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OFFICIAL GOVERNMENT OF GOA GAZETTE



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GOVERNMENT OF GOA**Department of Co-operation**

Office of the Registrar of Co-operative Societies

Notification

42/1(C)/2016/Amendment/TS/RCS/3093

In exercise of the power conferred by
sub-section (2) of section 1 of Goa Co-operative

Societies (Amendment) Act, 2016 (Goa Act 24
of 2016), the Government of Goa hereby brings
into force the Goa Co-operative Societies
(Amendment) Act, 2016 (Goa Act 24 of 2016)
from the date of issue of this Notification.

By order and in the name of the Governor
of Goa.

Meena H. N. Goltekar, Registrar & ex officio
Joint Secretary (Co-operative Societies).

Panaji, 1st November, 2016.

Department of Information and Publicity

Notification

ESG/15-16/film finance scheme/2016

Goa Scheme of Financial Assistance for
Films—2016

The Government of Goa hereby notifies the scheme to provide Financial Assistance for production of film originating in Goa, as follows:—

A. Title, applicability and duration.— (i) The scheme shall be called the Goa Scheme of Financial Assistance for Films 2016 (for the production of Feature Films in Konkani and Marathi and Non-Feature Films including short films and Documentaries in Konkani, Marathi, English and Hindi). The scheme shall be implemented through the Entertainment Society of Goa.

(ii) The scheme shall apply to Feature Films/Non-Feature Film originating and produced in Goa by Film Producers/Co-Producers who have to be registered with the Entertainment Society of Goa on payment of Registration fee of Rs. 1000/-. Film Producers/Co-Producers already registered with Directorate of Information and Publicity under the earlier scheme are also eligible provided they satisfy the conditions laid down in the present scheme.

(iii) The scheme will be effective from the date of notification. The films released since 2011 which have not received any Government support/funding would be made eligible for financial support under this scheme. It may be reviewed or redesigned as the need may be. However, the Government of Goa or the Entertainment Society of Goa reserves the right to change any or all provisions of this scheme if found necessary in public interest. The assistance under this scheme to be announced every year.

B. Aims and objectives of the scheme.— (i) To regulate grant of Financial Assistance to Goan

film makers with a view to encourage production of quality Feature Films/Non-Feature Films as well as Short films, Documentaries, etc. and to boost the image of the State of Goa in the film world.

(ii) The scheme envisages grant of Financial Assistance up to 50% of the cost of production of a film or as per the relevant provisions made in Schedule I hereto, whichever is less every year. A Feature Film/Non-Feature Film Producer/Co-Producer shall be entitled to claim assistance under the scheme every year. If the Feature Film or Non-Feature Film is categorized under “C” Category or below for two consecutive years then the Producer/Co-Producer shall not be entitled to avail the Scheme benefits for next 2 years.

(iii) The Entertainment Society of Goa as an executing agency shall process all the applications received from registered Film Producers, Co-Producers willing to avail the financial help from the Society for producing Feature Films in Konkani or Marathi and Non-Feature Films including Short Films & Documentaries in Konkani, Marathi, English and Hindi in Goa. All necessary Codal formalities to be followed. Once application is processed Entertainment Society of Goa will send request to Department of Information and Publicity to release sanctioned amount. The Department of Information and Publicity shall pay ESG 2.00% of sanctioned amount as commission charges towards processing of applications.

(iv) The Film Producers/Co-Producers making Feature Films or Non-Feature Films in more than one of the approved languages as above (bilingual) simultaneously shall be able to claim Financial Assistance for only one of the languages, subject to the condition that the film under consideration is original production and not a dubbed copy.

C. Definitions.— In the scheme, unless the context, otherwise refers,—

(i) “Society” means the Entertainment Society of Goa.

(ii) “Financial Assistance” means Financial Assistance given by the society to films, financed under this scheme.

(iii) “Scheme” means the scheme specially formulated by the Government for giving Financial Assistance for production of Feature Films in Konkani and Marathi and Non-Feature Films including Short Films and Documentaries in Konkani, Marathi, English and Hindi.

(iv) “Film Producer” means a person who produces the Feature Film/Non-Feature Film and has entire rights of the said film.

(v) (a) “Artists” means and includes Actors, Actresses and Character means artist playing a specific role in the script related to story of the Film.

