred during 1987-89 is due to the expansion of the services, introduction of afternoon transmission based on commissioned programmes. The closure of acceptance of new sponsored proposals in 1986, also contributed sizeably to an increase in commissioning of programmes which added to the expenditure. The additional reasons for excess amount were, topical exigencies and diversification of commissioning activity.

12. The Committee wanted to know the budget allocations made for the year 1990-92 and the expenditure incurred during that period on programmes made by outside producers. However the Ministry could not furnish this information to the Committee.

### *Physical performance*

13. According to Audit, Doordarshan did not furnish information regarding the total number of proposals received from outside producers and the number of contracts entered into at Delhi as well as at other Kendras for different categories of programmes. In this context, the Committee desired to be furnished with the details of the number of proposals received from outside producers, the number of contracts concluded and the number of programmes completed against those contracts each year in respect of the period 1985-86 to 1989-90. In a note furnished to the Committee, the Ministry of Information and Broadcasting stated that in all 748 contracts were concluded with outside producers during the period 1985—90 and out of that 562 programmes have been completed.

14. As regards data about the proposals received, the Ministry in a note stated:

“No complete/authentic record is available with Doordarshan regarding the proposals received by various Kendras and the Directorate during last 5 years.”

15. On being asked about the reasons for non-availability of this basic information in the Ministry, the Secretary, Ministry of Information & Broadcasting stated during evidence:—

“.....No records were kept and whatever records were there, they were kept with the Doordarshan. Unfortunately, they did not keep the records systematically. They should have entered every proposal in a diary and gone into one by one but that was not done....”

16. While stating the corrective action taken for ensuring a proper system of information, the Ministry stated that the revised guidelines issued on 17 March 1992 on Commissioned Programmes now provide that all proposals received by Kendras/Directorate will be registered by them and will be allotted a serial number. Further, in order to streamline the procedure of commissioning of programmes a Central Commissioning Unit had since been set up in 1990 headed by a Controller of Programmes in Doordarshan which oversees the commissioning of programmes. Also computers have now been introduced for the maintenance of records pertaining to outside producers.

*Absence of any planning regarding programme requirements*

17. On an enquiry from the Committee as to what planning was done about the total number of programmes required by Doordarshan over a period of time, the Secretary, Ministry of Information & Broadcasting during evidence stated:

“...In the 80s, to which Audit Para pertains, time allotment was not consistent over a period. First it was not two hours per day, then it was increased to three hours, and then to four, five and so on. As time increased, demand also increased.”

18. Asked further whether any exercise was done to assess the requirement of programmes by Doordarshan in a particular period, the Secretary of the Ministry informed the Committee that “earlier there was no such planning”.

19. Elaborating the point, the Ministry of I&B in a note stated as follows:

“Prior to the issuance of the comprehensive guidelines for Commissioned Programmes on 01.01.1992 (revised later on 17.03.1992) according to which Doordarshan is required to invite proposals on various themes depending upon its programme requirement, proposals for Commissioned Programmes were predominantly being

received by Doordarshan *suo-moto* and decisions taken thereon depending upon the merit of the proposal. No separate exercise to decide total number of commissioned programmes to be approved in a particular year was carried out by Doordarshan."

20. Recounting the rectificatory steps since taken, the Ministry in a post-evidence note stated:—

"Consequent upon assurance of revised guidelines for telecast of programmes in Commissioned Programme Scheme, Doordarshan shall, in accordance with its programme requirements over a period of time, consider proposals for the production of programmes on a particular subject and format based on the concept, treatment and script fully approved by Doordarshan. The requirement of the commissioned programmes to be assigned during a financial year shall be worked out by the Doordarshan Directorate in the 3rd quarter of the preceding financial year."

*Selection/Empanelment of Producers*

21. According to the Audit Paragraph, the producers were decided by the Director General, Doordarshan on the basis of their previous experience or eminence. Doordarshan did not maintain a panel of producers.

22. On being enquired about the criteria prescribed for the selection of producers for the production of programmes, the Ministry of I&B stated that the criteria prescribed for the selection of producers till 1991 was as follows:—

- (i) Eminence of the producer in the field;
- (ii) Track record of Producers;
- (iii) Experience in independent productions to his/her credit;
- (iv) National and International awards/recognition won (by the producer); and
- (v) Qualifications in drama, music, dance, literature, journalism, mass communication etc.; Diploma/Degree in acting/direction/editing etc. from Film and TV Institute of Pune, Film Institute of State Capitals, National School of Drama, Indian Institute of Mass Communication (etc.)

23. During the course of examination, the Committee found that the Films Division under the Ministry of Information & Broadcasting prepares a panel of Producers every two years and invites tenders from producers out of the panel of approved producers for product of films. For the purpose of preparing a fresh panel, a Committee constituted by the Government reviews the existing panel of producers and considers alterations in the panel on the basis of the experience of the producer as well as other senior unit members, a preview by the Committee of

the specimen work produced earlier and the past performance of the producer in respect of assignment(s) given by Films Division to him.

24. On an enquiry from the Committee as to why Doordarshan did not prepare a panel of producers as was done by Films Division, the Ministry of Information & Broadcasting have stated that:

"Doordarshan has not considered it necessary to prepare such a panel in the past considering its requirement. However, now, according to the revised guidelines dated 17.3.1992 on Commissioned Programmes, Doordarshan is also required to maintain a panel of eminent producers/Directors on the basis of good track record for producing good quality programmes and or their potential for doing so by virtue of their literary and artistic talent."

25. Replying to a related query during evidence the DG Doordarshan informed the Committee that they, in fact, had a panel of producers. On being asked to elaborate, the Secretary, I&B stated:—

"I believe that it was Zutshi Committee. It was set up in 1987-88. It said that a panel should be made. But the Panel was not operative. It started operating after March 1992. They had the idea who were the people who can produce. Then they chose the people."

26. The Committee desired to know whether the Ministry have ever considered the desirability of putting out public lists of eminent and experienced producers in different grades e.g. A, B & C and give chance to the lesser known upcoming producers. The Ministry of I&B have stated that a formal system of gradation of producers by any Committee was not considered desirable. The eminence and work record of different producers was kept in view by Doordarshan while soliciting their services. According to the Ministry, programmes were also assigned to lesser known and upcoming producers with good academic qualification and field experience so that they could prove their merit in future.

27. The Committee enquired as to how Doordarshan evaluated previous production of producers bidding for contracts and whether any surveys/studies had been conducted with the idea of getting feedback on the programmes. The Ministry of I&B in a written note have stated:

"The initial scrutiny of Doordarshan included scrutiny of the bio-data of the entire production team. Also the Costing Committee consisted of professionals and their evaluation was based on their knowledge and expertise. Doordarshan has not conducted any survey/study with the sole idea of getting the feed back on programmes produced by outside agencies. This, however, does not mean that Doordarshan do not receive any feed back on programmes produced by outside agencies. The feed back on account of the general audience survey conducted by Doordarshan for example of the morning transmission or afternoon transmission do provide a feed back in respect of the

Commissioned Programmes. Similarly, the general survey on films or tele-films telecast by Doordarshan also give an indication of the views/reaction in respect of the Commissioned Programmes. In addition to the letters from viewers, Press review etc. also enable Doordarshan to assess the popularity and acceptability of their programmes. Moreover evaluation of previous production is necessary only for the purpose of awarding contracts to the Producers. Since a decision is taken on assignment of projects by professionals who have intimate knowledge of the medium, no separate study is perhaps required to obtain feed back."

28. As regards the procedure followed in awarding a particular programme either to a Government agency or to an outside producer, the DG, Doordarshan informed the Committee that it depends upon the kind of infrastructure, technical facilities, expertise of the people and so on.

29. Asked further whether the Government agencies are given the preference in case all the requisite facilities are available with them, the witness added:—

"Our aim is to encourage in-home talent. We take into account whether a particular programme can be done better by in-home talent or outsiders."

30. The Committee were informed that after the issue of instructions in 1992, a system has now been evolved in Doordarshan for empanelment of producers. The Empanelment Committee in Doordarshan now prepares the panel of producers. The Director General, Doordarshan is the Chairman of the Committee. The Deputy Director General (DDG) who looks after the commissioned programmes and the controller of programmes of that category are the other members of the Committee. The Committee are informed that it is purely an internal Committee consisting of no outsiders.

31. Asked about the criteria adopted by the Committee for empanelment of Producers, the Ministry of Information and Broadcasting in a written note listed the following criteria:—

- (a) Past experience in Film/Television medium (supported by documentary evidence).
- (b) Diploma holders in film direction of the Film and Television Institute of India, Pune and Film and Television Institute, Madras.
- (c) Graduates of Jamia Millia and Diploma holders of the National School of Drama who have done some work in the film/television medium after their graduation.

32. The Committee enquired about the number of producers empanelled so far. The DG, Doordarshan informed the Committee that there are about 1300 approved producers and directors and about 400 are in the waiting list.

33. In a post evidence note furnished to the Committee it was further stated that 41 Producers/Directors have been empanelled for News and Current Affairs etc. done in the year 1992. This was in addition to 1284 Producers/Directors empanelled by Zutshi Committee.

34. The Committee enquired whether the reasons were recorded by the empanelment Committee in the cases of rejected candidates. The Director-General, Doordarshan stated in evidence:—

“The only record which we have is that the Committee scrutinised all the applications. The Official decision whether approved or rejected has been recorded. No speaking order has been recorded. This is a lacuna which we will correct. Hereafter we will make it a speaking order giving the specific reasons.”

35. On being enquired whether the producers were being intimated the reasons for which their proposals were rejected, the witness added:—

“We do not give any reasons. The Committee decision is conveyed, that they were rejected or accepted.”

36. In this context, the Committee consider it relevant to quote a case of a rejected candidate (M/s. United Artists Pvt. Ltd.) which among others engaged their attention. The perusal of the relevant file revealed that the said producers whose case for empanelment was rejected had written to the then Minister of Information and Broadcasting for justice. The file revealed that Minister had desired to know the reason for denial and appropriate action quickly. There was nothing more on that file. Replying to a related question during evidence as to why action taken on the Minister's query was not recorded in the file, the DG, Doordarshan stated as follows:—

“I have accepted the lacuna in the system. This is the system weakness, which I will correct.”

37. Asked further as to how the Minister's query was resolved, the Ministry in a post evidence note have stated:—

“M/s. United Artist Pvt. Ltd. had applied for empanelment in different categories. The empanelment Committee decided to empanel M/s. United Artists Pvt. Ltd. (Smt. Usha Joshi) for documentaries as she was on the staff of Doordarshan and her expertise was found relevant only for documentaries. However, she sent a representation through Private Secretary to MIB for reconsideration as she wanted empanelment for more areas such as current affairs, science programmes, children programmes, etc. Her representation was placed in the agenda for the next meeting of the Empanelment Committee which has not yet been held.”



38. As regards remedial action proposed to be taken in future, the Ministry in a post-evidence note stated:—

- ◆ “The decision on the file would be recorded in the form of a speaking order.”

#### *Costing of Programmes*

39. It is seen from the Audit Paragraph that there were no standard rates prescribed for production of different categories of programmes and the cost of each programme was determined by the costing committee taking into account the budget break-up projected by the producer.

40. The Committee desired to know the rates for different categories of programmes which the costing committee kept in view while considering the cost of production of different categories of programmes. The Ministry informed the Committee that the average range by which the payments were decided by the costing committee varied with the format, contents, creative involvement, locations, inputs involved, eminence of the cast and crew etc. As the rates were variable, maintaining a standard schedule of rates for different categories of programmes was not considered feasible.

41. To a specific query as to how elements of cost of production and their reasonableness were judged by the members of the costing committee, the Ministry stated that the applicant was required to give a budget break-up of the cost of production alongwith his application. These elements of cost of production and their reasonableness were judged by the members of the costing committee by mutual consultations and deliberations during the meetings. The members being professionals having considerable experience in the media were reasonably aware of the prevalent costs of production in various categories and formats.

42. It is seen from the Audit paragraph that decisions of the costing committee were essentially arrived at on collective deliberations and details of discussions were not recorded. In this connection the Committee specifically desired to know as to how the Ministry evaluated the decisions of the costing committee in the absence of any written minutes of their deliberations. The Ministry in a note stated that the decisions of the costing committee were based on a thorough examination of several factors at the processing stage itself by various levels of officers. In a creative medium like TV, the evaluation is based on professional experience and practical knowledge of actual operations at the field level.

43. It was further seen from the Audit paragraph that no written guidelines were issued to regulate the working of the costing committee. To a related query during evidence, the Secretary, Ministry of I&B stated that there were so many variables involved in it. Therefore it was very difficult to lay down a very hard and fast rule about the functioning of the costing committee.

◆ 44. However, according to the revised guidelines issued by the

Ministry on 17 March, 1992, the costing committee is required to clearly specify in the Minutes the rationale for the total budget approved for a programme. During the course of evidence, the Committee pointed out whether the concerned producers could not be associated at the time of fixing of prices in order to avoid delays arising out of subsequent review petitions by them. In a note furnished after evidence, the Ministry have stated as follows:—

“Suitable amendments in the guidelines of commissioned programmes have been made to provide for the applicant producer making a presentation before the costing committee before it took a decision in the matter.”

#### *Delay in production*

45. In accordance with the agreement with the producers, programmes framed out to outside producers were required to be generally completed within three to four months. It is seen from the Audit Paragraph that 73 programmes for which agreements were entered into between February 1986 and March 1990 were pending completion till October 1990. The advance payments in all these cases amounted to Rs. 203.97 lakhs.

46. Depositing before the Committee the Secretary, Ministry of Information and Broadcasting stated that out of 72 (figure corrected by the Ministry) pending completion programmes mentioned in the Audit 42 programmes have been completed and telecast and one programme has been dropped. Six programmes have been completed and are to be telecast. 17 programmes are yet to be completed. Five programmes have been dropped and funds adjusted. The Committee's scrutiny of the 72 cases revealed that there had been considerable delay in the production of programmes and that most of the programmes were not completed within the stipulated time.

47. Under the agreement with the producer, in the event of the failure to complete the production work of the TV Film within the stipulated period, the security deposit of the producer was liable to be forfeited and he was also liable to make good any loss or damages which might be sustained by the Government by reason of such failure. It was also lawful for the Government to terminate the agreement on that account and take any other action which might be deemed necessary.

48. In this connection the Committee enquired to know as to how many of these cases involving delays in production the security deposits of the producers were forfeited or amount demanded from the surety. In response, the Ministry have stated that Doordarshan have not enforced forfeiture of security in respect of any producer so far. In one case the amount of advance paid was demanded from the sureties but with no avail and therefore, the next step of filing an FIR with the police has already been initiated. (This case has been dealt elsewhere in the Report).

49. The Committee have also been informed that no FIR has been filed in the past against any defaulting producers.

50. In a note furnished after evidence, the Ministry of Information and Broadcasting stated:—

“In retrospect the system of advancing money to producers awarded contracts and other commissioned programmes scheme on furnishing a surety of Rs. 500/- was not a satisfactory procedure.”

51. According to the instructions issued by Doordarshan in October 1984, in cases of inordinate delays the Kendras were required to consider sending their recommendations for black-listing the defaulting producers. Therefore, the Committee desired to know whether any producer have so far been black-listed on the basis of the information furnished by the Kendras. It has been stated by the Ministry that no Kendra had recommended any case of defaulting producers for black-listing.

52. Depositing before the Committee, the Secretary of the Ministry stated:—

“Uptil now there is no black-listing. We have now recommended for that.”

53. To a query whether any other action was contemplated against the defaulting producers, the Secretary of the Ministry during evidence stated:—

“..... We should have taken action. But unfortunately we have not taken action. We have now said that any producer who defaults should be blacklisted and should not be given the programmes.”

54. According to the Audit Paragraph, monitoring of the progress of the production of programmes commissioned by Doordarshan was done by the respective Kendras, who signed contracts with the producers and that there was no systematic monitoring in case of certain Kendras. On being asked by the Committee to indicate as to why no action was initiated against the officials of Kendras and at Directorate level who had failed to enforce the terms and conditions of the agreements entered into with defaulting producers, the Ministry in a note *inter alia* stated:

“It is also admitted that Doordarshan exhibited laxity in initiating timely action for effecting the recoveries from the defaulting producers through the available modes such as filing of FIR with the police/court case etc.”

55. When asked to indicate the steps taken to prevent slippage in production schedule in future, the Ministry in a note stated:

“Slippages in the production schedule will be monitored very closely in future after full computerisation of relevant data. The revised guidelines provide for furnishing of a Bank guarantee in respect of the money advanced to producers. If it is found that any of the terms

and conditions of the agreement is violated at any point of time by the Executive Producer, the agreement shall be terminated. In the event of termination of the agreement, Doordarshan, besides invoking the bank guarantee would also initiate proceedings for recovering the amount advanced to the Executive Producer with interest @ 12% from the date of advance."

56. Enquired as to what steps had been taken to recover the amount from the defaulting producers in a post-evidence note the Ministry stated:

"Under the Commissioning Schemes, producers are advanced money to make programmes on behalf of Doordarshan and a contract is entered into between the Government and the producer. Unless and until it is decided to cancel the contract, no amount is due from the producer. As on date out of the 72 programmes, two contracts have been cancelled and in one case number of episodes have been reduced from 6 to 2. The amount recoverable in respect of following programmes are as under:

- (a) Rites of Passage : Rs. 8 lakhs with interest @ 18% p.a.
- (b) Tripti : Rs. 2 lakhs with interest @ 18% p.a.
- (c) Crossing the Indian abroad : Rs. 8.17 lakhs.

While in the first case, matter has been taken up with the producer and the sureties for recovery and in second case matter has been taken up with police by lodging an FIR. In the third case, the producer has represented against the amount to be recovered."

➤ **Absence of ceiling in awarding programmes to outside producers**

57. The Audit Paragraph has revealed certain cases wherein some producers even after having failed to produce the programmes within the stipulated period were being awarded contracts for further programme(s). Some of the cases are dealt with in the succeeding paragraphs.

58. A firm viz. Cine India International was awarded production of a programme 'Morning Moods' in June 1988 for Rs. 7 lakhs and advance payment of Rs. 2.80 lakhs was made to it in June 1988. The production of the programme was required to be completed by September 1988. Although the firm failed to complete the programme within the stipulated period, yet, he was awarded contracts for three more programmes costing Rs. 7.45 lakhs in December 1988, February and March 1989 and advance payments were also made. In two of the three cases, the due dates of the completion of these programmes were not found recorded in the contracts and these programmes were completed in a period of nine and nineteen months respectively against the normal completion period of three to four months.

59. The Committee enquired to know the reasons for awarding three more programmes to the same producer in spite of the fact that he failed to

complete the earlier assignment. In reply, the Ministry stated that there was at present no ceiling on the number of programmes that can be awarded to a particular producer. Depending upon Doordarshan's need and the expertise and infrastructure available with outside producers, a few have been assigned more than one programme at a time. According to the Ministry M/s Cine India International had the necessary track record, infrastructure, expertise and wherewithal to handle more than one assignment at the same time.

60. Asked whether the costing committee was aware of the fact that the firm Cine India International had not completed the earlier assignment before taking the decision to award three more programmes to the same firm, the Ministry have stated that it was difficult to state categorically at this point of time, whether members dwelt on this aspect during their discussion in the meeting before deciding the issue.

61. In a note submitted after evidence, the Ministry further stated:

"In the absence of a centralised monitoring unit in Doordarshan, the necessary input regarding the status of the other proposals of this concern approved for commissioned programmes was not made available to the Costing Committee when each of its three proposals were approved."

62. On being asked as to why the date of completion was not specified in two of the three contracts and whether responsibility had been fixed for the lapses, the Ministry in their post evidence note stated:

"The absence of the date of completion of the programme in the contract is perhaps an oversight. No action was, therefore, initiated for fixing of responsibility for the omission. In order to avoid recurrence of similar mistakes, a Central Commissioning Unit of Doordarshan has now been designated as the nodal section for processing all cases under the commissioned scheme. The introduction of computerisation would also assist the cross-checking of such facts in the future."

63. In another case a firm was entrusted with the production of a programme 'Golden Hawks' at a cost of Rs. 7.5 lakhs and paid Rs. 2 lakhs as advance in March 1988. The programme which was required to be completed by July 1988 was completed only in July 1990. However, the same firm was awarded another programme costing Rs. 17.50 lakhs and given advance payment of Rs. 7.00 lakhs in July 1988. This programme which was required to be completed by December 1988 was actually completed and delivered in October 1989.

