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**MAHARASHTRA GOVERNMENT ISSUES GUIDELINES FOR RESTARTING MEDIA AND ENTERTAINMENT INDUSTRY****1. INTRODUCTION**

The sudden outbreak of the novel coronavirus (“COVID-19”) led the Government of India to impose a nationwide lockdown in an attempt to control the spread of the pandemic. The lockdown which began on March 25, 2020, deeply impacted the media and entertainment industry, especially with the suspension of all production work. As the Central and State Governments ease the lockdown in a phased manner, the Government of Maharashtra has, on the request of various stakeholders, allowed shooting of content for films, television and ‘Over-the-Top’ platforms and through a government resolution dated May 30, 2020 issued the ‘Guiding Principles to restart Media Entertainment Industry in Maharashtra’<sup>1</sup> (the “Guidelines”).

All production related activities are permitted to be carried on outside containment zones and only within the daily permissible timings prescribed by the Government. The Guidelines are required to be adhered to strictly and any failure to comply will lead to suspension of activities.

**2. OVERVIEW**

The Guidelines lay down detailed standard operating procedures to be followed by the producers, various members and departments of the crew as well as cast, while shooting. The Guidelines are 18 pages long and detailed covering different aspects of shoot. To summarize the Guidelines, we have provided a subject wise snap shot of the same below.

**2.1. Education and Sensitization**

The Guidelines require that all the partners and employees involved in production of content should be educated and sensitized on preventive measures for COVID-19. Sessions with certified health and safety consultants should be scheduled to educate all stakeholders at various locations, focusing on precautions, symptoms, stages of infections, tests for infection and various preventive measures that should be taken.

**2.2. Social Distancing**

The Guidelines require ensuring social distancing by minimizing physical contact, maintaining a distance of minimum 6 feet and wearing of masks and gloves by all persons on set, except for those on screen. The Guidelines advise using larger tents with portable air conditioners instead of trailer vans or motorhomes,

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<sup>1</sup> Available at <https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202006021247128923.pdf>

for shooting. In case of use of a trailer van, having more than 5 people in the trailer van should be avoided. Lunch breaks should be staggered to avoid gatherings.

The strength of the crew is required to be reduced to 33% of the strength prior to the outbreak of COVID-19. The reduction in numbers does not apply to the main cast, security personnel, drivers, catering services, and generator operator. Any employee who is above the age of 65 or pregnant or whose spouse is pregnant is not to be allowed on the set.

The Guidelines mandate floor markings according to the social distancing norms and displaying precautionary guidelines and emergency helpline at strategic locations. Minimum number of junior artists and crew should be on the shooting premises and the production should minimize the use of props. Elaborate and extravagant sequences such as marriage, market or fight sequences are not to be planned until the threat of COVID-19 subsides.

Identifying activities that can be carried out remotely, including casting, and executing them over video calls, emails etc. is encouraged.

The Guidelines encourage actors to get ready at their residence and bring minimum staff to the shooting premises, with all trials, fittings and look test being carried out at the residence of the artist.

No audience is to be allowed in the shooting premises. In respect of non-fiction shows, children below the age of 10 years are not be allowed to participate. For children above the age of 10 years, only one acquaintance of the child may be allowed to accompany such child.

### **2.3. Sanitization and Personal Hygiene**

The Guidelines provide that all doors and windows should be kept open for ventilation. All deliveries should be handled outside office. Proper and regular sanitization is to be maintained including daily fumigation, regular cleaning and disinfection of all gears and equipment by members of each department. Sharing of tools should be minimized and each crew member should be provided his or her own tools. The producer should provide minimum 3 washrooms which should be sanitized every hour. Housekeeping staff should be trained regularly.

The Guidelines mandate the use of masks or face shields and hand sanitizers. All crew members coming to the set should wash their hands and change their clothes in order to maintain proper hygiene. PPE should be worn by hair and make-up artists and other crew involved in activities involving person-to-person contact.

