

PRASAR BHARATI
(India's Public Service Broadcaster) **Revised**
(Content Sourcing Division)

No.43/3/2022-P.6 (Content Sourcing) **Dated: 17.05.2023**

Notice Inviting Applications for submission of Hindi Feature Films on Revenue Share Model (RSM) for telecast on DD National in the time band 1300 hrs to 1700 hrs.

Prasar Bharati (India's Public Service Broadcaster), invites Applications from rights owners in the prescribed Proforma for offering Hindi Feature Films to Prasar Bharati on Revenue Share Model(RSM).

The Applicant must read carefully the NIA for submission of Hindi Feature Films on Revenue Share Model and the Prasar Bharati Content Procurement Policy 2023 which is available at <https://prasarbharati.gov.in/procurement-policy/> before submitting the offer.

2. Films shall be telecast on DD National in time band 1300 hrs to 1700 hrs during a period of 2 (two) years from the date of telecast of first film acquired from the rights holder(s). DD National is primarily a satellite channel with small associated terrestrial network.

3. The films will be telecast in the offered slot only. Repeat telecast of the film can be done only with prior approval/direction from Prasar Bharati.

4. Rights Owners should have satellite and terrestrial rights or Doordarshan rights for all channels of Doordarshan.

5. The eligibility criteria for the rights owner will be as under:

- a. The rights owner may be an individual, proprietary firm or any legal entity including partnership firm, limited liability partnership or company.
- b. The rights owner should possess legally valid, undisputed and unencumbered rights in the content being offered under RSM to Prasar Bharati and is not under any legal disability in relation to entering into contract with Prasar Bharati. The rights owner should possess rights in the content valid for the entire two-year period of telecast.
- c. The rights owner should essentially not owe any dues to Prasar Bharati in respect of its past business transactions. In case of any partnership

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firm or company, none of its partners, promoters, or directors, as the case may be, should either be a defaulter in his individual capacity or have had any past association with any defaulting partnership firm or company, as partner, promoter, or director, as applicable. However, a rights owner, who has any outstanding dues to Prasar Bharati, shall mandatorily disclose this aspect in his offer. Prasar Bharati may acquire the content from such rights owners with such terms and conditions as approved by an Empowered Committee defined in sub-clause (i) of Clause 24 of the Content Procurement Policy, 2023.

- d. The rights owner at the time of submission of proposal as well as during the entire period of the contract, should not be found under any subsisting debarment from doing business with Prasar Bharati, or any Ministry or Department of the Central or any State Government, or any statutory autonomous body, or any public sector undertaking, on account of any corrupt, unethical, or coercive business practice. Rights owner who are charge sheeted in any criminal case are also not eligible to apply.
- e. A consortium in any form will not be eligible until and unless it is specifically permitted by PB for a particular project. Conditions as stated in clause 5(c) & 5(d) above shall also apply to constituents of consortium.
- f. Serving employees of Prasar Bharati and their dependents as per Rule 2 of CCS (Conduct) Rules, 1964 will not be eligible to submit any offer.
- g. The rights owners will be required to give an undertaking as per **Annexure-II** that they meet the above eligibility criteria.

6. Films with "U" or "V/U" or "UA" certificates from CBFC only will be procured under this NIA. "A" certified films are not eligible for consideration. "UA" certified films will be telecast with cautionary endorsement.

7. Revenue share for telecast of Feature Films on DD National shall be 70:30 (Rights Owner 70%, PB 30%) in case rights owner takes the sales responsibility. Otherwise revenue share will be 65:35 in favour of rights owners.

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8. Terms and Conditions for procurement of films under revenue share are as under:

(i) Out of the total FCT of 300 second per half an hour slot during the telecast of the films, FCT available under Revenue Share will be 240 seconds per half- an-hour slot during the telecast of the films.

(ii) Prasar Bharati will be at liberty to mount public awareness messages from the Government in the remaining available FCT (60 seconds per half an hour). Revenue earned through telecast of these messages will not be shareable.

(iii) Only Corporate revenue shall be booked in the FCT available under revenue share. The criteria for defining the corporate client shall be as per notification issued by Prasar Bharati applicable on date of signing of contract

(iv) FCT shall not be sold below the minimum rate limits notified by Prasar Bharati from time to time.

(v) Shareable revenue will be gross revenue minus GST minus Agency Commission. Agency Commission shall not exceed the limit of 15%.

(vi) Prasar Bharati shall not provide any endorsement or letter of support to the rights owners for seeking business from the PSUs, Banks etc. All the release order will be in the name of rights owner (in case rights owner takes sales responsibility).

