

NATIONAL FILM DEVELOPMENT CORPORATION LIMITED
(A Government of India Enterprise)

Discovery of India Bldg.
Nehru Centre, Dr. A. B. Road,
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BYE-LAWS & REGULATIONS

In exercise of the powers conferred by Article 80 (16) of the Articles of Association, the Board of Directors of the National Film Development Corporation Limited has, in its meetings held on 23rd June 2006, 30th August 2006, 15th September 2009, 27th September 2010, 23rd March 2011, 30th December 2013 and 26th September 2018 amended the following Bye-laws and Regulations for the regulation of the Corporation's Scheme for Film Production and related activities.

1. Definitions:

In these Byelaws and schedules, unless it be repugnant to the subject or context:

- i. **"APPLICANT"** means a person, who has submitted a project for production by the Corporation.
- ii. **'BOARD OF DIRECTORS'** or **'BOARD'** means a meeting of the Directors duly called and constituted, or as the case may be, the Directors assembled at a Board Meeting or acting by Circular under the Articles of Association of the Corporation.
- iii. **'CHAIRMAN'** means the Chairman of the Board of Directors.
- iv. **'COMPANY SECRETARY'** means the Company Secretary of the Corporation.
- v. **'CORPORATION'** means the National Film Development Corporation Limited.
- vi. **'DIRECTOR'** means the Director of the proposed film.

- vii. **'DIRECTOR (FINANCE)'** means the Director (Finance) of the Corporation.
- viii. **'GENERAL MANAGER'** means the General Manager of the Corporation.
- ix. **'MANAGING DIRECTOR'** means the Managing Director of the Corporation.
- x. **'PERSON'** includes firm, Corporation, company as well as individual.
- xi. **'PROJECT'** means the feature film, for which application is made to the Corporation.

NOTE: Words imparting the singular number include, where the context admits or requires, the plural number and vice versa, and words imparting the masculine gender also include the feminine and neutral genders.

2. Procedure for submission of applications

i. Application should be submitted in duplicate in the printed or in Electronic format called Application Form (FORM A)

→ <http://www.nfdcindia.com/Prod/NFDCProductionApplicationformA.pdf>

prescribed by the Corporation can be downloaded from the Corporation's website <http://www.nfdcindia.com>

There will be two application windows in one financial year.

ii. The application for feature films should be accompanied by:

- Six (6) copies of typewritten script, translated in English, and one (1) copy in the language in which the film is to be made. *In case the feature film is to be produced in Hindi Language Six typewritten script in Hindi should also be submitted.*
- Six (6) copies of synopsis *Hindi/English* (1-2 pages)
- Treatment: Four (4) pages *Hindi/English*
- Vimeo / YouTube link/HD/MP4 of previous work done in the capacity of Director. (Short/Documentary/Feature film)

A) Creative Material

- Logline
- Bio-data of the Director
- Director's vision statement
- Producer's biography including IMDB profile in case of Co-Production
- Notes about genre of the film

B) Marketing and Distribution thoughts

- Positioning
- Key Domestic Markets
- Key International Markets
- Level of market interest shown in connection with the Project - Pre Sales/Sales/Distribution opportunity/Festival placement etc. (if any, please specify)
- Marketability of different elements of the film (Director/Actors/USP of the film/Big Idea etc.).
- Marketing/PR Alliances if any, including potential deals/sponsors for in-film branding
- Publicity Designer (Print/AV)

C) Audience Engagement Plan

- Target Audience for each potential distribution platform/ expected results from each platforms.

D) Budget total cost upto release/distribution of the film

- Development (Story, Screenplay, Dialogue, Writer)
- Above the Line (Director, Producer, Key Crew, Key Cast)
- Insurance
- Pre-Production
- Production
- Post-Production
- Contingency
- Print and Theatrical Distribution Costs
- Marketing and Publicity costs

Note: Finance Plan indicating sources of funding (including Co-producer investment, funding from other sources) for Co-production.

