

REGD.

Office of the Registrar of Copyrights, Government of India, Ministry of Human  
Resource Development, Department of Higher Education, Copyright Division.  
JEEVAN DEEP BUILDG., 4<sup>TH</sup> FLOOR, PARL. STREET, New Delhi – 110 001.

F.No.11-12/2010- CRB /RTI

Dated: 28<sup>th</sup> January, 2011

To

Shri Prashant Reddy T.,  
Research Associate, W.B.N.U.J.S.,  
National University of Juridical Sciences,  
NUJS Bhawan, 12 LB BLOCK,  
Salt Lake City, Sector III,  
Kolkata – 700098.

Subject: - Application for Information Required under the Right to Information Act  
2005:-

Sir,

Please refer to your letter forwarding draft no. 887883 of Rs.1226/-  
dated 27<sup>th</sup> December, 2010 addressed to Registrar of Copyright as R.T.I. fees.

I am forwarding herewith the photocopies of last Annual Return of IPRS and  
PPL for your information.

Yours faithfully,

*Encls . As above .*

  
(V.K. Saxena)

LO & Deputy Registrar of Copyrights/CPIO

**Mob: 9810269187**



# The Indian Performing Right Society Limited

Regd. Office : 208, Golden Chambers, 2nd Floor, New Andheri Link Road, Andheri (W), Mumbai - 400 053.  
Tel : (022) 2673 3748 / 49 / 50 / 6616. Fax. : (022) 2673 6658. E-mail : admin@iprsld.com • Visit us at : www.iprs.org

Ref:IPRS:VIB:RK:0646:2009

28<sup>th</sup> October, 2009

The Registrar of Copyrights  
Dept. of Secondary and Higher Education  
Ministry of Human Resource Development  
BP & Copyright Division, IC Section  
B 2 / W 3, Curzon Road Barracks,  
K.G. Marg,  
New Delhi 110 001

IPRS D. C. R. & B. P. I  
Dy. No. 11 P 5  
Dated 28/10/09

Dear Sir,

**Subject : Submission of Annual Return and  
Other Information**

I would like to inform you that as per under Rule 14P of the Copyright Rules, 1958, we are required to file in our Annual Return with your Goodself.

Our Annual General Meeting of the Owner Members of 'The Indian Performing Right Society Limited' was held on September 30<sup>th</sup>, 2009 (12.00 p.m.) at the Burgandy Hall of Novotel Hotels, (formerly Hotel Holiday Inn), Balraj Sahani Marg, Juhu Beach, Mumbai - 400 049.

As required under Rule 14P (I), we enclose herewith the Minutes of the 39<sup>th</sup> Annual General Meeting of our Society.

As required under Rule 14P (II) and Rule 14 (I) (i) of the Copyright Rules 1958, please find the list of the Owner Members of the Society (as on 30.09.2009) giving therein Names and Address. We also submit herewith the List of Members of the Society (as on 30.09.2009) along with the Names and Addresses.

As required under Rule 14P (III), please find enclosed herewith a copy of the Audited Accounts of our Society.

As required under Rule 14P (IV) and (V), please find enclosed herewith a copy of the Tariff and Distribution Scheme as a part of the Minutes of the Annual General Meeting.

As required under Rule 14P (VI), a Statement approved by our Governing Council Setting out full and detailed Account of all the activities of the Society during the year is to be found in our Annual Report as - Directors Report presented by the Chairman.

**Administrative Office - North**

B 317, Som Datt Chamber 1,  
5, Bhikaiji Cama Place, New Delhi - 110 066  
Tel. : (011) 2610 1556 • Telefax : 2610 1572  
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**Administrative Office - East**

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P-38, Princep Street,  
Kolkatta - 700 072 • Telefax : (033)4005 4450/4453  
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**Administrative Office - South**

Pash Paradise, Resi. Apts., D-1 Block B, IInd Floor,  
108, G.N. Road, T. Nagar,  
Chennai - 600 017 • Telefax : (044) 2834 1056.  
E-mail : chennaioffice@iprsld.com

As requested by you vide your letter No. F.No.27-9/2002-CO dated 20.06.2003, we hereby enclose a Certificate by the Chartered Accountant Auditing the Accounts of the Society, indicating the percentage of Administrative Expenses vis a vis the total Royalty collected during the year under report.

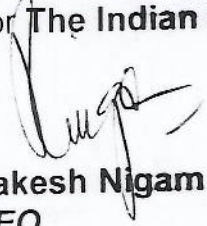
If you need any more information we would be glad to provide the same.

May we request you to kindly acknowledge the same.

Thanking you with Musical Regards.

