

**Policy Guidelines
for
Rate Fixation and Advertisement
Release in
Outdoor Media and Personal Media for
Government Advertisements**

1. Background

- 1.1 The Ministry of Information and Broadcasting (MIB) is responsible for disseminating information on government policies, schemes and programmes through multiple media of mass communication including radio, television, press, social media, internet websites, printed publicity, outdoor publicity and traditional modes of communication such as dance, drama, folk recitals, etc.
- 1.2 The MIB is also the focal point for policy matters related to the broadcasting sector, as well as for administering the public service broadcasting (Prasar Bharati), multi-media advertising and publicity of government policies and programmes, film promotion and certification and regulation of print media. It is also the administrative line ministry for Indian Information Services officers who work with other Ministries/Departments to coordinate Information and Communication activities.
- 1.3 The MIB, therefore, has a mission and vision to create an enabling environment for the facilitation and dissemination of knowledge, entertainment and information. It does this by effective outreach of flagship schemes of government, strengthening public service broadcasting (TV and radio), facilitating development of the broadcasting sector and promoting value-based cinema for healthy entertainment.
- 1.4 Bureau of Outreach and Communication (BOC) was set up on 8th December, 2017 by integration of erstwhile Directorate of Advertising and Visual Publicity (DAVP), Directorate of Field Publicity (DFP) and Song & Drama Division (S&DD). The Bureau aims at providing a 360 degrees communication solutions to the Ministries/Departments/ Public Sector Undertakings (PSUs)/autonomous bodies. It acts as an advisory body to Government on media strategy. With 23 Regional Outreach Bureaus (ROBs) and 148 Field Outreach Bureaus (FOBs), BOC is engaged in educating people, both rural and urban, about the Government's policies and programmes to enlist their participation in developmental activities.
- 1.5 BOC is the nodal organization for paid outreach campaigns through Print Media, Electronic Media, Outdoor Media, Internet Websites, etc. on behalf of client Ministries/Departments and organizations of Government of India in pursuance of para VI (23) of Allocation of Business Rules, 1961 on "Production and release of advertisements on behalf of the Government of India."

2. Need for the Policy Guidelines

- 2.1 The outdoor media publicity space is evolving and spreading. In addition to traditional outdoor media (like wall painting, hoardings etc.), new technologies and new space for outdoor publicity have come up. It is important for the Ministry to determine modalities for engaging with such media platforms for assured reach.

2.2 Further, the guidelines would act as the common point of reference for stakeholders in Outdoor Publicity media for execution of Outdoor Publicity projects of Government of India.

3 Objectives of the Policy Guidelines

- 3.1 To enable the Government for better outreach and mass communication by producing effective and people-centric creative content, at optimal rates, in competitive, transparent and time-bound manner.
- 3.2 To provide the stakeholders a clear understanding of parameters and process of selection, job award, rate fixation and other related aspects for transparent and efficient execution of Outdoor Publicity.

4. Definitions

- 4.1 **Outdoor Media:** A media which is located at a place accessible to the members of public and viewable from a distance. The media may be stationary (such as hoardings, display boards, etc.) or mobile (such as Bus panels, Train wraps, etc.). The media may be static or digital based on display of content on the media.
- 4.2 **Personal Media:** The media which are available for consumption of individual member(s) of public, and not to the members of public in general, will be considered as Personal Media. These items include, but are not limited to, railway tickets, utility bills, access cards to the religious places, items associated with catering in Indian Railways, etc., and are generally, quantifiable.
- 4.3 **Category A media:** This category will comprise of all media for which an agency has obtained prior advertising/concessionaire rights from a civic body under Central/State/Local Government, or any other body under Central/State/Local Government, viz., Public Sector Enterprise (PSE), Joint Venture, a body constituted under Public Private Partnership (PPP) model, Special Purpose Vehicle (SPV), etc. Since for these media, a particular agency obtains rights exclusively for specific locations, the rates will be fixed as per provisions of Rule 166 of General Financial Rules (GFR) 2017 on the recommendation of a Rate Committee, in the manner described in these guidelines.
- 4.4 **Category B media:** This category will consist of such media which are not covered under advertising rights and the agency does not have any prior agreement with, or exclusive rights from, any public or private body. In case of Category B media, BOC will float tender for empanelment of agencies and discovery of rates, in the manner described in these guidelines.
- 4.5 **Category C media:** This category will cover all such media which are new and innovative in nature and not covered in Category A or Category B but have high publicity value (HPV) due to their unique or new features. In order to be eligible under this category, a media should offer technologically driven means of verification.