(vii) A separate joint escrow account shall be opened for receipt of all the revenue from sale of shareable FCT/onscreen inventory in case rights owner takes the Sales responsibility.

(viii) The party taking sales responsibility will provide duly audited account and release orders to other party on quarterly basis.

(ix) The revenue will be shared on quarterly basis i.e. every 3 months.

(x) The rights owner shall submit a performance bank guarantee (PBG) as envisaged in clause 18 of the Content Procurement policy at the applicable rate. Total contract value shall be monetary value of FCT share available to Prasar Bharati over six months (or total number of slots allotted whichever is lesser) at notified rate by Prasar Bharati plus applicable GST on the date of signing the contract. The rights owners shall submit the performance bank guarantee within 30 days after signing the contract. In case of delay in submission of PBG, Rights owner shall inform Prasar Bharati with justifiable reasons. PBG shall be valid for period of 90 days from the end of month in which telecast of the last film acquired from the rights owner is made. Agreement will become operative only after the submission of PBG.

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(xi) The rights owners can exercise the option of withdrawal after six months from signing of the contract by giving two months' notice in advance to Prasar Bharati.

(xii) Only those rights owners having rights of minimum 50 Hindi Feature will be eligible.

(xiii) The film slots on Saturday and Sunday will be allotted to the rights holder whose maximum number of films is selected.

(xiv) The print of the Film shall be in XDCAM HD MPEG 4:2:2.MXF OP1a format with 16:9 aspect ratio and audio embedded with video, dual mono on track 1 and 2 or any other format prescribed by Doordarshan in course of time.

(xv) The feature films which are to be telecast within a particular week shall be delivered to the Prasar Bharati at least 10 days before the telecast of the first film of that week (Monday) for preview. Prasar Bharati will preview the film and provide its feedback within three working days after the receipt of films. The final telecast master after the corrections, if any, will be submitted by the production house 3 days before the telecast of the first film of week. Liquidated damages of Rs 1000/- per day, irrespective of number of films delayed shall be levied on Rights Owner for delay in delivery of telecast master for preview

(xvi) Only those feature films which would be selected as per the prescribed procedure in the notified Content Procurement Policy 2023 will be eligible for broadcast.

(xvii) Simultaneous broadcast through any combination of terrestrial, cable, Direct-to-Home or any other technological means shall be treated as single broadcast.

(xviii) If, any dispute regarding the rightful owner occurs during or after acceptance of proposal of films by Prasar Bharati, the same shall be resolved by the applicant within 15 days. Failing which, Prasar Bharati shall be at the liberty to foreclose the contract along with forfeiture of proportionate amount from PBG.

(xix) Prasar Bharati reserves the right to reject any film without assigning any reason.

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9. The applicants may apply through email Id: contentsourcing@prasarbharati.gov.in

10. Last **date** for submission of applications/proposals is **07.06.2023**.

D.K.S.
17/5/2023

(D.K.Shrivastava)

Director

Content Sourcing Division/Films

Dated: 17.05.2023

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APPLICATION FORM

OFFER FORM FOR HINDI FEATURE FILMS FOR
TELECAST ON DOORDARSHAN (DD NATIONAL)
UNDER REVENUE SHARE MODEL.(RSM)

Annexure-I

SUBMISSION OF DETAILS BY THE APPLICANT :

S.N	Particulars	
1	Name of the Entity (Rights Owner) :	
2	Name of authorized person	
3	Nature of the Entity: (Individual/Propriety Firm/Partnership Firm/Limited Liability Firm/Company.	
4	PAN No. of Applicant(Rights Owner)	
5	GST Registration Certificate of Applicant(Rights Owner)	
6	Address for Correspondence: PIN: Mobile No : Landline No : E-Mail:	
7	Address of the Registered office PIN: Mobile No:	
8	No. of films offered	
9	Please intimate the entity which will sell the FCT i.e. (Rights owner or Prasar	

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General terms and conditions:-

1. The Applicant must read carefully the NIA for submission of Hindi Feature Films on Revenue Share Model and Prasar Bharati Content Procurement Policy 2023 which is available at <https://prasarbharati.gov.in/procurement-policy/> before submitting the offer. Any conflict between the definition of any term or clause in the NIA and Prasar Bharati Content Procurement Policy 2023, the contents of PB Content Procurement Policy 2023 shall prevail. If any term of this NIA inadvertently contradicts the Content Procurement Policy, the provisions in the policy shall prevail. The offerer may ensure that the film fulfills the eligibility criteria and the offerer agrees to the revenue share as specified in para-7 of the NIA. Films not fulfilling the eligibility criteria shall not be considered for telecast.
2. Application Form should be filled in Block letters as per prescribed format in Annexure-I.
3. An Undertaking on Rs 100 Stamp paper is to be given as per prescribed format in Annexure-II
4. The Applicant shall ensure that all the relevant documents as specified in Annexure-III have been submitted along with the application form.
5. Please enclose notarized documents. All the photocopies submitted along with proposals will be self-attested by the rights owner. Hard copies of all the documents are to be sent to Section Officer, Room No 1005 Tower B, Doordarshan Bhawan, Copernicus Marg, New Delhi 110001.
6. The Applicant shall ensure submitting authorization letter for the authorized signatory. The letter should be signed by all the partners in case of partnership. For Company, a board resolution will be required.