Yours sincerely,

For The Indian Performing Right Society Ltd.,

  
**Rakesh Nigam**  
CEO

Encl. as above :

1. Minutes of the Annual General Meeting (along with Tariff & Distribution Scheme and Budget for the FY2009-10).
2. List of Owner Members as on 30.09.2009
3. List of Members as on 30.09.2009
4. Audited Accounts for the year ended 31<sup>st</sup> March, 2009
5. Directors Report for the year ended 31<sup>st</sup> March, 2009
6. Certificate by a Chartered Accountant

**Minutes of the 39<sup>th</sup> Annual General Meeting of the Owner Members of The Indian Performing Right Society Ltd., held at the "Burgundy Hall" – Novotel Hotels, Balraj Sahani Marg, Juhu, Mumbai– 400 049 on Monday the 30<sup>th</sup> September, 2009 at 12.00 p.m.**

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1. Mr. Hasan Kamaal, Chairman of the meeting
2. Mr. V. J. Lazarus – Member of Honour Director
3. Mr. O. P. Sonik – Director

1. Mr. G B Aayeer (Saregama India Limited ) – Owner Member
2. Mr. Kumar Taurani ( Tips Industries Limited ) – Owner Member
3. Mr. Rajat Kakar (Universal Music India Limited) – Owner Member
4. Mr. Ganesh Jain ( Venus Records & Tapes Limited) – Owner Member
5. Mr. Shridhar Subramanian ( Sony Music Entertainment Limited ) – Owner Member
6. Mr. T. Suresh ( Virgin India Limited ) - Owner Member

Mr. Rakesh Nigam – CEO - Invitee

1. Mr. Hasan Kamaal welcomed the members present and informed the members that he was conducting the 39<sup>th</sup> Annual General Meeting of The Indian Performing Right Society Limited.

The Chairman with the help of the CEO Mr. Rakesh Nigam checked and confirmed that the members present and forming part of the corum were Owner Members as per the Owners Register as maintained by IPRS. The Chairman Mr. Hasan Kamaal confirmed with the owner members present whether they had received the notice of the AGM and if they had any objections on the same. All the owner members present at the meeting confirmed having received the said Notice and had no objections.

On satisfaction of the corum and the Members Present as Owners the Chairman proceeded with the business as per the Notice

2. The first item of the Agenda was taken up:

To consider and adopt the Audited Accounts of the Society for the year ended 31<sup>st</sup> March 2009 along with Directors Report and Auditors Report was taken up. The Members present were asked whether they had any doubt or query on the Accounts.

Since there were no queries or doubts on the Accounts of the Society, the Members Unanimously approved and adopted the Audited Accounts, Directors Report and Auditors Report of the Society for the year ended 31<sup>st</sup> March 2009.

- 2.1 As Proposed by Mr. Kumar Taurani and Seconded by Mr. Ganesh Jain, Resolved Unanimously that the Audited Accounts of the Society for the year ended 31<sup>st</sup> March 2009 and the Report of the Auditors thereon along with the Directors Report, be and are hereby received, approved and adopted.
- 3 The second item on the Agenda was the appointment of the Auditors and fixation of their remuneration.
- 3.1 The Members were all Unanimous in their opinion that M/s. R.K. Khanna and Associates continue as the Auditors of the Society. Thus, M/s. R.K. Khanna and Associates were appointed as Auditors of the Society and their appointment will continue till the next Annual General Meeting.
- 3.2 As proposed by Mr. Rajat Kakar and seconded by Mr. T Suresh, Resolved that pursuant to Section 224 of the Companies Act, 1956 M/s R K Khanna & Associates, Chartered Accountants be and are hereby reappointed as Auditors of the Company, to hold office till conclusion of the next Annual General Meeting at the remuneration to be decided by the Board of Directors.
4. The Third item regarding the appointment / reappointment of Directors was taken up. The Chairman informed the members that pursuant to status quo order with extensions thereof to maintain the same Governing Council pronounced in T S. No: 114/2004 Saregama India Ltd Vs. IPRS & Others filed before the Honb'l Court of Civil Judge, Barasat , 24 North Paraganas, West Bengal no business of appointments or change in directorship was being conducted
5. The Fourth item on the Agenda was the Special Resolution to approve the "Tariff Scheme" and the "Distribution Scheme" pursuant to the Copyright Act 1957 & Copyright Rules 1958, and the Budget for the year 2009-10.

The Chairman informed the Members that the said Schemes had been circulated to all the Members of the Society together with the Notice of the AGM. The Members present confirmed having received the said Schemes. The Chairman requested Mr. Rakesh Nigam the CEO to explain the Schemes, the CEO then explained the requirements of the Copyright Rules and then solicited the opinions of the Members on both the Tariff and Distribution Schemes.

The CEO then took up the "Distribution Scheme" and explained to the Members that the Governing Council Proposes to distribute Royalties collected by the Society after charging upto 15% as its Administration Expenses or at actual. Further, the Royalties shall be distributed to each member based on the actual exploitation of his work. The CEO then

explained that a majority of smaller Author Composer members did not receive any significant royalty. He explained the royalty equalization scheme were-in it was proposed that upto 15% deduction be made from the share of the royalty due to Authors and Composers and such deductions be distributed to all Authors and Composers equally (including the smaller author composers also).