64. On being enquired about the special reasons for awarding additional programme to the same producer when he had failed to deliver the programme already entrusted to him, the Ministry have stated that there were no special reasons for awarding additional programmes to the same

producer except that the script submitted by the party was found upto the mark and programmes on Punjab were being taken up on a priority basis then. The team associated with the project was also considered to be competent and qualified.

65. Replying to a related query during evidence, the Secretary, Ministry of Information & Broadcasting stated that "normally such a decision should not have been taken."

66. When asked whether all the information pertaining to the producer was made available to the Costing Committee/Director General before taking such a decision, the Ministry were unable to give a categorical reply.

67. To a specific question enquiring about the reasons for awarding the additional programmes to producers despite the delay/default in completion of programmes already awarded to them the Ministry in a note *inter alia* stated:

"Respective programme units monitor the programme assignments individually. However, there could have been a few cases of delay or default in the completion of certain programmes already awarded. In the absence of centrally computerised facility to compile and present all this information to the Costing Committee in their various sittings, there were possibilities of lapses. The revised guidelines dated 17.3.92 provide that the time limit for submitting the programmes once laid down cannot be extended. In exceptional cases, where the request for extension is received well within the time limit, the Director General can give such an extension, for reasons to be recorded in writing. The application form which has been prescribed in the revised guidelines also includes columns wherein information relating to programme already done by the Producer for Doordarshan other media units is required to be given in addition to the details of advance already received by the applicants from Doordarshan, NFDC Films Division. The availability of these details will enable the Costing Committee to have the complete picture before taking any decision on assigning a programme to the producer."

68. As regards monitoring mechanism available to avoid recurrence of such cases, the Ministry in a note have stated as follows:

"The Kendras have been advised to follow-up and monitor the progress of the projects with the producers regularly. The CP, CCU in the Doordarshan Directorate would also monitor the progress of all commissioned programmes."

69. On being enquired about the desirability of fixing of a ceiling on the number of programmes assigned to one producer, the Secretary of the Ministry deposed:

"So far there is no ceiling, I think such a ceiling is necessary."

◆ 70. During the course of their examination, the Committee found that the details of pending programme(s) with the producer was not being submitted to the Costing Committee. Nor was this information included in the proforma in which proposals were being put up to the Committee. In this connection, the Committee specifically enquired to know as to why the information regarding previous programmes was not put up to or insisted upon by the Costing Committee. Further, in the absence of this information, the Committee also desired to know the rationality by which the Costing Committee satisfied itself regarding the capability/capacity of the producer to take up additional programme. In a note furnished to the Committee the Ministry have stated as follows:

“The Costing Committee hold separate meetings with different programme units of the Directorate for approving and sanctioning the budget for the various cases processed by them. Except the DG who was common for all Costing Committees, the rest of the programme officers belong to the different programme units. There was no nodal person in the Committee who was in possession of all information regarding the assignments awarded possible only after computerisation of information pertaining to all sections.”

#### **Programmes pending telecast**

71. It is seen from the Audit Paragraph that fifty programmes received by Doordarshan generally between June 1987 and March 1990 had not been telecast upto October 1990. An expenditure of Rs. 121.39 lakhs had been incurred on the production of these programmes upto March 1990.

72. From the details of the programmes furnished by the Ministry at the instance of the Committee, it was seen that of the 49 (figure corrected by the Ministry) programmes, 26 have since been completed and telecast, the remaining 23 programmes have been completed and awaiting telecast. However, production of 40 programmes could not be completed within the stipulated time-frame as entered into in the agreement with the producers. In case of one programme ‘Rishta’, the scheduled date of completion is found to be missing. In explaining the position, the Ministry have stated that the scheduled date was not given in the agreement due to oversight. (The case has been dealt with elsewhere in the Report).

73. As regards some of the cases pending telecast, it is stated that with the change in political scenario and sensitivities of the subjects, these programmes could not be telecast. In a couple of cases programmes are stated to have lacked balance.”

74. In this connection, a specific case relating to “President’s rule in Nagaland” merits special mention. This programme was awarded to the producer on 27.3.1989 at a cost of Rs. 1,50,000/-. The programme was completed on 30.3.1989. However, the programme has not been telecast since then.

75. During evidence, the Committee were informed that a policy decision was taken not to show the programme. Asked when was such a decision taken and at what level it was approved, it is stated in a note that the decision to drop its telecast was apparently taken after discussions between the then Director General and Secretary, Information and Broadcasting.

76. On being enquired about the underlying reasons which necessitated such a decision, in a post evidence note it is stated as follows:

“Since the topic lost its relevance and there was a change in the political scenario, the programme was not telecast.”

#### **Security Deposit**

77. It is seen from Audit Paragraph that the amount of security deposit of Rs. 500/- obtained from the producers was not being deposited in the Government account by Doordarshan as a matter of practice. After it was pointed out by Audit, Doordarshan issued instructions in March, 1990 to all Kendras that the amount of security deposit should be credited soon after receipt.

78. On being enquired by the Committee as to how the transaction relating to security deposits was being accounted for by Doordarshan authorities prior to March, 1990, in a note the Ministry have stated:

“In most of the cases these Security deposits ‘demand draft’ were being kept separately to be returned to the producer once the programme was completed and submitted to Doordarshan. The security deposits had not been credited into Govt. account but the instruments were retained on files of the Programme Executing authorities, till their return to the Producers.”

79. The Ministry have also admitted that in this case Doordarshan have failed in following established financial practices.

80. On being asked whether the instructions issued in March, 1990 being scrupulously followed now, the Ministry have stated that security deposits obtained since March, 1990 were being credited to Government with a time-lag. With the introduction of Bank Guarantee clause since March, 1992 security deposits are no longer required.

#### **Recovery of Income Tax**

81. As per the Income Tax Act, 1961, income tax at 2 per cent was deducted at source in respect of contracts exceeding Rs. 10,000. According to Audit, no provision for deduction of income tax at source was found to be made in the agreements made with the producers. Consequently, income tax amounting to Rs. 71.93 lakhs has not been deducted at source from the payments made to the producers during the period 1985-86 to 1989-90 (till May, 1989).



82. To a query from the Committee as to why Doordarshan did not recover income tax at 2% at source in respect of contracts exceeding Rs. 10,000/- the Ministry in a note have stated as follows:

"Instructions to deduct 2% income tax in advance on payment above Rs. 10,000/- made to outside producers were issued by Doordarshan Directorate in June, 1989. Such deductions were made by the Kendras in respect of all payments made subsequent to the receipt of these orders, it was not possible to deduct income tax in respect of payments which had already been made by Kendras. The standing procedure of deducting income tax at source and intimation thereof to the Income Tax authorities had been reiterated to the Kendras for compliance. The Kendras are scrupulously following the provisions of the Income Tax Laws to deduct 2% advance tax. A separate clause (clause 3(iii)) has been added in the raised guidelines dated 17.3.1992 for deduction of Income Tax at source so that such lapses do not recur.

83. Considering the fact that deductions of tax at source was the responsibility of Doordarshan authorities, the Committee enquired to know as to what action was contemplated against the official who failed to comply with the obligatory provisions of Income Tax Act. In response the Ministry have stated:

"Responsibility cannot be fixed on any individual officer since the implications of the Income Tax Regulations were not clearly understood at the initial stage. Subsequently, however, all Kendras of Doordarshan were instructed to effect income tax deductions at sources, which is not being made regularly."

84. Enquired about the action taken on the past cases where deductions of income tax at source could not be made, the Ministry in a post-evidence note stated:

"Instructions have been issued to all Doordarshan Kendras to effect recovery from producers of post dues in case they have not made payments to the Income Tax authorities. At the instance of the Ministry, they have also been advised not to enter into any new agreement for fresh programmes with producers who had been commissioned in the past unless they provide account of deduction of Income Tax in respect of earlier assignments."

#### Copyright

85. Normally, when Doordarshan Commissions a programme to be produced by an outside production agency, the funding is done by Doordarshan. All rights of the product *i.e.* programme film should ordinarily vest in Doordarshan. The Audit Paragraph revealed that there was no system in Doordarshan to regulate the sharing of copyright with the producers.

86. To a question of the Committee, the Ministry of Information and Broadcasting stated that Doordarshan had full copy rights of its commissioned programme insofar as the question of telecast rights in India was concerned. However, in respect of certain programmes, Doordarshan had shared its other rights.

87. Asked whether Doordarshan had worked out a procedure for the sharing of copyrights with the producers, the Ministry of Information and Broadcasting have stated that sharing of rights was decided by the costing Committee depending on the merits of individual cases.

88. According to the Audit Paragraph, Doordarshan had shared copyrights with producers in 19 cases out of which 4 cases pertained to Delhi Kendra. Some of such cases examined by the Committee revealed certain irregularities which are dealt with in the succeeding paragraphs.

89. In the case of one programme, 'Portrait of the Director' the budget of Rs. 2 lakhs per episode as proposed by the producer was agreed to in full by Doordarshan. However, 30 per cent of the foreign telecast rights were to be shared with the producer. Asked the reasons for sharing 30 per cent of the foreign telecast rights with the producer of the programme even though Doordarshan had born the entire cost of production of this particular programme, the Ministry of Information and Broadcasting in a note furnished to the Committee have stated that it was done with a view to giving incentive for better production and to make all out efforts for sales in the international market. However, the Ministry added:

"This does not justify giving 30% foreign telecast rights."

90. In the case of another programme, 'crossing—The Indian Abroad' against the estimated cost of Rs. 65.27 lakhs, including Rs. 4.75 lakhs towards profit Doordarshan agreed to a total payment of Rs. 70 lakhs with 40 per cent foreign telecast rights shared with the producer as an alternative to the producer's offer of total payment of Rs. 75 lakhs with all rights, national and international, vesting in Doordarshan. Thus Doordarshan surrendered 40 per cent foreign telecast rights for a saving of Rs. 5 lakhs. Asked to justify sharing of foreign telecast rights in this case, the Ministry have adduced the following reasons in support of their taking such a decision:— (a) Sale Promotional materials were to be produced by M/s. Octave Communications; (b) It was also an incentive to the Producer to make all out efforts for sales in the International market; (c) Doordarshan felt that the offering of 40% foreign rights to the Producer will induce him to ensure excellent quality of production of the programme which was proposed to be filmed in Mauritius, West Indies, Fiji, East Africa, Malaysia, Hong Kong, California, British Columbia, Singapore, East Coast of America and Great Britain.

91. When asked to justify as to how interests of Government were protected in this case, the Ministry in a post-evidence note stated:

"Doordarshan has been sharing the rights with the producers in the past primarily on the grounds that it does not have a very strong in house marketing set up. The matter has already been reviewed in the Ministry and it has been decided that Doordarshan should share its rights with the producers for commissioned programmes in future. Suitable amendments have been made in the guidelines issued in May, 1993.

#### Poor viewership

92. The Audit Paragraph has revealed that Doordarshan has 18 Audience Research Units attached to various programme centres all over India. The Audience Research Unit at Headquarters coordinates and supervises the entire activities. Two types of researches were being undertaken — formative and summative. Under the former, preproduction research is carried out. Summative type of research is post-telecast and undertaken to find out viewership, comprehension, utility and reactions on the programmes telecast.

93. According to the Audit Paragraph a study of the surveys conducted by the Audience Research Unit during 1988-89 showed that these included 23 programmes of morning transmission, 19 programmes of current affairs and one telefilm produced by outside producers. The maximum viewership of these programmes was 13 per cent in the case of morning transmission and 28 per cent in the case of telefilm. The maximum viewership in respect of current affairs which related to Delhi only was 7 per cent.

94. It is also seen from Audit Paragraph that the viewership survey for 1989-90 related only to Delhi in respect of morning transmission and current affairs. Whereas out of 90 programmes of morning transmission, 25 had average maximum viewership ranging from 10 to 28 per cent and 65 upto 9 per cent; percentage of viewership in respect of 27 current affairs programmes covered in the survey was nil in 4 cases, upto 9 in 16 cases and between 12 and 32 in 7 cases. The three telefilms had better ratings, with all Indian viewership ranging between 26 and 45 per cent.

95. In this connection the Committee enquired to know the reasons for poor viewership of the programmes produced by outside producer. In a note furnished to the Committee, it is stated that:

"It is not true to say that all the programmes produced by outside producers have poor viewership. Some Commissioned programmes like 'Flop Show', 'Mulla Nasruddin' and 'Mamaji' have recorded high viewing while others had medium to low viewing. Some programmes are produced keeping in mind the general audience whereas others are meant for a specific segment of television viewership population."

96. On being asked whether the Ministry have analysed the reasons for medium to low veiwing of the programmes produced by outside producers, the Ministry in their post-evidence note have clarified the position further:

“Viewership of various programes telecast by Doordarshan is not constant through out the day. Traditionally, programmes telecast during the prime time attract the largest viewership. The programmes telecast in the non-prime time being target specific viz women/ children/agriculture, have a lower viewership. Given the limitations of telecast time and the need to maximise Doordarshan’s commercial revenue, programmes which are likely to attract commercial revenue through sponsorship/advertisements are telecast during the prime time.”

97. As regards the corrective steps taken to improve the viewership of the programmes. The Ministry have stated as follows:

“To improve the viewership of the programmes, Doordarshan has consistently ensured high standards of production without any compromise and also given good publicity both through the official media and the Press. The clippings of some of the ensuring programmes are included in the weekly programme like ‘Saptahiki’ to ensure adequate publicity. In addition, occasional publicity is given in between different programmes. Some programmes of Doordarshan which are sponsored are also given publicity by sponsorers through advertisements in the newspapers.

Since it is Doordarshan’s charter to inform, educate and entertain its viewers, it can not adopt a purely commercial attitude while deciding the programmes to be telecast in the various time chunks. Nevertheless, it is Doordarshan’s contant endeavour to produce non-entertainment programmes in a more attractive manner so as to meet its charter and also sustain the interest of its viewers e.g. Doordarshan is presently telecasting a science magazine programme ‘Turning Point’ during the prime time.”

98. Replying to a query regarding the possibility of utilising the services of any independent agency for assessing the general viewership of the programmes like that of STAR TV, the Secretary, Ministry of Information and Broadcasting during the course of evidnece stated:

“We are on that job. Uptill now basically there is no competition.....We will look into it.”

99. However, in a post evidence note furnished to the Committee the Ministry stated that the Audience Research Unit of Doordarshan is considered adeqaute for the time being and there is no proposal to associate any independent agency for carrying out a general audiençg review at present.

### **Irregularities in programmes produced by outside producers**

100. The Audit have pointed out several individual instances of irregularities in the programmes produced by outside producers resulting in delay, extra expenditure and accommodation to the producers at the cost of the exchequer. Broadly, such cases have been categorised as follows:

- (1) Lack of co-ordination between two branches of Doordarshan resulted in payment of an additional amount of Rs. 3.90 lakhs on a programme (on National Integration) earlier contracted with the producer at a lower rate.
- (2) One programme (Lotus Temple on Bahais) already produced in house and telecast thrice was awarded further to an outside agency resulting in avoidable expenditure of Rs. 1.25 lakhs.
- (3) A telefilm approved earlier (Angootha Chap) as a sponsored programme and subsequently proposed for exhibition on payment of royalty at Rs. 0.32 lakhs per telecast was purchased for Rs. 4 lakhs. The telefilm had been telecast only twice.
- (4) Advance payment of Rs. 10.5 lakhs was made in February, 1989 for a six part documentary serial (Crossing—The Indian Abroad) for a total budget of Rs. 70 lakhs in contravention of the prescribed schedule of payment. The contract with the producer did not prescribe the scheduled date of completion; the serial had not been completed.
- (5) An amount of Rs. 5 lakhs sanctioned for the production of a film (Khamoshi Kay Dairey) was enhanced to Rs. 8.5 lakhs without justification. The production of the film was also delayed by 14 months. The film was telecast after 31 months of its receipt although Doordarshan was aware that the print quality was not worthy of telecast.
- (6) Doordarshan agreed to enhance the cost of a documentary (Spirit Possession) from Rs. 6.3 lakhs to Rs. 8 lakhs and gave 30 per cent foreign sale rights in favour of the producer after the contract was signed. The producer was also allowed more favourable schedule of payment.
- (7) The cost of a serial of seven episodes (Ekas Ke Hum Barik) accepted by Doordarshan in November, 1988 was enhanced from Rs. 12.6 lakhs to Rs. 14 lakhs. The serial was yet to be completed though advance payment of Rs. 5.60 lakhs was made in December, 1988 and December, 1990.
- (8) An increase of 10 minutes in the total duration of a serial with 10 episodes (Rishta) led Doordarshan to bear an additional expenditure of Rs. 3.5 lakhs when the contracted rate was

Rs. 1.75 lakhs per episode of 30 minutes duration. Although all the episodes were stated to have been delivered in January, 1990, their telecast was yet to be decided.

- (9) A telefilm contracted in February, 1987 (Tripti) for which Doordarshan made advance payment of Rs. 2 lakhs had not been produced so far.
- (10) Two programmes (News Magazine in Hindi) for which advance payment of Rs. 9.6 lakhs was made in March, 1990, were cancelled, the producers refunded the amount of advance excluding Rs. 0.19 lakh on account of income tax deducted at source in July, 1990 after deducting as 2.03 lakhs on account of expenditure already incurred.

Some of the above mentioned cases are discussed in more detail in the succeeding paragraphs.

### National Integration

101. A programme on National Integration was approved by the news and current affairs cell of Doordarshan, in December, 1987, at the rate of Rs. 0.40 lakh per episode of 10 episodes. Against the admissible amount of advance of Rs. 0.80 lakh payable on approval of the script as per the normal schedule of payment, an amount of Rs. 1.60 lakhs was paid to the producer as advance in December, 1987. Subsequently, in August, 1988 the Morning Cell approved the same programme but at an enhanced rate of Rs. 0.70 lakh per episode for 13 episodes. Thus Doordarshan paid an additional amount of Rs. 3.90 lakhs for a programme which had already been contracted with the same producer at a lower rate.

102. Asked about the reasons for revising the cost of the programme from Rs. 0.40 lakh per episode in December, 1987 to Rs. 0.70 lakh per episode in August, 1988, the Ministry stated that it was done in view of the fact that the scope of the programme on national unity was enlarged involving extensive travel all over the country.

103. It is also seen from the Audit Paragraph that Doordarshan did not recover any amount towards interest on the advance of Rs. 1.60 lakhs paid to the producer in December, 1987 which was refunded in June, 1989. The programme was delivered by the producer in March 1989.

104. Asked why did Doordarshan not immediately obtain refund of advance of Rs. 1.60 lakhs paid to the producer in December, 1987, the Ministry stated that the programme which was approved in December, 1987 was under Current Affairs. The proposal which was approved in August, 1988 was for Morning Transmission. The first instalment of the budget sanctioned for the Morning Transmission programme was released in September, 1988. Since the Producer had already commenced production of the programme from the amount advanced to him, for Current Affairs programme, refund of the advance was not immediately obtained.

However, subsequently, the entire amount of Rs. 1.60 lakhs was returned by the Producer to Doordarshan Kendra, Delhi.

105. To a query from the Committee as to why no interest was recovered on the amount of advance which was refunded in June, 1989 the Ministry in a note stated that as the production was in progress and the amount advanced was being spent by the producer on the production, levy of interest was not considered appropriate. In fact the refund of the amount advanced earlier become necessary because the expenditure on Current Affairs and Morning Transmission were being met from different budget heads.

106. Doordarshan however admitted that there was lack of co-ordination between the two branches—Current Affairs Wing and Morning Transmission Section and stated that with the formation of Central Commissioning Unit (CCU) it was hoped to plug all such loopholes.

#### Lotus Temple of Bahais

107. According to the Audit Paragrah in January, 1988, Doordarshan accepted the proposal of a producer for production of film "Lotus temple of Bahais" of 22 minutes duration for Rs. 1.25 lakhs. Subsequently, in February, 1988, Delhi Kendra informed the DG that a programme on "Lotus temple of Bahais" had already been produced by Delhi Doordarshan itself and had been telecast thrice in the preceeding year. Accordingly, Doordarshan advised the producer, in February, 1988, to stop work on the film till further orders. However, the production of film was revived, in May, 1988, on the representation of the producer. The absence of proper scrutiny of proposals at directorate level before submission to the Costing Committee resulted in avoidable expenditure of Rs. 1.25 lakhs.