(b) Technicians means and includes 1. Story Writer 2. Screenplay Writer 3. Dialogue Writer 4. Cinematographer 5. Editor 6. Music Director 7. Costume Designer 8. Art Director 9. Sound Designer 10. Choreographer 11. Lyrics 12. Background Score 13. Make-up 14. Action Director.

(vi) “Film Director” means a person directing the Feature Film/Non-Feature Film.

(vii) “Story Writer” means a person writing the story for the Feature Film/Non-Feature Film.

(viii) “Evaluation Committee” means a Committee duly constituted for grading the Film/Non-Feature Film into A, B, C & I, II, III Category depending on quality i.e. Technical quality as well as content of the film to be financed under the scheme.

(ix) “Finance Committee” means a Committee duly constituted by the Entertainment Society of Goa to look into the financial aspects of the film production and to make recommendations to the Entertainment Society of Goa on the quantum of financial help to be released after perusing the assessment reports submitted by the Evaluation Committee.

(x) “Registration Form” means a Form issued by the Entertainment Society of Goa for the purpose of enrolling the Feature Film/Non-Feature Film Producers/Co-Producers.

(xi) “Application Form” means a Form issued by the Entertainment Society of Goa for applying for Financial Assistance for production of Feature Film/Non-Feature Film as at Schedule II.

(xii) “Short film” is a fictional/Non-fictional film shot on celluloid or digital format which is not more than 30 minutes and not less than 10 minutes in duration as per CBFC guidelines.

(xiii) “Documentary film” is a film shot on Celluloid or Digital format which is not less than 10 minutes in duration as per CBFC guidelines.

(xiv) “Feature film” means a film which is shot on Celluloid or Digital, for more than 70 minutes duration and mentioned as Feature Film as per CBFC guidelines.

(xv) “FIAPF” means Federation International des Associations de Producteurs de Films/International Federation of Film Producers Associations based in Paris, an organization composed with 31 member associations from 25 of the leading audiovisual production countries and is in charge of supervising International Film Festivals, including some of the world’s most important ones.

(xvi) “National Film Award” means the Film Awards instituted by the Government of India in the year 1952 and organised by the Ministry of Information and Broadcasting Government of India.

(xvii) CBFC means Central Board of Film Certification.

D. *Eligibility.*— The scheme is intended to provide Financial Assistance to films produced by Feature Film/Non-Feature Film Producers/Co-Producers, registered with the society. The society will register the Film Producers/Co-Producers who fulfill the following conditions.

(i) The Feature Film/Non-Feature Film Producers, Co-Producers should have at least 25 years domicile in the State of Goa or whose both parents are born in Goa and resident of State of Goa for at least 25 years. However in case of Company/Partnership firm registering as Film Producers/Co-Producers they should have more than 60% stake owned by Goans who are born in Goa or must have 25 years domicile in the State of Goa or whose both parents are born in Goa and resident of State of Goa for at least 25 years.

(ii) The Director is a person who directs Feature Film/Non-Feature Film.

(iii) In case of Society/Trust, registered under the Societies Act and Trust Act having more than 80% of the members/trustees who are born in Goa or must have 25 years domicile in the State of Goa.

(iv) The Feature Film/Non-Feature Film should have 50% of the screen time depicting has been shot in the State of Goa and at least 50% characters and 30% Technicians in the film must be of Goan Origin.

(v) The Feature Film/Non-Feature Film Producers/Co-Producers should file an affidavit for not having any criminal record or proceeding against him/her anywhere in the country as per Schedule III.

E. Procedure, Terms and Conditions governing the scheme.— (1) The Feature Films should be originally produced in Konkani or Marathi, and Non-Feature Films produced in Konkani, Marathi, Hindi and English languages. A dubbed version of a pre-produced film shall not be eligible to claim benefit of this scheme and only the adopted film will be eligible.

(2) The Feature Film/Non-Feature Film Producer/Co-Producer shall also submit an affidavit as per Schedule III that the script submitted by him/her does not violate the provisions of the Indian Copyright Act and the ESG shall in no way be responsible for any or all claims arising out of violation of the

Copyright Act and all such responsibility will lie with the Film Producer/Co-Producer. In case of any proved violation of Copyright Act, the benefits under the scheme shall not be considered and in case amount is paid the Producer/Co-Producer shall refund the same within 30 days.