The CEO placed before the Governing Council the Budget for the year 2009- 10 He presented the Budget for the year as follows

Unaudited Figures – Rs Lacs	Actuals 2008-09	Budget 2009-10	Growth %
Public Performance / Sync	1522.55	1,900.00	25%
Broadcasting - Radio & Internet	833.94	1,200.00	44%
Broadcasting - TV	227.52	400.00	75%
Overseas	67.14	300.00	447%
<b>Total Performing Income</b>	<b>2651.15</b>	<b>3,800.00</b>	<b>43%</b>
Legal Expenses	213.19	216.00	1%
Legal Expenses as % of Income	8%	6%	
Total Net Admin expenses	410.87	541.07	31%
Total Net Admin expenses % Income	15.5%	14%	
Capital Expenditure	28.00	30.00	

The CEO informed that in the previous year 2008-09 the society had achieved a Revenue of Rs 2651 lacs which was a growth of 5% over the previous year and was at 76% of the Budget. The major reason for the slow growth was Overseas income drop due to pending reciprocal with PRS-UK and FM Radio some of whom were unlicensed and also due to recession hitting the Revenues and Cash Flow of the FM Radio Operators. The Admin Expenses (unaudited) were Rs 411 Lacs (Net of Finance & Interest Income of Rs 140 Lacs) which amount to 15.46% of revenue, legal expenses included in admin expenses were Rs 213 lac which was 8% of Revenue. In the current year the Revenue was budgeted at Rs 3800 lacs and Admin Expenses was Rs 541 lacs (Net of Finance & Interest Income of Rs 140 Lacs) and Legal Expenses included in admin expenses were budgeted at Rs 216 lacs. The CEO informed that in the current year 50% of the Staff Salary increments and sales incentive will be charged to the Development / Benevolent Fund. A budget of Rs 30 Lacs towards Capital Expenditure was mainly on account of Regional MIS-Asia Software and New Servers costing around Rs 21-22 lacs to handle such regional MIS plus other miscellaneous expenditure.

The Owner Members then discussed the special resolution proposal and gave their Unanimous Approval to the Proposed Tariff and Distribution Schemes with changes and the Budget for 2009-10.

- 5.1 As proposed by Mr. G B Aayeer and Seconded by Mr. Kumar Taurani it was Unanimously Resolved that the Tariffs and Distribution Scheme of the Society that has been updated or revised keeping in mind the current Market conditions are approved. The Governing Council/ Executive Committee/ CEO is authorized to negotiate the license fees and give discounts as necessary on all tariffs, in addition to the tariffs approved earlier, the following amendments or new tariffs are being introduced and the same are as under -

AIR - (INTERNATIONAL) AIRLINES, AIR - (DOMESTIC) AIRLINES, AIR - AIRPORTS, SR -- SATELLITE / ENCRYPTED RADIO.

The Penalty clause for all "Non-Compliant" Licensees is applicable for all the existing tariffs -

In respect of "Non-Compliant" Licensees who seek to regularize past infringements / violations / breach of Society's rights and licenses (including non-compliance with agreements, usage without license, vexatious litigation, etc), a penalty of 30% over the existing tariff shall be applied at the discretion of Society, where as compliant licensees will be charged license fees at a rate discounted at 5% at the discretion of the Society

#### **DISTRIBUTION SCHEME -**

The Distribution of Royalty was and is being done as per the MOU signed by the Society with IPI (Owner Members) on 13<sup>th</sup> December 1993 and that royalty for domestic Indian works be paid to those author/composer members or their legal heirs only, who accept the MOU and are exclusive IPRS members.

The Royalties collected and distributed by the Society is modified and will be as follows -

Logged Royalty: The society receives logs with regards such royalties collected i.e. Radio, Television, Overseas or Public Performance etc. The Distribution will be on the basis of such logs.

Unlogged Royalty: The Society collects royalty from numerous users who do not give or are not in a position to give logs viz. Hotels, Bars, Disco's, Restaurants, Malls etc. The Distribution will be as per the scheme presented and approved by the members in the AGM. 50% of such unlogged collections to be distributed over domestic logged royalty (Radio etc) and balance 50% as in a ratio as 50% of such over Indian Film Songs, 20% Over Indian Films, 20% over Indian Non-Film Songs and

10% to International Works and Societies (and such to be distributed over logged works)

Also for Royalty Equalisation to smaller author and composer members, up to 15% of royalty due to Authors and Composers be deducted and such royalty amounts deducted are shared equally amongst all the Authors and Composer Members, including the smaller author composer members. Also any royalties lying undistributed for more than 3 years or of public domain be transferred to development reserve and or development fund and same be utilized towards capital or revenue expenditure or royalty to members.

5.2 Resolved that the Budgets for year 2009-10 for Revenue be Rs 3800 lacs, Net Expenditure of Rs 541 lacs (including expense charge or transfer to development reserve/benevolent fund) and Capital Expenditure of Rs 30 lacs for the year 2009-10, is unanimously approved by the members.

6. Since there were no formal matters left on the Agenda, the Chairman cum Receiver concluded the meeting.

**HASAN KAMAAL  
CHAIRMAN**