108. The Committee desired to know whether Doordarshan was aware that the programme had already been produced in house and telecast thrice before it awarded the production of the same programme in January, 1988. The Ministry in a note *inter alia* stated:—

"In retrospect there would seem to have been a systems failure in this case."

109. Asked further what remedial action has been taken to obviate such recurrence in future, the Ministry in a written note have stated:

"It needs to be stated that considering that certain subjects would lend themselves to varied interpretations and treatments, it may not be possible or desirable to prescribe any specific restriction that not more than one programme could be produced on the same subject. Hence no remedial action was considered necessary."

110. According to Audit paragraph the all-India viewership of the programme, as conducted by an outside agency was only one per cent and the viewership was nil in Delhi. On being enquired about the specific

relative merit of the outside production which played a decisive rôle in commissioning this programme the Ministry have stated as follows:

“This was a non-fictional programme. It is difficult to arrive at any conclusion about its quality based on quantum of viewership. Moreover, it is not possible to accept the premise that the viewership of any programme of Doordarshan at a given point of time is zero.”

### Tripti

111. In July, 1986, Doordarshan accepted the proposal of a producer for the production of a telefilm titled “Tripti” of 90 minutes’ duration in 16mm in colour for Rs. 5 lakhs. The agreement was entered into with the producer and an advance payment of Rs. 2 lakhs (being 40 per cent of the sanctioned amount) made in February, 1987. The stipulated date of completion was not found recorded in the agreement.

112. It is seen from Audit Para that even the rough out of the film had not been submitted by the producer till April, 1990. Doordarshan wrote to the producer in March and August, 1987 but the letters were returned undelivered. Doordarshan thereafter wrote to two sureties in February, 1988; there was no response from one of the sureties while the other surety furnished the new address of the producer. The letter sent to the producer at the new address was also received back undelivered. Instructions were issued to Delhi Kendra in May, 1989 to initiate action against the producer for withdrawal/cancellation of the offer and seek refund of the advance with interest and the final letter was issued in December, 1989. It was also seen that there was slackness in pursuing the matter with the producer.

113. Asked how was the competence/antecedents of the producer verified before entrusting the programme to the producer, the Ministry have stated that the producer of the film, was a qualified Screenplay Writer and Director from FTII Pune and has earlier produced programmes for Doordarshan and for Family Planning.

114. According to the Ministry, the scheduled date of completion of the telefilm was April, 1987. To a query from the Committee as to why the matter was not pursued with the producer for withdrawal and cancellation of the offer and refund of advance payment of Rs. 2 lakhs, the Ministry in a note have stated:

“The matter has been vigorously pursued with the producer for withdrawal/cancellation of the offer and demanding refund of the advance of Rs. 2 lakhs already paid to her. It is now proposed to initiate legal proceedings against her.”

115. Asked specifically as to what action has been taken against the surety, the Ministry stated:—

“The surety was addressed to help us to trace the whereabouts of the producer and also help us to get the programme completed. In spite of vigorously pursuing the matter with the surety, no tangible results



have been achieved so far. Doordarshan has now initiated action to file an FIR against the producer and also to issue notices to the producer and Sureties as advised by Ministry of Law.”

116. To a question of the Committee Ministry of Information and Broadcasting stated that they had received Law Ministry's advice on 10.9.92. In reply to another question, the Ministry further stated that FIR has not been registered by Delhi Police so far as the producer was not traceable.

117. When enquired about the officers responsible and the action taken with a view to fixing responsibility for the lapses, the Ministry in a post-evidence note stated:—

“The matter was adequately pursued at different levels of officers of Doordarshan over a period of time. The responsibility has not been fixed.”

#### Rites Passage

118. This is a programme relating to rites performed by Tribals in Nagaland. The programme was awarded to the producer on 23.2.1989 and she was to complete it in May, 1989. The budget allocation for this programme was Rs. 20 lakhs and the producer was given an advance of Rs. 8 lakhs. The producer was granted an extension of one year on her plea that due to general unstable condition in the region, she was not able to complete the programme in time. After the expiry of extended date she was requested to refund the amount with interest @ 18 per cent. According to the Ministry after many reminders to her and sureties, the producer wrote a letter to Ministry in August, 1992 indicating willingness to return the advance without interest since the non-completion of the programme was beyond her control.

119. During the course of evidence the Committee enquired to know the basis on which the Department granted extension for a year. In response, DG, Doordarshan stated:

“We felt that the reasons given by her were genuine on the face of it because it involved going to inaccessible areas.”

120. Asked why these factors were not taken into consideration at the time of awarding the programme, the witness informed the Committee that this particular issue was never raised by the producer at the time of conclusion of contract.

121. As regards realisation of the amount, in a post evidence note the Ministry have stated:

“The producer has been requested to pay the principal amount immediately and the interest by 15th May, 1993. The producer has made further representation that the recovery may not be

effected. This representation has since been rejected and the producer has been informed to refund the amount with interest."

### **Crossing — The Indians Abroad**

122. The Audit Paragraph has revealed that Doordarshan awarded the production of six part documentary serial of 50 minutes' duration each in 16 mm colour, in February, 1989, for a total budget of Rs. 70 lakhs plus 40 per cent foreign sale rights in favour of a producer.

123. The first instalment of Rs. 10.50 lakhs (15 per cent of the sanctioned amount) was released in February, 1989 on signing of the contract. The second instalment of Rs. 21 lakhs (30 per cent of the sanctioned amount) was released in March, 1990 on approval of the script. The scheduled dates of completion of various stages of work for regulating payments were not found mentioned in the contract with the producer. In terms of general schedule of payments applicable, no payment was admissible to the producer on signing of the contract. The payment of Rs. 10.50 lakhs on signing of the contract resulted in unauthorised aid to the producer with an interest benefit of Rs. 1.26 lakhs computed at 12 per cent per annum. The payment of the second instalment of Rs. 21 lakhs on approval of the script was so irregular and resulted in further unauthorised aid. The basis on which the cost of Rs. 70 lakhs was considered reasonable was also not available.

124. The Committee enquired to know the special reasons for making advance payment of Rs. 31.5 lakhs contrary to the prescribed schedule of payments. In response the Ministry have stated:

"Different mode of payment was accepted considering the fact that the producer in the first phase of production was to undertake an exclusive trip for research to all countries before submission of the basic script. It was also considered necessary to ensure necessary cash flow for such a major long term project."

125. The Committee have been informed that the time limit originally proposed by the producer was three years from the date of signing of the agreement. The delay in execution has been partially due to delay in release of foreign exchange.

126. Justifying the reasonability of the cost of Rs. 70 lakhs agreed to by Doordarshan, the Ministry have stated that each of the documentary was for a duration of one hour each and hence the amount of Rs. 70 lakhs for six documentaries was considered reasonable by the Costing Committee. Production of documentaries involved extensive travel abroad.

127. Regarding the present position of the documentary the Committee have been informed that out of six documentaries assigned under the title "Crossing — the Indians Abroad", the first one on the Indians in the United Kingdom and the second one on the Indians in South Africa have been completed and rough cuts submitted for preview by Doordarshan.

According to the information furnished by the producer, research for the other 4 episodes has also been completed.

128. On being enquired about the sharing of rights in this case, the Ministry in a note have stated as follows:

“The original contract did not contain any provision regarding sharing of rights in respect of foreign sale of the programme. Doordarshan proposes to sign a specific contract with the producer in this regard after the programme is completed and delivered to them.”

129. The Committee enquire to know whether it is the normal policy of Doordarshan to fund programme involving such huge outlays. The Ministry informed that the other programmes which involved a large financial outlay were Shri Shyam Benegal's 'Bharat Ek Khoj', an animation serial by Shri Bhim Sain and Shri Navin Nischal's 'Srikant II'.

#### **Rishta/Ekas Kay Hum Barfk**

130. The Audit Para has revealed that the production of the serial 'Rishta' comprising eight episodes of 30 minutes duration each at Rs. 1.75 lakhs per episode (total Rs. 14.00 lakhs) was accepted by Doordarshan in August 1988. In March and April 1989, the producer approached Doordarshan for enhancement in the rate per episode to Rs. 2 lakhs per episode. Although no increase in the rate was agreed to by Doordarshan, Doordarshan allowed the producer to produce ten episodes, each of 25 minutes duration at Rs. 1.75 lakhs per episode. Thus because of an increase of 10 minutes in the total duration of all the episodes, Doordarshan agreed to an additional expenditure of Rs. 3.5 lakhs in the production of the serial. An amount of Rs. 7 lakhs was paid to the producer in December 1988 and June 1989. According to Audit, the scheduled date of completion was not found recorded in the contract.

131. Since the total duration of the programme remained unchanged, the Committee enquired to know the justification for payment of additional amount of Rs. 3.5 lakhs on the production of the programme. In a note furnished to the Committee the Ministry have explained the position as follows:

“The producer had been allotted 8 episodes initially at Rs. 1.75 lakhs per episode. The producer made a request for enhancement of the budget coupled with grant of an additional two episodes. The budget enhancement was not granted but two additional episodes were given. The budget per episode, however, remained the same i.e. Rs. 1.75 lakhs per episode. This does not amount to an extra payment of Rs. 3.5 lakhs.”

132. Asked why was the date of completion not prescribed in the agreement, it is stated that the date of completion is to be prescribed by the Director of the Kendra after mutual discussion with the producer. According to the Ministry, “This was not done perhaps due to oversight.”

133. In respect of another programme, "Ekas Kay Hum Barik" also, the Committee found that the scheduled date of completion was not mentioned in the contract which according to the Ministry was also not done "perhaps due to oversight".

#### **Corruption and the Common Man**

134. Doordarshan accepted the proposal of a producer for the production of a programme titled "Corruption and the Common Man" in February 1990 for an amount of Rs. 1.25 lakhs. An amount of Rs. 0.50 lakh being 40 per cent of the sanctioned amount was paid to the producer in March, 1990. However, Doordarshan felt in November/December 1990 that the programme was not done very professionally and that it might not be able to telecast it even on Channel II.

135. Asked whether the professional competence of the producer was not considered before awarding the programme, the Ministry stated that the producers did have a good cultural programme to their credit which had been telecast earlier and hence the sanction of this assignment to them.

136. As regards the present stage of production of the programme the Ministry in a note have stated as follows:

"The producer was given 40% advance in March, 1990. He submitted the rough-cuts which were previewed and not approved by Doordarshan since it was not handled with the sensitivity that the theme needed. Doordarshan did not find it suitable for telecast." The fate of the programme is still unknown.

#### **Guidelines issued by the Ministry**

137. The system of assigning programmes to outside producers had been prevalent in Doordarshan at least since the 80's. The Committee, therefore, desired to know the instructions/guidelines issued by the Ministry from time to time to regulate the scheme of outside production. According to the Ministry of Information and Broadcasting guidelines for the consideration, processing and approval of proposals received from outside producers for telecast of TV Programme under Doordarshan's commissioned programme scheme were issued for the first time on 1.1.1992. These guidelines were subsequently revised on 17.3.1992 by the Government. The only other instructions issued by the Ministry on the subject prior to the above period were on Constitution of the Costing Committee.

138. When asked to comment on the state of affairs in Doordarshan with regard to outside production and the role of the Ministry, the Secretary, I&B deposed in evidence:—

"It appears that Doordarshan had its own system but no proper system was really laid down. Basically, this was a programme which started slowly and as it kept on increasing and outside commissioning was going on, they continued to evolve certain rules and guidelines to

function. There was nothing which was laid down as such under which they were functioning. But every now and then, when some work came, some guidelines were laid down. The Ministry, as such, did not lay down any system. Obviously, till the Government orders were issued, guidelines were issued in January and later revised in 17th March, 1992. There was no broad system in Doordarshan. They continued to function in a certain system of their own and the primary problem in that system was that there was no well-defined people who participated in these kinds of project programmes. There were not well-defined subjects either. In the earlier stages, when these programmes started, they were not sure whether they should go in for sponsored programme or commissioning programme."

139. On an enquiry from the Committee as to why no guidelines were issued by the Ministry when the system of assigning the production of programmes to outside producers was initially launched in Doordarshan, the witness stated:—

"The argument is that it is a creative medium and people who produce programmes are to create. It is not something which can be put in a G.O. It depends upon the individual as to how he would tackle a particular theme. To make one film, one individual may travel all over the world, whereas another may just simply sit in the library and finalise it."

140. On being asked categorically about the role of the Ministry in this regard, he further added:

"I have nothing on record to show that any orders were issued on the subject by the Ministry."

141. Dealing with the inadequacies which continued even after the issue of the instructions on 17.3.1993, the Secretary, I&B further stated:—

"I have already had a look at the March, 1992 circular which was sent out. I think there is a lacunae. We had a meeting. Certain amendments were proposed. As soon as the Ministry comes back from tour, it will be put up to him."

142. In a note furnished to the Committee subsequently, it is stated that a revised guidelines has since been issued on 7.5.1993 (Appendix II).

#### **CBI Inquiry into New Sponsorship Scheme**

143. During evidence, the Committee draw attention of the representatives of the Ministry of Information and Broadcasting/Doordarshan to the reported complaints against the officials of the Doordarshan pertaining to the Sponsored Programmes. In a detailed note on the aforesaid CBI Inquiry furnished to the Committee subsequently, the Ministry have stated:

"Doordarshan invited proposals from outside producers under the New Sponsorship Scheme in October, 1990. A total of 3544 proposals

in 11 different categories were received against the invitation. The proposals were evaluated by duly constituted Selection Committees which included non-official members approved by the Government. On 28.2.1992, Doordarshan released a list of provisionally short-listed serials numbering 432 through a Press Note.

After the list of provisionally approved serials was made public, certain discrepancies in the list were reported. A preliminary inquiry was conducted by ADG(A), Doordarshan in the matter. Based on the preliminary inquiry, it was decided to entrust the matter to the Central Bureau of Investigation. One of the officers, who was handling the matter was placed under suspension. Later on the suspended official filed an application before the Principal Bench of the C.A.T., Delhi challenging her suspension order. The Hon'ble Tribunal dismissed the application.

Towards the end of 1992, CBI had submitted an interim report indicating that their discreet verifications had disclosed the possibility of irregularities with regard to 62 serials only. They proposed to register preliminary inquiry against some officials of Doordarshan and conduct an open probe to ascertain whether the officials have committed any criminal misconduct. No further communication has so far been received from the CBI in the matter."

#### **Delay in furnishing information to the Committee**

144. The Audit Paragraph relating to Outside Production Doordarshan was selected for detailed examination by the Public Accounts Committee (1991-92) and a list of questions eliciting advance information on the subject sent to the Ministry of Information and Broadcasting on 20 November, 1991 requesting them to furnish the requisite information by 6 December, 1991. Although the Ministry of Information and Broadcasting sought extension for submission of replies from time to time, the final replies were received only on 22 January, 1993 *i.e.* after a lapse of more than fourteenth months.

145. On a specific query by the Committee regarding the reasons for inordinate delay in submission of information, the Secretary, Ministry of Information and Broadcasting, during evidence stated as follows:

"No records were kept and whatever records were there, they were kept with the Doordarshan. Unfortunately, they did not keep the records systematically. They should have entered every proposal in a diary and gone into it one by one but that was not done. Even today, I am getting letters enquiring about proposals submitted two years back and their position as of now."

146. Further, even these replies were incomplete in certain respects and during the evidence held on 15.2.1993 that the Committee directed the Ministry to furnish complete replies within a period of two weeks.

However, the Ministry furnished the information to the Committee after a delay of more than four months and even then some of the points remained unanswered.

#### **Delay in finalisation of Proforma Accounts in Doordarshan**

147. When the operations of a department include undertaking of a commercial or quasi-commercial character and the nature and scope of the activities of the undertaking are such as cannot suitably be brought within the normal system of Government account, the head of the undertaking shall be required to maintain such subsidiary and proforma accounts in commercial form as may be agreed between Government and the Comptroller and Auditor General. During the course of evidence the Committee were informed that the Proforma Accounts of Doordarshan have not been maintained since 1984-85. However in a post-evidence note furnished to the Committee the Ministry of Information and Broadcasting stated that Proforma Accounts of Doordarshan pertaining to the years 1977-78 onwards have not been finalised. Explaining the position in this regard, the Dy. Director General (Finance), Doordarshan stated in evidence:

“that the current accounts of Doordarshan which are appropriation accounts were being finalised every year. But the proforma accounts have not been finalised.”

The representatives of the Ministry added:—

“Proforma accounts are basically to show commercial transactions of the undertaking, commercial nature of the undertaking. One of the basic inputs for maintenance of the proforma accounts is the evaluation of the assets of the Doordarshan. The proforma accounts are basically to be maintained by each Kendra/Field Unit, the aggregate of it is built up by the D.D.G. (Finance). There are 466 transmitters and 24 studios and all of them have to maintain their own accounts. The basic accounting input has to be provided by the administration. That is where, there is a certain amount of weakness.”

148. The following reasons have been cited as responsible for non-maintenance of proforma accounts in Doordarshan:—

- (a) Doordarshan was separated from AIR with effect from 1.4.1976. Preparation of Proforma Accounts for Kendras/Offices got delayed at the first stage as the bifurcation of assets and liabilities between AIR and Doordarshan was finalised only in 1984. In so far as the capital assets between AIR and Doordarshan were concerned, the bifurcation figures were received only on 27.5.1987. The first set of accounts which pertain to the year 1976-77 only, was completed and audited.
- (b) Finalisation of the Proforma Accounts for 1977-78 could not be possible as the accounts for the year 1977-78 of Doordarshan

Kendra, Hyderabad has not been certified by the AG, AP, Hyderabad on the grounds that certain basic records are not available. The records were destroyed in a mob attack in 1988. The AG has referred the case to the C&AG. Consolidation of accounts for the year 1977-78 can, therefore, be completed only after the position regarding accounts of DDK, Hyderabad is finalised.

- (c) Preparation of Proforma Accounts is a continuous process and unless accounts for the previous years are completed and certified by the audit, the accounts for the subsequent years cannot be taken up.

Non-availability of complete documentation in subordinate field offices functioning as self-accounting units. Many Kendras/Offices of Doordarshan are presently not having the required expertise for the preparation of the Proforma Accounts. There were constraints in availability of ministerial staff (clerical/accounts) also. As a result complete documents have not been maintained in many field offices.

Furthermore, because of non-availability of adequate inspection machinery for the purpose at the Doordarshan headquarters (one Inspector of Accounts only was available) periodic monitoring of the state of accounts/suggesting corrective action as required, was not possible in an organised way.

- (d) The growth of Doordarshan was very rapid and it appears that the requirement of supportive establishment (Particularly accounts and admn. staff) was not considered to the required extent while sanctioning the establishments.

149. In reply to a question of the Committee, it was stated that the Proforma Accounts furnished by the Heads of the field units are consolidated at the Headquarters and submitted to the C&AG. In this connection, the Committee desired to know the specific roles of the Ministry's Financial Adviser, Chief Controller of Accounts and the Deputy Director General (Finance) for ensuring proper maintenance and timely finalisation of these accounts. In a post-evidence note the Ministry have stated as follows:

"The Deputy Director General (Finance) who is the Internal Finance Adviser (IFA) to the DG, Doordarshan is responsible for rendition of the Proforma Accounts to the Director General of Audit (General Revenue) based on Proforma Accounts submitted by the field offices. The IFA has an inherent responsibility on behalf of the DG towards overseeing and ensuring that the Heads of Field Offices maintain the requisite local accounts/lodgers correctly as per authorised procedure. Unless the local accounts are maintained properly, preparation of the Proforma Accounts is not feasible. With



✦ a view to enabling a proper discharge of the above-stated role, the means available with the IFA are the inspection machinery (Inspection Unit) at the Headquarters (Directorate General) and periodical reports and returns for Field Office as may be prescribed."

150. The Committee enquired about the steps proposed to be taken to certify the position. The representative of Doordarshan stated in evidence:—

".....We are thinking on whether we should go to C&AG requesting for waiver for the past period because we do not have, the complete record of previous years and from the current period onwards, we would like to finalise it with trained staff and help of Chartered Accountants. We also require suitable manpower. It is very difficult for us to start reconstructing from the past."