(3) The Feature Film/Non-Feature Film Producer/Co-Producer producing any film shall have to undertake at least 50% of the shooting within the State of Goa and will have to submit a written undertaking of having given 50% of screen time of the film within State of Goa.

(a) The Feature Film/Non-Feature Film should have 50% of the characters as Goan artists who are born in Goa or have 15 years of Domicile in the State of Goa.

(b) The Feature Film/Non-Feature Film should have 30% of Technical team from Goa amongst the list mentioned below:—

1. Director
2. Story Writer
3. Screenplay Writer
4. Dialogue Writer
5. Cinematographer
6. Editor
7. Music Director
8. Costume Designer
9. Art Director
10. Sound Designer
11. Choreographer
12. Lyricist
13. Background Score
14. Make-up artist
15. Action Director.

(4) The Feature Film/Non-Feature Film Producer/Co-Producer wishing to avail the Financial Assistance shall have to fill in an application form as per Schedule II hereto and submit all the enclosures mentioned therein.

(5) The Entertainment Society of Goa shall disburse the Financial Assistance under this scheme in one installment after the completion of film production.

(6) The Evaluation Committee shall consist of not more than five members from Film Fraternity outside Goa as may be constituted by the society, with the approval of the State Government. The Evaluation Committee will be headed by an eminent film Director/Actor/Screenplay Writer/Cinematographer/Music

Director and will also have a minimum of one Technical expert. The quorum for the meeting of the Committee will be 60% of the members in the Committee. This Evaluation Committee will grade the Feature Films and Non-Feature Films into A, B, C & I, II, III category depending on their overall production quality. The Committee shall work out its own procedures for categorizing the films into various categories.

A Category Feature Film will be entitled to receive maximum up to 50 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

B Category Feature Film will be entitled to receive maximum up to 30 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

C Category Feature Film will be entitled to receive maximum upto 10 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

I Category Non-Feature Film will be entitled to receive maximum upto 10 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

II Category Non-Feature Film will be entitled to receive maximum up to 5 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

III Category Non-Feature Film will be entitled to receive maximum upto 3 lakhs or 50% of the total expenditure as per the audited statement whichever is less.

Films which are not coming under A, B, C & I, II, III Category will not be entitled for any grants.

(7) The amount of Financial Assistance shall be disbursed on submission of the following documents:—

(a) Statement of total expenses incurred by the Film Producer/Co-Producer for the

Feature Film/Non-Feature Film and duly audited by the Chartered Accountant and verified by him/her certifying the correctness of the same.

(b) The copy of three years of Income Tax Returns filed statement by the Film Producer/Co-Producer, Production House and in case of newly formed production houses one year's Income Tax Return filed statement should be submitted to ESG.

(c) Censor Certificate issued by Central Board of Film Certification—Government of India.

(d) Censored copy of the Feature Film/Non-Feature Film in DVD/Blue Ray format for the record of the society.

(8) All Film Producers/Co-Producers availing Financial Assistance from the Entertainment Society of Goa shall have to submit an authority letter authorizing the Entertainment Society of Goa to screen their films free of cost for any Film Festival organized by Entertainment Society of Goa/Government of Goa/ /Government of India and any other Five Festivals or special screenings. The Film Producer/Co-Producer will have to give the final copy in Celluloid, DVD or Blue Ray as the case may be, free of cost to the society at the time of release of Financial Assistance. Such screening by the ESG will not entitle the Film Producer/Co-Producer for any award/reward/ /monetary benefit under this scheme.

(9) Additional assistance to be provided by the Government as per the following details to promote good cinema:—

(a) Feature Film release certificate for one week from the cinema theater owners.

(b) Rs. 7,000/- per show for theatre release and screening of Feature film up to a maximum of 100 shows in theatres/Cinema/ /Auditorium Halls located in the State of Goa.

(c) Rs. 5,00,000/- if a Feature film is screened in the official selection category,

at the International Film Festival of India or any other International Film Festival recognized by FIAPF and Rs. 2,50,000/- if a Non-Feature Film is screened in the official selection category, at the International Film Festival of India or any other International Film Festival recognized by FIAPF subject to a maximum aid for two festivals only.