5. Rate Fixation for Category A and Category C media

5.1 **Eligibility Criteria:** The agencies applying for rates under **Category A** and **Category C** of Outdoor and Personal media will be required to meet the following criteria:

- a) The agency should either possess the advertising rights for the desired media from the authorities as defined for Category A, or, should be eligible, in the opinion of BOC, under Category C. BOC will determine the documents/ proofs to be submitted by agencies in support of their claims.
- b) The agency should apply for the media, which has been installed and is operational. BOC will NOT consider the media which is in the stage of conception/ construction.
- c) The agency should not be temporarily suspended by BOC at the time of rate application and must not have been permanently de-empanelled or blacklisted by BOC. Any agency seeking BOC rates should not be involved in a criminal act for which the proprietor or Director or promoter of the agency has been convicted by a court of law. Any agency seeking BOC rates for their media should comply with all laws of the land.
- d) In respect of Category C media, BOC will ensure that only such media is considered which qualifies as proprietary item under Rule 166 of GFR. The viability of any media which is eligible under this category will be reviewed by BOC after a period of six (6) months to take a view as to whether media should continue on BOC panel or not.

5.2 Application Process and Timelines

- a) The window for applications for the rate fixation process will be opened on a quarterly basis (i.e., January-March, April-June, July-September and October-December). Agencies may apply in the first fifteen days of the first month of the quarter by submitting online applications on BOC website (www.davp.nic.in).
- b) A hardcopy of a duly signed (by authorized signatory) application form, along with the notarised copy of the agreement of sole right (or similar valid documents) indicating locations, validity, quantity, size, receipt of amount paid, and other supporting documents should be submitted to BOC within the same month of the online application.
- c) Actual photographs of each media property in real locations must be submitted. The photos should not be edited or computer generated.
- d) The agency will be required to submit the copy of all work orders (and bills pertaining to the same) for the media as well as locations for the past six (6) month at the time of application. The GST number of both the parties should be mentioned on the copy of bills generated. The agencies will also need to submit copy of GST paid for the same work order(s).

- e) BOC will endeavour to process the applications submitted in a quarter by the end of the next quarter.
- f) The agencies must ensure compliance of instructions of BOC regarding filling the applications. The applications of agencies which do not comply with BOC's instructions in this regard will be summarily rejected.

5.3 **Rate Committee**

5.3.1 In case of Category A and Category C media, BOC will determine the rates on the recommendation of a Rate Committee which will submit its recommendations to the Principal Director General (Pr. DG)/ Director General (DG), BOC. Pr. DG/ DG, BOC will be the competent authority for determination of rates.

5.3.2 The **composition** of the Rate Committee will be decided by Pr. DG/DG, BOC and will be as follows:

- a) Additional Director General (BOC) of the Outdoor Wing or Personal Media Wing – Chairperson
- b) Additional Director General (Accounts)/Director (Accounts) – Member
- c) Director (BOC) of the Outdoor Wing or Personal Media Wing – Member
- d) A representative from IFD of MIB (to be nominated by MIB)
- e) Deputy Director concerned/Production Manager concerned– Member
- f) Assistant Director/Assistant Production Manager – Member Secretary
- g) The committee may co-opt one or more members from advertising bodies as and when required.

5.4 **Factors to be considered during Rate Fixation**

5.4.1 The Rate Committee will consider the following factors for recommending the rates:

- (i) Location and visibility of the media
- (ii) The reach and coverage of the media
- (iii) Display size
- (iv) Extent of media availability in the area where the media under consideration is located
- (v) Market value and media viability
- (vi) License fee
- (vii) Uniqueness and innovation offered by media
- (viii) Prevailing rates of similar media on BOC panel at comparable locations
- (ix) The quality of the material to be used for display or the clarity of display (i.e., vinyl/ flex/material quality specifications determined by sole rights authority, screen resolution, etc.)
- (x) Logistic and infrastructure cost incurred or liable to be incurred by agency, etc.

(xi) Any other factor(s) which the Rate Committee deems important. However, such factor(s) must be mentioned in writing by the Committee.