151. In this regard the Secretary, Ministry of I&B stated, ".....to the best of our knowledge, we will make our efforts". In a note furnished subsequent to evidence, the Ministry of I&B stated:—

Activities in the Field offices *i.e.* High Power Transmitters, TV Maintenance Centres and Doordarshan Kendras etc., would be supervised and suitably monitored to ensure that the basic documentation required to be maintained for preparation of Proforma Accounts are updated in a time-bound manner. A watch will be kept on the flow of requisite details to above-referred offices, required for preparing of the accounts. Periodic inspection from headquarters would be carried out as well as a reporting ✦ system introduced to monitor the updating activity as well as the progress in preparation of the accounts.

The expertise of the staff available in field offices would be developed by imparting training both at theoretical and practical levels. Limited in-house resources available *i.e.*, services of knowledgeable staff would be utilised to the maximum extent. Training at some selected stations would be imparted by the Inspector of Accounts from the Headquarters and Sr. AOs, AOs and Accountants already available in the field offices, by deploying them in suitable teams. Knowledgeable officers from both AIR and Doordarshan would be involved in the endeavour. Feasibility of obtaining assistance from external organisations for example, Institute of Chartered Accountants etc. would also be considered. The teams of expert personnel would visit the field offices to make the training interactive and also offer guidance to the ministerial staff engaged in the work of preparation of the Proforma Accounts. The training will perforce have to be spread over a year or two at the least.

Proposals would be initiated and processed with appropriate authorities viz., Ministry of Information and Broadcasting, for augmentation of establishments of the Inspection Unit at the Doordarshan Headquarters ✦ and also provisioning of ministerial staff in field offices to ensure that the

accounting, work can be performed and sustained adequately as required under departmental procedure.

152. In addition to the programmes produced in-house, Doordarshan also assigns production of programmes to outside producers. The programmes produced outside include those on centenaries and anniversaries, news and current affairs, sports, national integration, telefilms, teleplays, documentaries and serial on youth, environment, culture, development, science and technology etc. The programmes farmed out to outside producers are basically of two types namely, commissioned programmes and sponsored programmes. The former is essentially a programme of Doordarshan except that after the approval of the conceptualisation and other essential parameters by Doordarshan. Actual production is done by outside producers known as Executive Producers. In the case of the later, the producer invests his own money and Doordarshan only approves the programme offered by him.

153. The Committee note that the basic objective behind the launching the system of outside production was to keep track with the rapid expansion of Doordarshan, and the immense diversity of its programme requirements in recent years for which the in-house effort was found inadequate. The system was also contemplated with a view to providing an outlet to the talent pool of young producers that has been built up in this country since the early eighties. Further, this system is also stated to encourage the production of programmes which may not be found attractive in the strict commercial sense but for which there is a distinct need in the larger interest of the society. The Audit Paragraph based on a test check of records of Director General, Doordarshan and Delhi Doordarshan Kendra relating to the production of commissioned programmes by outside producers for the years 1986—90 and further examination of the subject by the Committee have revealed several inadequacies and disquieting aspects relating to the production of programmes by outside producers which are dealt with in the succeeding paragraphs.

154. The Committee have been informed that 748 contracts were concluded by Doordarshan with outside producers during the period 1985 to 1990 and out of that 562 programmes have been completed so far. However, the Ministry were unable to furnish the details about the number of proposals received, and the programmes accepted thereagainst yearwise. Expressing his inability to furnish the same, the Secretary, Ministry of Information and Broadcasting admitted during evidence that Doordarshan had not maintained records systematically and that there was no diarisation of the proposals received. He also stated that even now he had been receiving enquiries from producers on the fate of their proposals submitted two years back. The Committee are surprised that proper procedure was neither evolved by Doordarshan nor prescribed by the Ministry when the scheme of outside production was launched to systematically record the

position in respect of receipt of proposals and completion of programmes which were the essential inputs required for evaluating and monitoring the progress of outside production of programmes.

155. As regards the corrective action taken for ensuring proper system of data and records, the Ministry have stated that the revised guidelines issued on 17 March, 1992 on commissioned programmes now provide that all proposals received by Kendras/Directorate will be registered by them and allotted a serial number. Further, according to the Ministry with the setting up of the Central Commissioning Unit and computerisation, the data base will be streamlined. The Committee desire that the Ministry should keep a close watch and ensure that all records relating to outside production are systematically maintained by Doordarshan so that they are able to develop a solid data base and effectively monitor the production of programmes.

156. The Committee are surprised to note that there had been no planning in Doordarshan to assess the requirements of programmes over a period of time and no separate exercise had been undertaken to decide the total number of commissioned programmes to be approved in a particular year. The proposals were predominantly received from the producers *suo moto* and decisions taken thereon. During evidence the Secretary, I & B admitted that "earlier there was no such planning". In fact, even the guidelines issued in 1992 after the audit paragraph appeared and the selection of the subject by the Public Accounts Committee, did not clearly specify in details about the requisite programme requirements. It was only after the Committee pointed it out during evidence that the Ministry issued revised guidelines on 7 May, 1993 stating that the commissioned programmes to be assigned during a financial year should be worked out by the Doordarshan Directorate in the third quarter of the preceding financial year. This is clearly indicative of the lack of planning and also of the casual manner in which the whole issue of outside production was dealt with by Doordarshan.

157. What is further surprising is that Doordarshan had neither any prescribed system of selection of producers for production of outside programmes nor any panel of such producers. Proposals submitted by producers *suo moto* were selected on the basis of the eminence of the producers, track record, qualifications etc. Pertinently, the Films Division working under the administrative control of the same Ministry *viz.* Information and Broadcasting, prepares a panel of producers every two years and invites tenders from producers out of the approved panel for production of films. Also, Doordarshan neither followed a system of making public lists of eminent and experienced producers in different grades nor had any surveys/studies conducted by outside agencies for evaluation of the competence of the producers/programmes. The Ministry were also unable to convince the Committee about the prevalence of any definite system in Doordarshan of evaluating the relative merit of inhouse talent *vis-a-vis*

outside production. From the foregoing the Committee can only conclude that there was no proper system in vogue in Doordarshan for the rational selection of producers.

158. Curiously enough, the Committee during the course of the examination found that as far back as in 1987-88 a Committee known as Zutshi Committee had recommended a panel of producers for outside production of programmes. However, it was not made operational. During evidence, the representatives of the Ministry and Doordarshan admitted this omission. But they were unable to adduce any convincing explanation for not acting upon the recommendations of the Zutshi Committee. It was only after the selection of the subject by the Public Accounts Committee that the Ministry in a circular issued in January, 1992 and amended subsequently drew attention to the Zutshi Committee panel and sought to streamline the procedure of selection of producers. This is unfortunate to say the least. The Committee desire that the reasons for not acting upon the recommendations of the Zutshi Committee should be thoroughly looked into and the responsibility fixed for the omissions.

159. The Committee have been informed that after the issue of instructions in 1992 a system has now been evolved in Doordarshan for empanelment of outside producers. A Committee known as Empanelment Committee under the chairmanship of the Director General, Doordarshan, now prepares a panel of producers. A scrutiny of certain relevant documents by the Committee, in this connection, however revealed that the system of empanelment continues to suffer from certain inadequacies. For instance, the reasons for rejection of applications for empanelment are neither recorded nor communicated to the applicants concerned. In one case it was observed that a producer whose case for empanelment was rejected had represented to the then Minister of Information & Broadcasting seeking justice. However, even after the Minister had desired to know the reasons for rejection, no further action was taken in the matter. When this was brought to the notice of the Director General, Doordarshan in evidence, he admitted the lacunae. The Committee are of the view that the functioning of the Empanelment Committee leaves a lot to be desired so that the process becomes much more transparent.

160. The Committee also desire that the Ministry of Information & Broadcasting should in future ensure that the revised guidelines are scrupulously followed, the programme requirements over a period of time are methodically planned and the selection of producers is made on a rational basis.

161. The Committee note that after the concept of a programme has been cleared, it is submitted to a costing Committee who are required to assess the cost of each programme. The costing Committee is headed by the Director General and consists of five other members. After the programme is approved by the costing Committee, other agreement is signed between the

outside producers and Director of the Kendra spelling out the format, duration, number of episodes, time schedule, mode of payment etc. The Committee are concerned to note that till March 1992 no specific guidelines/norms were issued either by the Ministry or by Doordarshan for the functioning of the costing Committee. There were no standard rates prescribed for production of different categories of programmes and the cost of each programme was determined by the costing Committee taking into account the budget break-up projected by the producers and after mutual consultation and deliberations in the Committee. However, no written minutes of the deliberations were maintained. Evidently, no steps had been taken either by the Ministry or by Doordarshan to regulate the working of the Costing Committee. The Committee are not convinced with the arguments advanced that such guidelines could have curbed the creative functioning of the Costing Committee and that the reasonableness of the cost could have been entirely left to the knowledge, judgement and awareness of the members of the Costing Committee without any standard norms being laid down. The Ministry of Information and Broadcasting have assured the Committee that as per the revised guidelines issued on 17 March, 1992 the Costing Committee is required to clearly specify in the minutes the rationale in the total budget approved for a programme. The Committee would like the Ministry to ensure that the cost of each programme is assessed correctly on a rational basis and the basis of costing properly recorded so that it does not give rise to any dispute with the producer subsequently.

162. The Committee note that as per the agreements executed, the programmes framed out to outside producers were required to be generally completed within three to four months. The producers were granted advances, normally 40 percent of the total cost initially and the remaining amount at different stages. Audit had reported that 72 programmes involving advance payment of more than Rs. 2 crores for which agreements were entered into between February, 1986 and March 1990 were pending completion till October, 1990. As regards the latest position in this regard, the Ministry of Information & Broadcasting informed the Committee that out of the 72 programmes, 42 have been completed and telecast, six have been completed and awaiting telecast, six were being dropped and 18 programmes were yet to be completed. Thus, there had been inordinate delays in the production of programmes. The scrutiny of information furnished in this regard, in fact revealed that there had been considerable delays in the completion of most of the programmes. Significantly, Doordarshan had several options before them to deal with the defaulting producers. Under the agreement with the producers, in the even of failure to complete the production work within the stipulated period, the security deposit of the producer was liable to be forfeited. It was also open for Doordarshan to terminate the agreement and take any other action which might have been deemed necessary. Further, according to the instructions

issued by Doordarshan in October, 1984, in cases of inordinate delays, the kendras were required to send the recommendations for black-listing of defaulting producers. The Committee are, however, distressed to note that Doordarshan did not invoke any of these provisions. The Ministry of Information & Broadcasting admitted that Doordarshan exhibited laxity in initiating timely action for effecting the recoveries from the defaulting producers through available modes. It was also admitted that many cases of delay were due to the weak monitoring by the kendras. While conceding the lapses, the Secretary, Information & Broadcasting during evidence "We have now said that any producer who defaults should be black-listed and should not be given the programmes". It was also stated that the computerisation and the newly introduced system of obtaining bank guarantees would further enable Doordarshan to monitor slippages in production schedule. All these indicate serious lapses, if not nepotism. The Committee recommend that the laxity shown by Doordarshan in initiating timely action against defaulting producers should be thoroughly enquired into and responsibilities fixed for the lapses. The Ministry should also ensure that in future effective steps are taken to monitor the progress in the production schedule in terms of the contracts executed and that timely action is taken against defaulters. The Committee would also like to be apprised of the latest position in respect of completion of programme by outside producers.

163. The Committee regret to observe that no meaningful exercise seems to have been undertaken even now to estimate the amount recoverable from the defaulting producers. While the Ministry were unable to inform the Committee of the precise amount recoverable, it was stated during evidence that the said figure could be about rupees one crore. The absence of any monitoring of the production agreement executed by the producers has resulted in certain cases even in non-tracing of producers/sureties etc. (discussed elsewhere). The Committee recommend that all the pending contracts should be reviewed and prompt action taken to effect recoveries from the defaulting producers. The Committee would like to be informed of the further action taken in the matter.

164. The Committee find that in several instances certain producers who had failed to produce the programmes within the stipulated period were awarded contracts for further programmes. To quote a few examples, the producer of a programme "Morning Moods" was required to complete the programme by September 1988. Although the firm failed to complete the programme within the stipulated period, yet he was awarded contracts for three more programmes costing Rs. 7.45 lakhs in December 1988, February and March 1989 and advance payments of Rs. 2.98 lakhs were also made. Surprisingly, in two of the three cases even the due dates of the completion of these programmes were not recorded in the contracts. These programmes were completed in a period of nine and 19 months respectively against the

normal completion period of 3 to 4 months. The argument that the omission to record the due dates of completion of the programmes in the contracts was due to oversight is not acceptable to the Committee at all. The Committee desire that proper explanation be called from the officers concerned for the lapses and punishment meted out.

Similarly, in another case, a firm was entrusted with the production of the programme "Golden Hawks" at a cost of Rs. 7.5 lakhs in March 1988. The programme which was required to be completed by July 1988 was completed only in July 1990. Yet the same firm was awarded another programme costing Rs. 17.50 lakhs and given advance payment of Rs. 7 lakhs in July, 1988. This programme which was required to be completed by December 1988 was actually completed in October, 1989 only. The Ministry of Information & Broadcasting while admitting the mistakes stated that in the absence of a Centralised monitoring unit in Doordarshan, the necessary inputs regarding the status of other proposals of a producer for commissioned programmes were not made available to the Costing Committee and no one in the Committee was in possession of all information regarding the assignments awarded to the various producers. The Ministry assured that with the introduction of computerisation and setting up of a Central Commission Unit, such mistakes will not recur. The Committee desire that the circumstances in which contracts were awarded to the producers in the above mentioned cases before completion of the programmes assigned to them earlier should be inquired into and responsibility fixed for the lapses. Steps should also be taken to streamline the procedure so that such cases do not recur. The Committee also desire that the Ministry should examine the desirability of fixing of a ceiling on the number of programmes to be assigned to one producer.

165. The Committee note that apart from the defaults in production, there has also been inordinate delays in the telecast of programmes which had already been completed. The Audit had pointed out that 49 programmes received by Doordarshan between June 1987 and March 1990 involving an expenditure of Rs. 1.21 crores could not be telecast upto October 1990. A scrutiny of the information furnished to the Committee in this regard in January 1993 has revealed that of the 49 programmes, 26 have since been completed and telecast, but the remaining 23 programmes were still awaiting telecast. The reasons attributed for the non-telecast of certain programmes were, change in political situation, sensitiveness of the subject, programmes lacking balance, etc. In the opinion of the Committee, this is clearly indicative of the inadequacies in the conceptualisation and planning of the programme requirements and the acceptance of the programmes by Doordarshan. The Committee are convinced that this area requires further attention so that infructuous expenditure on such programmes are avoided in future. The Committee would also like the Ministry to apprise them of the latest position in respect of the programmes produced till end of 1993

pending telecast together with reasons therefore and its financial implications.

166. Another disquieting practice observed by the Committee was that the amounts collected from the producers earlier as security were not being deposited in the Government account, as a matter of practice. In most of the cases these security deposits in the form of demand drafts were kept separately on files and returned to the producers after the completion of the programmes. However, after the mistake was pointed out by Audit, Doordarshan issued instructions in March 1990 to all kendras that the amount of deposit should be credited to Government account soon after its receipt. The Ministry of Information & Broadcasting admitted that in this case Doordarshan had violated the established financial practices. The Committee wish to point out that this is indicative of a serious lack of control exercise by Doordarshan/Ministry in the administration of the scheme of outside production of programmes.

167. As per the Income Tax Act 1961, income tax was required to be deducted at source at the rate of 2% in respect of payments for contracts exceeding Rs. 10,000 which was applicable in the case of contracts for programmes commissioned to outside producers. The Committee regret to note that no provision for deduction of tax at source was made in the agreements executed by Doordarshan with the producers and income tax amounting to Rs. 71.93 lakhs had not been deducted at source from the payments made to the producers during the period 1985-86 to 1989-90. The Ministry of Information & Broadcasting while admitting the lapse stated that the implications of the income tax regulations were not clearly understood at the initial stage and that instructions were subsequently issued in June 1989 to effect income tax deductions at source which is now being made regularly. The Committee can not accept ignorance as a valid explanation for the failure to comply with the statutory requirements in this case. They desire that the Ministry of Information & Broadcasting in consultation with income tax authorities should take effective steps to ensure recovery of income tax from producers in cases where deductions had not been made in the past.

168. Another area where the Committee found lack of adequate attention was the manner in which copyright of such programme were being shared with the producers. While it was maintained that Doordarshan had full copyrights of its commissioned programmes insofar as the question of telecast rights in India was concerned, it was observed by the Committee that there was neither any laid down criteria nor any consistent practice in regard to foreign telecast. In one case it was observed that Doordarshan had set 30 per cent of the foreign telecast rights with the producer even though the entire cost of programme was borne by Doordarshan. In another case Doordarshan had surrendered 40 per cent of foreign telecast right with the producer of a programme costing about Rs. 75 lakhs for a saving of just



Rs. 5 lakhs. Evidently, there was no system in Doordarshan to regulate the share of copyrights with the producers. Pertinently, during the period 1985—90, Doordarshan had shared copyrights with 19 producers for foreign telecast. The Ministry of Information & Broadcasting while admitting that the basis for sharing copyrights in the form case mentioned above was not justifiable stated that as per the revised guidelines issued on 7 May, 1993 it has been decided that Doordarshan will not share its rights with the producers. The Committee desire that the Ministry of Information & Broadcasting should review all the cases where Doordarshan had shared copyrights in the past with a view to ensuring that the financial interests of Governments are protected.

169. Audience rating is an important input for deciding production and telecast of programmes. The Committee note that based on surveys carried out by Doordarshan itself, viewership of various programmes produced by outside producers had not been very encouraging over the years. While the Committee are conscious of the fact that Doordarshan cannot adopt a purely commercial attitude in deciding the programmes to be telecast, in order to achieve success in winning over viewership in the highly competitive environment prevailing in the present conditions, it is imperative that a high standard is maintained in the quality of the programmes produced and telecast. The Committee, therefore, desire that the Ministry should make sustained efforts in this direction so that the viewership of programme gets widened. Steps should also be taken to obtain a correct assessment of the viewership so that it acts as an effective feedback.

170. During the course of examination, the Committee came across several individual instances of irregularities in the programmes produced by outside producers under the commissioned programmes. Briefly, some of those cases involved the following irregularities:—

- (i) Lack of co-ordination between two branches of Doordarshan resulted in payment of an additional amount of Rs. 3.90 lakhs on a programme ("National Integration") earlier contracted with the producer at a lower rate.
- (ii) One programme ("Lotus Temple on Bahais") already produced in-house and telecast third was awarded further to an outside agency resulting in avoidable expenditure of Rs. 1.25 lakhs.
- (iii) A telefilm approved earlier ("Angoothe Chap") as a sponsored programme and subsequently proposed for exhibition on payment of royalty at Rs. 0.32 lakhs per telecast was purchased for Rs. 4.01 lakhs as the producer could not find a sponsor for the film.
- (iv) Advance payment of Rs. 10.5 lakhs was made in February 1989 for a six part documentary serial ("Crossing—The Indians Abroad") for a total budget of Rs. 70 lakhs in contravention of

the prescribed schedule of payment. The contract with the producer did not prescribe the scheduled date of completion; the serial had not been completed.

- (v) An amount of Rs. 5 lakhs sanctioned for the production of a film ("Khamoshi Kay Dairey") was enhanced to Rs. 8.5 lakhs without justification. The production of the film was also delayed by 14 months. The film was telecast after 31 months of its receipt although Doordarshan was aware that the print quality was not worthy of telecast.
- (vi) Doordarshan agreed to enhance the cost of a documentary ("Spirit Possession") from Rs. 6.3 lakhs to Rs. 8 lakhs and gave 30 per cent foreign sale rights in favour of the producer after the contract was signed. The producer was also allowed more favourable schedule of payment.
- (vii) The cost of a serial of seven episodes ("Ekas Ke Hum Barik") accepted by Doordarshan in November 1988 was enhanced from Rs. 12.6 lakhs to Rs. 14 lakhs. The serial was yet to be completed though advance payment of Rs. 5.60 lakhs was made in December 1988 and December 1990.
- (viii) An increase of 10 minutes in the total duration of a serial with 10 episodes ("Rishta") led Doordarshan to bear an additional expenditure of Rs. 3.5 lakhs when the contracted rate was Rs. 1.75 lakhs per episode of 30 minutes duration. Although all the episodes were stated to have been delivered in January 1990, their telecast was yet to be decided.
- (ix) A telefilm contracted in February 1987 ("Tript") for which Doordarshan made advance payment of Rs. 2 lakhs had not been produced so far.
- (x) Two programmes ("News Magazine in Hindi") for which advance payment of Rs. 9.6 lakhs was made in March 1990 were cancelled; the producers refunded the amount of advance in July 1990 after deducting Rs. 2.03 lakhs on account of expenditure already incurred.