### **2.4. Medical Facilities**

An ambulance, a doctor and nurse are required to be present on every set, constantly monitoring the health of the entire cast and crew. Every set should have an oximeter. Every person entering the shooting premises or set should be monitored for symptoms of COVID-19 and advised accordingly. All cases with symptoms of COVID-19 should be reported to nearest local authority or the collector. Every shooting unit should maintain data of personnel suffering from co-morbidities like diabetes, hypertension, cardiac issue, etc.

## 2.5. Aarogya Setu Application

The Guidelines mandate the installing of Aarogya Setu application on compatible devices owned by the cast and crew, which is required to be kept on, throughout the day.

## 2.6. Self-Declaration

All employees are required to submit a self-declaration about any close contact with a COVID-19 patient, person returned from a foreign country, and any symptoms of COVID-19. In case the history suggests any COVID-19 symptoms, the same is required to be reported to the concerned authority.

## 2.7. Alternate Lodging

The Guidelines require alternate lodging to be provided to house crew for the duration of the shoot. The crew is to be provided with accommodation in the premises, in compliance with social distancing norms. In the event accommodation cannot be provided inside the studio premises, then the production house should arrange accommodation in nearby facilities like hotels or housing apartments. Such premises should be used exclusively for the shooting crew. In the event of accommodation near the shooting premises, the production house is required to make travel arrangements to and from the studio for the crew. In the event accommodation is not possible in the premise or nearby, or if employees choose to stay at home, employees will have to travel on their own, adhering to the rules and regulations laid by the authorities.

## 2.8. Domestic Travel

Travelling should be minimized and any travelling should be in adherence to the guidelines issued by the Government of India or State Government of Maharashtra. People returning from a containment area should monitor themselves for any symptoms for 14 days. If they notice any symptoms of COVID-19, they should self-isolate themselves, and inform their health care provide or local public health department. All necessary permissions required for travelling should be sought from the concerned authorities.

## 2.9. Handling of COVID-19 Positive Cases

In the event any person in the shooting premises is found positive for COVID-19, that person should be isolated and the studio should be vacated immediately. Any person who had been in contact with the person who is COVID-19 positive should also be isolated. All advisory issued by competent authority are to be followed. Studio should be fumigated and sanitized extensively. Shooting and other operations are to be halted for 3 days and resumed only after safety checks.

## 2.10. Permission for Shooting

Permission for shoots can be sought by making an application to the managing director of the Maharashtra Film, Theatre, Cultural Development Corporation, Dadasaheb Phalke Chitranagari for shoots within Mumbai and to the respective district collectors for shoots outside Mumbai. The Collector may seek

information from the local authority, basis which the Collector may grant or deny permission. Permission for the shooting of any TV show shall be procured by the respective broadcasting company, which shall also be responsible to ensure that all artists and technicians take proper health precautions. All permissions required for shooting of films shall be the responsibility of the film producer.

### 3. **INDUSLAW VIEW**

The Hindi film industry which is primarily located in Mumbai has an annual turnover of INR 49.5 billion<sup>2</sup> which comprises the major portion of the revenues collected by the entire Indian film industry. The nationwide lockdown had completely stalled all production activity and caused huge losses to the Indian film industry, which we have discussed in detail in our previous article titled '*The Show Must Go On - COVID-19 and After - A Media and Entertainment Sector Perspective*'.<sup>3</sup> Therefore, this government resolution permitting resumption of shoots will come as relief to producers.

However, it is to be noted that at 18 pages long, the Guidelines are very onerous on producers. Though taking precautions is indispensable to prevent the spread of COVID-19, implementation of the Guidelines on shooting premises may not only be a practical challenge, but will also mean incurring huge expenses and micro-level diligences to be observed by producers. Several activities still remain restricted and it may not be possible to shoot scenes that may necessarily violate social distancing.

Yet, this government resolution will enable producers who are at the final stages of completing the principal photography, or carrying out patch-work shoots to complete their films.

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<sup>2</sup> <http://ficci.in/pressrelease-page.asp?nid=3667>

<sup>3</sup> Available at <https://induslaw.com/app/webroot/publications/pdf/alerts-2020/Infolex%20Article-The-Show-Must-Go-On-Covid-19-And-After-A-Media-and-Entertainment-Sector-Perspective.pdf>