- 5.4.2 Special attention may be given to media in media-dark areas to optimize coverage and reach, if in the opinion of BOC, such media offers valuable advantages from the perspective of dissemination of social messages.
- 5.4.3 As far as possible, BOC will classify the media on the basis of geographical spread and location.
- 5.4.4 In case the License Fee is the only major criteria based on which the rights for media have been obtained by the agency/firm (i.e., the agency is not required to construct the media or the associated structure), the BOC rate would be twice the License Fee, at the maximum.
- 5.4.5 BOC will normally approve rate in the range of 60-75% of the average commercial rate depending on factors such as city and State/ UT where media is located, visibility of media, extent to which other media is available with BOC for same city/ location, BOC rate for other media in the vicinity, etc., provided the commercial work orders are credible.
- 5.4.6 In case of conflict between para 5.4.4 and 5.4.5, the lower of the two would prevail. The departure from the same may be recorded in writing.
- 5.4.7 In case of the media which has been installed afresh and in whose case work orders are not available, BOC may fix the rate on the basis of lowest rate available in the vicinity. However, BOC may refuse to fix rate for a media/locations if, in the opinion of BOC, media/locations is not commercially viable.
- 5.4.8 BOC may specify minimum quality criteria for material or display (viz., quality of flex/vinyl, resolution of LCD/ LED screens, etc.) before rate fixation.
- 5.4.9 The agencies seeking BOC rates will be required to provide elaborate justification/rationale for the rates (along with documentary proof), they are seeking from BOC. Applications which do not accompany such justification/rationale may be summarily rejected.
- 5.4.10 If the number of properties in a particular city/cluster/zone in an agreement is more than fifty (50), then the agencies will be required to provide a categorization with differential offer rates based on visibility of individual locations. The agencies must support their claims with documentary proof.
- 5.4.11 BOC reserves the right to reject any application without assigning any reason(s) thereof. BOC may not consider any media if, in the opinion of Rate Committee, the media is not suitable for Government messages. BOC may, if it deems fit, revoke/modify the rates offered to agency at any point of time, if there are reasonable grounds for the same.

5.5 Other Terms and Conditions

- 5.5.1 BOC reserves the right to do physical inspection of Outdoor sites for which an agency has sought BOC rates.

- 5.5.2 BOC may also ask for list of sites with geo-tags/ geo-coordinates as well as video tours of the sites in order to assess the viability of the sites from BOC's perspective and in order to enable the Rate Committee to make recommendations regarding the rates.
- 5.5.3 The applications of the agencies which do not comply with BOC's requests for the same will not be considered and summarily rejected.

6 Empanelment of Agency in case of Category B of Outdoor Media

6.1 Eligibility conditions

In order to be eligible under Category B, an agency will be required to fulfil the criteria mentioned below:

- 6.1.1 The agency should have at least three (3) year experience in Outdoor Media. For start up companies/agencies, the period may be relaxed to one year. Only the companies/agencies recognized by Department for Promotion of Industry and Internal Trade (DPIIT) as start-up will be eligible for such relaxation.
- 6.1.2 It should have a minimum turnover of Rs. 1 crore per annum in last two (2) Financial Years, if it is participating in All India bid and Rs 25 lakh per annum in last two (2) Financial Years, if it is participating in State-wise bid. The agencies will be required to provide the documentary evidence such as work order, bills pertaining to same work order (with GST number of both parties), copy of GST paid, etc. For start up companies the minimum turnover criteria may be waived, if the start up is registered with DPIIT.
- 6.1.3 It should either have the capability to print the material on its own or should have arrangement with other vendors for getting the hoarding/ digital wall painting, etc. work done. In this regard, the agency will be required to submit the relevant documents such as ownership or rent agreement of the premises, bills of purchase of machines, ESI receipts for the employees, agreement with other vendors, copy of bills paid to other vendors, etc.
- 6.1.4 If an agency has authorized access to at least fifty (50) sites each, across at least five (5) States/ UTs in case of hoardings, then the agency will be eligible to participate in all India tender of hoardings, i.e., it can bid for rates across all States and UTs. Additionally, an agency should have offices across five (5) or more states in order to be eligible for All India bid. If an agency has authorized access to at least fifty (50) sites each in a minimum of one and maximum of four (4) states, then it can bid for rates across concerned States/ UTs. The agency should provide documentary evidence (such as tax receipts, agreement with other vendors, etc.) in this regard.

6.1.5 If an agency has executed work of at least 50,000 square feet of area each, across at least five (5) States/ UTs in case of wall paintings/ digital wall paintings in last one year, then the agency will be eligible to participate in All India tender of wall paintings/ digital wall paintings, i.e., it can bid for rates across all States and UTs. Additionally, an agency should have offices across five (5) or more States in order to be eligible for All India bid. If an agency has executed work of at least 50,000 square feet of area each across in a minimum of one and maximum of four States/ UTs in past one year, then it can bid for rates across concerned States/ UTs. The agency should provide documentary evidence (such as tax receipts, agreement with other vendors, etc.) to that effect.

6.1.6 BOC may, as per requirement, include additional media under Category B and determine the eligibility criteria for agencies for such media.

6.1.7 The agencies should furnish documentary evidence in support of their claim such as copies of work orders received and carried out in past, receipts obtained from civic bodies, submission of GST, etc. Additionally, an agency must submit photographs of work orders executed in the past six (6) months. BOC may also ask for list of sites with geo-tags along with video tours of the sites in order to assess the viability of the sites from BOC's perspective.

6.1.8 BOC reserves the right to physically inspect the official premises of the agency as well as the sites available with the agency.