Some of the above mentioned cases have been dealt with in more detail elsewhere in the report. The Committee deplore that the laxity on the part of the authorities resulted in delay, extra expenditure, accommodation to the producers at the cost of the exchequer and several other irregularities. They recommend that all the above mentioned cases as well as those mentioned in the Audit paragraph should be thoroughly inquired into and responsibility fixed for the lapses. The Committee would like to be informed of the action taken in the matter.

171. The system of assigning programmes to outside producers had been prevalent in Doordarshan at least since the eighties. Significantly, during

the period 1985-86 to 1989-90, an amount of Rs. 56 crores was spent against the budget allocation of Rs. 49 crores on programmes made by outside producers. Surprisingly, no guidelines were issued by the Ministry to regulate the scheme of production till January 1992. It was only after the selection of subject by the Public Accounts Committee for detailed examination that the Ministry chose to issue guidelines initially in January 1992, followed by March 1992 and later in May 1993 in the light of the discussions during evidence before the Committee. The Secretary of the Ministry of Information & Broadcasting stated during evidence "I have nothing on record to show that any orders were issued on the subject by the Ministry." The Committee need hardly comment further on this self-admitted dereliction of duty on the part of the Ministry. They hope that the Ministry would atleast now keep a close watch on the guidelines issued with a view to ensuring that the production of commissioned programmes by outside producers is done methodically and within the laid down procedures and policies.

172. During the course of their examination, the Committee's attention has also been drawn to certain reported irregularities in the selection of sponsored serials from outside producers. The Committee find that on 28 February 1992, Doordarshan released a list of 432 provisionally shortlisted serials from outside producers under the new sponsorship scheme. After the provisionally approved serials was made public, certain discrepancies in the list were reported and a preliminary enquiry was conducted by Doordarshan in the matter. Based on the preliminary enquiry, the matter was entrusted to the Central Bureau of Investigation. The Committee have been informed that CBI submitted an interim report towards the end of 1992 intimating that their discrete verifications had disclosed the possibility of irregularities with regard to 62 serials and that the CBI were proposing to register preliminary enquiry against some officials of Doordarshan and conduct an open probe to ascertain whether the officials had committed any criminal misconduct. According to the Ministry, no further communication had been received from the CBI. The Committee desire that the CBI enquiry and the action against the officers found guilty of having indulged in corrupt/irregular practices should be expedited. The Committee would like to be informed of the progress made in the matter within three months.

173. The instant audit paragraph was selected for detailed examination by the Public Accounts Committee (1991-92) and a list of points eliciting advance information on the subject was sent to the Ministry of Information & Broadcasting on 20 November 1991. However, the Ministry were able to furnish replies only on 22 January 1993, that is after a lapse of more than 14 months. The Secretary, I&B during evidence attributed the delay to the non-maintenance of proper records by Doordarshan. Although the Committee had completed recording of oral evidence on the subject in February 1993 there was a further delay of more than 4 months on the part of the Ministry in furnishing replies to the points arising out of evidence. Even the

replies furnished belatedly had failed to make available several important data having a direct bearing on the examination of the subject. The Committee cannot but express their strong displeasure over this and desire that the Ministry should thoroughly inquire into the reasons for the inordinate delay in furnishing information to the Committee.

174. To sum up, the facts stated in the foregoing paragraphs have revealed several shortcomings in the Doordarshan's Commissioned Programme Scheme. Briefly the inadequacies/shortcomings were, absence of planning regarding programme requirements, absence of procedure in the selection/empanelment of producers, defects in the costing techniques, delay in production, delay in telecast of programmes, incorrect procedure adopted in respect of security deposit and deduction of income-tax at source, sharing of copyrights with the producers, a sense of guidelines/instructions to regulate the administration of the scheme and above all, lack of control of the Ministry over Doordarshan in this regard. The Ministry of Information & Broadcasting have admitted the shortcomings and irregularities. They have assured the Committee that with the laying down of guidelines in 1992 and 1993, computerisation and setting up of the Central Commissioning Unit in Doordarshan, the administration of the scheme of commissioned programme will be streamlined. The Committee are, however, not inclined to share this optimism. They recommend that the Ministry should undertake a comprehensive review of the scheme in the light of the facts stated in this report and take appropriate corrective/remedial measures with a view to ensuring that the in-house talents are exploited to the maximum and the outside production is undertaken in a manner so as to achieve the underlined objectives behind the scheme within the laid down guidelines/policies.

175. The Committee in the course of their examination of the subject, also came across certain disturbing facts relating to the maintenance of accounts in Doordarshan. When the operations of a department include undertaking of activities of a commercial or quasi-commercial character and the nature and scope of the activities of the undertaking are such as cannot suitably be brought within the normal system of Government account, the department was required to maintain such subsidiary and proforma accounts in commercial form as may be agreed to between Government and the Comptroller and Auditor General. Astonishingly, the proforma accounts of Doordarshan have not been finalised since the years 1977-78 onwards. This delay has been attributed by the Ministry *inter alia* to the delay in bifurcation of assets and liabilities between Doordarshan and All India Radio, destruction of records at Doordarshan Kendra, Hyderabad in a mob attack, non-availability of complete documentation at subordinate field offices, non-availability of adequate inspection machinery, the rapid expansion of Doordarshan etc. The Committee cannot accept these as valid explanations for the inordinate delay of more than 15 years. They are of the firm view that the officers in the Ministry and Doordarshan who were

responsible for the maintenance and overseeing of these accounts were negligent in their duties and responsibilities should be fixed for the lapses. They recommend that the Ministry of I&B should in consultation with the Comptroller and Auditor General of India find out ways and means of maintenance of the proforma accounts upto date. The Committee would like to be informed of the precise action taken in the matter.

176. From the foregoing it is evident that an atmosphere of non-accountability was prevalent in the Ministry of I&B and Doordarshan. The Committee desire that this should be rectified without any loss of time.

NEW DELHI;  
*February 1, 1994*  

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*Magha 12, 1915 (Saka)*

BHAGWAN SHANKAR RAWAT,  
*Chairman,*  
*Public Accounts Committee.*

## APPENDIX I

*Paragraph 5 of the Report of C & AG of India for the year ended 31 March, 1990 (No. 13 of 1991) Union Government (Civil) relating to Outside Production—Doordarshan*

### 5. Outside Production Doordarshan

#### 5.1 Introduction

Doordarshan follows a system of assigning the production of programmes to outside producers. These include programmes on centenaries and anniversaries, news and current affairs, sports, national integration, telefilms, teleplays, documentaries and serials on youth, environment, culture, development, science and technology etc. Programmes are also produced in-house by Doordarshan.

#### 5.2 Scope of Audit

A test-check of records of Director General, Doordarshan, and Delhi Doordarshan Kendra, relating to the production of programmes by outside producers for the years 1986-89 was conducted by Audit during June to October 1989. The results of test-check were communicated to Doordarshan in January 1990.

Doordarshan stated, in March 1990, that the framework of rules, regulations and procedures relating to outside programmes had been steadily streamlined year after year, with the experience gained. It added that Audit had 'thrown considerable light on several aspects which need further attention' and 'these will be followed up' so that the scheme becomes more effective and fruitful.

The review has been updated for 1989-90 to the extent possible and takes into account the Ministry's reply furnished in February 1991.

#### 5.3 Organisational set up

Normally all individual proposals are received at various Doordarshan Kendras whereas film serials are handled by the Director General (DG), Doordarshan, Delhi. After scrutiny by the Kendra's screening committee, the proposals are sent to the DG for final approval. The proposals are put up before the Costing Committee set up in the DG's office which, besides the DG, comprises the following members:—

- (i) Additional Director General — Doordarshan;
- (ii) Deputy Director General (concerned);
- (iii) Director (Finance) Doordarshan;
- (iv) Controller of Programmes (concerned); and

## (v) Deputy Controller of Programmes (concerned)

▶ The Committee's decision is communicated to the producer. After the consequent of the producer with regard to price offered by Doordarshan and other terms is received, the Director issues necessary sanction for payment to the producer. The contracts are executed by the Doordarshan Kendra concerned. The type of film to be produced, time schedule, mode of payment and other terms and conditions are specified in the contract.

The themes of programmes are decided by DG and the officers designated by him on the basis of programmes requirements. Scheduling of programmes for telecast is done on the basis of requirement of particular programme at appropriate time.

*5.4 Highlights*

- Doordarshan did not have information regarding total number of proposals received, contracts entered into and programmes completed each year.
- Producers were stated to be decided by the Director General on the basis of their experience or eminence. There is no panel of producers. The criteria for selection of producers should be laid down clearly for the benefit of producers themselves.
- The Costing Committee should examine the different elements of cost and record their views on the reasonableness of the rate structure.
- ▶ — Seventy three programmes contracted with the producers between February 1986 and March 1990 involving advance payments of Rs. 203.97 lakhs were pending for completion till October 1990. There was no systematic monitoring at Kendras. No effective action was taken against defaulters or their sureties.
- Though a particular producer failed to produce the programme within the stipulated period, the producer was awarded contract for further programmes.
- Security deposit obtained from the producers was not deposited in Government account.
- Income tax amounting to Rs. 71.93 lakhs had not been deducted at source from the payments made to the producers.
- Fifty programmes received generally between June 1987 and March 1990 at Rs. 121.39 lakhs had not been telecast upto October 1990, some of them due to the change in the political scenario.
- Doordarshan did not have a proper procedure for sharing of copyrights of programmes produced by outside producers.

- Lack of co-ordination between two branches of Doordarshan resulted in payment of an additional amount of Rs. 3.90 lakhs on a programme earlier contracted with the producer at a lower rate.
- One programme already produced in-house and telecast thrice was awarded further to an outside agency resulting in avoidable expenditure of Rs. 1.25 lakhs.
- A telefilm approved earlier as a sponsored programme and subsequently proposed for exhibition on payment of royalty at Rs. 0.32 lakh per telecast was purchased for Rs. 4 lakhs. The telefilm had been telecast only twice.
- Advance payment of Rs. 10.5 lakhs was made in February 1989 for a six part documentary serial for a total budget of Rs. 70 lakhs in contravention of the prescribed schedule of payment. The contract with the producer did not prescribe the scheduled date of completion; the serial had not been completed.
- An amount of Rs. 5 lakhs sanctioned for the production of a film was enhanced to Rs. 8.5 lakhs without justification. The production of the film was also delayed by 14 months. The film was telecast after 31 months of its receipt although Doordarshan was aware that the print quality was not worthy of telecast.
- Doordarshan agreed to enhance the cost of a documentary from Rs. 6.3 lakhs to Rs. 8 lakhs and gave 30 per cent foreign sale rights in favour of the producer after the contract was signed. The producer was also allowed more favourable schedule of payment.
- The cost of a serial of seven episodes accepted by Doordarshan in November 1988 was enhanced from Rs. 12.6 lakhs to Rs. 14 lakhs. The serial was yet to be completed though advance payment of Rs. 5.60 lakhs was made in December 1988 and December 1990.
- An increase of 10 minutes in the total duration of a serial (10 episodes) led Doordarshan to bear an additional expenditure of Rs. 3.5 lakhs when the contracted rate was Rs. 1.75 lakhs per episode of 30 minutes duration. Although all the episodes were stated to have been delivered in January 1990, their telecast was yet to be decided.
- A telefilm contracted in February 1987 for which Doordarshan made advance payment of Rs. 2 lakhs had not been produced so far.
- Two programmes for which advance payment of Rs. 9.6 lakhs was made in March 1990, were cancelled; the producers refunded the amount of advance in July 1990 after deducting Rs. 2.03 lakhs on account of expenditure already incurred.



### 5.5 Financial outlay

The budget allocation and actual expenditure (both Plan and non-Plan) on programmes made by outside producers during 1985-86 to 1989-90 were as under:—

(In lakhs of rupees)		
Year	Budget allocation	Expenditure
1985-86	40.00	40.00
1986-87	600.00	231.35
1987-88	528.95	853.44
1988-89	1023.90	2190.77
1989-90	2753.16	2276.23
<b>Total</b>	<b>4946.01</b>	<b>5591.79</b>

The expenditure on programmes made by outside producers rose from Rs. 40 lakhs in 1985-86 to Rs. 2276.23 lakhs in 1989-90. Doordarshan stated, in November 1990, that in view of the encouraging results of the scheme, and the necessity of producing need based programmes engaging outsiders, a sizeable increase was made in the budget allocation for 1989-90. While the expenditure fell short of budget provision during 1986-87 and 1989-90 by 61 and 17 per cent, the expenditure exceeded the budget provision by 61 per cent and 114 per cent during 1987-88 and 1988-89 respectively. While explaining the reasons for excess/savings Doordarshan stated, in June 1990, that depending upon the directives of Government as per the requirements from time to time, fresh programmes were considered on variety of themes, and many factors had a bearing on the completion of topical/current affairs programmes.

The Ministry added, in February 1991, that the actual expenditure incurred year-wise, from 1986-87 to 1989-90 depended on a variety of factors like programme requirements of Doordarshan, programmes which were completed during a particular financial year and the liability committed during a particular financial year which rolled on to the next financial year and the fluctuations, in time schedule in respect of the programmes received from outside producers.

### 5.6 Physical performance

Doordarshan did not furnish information regarding the total number of proposals received from outside producers and the number of contracts entered into at Delhi as well as at other Kendras for different categories of programmes. Doordarshan Kendra Delhi, intimated (October 1990) that in all 799 contracts were entered into with the outside producers during

the period 1985-90 as per details given below. Information regarding the number of programmes completed in each year was not furnished.

	1985-86	1986-87	1987-88	1988-89	1989-90	Total
Current affairs	Nil	Nil	35	51	84	170
Telefilm/documentary	5	7	29	96	66	203
Morning transmission	Nil	25	106	183	112	426
	5	32	170	330	262	799

According to Doordarshan, by and large Delhi Kendra had a larger share of commissioned programmes than other Kendras.

The Ministry stated, in February 1991, that with the tremendous expansion of the network and the requirement of programmes, it was difficult at the initial years to lay down a solid data base. In order to streamline the procedure of commissioning of programmes, a Central Commissioning Unit had since been set up headed by a Controller of Programmes in Doordarshan which oversees the commissioning of programmes. It was proposed to introduce computers in the maintenance of records pertaining to outside producers in a phased manner.

### 5.7 Selection of producers

The producers were decided by the DG on the basis of their previous experience or eminence. Doordarshan did not maintain a panel of producers. Doordarshan also admitted, in February 1990, that survey studies has not been conducted with the sole idea of getting feedback on programmes produced by outside agencies.

The Ministry stated, in February 1991, that inviting tenders on the lines of Films Division would not be operationally feasible in Doordarshan and that the maintenance of selected panel of producers would debar entry of fresh talent.

It is felt in Audit that the criteria for selection of producers should be laid down clearly for the benefit of producers themselves.

### 5.8 Costing

The cost of each programme was assessed by the Costing Committee. Doordarshan stated, in July and September 1989, that there were no standard rates prescribed for production of different categories of programmes and the cost of each programme was determined by the Costing Committee taking into account the budget break-down projected by the producer. Also the cost/budget was decided keeping in view the requirement of programmes/script, for example, kind of sets/props, costumes, cast, format used (16mm/35mm, u-matic) and number of shifts required for shooting (outdoor-indoor), transportation, boarding and lodging, quality of creative crew deployed etc. Doordarshan further stated, in March 1990, that though each case was examined on merits

by the Costing committee, the average rates for some categories were invariably kept in view.

It was observed in Audit that no specific guidelines/norms were issued either by the Ministry or by Doordarshan for the functioning of the Costing Committee.

Doordarshan stated, in March 1990, that decisions were essentially arrived at on collective deliberations and details of discussions were not recorded.

While arriving at the cost of a particular production, Doordarshan did not offer its comments on individual items or different elements of cost. Instead, a total amount recommended was mentioned in the agenda papers submitted to the Costing Committee. Doordarshan stated, in March 1990, that details available in each proposal were being examined on file, before these were presented to the Costing Committee. Test-check of the files made available to Audit, however, revealed that no examination of different elements of cost in regard to their reasonableness of otherwise was done.

The Ministry admitted, in February 1991, that no written guidelines had been issued to regulate the working of the Costing Committee because it was apprehended that such guidelines could curb the creative functioning of the Costing Committee. Fixing of uniform rates was also not considered feasible as it could result in unintended benefits to some producers. It is felt in Audit that the Costing Committee should examine the different elements of cost and record their views on the reasonableness of the rate structure.

### 5.9 Delay in production

5.9.1 In accordance with the agreements with the producers, programmes farmed out to outside producers were required to be generally completed within three to four months. Seventy three programmes for which agreements were entered into between February 1986 and March 1990 were pending completion till October 1990. Rupees 203.97 lakhs had been paid as advance to the producers of these programmes. Year wise position of the pending programmes and advance payments is given below:

Year	Number of programmes	Amount (Rupees in lakhs)
1985-86	1	0.63
1986-87	1	2.00
1987-88	4	5.84
1988-89	38	143.92
1989-90	29	51.58
<b>Total</b>	<b>73</b>	<b>203.97</b>

Under the agreement with the producer, in the event of the failure to complete the production work of the TV film within the stipulated period, the security deposit of the producer was liable to be forfeited and he was also liable to make good any loss or damages which might be sustained by the Government by reason of such failure. It was also lawful for the Government to terminate the agreement on that account and take any other action which might be deemed necessary.

Apart from a few reminders, no other action was taken by the Delhi Doordarshan Kendra in respect of the producers who failed to produce the programmes within the stipulated time. Monitoring of the progress of the production of programmes commissioned by Doordarshan was done by the respective Kendras, who signed contracts with the producers. Doordarshan admitted in September 1989 that there was no systematic monitoring in case of certain Kendras; it was now trying to introduce a specific clause in the contract itself, which might deter the producer from making avoidable delays. Doordarshan further stated, in December 1990, that action was being initiated to amend the contract form and a clause for penal interest would be provided in the revised contract.

The Ministry also admitted, in February 1991, that many cases of delay were due to weak monitoring by the Kendras; Doordarshan had been asked to initiate action against those producers who failed to be persuaded to complete the assignments even after the extended time limits and that Doordarshan proposed to incorporate a stringent time frame in the contract linked with the stages of payments *vis-a-vis* production. The Ministry also stated that timely follow-up action and monitoring had been stepped up to prevent slippages in production schedule.

5.9.2. In the following cases noticed in test check though a particular producer failed to produce the programme within the stipulated period, he was awarded contracts for further programme(s).

(a) A firm was awarded production of a programme "Morning Moods" in June 1988 for Rs. 7 lakhs and advance payment of Rs. 2.80 lakhs was made to it in June 1988. The production of the programme was required to be completed by September 1988. Although the firm had not completed any episode, the production of three more programmes (cost Rs. 7.45 lakhs) was entrusted to the firm in December 1988, February and March 1989 and advance payments totalling Rs. 2.98 lakhs were made in December 1988, March 1989 and May 1989. In two of these cases, the due dates of completion of the programmes were not found recorded in the contracts; these programmes were completed in November, 1989 and July 1990 *i.e.* in a period of nine and nineteen months respectively against the normal period of three to four months. In the third case, the programme which was required to be completed by the end of August 1989 was actually delivered only in February 1990. The final copies of the serial "Morning Moods" were delivered in January 1990, and the serial was telecast between July and September 1990.

(b) A firm was entrusted with the production of programme "Golden Hawks" at a cost of Rs. 7.5 lakhs and paid Rs. 2 lakhs as advance in March 1988. The programme, which was required to be completed by July 1988, had not been completed so far (December 1990). Delhi Kendra informed, in May 1990, that the producer was paid the advance of Rs. 2 lakhs in respect of four episodes only, for which the agreement was signed in March 1988 and that four (out of six) episodes were received in March 1990. The firm was awarded production of another programme costing Rs. 17.50 lakhs and given advance payment of Rs. 7.00 lakhs in July 1988. This programme which was required to be completed by December 1988 was actually completed and delivered in November 1989 *i.e.* after a delay of 11 months.

