

Prasar Bharati
(India's Public Service Broadcaster)
Directorate General, Doordarshan,
(Doordarshan Commercial Services)
Doordarshan Bhawan, Copernicus Marg, New Delhi-110001

NOTIFICATION: 1/2016

F. No. DCS/65/Arbit.Settle./OTSS/spl.Cell/2016

Dt. June 25, 2016

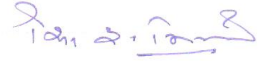
Subject: "One-Time Out of Court/Arbitration Settlement Scheme" (OTSS-2015)

In its 135th Board meeting held on 16.05.2016 Prasar Bharati has approved a **"One-Time Out of Court/Arbitration Settlement Scheme" (Scheme)** for settlement of disputes with Producers/Agencies who were subjected to the "Mandatory Tranche". The Scheme grants certain waivers and concessions to Producers/Agencies who were subjected to the "Mandatory Tranche", and who accept the terms and conditions set out in the Scheme as a package.

The terms and conditions of the Scheme are as under:

Waivers/Concessions

1. Waiver on account of the effect of the Mandatory Tranche in favour of Producers/ Agencies limited to unutilized banked FCT of the Mandatory Tranche period.
2. Removal of the effects of enhanced telecast fee and mandatory ASB. The telecast fee will be charged as per the then prevailing rate card.
3. The utilized FCT which was part of the Mandatory Tranche shall be charged at ASB-I Rate instead of SBR. The Mandatory Tranche shall become ASB-I, which will be charged at 25% discount instead of SBR. The ASB-I and ASB-II which were followed by Mandatory Tranche will be as ASB-II & ASB-III with discounts of 40% & 50% respectively.
4. For the purpose of parity, each ASB shall made of the same secondage in the order of ASB-I, ASB-II and ASB-III as was prevalent before 01-04-2000.
5. Disallowed banking of FCT will be allowed for cases falling under Mandatory Tranche within the same serial/programme of one producer and within the same channel.



6. Excess FCT utilized beyond accumulation shall be charged at respective applicable ASB slab instead of SBR.
7. Equality of rates wherever different Rates have been charged from different producers for the same time band.
8. Reduced rate of interest of 12% p.a. instead of prevailing 18% p.a. will be charged on delayed payments, counted from the original due dates.

Reconciliation of Accounts and Payment

9. Reconciliation of accounts as per the terms of the Scheme to take place within three months of the issue of this notice.
10. The principal amount found to be finally payable after reconciliation of accounts, shall be paid in cash in 12 equal monthly installments. The interest amount would also be required to be paid in cash in 12 monthly installments payable concurrently with the principal amount. Interest will be calculated on the reducing balance up to the date of the last payment of the principal amount.
11. No amount will be refunded back by Prasar Bharati under any circumstances. However, the reconciled amount becoming payable by Prasar Bharati, if any, will be adjusted against interest amount payable by the agency/producer.

General Terms

12. No past or settled cases other than those which are under arbitration or litigation or where a producer/agency owes money to Prasar Bharati would be opened.
13. All producers/agencies who have filed counter claims against Prasar Bharati shall withdraw them before availing benefits of the scheme.
14. The settlement in each case will be a one-time settlement as a package without any option to adopt a part thereof and not accept the remaining part and shall be got recorded with the Arbitral Tribunal/Court. Arbitration proceedings shall be initiated against producers/agencies backing out, without extending any waivers/concession under the scheme .
15. The decisions taken by Prasar Bharati on matters relating to interpretation and implementation of the scheme shall be final and binding.



Applicability

16. The scheme benefits will be extended to only those agencies/ producers who convey their acceptance of the scheme, reconcile their accounts with Prasar Bharati within 3 (Three) Months of issue of this notice and agree to settle their dues thereunder.

Entitlement to participate in Slot Sale Scheme

17. Production houses that convey their acceptance of the scheme, clear their principal amount upfront and agree to pay interest amount as applicable, may not be considered as defaulters for the purpose of participating in the ongoing Slot Sale Scheme of Doordarshan.

Procedure for Application

18. The Agencies/Producers who accept the scheme are required to submit an application to Doordarshan in the prescribed format (as Per Enclosed Proforma) duly signed and stamped by the authorized signatory along with other documents wherever necessary. The application should be sent at the following address:

Deputy Director General (Commercial)
Ground Floor, Tower-A,
Doordarshan Directorate,
Doordarshan Bhawan,
Copernicus Marg,
New Delhi- 110 001

Email: adgcomdd@gmail.com
ddgdcs@gmail.com



(S.A. Tripathi) 25.6.2016

Dy. Director General (C&S)