6.1.9 The agency should NOT have been disqualified by BOC or been a defaulter of BOC in five (5) year preceding the date of application. The agency should not have been blacklisted by Central Government or any State Government.

6.1.10 The Agency should NOT be involved in a criminal act for which the proprietor or Director or promoter of the agency has been convicted by a Court of law or for which the proceedings are pending in a court of law.

6.1.11 The agency should be compliant with all laws of the land.

6.2 **Process of empanelment and rate discovery for Category B media**

6.2.1 Under Category B, empanelment and rate discovery will be done through two bid system as per provisions of GFR. For empanelment under Category B (i.e., the technical evaluation), BOC will call for applications from agencies by publishing advertisement in public domain.

6.2.2 BOC will open window every year to include more agencies in the panel, which will remain on panel for the remaining period calculated from date on which empanelment of first set of agencies is finalized.

6.2.3 BOC may extend the validity of empanelment of Category B agencies, if they continue to fulfil the requisite eligibility criteria under this Category.

- 6.2.4 Once the agencies are empanelled with BOC by qualifying the technical criteria, they will be required to participate in the bidding process (i.e., financial evaluation) initiated by BOC to determine the rates as per their eligibility. BOC will call for financial bids every two (2) years from the technically eligible agencies for the discovery of rates. BOC will determine the state-wise L-1 rates and offer the same rate to all technically eligible agencies for that state/UT, subject to their acceptance of the same.
- 6.2.5 BOC reserves the right to include and exclude different media (i.e., hoardings, wall painting, etc) in this category and float tender accordingly.
- 6.2.6 Once an agency is empanelled by BOC, it will remain on BOC panel for six (6) years.

7 De-empanelment and Blacklisting

- 7.1 If an agency fails to honour BOC release orders without valid grounds twice in a span of six (6) months, the agency is liable to be temporarily suspended for a period of two (2) months from BOC panel. If an agency is temporarily suspended twice during the term of empanelment or during the term when their rate is valid, the agency is liable to be permanently de-empanelled by BOC and may be barred from participating in next tender process/rate contracts.
- 7.2 If during the term of empanelment or rate contract, an agency fails to comply with laws of the land, the agency is liable to be permanently blacklisted by BOC.
- 7.3 The agencies which are on BOC panel are under contractual obligation to furnish only genuine information to BOC regarding execution of the campaigns. If any agency claims payment on the basis of false bills/incorrect information, it is liable to be permanently blacklisted by BOC. This is without prejudice to any further punitive action deemed fit by BOC on the matters.
- 7.4 An agency may be blacklisted from BOC panel if its Director/Promoter/Proprietor/Partner, etc., is convicted by a Court of Law.

8 Media Planning and Release Order

BOC will prepare a media plan on the basis of needs and requirements of the client Ministry/Department, target audience, budget of the campaign, etc. In the media planning BOC will consider the suitability of location and media for a particular campaign. BOC will give preference to media in media dark areas as well as innovative media having higher visibility in the media plans. All Release Orders will be issued online by BOC.

9 Obligation and Duties of Agencies

- 9.1 All Agencies will inform BOC regarding the change in terms and conditions of sole concessionaire rights or any other related information within seven

(7)days of such change. In case of suppression of material information in this regard, an agency is liable to be blacklisted.

9.2 All agencies will inform in writing to BOC regarding the change of ownership/address/contact details, immediately as and when such change takes place.

9.3 All agencies will fully comply with terms and conditions of Release Orders. In case they are not able to display on the allocated sites, they may seek approval for display on alternate sites. Any change in display location will be done with prior approval of BOC.

10 Inspection/Verification and Processing of Bills

10.1 BOC will specify parameters for inspection and verification of Outdoor media and Personal media which may include Inspection Report, Verification Report issued by rights giving body, or technological solutions determined to be effective and fool-proof by BOC.

10.2 All agencies will submit bills online as well as the physical bills in original along with the Inspection Report/Verification Report within 30 days from the date of completion of the campaign.

10.3 All agencies will comply with instructions mentioned in Release Order and other instructions issued by BOC from time-to-time. BOC will notify the detailed requirements for inspection and verification.

10.4 All agencies will accept BOC rates and carry out the campaign as per Release Order.

11 Grievance redressal

BOC will set up a grievance redressal mechanism to look into the grievances of agency regarding rate settlement. Any agency can register its grievance with grievance redressal body, if it does not receive any communication regarding offering of rates/ rejection of application within the time prescribed by competent authority at BOC, from time-to-time.

12 Implementation

These guidelines will come into effect from the date of notification by BOC and will supersede all earlier internal guidelines of BOC. These guidelines will be applicable to all the existing media/ locations already on BOC panels as well as the ones which are taken on BOC panel in future.