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Annexure-II

UNDERTAKING (On Stamp paper)

I/We..... S/o age.....,
R/o..... do hereby solemnly declare as follows:

1. That I, am the representative of the Rights Owner M/sand is authorized to sign this undertaking.
2. That the rights owner does not continue to be blacklisted by any central or state government, any agency of the central or state government, any public sector undertaking or any autonomous body or regulatory authority, whether in India or abroad for any act considered to be criminal as per the extant laws, or for any financial default, or for any unfair, immoral or unethical trade practices.
3. That the rights owner is not debarred under Rule 151 of GFR 2017.
4. That the rights owner is not a defaulter of Prasar Bharati, either as an advertising agency or as producer or in any other capacity. As on date, the rights owner does not owe any money to Prasar Bharati.
5. that is solemnly declared that in case any amount is found to be outstanding against the rights owner, rights owner shall without prejudice to any other action as deemed appropriate by Prasar Bharati be liable to pay the said amount to Prasar Bharati.

Place:

Date:

Signature

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Annexure-III

Documentations required along with application

1. PAN NO of Applicant (Rights Owner)
2. GST Registration Certificate of Applicant (Rights Owner)
3. Registration Certificate in case of proprietary firms/ Partnership Deed along with registration certificate in respect of partnership firms/ Certificate of Incorporation in respect of companies.
4. Authorization for signatory (Authorization shall be from all the partners for partnership firms and from Board of Directors for Companies).
5. Affidavit for meeting eligibility criteria and providing correct information-
Annexure-IV.
6. Details of the offered films in **Annexure-V**

II Documents to be submitted after the selection of the films

1. Copy of Agreement and Link Agreement(s) if any, duly notarized on legitimate stamp paper, in order to establish that the applicant holds the rights of the film offered by him.
2. Copy/copies of Censor Certificate (all parts) duly notarized (Both "U" or "V/U" and "U/A" or "A"). The details of voluntary cuts or deletions suggested by the Censor Board must be provided along with Censor Certificate. . In case "V/U" or "U/A" certificate has been obtained from the Central Board of Film Certification at a later stage, a copy of earlier certificates i.e. "U/A" or "A" issued by the Board must also be attached along with the proposal. "U/A" certified films will be telecast with cautionary endorsement.
3. IT Returns for last three years of Applicant (Rights Owner)

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**Annexure-IV
FORMAT**

(To be given on Stamp paper of Rs. 100/- only duly notarized)

AFFIDAVIT

I/We.....S/O.....
..R/odo hereby
solemnly affirm and declare:

2. That I/We..... am / are the sole proprietor /Partner / Director / Karta(s)/ of Terrestrial and Satellite TV Rights Owner(s)/Doordarshan rights of the films offered for Prasar Bharati (BCI), DG: Doordarshan under Revenue Share Model (RSM).

3. That there is no Dispute / Court Case pending regarding ownership of the terrestrial and satellite TV Rights or Doordarshan rights in respect of the said Film(s). Both Terrestrial and Satellite TV Rights or Doordarshan rights are with the deponent.

4. Above named deponent verify and declares that

(i) the information / documents given is/ are absolutely correct and complete to the best of my / our knowledge and belief and nothing has been **concealed therein**. If at any stage, the information / documents given is / are found contrary / wrong, I / We shall be personally held responsible and liable to face all legal consequences apart from forfeiture of Revenue Share.

(ii) Any debarment under rule 151 of GFR 2017 shall be brought to the notice of Prasar Bharati and failure to do so will result forfeiture of revenue share as well as performance Bank Guaranteed.

Place:

Date:

BY

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DEPONENT

VERIFICATION

On this day (date) of the year () I/We the above named deponent(s) verify that the above statements are true and correct to the best of my knowledge and belief.

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Annexure-V

Detail of Films (To be provided in spreadsheet)

S.No.	Name of the Film	Lead cast	Director	Vintage Year	With Subtitles or without?	CBFC Certificate (U/UA or V/U)	Nature of the Rights. 1.Satellite 2. Satellite & Terrestrial 3. All rights for DD Channels.

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