

Prasar Bharati
Directorate General: Doordarshan

Subject: - Guidelines for Acquisition of Programmes

At present Doordarshan is mainly procuring software for its channels either through sponsorship or through in-house production. Some programmes are also being commissioned. However, there is no provision for acquisition of the programmes. Though royalty rates exist for one off telecast, there is no procedure for bulk acquisition of the software. Hence it has been decided to evolve the following guidelines for acquisition of programmes.

1. Short Title and Commencement

These guidelines may be called 'Prasar Bharati guidelines for acquisition of programmes'. They will come into force with immediate effect.

Acquisition of Programmes

(i) With a view to procuring good quality software relevant to, Doordarshan requirements, Doordarshan proposes to acquire ready-made programmes, which are as per Channel requirements from outside producer/production houses. Such acquisition will be operated as per the following guidelines: -

A. Aims and objects: -

Doordarshan should aim at acquiring quality software having long shelf life by synergizing respective strengths of Doordarshan and the applicant (s). Acquisition could be on a short-term basis (for a period of three years) or on perpetual basis.

B. Eligibility: -

Doordarshan shall call for open bids for acquisition of programmes from reputed outside producers, production houses, and other organizations of repute with a view to acquiring quality software keeping in view its requirements.

C. Mode of Application for Short-term Acquisition: -

The bids will be called for the following categories of programmes: -

- I. The programmes, which have not been telecast earlier on Doordarshan or any other private channel.
- II. The programmes which have been telecast earlier on Doordarshan or / and any other private channel.

The bid should contain the following details: -

- Concept, title, language and genre.
- Treatment
- Synopsis of the story in case of fiction based programmes
- Detailed scenario script of at least 4 episodes. In case episodes of a programme are fewer in number the detailed scenario script of all the episodes.
- Duration of the programmes.
- DVCPR-50 cassettes of the programmes.
- Documents and affidavit regarding genuineness of the Right holder.
- An affidavit declaring that the programme has not been earlier telecast on Doordarshan or any other private channel in case of category at (i) above. In case the programme has been telecast earlier on Doordarshan/any other channel, it should specify the channel (s) on which telecast, date (s) of telecast and TRP, if any

- Indemnity Bond indemnifying Doordarshan against any copyright violation.
- Income Tax clearance Certificate issued by Income Tax authorities/PAN Card issued by Income Tax Department
- Relevant details regarding the applicant such as audited balance sheets, profit and loss account, annual reports, partnership agreement, etc. for the last three years.
- Details of creative team/crew members including names, bio-data and addresses of the Director, Researcher, script writer, director of photography and music director.

Doordarshan may at its discretion relax any of the above requirements in cases of such applicants whose bona fides are known and established in the media world. Doordarshan may also seek further clarifications during the course of processing.

D. Mode of application for acquisition of perpetual rights of the programmes: -

While for short-term acquisition, proposal will be called as mentioned in clause (c) above and no financial quotes will be called as acquisition will be made at the fixed rates, in case of acquisition of software with perpetual rights, proposals will have to be submitted in two parts, viz. pre-qualification bid and price bid respectively. While pre-qualification bid will contain all the details as mentioned in clause (c) above, price bid will consist of the price quoted by the producer and will be taken up for examination only after the acceptance of the pre-qualification bid. These two parts shall be submitted in separate sealed covers within another sealed cover.

E. Processing Fee: -

The applications would be required to pay a non-refundable processing fee of Rs. 10,000/- for each of the proposal separately. The fee would be payable through bank draft in favour of PBBCI, Director General, Doordarshan, New Delhi.

F. Evaluation-cum-Costing-Committee: -

The proposals will be processed by an Evaluation-cum-Section Committee. The constitution of the Committee at headquarters will be as under:

- ADG/DDG in-charge of the acquisition – Chairperson.
- DDG (Commercial and Sales)
- One ADG/DDG of any other Channel
- Director (commercial and Sales)/Director Marketing
- Director of Programmes (Acquisition)- Convener
- Director Engineering (Headquarters)
- 3 experts (including one lady) to be nominated out of the panel(s) of 15 experts approved by DG/Member (Finance)/CEO, Prasar Bharati drawn from the fields of entertainments, films, media extra for a period of 2 years from the date of the approval. The names of experts for particular meeting will be finalized by DDG (Acquisition) from the approved panel.