(d) Rs. 20,00,000/- if a feature film wins the National Film Award in the best film category in regional language and Rs. 25,00,000 for any other Best Film category and Rs. 5,00,000/- if a Non-Feature wins a National Award. Rs. 30,00,000/- if the Feature Film wins the Golden Lotus Award at the National Film Awards or any International Award at a Film Festival recognized by FIAPF and Rs. 7,50,000/- if a Non-Feature wins an award at an International Film Festival recognized by FIAPF.

(e) Rs. 1,00,00,000/- if a Feature Film wins the Oscar Award under any category.

(f) (i) In Feature Film category Rs. 5,00,000/- for the Director winning a National Award or International Award at FIAPF recognized Film Festival. And Rs. 2,00,000/- for the Artists/Technicians in any individual category wins a National Award or International Award at FIAPF recognised International Film Festival subject to a maximum aid for two festivals only.

(ii) In Non-Feature Film Category Rs. 2,00,000/- for the Director winning a National Award or International Award at FIAPF recognized film festival. And Rs. 50,000/- for the Artists/Technician in any individual category wins a National Award or International Award at FIAPF recognised International Film Festival subject to a maximum aid for two festivals only.

(10) The Entertainment Society of Goa will make its Hall, auditorium and other facilities available to Film Producers for releasing their Films.

(11) The Government will make necessary provision to facilitate all Film Producers registered with the Entertainment Society of Goa to avail of the outdoor and indoor film shooting in Goa by paying a nominal charge of Rs. 1,000/- per day including premises of Autonomous Bodies provided it satisfies the eligibility criteria as laid down at clause D & E.

(12) ESG would charge Rs. 5,000/- per year for registration.

(13) Government of Goa shall organise Goa State Film Festival.

(14) Under this scheme, the Entertainment Society of Goa may give Financial Assistance to various films subject to the funds available under the scheme.

(15) The Finance Committee shall consist of not more than six members as may be constituted by the society, with the approval of Chairman, ESG. The Committee shall be headed by Chief Secretary of Goa. The quorum for the meeting of the Committee will be 50% of the members in the Committee.

(16) ESG shall retain one copy of the film financed by ESG under the scheme in its archive for archival purpose.

(17) For all the films produced from April 2011 till new scheme is put into effect, for clause No. 3(a) the percentage to be considered as 30% and for clause 3(b) percentage to be considered as 20%.

(18) Film should be shot on minimum HD quality.

F. Arbitration Clause.— Except as otherwise provided herein in the event of any dispute or difference arising out of or in a way relating to or concerning these presents or the construction or effect of these presents, the same shall be referred to the sole arbitration of a Arbitrator to be appointed by Entertainment Society of Goa who shall be

bound to appoint an Arbitrator within 45 days from date such request is made from the stage at which it was pending. The arbitration proceedings shall be held in Panaji-Goa.

From time to time, the Arbitrator may with the consent of both the parties to these presents, extend the time for making the award. The award of the Arbitrator shall be a reasoned award shall be final and binding on the parties to the presents. Subject as aforesaid, the Arbitration Conciliation Act, 1966 (26 of 1996) and the rules made there under shall apply to the arbitration proceedings under this clause. The courts in Panaji-Goa, shall have exclusive jurisdiction.

G. An Individual/Producer who is born in Goa or has 15 years of domicile for individual and 25 years of Domicile for producer but is not covered under the scheme and has not availed benefits of the present scheme and wins a National/International Award as mentioned in clause 9 will be rewarded as per clause 9.

This has been issued with concurrence of Finance (Exp.) Department under their U. O. No. 5718 dated 26-10-2016.

By order and in the name of the Governor of Goa.

Jayant Tari, Director & ex officio Joint Secretary (Information and Publicity).

Panaji, 8th November, 2016.

SCHEDULE - I

(See clause 2)

Feature Film Category (above 70 mins)

- If filmed on 35 mm Celluloid/Digital with Dolby Digital, maximum Financial Aid – Rs. 50 lakhs.

Non-Feature Category (above 10 mins)

- If filmed on 35 mm Celluloid/Digital, maximum Financial Aid – Rs. 10 lakhs.
-