E) Schedule

- Proposed overall production schedule – including adequate time to conclude contracting
- Draft shooting schedule for narrative features
- Proposed shooting locations

F) Key Personnel

- Details of key personnel attached to the film including one-page CV and a short bio (Director/ Producer/ Line Producer / DOP/ Writer / Editor / Production Designer / Music Director / Director of Audiography) (in case of Co-production IMDB profile of Director and Producer may be submitted along with track record)
- Details of proposed key cast (Lead Actor/Lead Actress/ Parallel Lead Actor/Parallel Lead Actress/Supporting cast)

G) Other NFDC Projects

- Details of any projects in active development with NFDC
- If there are any outstanding reports or deliverables relating to those other projects or any other NFDC grants, loans or equity, they should be delivered before or alongside this application.

H) Copyright and Clearance Details

- If applicable

3. **Processing fees:** Each application should be accompanied by a non refundable processing fee of Rs.20,000/- (Rupees Twenty Thousand) plus 18% GST by way of Demand Draft favouring National Film Development Corporation Limited, payable at Mumbai for each application for production of feature film.

4. The Board of Directors may appoint a Panel of Members consisting of persons distinguished in the field of art, culture, education and/or who have a background of film production/direction/criticism or appreciation from amongst whom, the following committee shall be constituted to advise the Corporation on proposals submitted for production of films by the Corporation:

i. **Script Evaluation Committee:** For evaluation of the scripts submitted.

ii. **Assessment Committee:** Budget of approved Projects will be examined by the Assessment Committee. The Committee will consist of (1) Head–Film Production Department (2) an Officer from Accounts Department (3) Empanelled Line Producer.

iii. Upon recommendation of a proposal by the Script Evaluation Committee, the applicant will furnish additional information of the Project in **FORM 'B'** to the Corporation for technical and financial appraisal by Assessment Committee → <http://www.nfdcindia.com/uploads/post/Budget.pdf>

5. i. The Chairman of the Corporation shall be the Chairman of IN-HOUSE SCREENING COMMITTEE. Meetings of the Committee as and when necessary will be called by the Chairman who will also preside over the Meetings. In the absence of the Chairman, the members present will select from amongst themselves a Chairman who will preside over the deliberations of the committee. Beside the Managing Director, the Director (Finance), HOD (Film Production), HOD (Distribution) will be members of the Committee. This Committee shall examine the proposal recommended by the Script Evaluation Committee and the Assessment done by the Assessment Committee and will accordingly forward its recommendation to the Board of Directors of the Corporation.

ii. All the proposals along with their respective reports and recommendations of the IN-HOUSE SCREENING COMMITTEE will be placed before the Board for its consideration. A list of proposals rejected by the Script Committee will also be placed before the Board.

iii. The Board may, in its discretion, sanction or reject a project on prescribed terms and conditions thereof.

iv. The above Committee shall meet as and when required.

v. If required, the Assessment Committee may also seek the opinion of an expert on the technical aspects of the proposed project

6. In the case of co-productions and international co-productions, the quantum of investment by the Corporation and the terms and conditions of the agreement shall be determined by the Board, keeping in view the details of the project under consideration. The Board may also, in its discretion, request the co-producer to remit an interest free deposit as collateral security to the tune of such amount as the Board may decide. Once the terms and conditions of the Co-Production have been finalized, the applicant shall furnish an undertaking from the bank where the funds are placed by the Applicant with instructions to release funds as and when required for production of the film, and as detailed in the Co-Production agreement. All expenses pertaining to the project will emanate solely from this account.

7. Where the Corporation is the sole producer of the proposed film, the Board may determine the budget, keeping in view the requirements of the project and the recommendations of the committees examining the proposal.