The Ministry stated, in February 1991, that Doordarshan was convinced that the producers had the necessary infrastructure and expertise to produce programmes without compromising on quality and that the programmes were being scheduled for telecast in chain from different Kendras. The fact however, remains that the completion of programmes was considerably delayed and Doordarshan had assigned additional programmes to the producers despite the delays.

5.9.3. In the instructions issued to Kendras in October 1984, Doordarshan had emphasised that in cases of inordinate delays, the Kendras should consider sending their recommendations for black listing the producer concerned. Information regarding previous pending programme(s) with the producer was not being submitted to the costing committee. Nor was this included in the proforma in which proposals were being put up to the Committee. Doordarshan stated, in March 1990, that the same was now being included in the agenda for the Costing Committee so as to cut down delays and to ensure better quality with 'one-at-a-time' policy.

5.9.4. There was no system for obtaining bank guarantees from the producers for the advance payments made to them in connection with assignment of programmes. Doordarshan stated, in July 1989, that the agreement with the producers already provided necessary safeguards in respect of advance payment. Nevertheless the agreement did not contain any provision for safeguard in respect of advance payment, it only dealt with provision of surety. In the 73 cases mentioned above no recovery had been made from the persons who stood surety for the producers as per the agreement. Doordarshan stated, in March 1990, that atleast in one case action had been initiated to recover the amount from this persons who stood surety. This case has been discussed elsewhere in this review.

#### **5.10 Security deposit**

The amount of security deposit of Rs. 500 obtained from the producers was not being deposited in the Government account as a matter of practice. In some cases, it was noticed that the amount of security deposit was accepted even in the form of cheques which were not credited to

Government account. On being pointed out by Audit, Doordarshan issued instructions, in March 1990, to all Kendras that the amount of security deposit should be credited soon after receipt.

### *5.11 Recovery of income tax*

As per the Income Tax Act, 1961, income tax at 2 per cent was to be deducted at source in respect of contracts exceeding Rs. 10,000. No provision for deduction of income tax at source was found made in the agreements with the producers. Doordarshan issued instructions, in June 1989, to all Kendras to deduct 2 per cent income tax at source while making payments exceeding Rs. 10,000 to outside producers.

An amount of Rs. 3596.56 lakhs has been incurred during the period 1985-86 to 1989-90 (till May 1989) on programmes made by outside producers. As such Rs. 71.93 lakhs which should have been deducted towards income tax at source from the payments made to the producers had not been recovered and credited to Government account.

### *5.12 Programmes pending telecast*

Fifty programmes received by Doordarshan generally between June 1987 and March 1990 had not been telecast upto october 1990. Expenditure of Rs. 121.39 lakhs had been incurred on the production of these programmes (upto March 1990). Out of 50 programmes, there was no likelihood of telecast in five cases (amount Rs. 7.20 lakhs), the likelihood of telecast existed in two cases (amount Rs. 9.35 lakhs) while no indication for telecast was forthcoming in the remaining 43 cases (amount Rs. 104.84 lakhs).

Doordarshan stated, in July 1989 and in February 1991, that with the change in the political scenario and sensitivities of the subjects, some of the programmes could not be telecast. But some part of the programmes may be used whenever an opportunity arises some programmes were stated to be sensitive or having lost their topicality. It was further stated, in March 1990 and in February 1991, that some of these production constitute useful documentation and archival material.

### *5.13 Copyright*

Normally, when Doordarshan commissions a programme to be produced by an outside production agency the funding is done by Doordarshan. All rights of the product i.e. programme/film should ordinarily vest in Doordarshan. Doordarshan stated, in September 1989, that there were cases, such as when it was felt that the actual production expenses to be incurred by the production agency were likely to go beyond the price paid by the Doordarshan, the sharing of rights was negotiated with the producer. Rights, such as theatrical exhibition, marketing abroad etc. were shared by Doordarshan with the production agency as per mutual agreement on case to case. With regard to the system and necessity of sharing of rights with some producers on a selective basis, Doordarshan

stated, in November 1989 and in December 1990, that a procedure was being worked out to evolve a pattern for the sharing of rights which would be annexed to the agreement signed, wherever necessary, and that a fool proof methodology was being worked out in detail.

According to the information furnished by the Ministry in February 1991, Doordarshan had shared copy rights with the producers in 19 cases, out of which 4 cases pertained to the Delhi Kendra. A scrutiny of three out of the four cases relating to the Delhi Kendra, for which files were made available to Audit showed as under:

- (i) In one case—Portrait of the Director—the budget of Rs. 2 lakhs per episode as proposed by the producer was agreed to in full; nevertheless 30 per cent of the foreign telecast rights were to be shared with the producer.
- (ii) In another case—Crossing—The Indians Abroad—against the estimated cost of Rs. 6527 lakhs, including Rs. 4.75 lakhs towards profit, Doordarshan agreed to a total payment of Rs. 70 lakhs with 40 per cent foreign telecast rights shared with the producer as an alternative to the producer's offer of total payment of Rs. 75 lakhs with all rights, national and international, vesting in Doordarshan. Thus, Doordarshan surrendered 40 per cent foreign telecast rights for a saving of Rs. 5 lakhs.

Thus, there was no system to regulate the sharing of copyrights with the producers. The Ministry stated, in February 1991, that it had now been decided to work out a broad formula which would be appended to the contracts for consolidated assignments on a uniform basis.

#### *5.14 Audience research*

Doordarshan had 18 Audience Research Units attached to various programme centres all over India. The Audience Research Unit at Headquarters coordinates and supervises the entire activities. Two types of researches were being undertaken—formative and summative. Under the former, preproduction research is carried out. Summative type of research is post-telecast and undertaken to find out viewership, comprehension, utility and reactions on the programmes telecast.

A study of the surveys conducted by the Audience Research Unit during 1988-89 showed that these included 23 programmes of morning transmission, 19 programmes of current affairs and one telefilm produced by outside producers. The maximum viewership of these programmes was 13 per cent in the case of morning transmission, and 28 per cent in the case of telefilm. The maximum viewership in respect of current affairs which related to Delhi only was 7 per cent.

The viewership survey for 1989-90 related only to Delhi in respect of morning transmission and current affairs. Whereas out of 90 programmes of morning transmission, 25 had average maximum viewership ranging from 10 to 28 per cent and 65 upto 9 per cent; percentage of viewership in respect of 27 current affairs programmes covered in the survey was nil in

4 cases, upto 9 in 16 cases and between 12 and 32 in 7 cases. The three telefilms had better ratings, with all India viewership ranging between 25 and 45 per cent.

The Ministry stated, in February 1991, that audience research figures alone need not be deemed to be the only criteria for judging the merit of the outside productions and that Doordarshan, being a public service medium, did not necessarily assign programmes keeping only audience rating in view which was expected to fluctuate in respect of current affairs programmes containing social messages, etc.

But, audience rating is a necessary and an important input for deciding the programmes.

### *5.15 Programmes produced by outside producers*

*5.15.1 National Integration:* A programme on National Integration was approved by the news and current affairs cell of Doordarshan, in December 1987, at the rate of Rs. 0.40 lakh per episode of 10 episodes. Against the admissible amount of advance of Rs. 0.80 lakh payable on approval of the script as per the normal schedule of payment, an amount of Rs. 1.60 lakhs was paid to the producer as advance in December 1987. Subsequently, in August 1988, the Morning Cell approved the same programme but at an enhanced rate of Rs. 0.70 lakh per episode for 13 episodes. Doordarshan thus paid an additional amount of Rs. 3.90 lakhs for a programme which had already been contracted with the producer at a lower rate. Doordarshan also did not recover any amount towards interest on the advance of Rs. 1.60 lakhs paid to the producer in December 1987 which was refunded in June 1989. The programme was delivered by the producer in March 1989.

It was stated, in September 1989, that the producer realised that the project was costlier one and also the duration was required to be more. The Ministry also contended in February 1991 that the second programme had an enlarged scope, justifying the increase. However, in both the cases, the episodes were of ten minutes duration each. Doordarshan admitted that there was lack of co-ordination between the two branches—Current Affairs Wing and Morning Transmission Section; and stated that with the formation of the Central Commissioning Unit, it was hoped to plug all such loopholes (March 1990).

A survey conducted by the Audience Research Unit to know the viewership of the programme indicated that it was limited to five to ten per cent (Delhi and Madras).

Pending completion of the programme on National Integration, the producer was awarded another programme costing Rs. 19.50 lakhs in October 1988 for which advance payment of Rs. 7.80 lakhs was given in November 1988. The payment of advance in this case also was not strictly according to the standard schedule of payment which envisaged advance



payment of only 20 per cent of the cost on approval of script. This programme was required to be completed by December 1988 but all the 13 episodes were stated to have been received and telecast between September 1989 and December 1990.

The Ministry stated, in February 1991, that the producer was entrusted with the responsibility of producing two programmes simultaneously as he had the expertise and infrastructure to undertake more than one programme at a time.

The Ministry also stated that to avoid any possible inadvertent lack of coordination between the various programmes units which commission programmes under different heads of budget, the commissioning activity had since been centralised.

*5.15.2 Lotus Temple of Bahais:* In January 1988, Doordarshan accepted the proposal of a producer for production of film "Lotus Temple of Bahais" of 20 minutes duration for Rs. 1.25 lakhs. Subsequently, in February, 1988, Delhi Kendra informed the DG that a programme on "Lotus Temple of Bahais" had already been produced by Delhi Doordarshan itself and had been telecast thrice in the preceding year. Accordingly, Doordarshan advised the producer, in February 1988, to stop work on the film till further orders. However, the production of film was revived, in May 1988, on the representation of the producer. The absence of proper scrutiny of proposals at directorate level before submission to the Costing Committee resulted in avoidable expenditure of Rs. 1.25 lakhs.

✦ The Ministry stated, in February 1991 that since the programme was duly approved by Doordarshan, the expenditure incurred thereon could not have been avoided and that it was the relative merit of the outside production which had a decisive role to play in commissioning the programme.

The all-India viewership of the programme, as conducted by an outside agency was only one percent; the viewership was nil in Delhi.

*5.15.3 Angootha Chhap:* The telefilm "Angootha Chhap" was submitted by the producer, in May 1987, for possible telecast on Doordarshan and was approved by Doordarshan in September 1987, as a sponsored programme. The producer could not find a sponsor for the film and suggested, in October 1987, that Doordarshan could directly show the film without a sponsor. As per the rate card, the royalty permissible was Rs. 0.32 lakh for a film of 55 minutes duration, and the producer was informed accordingly in November 1987. Since this was not acceptable to the producer, Doordarshan agreed to the proposal of the producer to purchase the film, with world-wide copyrights for Rs. 4 lakhs. Although approval of the Costing Committee was obtained, there was no indication to show that the reasonableness of cost was examined. The film was telecast twice in April 1988 and September 1989.

Doordarshan stated, in May 1990, that the rate of Rs. 0.32 lakh on

account of royalty payment for documentary films and children's films was for a mere one time telecast and the film was purchased for any number of telecasts. The Ministry also stated, in February 1991, that the decision to purchase the film was taken by Doordarshan after considering the high repeat potential of the film, its educative theme on adult literacy and the subtle message it brought home effectively.

It was observed that the viewership of the film, which was telecast only twice, was not undertaken under the panel survey of the Audience Research Unit of Doordarshan. However, all India viewership of the April 1988 telecast as conducted by an outside agency was reported at 38 per cent. The Ministry stated, in February 1991, that the viewership was likely to increase in future telecast because it propagated adult education.

*5.15.4 Crossing—The Indians Abroad:* Doordarshan awarded the production of six part documentary serial of 50 minutes' duration each in 16 mm colour, in February 1989, for a total budget of Rs. 70 lakhs plus 40 per cent foreign sale rights in favour of a producer.

The first instalment of Rs. 10.50 lakhs (15 per cent of the sanctioned amount) was released in February 1989 on signing of the contract. The second instalment of Rs. 21 lakhs (30 per cent of the sanctioned amount) was released in March 1990 on approval of the script. The scheduled dates of completion of various stages of work for regulating payments were not found mentioned in the contract with the producer. In terms of general schedule of payments applicable, no payment was admissible to the producer on signing of the contract. The payment of Rs. 10.5 lakhs on signing of the contract resulted in unauthorised aid to the producer with an interest benefit of Rs. 1.26 lakhs computed at 12 per cent per annum. The payment of the second instalment of Rs. 21 lakhs on approval of the script was also irregular and resulted in further unauthorised aid. The basis on which the cost of Rs. 70 lakhs was considered reasonable was also not available. The serial had not been completed.

Doordarshan stated, in March 1990, that the total cost was considered quite reasonable by the Costing Committee. Doordarshan also informed, in February 1991, that shooting schedule of the serial had been completed in London in September 1990.

*5.15.5 Khamoshi Kay Dairey:* The production of a film titled "Khamoshi Kay Dairey" was assigned to a producer in the category of sponsored telefilm in October 1985. As the producer could not get sponsors for the film, Doordarshan agreed, in July 1986, to a proposal of May 1986 of the producer to the production of the film at a cost of Rs. 5 lakhs. The agreement was entered into in January 1987. In February and April 1988, the producer approached Doordarshan for enhancement of cost to Rs. 9 lakhs on the ground that the actual cost of production was more because it involved producing the film in 16 mm colour. The producer also agreed to forego the video rights of the film in favour of Doordarshan

for a consideration of Rs. 3.5 lakhs. This was agreed to by Doordarshan and an additional amount of Rs. 3.5 lakhs was sanctioned in May 1988. It was observed in Audit that the original sanction was for production of film in 16 mm in colour and as per the agreement between producer and Doordarshan, telecasting rights of telefilms in India and abroad would vest with Doordarshan in perpetuity and all other rights would remain with the producer. There was, therefore, no justification for enhancement of the cost of film from Rs. 5 lakhs to Rs. 8.5 lakhs and additional expenditure of Rs. 3.5 lakhs was avoidable. The film which was required to be completed by March 1987 was also delayed and was completed in May 1988. Although Doordarshan stated, in June 1990, that the print quality of the film was not worthy of telecast, the film was telecast in December 1990 in the late night transmission. The Ministry stated, in February 1991, that by agreeing to increase in cost from Rs. 5 lakhs to Rs. 8.5 lakhs, Doordarshan obtained full marketing rights including the overseas rights of the film. This was not correct. In any case, acquisition of copyrights of a film, whose print quality was not worthy of telecast, was of no use.

*5.15.6 Spirit Possession:* In March 1988, Doordarshan agreed to a proposal of a producer for production of documentary titled "Spirit Possession" of 60 minutes duration at a cost of Rs. 6.3 lakhs. The copyright of the documentary was to vest in Doordarshan. Although the producer signed the agreement in March 1988, she did not furnish the necessary prescribed sureties. In November 1988, the producer approached Doordarshan for enhancement of cost to Rs. 12.98 lakhs due to delay. Doordarshan agreed to an enhancement of Rs. 1.7 lakhs plus transfer of 30 per cent foreign sale rights in favour of the producer in December 1988. The producer was also allowed revised schedule of payment in departure from the normal schedule and Rs. 4.80 lakhs were paid in December 1988 as on account payment (Rs. 3.20 lakhs) and payment on commencement of shooting (Rs. 1.60 lakhs). Doordarshan granted, in January 1990, a further enhancement of Rs. 0.77 lakh for sub-titles and extended duration.

The full contractual formalities were completed only in December 1988. However, it was observed in Audit that the producer had already signed the contract, in March 1988, which had also been countersigned by the Director, Doordarshan Kendra, New Delhi. The grant of further concessions to the producer by way of enhancement of total cost, transfer of 30 percent foreign sale rights and more favourable schedule of payments was therefore, irregular. The programme which was completed in July 1990 had not been telecast so far in India.

The Ministry stated, in February 1991, that while enhancing the budget, Doordarshan had taken into account the potentiality of this documentary in marketing abroad.

*5.15.7 Ekas he Hum Barik:* In November 1988, Doordarshan accepted the proposal of a producer for the production of a seven episode serial

each of 25 minutes duration at the rate of Rs. 1.8 lakhs per episode (total Rs. 12.6 lakhs). In April 1989, the producer represented for enhancement in the cost per episode in view of the higher cost of production involved. Doordarshan agreed, in September 1989, to pay at the rate of Rs. 2 lakhs per episode on the ground that a similar rate had been agreed to in the cases of two other producers. It was stated, in September 1989, that the increase in the budget was justified in the interest of quality and requirement of the production. No scheduled date of completion had been prescribed, although advance payment of Rs. 5.60 lakhs was made in December 1988 and in December 1990. Delhi Kendra intimated, in May 1990, that in response to a reminder, the producer had informed that two episodes had been submitted to the DG and that the producer had represented for enhancement of cost to Rs. 4 lakhs per episode and increase in the total number of episodes to 25. The programme was yet to be completed (January 1991).

*5.15.8 Portrait of the Director:* In May 1988, Doordarshan accepted the proposal of a producer for production of a 13 part serial of 30 minutes duration each in English at Rs. 2 lakhs per episode (total Rs. 26 lakhs) with all rights excepting 30 percent of foreign telecast rights. The approval was subject to the condition that the producer would discuss the project with Doordarshan regarding inclusion of persons in the series. In January 1989, the rate per episode was revised to Rs. 2.30 lakhs of 40 minutes duration each and two additional episodes were also to be included in the serial. The personalities to be included in the additional episodes were strictly not Directors. However, in May 1989, the producer expressed his inability to produce all the episodes and requested Doordarshan to close the agreement after production of six episodes. A part payment of Rs. 12.24 lakhs had already been made upto February 1989 to the producer for all the 15 episodes. The producer delivered in all six episodes in June 1989. Doordarshan intimated in January 1991 that the six episodes were telecast between August and September 1990 and that the producer had been paid Rs. 13.80 lakhs in final settlement for all the six episodes by October 1990.

*5.15.9 Rishta:* The production of the serial 'Rishta' comprising eight episodes of 30 minutes' duration each at Rs. 1.75 lakhs per episode (total Rs. 14.00 lakhs) was accepted by Doordarshan in August 1988. In March and April 1989, the producer approached Doordarshan for enhancement in the rate per episode to Rs. 2 lakhs per episode. Although no increase in the rate was agreed to by Doordarshan, Doordarshan allowed the producer to produce ten episodes, each of 25 minutes duration at Rs. 1.75 lakhs per episode. Thus because of an increase of 10 minutes in the total duration of all the episodes, Doordarshan agreed to an additional expenditure of Rs. 3.5 lakhs in the production of the serial. An amount of Rs. 7 lakhs was paid to the producer in December 1988 and June 1989. The scheduled date of completion was not found recorded in the agreement. It was intimated

that all the episodes were delivered in January 1990 and its telecast was yet to be decided (December 1990).

Doordarshan stated, in March 1990, that due to problems of slotting the serial for telecast, it was decided to cut down the duration to 25 minutes each, and increase the number of episodes by two, in order to ensure the continuity of the story and its proper treatment. The additional expenditure thus sanctioned had therefore gone into making of two additional programmes as well as to partially meet the demand of the producer for enhanced budget. The demand of the producer for increase in the budget had, however, been rejected earlier by the Costing Committee in November 1988.

Doordarshan had withheld the balance payment of the producer (10 per cent of the sanctioned amount) pending formalities as per agreement.

The Ministry was of the opinion that the likely gains from commercial advertisements would far outweigh the expenditure that had been incurred on the serial (February 1991).

5.15.10 *Tripti*: In July 1986, Doordarshan accepted the proposal of a producer for the production of a telefilm titled "Tripti" of 90 minutes' duration in 16mm in colour for Rs. 5 lakhs. The agreement was entered into with the producer and an advance payment of Rs. 2 lakhs (being 40 per cent of the sanctioned amount) made in February 1987. The stipulated date of completion was not found recorded in the agreement.

It was observed in Audit that even the rough cut of the film had not been submitted by the producer till April 1990. Doordarshan wrote to the producer in March and August 1987 but the letters were returned undelivered. Doordarshan thereafter wrote to two sureties in February 1988; there was no response from one of the sureties, while the other surety furnished the new address of the producer. The letter sent to the producer at the new address was also received back undelivered. Instructions were issued to Delhi Kendra in May 1989 to initiate action against the producer for withdrawal/cancellation of the offer and seek refund of the advance with interest; final letter was issued in December 1989. Thus there was slackness in pursuing the matter with the producer.