G. Evaluation-cum-Selection Committee at Regional Kendras: -

The Evaluation-cum-Selection Committee at Regional Kendras shall comprise the following officials: -

- DDG in-charge of the Zone-Chairman.
- Director of the Kendra
- Chief Producer/Executive Producer (in-charge of acquisition)-convener
- Programme Officer (acquisition)
- Supdt. Engineer / Station Engineer
- Three outside experts (including one lady) to be nominated out of the panel of 15 experts approved by DG: Doordarshan/Member (Finance)/CEO Prasar Bharati drawn from the fields of

entertainment, films, media, etc. for a period of 2 years from the date of approval. The names of experts for a particular meeting will be finalized by Zonal DDG from the approved panel.

In case of non-availability of Chairmen of the Evaluation-cum-Selection Committee at Headquarters as well as Kendra level, the senior most member of the Committee will act as Chairman.

H. Evaluation-cum-Selection Committee: -

Duties:

- The Committee shall examine in detail all aspects of proposal and decide upon its suitability and feasibility for Doordarshan.
- The Committee shall also view the cassettes of the programme to adjudge its production and technical quality,
- The Committee shall also take into account inter-alia the shelf life of the programme for deciding the acquisition.
- The Committee shall recommend the number of episodes to be acquired in case of programmes of different genres.
- In case of the programmes already telecast on Doordarshan or/and other Channel, TRP of the programme, if available, will be given due weightage.
- The Committee shall ensure that programmes to be acquired conform to the Broadcasting Code of Prasar Bharati.
- The Committee would record its recommendations for final approval by the Director General, Doordarshan also indicating reasons for recommending rejection/acceptance of the proposals.
- In such cases in which it is not possible to hold the formal meeting of the committee due to shortage of time, the decision shall be taken by circulation of file/preview of cassettes.

I. Costing Committee: -

For short-term acquisition of software, the recommendations of the Evaluation-cum-Selection Committee will be final and there will be no Costing Committee as acquisition will be made at the rates given in Clause (j) below. But in case of acquisition of perpetual rights, while pre-qualification bid will be processed by Evaluation-cum-Selection Committee at the Headquarters as well as Kendra in accordance with the duties assigned to them at clause (h) above, price bids in respect of the proposals short-listed by the Evaluation-cum-Selection Committee will be processed by the Costing Committee. The composition of the Costing Committee at a Headquarters shall be as under:

- ADG/DDG in-charge of the Acquisition-Chairperson
- DDG (Commercial and Sales)
- One ADG/DDG of any other Channel
- DDG (Finance)
- Director of Programmes (Acquisition) – Convener
- Director (Commercial & Sales)/ Director (Marketing)
- Director Engineering (Headquarters)

The Costing Committee at the Regional Kendras will be as follows: -

- DDG in charge of the zone-Chairman
- Director of the Kendra
- Chief Producer
- Supdt. Engineer/Station Engineer
- Executive Producer/Dy. Director (Prog.)
- DDA (Finance & Admn.) / Sr. Admn. Officer

In case of non-availability of Chairman of the Committee due to any reason, the senior most member will act as Chairman.

J. Acquisition Charges for Short-term acquisition: -

The following rates would apply to the acquisition to be made by DG: Doordarshan on short-term basis i.e. for a period of three years.

I) For Fresh Programmes not telecast earlier on Doordarshan/any other Channel

- a) The rate payable will be Rs. 50,000/- per episode or less if the programmes are to be taken for satellite channels alone with the proviso that rights of one telecast each on all the satellite channels of Doordarshan will be permissible during a period of 3 years. In addition, Doordarshan will reserve the right to telecast the programmes once on any/all of its Regional Language Satellite Channels without any extra payment.
- b) A rate of Rs. 75,000/- per episodes will be admissible for rights of one telecast on the terrestrial channels of Doordarshan apart from one telecast each on all the satellite channels of Doordarshan for a period of 3 years. In addition, Doordarshan will reserve the right to telecast the programmes once on any/all of its Regional Language Satellite Channels without any extra payment.
- c) As regards animation films, the rate payable will be Rs. 75,000/- per episode for rights of one telecast on each of the satellite channels of Doordarshan during a period of 3 years. A rate of Rs. 1,00,000/- per episode will be admissible for rights of one telecast on the terrestrial channels of Doordarshan apart from one telecast on each of the satellite channels of Doordarshan for a period of 3 years. In both the above cases, Doordarshan will reserve the right to telecast the programmes once on any/all of its Regional Language Satellite Channels without any extra payment.