8. Production of films by the Corporation: Terms and conditions

i. Only the first feature film of the applicant Director, as the case may be, is eligible for financing under the 100% production scheme of the Corporation.

ii. The Corporation will undertake production of the film and will have all rights over the film and the story/script.

iii. Applications received should state that at least 80% of the film would have the language, which has been stated in the application.

iv. The Script will be evaluated by a Script Committee and budget evaluated by the Assessment Committee. However, the Corporation reserve its rights to refer the script to advisors/script doctors for further improvement, if required.

v. The proposal thus evaluated and recommended by the Script Committee and budget evaluation done by the Assessment Committee will be placed before the In-House Screening Committee for a detailed appraisal. Based on such appraisal, the Committee shall approve/reject the proposal.

vi. The proposals recommended by the In-House Screening Committee will be submitted to the Board of Directors for a final decision of the Corporation.

vii. The Corporation shall, for the purpose of production of the film, enter into an agreement with the Scriptwriter and the Director and such Agreement shall contain the terms and conditions as the Corporation may decide from time to time.

viii. No near and dear relatives of the Director/Line Producer/Executive Producer to be a part of the Production/Direction team in any capacity for any film.

ix. The shooting of film in digital camera along with sync sound would be preferred so that the production of the film shall be of internationally marketable standards and length of the film to the extent possible be between 90 to 120 minutes.

x. The Board may also, in its discretion, nominate a Sub-committee of its members to go through the details of the project and such sub-committee will submit its report to the Board for its final decision on the project.

xi. The Agreement made and entered between the Director / Co-Producer is liable to be terminated by the Corporation in the event of happening of any of the following:

- a) If the Director/Co-Producer fails to commence the Production of the film within a period of three (3) months from the date of signing of the Agreement with the Corporation

and/or

- b) If the Director/Co-Producer fails to comply with any of the terms and conditions laid down in the agreement during the course of the production of the film.

xii. For each approved production, the Corporation will appoint an Executive Producer/Line Producer. The Executive Producer/Line Producer would be required to submit a Weekly Progress Report and Weekly Cost Report on the film under production to the Management of the Corporation from the commencement of the project until the film is ready for certification by the CBFC, except during shooting of film when the report on a daily basis with a view to monitoring that the budget provisions submitted by the Director / Co-producer are adhered to, and work in all stages of the film is completed as per the time bound schedule submitted by the applicant.

xiii. All disbursements will be made according to the requirements of the project and as decided by the Corporation or the Executive Producer/Line Producer appointed by the Corporation.

xiv. The project shall be insured to the extent permissible under the extant insurance schemes available for purposes of film production. The expenditure on account of such insurance shall be accounted for in the production budget submitted and the Executive Producer/Line Producer so appointed shall be personally responsible for lodging any claim in the event of any contingency on the film for which insurance cover is taken.

xv. The Executive Producer/Line Producer will ensure that all statutory regulations are complied with.

xvi. On Completion of each film, the accounts of the film shall be duly audited by the Auditor appointed by the Corporation for this purpose.

xvii. The Executive Producer/Line Producer along with Film Production Department will also view the footage of the film and certify in his Weekly Report that the film is being made as per the approved script. The Executive Producer/Line Producer shall form an integral part of the production team.

xviii. The expenditure incurred by the Applicant, prior to final approval of the project by the Board, will not be reimbursed.

xix. The title of the film registered with the Producers' Association in the name of Applicant will be transferred in favor of the Corporation prior to signing of agreement.

xx. Those project/s which have been approved for Production/Co-production by the Corporation but yet to commence the Production within a period of one (1) year from the date of approval of the Corporation would deemed to have been lapsed.

9. In the event of any dispute/interpretation arising in respect of the above Clauses/Byelaws, the decision of the Board of Directors of the Corporation shall be final and binding upon the parties.

The Board of Directors may prescribe from time to time any other terms and conditions in addition/alteration/substitution of the above guidelines.

The above Bye Laws and Regulations are not applicable for production of feature films for Central Government/State Government/PSU of Central & State Government against specifically sanctioned film projects.

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