The Ministry informed in February 1991, that Doordarshan had sought advice from the Ministry of Law in January 1991 and that further action, as per the terms of contract, would be taken on receipt of the legal advice.

5.15.11 *News Magazine in Hindi*: In March 1990, Doordarshan awarded the work of production of a programme titled "News Magazine in Hindi" to two producers at the rate of Rs. 2 lakhs per episode for six episodes each (total Rs. 24 lakhs),

An amount of Rs. 9.6 lakhs being 40 per cent of the sanctioned amount was paid to the producers in March 1990. Income tax amounting

to Rs. 0.19 lakhs was deducted at source from the advance payment to the two producers.

Subsequently, in April 1990, Doordarshan decided to cancel the two programmes. The producers refunded an amount of Rs. 7.39 lakhs in July 1990 after deducting Rs. 2.03 lakhs on account of expenditure already incurred by them on the production of these programmes. Doordarshan stated, in November 1990 and January 1991 that the programmes were cancelled as 'it was decided to produce the programmes as in-house production' and that there was possibility of the usage of the material for production of in-house programme.

5.15.12 *Corruption and the Common Man*: Doordarshan accepted the proposal of a producer for the production of a programme titled "Corruption and the Common Man" in February 1990 for an amount of Rs. 1.25 lakhs.

An amount of Rs. 0.50 lakh being 40 per cent of the sanctioned amount was paid to the producer in March 1990.

Doordarshan stated, in November/December 1990, that the programme was not done very professionally and that it might not be able to telecast it even on Channel II. However, Doordarshan proposed to impress upon the producer to modify and make it professionally worth telecast.

## APPENDIX II

### MINISTRY OF INFORMATION AND BROADCASTING

**SUBJECT:** *Guidelines for the consideration, processing and approval of proposals received from outside producers for telecast of TV Programmes under Doordarshan's Commissioned Programme Scheme.*

With a view to streamlining the procedures for the consideration, processing and approval of proposals by outside producers/directors for telecast, the Government have decided in supersession of all previous instructions and/or guidelines on the subject to lay down the following guidelines, namely:—

1. (i) These guidelines may be called the 'Guidelines for the consideration, processing and Approval of the proposals for telecast of TV programmes under the Commissioned Programme Scheme of Doordarshan'.
- (ii) These shall come into force *with immediate effect* and shall remain valid until further orders or till such time as 'Prasar Bharati' issues fresh guidelines on the subject, whichever is earlier.
2. Director means Director of Doordarshan Kendra.
3. (i) Doordarshan shall, in accordance with its programme requirements over a period of time, consider proposals for the production of programmes on a particular subject and format based on the concept, treatment and script fully approved by Doordarshan. The requirement of the commissioned programmes to be assigned during a financial year shall be worked out by the Doordarshan Directorate in the 3rd quarter of the preceding financial year. This would essentially be a programme of Doordarshan except that after the conceptualisation and other essential parameters are cleared by Doordarshan, the actual production work would be executed by an outside producer on the basis of the cost, quality and schedule laid down in the agreement to be entered into for this purpose.
- (ii) The proposals received on a particular theme and subject shall be considered by the Evaluation Committee of Doordarshan and it shall select such proposals as are considered most suitable

and in such numbers as are considered necessary to meet their programme requirements over a period of time. The remaining proposals not found suitable will be treated as having been rejected and the applicants informed suitably about such rejection.

- (iii) Current Affairs programmes or programmes which are in the nature of single episode programmes whose duration will generally not exceed 30 minutes in each case would, however, not be examined by the Evaluation Committee but will be processed on file and directly placed before the Costing Committee for its approval.
4. (i) A proposal received under this schemes from outside producer who will be known as 'Executive Producer' shall invariably contain all the relevant particulars about the story, synopsis, biodata, experience, etc. as specified in the application.
- (ii) The proposal in the prescribed form as per Annexure 'A' shall be accompanied by a Crossed Bank Draft/Postal Order of the value of Rs.2,000.00 payable in favour of 'Drawing and Disbursing Officer, Directorate General, Doordarshan, New Delhi. This amount shall be the processing fee and shall not be refunded irrespective of the fact whether the proposal is finally accepted or rejected.
- (iii) Doordarshan will for the purpose of this scheme maintain a panel of eminent Producers/Directors on the basis of the good track record for producing good quality programme and/or their potential for doing so by virtue of their literary and artistic talents. A similar panel will be maintained at each Doordarshan Kendra, for programmes in regional languages to be commissioned for telecast by the respective kendras.
- (iv) To start with, Doordarshan will utilise the panel drawn up by the Zutshi Committee in 1988. Further additions to this panel shall be made with the approval of the *competent authority* on the basis of the following criteria:
- (a) Past experience in film/television medium (Supported by documentary evidence).
  - (b) Diploma holders in film direction of the Film & Television Institute of India, Pune and Film & Television Institute, Madras.
  - (c) Graduates of Jamia Millia and Diploma holders of the National School of Drama who have done some work in the film/television medium after their graduation.
- (v) The panel will be reviewed every 4 (four) years. New names will be added once a year in February/March only.



5. (i) All proposals received by Doordarshan shall be appropriately entered into a register in the order in which they have been received and allotted a serial number. The receipt of the application shall be duly acknowledged and the applicant informed about the serial number allotted to his/her application.
- (ii) An application shall be considered complete only if it has been made strictly in accordance with the manner indicated in Clause 4 above, failing which it shall be summarily rejected.
6. (i) It shall be the endeavour of Doordarshan while selecting such programmes to strike a proper balance between entertainment, education and information. Thus, Doordarshan may decide to get programmes produced in various formats such as documentary, telefilm, serial, series, features, songs musical programmes, variety programmes, etc., on subjects such as:
- (a) Current Affairs.
  - (b) Sports.
  - (c) Children's Programmes.
  - (d) Promotion of good sociocultural values, national integration and upholding the values enshrined in the Constitution of India.
  - (e) Imaginative treatment of outstanding literary works.
  - (f) Life histories of outstanding world and national leaders, average citizens making valuable contribution to society.
  - (g) Themes promoting the Welfare of women, children, weaker sections of society (urban/rural).

The above is only an indicative list and Doordarshan is free to consider proposals on other subjects and formats also.

- (ii) The applications complete in all respects, shall be placed before the Evaluation Committee who would examine the proposals and decide upon their acceptability based on the following broad criteria:
- (a) Relevance of the story, theme or the subject to the needs of Doordarshan.
  - (b) Treatment of the subject/storyline.
  - (c) Conformity to the Telecast code.
  - (d) Track records of the Director, Executive Producer, Writer, Crew etc.

(iii) The Evaluation Committee shall consist of:

- (a) Deputy Director General concerned with the particular theme/subject in Doordarshan (Chair-person).
- (b) Deputy Director General (CCU), Doordarshan.
- (c) Three non-official experts to be co-opted from a panel of experts on the concerned subject. The panel of experts would be drawn up by Doordarshan with the approval of the Ministry of Information and Broadcasting.
- (d) CP/DCP/(CCU) will act as convenor/member Secretary.

7. Doordarshan would circulate the scripts of the proposals to be considered in the meeting of the Evaluation Committee by giving a notice of atleast seven days. The decision arrived at by the Evaluation Committee in respect of individual proposals will be entered in a register and signed by all members present. The detailed minutes would be prepared and circulated later.

8. The Evaluation Committee will indicate in case of serialised TV Programme, the number of episodes for which it has been recommended as also the duration of each such episode. Once the number of episodes and their duration have been determined, no requests for sanction of additional episodes or increase in the duration of individual episodes comprising the serial shall be entertained.

9. (i) Proposals recommended by the Evaluation Committee shall be placed before the Costing Committee of the Directorate for its decision. The Costing Committee shall consist of:
  1. DDG(s) (Progs.) Doordarshan.
  2. DDG (F), Doordarshan.
  3. Representative of the Government (Ministry/other media unit.
  4. Concerned CP.
  5. CP (CCU), Doordarshan.

The meeting of the Costing Committee will be chaired by the seniormost DDG (Progs.)

- (ii) While taking a decision on the proposal, Costing Committee shall follow the following broad criteria.
  - (a) Recommendation of the Evaluation Committee.
  - (b) Track records of the Director, Executive Producer, Writer, Crew, etc.
  - (c) Reasonables of budget vis-a-vis production needs taking into account the prevailing costs for rental of equip-

ment, travel, fees of professionals, costumes, locations, research, etc.

(d) That the proposed programme falls within the guidelines prescribed by Government for certification of films for public exhibition by the Central Board of Film Certification.

(e) Presentation made by the applicant producer.

(iii) The Costing Committee shall, in the event of according its approval to a proposal, clearly specify in the minutes of the meeting the format and duration of the programmes/documentary/film etc. the number of episodes with the duration of each episode in the case of serials along with the rationale for the total budget approved and the time allowed for completing the programme. Similarly, the reasons for rejecting a proposal would also be clearly spelt out in the minutes.

(iv) Doordarshan will not share the rights of any commissioned programme with the executive producer.

(v) There will be no bar on Doordarshan assigning more than one programme on the same theme or subject as warranted by the needs of programming. An executive producer may also be assigned more than one programme at a time, taking into account his credentials and capability. Depending upon the expertise and specialisation of an outside producer, another programme(s) may also be assigned to the same producer, while the first is still under production. The decision of the Costing Committee, will be final and binding in all aspects.

10. (i) Doordarshan shall advise the applicant whose proposal has been approved by the Costing Committee about the terms of approval and forward to him the draft agreement required to be signed by him with the Director of the concerned Doordarshan Kendra along with a copy of the Telecast Code and salient features of the Cinematograph Act prescribed by the Government for public exhibition.

(ii) Doordarshan shall also advise the applicant to produce rough cut(s) of the programme and submit the same to Doordarshan within the period specified in the agreement, which would also specify the period within which Doordarshan would convey its decision on the rough cut(s) submitted by the Executive Producers.

11 (i) The schedule of payment by Doordarshan would be as follows:

—After signing of the agreement	40%
—Commencement of shooting	20%
—On approval of rough cuts	20%

—On approval of final print  
Amendment dated 1.9.92

20%

- (ii) The Executive Producer will, however, have to furnish an irrevocable Bank Guarantee along with Agreement in relation to 50% of the amount of advance payable to him at that stage and thereafter 50% of any other amount payable to him as per the terms of Agreement. He will provide collateral security for the remaining 50% of the amount from time to time from persons whose surities are acceptable to Doordarshan. Failure to furnish Bank Guarantee will have to be renewed in due course until agreement has been fully executed to the satisfaction of Doordarshan. The Bank Guarantee as well as collateral security will be released within three months from the date of submission of final programme by the Executive producer to the entire satisfaction of Doordarshan.
  - (iii) Doordarshan will deduct Income Tax at source in line with the relevant instructions prevalent at that time.
  - (iv) The Bank guarantee will not be required for Current Affairs Programmes or Programmes which are in the nature of single episode programmes whose duration will generally not exceed 30 mts. in each case.
12. (i) The rough-cuts of the programme submitted by the Executive Producer shall be previewed by a Preview Committee as may be formed by the DG and the Director of the Kendra, for national and local telecasts respectively within two weeks of their receipt. A Director (engineering)/Station Engineer will also be co-opted as a member of the Committee.
- (ii) In the event, the Committee is of the view that some modifications are required to be carried out in the programme, the Executive Producer shall be advised accordingly within the time specified in the agreement. The revised versions incorporating the modifications so suggested will be submitted for a fresh preview, within the period specified by Doordarshan.
- (iii) No extra payment over and above what was initially agreed to shall be paid for carrying out these modifications, considered necessary to execute the programmes, to meet the entire satisfaction of the Doordarshan authorities, as required for telecast purposes.
13. Requests for extension of time in respect of the time schedule specified in the agreement shall not be agreed to. However, in exceptional cases, extension may be granted by the Costing Committee for reasons to be recorded in writing, provided such requests are received well before the expiry of the particular time limit specified in the agreement. Such an

extension will entail the executive producer foregoing an amount equivalent to interest @18% on the full amount sanctioned, for the period of the extension.

14. Doordarshan shall telecast these programme within two months of their being received complete in all respects failing which reasons for deferring the telecast would be recorded in writing through a speaking order and intimated to the Government through a monthly report.

15. (i) The agreement shall be terminated if any of the terms or conditions of the agreement is violated at any point of time by the Executive Producer. In the event of termination of the agreement, Doordarshan, besides invoking the bank guarantee, would also initiate proceedings for recovering the amount advanced to the Executive Producer with interest @18% from the date of advance onwards.

(ii) Producers who fail to complete the programme within the time stipulated in the agreement or violate any other provisions of the agreement shall be blacklisted by Doordarshan for a period of three years.

16. In case of any disagreement or dispute in the execution of the agreement by the Executive Producer, the matter shall be referred for sole arbitration to the Secretary, Ministry of Information and Broadcasting, Government of India or to any person appointed by him. The award of such arbitrator shall be final and binding on all parties. The venue of the arbitration shall be New Delhi and the Court in Delhi shall have jurisdiction in any matter arising out of this agreement.

17. The guidelines prescribed for the consideration processing and approval of the proposals for telecast of TV programmes on Doordarshan's National Network shall apply, *mutatis mutandis*, to the proposals for telecast of TV Programmes by Regional Kendras, subject to the following modification:

(a) The Evaluation Committee shall consist of:

(i) Director

(ii) Three Officials of which one will be an engineer.

(iii) Two non-official experts drawn from the panel of experts approved from time to time by Doordarshan with the approval of the Ministry of Information & Broadcasting.

All proposals recommended by the Evaluation Committee in the Doordarshan Kendra, will be placed before the Costing Committee for approval.

(b) Each Regional Kendra shall invite proposals for meeting their programme requirements over a period of time as decided by the Directorate General, Doordarshan.

18. Notwithstanding anything contained in these guidelines Doordarshan may, with the prior approval of the Costing Committee for reasons to be recorded in writing, assign to a particular producer any programme under this scheme after completing all formalities. The amount of processing fee in such cases would be adjusted at the time of making the final payment to the said Executive Producer.

19. Doordarshan would also commission programmes in various formats on themes/subjects specified by the Government of India from time to time.

F.No. 901/29/91TV (P1)

Dated: 07.05.1993

## APPENDIX III

### *Conclusions and Recommendations*

Sl. No.	Para No.	Ministry/ Deptt. Concerned	Conclusion/Recommendations
1	2	3	4
1.	152	Ministry of I & B	In addition to the programmes produced in-house, Doordarshan also assigns production of programmes to outside producers. The programmes produced outside include those on centenaries and anniversaries, news and current affairs, sports, national integration, telefilms, teleplays, documentaries and serial on youth, environment, culture, development, science and technology etc. The programmes farmed out to outside producers are basically of two types namely, commissioned programmes and sponsored programmes. The former is essentially a programme of Doordarshan except that after the approval of the conceptualisation and other essential parameters by Doordarshan, actual production is done by outside producers known as Executive Producers. In the case of the latter, the producer invests his own money and Doordarshan only approves the programme offered by him.
2.	153	-do-	The Committee note that the basic objective behind the launching the system of outside production was to keep track with the rapid expansion of Doordarshan and the immense diversity of its programme requirements in recent years for which the inhouse effort was found inadequate. The system was also contemplated with a view to providing an outlet to the talent pool of young producers that has been built up in this country since the early eighties. Further, this system is also stated to encourage the production of programmes which may not be found attractive in the strict commercial sense but for which there is a distinct need in the larger interest of the society. The Audit paragraph based on a test check of records of

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			Director General, Doordarshan and Delhi Doordarshan Kendra relating to the production of commissioned programmes by outside producers for the years 1986-90 and further examination of the subject by the Committee have revealed several inadequacies and disquieting aspects relating to the production of programmes by outside producers which are dealt with in the succeeding paragraphs.
3.	154	Ministry of I & B	The Committee have been informed that 748 contracts were concluded by Doordarshan with outside producers during the period 1985 to 1990 and out of that 562 programmes have been completed so far. However, the Ministry were unable to furnish the details about the number of proposals received, and the programmes accepted there against yearwise. Expressing his inability to furnish the same, the Secretary, Ministry of Information and Broadcasting admitted during evidence that Doordarshan had not maintained records systematically and that there was no diarisation of the proposals received. He also stated that even now he had been receiving enquiries from producers on the fate of their proposals submitted two years back. The Committee are surprised that proper procedure was neither evolved by Doordarshan nor prescribed by the Ministry when the scheme of outside production was launched to systematically record the position in respect of receipt of proposals and completion of programmes which were the essential inputs required for evaluating and monitoring the progress of outside production of programmes.
4.	155	-do-	As regards the corrective action taken for ensuring proper system of data and records, the Ministry have stated that the revised guidelines issued on 17 March, 1992 on commissioned programmes now provide that all proposals received by Kendras/Directorate will be registered by them and allotted a serial number. Further, according to the Ministry with the setting up of the Central Commissioning Unit



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			and computerisation, the data base will be streamlined. The Committee desire that the Ministry should keep a close watch and ensure that all records relating to outside production are systematically maintained by Doordarshan so that they are able to develop a solid data base and effectively monitor the production of programmes.
5.	156	Ministry of I & B	The Committee are surprised to note that there had been no planning in Doordarshan to assess the requirements of programmes over a period of time and no separate exercise had been undertaken to decide the total number of commissioned programmes to be approved in a particular years. The proposals were predominately received from the producers <i>suo moto</i> and decisions taken thereon. During evidence the Secretary, I & B admitted that "earlier there was no such planning". In fact, even the guidelines issued in 1992 after the audit paragraph appeared and the selection of the subject by the Public Accounts Committee, did not clearly specify in detail about the requisite programme requirements. It was only after the Committee pointed it out during evidence that the Ministry issued revised guidelines on 7 May, 1993 stating that the commissioned programmes to be assigned during a financial year should be worked out by the Doordarshan Directorate in the third quarter of the preceding financial year. This is clearly indicative of the lack of planning and also of the casual manner in which the whole issue of outside production was dealt with by Doordarshan.
6.	157	-do-	What is further surprising is that Doordarshan had neither any prescribed system of selection of producers for production of outside programmes nor any panel of such producers. Proposals submitted by producers <i>suo moto</i> were selected on the basis of the eminence of the producers, track record, qualifications etc. Pertinently, the Films Division working under the administrative control of the same Ministry <i>viz.</i> Information

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			<p>and Broadcasting, prepares a panel of producers every two years and invites tenders from producers out of the approved panel for production of films. Also, Doordarshan neither followed a system of making public lists of eminent and experienced producers in different grades nor had any surveys/studies conducted by outside agencies for evaluation of the competence of the producers/programmes. The Ministry were also unable to convince the Committee about the prevalence of any definite system in Doordarshan of evaluating the relative merit of inhouse talent <i>vis-a-vis</i> outside production. From the foregoing the Committee can only conclude that there was no proper system in vogue in Doordarshan for the rational selection of producers.</p>
7.	158	Ministry of I & B	<p>Curiously enough, the Committee during the course of the examination found that as far back as in 1987-88 a Committee known as Zutshi Committee had recommended a panel of producers for outside production of programmes. However, it was not made operational. During evidence the representatives of the Ministry and Doordarshan admitted this omission. But they were unable to adduce any convincing explanation for not acting upon the recommendations of the Zutshi Committee. It was only after the selection of the subject by the Public Accounts Committee that the Ministry in a circular issued in January, 1992 and amended subsequently drew attention to the Zutshi Committee panel and sought to streamline the procedure of selection of producers. This is unfortunate to say the least. The Committee desire that the reasons for not acting upon the recommendations of the Zutshi Committee should be thoroughly looked into and the responsibility fixed for the omissions.</p>
8.	159	-do-	<p>The Committee have been informed that after the issue of instructions in 1992 a system has now been evolved in Doordarshan for empanelment of outside producers. A Commit</p>