II) For Programmes telecast earlier on Doordarshan/any other Channel

As regards the programmes which have been shown on any of the Doordarshan channels or any other private channel previously, an amount of Rs. 25,000/- per episode will be payable for acquiring rights for single telecast on each of the terrestrial and satellite channels of Doordarshan for a period of 3 years. In addition, Doordarshan will reserve the right to telecast the programmes once on any/all of its Regional Language Satellite channel without any extra payment.

III) Nation/International Award winning Programmes

In case of programmes which have won National/International Awards, the rate payable will be Rs. 1,50,000/- per episode for rights of one telecast on each of the terrestrial and satellite channels of Doordarshan. Apart from the above, Doordarshan will reserve the right to telecast the programmes once on any/all of its Regional Language Satellite Channels without additional payment.

IV) Acquisition by Regional Kendras

The above rates would also apply mutatis mutandis for acquisitions to be made by the Regional Kendras with a proviso that Doordarshan would reserve the right to telecast the programmes so acquired once on all terrestrial and satellite channels of Doordarshan including any/all the regional Language Satellite Channels during a period of three years and thrice during the above period on the Regional Language Channel concerned which acquired the programme during the above period.

K. Payment & Bank Guarantee for short-term Acquisition: -

The payments will be made within 30 days of the acquisition of programmes subject to certification by the concerned Channel about the satisfactory technical quality of the tape. In case the tapes submitted are

found to be unfit for telecast after one or two telecasts but in terms of the agreement, the period of rights i.e. three years is yet to be over, the producer will be required to replace the tape with a technically acceptable tape free of cost. The producer will be required to submit a performance Bank Guarantee of 10% of the transaction value for the period Doordarshan is granted rights for the programme which would be released on expiry of the agreement. In case of default by the producer in replacing the defective tapes, or any other default etc. Doordarshan reserves the right to encash the Bank Guarantee after 30 days of giving a written notice to remedy the situation.

L. Payments for Programmes with Perpetual rights: -

Master tape of the programmes will have to be submitted by the producer along with the copyright agreement duly signed by the producer. On submission of the above and other requisite documents and verification of technical quality of tape, payment to the extent of 90% of the transaction value will be released within 30 days and balance 10% within 90 days.

M. Terms and Conditions of the Acquisition: -

- Acquisition will be considered with Doordarshan having non-exclusive rights for a minimum period of three years or perpetual rights on exclusive basis. Acquisition will be accepted with telecast rights for different DD Channels as mentioned in Clause (j) above.
- The acquisition charge mentioned in Clause (j) above would apply to short-term acquisition of a programme of the duration of the 22-1/2 minutes to 30 minutes. For a programme of longer/shorter duration, rates would be worked out on pro rata basis.
- The producer will produce the programme of DVCPRO-50 format and will submit the telecast tape to Doordarshan on DVCPRO-50 along with a VHS copy of the programme. In case of perpetual rights, the producer will submit the master tape as well in addition and sign an Agreement with Doordarshan passing on the copyrights.
- Programme should maintain excellence in both aesthetic and technical quality of production. Technically it should conform to ITU-R specifications for video and chrominance levels: Typically maximum luminance. 1 volt P-P with 0.7 volts and 0.3 volts of sync. Pulse Maximum Chrominance saturation = 100% (colour difference signal = 0.7 volts). Audio level of the programme should be within the range of -5 db to +4 db.
- Length of opening and closing credit/title may be restricted to 30seconds. The acquisition rights would be for terrestrial and satellite channels and new emerging technologies such as DTT, DTH etc. While for perpetual rights, even CD rights would also be included, short-term acquisition will include all the rights except CD rights.
- Any producer/production house who is guilty of giving incorrect/misleading information to Doordarshan in respect to his proposal is liable to be blacklisted. A producer/production house, who has any dues outstanding against him (except those whose cases are sub-judice /in arbitration) will either have to clear the dues or get the repayment plan approved before his programmes are considered for acquisition.
- Courts at Delhi shall alone have the jurisdiction to decide any dispute arising out of this Scheme, on the National Channels and the respective state capitals for regional language programmes.
- Doordarshan will be free to get the programmes so acquired dubbed in any language at its own cost.

N. Exemptions: -

Notwithstanding anything contained in these guidelines, Doordarshan may with the prior approval of the Empowered Committee consisting of CEO, Prasar Bharati, Member (Finance) and DG: Doordarshan accept any proposal under this scheme in relaxation of any of these guidelines for the reasons to be recorded in writing. Such decision of the Empowered Committee will be got ratified by Prasar Bharati Board in its next meeting.