

COMPETITION COMMISSION OF INDIA

08.05.2013

Case No. 71/2011

Filed by: Ashtavinayak Cine Vision Limited, 203, VIP Plaza, B-7,
Veera Industrial Estate, Off. New Link Road,
Andheri (West), Mumbai – 400053.

Against: PVR Pictures Limited, 61 Basant Lok, Vasant Vihar,
New Delhi (2) Northern India Motion Pictures, Jalandhar & 16 Ors.

The Commission considered the matter in the ordinary meeting held on today.

The Commission had passed final order dated 10.01.2013 under Section 27 of the Competition Act, 2002. In Para 37 of the final order, the Opposite Party No. 2 - Northern India Motion Pictures (NIMPA) was directed to cease and desist from the practices of pressurizing the distributors to settle the monetary benefits with its members.

An undertaking has been filed by the President of NIMPA before the commission in pursuance of aforesaid directions of the Commission, which is as follows:-

1. *“That NIMPA would not compel any party for the settlement of their monetary dispute and /or in advising the member not to release the picture/s. all such articles, Rules and bye laws, if any, which are not in conformity with the order of the CCI shall remain suspended. The members, therefore, are free to take any decision or recourse what they may deem appropriate for settlement of their monetary disputes.*
2. *The members are also again informed that as per earlier orders of CCI dated 16th February, 2012, the Association has already circulated vide circular no: NIMPA/28-6/12-13 dated 27.8.2012 in respect of the following matters:-*
 - (i) *That the enrolment of the membership per se is not compulsory but voluntarily by the applicant whether be distributor, exhibitor or producer.*
 - (ii) *Our earlier circulars relating to hold back period for release of films through other media like Video Cassette, Cable TV and or any channel of Door Darshan or Satellite TV stands cancelled. Anyhow the hold back period for release of films through other media like CD, Satellite etc. the decision is left on the concerned parties.*

(iii) *That there is no precondition to have the picture registered for release of the picture in the territory.*

3. *It is also clarified that the Association have no rules and regulations governing registration/release of the picture/s;*

(a) Discriminating registration and release between regional or non regional films; or

(b) Discriminating in respect of the language of film/s; and or

(c) Discriminating in respect of the number of screens relating the release of the films.”

The Commission considered the compliance report filed by the OP No.2 NIMPA and found it in accordance with the directions given in Para 37 of the final order dated 10.01.2013.

Sd/-
(H.C. Gupta)
Member

Sd/-
(De. Geeta Gouri)
Member

Sd/-
(Anurag Goel)
Member

Sd/-
(M.L. Tayal)
Member

Sd/-
(S.N. Dhingra)
Member

Sd/-
(S.L. Bunker)
Member

Sd/-
(Ashok Chawla)
Chairperson