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◆			<p>tee known as Empanelment Committee under the chairmanship of the Director General, Doordarshan, now prepares a panel of producers. A scrutiny of certain relevant documents by the Committee, in this connection, however revealed that the system of empanelment continues to suffer from certain inadequacies. For instance, the reasons for rejection of applications for empanelment are neither recorded nor communicated to the applicants concerned. In one case it was observed that a producer whose case for empanelment was rejected had represented to the then Minister of Information &amp; Broadcasting seeking justice. However, even after the Minister had desired to know the reasons for rejection, no further action was taken in the matter. When this was brought to the notice of the Director General, Doordarshan in evidence, he admitted the lacunae. The Committee are of the view that the functioning of the Empanelment Committee leaves a lot to be desired so that the process becomes much more transparent.</p>	
9.	160	Ministry of I & B	<p>The Committee also desire that the Ministry of Information &amp; Broadcasting should in future ensure that the revised guidelines are scrupulously followed, the programme requirements over a period of time are methodically planned and the selection of producers is made on a rational basis.</p>	
◆	10.	161	-do-	<p>The Committee note that after the concept of a programme has been cleared, it is submitted to a costing committee who are required to assess the cost of each programme. The Costing committee is headed by the Director General and consists of five other members. After the programme is approved by the costing committee, the agreement is signed between the outside producers and Director of the Kendra spelling out the format, duration, number of episodes, time schedule, mode of payment etc. The Committee are concerned to note that till March, 1992 no specific guidelines/norms were</p>

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11. 162	Ministry of I & B	<p>issued either by the Ministry or by Doordarshan for the functioning of the costing committee. There were no standard rates prescribed for production of different categories of programmes and the cost of each programme was determined by the costing committee taking into account the budget break-up-projects by the producers and after mutual consultation and deliberations in the committee. However, no written minutes of the deliberations were maintained. Evidently, no steps had been taken either by the Ministry or by Doordarshan to regulate the working of the Costing Committee. The Committee are not convinced with the arguments advanced that such guidelines could have curbed the creative functioning of the Costing Committee and that the reasonableness of the cost could have been entirely left to the knowledge, judgement and awareness of the members of the Costing Committee without any standard norms being laid down. The Ministry of Information and Broadcasting have assured the Committee that as per the revised guidelines issued on 17 March, 1992 the Costing Committee is required to clearly specify in the minutes the rationale in the total budget approved for a programme. The Committee would like the Ministry to ensure that the cost of each programme is assessed correctly on a rational basis and the basis of costing properly recorded so that it does not give rise to any dispute with the producer subsequently.</p> <p>The Committee note that as per the agreement executed, the programmes farmed out to outside producers were required to be generally completed within three to four months. The producers were granted advances, normally 40 percent of the total cost initially and the remaining amount at different stages. Audit had reported that 72 programme involving advance payment of more than Rs. 2 crores for which agreements were entered into between February, 1986 and March, 1990 were pending com-</p>	

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pletion till October, 1990. As regards the latest position in this regard, the Ministry of Information & Broadcasting informed the Committee that out of the 72 programmes, 42 have been completed and telecast, six have been completed and awaiting telecast, six were being dropped and 18 programmes were yet to be completed. Thus, there had been inordinate delays in the production of programmes. The scrutiny of information furnished in this regard, in fact revealed that there had been considerable delays in the completion of most of the programmes. Significantly, Doordarshan had several options before them to deal with the defaulting producers. Under the agreement with the producers, in the event of failure to complete the production work within the stipulated period, the security deposit of the producers was liable to be forfeited. It was also open for Doordarshan to terminate the agreement and take any other action which might have been deemed necessary. Further, according to the instructions issued by Doordarshan in October, 1984, in cases of inordinate delays, the Kendras were required to send the recommendations for black-listing of defaulting producers. The Committee are, however, distressed to note that Doordarshan did not invoke any of these provisions. The Ministry of Information & Broadcasting admitted that Doordarshan exhibited laxity in initiating timely action for effecting the recoveries from the defaulting producers through available modes. It was also admitted that many cases of delay were due to the weak monitoring by the Kendras. While conceding the lapses, the Secretary, Information & Broadcasting stated during evidence "We have now said that any producer who defaults should be black-listed and should not be given the programmes". It was also stated that the computerisation and the newly introduced system of obtaining bank guarantees would further enable Doordarshan to monitor slippages in production

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			<p>schedule. All these indicate serious lapses, if not hepotism. The Committee recommend that the laxity shown by Doordarshan in initiating timely action against defaulting producers should be thoroughly enquired into and responsibilities fixed for the lapses. The Ministry should also ensure that in future effective steps are taken to monitor the progress in the production schedule in terms of the contracts executed and that timely action is taken against defaulters. The Committee would also like to be apprised of the latest position in respect of completion of programme by outside producers.</p>
12.	163	Ministry of I & B	<p>The Committee regret to observe that no meaningful exercise seems to have been undertaken even now to estimate the amount recoverable from the defaulting producers. While the Ministry were unable to inform the Committee of the precise amount recoverable, it was stated during evidence that the said figure could be about rupees one crore. The absence of any monitoring of the production agreement executed by the producers has resulted in certain cases even in non-tracing of producers/sureties etc. (Discussed elsewhere). The Committee recommend that all the pending contracts should be reviewed and prompt action taken to effect recoveries from the defaulting producers. The Committee would like to be informed of the further action taken in the matter.</p>
13.	164	-do-	<p>The Committee find that in several instances certain producers who had failed to produce the programmes within the stipulated period were awarded contracts for further programmes. To quote a few examples, the producer of programme "Morning Moods" was required to complete the programme by September, 1988. Although the firm failed to complete the programme within the stipulated period, yet he was awarded contracts for three more programmes costing Rs. 7.45 lakhs in December, 1988, February and March, 1989 and advance payments of Rs. 2.98 lakhs were also made. Sur-</p>

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prisingly, in two of the three cases even the due dates of the completion of these programmes were not recorded in the contracts. These programmes were completed in a period of nine and 19 months respectively against the normal completion period of 3 to 4 months. The argument that the omission to record the due dates of completion of the programmes in the contracts was due to oversight is not acceptable to the Committee at all. The Committee desire that proper explanation be called from the officers concerned for the lapses and punishment meted out. Similarly, in another cases, a firm was entrusted with the production of a programme "Golden Hawks" at a cost of Rs. 7.5 lakhs in March, 1988. The programme which was required to be completed by July, 1988 was completed only in July, 1990. Yet the same firm was awarded another programme costing Rs. 17.50 lakhs and given advance payment of Rs. 7 lakhs in July, 1988. This programme which was required to be completed by December, 1988 was actually completed in October, 1989 only. The Ministry of Information & Broadcasting while admitting the mistakes stated that in the absence of a centralised monitoring unit in Doordarshan, the necessary inputs regarding the status of other proposals of a producer for commissioned programmes were not made available to the Costing Committee and no one in the Committee was in possession of all information regarding the assignments awarded to the various producers. The Ministry assured that with the introduction of computerisation and setting up of a Central Commissioning Unit, such mistakes will not recur. The Committee desire that the circumstances in which contracts were awarded to the producers in the above mentioned cases before, completion of the programmes assigned to them earlier should be inquired into and responsibility fixed for the lapses. Steps should also be taken to streamline the procedure so that such cases do

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			not recur. The Committee also desire that the Ministry should examine the desirability of fixing of a ceiling on the number of programmes to be assigned to one producer.
14.	165	Ministry of I & B	The Committee note that apart from the defaults in production, there had also been inordinate delays in the telecast of programmes which had already been completed. The Audit had pointed out that 49 programmes received by Doordarshan between June, 1987 and March, 1990 involving an expenditure of Rs. 1.21 crores could not be telecast to October, 1991, scrutiny of the information furnished to the Committee in this regard in January, 1993 has revealed that of the 49 programmes, 26 have since been completed and telecast, but the remaining 23 programmes were still awaiting telecast. The reasons attributed for the non-telecast of certain programmes were, change in political situation, sansitiveness of the subject, programmes lacking balance, etc. In the opinion of the Committee, this clearly indicative of the inadequacies in the conceptualisation and planning of the programme requirements and the acceptance of the programmes by Doordarshan. The Committee are convinced that this area requires further attention so that infructuous expenditure on such programmes are avoided in the future. The Committee would also like the Ministry to apprise them of the latest position in respect of the programmes produced till end of 1993 pending telecast together with reasons therefore and its financial implications.
15.	166	-do-	Another dis-quieting practice observed by the Committee was that the amounts collected from the producers earlier as security were not being deposited in the Government account, as a matter of practice. In most of the cases these security deposits in the form of demand drafts were kept separately on files and returned to the producers after the completion of the programmes. However, after the mistake was pointed but by Audit, Doordarshan issued in-



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16.	167	Ministry of I & B	<p>structions in March, 1990 to all Kendras that the amount of deposit should be credited to Government account soon after its receipt. The Ministry of Information &amp; Broadcasting admitted that in this case Doordarshan had violated the established financial practices. The Committee wish to point out that this is indicative of a serious lack of control exercised by Doordarshan/Ministry in the administration of the scheme of outside production of programmes.</p> <p>As per the Income Tax Act, 1961, income tax was required to be deducted at source at the rate of 2% in respect of payments for contracts exceeding Rs. 10,000 which was applicable in the case of contracts for programmes commissioned to outside producers. The Committee regret to note that no provision for deduction of tax at source was made in the agreements executed by Doordarshan with the producers and income tax amounting to Rs. 71.93 lakhs had not been deducted at source from the payments made to the producers during the period 1985-86 to 1989-90. The Ministry of Information &amp; Broadcasting while admitting the lapse stated that the implications of the income tax regulations were not clearly understood at the initial stage and that instructions were subsequently issued in June 1989 to effect income tax deductions at source which is now being made regularly. The Committee can not accept ignorance as a valid explanation for the failure to comply with the statutory requirements in this case. They desire that the Ministry of Information &amp; Broadcasting in consultation with income tax authorities should take effective steps to ensure recovery of income tax from producers in cases where deductions had not been made in the past.</p>
17.	168	-do-	<p>Another area where the Committee found lack of adequate attention was the manner in which copyright of such programmes were being shared with the producers. While it was maintained that Doordarshan had full copyrights of</p>

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its commissioned programmes insofar as the question of telecast rights in India was concerned, it was observed by the Committee that there was neither any laid down criteria nor any consistent practice in regard to foreign telecast. In one case it was observed that Doordarshan had set 30 per cent of the foreign telecast rights with the producer even though the entire cost of programme was borne by Doordarshan. In another case Doordarshan had surrendered 40 per cent of foreign telecast right with the producer of a programme costing about Rs. 75 lakhs for a saving of just Rs. 5 lakhs. Evidently, there was no system in Doordarshan to regulate the share of copyrights with the producers. Pertinantly, during the period 1985-90, Doordarshan had shared copyrights with 19 producers for foreign telecast. The Ministry of Information & Broadcasting while admitting that the basis for sharing copyrights in the former case mentioned above was not justifiable stated that as per the revised guidelines issued on 7 May, 1993 it has been decided that Doordarshan will not share its rights with the producers. The Committee desire that the Ministry of Information & Broadcasting should review all the cases where Doordarshan had shared copyrights in the past with a view to ensuring that the financial interests of Government are protected.

18. 169 Ministry of I & B Audience rating is an important input for deciding production and telecast of programmes. The Committee note that based on surveys carried out by Doordarshan itself, viewership of various programmes produced by outside producers had not been very encouraging over the years. While the Committee are conscious of the fact that Doordarshan cannot adopt a purely commercial attitude in deciding the programmes to be telecast, in order to achieve success in winning over viewership in the highly competitive environment prevailing in the present conditions, it is imperative that a high standard is maintained in the quality of the
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programmes produced and telecast. The Committee, therefore, desire that the Ministry should make sustained efforts in this direction so that the viewership of programmes gets widened. Steps should also be taken to obtain a correct assessment of the viewership so that it acts as an effective feedback.

19. 170

Ministry of  
I & B

During the course of examination the Committee came across several individual instances of irregularities in the programmes produced by outside producers under the commissioned programmes. Briefly, some of those cases involved, the following irregularities:—

- (i) Lack of co-ordination between two branches of Doordarshan resulted in payment of an additional amount of Rs. 3.90 lakhs on a programme (National Integration) earlier contracted with the producer at a lower rate.
- (ii) One programme (Lotus Temple on Bahais) already produced in-house and telecast thrice was awarded further to an outside agency resulting in avoidable expenditure of Rs. 1.25 lakhs.
- (iii) A telefilm approved earlier (Angootha Chep) as a sponsored programme and subsequently proposed for exhibition on payment of royalty at Rs. 0.32 lakh per telecast was purchased for Rs. 4 lakhs as the producer could not find a sponser for the film.
- (iv) Advance payment of Rs. 10.5 lakhs was made in February 1989 for a six part documentary serial (Crossing—The Indians Abroad) for a total budget of Rs. 70 lakhs in contravention of the prescribed schedule of payment. The contract

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with the producer did not prescribe scheduled date of completion; the serial had not been completed.

- (v) An amount of Rs. 5 lakhs sanctioned for the production of a film (Khamoshi Kay Dairey) was enhanced to Rs. 8.5 lakhs without justification. The production of the film was also delayed by 14 months. The film was telecast after 31 months of its receipt although Doordarshan was aware that the print quality was not worthy of telecast.
- (vi) Doordarshan agreed to enhance the cost of a documentary (Spirit Possession) from Rs. 6.3 lakhs to Rs. 8 lakhs and gave 30 per cent foreign sale rights in favour of the producer after the contract was signed. The producer was also allowed more favourable schedule of payment.
- (vii) The cost of a serial of seven episodes (Ekas Ke Hum Barik) accepted by Doordarshan in November 1988 was enhanced from Rs. 12.6 lakhs to Rs. 14 lakhs. The serial was yet to be completed though advance payment of Rs. 5.60 lakhs was made in December 1988 and December 1990.
- (viii) An increase of 10 minutes in the total duration of a serial with 10 episodes (Rishta) led Doordarshan to bear an additional expenditure of Rs. 3.5 lakhs when the contracted rate was Rs. 1.75 lakhs per episode of 30 minutes duration.

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			<p>tion. Although all the episodes were stated to have been delivered in January 1990, their telecast was yet to be decided.</p> <p>(ix) A telefilm contracted in February 1987 (Tripti) for which Doordarshan made advance payment of Rs. 2 lakhs had not been produced so far.</p> <p>(x) Two programmes (News Magazine in Hindi) for which advance payment of Rs. 9.6 lakhs was made in March 1990 were cancelled; the producers refunded the amount of advance in July 1990 after deducting Rs. 2.03 lakhs on account of expenditure already incurred.</p> <p>Some of the above mentioned cases have been dealt with in more detail elsewhere in the report. The Committee deplore that the laxity on the part of the authorities resulted in delay, extra expenditure, accommodation to the producers at the cost of the exchequer and several other irregularities. They recommend that all the above mentioned cases as well as those mentioned in the audit paragraph should be thoroughly inquired into and responsibility fixed for the lapses. The Committee would like to be informed of the action taken in the matter.</p>
20.	171	Ministry of I & B	<p>The system of assigning programmes to outside producers had been prevalent in Doordarshan at least since the eighties. Significantly, during the period 1985-86 to 1989-90 an amount of Rs. 56 crores was spent against the budget allocation of Rs. 49 crores on programmes made by outside producers. Surprisingly, to guidelines were issued by the Ministry to regulate the scheme of production till January, 1992. It was only after the selection of subject by the Public Accounts Committee for detailed examination that the Ministry chose to issue guidelines initially in January 1992, followed by</p>

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March 1992 and later in May 1993 in the light of the discussions during evidence before the Committee. The Secretary of the Ministry of Information & Broadcasting stated during evidence "I have nothing on record to show that any orders were issued on the subject by the Ministry." The Committee need hardly comment further on this self-admitted dereliction of duty on the part of the Ministry. They hope that the Ministry would atleast now keep a close watch on the guidelines issued with view to ensuring that the production of commissioned programmes by outside producers is done methodically and within the laid down procedures and policies.

21. 172

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During the course of their examination, the Committee's attention has also been drawn to certain reported irregularities in the selection of sponsored serials from outside producers. The Committee find that on 28 February, 1992, Doordarshan released a list of 432 provisionally short listed serials from outside producers under the new sponsorship scheme. After the provisionally approved serials was made public, certain discrepancies in the list were reported and a preliminary enquiry was conducted by Doordarshan in the matter. Based on the preliminary enquiry, the matter was entrusted to the Central Bureau of Investigation. The Committee have been informed that CBI submitted an interim report towards the end of 1992 intimating that their discrete verifications had disclosed the possibility of irregularities with regard to 62 serials and that the CBI were proposing to register preliminary enquiry against some officials of Doordarshan and conduct an open probe to ascertain whether the officials had committed any criminal misconduct. According to the Ministry, no further communication had been received from the CBI. The Committee desire that the CBI enquiry and the action against the officers found guilty of having in-

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			dulged in corrupt/irregular practices should be expedited. The Committee would like to be informed of the progress made in the matter within three months.
22.	173	Ministry of I & B	The instant audit paragraph was selected for detailed examination by the Public Accounts Committee (1991-92) and a list of points eliciting advance information on the subject was sent to the Ministry of Information & Broadcasting on 20 November, 1991. However, the Ministry were able to furnish replies only on 22 January, 1993, that is after a lapse of more than 14 months. The Secretary, I&B during evidence attributed the delay to the non-maintenance of proper records by Doordarshan. Although the Committee had completed recording of oral evidence on the subject in February, 1993 there was a further delay of more than 4 months on the part of the Ministry in furnishing replies to the points arising out of evidence. Even the replies furnished belatedly had failed to make available several important data having a direct bearing on the examination of the subject. The Committee cannot but express their strong displeasure over this and desire that the Ministry should thoroughly inquire into the reasons for the inordinate delay in furnishing information to the Committee.
23.	174	-do-	To sum up, the facts stated in the foregoing paragraphs have revealed several shortcomings in the Doordarshan's Commissioned Programme Scheme. Briefly, the inadequacies/shortcomings were, absence of planning regarding programme requirements, absence of procedure in the selection/empanelment of producers, defects in the costing techniques, delay in production, delay in telecast of programmes, incorrect procedure adopted in respect of security deposit and deduction of income-tax at source, sharing of copyrights with the producers, absence of guidelines/instructions to regulate the administration of the scheme and above all, lack of

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control of the Ministry over Doordarshan in this regard. The Ministry of Information & Broadcasting have admitted the shortcomings and irregularities. They have assured the Committee that with the laying down of guidelines in 1992 and 1993, computerisation and setting up of the Central Commissioning Unit in Doordarshan, the administration of the scheme of commissioned programme will be streamlined. The Committee are, however, not inclined to share this optimism. They recommend that the Ministry should undertake a comprehensive review of the scheme in the light of the facts stated in this report and take appropriate corrective/remedial measures with a view to ensuring that the in-house talents are exploited to the maximum and the outside production is undertaken in a manner so as to achieve the underlined objectives behind the scheme within the laid down guidelines/policies.

24. 175 Ministry of I & B
- The Committee in the course of their examination of the subject, also come across certain disturbing facts relating to the maintenance of accounts in Doordarshan. When the operations of a department include undertaking of activities of a commercial or quasi-commercial character and the nature and scope of the activities of the undertaking are such as cannot suitably be brought within the normal system of Government account, the department was required to maintain such subsidiary and proforma accounts in commercial form as may be agreed to between Government and the Comptroller and Auditor General. Astonishingly, the proforma accounts of Doordarshan have not been finalised since the years 1977-78 onwards. This delay has been attributed by the Ministry *inter alia* to the delay in bifurcation of assets and liabilities between Doordarshan and All India Radio, destruction of records at Doordarshan kendra, Hyderabad in a mob attack, non availability of complete documentation at subor-
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25.	176	Ministry of I & B	<p>dinate field offices, non availability of adequate inspection machinery, the rapid expansion of Doordarshan etc. The Committee cannot accept these as valid explanations for the inordinate delay of more than 15 years. They are of the firm view that the officers in the Ministry and Doordarshan who were responsible for the maintenance and overseeing of these accounts were negligent in their duties and responsibilities should be fixed for the lapses. They recommend that the Ministry of I&amp;B should in consultation with the Comptroller and Auditor General of India find out ways and means of maintenance of the proforma accounts up-to-date. The Committee would like to be informed of the precise action taken in the matter.</p> <p>From the foregoing it is evident that an atmosphere of non accountability was prevalent in the Ministry of I&amp;B and Doordarshan. The Committee desire that this should be rectified without any loss of time.</p>